

ORDINANCE NO. 5057

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM SF-8.5 TO SF 8.5/PAD FOR SINGLE-FAMILY RESIDENTIAL AS SHOWN IN CASE PLH22-0062 (CHAVEZ RESIDENCE) LOCATED AT 3953 WEST CHANDLER BOULEVARD, EAST OF THE SOUTHEAST CORNER OF CHANDLER BOULEVARD AND MCCLINTOCK DRIVE 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, 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:

Lots 4, 5 and 6, PUEBLO ALTO, a subdivision of part of the Northwest quarter of the Northwest quarter of Section 36, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, as recorded in Book 35 of Maps, Page 3 of Maricopa County, Arizona.

Except the North 17 feet of Lots 4 & 5 for roadway; and
Except the North 10 feet of Lot 6 for roadway.

Said parcel is hereby rezoned from SF-8.5 to SF 8.5/PAD for Single-Family Residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Chavez Residence" and kept on file in the City of Chandler

Planning Division, in File No. PLH22-0062, 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. Uses permitted on the property shall be those permitted in the SF-8.5 zoning district, except as modified by condition herein.
3. Minimum setbacks shall be as provided below:

Setback	Distance
Front Yard	16' at building and 0' at view wall
East Side Yard	5'
West Side Yard	5'
Rear	5'

4. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. 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.
6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

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. 5057 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: