

## 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-66-24-8) FROM A-2 RSIOD (INDUSTRIAL DISTRICT, RIO SALADO INTERIM OVERLAY DISTRICT) TO A-2 HGT/WVR RSIOD (INDUSTRIAL DISTRICT, HEIGHT WAIVER, RIO SALADO INTERIM OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 3.98-acre site located at the northeast corner of 19th Avenue and the Lower Buckeye Road alignment in a portion of Section 18, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "A-2 RSIOD" (Industrial District, Rio Salado Interim Overlay District) to "A-2 HGT/WVR RSIOD" (Industrial District, Height Waiver, Rio Salado Interim Overlay 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 height waiver shall be limited to the location and height of structures exceeding 56 feet in height, as shown on the site plan and elevations date stamped July 10, 2024, and as approved by the Planning and Development Department.
2. A minimum 25-foot landscape setback, planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings, and drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage, shall be provided along 19th Avenue, as approved by the Planning and Development Department.
3. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Ready Infrastructure, as approved by the Planning and Development Department.
4. A minimum 50 feet of right-of-way shall be dedicated for the east side of 19th Avenue.
5. A minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip located between the back of curb and sidewalk shall be provided along the east side of 19th Avenue, 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, to achieve a minimum 75% shade.
  - b. Shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage.

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

6. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA

guidelines.

7. 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.
8. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
9. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas located on properties for uses such as parks, schools, and residential common areas, as approved by the Planning and Development Department.
10. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
11. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Business Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
13. 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.
14. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
15. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

16. 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.
17. 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 2nd day of October, 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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-66-24-8

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

The South 196 feet of Lot 4, of Section 18, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the North 34 feet of the South 182 feet of said Lot 4 of Section 18, as conveyed to California, Arizona and Santa Fe Railway Company in Book 605 of Deeds, page 525; and also

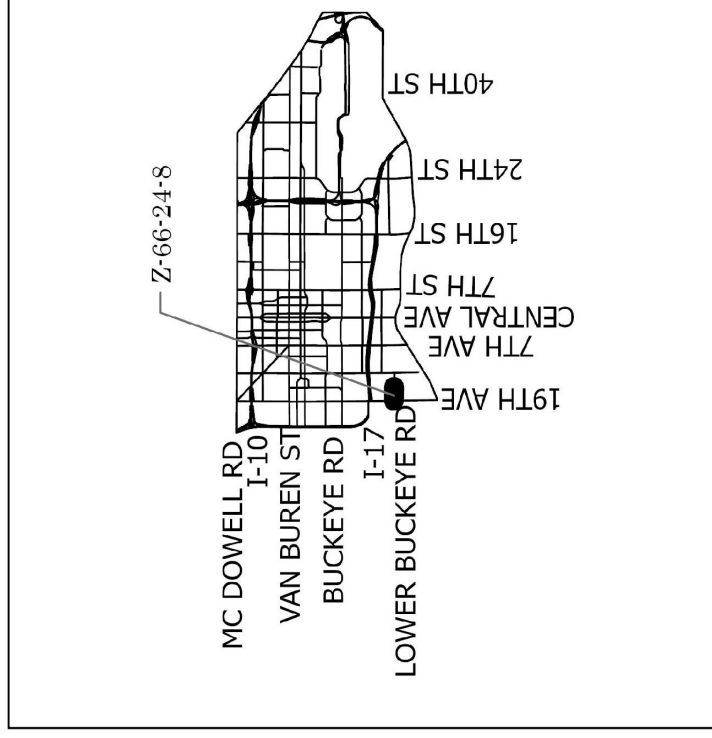
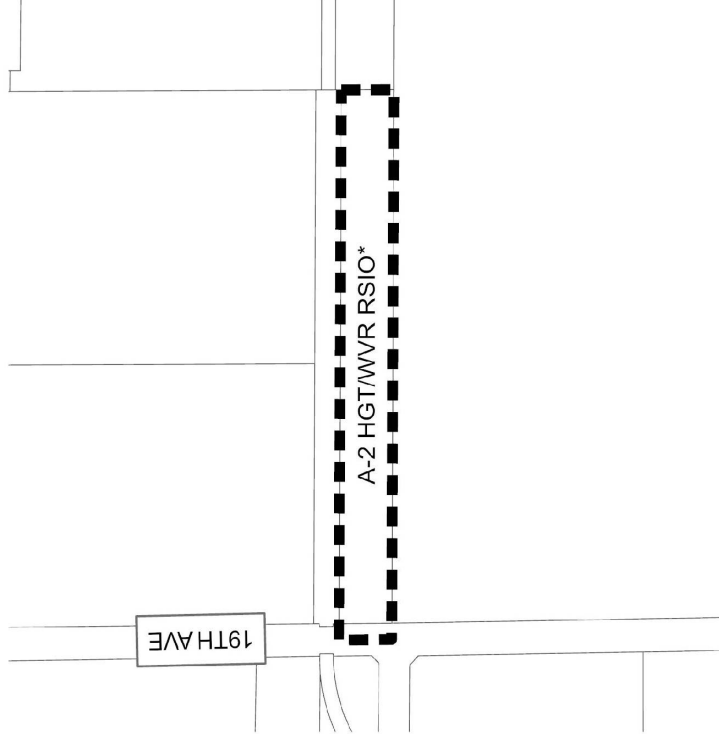
EXCEPT the West 40 feet of the North 62 of the South 196 feet of the Southwest quarter of Section 18, Township 1 North Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, as deeded to the City of Phoenix in Docket 12313, page 558; and also

EXCEPT the West 40 feet of the South 134 feet of the Southwest quarter of Section 18, Township 1 North Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, as deeded to the City of Phoenix in Docket 15592, page 306, re-recorded in Docket 15624, page 69.

# ORDINANCE LOCATION MAP

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

Zoning Case Number: Z-66-24-8  
Zoning Overlay: Rio Salado Interim Overlay District  
Planning Village: Central City



NOT TO SCALE



Drawn Date: 9/3/2024