

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-85-24-3) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-3 HILLSIDE DNS/WVR (MULTIFAMILY RESIDENCE DISTRICT, HILLSIDE DENSITY WAIVER).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 1.26-acre site located approximately 170 feet east of the northeast corner of 13th Avenue and Peoria Avenue in a portion of Section 19, Township 3 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R-3" (Multifamily Residence District) to "R-3 Hillside DNS/WVR" (Multifamily Residence District, Hillside Density Waiver).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be limited to a maximum of four units.
2. All landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant trees, 20 feet on center, or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.
3. The sidewalk along Peoria Avenue shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings.
 - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

4. No structure shall be built above the 15% slope line per the approved Slope Analysis, as approved by the Planning and Development Department.
5. The materials, colors, textures and finishes of all structures (including architectural elements, walls, fences and retaining walls) shall match and blend with the adjacent surrounding undisturbed area, as approved by the Planning and Development Department.
6. All disturbed areas not covered by structures or paving must be revegetated with plant species from the Sonoran Desert Plant List that exists in the adjacent undisturbed area, as approved by the Planning and Development Department.
7. Only landscape materials listed the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines (Section 507 TAB II of the Zoning Ordinance) shall be utilized within the landscape areas and improved common areas, as approved or modified by the Planning and Development Department.
8. Natural turf shall not be utilized on individual single-family lots (including the side and rear yards). This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.

9. A minimum of one green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
10. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.
11. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
12. A minimum 40 feet of right-of-way shall be dedicated and constructed for the north side of Peoria Avenue.
13. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
15. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 4th day of December, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-85-24-3

LOT 1:

THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;
EXCEPT THE SOUTH 33 FEET FOR ROAD;
AND EXCEPT THE NORTH HALF.

LOT 2:

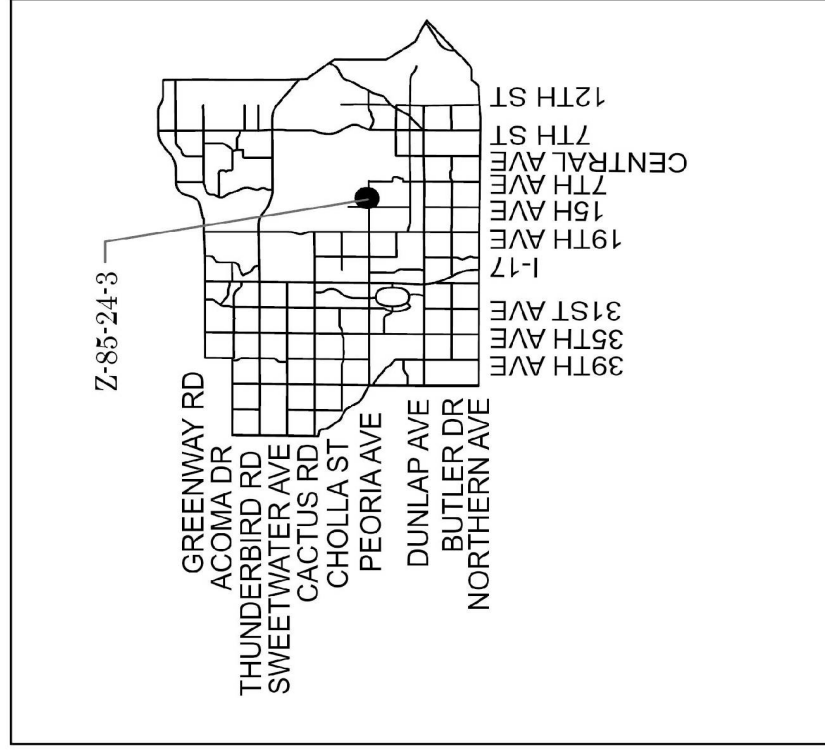
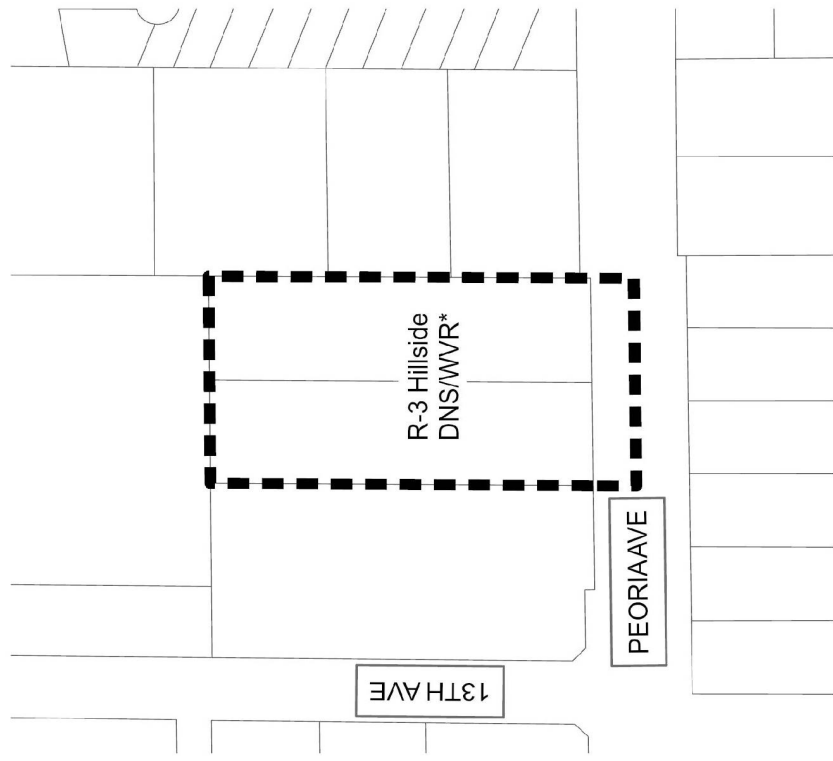
THE EAST HALF OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;
EXCEPT THE SOUTH 33 FEET FOR ROAD;
AND EXCEPT THE NORTH HALF.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-85-24-3
Zoning Overlay: N/A
Planning Village: North Mountain

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■ ■



NOT TO SCALE



Drawn Date: 11/5/2024