

ORDINANCE NO. 4978

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR SINGLE-FAMILY RESIDENTIAL AS SHOWN IN CASE PLH21-0015 (OLD STONE RANCH PHASE 4) LOCATED WEST OF THE NORTHWEST CORNER OF CHANDLER HEIGHTS AND LINDSAY 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 lots are hereby rezoned from AG-1 to PAD for single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Old Stone Ranch Phase 4" and kept on file in the City of Chandler Planning Division, in File No. PLH21-0015, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified, or supplemented by the Chandler City Council.
2. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

3. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s) the developer shall be required to upgrade such landscaping to meet current City Standards.
4. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. Minimum setbacks shall be as follows:

Front yard setback	20 ft. to garage from back of sidewalk, 4 ft. to livable
Side yard setbacks	4 ft. & 1 ft.
Rear yard setbacks	5 ft., lots along north property line rear yard shall be 10 ft.

6. Maximum lot coverage shall be seventy (70) percent.
7. The landscaping in all open spaces shall be maintained by the property owner or homeowners' association, and shall be maintained at a level consistent with or better than at the time of planting.
8. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. The covenants, conditions, and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.

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 ____ day of _____, 2021.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2021.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4978 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2021, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

TA

Published:

“EXHIBIT A”

LEGAL DESCRIPTION PER TITLE COMMITMENT

PARCEL NO. 1:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19, BEING MARKED BY A 1/2" BAR;

THENCE NORTH 89 DEGREES 51 MINUTES 40 SECONDS WEST, (BASIS OF BEARINGS) ALONG THE SOUTHERLY LINE OF THE SAID SOUTHEAST QUARTER OF SECTION 19, A DISTANCE OF 531.20 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 51 MINUTES 40 SECONDS WEST, 789.55 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19 AND FROM WHICH POINT THE SOUTH QUARTER CORNER OF SAID SECTION 19, BEING MARKED BY A MARICOPA COUNTY BRASS CAP, BEARS NORTH 89 DEGREES 51 MINUTES 40 SECONDS WEST, 1320.75 FEET DISTANCE THEREFROM;

THENCE NORTH 00 DEGREES 38 MINUTES 04 SECONDS EAST, 496.62 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19;

THENCE SOUTH 89 DEGREES 51 MINUTES 12 SECONDS EAST, ALONG THE NORTHERLY LINE OF THE SAID SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, A DISTANCE OF 789.55 FEET TO A POINT FROM WHICH THE NORTHEAST CORNER OF THE SAID SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, BEARS SOUTH 89 DEGREES 51 MINUTES 12 SECONDS EAST, 533.24 FEET DISTANCE THEREFROM;

THENCE SOUTH 00 DEGREES 38 MINUTES 04 SECONDS WEST, BEING PARALLEL WITH THE WESTERLY LINE OF THE SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, A DISTANCE OF 496.51 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 2:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19, BEING MARKED BY A 1/2" BAR;

THENCE NORTH 89 DEGREES 51 MINUTES 40 SECONDS WEST (BASIS OF BEARINGS) ALONG THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 19, A DISTANCE OF 509.20 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 51 MINUTES 40 SECONDS WEST, 22.00 FEET TO A POINT FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 19, BEING MARKED BY A MARICOPA COUNTY BRASS CAP, BEARS NORTH 89 DEGREES 51 MINUTES 40 SECONDS WEST, 2110.30 FEET DISTANT THEREFROM;

THENCE NORTH 00 DEGREES 38 MINUTES 04 SECONDS EAST, BEING PARALLEL WITH THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 496.51 FEET TO A POINT ON THE NORTHERLY LINE OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19 AND FROM WHICH POINT THE NORTHWEST CORNER OF THE SAID SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, BEARS NORTH 89 DEGREES 51 MINUTES 12 SECONDS WEST, 789.55 FEET DISTANT THEREFROM;

THENCE SOUTH 89 DEGREES 51 MINUTES 12 SECONDS EAST, 22.00 FEET TO A POINT FROM WHICH THE NORTHEAST CORNER OF THE SAID SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19 BEARS SOUTH 89 DEGREES 51 MINUTES 12 SECONDS EAST, 511.24 FEET DISTANT THEREFROM;

THENCE SOUTH 00 DEGREES 38 MINUTES 04 SECONDS WEST, 496.51 FEET TO THE TRUE POINT OF BEGINNING. SUBJECT TO A ROADWAY OVER THE SOUTHERLY 33.00 FEET THEREOF.