

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-8-18-8) FROM S-1 (APPROVED R1-18) (RANCH OR FARM RESIDENCE DISTRICT, APPROVED SINGLE-FAMILY 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 an approximately 20.74-acre property located at the southwest corner of 19th Avenue and South Mountain Avenue in a portion of Section 1, Township 1 South, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "S-1 (Approved R1-18)" (Ranch or Farm Residence District, Approved Single-Family 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 October 3, 2018, as approved by the Planning and Development Department, with specific regard to and with exception of the following.
 - a. The development shall be limited to a maximum of 67 lots.
 - b. The perimeter lots along the north, west, and east shall be limited to a maximum building height of one story and 22 feet.
 - c. A pedestrian pathway with a minimum width of 10 feet shall be provided within a minimum 35-foot landscape tract connecting to the sidewalk along 19th Avenue. The pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the pedestrian pathway.
 - d. The features and amenities provided in the open space areas.
 - e. The primary entry shall be off of 19th avenue.
2. The developer shall provide a minimum 8-foot-wide pedestrian pathway or trail along 19th Avenue and South Mountain Avenue constructed of decomposed granite or similar alternative material, as approved by the Planning and Development Department.
3. A minimum landscape setback of 25 feet shall be provided along 19th Avenue and South Mountain Avenue. The landscape setback may be reduced to 22 feet for up to 50 percent of this frontage for the purpose of staggering the perimeter theme wall, as approved by the Planning and Development Department.
4. Landscaping along 19th Avenue and South Mountain Avenue shall include a minimum of two rows of trees, with one row planted along each side of the sidewalk, containing minimum 2-inch caliper fan tex or fan west ash trees or similar species, placed a minimum of 25 feet on center or in

equivalent groupings, as approved by the planning and development department.

5. A minimum 20-foot-wide landscape area shall be provided in a separate landscape tract along the south and west property lines as approved by the Planning and Development Department. The landscape area shall include orange jubilee or similar species at a minimum of 6 feet on center or equivalent groupings, planted to create a continuous screening hedge, and as approved by the Planning and Development Department.
6. All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2- 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.
7. Perimeter walls bounding the rear yard property lines of residential lots along 19th Avenue and South Mountain Avenue shall include minimum three-foot offsets and material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.
8. View fencing with a rural design theme (e.g. wrought iron, split-rail, corral, etc.), which is a minimum 80% open, and limited to a maximum height of 4 feet, shall be provided in the following locations, as depicted on the Conceptual Site Plan date stamped October 3, 2018, and as approved by the Planning and Development Department: Adjacent to common area tracts along 19th Avenue and South Mountain Avenue, along the perimeter of the community garden at the northeast corner of the site, and along the perimeter of Tract B (stormwater retention area) at the northwest corner of the site.
9. Conceptual elevations shall be reviewed and approved for consistency with the Rio Montaña Area Plan by the Planning Hearing Officer through the public hearing process for stipulation modification prior to single-family design review approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
10. A minimum of 50% of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.

11. A minimum of 22% of the gross project area shall be retained as open space, as approved by the Planning and Development Department.
12. The project entry along 19th Avenue shall include a primary entry feature that incorporates landscaping with the entry sign. The landscaping shall be a minimum of 250 square feet, held in a common tract, and planted with a variety of at least three plant materials. The landscaped area may be split into two, 125-square foot areas.
13. The main project entry drive along 19th Avenue shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
14. Right-of-way totaling 50 feet shall be dedicated for the west half of 19th Avenue, as approved by the Planning and Development Department.
15. A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southwest corner of 19th Avenue and South Mountain Avenue, as approved by the Planning and Development Department.
16. 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.
17. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
18. The developer shall submit a Traffic Statement to show the potential impact of this development on Baseline Road. Requirements for the study shall be determined and approved by the Street Transportation Department prior to Preliminary Site Plan Approval.
19. 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.
20. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development(s) the existence and operational characteristics of Phoenix Sky Harbor International Airport. 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.

21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property the existence and operational characteristics of nearby agricultural and farming activities that may cause adverse odors, dust, and other impacts. 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.
22. 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 5th day of December, 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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-8-18-8

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 1 AS MARKED BY A BRASS CAP FLUSH IN ASPHALT, FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 1 AS MARKED BY A BRASS CAP FLUSH BEARS SOUTH 89°39'41" WEST, A DISTANCE OF 2632.50 FEET;

THENCE ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SOUTH 01°06'34" WEST, A DISTANCE OF 689.32 FEET; THENCE DEPARTING SAID EAST LINE SOUTH 89°41'20" WEST A DISTANCE OF 33.01 FEET TO THE WEST LINE OF THE EAST 33 FEET OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE CONTINUING SOUTH 89°41'20" WEST, A DISTANCE OF 1281.34 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AS MARKED BY A 1/2 INCH REBAR;

THENCE ALONG SAID WEST LINE NORTH 01°24'23" EAST, A DISTANCE OF 28.85 FEET TO A 1/2 INCH REBAR WITH PLASTIC CAP MARKED RLS 16785;

