

## **ORDINANCE NO. 20-03**

**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 #ZON 19-09 FOR APPROXIMATELY 16.95 ACRES OF LAND GENERALLY LOCATED NEAR THE NORTHWEST CORNER OF BOWLIN ROAD AND JOHN WAYNE PARKWAY (SR-347), WITHIN THE CITY OF MARICOPA INCORPORATED LIMITS. THE PARCEL OF LAND IS SITUATED IN A PORTION OF SECTION 28 OF TOWNSHIP 4 SOUTH, RANGE 3 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 16.95 acres from CB-2 (General Business) as defined in the City's old Zoning Code to RM (Multi Unit Residential) 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 March 9, 2020, in zoning case #ZON 19-09, 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 known as "MARICOPA ZONING MAP AMENDMENT 20-03", a copy of which is attached as Exhibit 1 hereto, changing the property described in Exhibit 2 on approximately 16.95 acres from CB-2 (General Business) as defined in the City's old Zoning Code to RM (Multi Unit Residential) as defined in the City's new Zoning Code 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 19-09 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 21<sup>st</sup> day of April, 2020.

APPROVED:

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Christian Price  
Mayor

ATTEST:

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Vanessa Bueras, CMC  
City Clerk

APPROVED AS TO FORM:

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Denis Fitzgibbons  
City Attorney

# **EXHIBIT 1**

## **EXHIBIT 2**

### **LEGAL DESCRIPTION**

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN , PINAL COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT K OF THE FINAL PLAT FOR ALTERRA NORTH AS RECORDED IN CABINET E, SLIDE 088, PINAL COUNTY RECORDS, ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ALTERRA PARKWAY PER THE MAP OF DEDICATION FOR ALTERRA PARKWAY AND BOWLIN ROAD RECORDED IN CABINET E, SLIDE 087, PINAL COUNTY RECORDS;

THENCE NORTH 89°48'28" EAST, 60.00 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN EXHIBIT "A-2" WITHIN THE SPECIAL WARRANTY DEED RECORDED IN FEE NO. 2005-146536, PINAL COUNTY RECORDS;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 00°40'32" EAST, 250.97 FEET ALONG THE WEST LINE OF THE PROPERTY DESCRIBED IN SAID EXHIBIT "A-2", AND ALONG THE MOST WESTERLY WEST LINE OF THE PROPERTY DESCRIBED IN EXHIBIT "A-1" WITHIN SAID SPECIAL WARRANTY DEED TO THE SOUTHWEST CORNER OF THE PROPERTY DESCRIBED IN SAID EXHIBIT "A-1";

THENCE NORTH 89°48'28" EAST, 350.01 FEET ALONG THE SOUTH LINE OF THE PROPERTY DESCRIBED IN SAID EXHIBIT "A-1" TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTH 00°40'32" EAST, 454.77 FEET ALONG A LINE THAT IS 410.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT K;

THENCE LEAVING SAID PARALLEL LINE, NORTH 89°23'34" EAST, 174.83 FEET;

THENCE SOUTH 01°01'57" EAST, 857.58 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF BOWLIN ROAD PER SAID MAP OF DEDICATION;

THENCE SOUTH 89°46'16" WEST, 590.19 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE SOUTHEAST CORNER OF SAID TRACT K;

THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 00°40'32" WEST, 1562.37 FEET ALONG THE EAST LINE OF SAID TRACT K TO THE POINT OF BEGINNING