

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-103-23-8) FROM R-4 CCSIO (MULTIFAMILY RESIDENCE DISTRICT, CENTRAL CITY SOUTH INTERIM OVERLAY DISTRICT) TO C-3 CCSIO (GENERAL COMMERCIAL, CENTRAL CITY SOUTH INTERIM OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 1.01-acre site located approximately 355 feet east and 340 feet south of the southeast corner of 19th Avenue and Buckeye Road in a portion of Section 18, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R-4 CCSIO" (Multifamily Residence District, Central City South Interim Overlay District) to "C-3 CCSIO" (General Commercial, Central City South 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.	Upon site plan approval and permit issuance for any new building(s) or structure(s) on the site, the following shall apply:	
	a.	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. 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.
	b.	Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance.
	c.	A minimum of 10 percent of the required parking shall be EV Ready.
	d.	A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
2.	The site is located within a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2215 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. Prior to issuance of a grading and drainage permit or prior to site plan approval and permit issuance for any new building(s) or structure(s) on the site, the following requirements shall apply:	
	a.	The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
	b.	A copy of the Grading and Drainage Plan needs to be submitted to the

		Floodplain Management section of Street Transportation Department for review and approval of Floodplain requirements.
	c.	FEMA approved CLOMR-F or CLOMR is required prior to issuance of a Grading and Drainage permit.
3.		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.
4.		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.
5.		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.
6.		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.
7.		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 1st day of May, 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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-103-23-8

Within a portion of Section 18, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

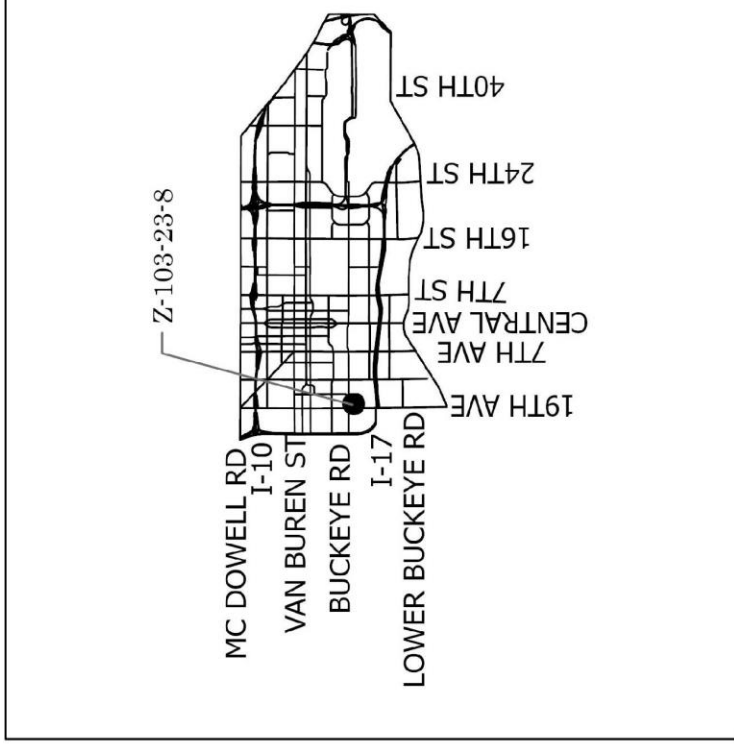
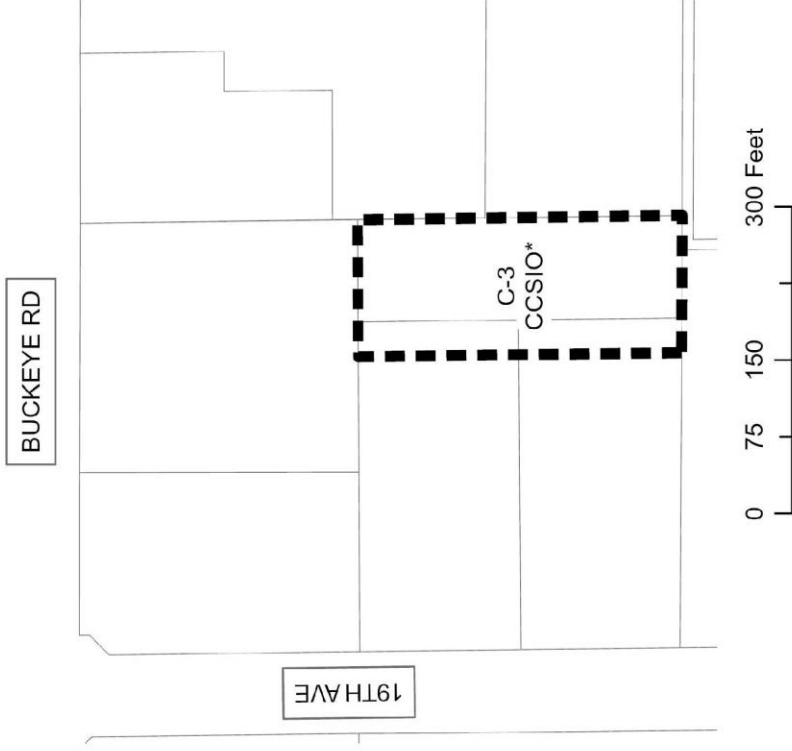
The south 329.02 feet of Lot Two in WHITTON TRACT, according to the plat thereof of record in the office of the County Recorder of Maricopa County, Arizona, In Book 4 of Maps, at Page 66 thereof; EXCEPT the east 135.66 feet.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-103-23-8
Zoning Overlay: Central City South Interim
Overlay District
Planning Village: Central City



NOT TO SCALE



Drawn Date: 3/29/2024