

## 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-16-22-1) FROM S-1 (RANCH OR FARM RESIDENCE) 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 5.04 acre site located approximately 300 feet south of the southwest corner of 31st Avenue and Dynamite Boulevard in a portion of Section 35, Township 5 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “S-1” (Ranch or Farm Residence), 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 not exceed 14 lots.
2. The development shall be in general conformance with the conceptual elevations date stamped March 10, 2022, as approved by the Planning and Development Department.
3. A minimum of 10 lots, which shall include all lots adjacent to 31st Avenue, the lot at the northwest corner of the site, and all lots adjacent to the south perimeter of the site, shall be limited to 1 story and 20 feet in height, as approved by the Planning and Development Department.
4. The common open space area shall provide a minimum of 2 active recreational elements, such as, but not limited to, playground sets, ramadas, barbeque area, as approved by the Planning and Development Department.
5. The required landscape setback along 31st Avenue shall include minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
6. All sidewalks within the subdivision shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
7. 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.
8. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
9. 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.

10. 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 7th day of December, 2022.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

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

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

## EXHIBIT A

### Parcel 1:

The North half of the South half of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPTING the Easterly 25 feet for right of way purposes as found in Ordinance S-29091; and

EXCEPT all oil, gas and other mineral deposits as reserved to the United States of America in patent to said land recorded in Docket 3620, page 379.

### Parcel 2:

The South half of the South half of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPTING the Easterly 25 feet for right of way purposes as found in Ordinance S-29091; and

EXCEPT all oil, gas and other mineral deposits as reserved to the United States of America in patent to said land recorded in Docket 3620, page 379.

together with all rights and privileges appurtenant thereto.

# ORDINANCE LOCATION MAP

EXHIBIT B

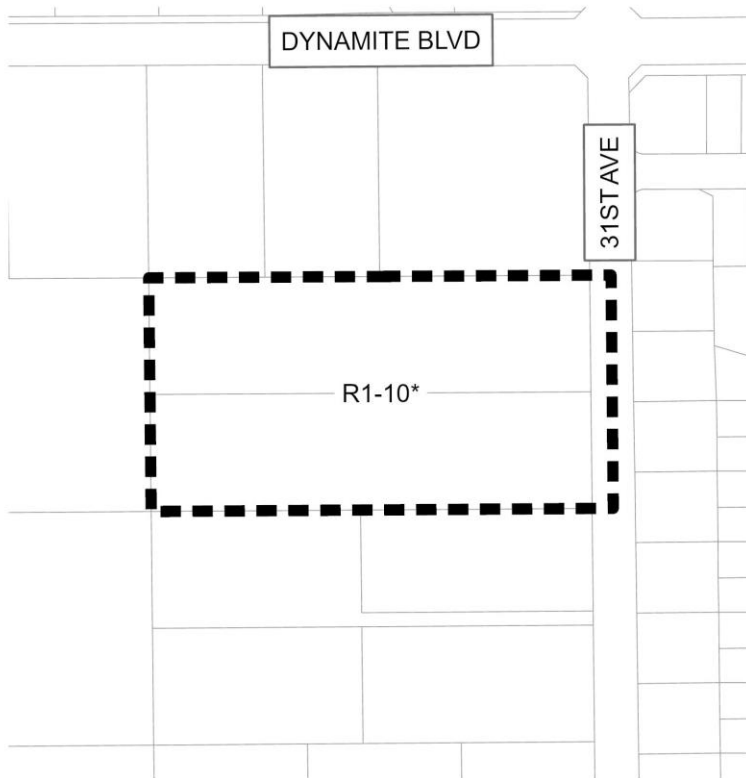
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

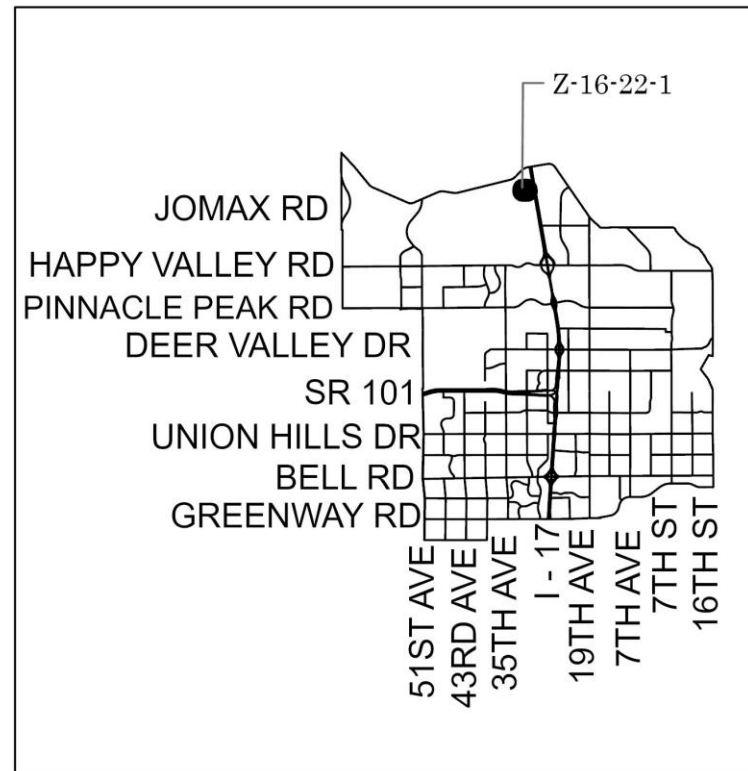
Zoning Case Number: Z-16-22-1

Zoning Overlay: N/A

Planning Village: Deer Valley



0 110 220 440 Feet



NOT TO SCALE



Drawn Date: 10/4/2022