

ORDINANCE NO. 4999

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 COMMUNITY COMMERCIAL (C-2) USES TO PLANNED AREA DEVELOPMENT (PAD) FOR COMMUNITY COMMERCIAL (C-2) USES WITH MOTOR VEHICLE SALES, OUTDOOR SCREENED STORAGE, INDOOR MOTOR VEHICLE REPAIR INCLUDING BODY WORK, AND LIMITED SHORT TERM OVERNIGHT STAYS FOR RECREATIONAL VEHICLES IN CASE PLH21-0065 (AIRSTREAM OF CHANDLER) LOCATED ON THE SOUTHEAST CORNER OF ARIZONA AVENUE AND THE LOOP 202 SANTAN FREEWAY 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 the 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, the City Council has considered the probable impact of this ordinance on the cost to construct housing for sale or rent; 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) for Community Commercial (C-2) uses to Planned Area Development (PAD) for Community Commercial (C-2) uses with motor vehicle sales, outdoor screened storage, indoor motor vehicle repair including body work, and limited short term overnight stays for recreational vehicles, subject to the following conditions:

1. Development and use of the overall site shall be in substantial conformance with the Development Booklet kept on file in the City of Chandler Planning Division, in File No. PLH21-0065, 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 Chandler City Council.
2. Overnight stays shall be limited to the area labeled “Short Term Overnight Parking/Stays for Airstream (Caravans/R.V.’s) Users” within Exhibit C of the Development Booklet of File No. PLH21-0065.
3. Overnight stays shall be limited to customers receiving service from the primary business onsite.
4. Overnight stays shall be limited to a maximum of five (5) consecutive days per customer.
5. No dump station for sewage shall be constructed within the area identified as “Short Term Overnight Parking/Stays for Airstream (Caravans/R.V.’s) Users” or within any publicly accessible parking areas identified in Exhibit C of the Development Booklet of File No. PLH21-0065
6. The primary business on site shall provide a contact phone number of a responsible person (i.e., manager/landowner) to interested neighbors to resolve any complaints regarding overnight stays quickly and directly.
7. The propane tanks shall be constructed to comply with all City of Chandler Building and Fire Codes.
8. The location of the proposed propane tanks shall be fully screened from the Right-of-Way and in a location approved by the Zoning Administrator.
9. No outdoor camping or entertainment of any type shall be allowed onsite and customers staying overnight must vacate the area within 24-hours after service is completed.

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. 4999 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:

Legal Description

PARCEL NO. 1: Lot 1, FINAL PLAT OF SANTAN GATEWAY – PARCEL 2, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 694 of Maps, page 29.

PARCEL NO. 2:

Non-exclusive easements for ingress, egress and parking as set forth in the Easements with Covenants and Restrictions Affecting Land, recorded July 13, 2004 in Recording No. 20040800085 and First Amendment recorded July 13, 2004 in Recording No. 20040800086 and Second Amendment recorded May 20, 2005 in Recording No. 2005-0669885, records of Maricopa County, Arizona.

APN: **303-28-626**