

ORDINANCE NO. 22-16

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 REZONE APPROXIMATELY 10 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF N. PORTER ROAD AND IRON POINT ROAD, JUST SOUTH OF THE MARICOPA-CASA GRANDE HIGHWAY, WITHIN THE CITY OF MARICOPA INCORPORATED LIMITS, FROM EXISTING GENERAL BUSINESS (CB-2) TO HIGH DENSITY RESIDENTIAL (RH) AS DESCRIBED IN ZONING CASE #ZON 21-08. THE PARCEL OF LAND IS LOCATED IN A PORTION OF THE EAST HALD OF SECTION 35, 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 as part of the Maricopa City Code, which has been amended from time to time; and

WHEREAS, City staff initiated a Public Participation Plan to inform residents of the proposed rezoning of approximately 10 acres from General Business (CB-2) as defined in the City's old Zoning Code to High Density Residential (RH), 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 May 23, 2022, in zoning case #ZON 21-08, 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 the Maricopa Zoning Map is hereby amended by changing the property described in Exhibit A on approximately 10 acres from General Business (CB-2) as defined in the City's old Zoning Code to High Density Residential (RH) as described in zoning case ZON 21-08. The Development Services Department shall amend the Zoning Map to reflect this amendment 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 zoning case ZON 21-08 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.

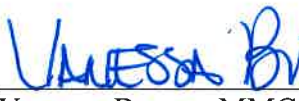
Section 4. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

PASSED AND ADOPTED by the Mayor and City Council of the City of Maricopa, Arizona this 21st day of June, 2022.

APPROVED:


Christian Price
Mayor

ATTEST:


Vanessa Bueras, MMC
City Clerk



APPROVED AS TO FORM:


Denis Fitzgibbons
City Attorney

EXHIBIT A
Legal Description

Roers Maricopa Legal Description

THAT PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35, FOUND MONUMENT BEING A PK NAIL;

THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS EAST, A DISTANCE OF 658.31 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST, A DISTANCE OF 866.38 FEET;

THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS EAST, 666.35 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 481.72 FEET;

THENCE SOUTH 89 DEGREES 23 MINUTES 18 SECONDS EAST, A DISTANCE OF 6.57 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS EAST, A DISTANCE OF 277.34 FEET; THENCE SOUTH 89 DEGREES 23 MINUTES 18 SECONDS EAST, A DISTANCE OF 98.38 FEET;

THENCE SOUTH 85 DEGREES 43 MINUTES 06 SECONDS EAST, A DISTANCE OF 162.40 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, WHOSE RADIUS BEARS NORTH 02 DEGREES 34 MINUTES 32 SECONDS WEST, A DISTANCE OF 391.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16 DEGREES 43 MINUTES 37 SECONDS, A CURVE LENGTH OF 114.15 FEET;

THENCE NORTH 70 DEGREES 41 MINUTES 51 SECONDS EAST, A DISTANCE OF 102.80 FEET TO A POINT ON A TANGENT CURVE CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 25.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A CURVE LENGTH OF 39.27 FEET;

THENCE SOUTH 19 DEGREES 18 MINUTES 09 SECONDS EAST, A DISTANCE OF 370.58 FEET TO A POINT ON THE EXISTING 33 FOOT RIGHT OF WAY EASEMENT LINE OF PORTER ROAD;

THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS EAST, A DISTANCE OF 301.41 FEET; THENCE NORTH 89 DEGREES 44 MINUTES 11 SECONDS EAST, A DISTANCE OF 33.00 FEET;

THENCE SOUTH 00 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 739.19 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35 FROM WHENCE THE SOUTHWEST CORNER OF SAID SECTION 35 BEARS NORTH 89 DEGREES 53 MINUTES 17 SECONDS WEST, A DISTANCE OF 5246.63 FEET;

THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 658.31 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 53 MINUTES 17 SECONDS WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 33.00 FEET TO A POINT ON A LINE 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 35;

THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS EAST ALONG SAID LINE, A DISTANCE OF 738.97 FEET;

THENCE NORTH 89 DEGREES 44 MINUTES 11 SECONDS EAST, A DISTANCE OF 33.00 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 35;

THENCE SOUTH 00 DEGREES 36 MINUTES 42 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 739.19 FEET TO THE POINT OF BEGINNING; AND

ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35 FROM WHENCE THE SOUTHWEST CORNER OF SAID SECTION 35 BEARS NORTH 89 DEGREES 53 MINUTES 17 SECONDS WEST, A DISTANCE OF 5246.63 FEET;

THENCE NORTH 89 DEGREES 53 MINUTES 17 SECONDS WEST ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION 35, A DISTANCE OF 33.00 FEET;

THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS EAST ALONG A LINE WHICH IS 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 658.31 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 53 MINUTES 17 SECONDS WEST ALONG A LINE WHICH IS PARALLEL WITH THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 42.00 FEET TO A POINT ON A LINE 75.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 35;

THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS EAST ALONG SAID LINE, A DISTANCE OF 380.16 FEET TO A POINT ON A TANGENT CURVE TO THE LEFT CONCAVE SOUTHWESTERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 89 DEGREES 23 MINUTES 18 SECONDS WEST, A DISTANCE OF 655.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19 DEGREES 54 MINUTES 51 SECONDS, A DISTANCE OF 227.66 FEET TO A POINT ON A TANGENT LINE;

THENCE NORTH 19 DEGREES 18 MINUTES 09 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 187.45 FEET TO A POINT ON A TANGENT CURVE TO THE LEFT CONCAVE SOUTHWESTERLY AND HAVING A RADIUS POINT WHICH BEARS SOUTH 70 DEGREES 41 MINUTES 51 SECONDS WEST, A DISTANCE OF 25.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 39.27 FEET TO A POINT ON THE EXISTING RIGHT OF WAY FOR IRON POINT ROAD AS DEDICATED THROUGH THE AMENDED MAP OF DEDICATION RECORDED AS 2005-062868 OF OFFICIAL RECORDS AND FILED IN CABINET F, SLIDE 23 IN THE OFFICIAL RECORDS OF PINAL COUNTY, ARIZONA;

THENCE NORTH 70 DEGREES 41 MINUTES 51 SECONDS EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 20 00 FEET TO A POINT ON A TANGENT CURVE TO THE RIGHT CONCAVE SOUTHWESTERLY AND HAVING A RADIUS POINT WHICH BEARS SOUTH 19 DEGREES 18 MINUTES 09 SECONDS EAST, A DISTANCE OF 25.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 39.27 FEET TO A POINT ON A TANGENT LINE AND THE WESTERLY RIGHT OF WAY FOR PORTER ROAD AS DEDICATED THROUGH THE AMENDED MAP OF DEDICATION RECORDED AS 2005-062868 OF OFFICIAL RECORDS AND FILED IN CABINET F, SLIDE 23 IN THE OFFICIAL RECORDS OF PINAL COUNTY, ARIZONA;