

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 (CASE Z-58-21-8) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT), APPROVED R1-18 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 20.76-acre site located at the southwest corner of 19th Avenue and South Mountain Avenue in a portion of Section 1, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "S-1" (Ranch or Farm Residence District), approved "R1-18" (Single-Family Residence District), to "R1-10" (Single-Family Residence District).

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 in general conformance with the site plan date stamped February 2, 2022, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
 - a. The development shall be limited to a maximum of 52 lots.
 - b. All lots shall be a minimum of 75 feet in width.
 - c. Lots shall be a minimum of 45 feet from the southern perimeter property line.
 - d. Lots shall be a minimum of 50 feet from the western perimeter property line.
 - e. A minimum 10-foot-wide landscape setback shall be provided along the southern and western perimeter of the site.
 - f. The location of the open space areas.
 - g. A minimum of 17 percent of the gross site area, exclusive of required landscape setbacks, shall be provided as open space.
 - h. A minimum building setback of 50 feet, exclusive of fencing, entry features or detached accessory structures, shall be provided along the northern and eastern perimeter of the site along 19th Avenue and South Mountain Avenue.
 - i. A minimum 25-foot-wide landscape setback shall be provided along 19th Avenue and South Mountain Avenue. The landscape setback may be reduced to 20 feet for up to 50 percent of this frontage for the purpose of staggering the perimeter theme wall.
 - j. Full ingress and egress to the development shall be limited to 19th Avenue.

2. All landscape setbacks shall be planted with minimum 50 percent 2-inch caliper and 50 percent 3-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.
3. The maximum building height shall be limited to one story and 22 feet.
4. All lots in the development shall be subject to Single-Family Design Review, approved by the Planning and Development Department.
5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
 - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.
 - b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.
 - c. Pitched roofs shall be provided on all primary building elevations.
6. Fences and walls shall be in general conformance with the site wall elevations date stamped January 11, 2022 and site wall plan date stamped February 2, 2022, as modified by the following stipulations, and approved by the Planning and Development Department:
 - a. Full open view fencing, which may include solid columns up to 24 inches in width, shall be utilized where walls are proposed around open space areas adjacent to a perimeter public street.
 - b. The wall layout depicted in the wall plan shall be modified where necessary to accommodate site layout changes that avoid conflicts with the Zoning Ordinance or City Code requirements.
 - c. Perimeter walls bounding the rear yard property lines of residential lots along 19th Avenue and South Mountain Avenue shall include minimum three-foot offsets and material and textural differences, such as stucco, and/or split face or slump block or a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

7. Project entry/exit drives along 19th Avenue shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
8. Project entry/exit drives along 19th Avenue shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.
9. A system of pedestrian connections shall be provided, to connect the following as described below and as approved by the Planning and Development Department:
 - a. Amenity areas.
 - b. Sidewalks.
 - c. Pedestrian path connecting the primary amenity area with the southern and western portions of the site via a centralized pathway.
 - d. The common open space tract along the southwest corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot-wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.
 - e. Pedestrian access shall be provided along vehicular access points to the development. The pedestrian access shall be connected to the internal pedestrian pathways by accessible sidewalks.
10. No more than 50 percent of the landscape areas within common areas or 10 percent of the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards on individual lots.
11. The following shall be provided in the central amenity area and/or dispersed throughout the development, as approved by the Planning and Development Department:
 - a. Tot lot with shade equipment;

- b. One picnic area with a barbeque grill, shade ramada and a picnic table; and
 - c. Two benches or seating features.
12. The sidewalk along 19th Avenue shall be a minimum of five feet in width and detached with a minimum 13-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 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent at maturity.
 - b. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.

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

13. All sidewalks along South Mountain Avenue shall be detached with a minimum five-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 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent at maturity.
 - b. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.

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

14. The developer shall dedicate 50 feet of right-of-way and construct the west half of 19th Avenue, as approved by the Planning and Development Department.
15. The developer shall provide conduit and junction boxes at 19th Avenue and South Mountain Avenue for future traffic signal equipment on the southwest corner of the intersection. All work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer.

