

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-68-19-1) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) TO 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 10.04-acre site located on the northeast corner of 47th Avenue and Pinnacle Peak Road in a portion of Section 9, Township 4 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "S-1" (Ranch or Farm Residence District) to "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 subject to Single-Family Design Review for individual lots prior to the issuance of building permits for each lot, with the additional following requirements, as approved by the Planning and Development Department:
 - a) That building materials and colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment.
 - b) The area between the front building line and the front property line, excluding areas necessary for access, shall be landscaped with a minimum of three, two-inch caliper or greater, drought resistant accent trees; and a minimum of five, five-gallon or greater, drought resistant shrubs per tree. A minimum of two of the trees shall be planted in close proximity to the sidewalk to maximize shade for pedestrians.
2. The development shall not exceed 8 residential lots.
3. The perimeter wall adjacent to Pinnacle Peak Road and the detention basin to the east shall be painted prior to any single-family building permit issuance. Colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment, as approved by the Planning and Development Department.
4. The developer shall 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
5. The developer 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 (DVT) to future owners or tenants of the property as approved by the Aviation Department.
6. Prior to permit issuance, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural and equestrian uses. The form and content of such documents shall be reviewed and approved by the City Attorney.
7. 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.

8. 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.

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 24th day of June, 2020.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-68-19-1

LOT 65 – 23641 N. 47th Ave.

A portion of the West half of the West half of the Southwest quarter of the Southeast quarter, (jW2W2SW4SE4) of Section 9, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona. Said portion is more particularly described as follows:

Lot 65, SADDLEBACK MEADOWS UNIT SEVEN, according to the plat of record in the office of the Maricopa County Recorder, in Book 160 of Maps, Page 31 and per Warranty Deed recorded at Docket 11043, Page 408, of said Maricopa County Recorder.

LOT 66 – 23629 N. 47th Ave.

A portion of the West half of the West half of the Southwest quarter of the Southeast quarter, (jW2W2SW4SE4) of Section 9, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona. Said portion is more particularly described as follows:

Lot 66, SADDLEBACK MEADOWS UNIT SEVEN, according to the plat of record in the office of the Maricopa County Recorder, in Book 160 of Maps, Page 31 and per Warranty Deed recorded at Docket 11043, Page 408, of said Maricopa County Recorder.

LOT 67 – 23617 N. 47th Ave.

A portion of the West half of the West half of the Southwest quarter of the Southeast quarter, (jW2W2SW4SE4) of Section 9, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona. Said portion is more particularly described as follows:

Lot 67, SADDLEBACK MEADOWS UNIT SEVEN, according to the plat of record in the office of the Maricopa County Recorder, in Book 160 of Maps, Page 31 and per Warranty Deed recorded at Docket 11043, Page 408, of said Maricopa County Recorder.

LOT 68 – 23605 N. 47th Ave.

A portion of the West half of the West half of the Southwest quarter of the Southeast quarter, (jW2W2SW4SE4) of Section 9, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona. Said portion is more particularly described as follows:

Lot 68, SADDLEBACK MEADOWS UNIT SEVEN, according to the plat of record in the office of the Maricopa County Recorder, in Book 160 of Maps, Page 31 and per

Warranty Deed recorded at Docket 11043, Page 408, of said Maricopa County Recorder.

LOT 69 – 23447 N. 47th Ave.

A portion of the West half of the West half of the Southwest quarter of the Southeast quarter, (jW2W2SW4SE4) of Section 9, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona. Said portion is more particularly described as follows:

Lot 69, SADDLEBACK MEADOWS UNIT SEVEN, according to the plat of record in the office of the Maricopa County Recorder, in Book 160 of Maps, Page 31 and per Warranty Deed recorded at Docket 11043, Page 408, of said Maricopa County Recorder.

LOT 70 – 23435 N. 47th Ave.

A portion of the West half of the West half of the Southwest quarter of the Southeast quarter, (jW2W2SW4SE4) of Section 9, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona. Said portion is more particularly described as follows:

Lot 70, SADDLEBACK MEADOWS UNIT SEVEN, according to the plat of record in the office of the Maricopa County Recorder, in Book 160 of Maps, Page 31 and per Warranty Deed recorded at Docket 11043, Page 408, of said Maricopa County Recorder.

LOT 71 – 23423 N. 47th Ave.

