

ATTACHMENT A

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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, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (35TH AVENUE AND CARTER ROAD ANNEXATION, NO. 528) FROM COUNTY RU-43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE).

WHEREAS, on November 1, 2023, via Ordinance S-50312, the City of Phoenix annexed an approximately 4.93-acre property located at the southwest corner of 35th Avenue and the Carter Road alignment, in a portion of Section 34, Township 1 North, Range 2 East, as described more specifically in "Exhibit A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the City of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was Maricopa County's RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's RU-43 zoning district;

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

SECTION 1. The approximately 4.93-acre property located at the southwest corner of 35th Avenue and the Carter Road alignment, in a portion of Section 34, Township 1 North, Range 2 East, which is described in “Exhibit A” and depicted in “Exhibit B” has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's RU-43 zoning district and placed into the City's S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with “Exhibit A” and “Exhibit B” to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. 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 5. 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 13th day of December, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

35TH AVENUE AND CARTER ROAD ANNEXATION
Legal Description
Exhibit A

That part of the Southeast quarter of Section 34, Township 1 North, Range 2 East, G&SRB&M, Maricopa County, Arizona, described as follows:

PART NO. 1:

The East half of the following described property:

The South half of the Northeast quarter of the Southeast quarter of said Section 34;

EXCEPT the North 330 feet thereof; and

EXCEPT the East 55 feet thereof;

EXCEPTING from said East half of the above described property any part lying within the East 55 feet of the Northeast quarter of the Southeast quarter of said Section 34, said West 55 feet also being part of the area Annexed by City of Phoenix Ordinance No. S-40000, recorded at Document No. 2013-0572248, official records of Maricopa County, Arizona.

PART NO. 2:

The East half of the following described property:

The North half of the Southeast quarter of the Southeast quarter of said Section 34;

EXCEPT the East 33 feet thereof; and

EXCEPT any part lying Southerly of a line from a point in the West line of said Southeast quarter of the Southeast quarter lying 38.5 feet Southerly from the Northwest corner thereof, to a point in the West line of the East 33 feet of said Southeast quarter of the Southeast quarter lying 24.5 feet from the North line thereof as measured along said West line of the East 33 feet;

EXCEPTING from said East half of the above described property, any part thereof lying within the East 55 feet of said Southeast quarter of the Southeast quarter of Section 34, said West 55 feet also being part of the area Annexed by City of Phoenix Ordinance No. S-40000, recorded at Document No. 2013-0572248, official records of Maricopa County, Arizona.

Area = 4.9312 Acres

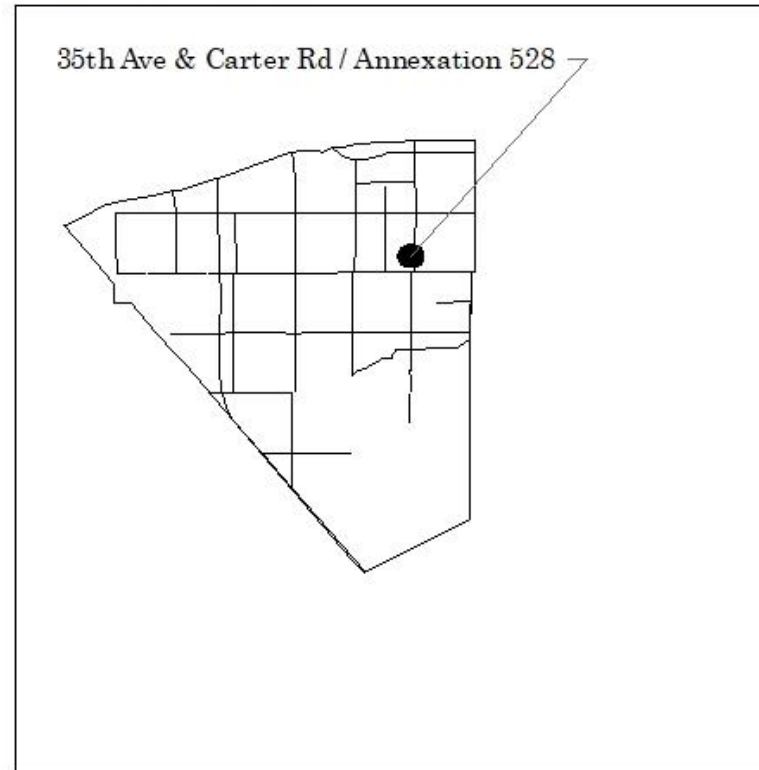
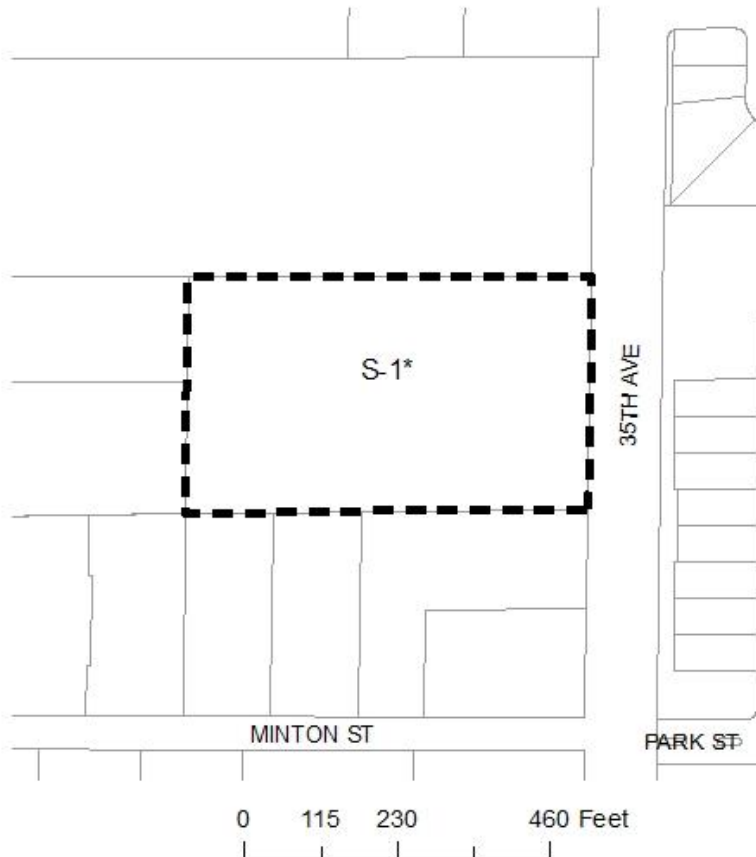
Area = 0.00770 Sq. Miles

EQUIVALENCY ZONING MAP

EXHIBIT B

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

Annexation Case: 35th Ave & Carter Rd / Annexation 528
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 11/17/2023