

**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-31-21-8) FROM S-1 (RANCH OR FARM 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 49.52-acre site located at the southeast corner of 19th Avenue and South Mountain Avenue in a portion of Section 6, Township 1 South, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "S-1" (Ranch or Farm 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 January 6, 2022, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
  - a. Lots 1 through 28 shall be a minimum of 75 feet in width.
  - b. All other lots shall be a minimum of 60 feet in width.
  - c. Portions of lots 28 and 29 may be modified to accommodate any required canal frontage standards.
  - d. The location of the open space areas.
  - e. A minimum of 16 percent of the gross site area shall be provided as open space.
  - f. A minimum building setback of 150 feet, exclusive of fencing or entry features, shall be provided along the western perimeter property line along 19th Avenue.
2. The required 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 within the development shall be subject to Single-Family Design Review, including 75-foot-wide lots, as 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.



- (4) The common open space tract along the southeast 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.
  - (5) A minimum 8-foot wide pedestrian pathway shall connect the development with the multi-use trail along the Western Canal. This pathway shall be provided within an average 30-foot wide landscape tract and constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material.
  - (6) The developer shall provide pedestrian access to the Western Canal along the southeastern property line and pedestrian access along both 19th Avenue and South Mountain Avenue. The pedestrian 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. Open space areas shall be in general conformance with the landscape plan date stamped January 6, 2022, as modified by the stipulations and incorporating the following amenities, as approved by the Planning and Development Department:
  - a. Tot lot with shade equipment;
  - b. Two picnic areas each with a barbeque grill, shade ramada and a picnic table;
  - c. Four benches or seating features; and
  - d. Garden amenity of no less than a combined 1,000 square feet in size.
12. All sidewalks along 19th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross

Section of the Street Classification Map 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 a 30-foot-wide multi-use trail easement (MUTE) along the east side of 19th 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 this requirement through the technical appeal process.
15. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 19th Avenue, as approved by the Planning and Development Department.
16. The developer shall provide the following dedications and construct the south half of South Mountain Avenue in the following manner, as approved by the Planning and Development Department:
  - a. Thirty feet of right-of-way between 19th Avenue and 17th Drive.

- b. Forty-four feet of right-of-way east of 17th Drive extending to the eastern boundary of the subject site.
17. The developer shall underground all existing overhead utility lines adjacent to the site.
18. The developer shall provide conduit and junction boxes at the southeast corner of 19th Avenue and South Mountain Road for future traffic signal equipment, as approved by the Street Transportation Department.
19. Existing irrigation facilities along 19th Avenue and South Mountain Avenue shall be undergrounded and/or relocated outside of City 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.
20. 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.
21. 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 activity 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.
22. 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.
23. 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 according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
24. 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.

25. 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.
26. 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.
27. The developer shall dedicate right-of-way and construct one bus stop pad along northbound 19th Avenue towards the south end of the site. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet.
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 February, 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 (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT



EXHIBIT A

LEGAL DESCRIPTION FOR Z-31-21-8

PARCEL NO. 1:

LOT 6 OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

PARCEL NO. 2:

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE FOLLOWING DESCRIBED PROPERTY;

THAT PART OF THE NORTHEAST OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER SAID CORNER BEING MARKED WITH A CONCRETE MONUMENT;

THENCE WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER 938.38 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE SOUTH 00 DEGREES 3 MINUTES WEST ALONG A FENCE 1296.60 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 49 DEGREES 47 MINUTES EAST ALONG THE NORTHWEST SIDE OF A DITCH 660.05 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 40 DEGREES 26 MINUTES EAST CONTINUING ALONG SAID DITCH 250.40 FEET TO A POINT MARKED WITH AN IRON PIPE;

THENCE NORTH 27 DEGREES 30 MINUTES EAST CONTINUING ALONG SAID DITCH 596.80 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, SAID POINT BEING MARKED WITH AN IRON PIPE;

THENCE NORTH 0 DEGREES 16 MINUTES WEST ALONG SAID EAST LINE 142.93 FEET TO THE POINT OF BEGINNING; AND

EXCEPT ANY PORTION LYING EASTERLY OF THE WEST RIGHT OF WAY LINE OF THE WESTERN CANAL.

