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ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-49-16-3) FROM S-2 PCD SP, APPROVED R-2 PCD (RANCH OR FARM COMMERCIAL, PLANNED COMMUNITY DISTRICT, SPECIAL PERMIT, APPROVED MULTIFAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT), TO R-3 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1: The zoning of an approximately 4.82-acre property located at northwest corner of 19th Avenue and Tierra Buena Lane in a portion of Section 1, Township 3 North, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "S-2 PCD SP, Approved R-2 PCD" (Ranch or Farm Commercial, Planned Community District, Special Permit, Approved Multifamily Residence District, Planned Community District), to "R-3" (Multifamily 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 Attachment "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 to the site plan date stamped November 10, 2016, as approved by the Planning and Development Department.
2. The development shall be limited to a maximum of 68 units, as approved by the Planning and Development Department.
3. The building setbacks along the west perimeter of the site shall be a minimum of 20 feet, as approved by the Planning and Development Department.
4. The landscape setback along 19th Avenue shall include two staggered rows of trees, placed approximately 20 feet on center, of which 70 percent shall be a minimum 2-inch caliper in size, as approved by the Planning and Development Department.
5. The developer shall dedicate and 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.
6. 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.

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 11th day of January, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

- Attachments:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-49-16-3

The South Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 1, Township 3 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

DRAFT

ORDINANCE LOCATION MAP

ATTACHMENT B

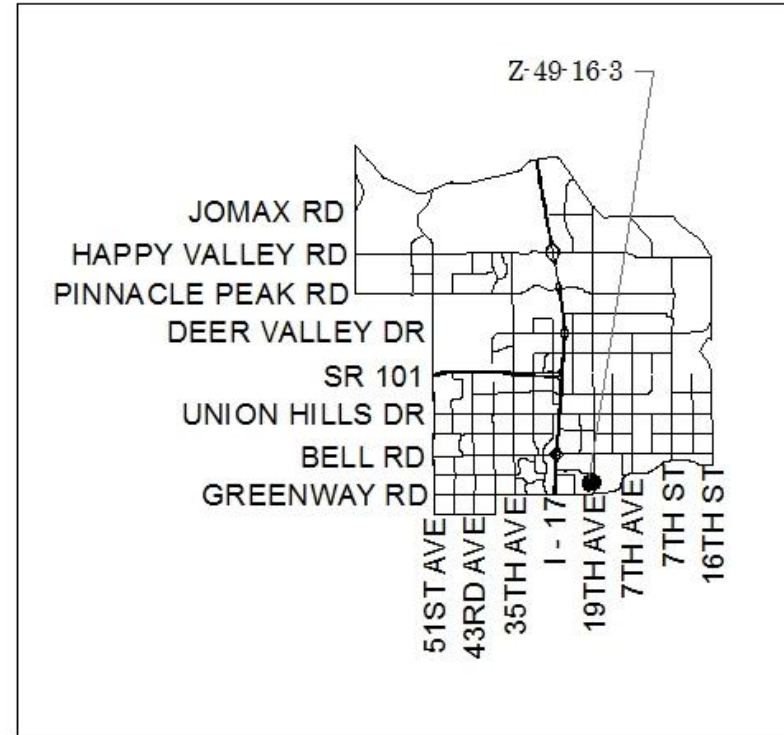
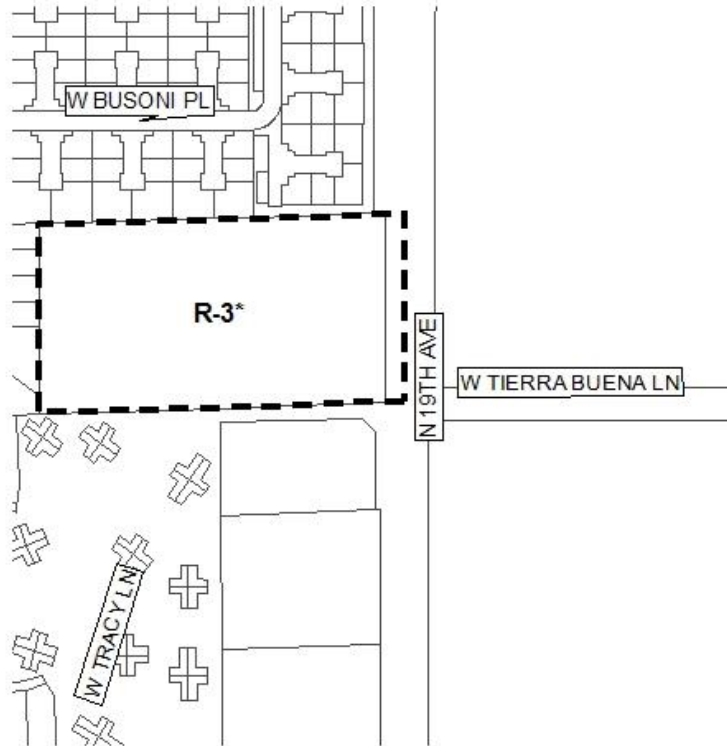
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■■■■■

Zoning Case Number: Z-49-16-3

Zoning Overlay: N/A

Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 12/9/2016