A portion of the West half of the West half of the Southwest quarter of the Southeast quarter, (jW2W2SW4SE4) of Section 9, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona. Said portion is more particularly described as follows:

Lot 71, SADDLEBACK MEADOWS UNIT SEVEN, according to the plat of record in the office of the Maricopa County Recorder, in Book 160 of Maps, Page 31 and per Warranty Deed recorded at Docket 11043, Page 408, of said Maricopa County Recorder.

LOT 72 – 23411 N. 47th Ave.

A portion of the West half of the West half of the Southwest quarter of the Southeast quarter, (jW2W2SW4SE4) of Section 9, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona. Said portion is more particularly described as follows:

Lot 72, SADDLEBACK MEADOWS UNIT SEVEN, according to the plat of record in the office of the Maricopa County Recorder, in Book 160 of Maps, Page 31 and per Warranty Deed recorded at Docket 11043, Page 408, of said Maricopa County Recorder.

ORDINANCE LOCATION MAP

EXHIBIT B

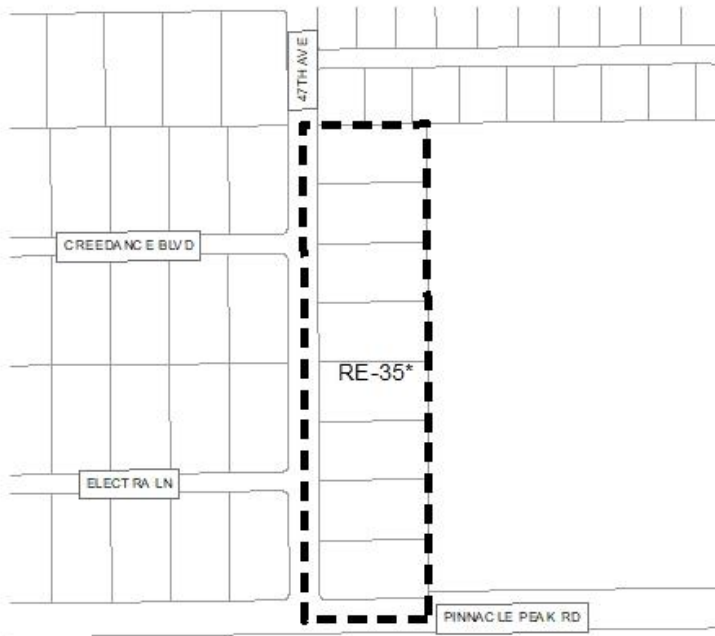
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

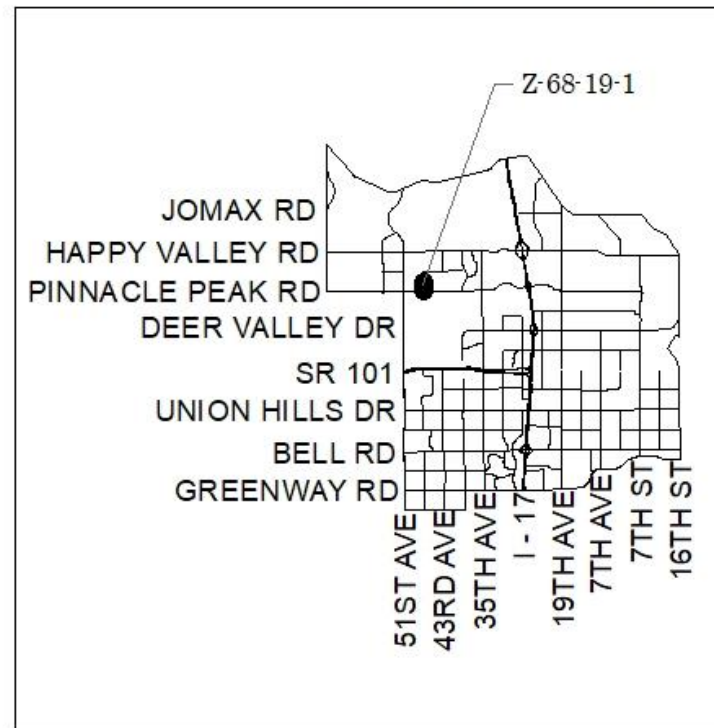
Zoning Case Number: Z-68-19-1

Zoning Overlay: N/A

Planning Village: Deer Valley



0 125 250 500 Feet



NOT TO SCALE



Drawn Date: 5/22/2020