



## City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

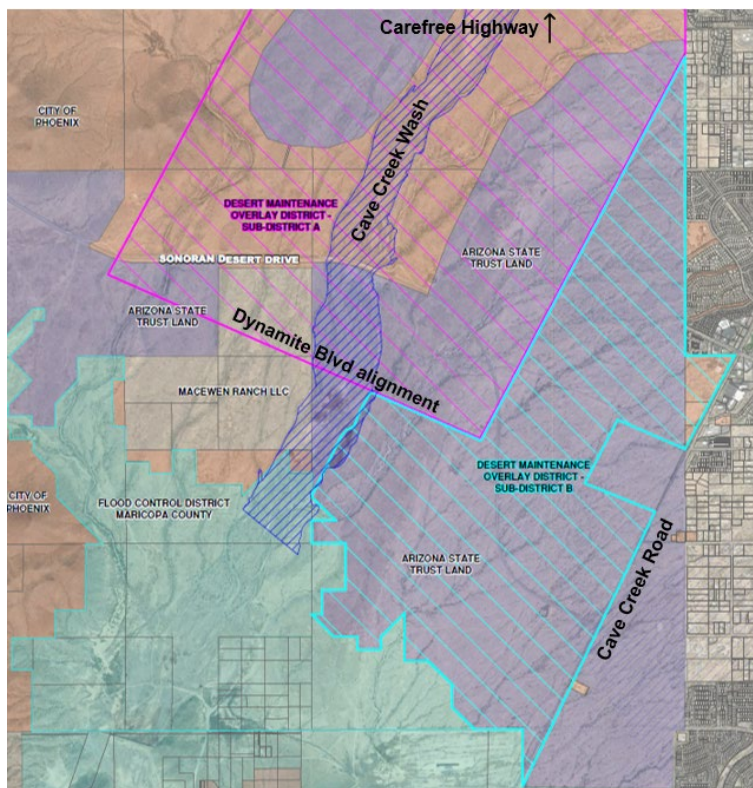
**Staff Report**  
**Zoning Ordinance Text Amendment**  
**Z-TA-5-18-2**  
March 9, 2022

**Application No. Z-TA-5-18-2:** Amend Section 653 of the Zoning Ordinance to modify the boundaries of the Desert Character Overlay Districts.

**Staff Recommendation:** Staff recommends approval of Z-TA-5-18-2 as shown in Exhibit A.

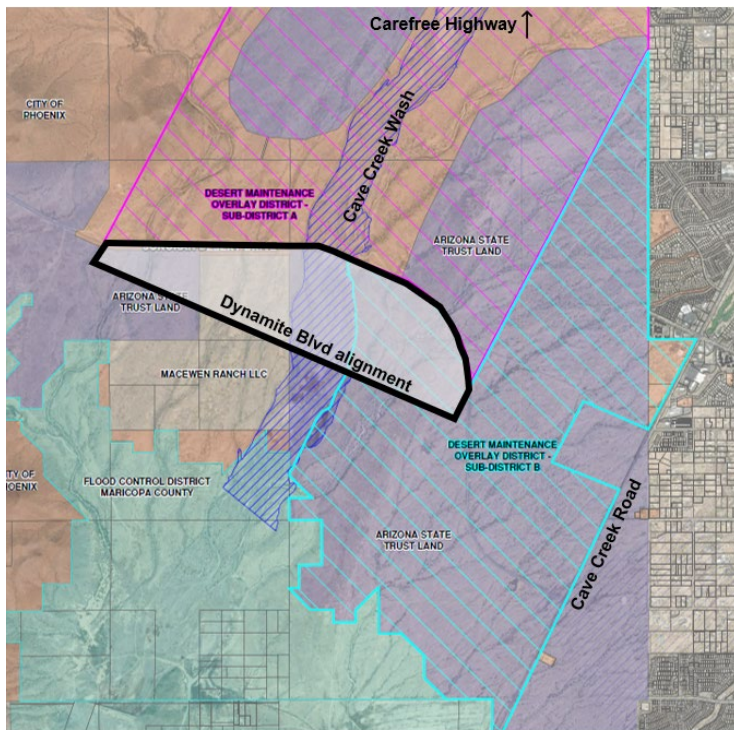
### **Purpose**

The intent of this text amendment is to revise the applicability area and associated text for the Desert Maintenance Overlay of the Desert Character Overlay Districts to align with transportation corridor updates since the adoption of the overlay district.



