

ATTACHMENT A

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ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-45-25-1) FROM R-5 DVAO (MULTIFAMILY RESIDENCE DISTRICT – RESTRICTED COMMERCIAL, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO CP/GCP DVAO (COMMERCE PARK DISTRICT, GENERAL COMMERCE PARK OPTION, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 0.53 acre site located at the northwest corner of 24th Avenue and Lone Cactus Drive in a portion of Section 24, Township 4 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “R-5 DVAO” (Multifamily Residence District – Restricted Commercial, Deer Valley Airport Overlay District) to “CP/GCP DVAO” (Commerce Park District, General Commerce Park Option, Deer Valley Airport Overlay 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. Required building setbacks shall be planted with minimum 2-inch caliper large canopy drought-tolerant trees, 20 feet on center, or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
2. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought-tolerant, shade trees, or a combination thereof.
3. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
4. A minimum of four bicycle parking spaces shall be provided through inverted u and/or artistic racks located near the front office and installed per the requirements of section 1307.h. Of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix preferred designs in Appendix K of the Comprehensive Bicycle Master Plan.
5. A minimum of one of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
6. A 1-foot Vehicular Non-Access Easement (VNAE) shall be recorded along Lone Cactus Drive.
7. A minimum 5-foot-wide sidewalk shall be constructed on the west side of 24th Avenue, adjacent to the development.
8. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape area located between the back of curb and sidewalk shall be constructed on the north side of Lone Cactus Drive, adjacent to the development, planted to the following standards, as approved by the Planning and Development Department.

- a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings.
- b. Drought-tolerant shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 50% live coverage at maturity.

Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

9. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
10. 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.
11. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Business Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
13. 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.
14. 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.
15. 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.

16. Prior to final 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.

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 15th day of October, 2025.

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

B – Ordinance Location Map

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-45-25-1

The North 71.47 feet of the South 142.96 feet of the East 107.09 feet of Lot 24, BLACK CANYON HEIGHTS, according to the Plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 56 of Maps, Page 14; AND

TOGETHER WITH

The East 107.09 feet of the South 71.49 feet of Lot 24, BLACK CANYON HEIGHTS, according to the Plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 56 of Maps, Page 14.

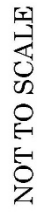
APN #209-07-024N

Section: 24, Township: 4N, Range: 2E

Gross Acres .52

EXHIBIT B

Zoning Case Number: Z-45-25-1
Zoning Overlay: Deer Valley Airport Overlay District
Planning Village: Deer Valley



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