16. Existing irrigation facilities along 19th Avenue are to be undergrounded and relocated outside of City of Phoenix right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
17. The developer shall underground all existing electrical utilities located within the public right-of-way that are impacted/ or need to be relocated as part of this project. Coordinate with the affected utility companies for their review and permitting.
18. The developer shall construct all streets within and adjacent to the development 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.
19. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural uses. These documents must advise purchasers that, under Section 3-112(E), Arizona Revised Statutes, the City of Phoenix may not declare an agricultural operation conducted on farmland to be a nuisance if the agricultural use is lawful, customary, reasonable, safe and necessary to the agriculture industry. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
20. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of the Phoenix Regional Police Academy gun range. The form and content of such documents shall be reviewed by the City prior to recordation.
21. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be approved by the Planning and Development Department.
22. The developer shall grant and record an aviation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
23. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

24. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
25. The developer shall dedicate a multi-use trail easement (MUTE) along the west side of 19th Avenue and south side of South Mountain Avenue and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning Section on an alternate design for the requirement through the technical appeal process.
26. The developer shall provide 3 different front yard palettes consisting of two large canopy accent trees, five shrubs and turf or ground cover, or offer evidence of a landscaping incentive package, as approved by the Planning and Development Department. Required front yard trees shall be a minimum of 2-inch caliper size and located to provide the maximum shade possible to sidewalks within the development, as approved by the Planning and Development Department.
27. The developer shall construct one bus stop pad along southbound 19th Avenue. The bus stop pad shall be constructed according to the City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and shall be spaced from the intersection of South Mountain Avenue according to the City of Phoenix Standard Detail P1258.
28. Prior to preliminary 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 2nd day of March, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-58-21-8

Parcel No. 1:

That part of the Southeast quarter of Section 1, Township 1 South, Range 2 East¹ of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the East quarter corner of said Section 1 marked with a brass cap flush, from which the center quarter corner of said Section 1 marked with a brass cap flush, bears South 89 degrees 39 minutes 41 seconds West, a distance of 2632.50 feet; Thence along the East-West Mid-Section line of said Section 11 South 89 degrees 39 minutes 41 seconds West, a distance of 33.01 feet; Thence departing said East-West Mid-Section line, South 1 degree 06 minutes 34 seconds West, a distance of 33.01 feet to a point of intersection of the southerly right of way line of South Mountain Road and the westerly right of way line of 19th Avenue, said point also being the Point of Beginning; Thence along said westerly right of way line South 1 degrees 06 minutes 34 seconds West, a distance of 656.30 feet to the North line of the parcel as shown in Warranty Deed recorded at Recorder's No, 1990-24106 of Maricopa County Records; Thence along the Northerly line of said parcel South 89 degrees 41 minutes 20 seconds West, a distance of 995.89 feet; Thence North 1 degrees 06 minutes 34 seconds East, a distance of 665.82 feet to the Southerly right of way line of South Mountain Road; Thence Easterly along said Southerly right of way North 89 degrees 39 minutes 41 seconds East, a distance of 995.90 feet to the Point of Beginning.

Parcel No. 2:

That part of the Southeast quarter of Section 11 Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows: Commencing at the East quarter corner of said Section 1 marked with a brass cap flush, from which the center quarter corner of said Section 1 marked with a brass cap flush, bears South 89 degrees 39 minutes 41 seconds West along the East-West Mid-Section line of said Section 1, a distance of 2632.50 feet; Thence along said East-West Mid-Section line, South 89 degrees 39 minutes 41 seconds West, a distance of 1028.91 feet; Thence departing said East-West Mid-Section line, South 1 degrees 06 minutes 34 seconds West, a distance of 33.01 feet to a point on the Southerly right of way line of South Mountain Road and the north line of the parcel as shown in Warranty Deed recorded at Recorder's No. 2001-1220430 of Maricopa County Records, said point also being the Point of Beginning;

Thence departing said right of way, South 1 degrees 06 minutes 34 seconds West1 a distance of 327.86 feet to the north line of the parcel as shown in Warranty Deed recorded at Recorder's No. 2001-1220429 of Maricopa County Records;

Thence South 1 degrees 06 minutes 34 seconds West, a distance of 327.96 feet to a point on the north line of a parcel as shown in Warranty Deed recorded at Recorder's No. 2016-919336 of Maricopa County Records;

Thence along said north line, South 89 degrees 41 minutes 20 seconds West, a distance of 285.45 feet to a found 1h inch rebar with tag stamped PLS 42014 on the east line of a parcel as shown in Warranty Deed recorded at Recorder's No. 2019-203874 of Maricopa County Records;

Thence along said east line, North 1 degree 24 minutes 23 seconds East along said east line, a distance of 28.85 feet to a found 1h inch rebar with cap stamped RLS 16785, said rebar marking the Southeast corner of the parcel as shown in Warranty Deed recorded at Recorder's No. 1990-24106 of Maricopa County Records;

Thence along the east line of said parcel, North 0 degrees 59 minutes 30 seconds East, a distance of 298.97 feet;

Thence along the east line of said parcel North 0 degrees 59 minutes 30 seconds East, a distance of 327.85 feet to the southerly right of way of South Mountain Road;

Thence along said southerly right of way line, North 89 degrees 39 minutes 41 seconds East, a distance of 286.59 feet to the Point of Beginning.

