

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-81-18-6) FROM RE-35 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R1-18 (SINGLE-FAMILY RESIDENCE DISTRICT) AND RE-35 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 12.00-acre property located approximately 320 feet west of the northwest corner of 22nd Place and Rovey Avenue in a portion of Section 10, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 12.00 acres of "RE-35" (Single-Family Residence District) to 10.36 acres of "R1-18" (Single-Family Residence District) and 1.64 acres of RE-35 (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 limited to a maximum of 14 lots within the R1-18 zoning area and a maximum of 1 lot within the RE-35 zoning area.
2. The primary structure located on the RE-35 lot shall be limited to a maximum of 1-story and 25 feet in height.
3. The R1-18 rezoning area shall be subject to the perimeter standards for the RE-35, Planned Residential Development option, as approved by the Planning and Development Department. This stipulation does not affect the applicability of existing variances/use permits, nor does it preclude a property owner from pursuing a variance/use permit through the Zoning Adjustment public hearing process.
4. The RE-35 rezoning area shall be subject to the RE-35, subdivision development option, as approved by the Planning and Development Department. This stipulation does not preclude a property owner from pursuing a variance/use permit through the zoning adjustment public hearing process.
5. 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.
6. 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.
7. **There shall be a 60-foot setback from the south property line.**

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 6th day of March, 2019.

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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-81-18-6

R1-18 LEGAL DESCRIPTION

Within a portion of Section 10, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Lots 1 to 12, Lot 14, and Tracts A, B, and F, "2200 E. Bethany," according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 454 of Maps, Page 8; and

Lot 13, "2200 E. Bethany Lot 13 Amended," according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 863 of Maps, Page 50.

RE-35 LEGAL DESCRIPTION

Within a portion of Section 10, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

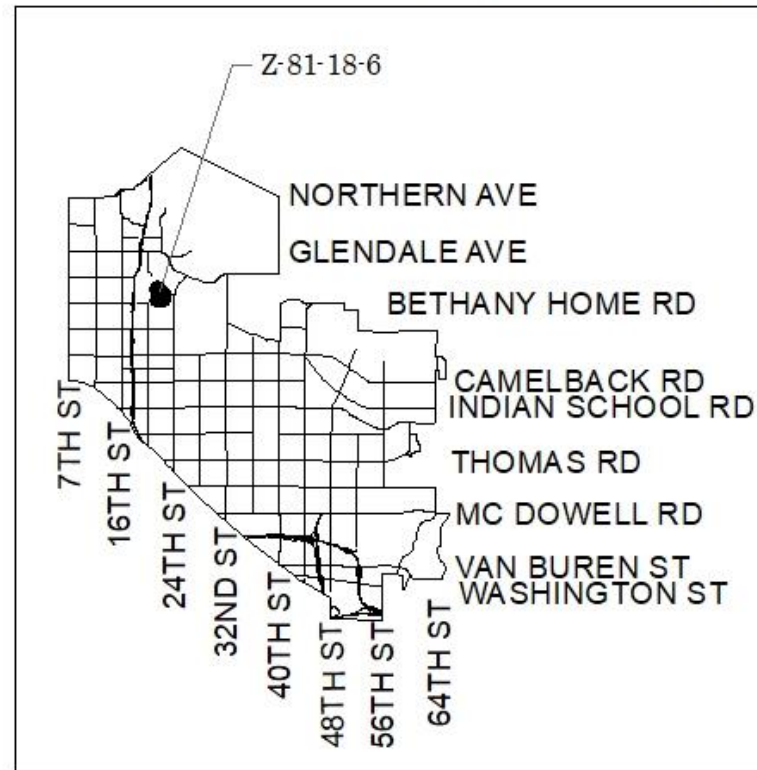
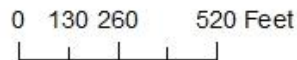
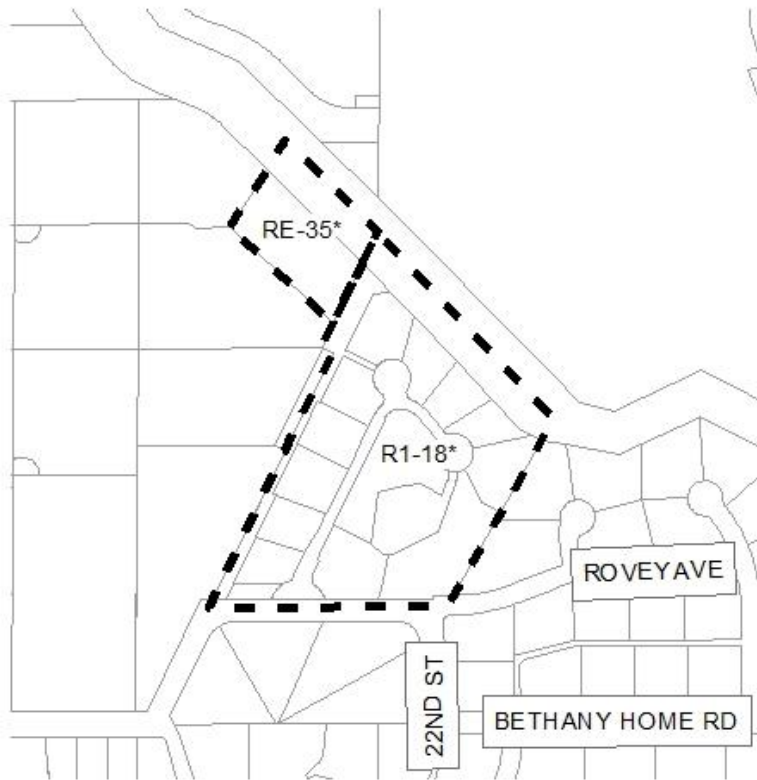
Tract E, "2200 E. Bethany," according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 454 of Maps, Page 8.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z 81-18-6
Zoning Overlay: N/A
Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 2/6/2019