

## **ATTACHMENT A**

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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-69-24-7) FROM COUNTY RU-43 (PENDING S-1) (ONE ACRE PER DWELLING UNIT, PENDING RANCH OR FARM RESIDENCE) TO A-1 (LIGHT INDUSTRIAL DISTRICT).

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

SECTION 1. The zoning of a 3.66-acre site located approximately 1,440 feet west of the southwest corner of 51st Avenue and Broadway Road in a portion of Section 20, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "County RU-43 (Pending S-1)" (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence) to "A-1" (Light Industrial 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 conform with the Estrella Village Arterial Street Landscaping Program landscape pallet and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
2. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized on site, as approved or modified by the Planning and Development Department.
3. The required landscape setback shall be planted with minimum 2-inch caliper, large canopy, drought tolerant shade trees planted 20 feet on center, or in equivalent groupings, and shrubs, accents, and vegetative groundcovers, as approved by the Planning and Development Department.
4. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
5. Landscaping within the required landscape setback 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.
6. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
7. A minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot wide landscape strip between the curb and sidewalk shall be provided along the south side of Broadway Road, planted to the following standards and as approved by the Maricopa County Department of Transportation.
  - a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings, to provide a minimum of 75% shade.
  - b. Shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to provide a minimum of 75% live coverage.

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

8. A minimum 55 feet of right-of-way shall be constructed for the south half of Broadway Road to an Arterial CM cross-section, adjacent to the development, or as otherwise approved by the Maricopa County Department of Transportation. Documentation of the county review and approval shall be provided prior to Preliminary Site Plan approval.
9. 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.
10. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2195L of the Flood Insurance Rate Maps (FIRM) dated September 21, 2020. The following requirements shall apply, as approved by the Planning and Development Department:
  - 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. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
11. 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.
12. 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.

13. 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.
14. 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. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

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 15th day of January, 2025.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Julie M. Kriegh, City Attorney

By:  
\_\_\_\_\_  
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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (3 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-69-24-7

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20;

THENCE NORTH  $88^{\circ}37'36''$  WEST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20, A DISTANCE OF 1436.94 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH  $00^{\circ}13'13''$  WEST, A DISTANCE OF 579.06 FEET; THENCE NORTH  $88^{\circ}37'36''$  WEST, A DISTANCE OF 470 .25 FEET; THENCE NORTH  $00^{\circ}13'13''$  EAST, A DISTANCE OF 579.06 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20;

THENCE SOUTH  $88^{\circ}37'36''$  EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20, A DISTANCE OF 470 .25 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT A 110.00 FOOT STRIP OF LAND LYING WITHIN THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20;

THENCE NORTH  $88^{\circ}37'36''$  WEST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20, A DISTANCE OF 1436.94 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH  $00^{\circ}13'13''$  WEST, A DISTANCE OF 579.06 FEET; THENCE NORTH  $88^{\circ}37'36''$  WEST, A DISTANCE OF 470 .25 FEET; THENCE NORTH  $00^{\circ}13'13''$  EAST, A DISTANCE OF 579.06 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20;

THENCE SOUTH  $88^{\circ}37'36''$  EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20, A DISTANCE OF 470.25 FEET TO THE TRUE POINT OF BEGINNING;

SAID AFOREMENTIONED STRIP BEING 110.00 FEET IN WIDTH, BEING 55.00 FEET AS MEASURED AT RIGHT ANGLES AND RADially TO THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 20;

THENCE SOUTH  $88^{\circ}37'56''$  EAST, ALONG THE SOUTH LINE OF SAID SECTION 20, A DISTANCE OF 1366.79 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1373.98 FEET AND A CENTRAL ANGLE OF  $30^{\circ}52'18''$ ;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE 740.32 FEET TO A POINT OF TANGENCY;

THENCE NORTH  $60^{\circ}29'46''$  EAST, A DISTANCE OF 1918.47 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1373.91 FEET AND A CENTRAL ANGLE OF  $30^{\circ}52'38''$ ;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE 740.41 FEET TO THE POINT OF TANGENCY, SAID POINT BEING 55.00 FEET NORTH OF THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20;

THENCE SOUTH  $88^{\circ}37'36''$  EAST, PARALLEL TO AND 55.00 FEET NORTH OF SAID NORTH LINE, A DISTANCE OF 795.75 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20 AND THE TERMINUS OF SAID 110.00 FOOT STRIP.

AND EXCEPT THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING NORTH OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 20;

THENCE SOUTH 88 DEGREES 28 MINUTES 00 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 20, A DISTANCE OF 1366.79 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1373.98 FEET AND A CENTRAL ANGLE OF  $30^{\circ}52'18''$ ;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE 740.32 FEET TO A POINT OF TANGENCY;

THENCE NORTH 60 DEGREES 29 MINUTES 46 SECONDS EAST, A DISTANCE OF 1918.47 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1373.91 FEET AND A CENTRAL ANGLE OF 30°52'38";

THENCE EASTERLY ALONG THE ARC OF SAID CURVE 740.41 FEET TO THE POINT OF TANGENCY, SAID POINT BEING 55.00 FEET NORTH OF THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20;

THENCE SOUTH 88°37'36" EAST, PARALLEL TO AND 55.00 FEET NORTH OF SAID NORTH LINE, A DISTANCE OF 795.75 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20 AND THE TERMINUS .

APN : 104-59-001N

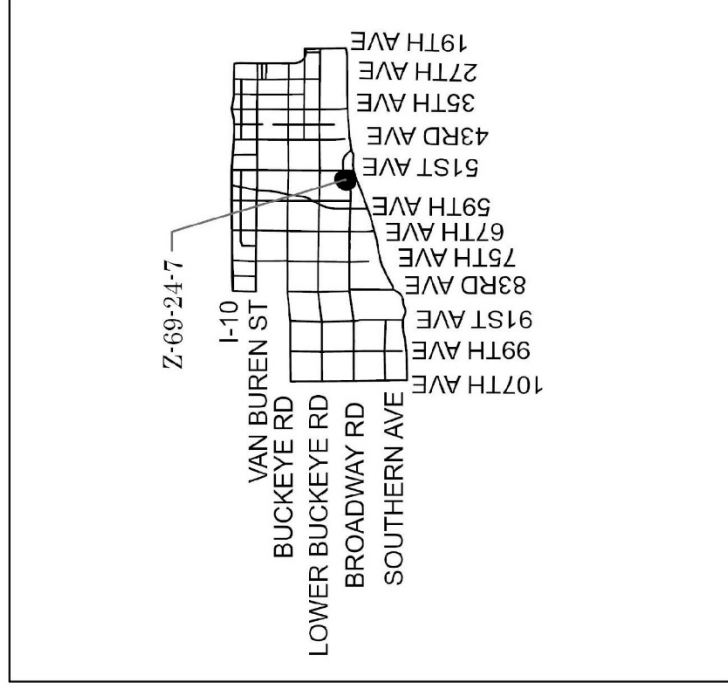


# ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-69-24-7  
Zoning Overlay: N/A  
Planning Village: Estrella



0 220 440 880 Feet

NOT TO SCALE



Drawn Date: 12/16/2024