

ORDINANCE NO. 5050

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR SINGLE-FAMILY RESIDENTIAL IN CASE PLH22-0065 (VIVAS PROPERTY), LOCATED AT THE SOUTHWEST CORNER OF COOPER AND PECOS 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 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 zoned from AG-1 to PAD for Single-Family Residential, subject to the following conditions:

1. Developer shall complete 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.
2. Landscaping in all rights-of-way shall be maintained by the adjacent property owners or home-owners association (HOA). Additionally, hardscape

improvements located behind the sidewalk and within the right-of-way shall be maintained by the adjacent property owner or HOA.

3. Minimum setbacks shall be as provided below:

Setback	Distance
Front	20'
Sides	5' and 10'
Rear	20'

4. Maximum lot coverage shall be 57%.

5. Maximum building height shall be 25 feet to the midpoint of the slope.

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 _____, 2023.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2023.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5050 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2023, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY TA

Published in the Arizona Republic on:

Exhibit "A"
Ord. 5050

LEGAL DESCRIPTION
LOT 1

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 2, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE EAST QUARTER CORNER OF SAID SECTION 2, BEING MARKED BY A BRASS CAP IN POT HOLE, BEARS $S00^{\circ}00'46''W$, A DISTANCE OF 2694.91 FEET;

THENCE $S89^{\circ}52'02''W$, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 253.13 FEET;

THENCE $S00^{\circ}00'00''E$, A DISTANCE OF 106.14 FEET TO THE NORTHWEST CORNER OF LOT 1 OF CANYON OAKS 2, ACCORDING TO BOOK 593 OF MAPS, PAGE 39, MARICOPA COUNTY RECORDS;

THENCE SOUTH $89^{\circ}52'02''$ WEST, A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH $00^{\circ}00'00''$ EAST, A DISTANCE OF 145.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF DERRINGER WAY, ACCORDING TO THE FINAL PLAT OF CANYON OAKS ESTATES, BOOK 521 OF MAPS, PAGE 6, MARICOPA COUNTY RECORDS;

THENCE SOUTH $89^{\circ}52'02''$ WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 90.00 FEET TO THE SOUTHEAST CORNER OF LOT 19 OF SAID FINAL PLAT OF CANYON OAKS;

THENCE NORTH $00^{\circ}00'00''$ EAST ALONG THE EAST LINE OF SAID LOT 19, A DISTANCE OF 145.00 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE NORTH $89^{\circ}52'02''$ EAST, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 13,050 SQ.FT. OR 0.2996 ACRES, MORE OR LESS.

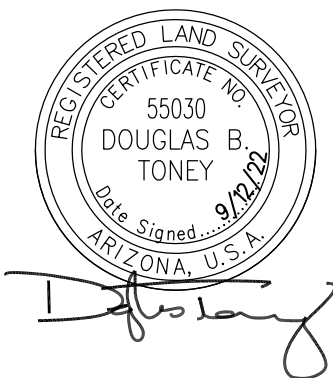


Exhibit "A"
Ord. 5050
LEGAL DESCRIPTION
LOT 2

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 2, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE EAST QUARTER CORNER OF SAID SECTION 2, BEING MARKED BY A BRASS CAP IN POT HOLE, BEARS S00°00'46"W, A DISTANCE OF 2694.91 FEET;

THENCE S89°52'02"W, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 253.13 FEET;

THENCE S00°00'00"E, A DISTANCE OF 106.14 FEET TO THE NORTHWEST CORNER OF LOT 1 OF CANYON OAKS 2, ACCORDING TO BOOK 593 OF MAPS, PAGE 39, MARICOPA COUNTY RECORDS, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°00'00" EAST, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 145.00 FEET TO THE SOUTHWEST CORNER THEREOF, ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF DERRINGER WAY, ACCORDING TO THE FINAL PLAT OF CANYON OAKS ESTATES, BOOK 521 OF MAPS, PAGE 6, MARICOPA COUNTY RECORDS;

THENCE SOUTH 89°52'02" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 110.00 FEET;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 145.00 FEET;

THENCE NORTH 89°52'02" EAST, A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 15,950 SQ.FT. OR 0.3662 ACRES, MORE OR LESS.

