



# 15  
SEP 26 2013  
Chandler  
All-America City  
2010

**MEMORANDUM**                      **Transportation and Development – CC Memo No. 13-116**

**DATE:**            SEPTEMBER 26, 2013

**TO:**                MAYOR AND COUNCIL

**THRU:**            RICH DLUGAS, CITY MANAGER *RD*  
MARSHA REED, ASSISTANT CITY MANAGER *MRK*  
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*  
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*  
KEVIN MAYO, PLANNING MANAGER *KM*

**FROM:**            DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER *DDT*

**SUBJECT:**        DVR13-0035 SOUTH OF THE SWC OF MCQUEEN AND OCOTILLO ROADS  
Introduction and Tentative Adoption of Ordinance No. 4498

Request:            The establishment of initial city zoning of Agriculture (AG-1)  
Location:           South of the southwest corner of McQueen and Ocotillo roads  
Applicant:          City of Chandler

**RECOMMENDATION**

Upon finding the request to be consistent with Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval of establishing the initial city zoning of AG-1 following the recent annexation of the subject parcels.

**BACKGROUND**

The request is to establish the initial city zoning of AG-1 on four parcels generally located south of the southwest corner of McQueen and Ocotillo roads. Parcels 1 – 3 (see attached Parcel Map) comprise of approximately 11.7 acres located about ½ mile south of Ocotillo Road and are part of a larger site that will be the subject of a proposed single family development, for which a rezoning and preliminary development plan application has been submitted and is currently in review. Parcel 4, consisting of approximately 0.7 acres, is a city owned parcel located closer to Ocotillo Road that will be utilized as a storm water retention basin.

September 26, 2013

Council held a public hearing to annex the subject parcels, including two additional parcels consisting of adjacent right-of-way, on August 15, 2013, and subsequently tentatively adopted an ordinance to annex the subject site on September 12, 2013.

All of the subject parcels were previously zoned Rural-43 in the county, which permits one dwelling unit per acre. In accordance with the statute referenced below, Planning Staff is proposing an initial city zoning of AG-1, which also limits the density to one home per acre.

Arizona Revised Statutes §9-471 states that “a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land.”

**PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed according to the provisions of the City of Chandler Zoning Code.

**PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

In Favor: 6    Opposed: 0    Absent: 1 (Baron)