The Desert Maintenance Overlay District contains use standards and district regulations that are contained in two subdistricts, Sub-District A and Sub-District B. Sub-District A applies to land approximately one mile in each direction from Cave Creek Wash, from Carefree Highway on the north to the Dynamite Road alignment on the south. Sub-District B applies to land east of Sub-District A and generally extends to Cave Creek Road. The current boundaries of the subdistricts are shown to the left, in pink (Sub-District A) and blue (Sub-District B).

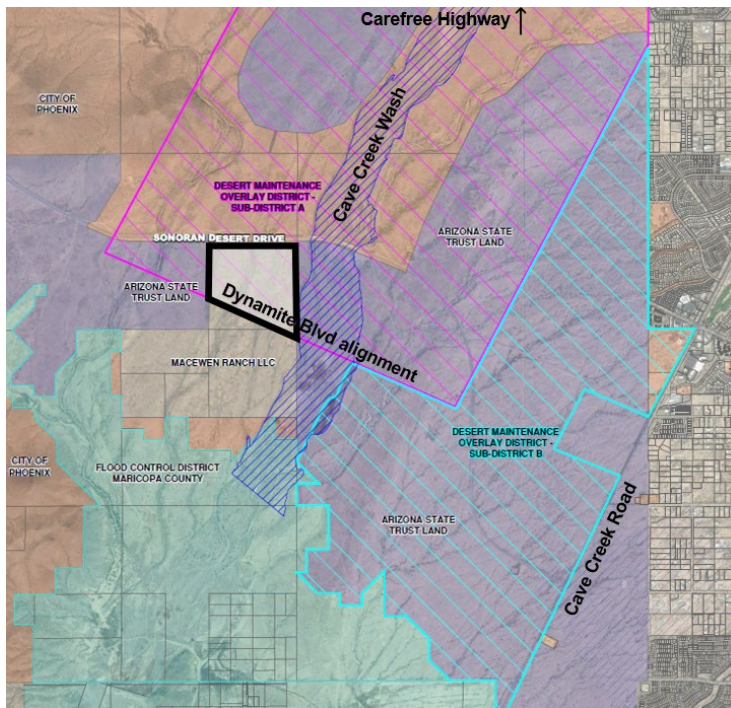
*Desert Maintenance Overlay District Sub-Areas,  
Source: Hilgart Wilson*



*Applicant Proposed Desert Maintenance Overlay District Modifications, Source: Hilgart Wilson*

The applicant's proposed modification would modify the boundaries of both Sub-District A and Sub-District B. Sub-District A standards are proposed to be removed from the property south of Sonoran Desert Drive and west of Cave Creek Wash. Land south of Sonoran Desert Drive and east of Cave Creek Wash, currently in Sub-District A, would become a part of Sub-District B. The area impacted by this proposed modification is shown to the left.

Staff is recommending a smaller modification that would only remove Sub-District A standards from an approximately 155.06-acre portion of the original request as depicted on the left.



*Staff Recommended Desert Maintenance Overlay District Modifications, Source: Hilgart Wilson*

Minor text updates to the overlay are also proposed to provide consistency with the geographic modifications of the subdistrict areas.

There are three additional concurrent requests. Rezoning Case No. Z-75-18-2 is a companion rezoning case to Z-TA-5-18-2 and would modify the boundary of the Desert Character Overlay District on the city's Zoning Map for 155.06 acres. General Plan Amendment Case No. GPA-DSTV-1-18-2 and Rezoning Case No. Z-62-18-2 encompass the Verdin site (488 acres). General Plan Amendment Case No. GPA-DSTV-1-18-2 seeks to modify the land use map

designation and removal from the Infrastructure Phasing Overlay. Rezoning Case No. Z-62-18-2 proposes to rezone the property to a Planned Unit Development district.

**Background: Desert Character Overlay Districts**

The Desert Character Overlay Districts, Section 653 of the Zoning Ordinance, was established in 2001 via Text Amendment Case No. Z-TA-3-99 with a general purpose to implement the North Land Use Plan. The intent of the overlay was to establish three character districts; Desert Maintenance, Rural Desert and Suburban Desert, to define the nature of development while maintaining undisturbed areas and to provide guidance for new development. Standards for the Desert Maintenance Overlay District were included in the original text amendment. Standards for the Rural Desert and Suburban Desert Overlay Districts have not been established.

The overlay district contains distinct permitted uses and district standards for Sub-Districts A and B in addition to design guidelines applicable to both subdistricts. Single-family residential uses are permitted in both subdistricts, with attached dwelling units only permitted in Sub-District B. Select commercial uses are permitted in Sub-District B, subject to obtaining a Special Permit.