ORDINANCE LOCATION MAP

EXHIBIT B

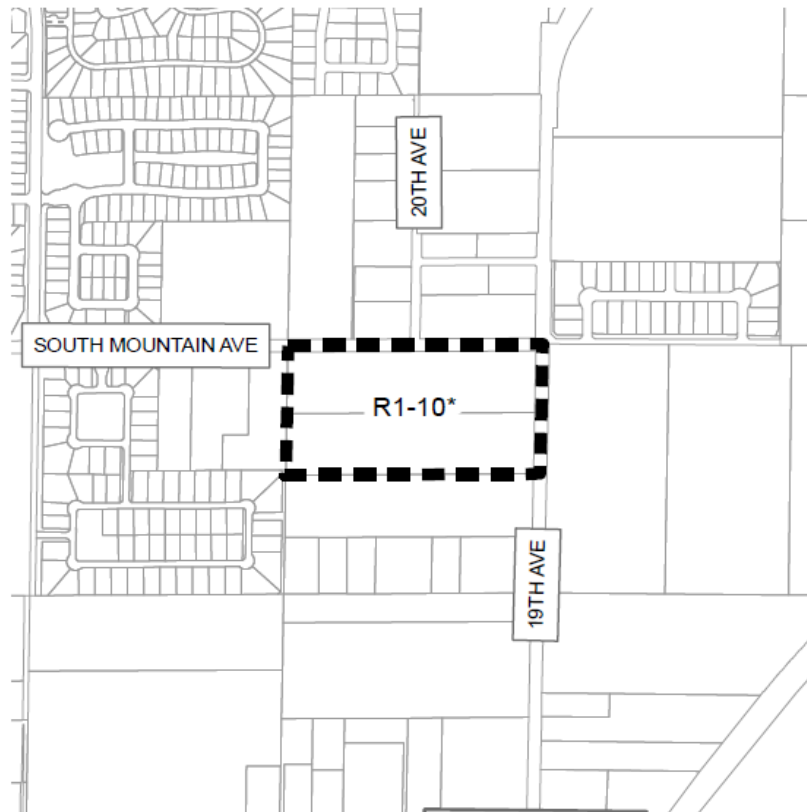
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

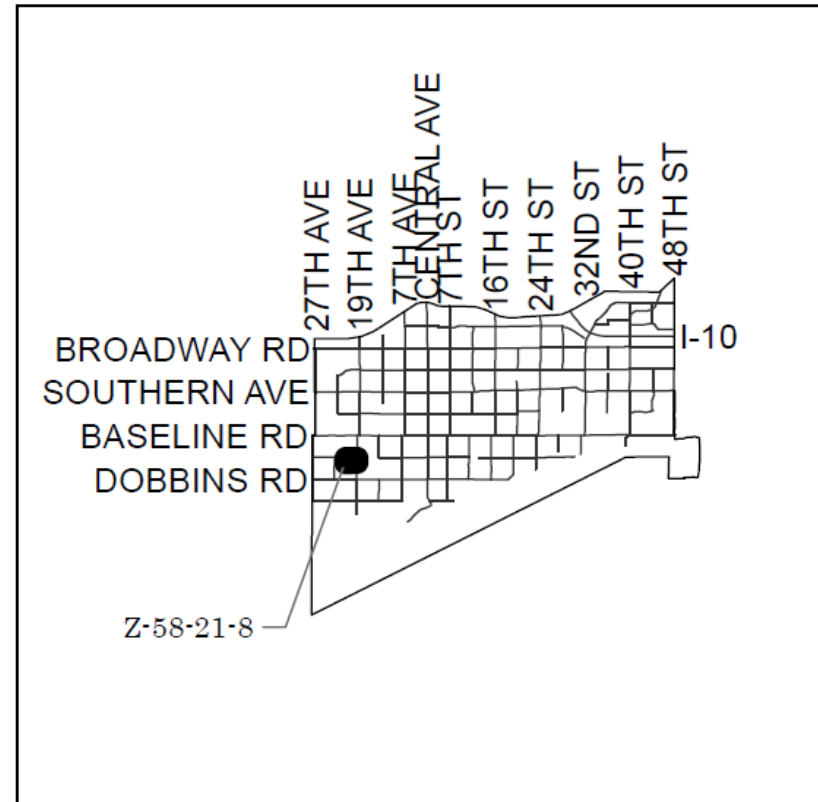
Zoning Case Number: Z-58-21-8

Zoning Overlay: N/A

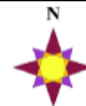
Planning Village: South Mountain



0 412.5 825 1,650 Feet



NOT TO SCALE



Drawn Date: 2/1/2022