**RECOMMENDED ACTION**

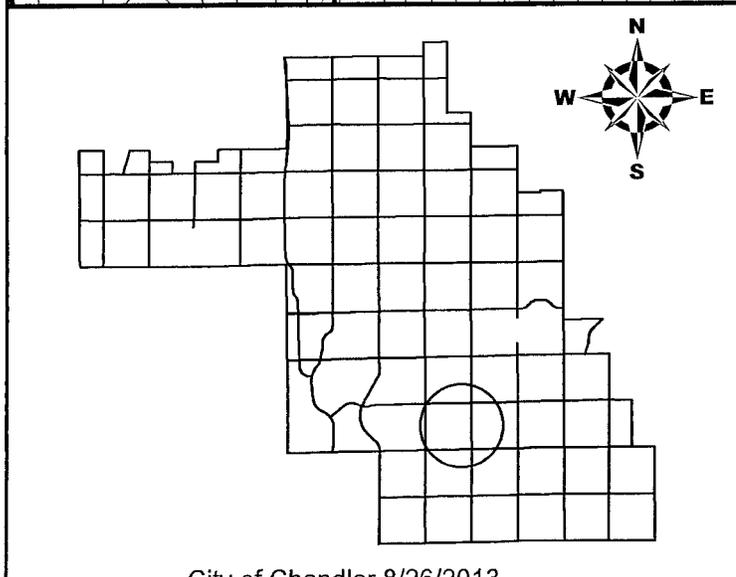
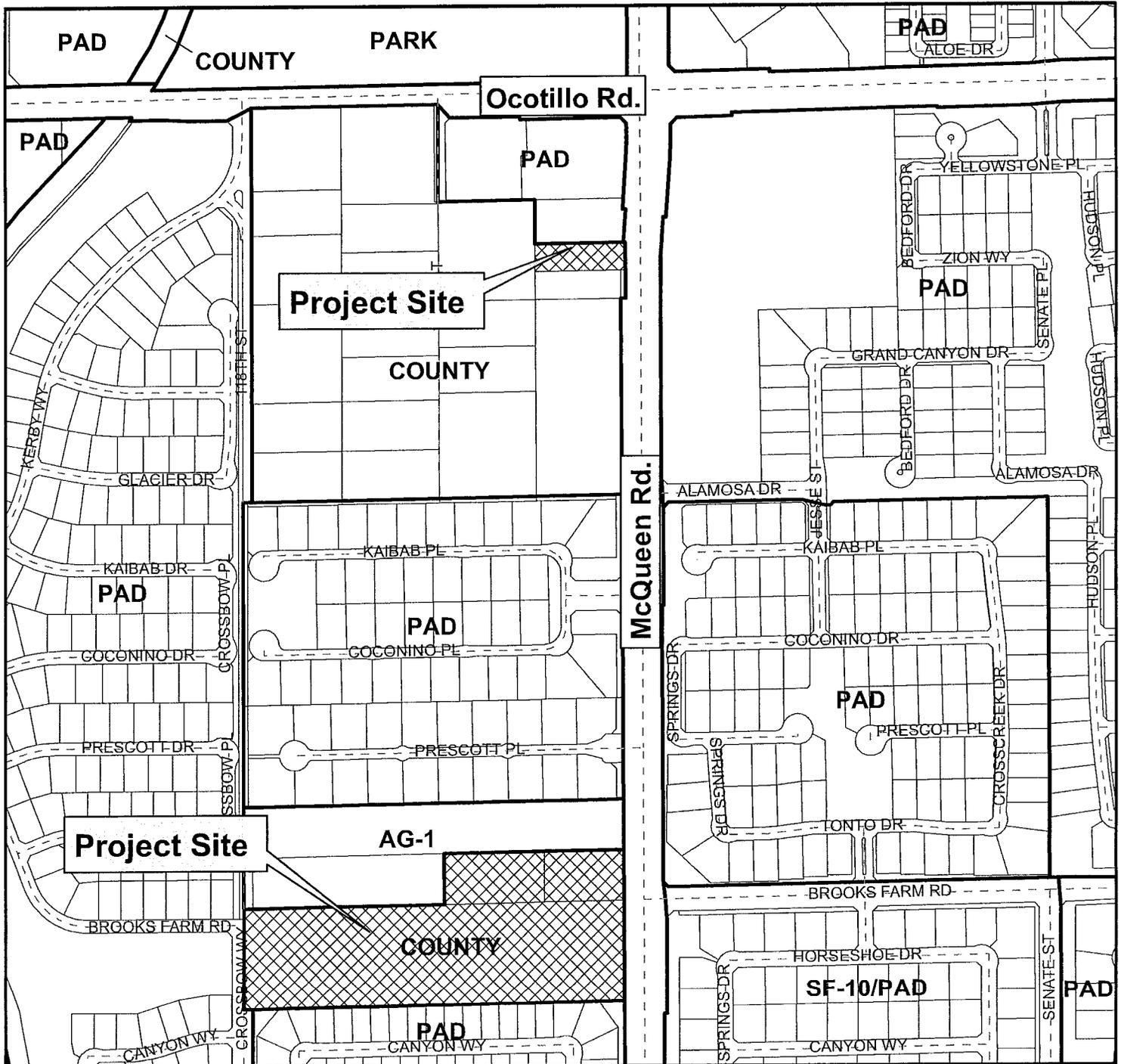
Upon finding consistency with Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval of establishing the initial city zoning of AG-1 following the recent annexation of the subject site.

**PROPOSED MOTIONS**

Motion to introduce and tentatively adopt Ordinance No. 4498 establishing the initial city zoning of AG-1 on approximately 0.7 acres as represented in case DVR13-0035 SOUTH OF THE SWC OF MCQUEEN AND OCOTILLO ROADS, and as recommended by Planning Commission and Planning Staff.