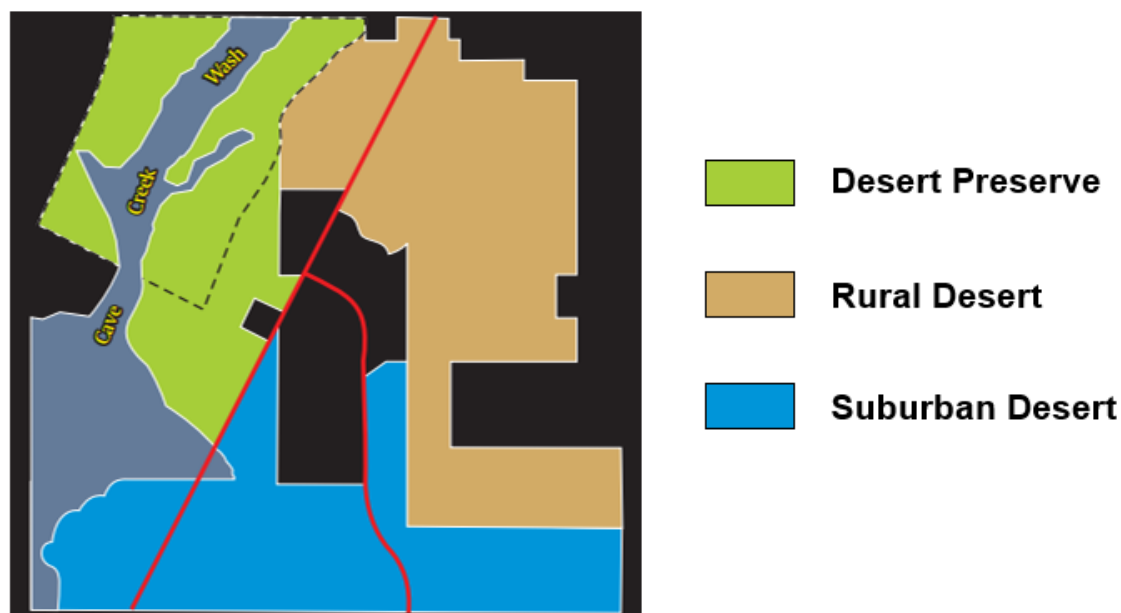
District standards for the subdistricts include provisions designed to address lot size, building envelope, height, setbacks, access, native landscaping and treatment of washes. Design guidelines contain additional guidance on site disturbance, native plant preservation, building and wall design, and access to preserve areas, among others.

**Background: Peripheral Areas C and D and North Land Use Plans**

In 1987, Phoenix City Council adopted the Peripheral Areas C and D Plan as an amendment to the General Plan. The intent of the Peripheral Areas C and D Plan was to serve as a guide for future land use and development in the planning area, which consisted of approximately 111 square miles of largely undeveloped land north of the Central Arizona Project canal in North Phoenix. Within the Implementation Program section of the Plan, further refinement of the general character elements was suggested prior to any formal ordinance adoption.

The North Land Use Plan was adopted in 1996 to further the existing policies of the Peripheral Areas C and D Plan. The Plan divided the planning area into three character areas, Desert Preserve, Rural Desert and Suburban Residential, and suggested that overlay districts be developed to provide clear development standards in line with community desires. The Desert Preserve character area aligns with the area included in the Desert Maintenance Overlay of the Desert Character Overlay Districts.





*North Land Use Plan Character Areas, Source: City of Phoenix*

### **Background: Verdin Planned Unit Development (PUD) Proposal**

The Verdin PUD (Companion Rezoning Case No. Z-62-18-2) integrates a number of design considerations based on Desert Maintenance Character District standards. These include a sensitive transition from open space to developed areas, conservation of washes and wildlife habitats, and use of native plants.

