

**ORDINANCE NUMBER 05-14**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 16-1-4(B) OF THE MARICOPA CITY CODE, CHANGING THE ZONING OF CERTAIN PROPERTY DESCRIBED IN ZONING CASE ZON 05.05 AND PAD 05.05 FOR THE DEVELOPMENT OF APROXIMATELY 358 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WHITE AND PARKER ROAD AND BOWLIN ROAD WITH FRONTAGE ONTO MARICOPA/CASA GRANDE HIGHWAY. THESE PARCELS OF LAND ARE LOCATED IN SECTION 36, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, IN PINAL COUNTY, ARIZONA, WHICH IS KNOWN AS SAN TRAVASA.**

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF MARICOPA, PINAL COUNTY, ARIZONA AS FOLLOWS**

**Section 1:** That Section 16-1-4(B) of the Maricopa City Code is hereby amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.05 and PAD 05.05, signed by the Mayor and City Clerk, which is attached to this Ordinance as Exhibit "1" and declared a part hereof.

**Section 2:** The Official Supplementary Zoning Map attached hereto is adopted subject to compliance with the following conditions to said rezoning:

1. That applicant ensure that 45' wide lots are the minimum for the San Travasa Development.
2. That written verification be submitted to the City from the Ak-Chin Indian Community stating that their concerns have been addressed in relation to the existing cotton gin located within the center of the SanTravasa Development and which is owned by the Ak-Chin Indian Community.
3. That detached sidewalks be provided for on both sides of collector streets and on at least one side of all other streets.
4. That applicant submit to the City preliminary water and sewer designs for the San Travasa Development in accordance with the design standards as a preliminary assessment of the designs for conformance to the area Master Water and Sewer Plans. This submittal shall include preliminary elevations for the commercial parcels and a benchmark for the development.
5. That prior to City Council approval, applicant submit to the Planning Department its Residential Development Standards referencing lot sizes, lots widths and setbacks for each housing type/product and that applicant submit a list of residential land uses and a breakdown on the ratio of lot sizes and percentages.

6. That applicant submit for review and approval its Commercial Architectural Design Standards prior to commercial development.
7. That half arterial street improvements be constructed on Farrell Road.
8. That the right-of-way on the Maricopa-Casa Grande Highway be widened to four (4) lanes.
9. That applicant work with the City to ensure land use concerns with regards to the City's General Plan are incorporated into the San Travasa Development to the best of its ability.
10. That the San Travasa Development, which is within the Small Area Transportation Study boundaries, be developed in accordance with all recommendations of the final Implementation Plan as approved by the City.
11. That applicant/owner shall pay the impact fees in accordance with the City Code, as amended from time to time.
12. That applicant/owner, at the time of Preliminary Plat, submit a Traffic Impact Analysis for the proposed development to be approved by the Director of Public Works or City Engineer.
13. That all roadway and infrastructure improvements be in accordance with the current City standards and/or subsequent standards that are developed by the City and approved by the Director of Public Works or City Engineer.
14. That developer/owner coordinate with the City's Public Works Department in addressing circulation between this proposed PAD and adjacent PADs both current and proposed.
15. That a letter of map revision be obtained from FEMA which removes the above-described property from the flood plain and eliminates any potential flooding risk.
16. That at the time of Preliminary Plat, applicant submit and secure all required application, plans, supporting document submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies.
17. That prior to Preliminary Plat approval, applicant/owner provide written verification from the Maricopa Fire District that fire hydrant location and applicable fire service concerns and issues have been resolved to the satisfaction of the Fire District.
18. That applicant ensure that a minimum of twenty percent (20%) of

the approved San Travasa Development remains in useable open space.

19. That the San Travasa PAD be limited to an overall density not to exceed 3.5 units per gross acre, except that the mixed use parcel may have up to 20 units per acre if developed as multifamily.

20. That comments of compliance on overall design be received from the Parks, Recreation and Libraries Director prior to Final Plat approval.

21. That applicant submit landscape plans to the City for review and approval prior to the Final Plat approval.

22. That prior to Preliminary Plat, applicant provide written verification from the Maricopa Unified School District #20 and the Casa Grande Union High School District that applicable school concerns and issues have been resolved to the satisfaction of said School Districts.

23. That off street parking for parks not adjacent to school sites shall be provided in a location to be determined with final design subject to approving agency review.

24. That all property included in the legal description of the San Travasa application be subject to a Declaration of Restrictions and Covenants acceptable to the City which shall, among other things, provide for: formation of a single "master" property owner's association, assessment of all members of the master association for the cost of maintaining all common areas, and specific notice of surrounding land uses; and approval of the Declaration shall be obtained from the City Planning Department prior to the recordation of the first plat for any portion of the planned development.

25. That applicant/owner grant an Agricultural Spray Easement to adjacent farm owners/operators and that the Agricultural Spray Easement be referenced in the recorded CC&Rs and referenced in the notes section on the preliminary and Final Plat for the San Travasa Development.

26. That prior to Final Plat approval of the San Travasa PAD, a document giving notice of the existence of agricultural uses acceptable to the City Attorney be submitted to the Planning Department. The document shall describe the uses in separate paragraphs, shall include a place for the purchaser's signature acknowledging the notice, and shall be made part of the closing documents and purchase contracts for each residential unit sold in the San Travasa Development.