**Attachments**

1. Location Maps
2. Parcel Map
3. Ordinance No. 4498



## Vicinity Map

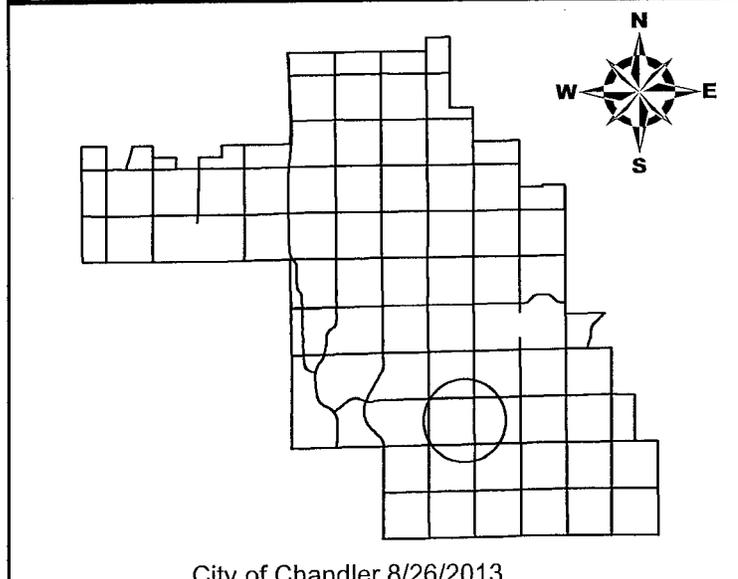
DVR13-0035

South of the Southwest Corner of  
McQueen and Ocotillo Roads

0
140
280
560
840
1,120

Feet

### Exhibit A



## Vicinity Map



DVR13-0035

South of the Southwest Corner of  
McQueen and Ocotillo Roads

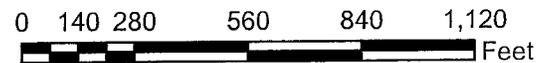
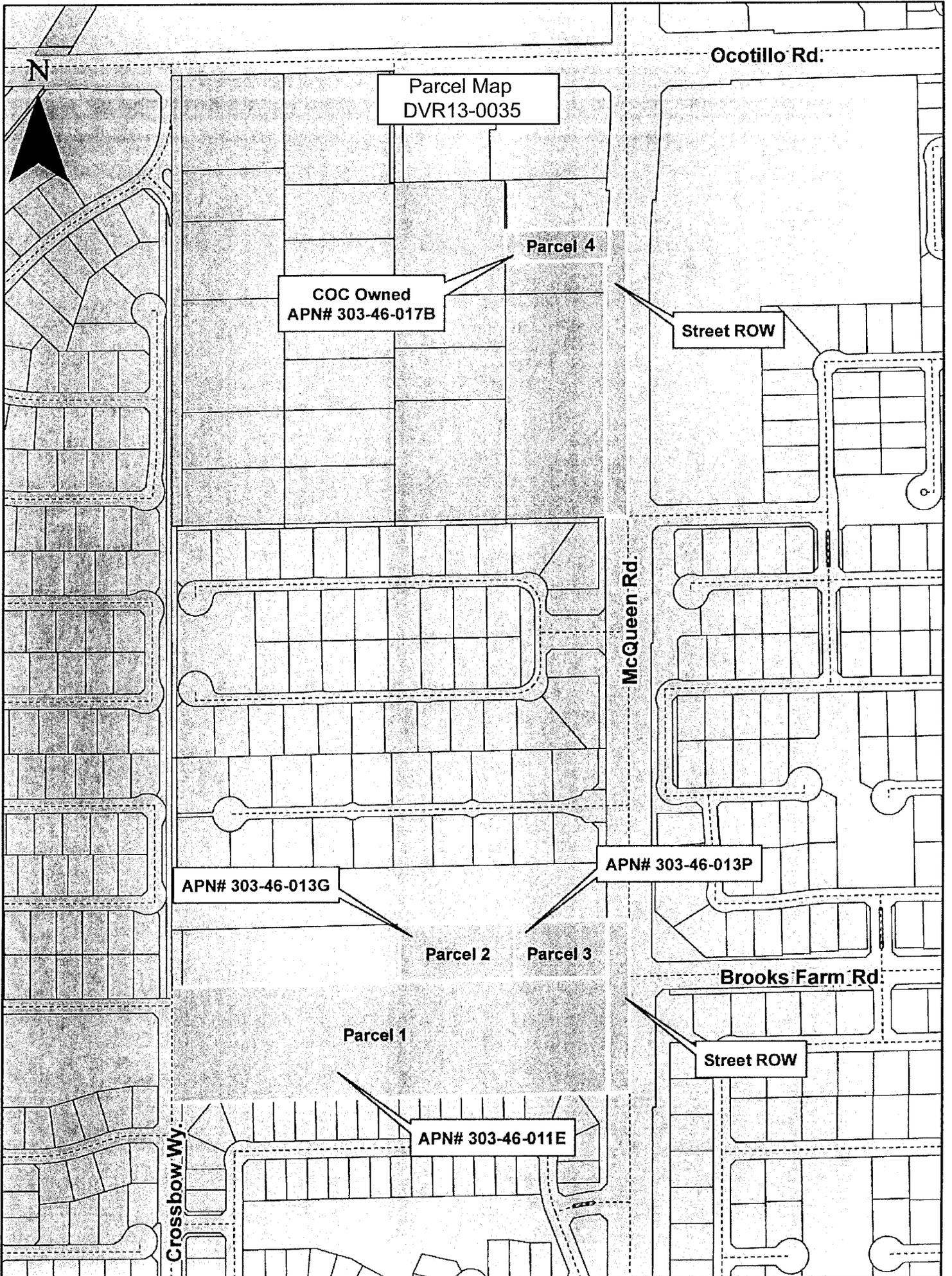