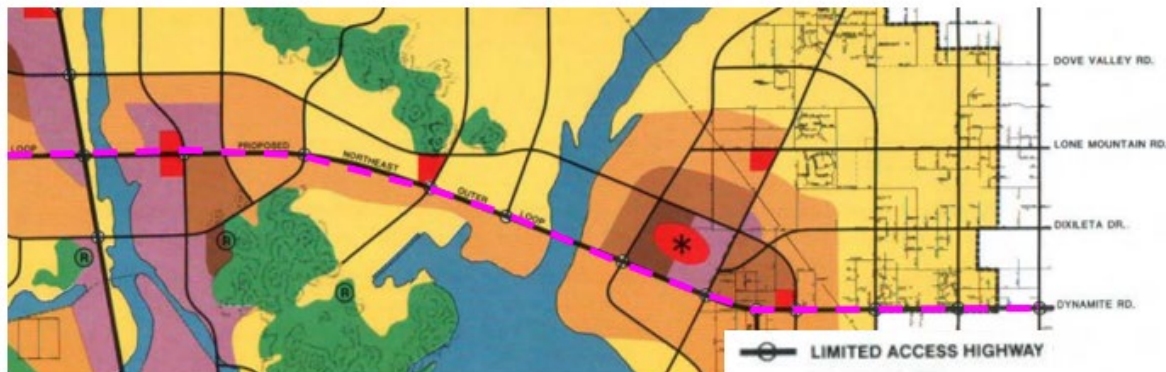
In addition to the considerations based on overlay standards, the Planned Unit Development includes enhanced standards for increased open space, connectivity to adjacent preserve areas, a public trail and heightened landscape standards developed in concert with the National Wildlife Federation.

Because these standards do not apply to property outside of the Verdin PUD request area, staff is recommending a smaller modification to the applicability area proposed by the applicant.

### **Background: Northeast Outer Loop and Sonoran Desert Drive**

The Peripheral Areas C and D Plan included discussion of a proposed Northeast Outer Loop. The Northeast Outer Loop was a planned limited access extension of the Northwest Loop from Interstate 17, north of the Union Hills and Cave Buttes recreation areas, connecting to Dynamite Boulevard and traversing east toward the city of

Scottsdale. Proposed land uses for Area D (north of Jomax Road) were contemplated based on proposed transportation infrastructure, with a Village Core planned for the northwest corner of Cave Creek Road and the Northeast Outer Loop / Dynamite Road alignment.



*Peripheral Areas C and D Plan Land Use and Circulation, Source: City of Phoenix*

By the North Land Use Plan's adoption, plans for the Northeast Outer Loop had ceased. As a result, the planned Core at Cave Creek and Dynamite Roads was reduced in size and geared to function as a community service area instead of an employment hub. Reduction in the planned commercial area at this location contributed to the inclusion of the area west of Cave Creek Road into the Desert Preserve character area identified in the plan. While no longer planned as a limited access roadway, Dynamite Road was utilized as a dividing line between a planned preservation buffer for the Cave Creek Wash to the north and a more dense residential area adjacent to the Cave Buttes Recreational area to the south.

While an east-west connection between Interstate 17 and northeast Phoenix has been planned since 1987, public involvement efforts to refine the alignment and type of roadway commenced in 2002. The final alignment for Sonoran Parkway, adopted by Phoenix City Council in 2006 as a result of the recommendation by the East Sonoran Parkway Alignment Committee, was carefully designed to minimize the impact of the roadway on the future mountain preserve area and intended to serve as a buffer between the preserve and adjacent development. Construction of Sonoran Boulevard, now known as the northern leg of Sonoran Desert Drive, began in 2010 and was completed in 2013.

### **Staff Analysis**

The boundary of the Desert Maintenance Overlay of the Desert Character Overlay Districts was derived from the Desert Preserve character area outlined in the North Land Use Plan. This preservation area distinguished between the planned preserve area north of the then Dynamite Road alignment and the area adjacent to the Cave

Buttes Recreational area, which was slated for additional residential development. Subsequent to the approval of the Desert Character Overlay Districts, the roadway connecting Interstate 17 to Cave Creek Road was further evaluated and realigned as the currently constructed Sonoran Desert Drive.

In addition, the companion Verdin PUD request contains development standards and design guidelines that are intended to provide consistency with Desert Maintenance Overlay standards and the general intent of the Desert Character Overlay Districts. These standards collectively ensure appropriate development within the undisturbed desert context.

Due to the shift in the transportation corridor from the inception of the Desert Character Overlay Districts in addition to the enhanced standards contained in the Verdin PUD, the staff recommended modification to the Sub-District boundaries and associated ordinance language is warranted.

### **Conclusion**

Staff recommends approval of Z-TA-5-18-2 to amend the applicability area and associated text for the Desert Maintenance Overlay of the Desert Character Overlay Districts as shown in Exhibit A of the staff report.

