

## ORDINANCE NO. 4904

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING PARCELS FROM AGRICULTURAL (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR SINGLE-FAMILY RESIDENTIAL AS REPRESENTED IN CASE DVR17-0034 MOUNTAIN VIEW ESTATES LOCATED EAST OF THE NORTHEAST CORNER OF RIGGS ROAD AND LINDSAY 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 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 days prior to said public hearing; 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:

See attached 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 shall be in substantial conformance with the Development Booklet, entitled "Mountain View Estates" and kept on file in the City of Chandler Planning Division, in File No. DVR17-0034, 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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
4. Future median openings shall be located and designed in compliance with City adopted design standards.
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. 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.
7. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
8. All homes shall be single-story.
9. Minimum setbacks shall be as follows:

Rear yard setbacks	40* ft. for lots 1 - 6 20* ft. for lots 7 - 16 20 ft. for casitas, ramadas & accessory structures on lots 1 - 6 5 ft. for casitas, ramadas & accessory structures on lots 7 - 16
Side yard setbacks	10 ft. min. on each side for lots 1 – 6 5 ft. & 10 ft. for lots 7 – 16
Front yard setbacks	20 ft. to forward facing garage door, 10 ft. to side entry garage, livable area, or covered porch

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\*Covered patios may extend into the minimum rear yard setback no more than 10 ft.

10. The maximum lot coverage shall be 50% for the six lots along the northern border. All other lots shall have a maximum lot coverage of 55%.
11. The wider side yards shall be grouped on adjoining lots.
12. The maximum building height shall be twenty two (22) feet for homes.
13. A separate Preliminary Development Plan application shall be reviewed and approved for the housing product.
14. Homes located on the northern six lots shall not have lofts, livable attic space, balconies or roof decks.
15. Accessory structures shall not exceed a building height of fifteen (15) 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 the 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 or proceeding to prevent the use of such building, structure, or land in violation of this Ordinance.

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 that a violation or the failure to perform any act or duty required by this Ordinance or the Zoning Code continues shall constitute a separate offense.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 7<sup>th</sup> day of November 2019.

ATTEST:

*Dana R. DeLacy*  
CITY CLERK

*Kevin Hawke*  
MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 9<sup>th</sup> day of December, 2019.

ATTEST:

*Dana R. DeLacy*  
CITY CLERK

*Kevin Hawke*  
MAYOR

CERTIFICATION

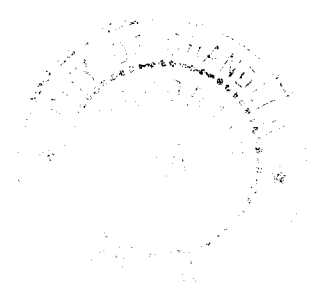
I HEREBY CERTIFY that the above and foregoing Ordinance No. 4904 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 9<sup>th</sup> day of December 2019, and that a quorum was present thereat.

*Dana R. DeLacy*  
CITY CLERK

APPROVED AS TO FORM:

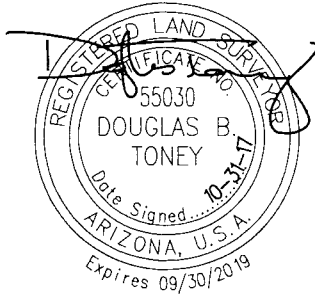
*[Signature]*  
CITY ATTORNEY

PUBLISHED in the Arizona Republic on December 20 and December 27, 2019.





October 31, 2017  
PROJECT # 050442-01-001



**ORDINANCE NO. 4904**  
**EXHIBIT A**

**LEGAL DESCRIPTION**  
**GROSS BOUNDARY**

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 29, BEING MARKED BY A CITY OF CHANDLER BRASS CAP IN HAND HOLE, FROM WHICH POINT THE SOUTH QUARTER CORNER OF SAID SECTION 29, BEING MARKED BY A CITY OF CHANDLER BRASS CAP FLUSH, BEARS NORTH 89°49'36" EAST, A DISTANCE OF 2642.00 FEET;

THENCE NORTH 89°49'36" EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 790.72 FEET TO A LINE PARALLEL WITH AND 200.00 FEET WEST OF THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, SAID POINT ALSO BEING THE **POINT OF BEGINNING**;

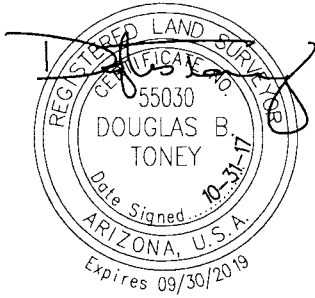
THENCE NORTH 00°07'11" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 661.53 FEET TO THE SOUTH LINE OF "FALCON ESTATES" A SUBDIVISION RECORDED IN BOOK 638 OF MAPS, PAGE 35, RECORDS OF MARICOPA COUNTY, ALSO BEING THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29;

THENCE NORTH 89°48'38" EAST, ALONG SAID LINE, A DISTANCE OF 532.21 FEET TO THE WEST LINE OF "CITRUS PRESERVE", A SUBDIVISION RECORDED IN BOOK 628 OF MAPS, PAGE 24, RECORDS OF MARICOPA COUNTY, ALSO BEING THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH 00°05'50" EAST, ALONG SAID LINE, A DISTANCE OF 661.68 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH 88°49'36" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 531.95 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 352,027 SQUARE FEET OR 8.0814 ACRES, MORE OR LESS.



"FALCON ESTATES"  
BOOK 638 OF MAPS, PAGE 35, M.C.R.

NORTH LINE OF THE WEST 1/2 OF THE  
SE 1/4 OF THE SW 1/4 OF THE SW 1/4

N89°48'38"E 532.21'

LINE PARALLEL WITH & 200' WEST OF  
EAST LINE OF THE W 1/2 OF THE SE 1/4  
OF THE SW 1/4 OF THE SW 1/4

N00°07'11"W 661.53'

APN 304-81-017D

APN 304-81-017F

S00°05'50"E 661.68'

WEST LINE OF THE EAST 1/2  
OF THE SW 1/4

"CITRUS PRESERVE"  
BOOK 628 OF MAPS, PAGE 24, M.C.R.

POINT OF  
BEGINNING

790.72'

RIGGS ROAD

531.95'

1319.33'

N89°49'36"E 2642.00'  
(BASIS OF BEARINGS)

POINT OF COMMENCEMENT  
SOUTHWEST CORNER  
SECTION 29, T2S, R6E  
FOUND CITY OF CHANDLER  
BRASS CAP IN HAND HOLE

SOUTH QUARTER CORNER  
SECTION 29, T2S, R6E  
FOUND CITY OF CHANDLER  
BRASS CAP FLUSH

SHEET 1 OF 1  
DATE:  
10-31-17

EXHIBIT A GROSS BOUNDARY		
BY: AB	CHK: DT	QC:
BCG PROJECT NO: 050442-01 TASK: 001 CLIENT REF NO:		

**Bowman**  
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