

ORDINANCE NO. 4959

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT (PAD) FOR PLANNED COMMERCIAL OFFICE (PCO) TO PLANNED AREA DEVELOPMENT (PAD) AMENDED IN CASE PLH20-0049 (1ST PET VETERINARY CENTERS) LOCATED WEST OF THE SOUTHWEST CORNER OF ALMA SCHOOL AND WARNER ROADS, WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR PENALTIES.

WHEREAS, an application for rezoning certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days' notice of time, place, and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to the public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. Legal Description of Property:

EXHIBIT 'A'

Said parcel is hereby rezoned from Planned Area Development (PAD) to Planned Area Development (PAD) Amended, subject to the following conditions:

1. The following uses shall be permitted: uses permitted in the Planned Commercial Office District, veterinary clinic, medical offices, dental offices, and like uses.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.

4. All exterior light sources shall be averted away from adjacent residential properties.
5. The designated outdoor smoking area shall be setback a minimum of fifty (50) feet from adjacent residential properties.
6. Compliance with original conditions adopted by the City Council as Ordinance No. 4723 in case DVR16-0021, except as modified by condition herein.

Section 2. The Planning Division of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this Ordinance.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance, or any parts hereof, are hereby repealed.

Section 4. In any case, where any building, structure, or land is used in violation of this Ordinance, the Planning Division of the City of Chandler may institute an injunction or any other appropriate action in proceeding to prevent the use of such building, structure, or land.

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, then this entire ordinance is invalid and shall have no force or effect.

Section 6. A violation of this Ordinance shall be a Class 1 misdemeanor subject to the enforcement and penalty provisions set forth in Section 1-8.3 of the Chandler City Code. Each day a violation continues, or the failure to perform any act or duty required by this Ordinance or the Zoning Code, shall constitute a separate offense.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 28th day of January, 2021.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 11th day of February, 2021.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4959 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2020, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

TA

Published:

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL NO. 1:

Lot 1, COMANCHE COURT, according to Book 483 of Maps, Page 17, records of Maricopa County, Arizona.

PARCEL NO. 2:

An easement for accessway for ingress and egress, emergency and service type vehicles, and public utilities over that portion of Lot 2 shown on plat of RINI OFFICE COMPLEX, recorded in Book 272 of Maps, Page 21.