### **Writer**

S. Keating

March 9, 2022

### **Exhibits**

Exhibit A: Proposed Language (4 pages)

Exhibit B: Text Amendment Sketch Map

Exhibit C: Staff Recommendation Text Amendment Sketch Map

**EXHIBIT A**  
**Text Amendment Z-TA-5-18-2:**  
**Modification of Boundaries of the Desert Character Overlay Districts**

**Proposed Language:**

**Amend Chapter 6, Section 653.A. (General Purpose of Desert Character Overlay Districts) to replace Figure A and read as follows:**

- A. **General Purpose of Desert Character Overlay Districts.** The purpose of the Desert Character Overlay Districts is to implement the north land use plan, to define the nature of development while maintaining undisturbed areas, and to provide guidance for new development to occur within the context of the fragile undisturbed desert. The Desert Maintenance, Rural Desert and Suburban Desert Overlay Districts are designed in response to existing undisturbed conditions and pressures placed on them by increased development. The key to successful development within the three districts, which maintain interconnected undisturbed desert and washes, lies in analysis of individual subdivision sites before laying out the design of streets and lots.

The Desert Maintenance Overlay District is divided into Subdistricts A and B, as illustrated on Figure A. in order to address specific requirements of this area. Subdistrict A includes approximately one mile on both sides of the Cave Creek Wash and includes the area along the wash, that is not part of any Parks, Recreation and Library Department managed open space, such as the Sonoran Preserve. With the many washes to be maintained in an undisturbed condition crossing this area, Subdistrict A is intended to provide a transition from the preserve to areas with greater density. A very low density, scale and intensity of residential development characterize this area. The Desert Maintenance Overlay Subdistrict A is the least intensive with regards to density allowed and the most restrictive in order to maintain the fragile undisturbed areas and the wildlife corridor along the Cave Creek Wash. Subdistrict B is characterized by low density development which may be sited in clusters along with provision for an area to allow access to the Cave Buttes Recreational Area. Through clustering of development in this area the ability to maintain large connected undisturbed areas and washes becomes possible.

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**Figure A: Desert Maintenance Character DistrictS**

