

ORDINANCE NO. 5025

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 IN CASE PLH21-0088 (EARNHARDT RANCH) LOCATED AT THE NORTHEAST CORNER OF MCQUEEN ROAD AND HUNT HIGHWAY 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 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 "Earnhardt Ranch" and kept on file in the City of Chandler Planning Division, in File No. PLH21-0088, 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. 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 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. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. 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.
6. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
7. Minimum setbacks shall be as provided below and further detailed in the development booklet:

Front yard setback	20 ft. to forward facing garage door 10 ft. to livable area components of the home 10 ft. to porch or side-entry garage
Side yard setbacks	Min. 5 ft. and 10 ft.
Rear yard setbacks	15 ft. for single-story, 25 feet for two-story Hunt Highway: 20 ft. for single-story, 30 feet for two-story Accessory Structure minimum 10 ft.

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 _____, 2022.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2022.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5025 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2022, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

TA

Published:

Exhibit A

That part of the Southwest Quarter of Section 35, Township 2 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the Brass Cap in hand hole marking the Southwest Corner of said Section 35, from which the City of Chandler Brass Cap in hand hole marking the West Quarter Corner of said Section 35 bears North $00^{\circ}17'14''$ West, a distance of 2,644.01 feet;

Thence North $00^{\circ}17'14''$ West, along the West line of the Southwest Quarter of said Section 35, a distance of 1,337.18 feet;

Thence North $88^{\circ}50'54''$ East, departing said West line, a distance of 1,324.94 feet to the East line of the West Half of the Southwest Quarter of said Section 35;

Thence South $00^{\circ}16'17''$ East, along said East line, a distance of 1,342.59 feet to the South line of the Southwest Quarter of said Section 35;

Thence South $89^{\circ}04'56''$ West, along said South line, a distance of 1,324.50 feet to the Point of Beginning.

Containing 1,774,809 Square Feet or 40.744 Acres, more or less.