# ORDINANCE LOCATION MAP

EXHIBIT B

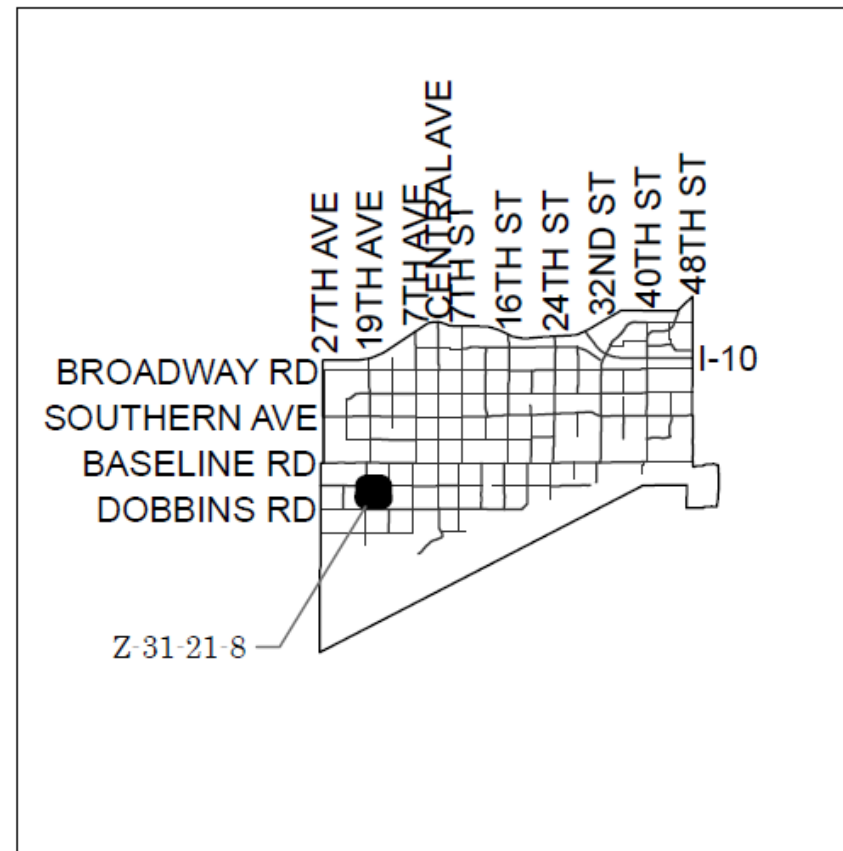
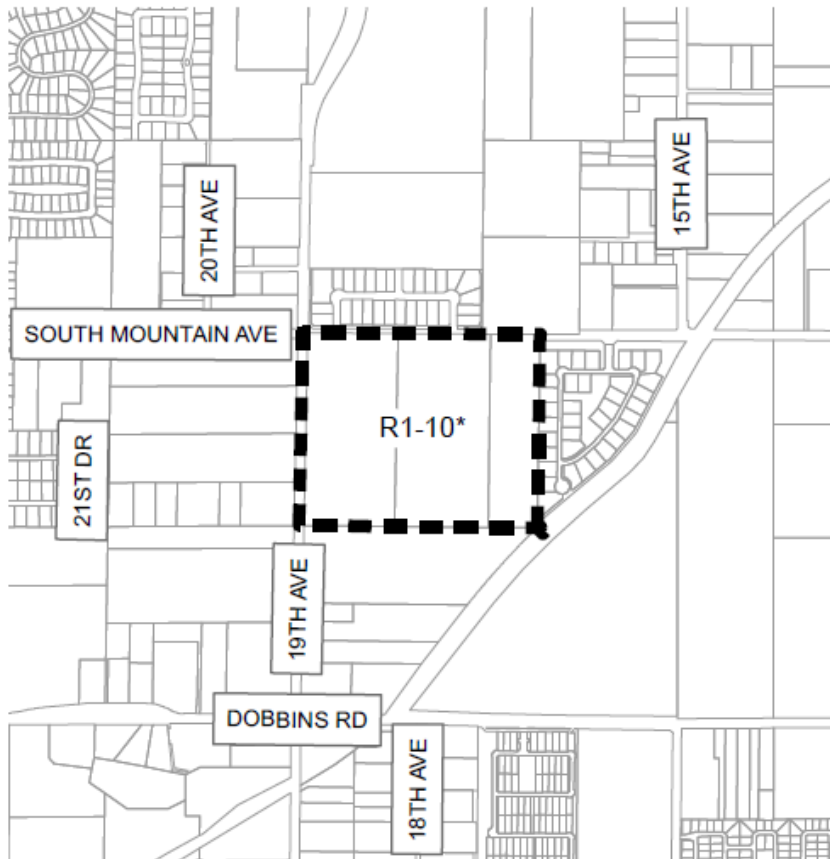
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■■■■■

Zoning Case Number: Z-31-21-8

Zoning Overlay: N/A

Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 12/28/2021