

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 STIPULATIONS
APPLICABLE TO REZONING APPLICATION Z-56-23-7
PREVIOUSLY APPROVED BY ORDINANCE G-7231.

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

SECTION 1. The zoning stipulations applicable to the site located at the southwest corner of the 78th Avenue and Alta Vista Road alignments in a portion of Section 33, Township 1 North, Range 1 East, as described more specifically in Exhibit A and depicted in Exhibit B, are hereby modified to read as set forth below.

STIPULATIONS:

1. All building elevations shall contain architectural features that reflect SPANISH, RANCH OR CRAFTSMAN STYLE ~~modern farmhouse~~ architecture including, but not limited to, WOOD SIDING, ROUGH SAWN BEAMS, STONE OR BRICK VENEER, WOOD SHUTTERS, AND STUCCO TRIM ACCENTS ~~detailing such as pitched roofs, variation in window size, overhang canopies and exterior accent materials such as board and batten siding, shiplap paneling, brick veneer, wooden shutters, and carriage style garage doors,~~ as approved by the Planning and Development Department.
2. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED MAY 29, 2025 AND THE LANDSCAPE PLAN DATE STAMPED JUNE 13, 2025 AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ~~The conceptual elevations and landscape plan shall be reviewed and approved by the~~

~~Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.~~

3. The maximum density shall be 5.0 dwelling units per acre.
4. The minimum lot width shall be 50 feet, for lots 1 through 19, as depicted on the site plan date stamped December 20, 2023, and as approved by the Planning and Development Department.
5. A minimum of 18% of the gross site area shall be retained as open space.
6. A minimum 22-foot garage setback for front-loaded garages, measured from the back of sidewalk, shall be provided for each home in the development, as approved by the Planning and Development Department.
7. 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.
8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
9. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property or tenants within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. The form and content of such documents shall be reviewed and approved by the City prior to recordation. This disclosure shall also be provided in the leasing documents in a section titled "nuisances".
10. A minimum 50-foot of right-of-way shall be dedicated for all local public streets within the development.
11. All street improvements to Alta Vista Road and 78th Avenue are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided concurrently with the Preliminary Site Plan submittal.
12. A shared-use-path easement shall be dedicated and constructed on the northwest portion of the property, as approved by the Parks and Recreation and Planning and Development Departments.

13. Pedestrian connections from the subdivision to the Salt River and the shared-use-path, consisting of an enhanced treatment of decorative pavement and landscaping to a gated access point, shall be constructed as approved by the Planning and Development Department.
14. 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.
15. 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.
16. 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.
17. 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.
18. Prior to preliminary 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.
19. Building height shall be limited to one story and 20 feet for lots 3, 4, 6, 7, and 9 through 12, as depicted on the site plan date stamped December 20, 2023, and as approved by the Planning and Development Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-7231, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-7231 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 27th day of August 2025.

MAYOR

Date

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)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-25--Z-56-23-7

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

EXHIBIT A LEGAL DESCRIPTION OF THE PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THE SOUTH 600 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN MARICOPA COUNTY ARIZONA.

PARCEL NO. 2:

A 10 FOOT INGRESS/EGRESS EASEMENT OVER THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 1 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 600.00 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35;

THENCE SOUTH 89 DEGREES 47 MINUTES 28 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION A DISTANCE OF 60.87 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 47 MINUTES 28 SECONDS WEST DISTANCE OF 10.00 FEET;

THENCE DEPARTING ALONG SAID SOUTH LINE, NORTH 00 DEGREES 52 MINUTES 34 SECONDS WEST A DISTANCE OF 645.50 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 92.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 55 DEGREES 01 MINUTES 16 SECONDS, A DISTANCE OF 88.35 FEET TO THE NORTH LINE OF THE NORTH HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35;

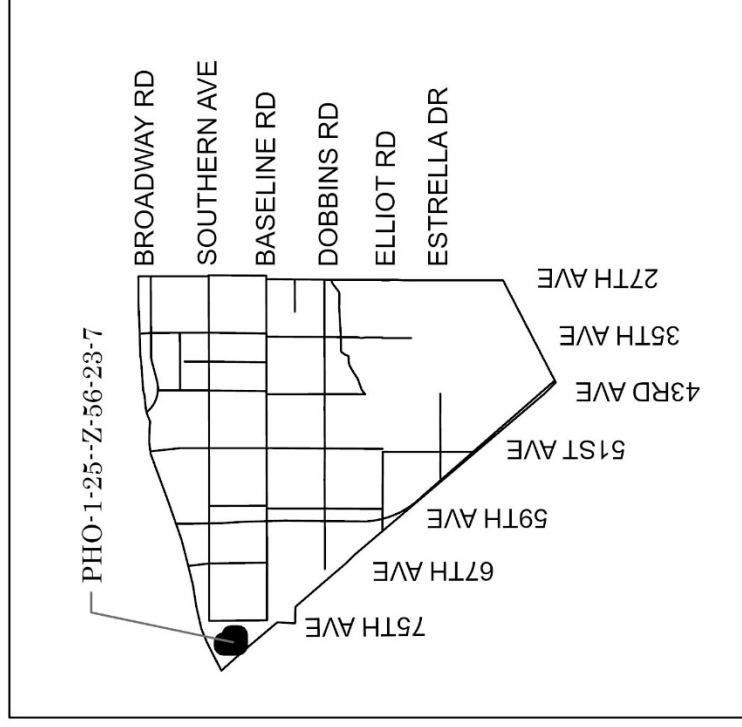
THENCE NORTH 89 DEGREES 47 MINUTES 28 SECONDS EAST LONG SAID NORTH LINE, A DISTANCE OF 19.53 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST WHOSE CENTER POINT BEARS SOUTH 24 DEGREES 27 MINUTES 47 SECONDS EAST A DISTANCE OF 82.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66 DEGREES 24 MINUTES 47 SECONDS A DISTANCE OF 95.05 FEET TO A TANGENT LINE;

THENCE SOUTH 00 DEGREES 52 MINUTES 34 SECONDS EAST A DISTANCE OF 645.62 FEET TO THE TRUE POINT OF BEGINNING.

EXHIBIT B

Zoning Case Number: PHO-1-25--Z-56-23-7
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE

