

ORDINANCE NO. 5064

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING PARCELS FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR SINGLE-FAMILY RESIDENTIAL AS SHOWN IN CASE PLH21-0069 (HARRIS PLACE), GENERALLY LOCATED ¼ MILE WEST OF THE SOUTHWEST CORNER OF MCQUEEN ROAD AND OCOTILLO ROAD 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:

EXHIBIT 'A'

Said parcel is hereby rezoned from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential, subject to the following conditions:

1. Development of the site shall be in substantial conformance with the conceptual exhibits, entitled "Harris Place Preliminary Development Plan Booklet" kept on file in the City of Chandler Planning Division, in File No. PLH21-0069, modified by such conditions included at the time the rezoning was approved by Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The “Public Subdivision Report,” “Purchase Contracts,” CC&R’s, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
3. 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.
4. The landscaping in all private 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.
5. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owner’s association.
6. 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.
7. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
8. Minimum setbacks shall be as provided below:

Property Line	Building Setback
Front Yard -To Livable Area	12 Feet
Front Yard – To Garage	20 Feet
Side(s)	5 Feet & 10 Feet (Aggregate of 15)
Rear – To First Floor	25 Feet
Rear – To Second Floor	35 Feet
Accessory Building Side Setback(s)	5 Feet & 5 Feet
Accessory Building Rear Yard Setback	5 Feet

- 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. 5064 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:

EXHIBIT "A"

LEGAL DESCRIPTION – HARRIS PLACE

A portion of the Northeast Quarter of Section 22, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows;

Commencing at the Northeast Corner of said Section 22, thence South 89 degrees 23 minutes 30 seconds West, along the north line of said section, a distance of 667.49 feet;

Thence South 00 degrees 00 minutes 19 seconds West a distance of 97.98 feet to a point on the south right-of-way line of E. Ocotillo Road, said point being the True Point of Beginning;

Thence North 89 degrees 59 minutes 41 seconds West along said south right-of-way line, a distance of 25.00 feet;

Thence continuing along said south right-of-way line North 49 degrees 10 minutes 51 seconds West a distance of 22.41 feet;

Thence continuing along said south right-of-way line South 89 degrees 23 minutes 30 seconds West parallel to and 83.00 feet south of the said North line of said Section 22, a distance of 548.35 feet;

Thence continuing along said south right-of-way line South 44 degrees 48 minutes 35 seconds West a distance of 27.67 feet;

Thence continuing along said south right-of-way line North 89 degrees 47 minutes 55 seconds West a distance of 30.00 feet;

Thence South 00 degrees 12 minutes 05 seconds West a distance of 205.01 feet;

Thence North 89 degrees 23 minutes 30 seconds East a distance of 159.03 feet;

Thence South 00 degrees 11 minutes 28 seconds West a distance of 0.24 feet;

Thence North 89 Degrees 23 minutes 30 seconds East, a distance of 167.98 feet;

Thence South 00 degrees 09 minutes 02 seconds West a distance of 48.74 feet;

Thence North 89 Degrees 23 minutes 30 seconds East, a distance of 288.62 feet;

Thence South 89 Degrees 59 minutes 41 seconds East, a distance of 25.00 feet;

Thence North 00 Degrees 00 minutes 19 seconds East, a distance of 258.15 feet to the True Point of Beginning.

Said parcel contains 157,515.85 square feet or 3.6161 acres, more or less.