27. That any major amendment to the PAD be processed by the City Planning Department as a new application in accordance with City Regulations; and a major amendment shall be defined as including, but not limited to: a ten percent (10%) deviation in parcel size; alteration for the height, coverage, square footage, external appearance, or use of any building or structure; any significant or substantial

rearrangements of such buildings or structures; any change in the residential units' density, ownership pattern, or significant lot dimensions; any alteration of landscaped areas, public access spaces, recreation area, or other amenities; any change in phasing or timing; any alteration to the utilities to be provided to the PAD. The Planning Department shall, in cases of question, determine whether a change shall be designated as major or minor.


28. That applicant work with the City in encouraging proposed developments within San Travasa to adhere to the comprehensive design guidelines established through its PAD request.

29. That applicant develop the above-described property in accordance with its application and supporting submittal documents approved by the City


**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.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of Maricopa, Arizona, this 15<sup>th</sup> day of November, 2005.


APPROVED:

  
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Mayor

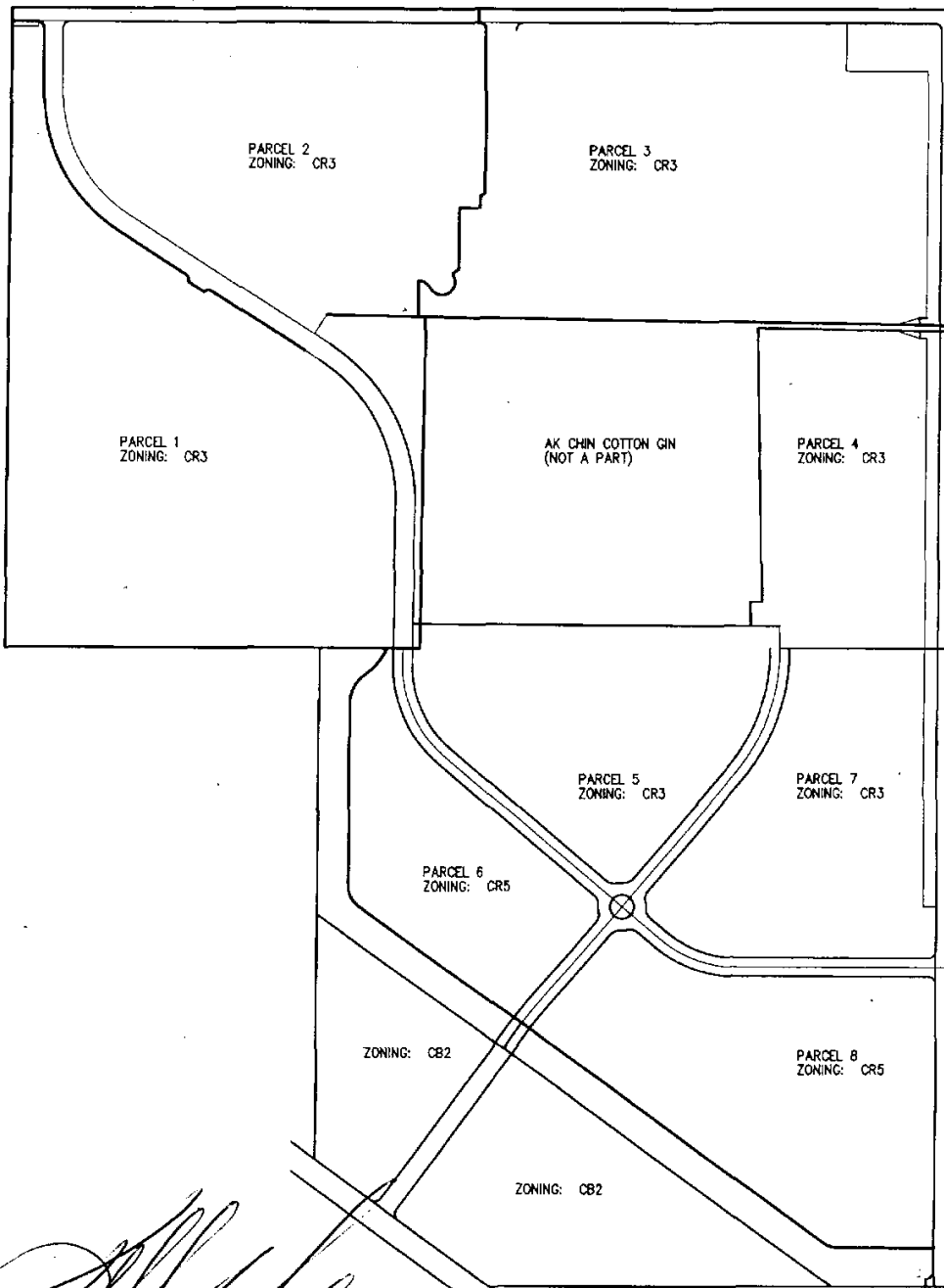
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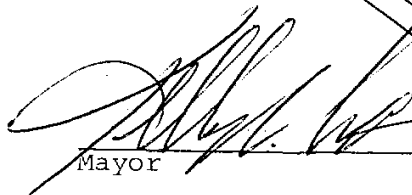
  
\_\_\_\_\_  
City Clerk


APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

***EXHIBIT "1"***



  
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Mayor

  
\_\_\_\_\_  
City Clerk