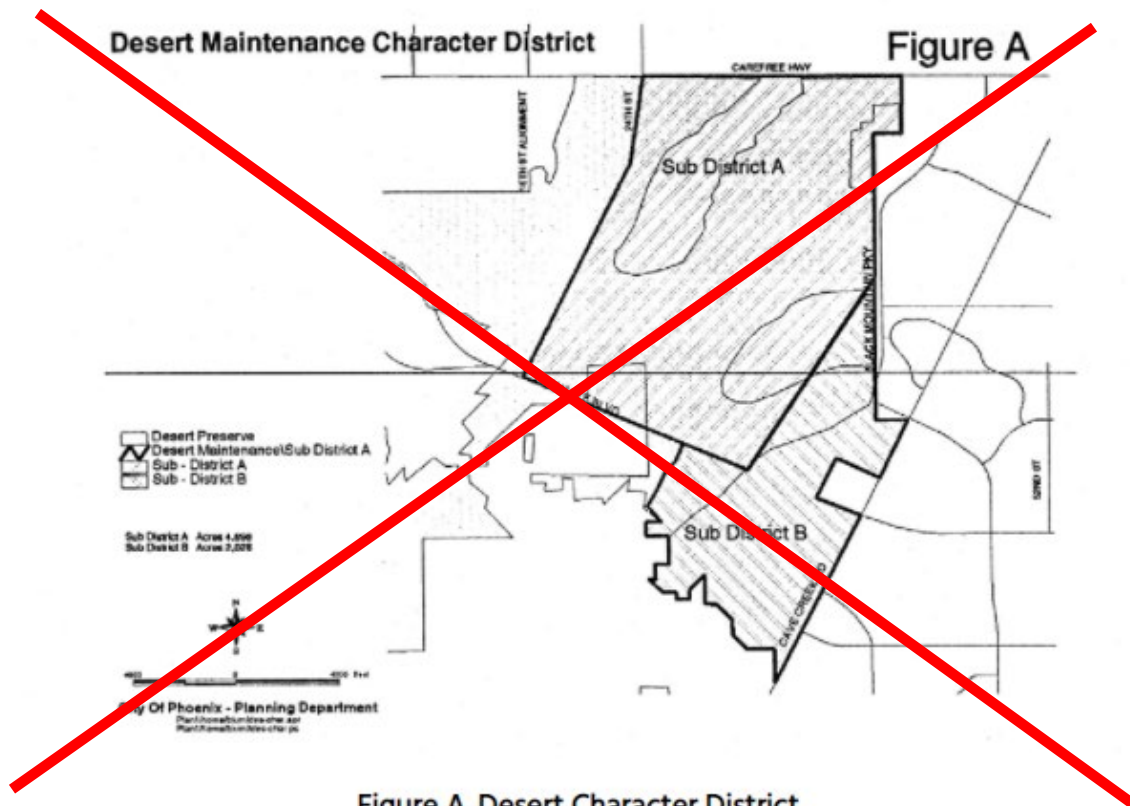
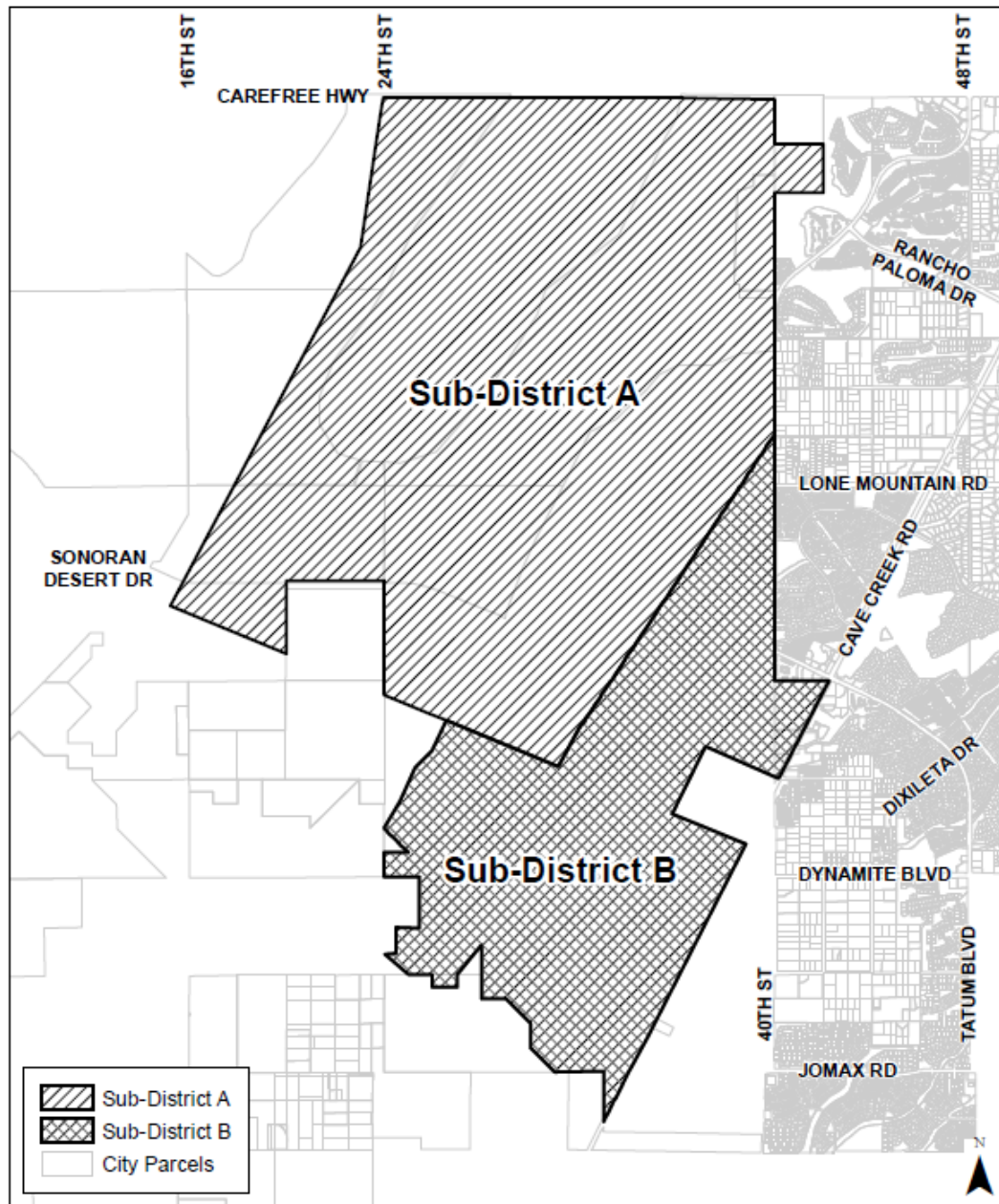


Figure A. Desert Character District





**Amend Chapter 6, Section 653.B.2. (Desert Maintenance Overlay (Sub-Districts A and B), Applicability) to read as follows:**

2. **Applicability.** The Desert Maintenance Overlay District applies to all land within the area as depicted on the Desert Character District Map (Figure A). More specifically, the Desert Maintenance Overlay Sub-District A applies to all land within the area bounded by Carefree Highway on the north, the Dynamite Boulevard alignment on the south, a line running parallel to the Cave Creek Wash connecting the 24th Street alignment at Carefree Highway to the 16th Street alignment at the Dynamite Boulevard alignment along the west, and the west boundary of Dove Valley Ranch extending south along the Black Mountain Parkway to Ashler Hills Drive and then

running parallel to the Cave Creek Wash to the 32nd Street alignment at the Dynamite Boulevard alignment along the east.