Exhibit A



Ocotillo Rd.

Parcel Map  
DVR13-0035

Parcel 4

COC Owned  
APN# 303-46-017B

Street ROW

McQueen Rd.

APN# 303-46-013G

APN# 303-46-013P

Parcel 2

Parcel 3

Brooks Farm Rd.

Parcel 1

Street ROW

APN# 303-46-011E

Crossbow Wy.

**ORDINANCE NO. 4498**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR13-0035 S OF THE SWC OF MCQUEEN AND OCOTILLO ROADS) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving 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 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 I. Legal Description of Property:

*See Attached Exhibit 'A', Vicinity Map and Legal Description*

Said parcel is hereby zoned Agricultural District (AG-1).

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION III. The Transportation & Development Department 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.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Maricopa County, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this \_\_\_\_ day  
of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4498 was duly passed and  
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the  
\_\_\_\_ day of \_\_\_\_\_, 2013, and that a quorum was present thereat.

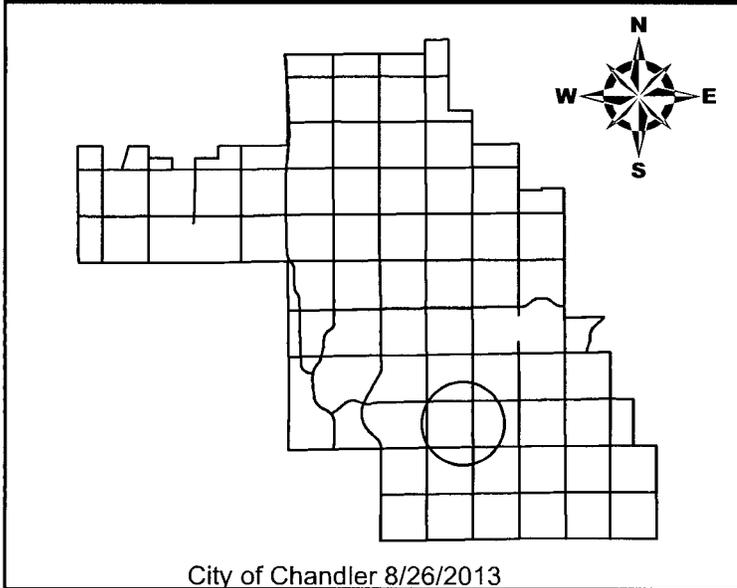
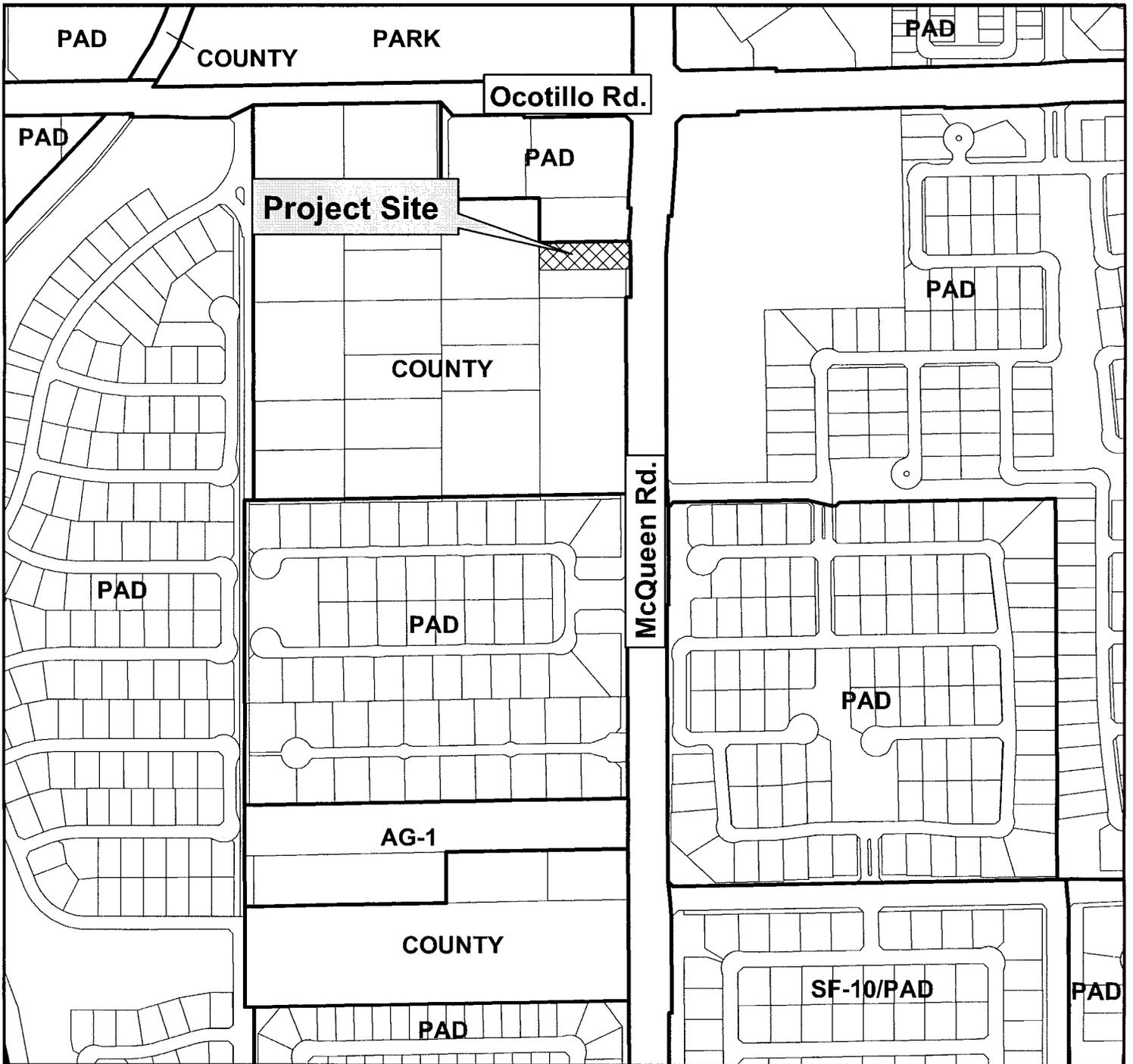
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

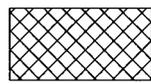
\_\_\_\_\_  
CITY ATTORNEY

*GAD*

PUBLISHED:

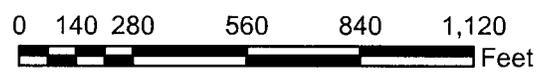


**Vicinity Map**



DVR13-0035

South of the Southwest Corner of  
McQueen and Ocotillo Roads



**Exhibit A**

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

THAT PORTION OF A PARCEL OF LAND AS DESCRIBED IN DOCUMENT #2010-0562670, RECORDS OF MARICOPA COUNTY, ARIZONA LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 181.35 FEET OF THE SOUTH 326.35 FEET OF THE NORTH 678.69 FEET OF THE WEST 314.40 FEET OF THE EAST 347.70 FEET OF THE NORTHEAST QUARTER 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.

EXCEPT THE SOUTHERLY 90.68 FEET THEREOF.

SAID PARCEL CONTAINS 28,539.42 SQUARE FEET OR 0.66 ACRES, MORE OR LESS.