

ORDINANCE NO. 17-03

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, APPROVING AND ADOPTING AN AMENDMENT TO THE CITY'S ZONING MAP TO ZONE CERTAIN PROPERTY DESCRIBED IN ZONING CASE 14-01 FOR APPROXIMATELY 5 ACRES GENERALLY SITUATED AT THE NORTHEAST CORNER OF HONEYCUTT ROAD AND COSTA DEL SOL BOULEVARD WITHIN THE CITY OF MARICOPA INCORPORATED LIMITS. THE PARCEL OF LAND IS SITUATED IN A PORTION OF SECTION 21 AND A PORTION OF SECTION 28 OF TOWNSHIP 4 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA.

WHEREAS, on November 4, 2014, the City adopted as a public record a new zoning code pursuant to Chapter 16 of the Maricopa City Code; and,

WHEREAS, City staff initiated a Public Participation Plan to inform residents of the proposed rezoning of approximately 5 acres from CR-3 PAD (Single Residence with a Planned Area Development overlay) as defined in the City's previous Zoning Code to OS-POS (Privately Owned Open Space) as defined in the City's new Zoning Code, which included a neighborhood meeting, notification letters to nearby property owners, public notice signs, and legal notices as required by law; and,

WHEREAS, the City's Planning and Zoning Commission held a public hearing on January 9, 2017, in zoning case #ZON 14-01, in the manner prescribed by law for the purpose of amending the City Zoning Map to rezone the subject property.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Maricopa, Arizona as follows:

Section 1. That certain document entitled "MARICOPA ZONING MAP AMENDMENT 14-01", a copy of which is attached as Exhibit 1 hereto, changing the property described in Exhibit 2 on approximately 5 acres from CR-3 PAD (Single Residence with a Planned Area Development overlay) to OS-POS (Privately Owned Open Space) is hereby adopted and declared to be a public record, and a copy shall remain on file in the office of the City Clerk of the City of Maricopa for examination by the public.

Section 2. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 14-01 are hereby expressly incorporated into and adopted as part of this Ordinance by this reference.

Section 3. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

Section 4. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

PASSED AND ADOPTED by the Mayor and City Council of the City of Maricopa, Arizona this 7th day of February, 2017.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras
City Clerk

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney

EXHIBIT 1

EXHIBIT 2

Parcel 4, TORTOSA-NW, according to the plat of record in the office of the County Recorder of Pinal County, Arizona, recorded in Cabinet E, Slide 90 and thereafter Certificate of Correction recorded as Fee No. 2005-062193 and Certificate of Correction recorded as Fee Nos. 2005-159026, 2005-159027 and 2005-159028, all of Official Records of Pinal County, Arizona.