The Desert Maintenance Overlay Sub-District B applies to all land within the area bounded by Sub-District A on the north, the Cave Buttes Recreation Area along the south and west, and Cave Creek Road (excluding the commercially designated parcel at the northwest corner of Cave Creek Road and Dynamite Boulevard) together with the south and west boundary of the Tatum Ranch Planned Community District (west of Cave Creek Road) and Black Mountain Parkway along the east.

A site plan approved in accordance with Section 507 of the Zoning Ordinance is required for all development, plus adherence to the design guidelines and standards detailed below and in Section 507 Tab A of the Zoning Ordinance.

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# Text Amendment

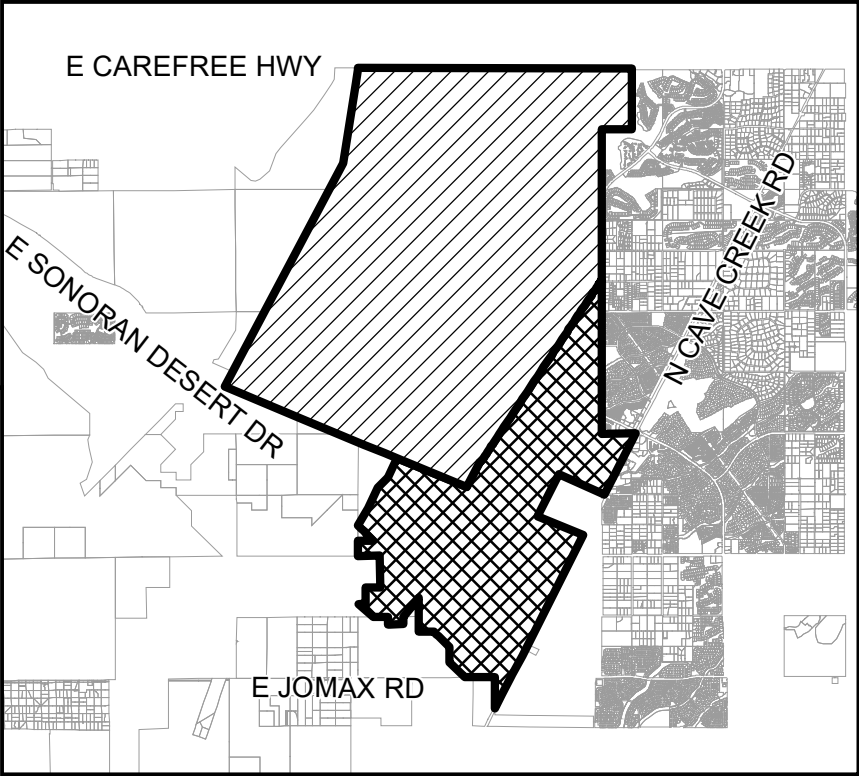
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: Z-75-18	ACRES: 6222.46 +/-
VILLAGE: Desert View	COUNCIL DISTRICT: 2
APPLICANT: Susan Demmitt, Gammage & Burnham, PLC	

## EXISTING:



DCOD A ( 4681.97 +/- Acres)  
DCOD B ( 2001.87 +/- Acres)

