

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 ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-73-17-3) FROM RE-35 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of an approximately 2.37 acre property located at approximately 180 feet north of the northwest corner of 22nd Avenue and Carolina Drive in a portion of Section 1, Township 3 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from RE-35 (Single-Family Residence District) to R1-6 (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. All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by adjacent property owners.
2. 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.
3. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix 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.
4. 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.
5. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. 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 March,
2018.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-73-17-3

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

MORE SPECIFICALLY, LOT 20, OF SIERRA PRIETA ESTATES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 112 OF MAPS, PAGE 24.

TOGETHER WITH THAT PART OF THE EAST HALF OF THE ABANDONED ALLEY AS SET FORTH IN DOCKET 13604, PAGE 944, LYING WEST OF AN ADJACENT TO AND NEAREST IN PROXIMITY OF SAID LOT 20; AND

TOGETHER WITH THAT PORTION LYING BETWEEN THE NORTHERLY PROLONGATION OF THE WEST LINE OF THE EAST HALF OF THE ALLEY ABANDONED IN DOCKET 13604, PAGE 944 AND THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 20 AS ABANDONED IN PART NO. 1 OF RESOLUTION NO. 19756 RECORDED IN DOCUMENT NO. 2002-210025; AND

TOGETHER WITH THAT PORTION OF 22ND AVENUE, AS SHOWN ON AND DEDICATED BY SIERRA PRIETA ESTATES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 112 OF MAPS, PAGE 24 LYING WITHIN THE NORTH 99.37 FEET AS ABANDONED IN PART NO. 2 OF RESOLUTION NO. 19756 RECORDED IN DOCUMENT NO. 2002-210025.

ORDINANCE LOCATION MAP

EXHIBIT B

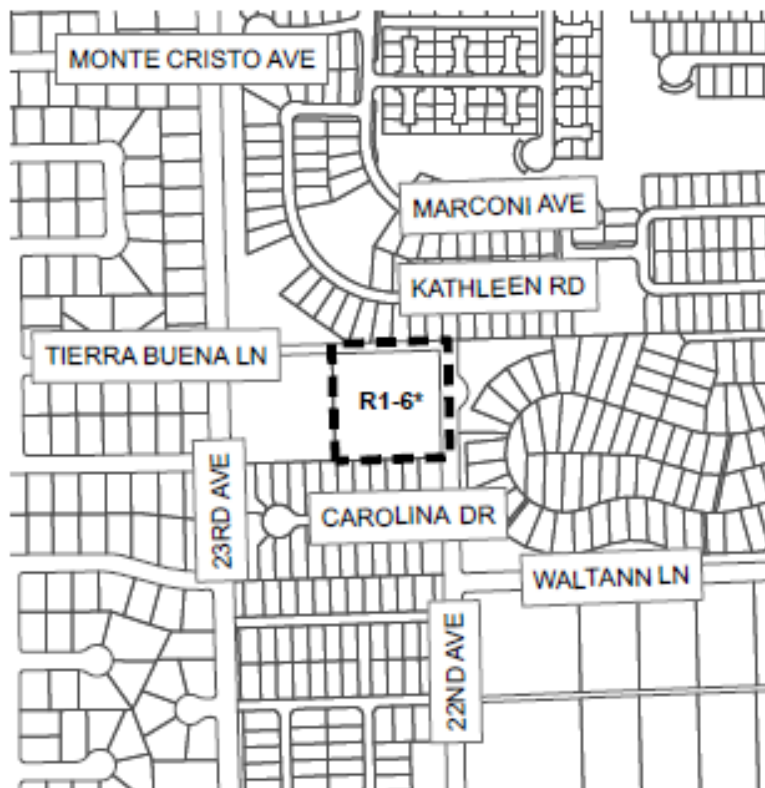
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

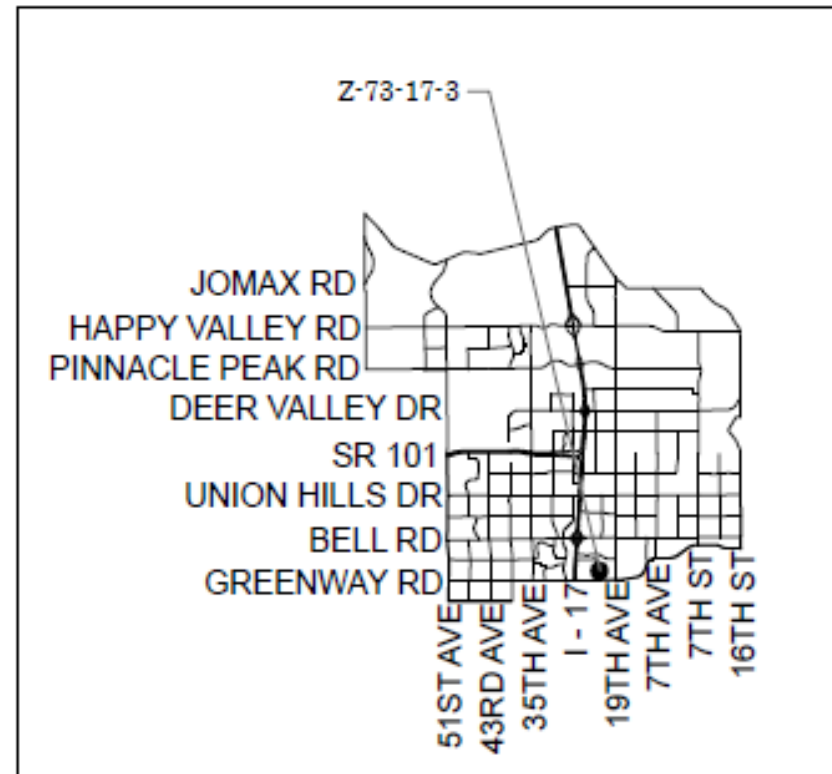
Zoning Case Number: Z-73-17-3

Zoning Overlay: N/A

Planning Village: Deer Valley



0 425 850 1,700 Feet



NOT TO SCALE



Drawn Date: 2/1/2018