THENCE CONTINUING ALONG SAID WEST LINE NORTH 00°59'30" EAST, A DISTANCE OF 626.81 FEET TO THE SOUTH LINE OF THE NORTH 33 FEET OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE CONTINUING ALONG SAID WEST LINE NORTH 00°59'30" EAST, A DISTANCE OF 0.15 FEET TO A 1/2 INCH REBAR CAPPED LS 15336;

THENCE NORTH 01°56'03" WEST, A DISTANCE OF 32.86 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

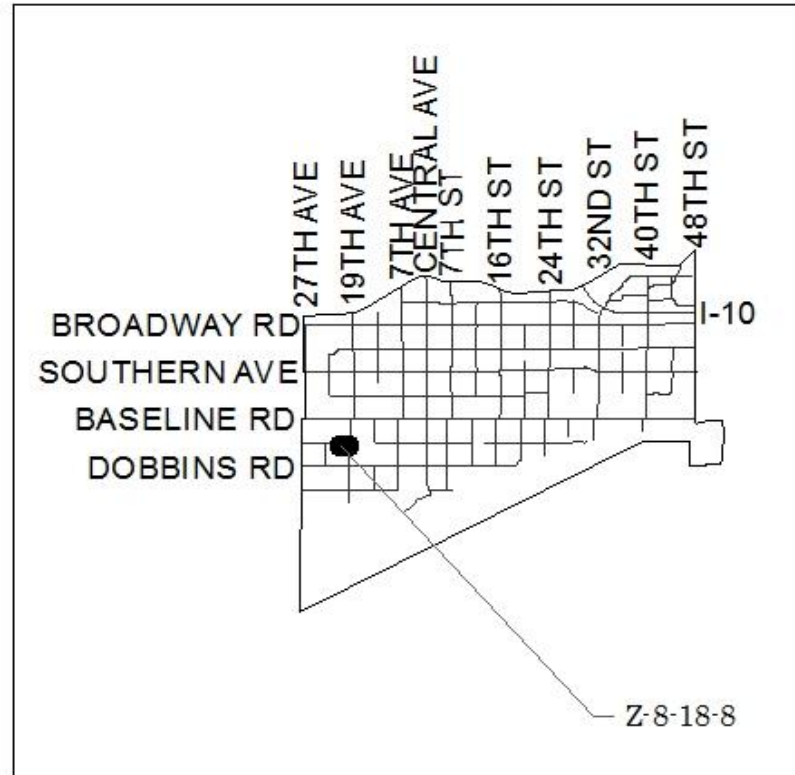
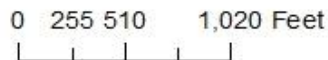
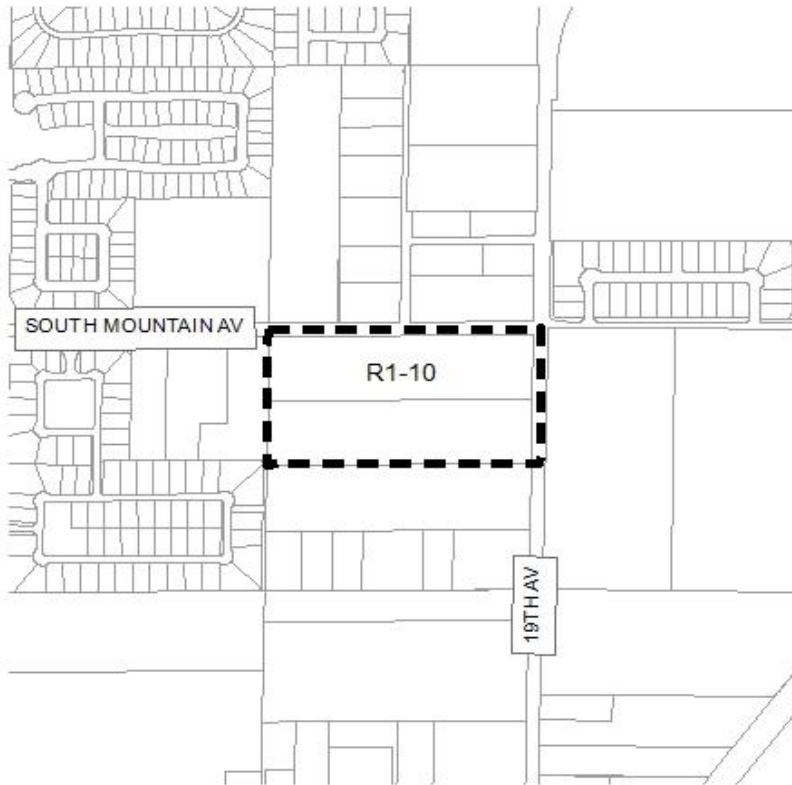
THENCE NORTH 89°39'41" EAST, A DISTANCE OF 1317.25 FEET TO THE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-8-18-8
Zoning Overlay: N/A
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 11/1/2018