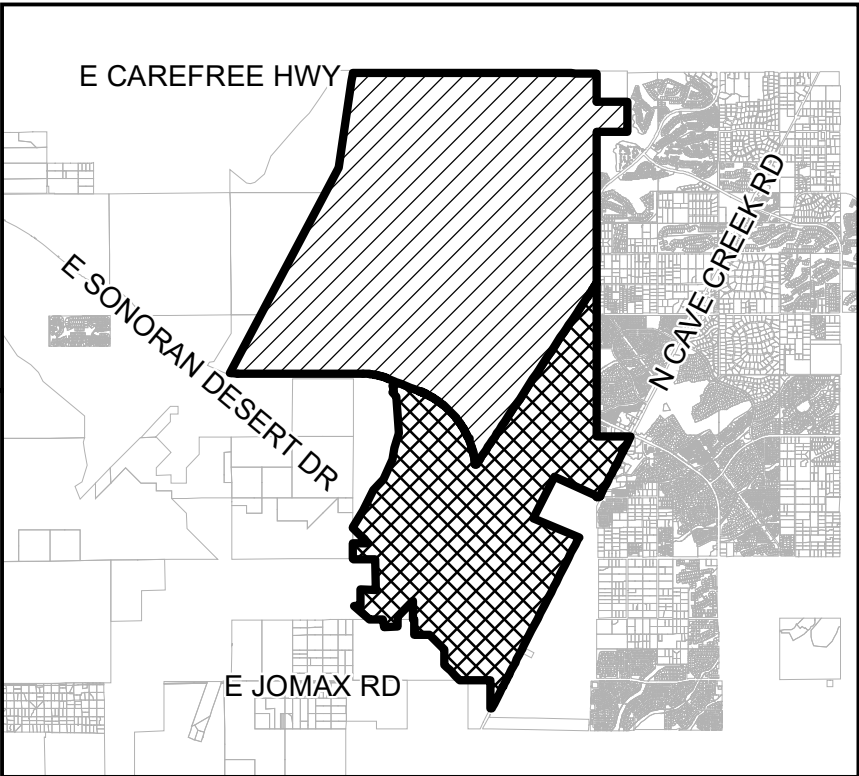
-  Desert Maintenance Character A Overlay District
-  Desert Maintenance Character B Overlay District



## PROPOSED CHANGE:

DCOD A ( 3977.29 +/- Acres)  
DCOD B ( 2245.17 +/- Acres)

-  Desert Maintenance Character A Overlay District
-  Desert Maintenance Character B Overlay District




# Text Amendment

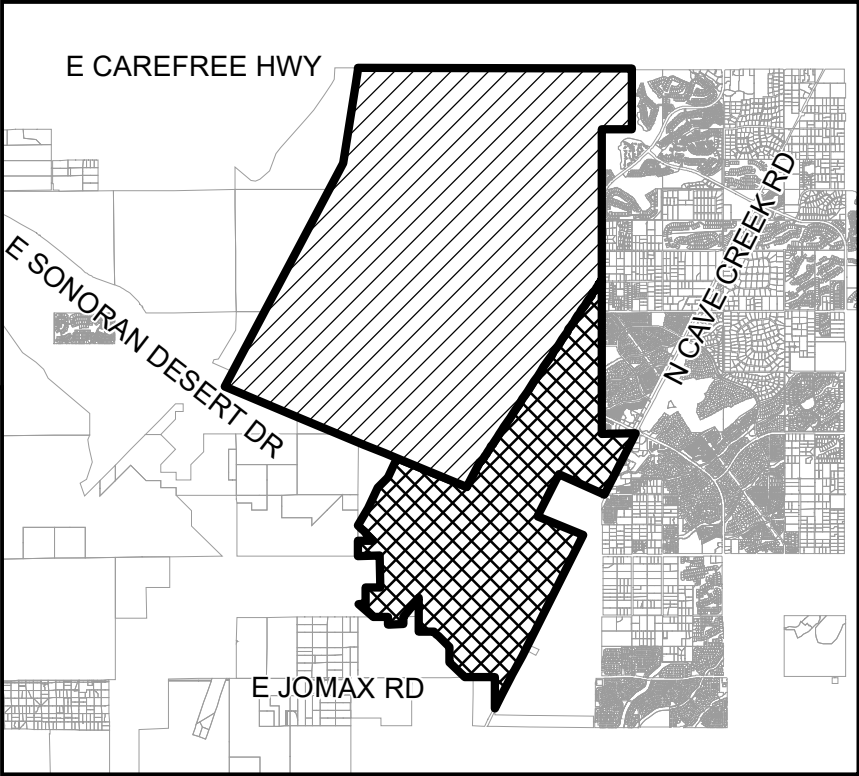
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: Z-75-18	ACRES: 6465.72 +/-
VILLAGE: Desert View	COUNCIL DISTRICT: 2
APPLICANT: Susan Demmitt, Gammage & Burnham, PLC	

## EXISTING:


DCOD A ( 4681.97 +/- Acres)  
DCOD B ( 2001.87 +/- Acres)

-  Desert Maintenance Character A Overlay District
-  Desert Maintenance Character B Overlay District



## PROPOSED CHANGE (Per Staff Recommendation):

DCOD A ( 4463.85 +/- Acres)  
DCOD B ( 2001.87 +/- Acres)

-  Desert Maintenance Character A Overlay District
-  Desert Maintenance Character B Overlay District

