

**ORDINANCE NO. 23-13**

**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 27 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF W. HONEYCUTT AVE. AND N. JOHN WAYNE PKWY., WITHIN THE CITY OF MARICOPA INCORPORATED LIMITS, ON A PORTION OF PINAL COUNTY PARCEL 510-25-009Q, FROM GENERAL BUSINESS (CB-2) TO GENERAL MIXED USE (MU-G) AS DESCRIBED IN ZONING CASE #ZON 23-01. THE PARCEL OF LAND IS LOCATED IN A PORTION OF SECTION 27, 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**, the City initiated a Public Participation Plan to inform residents of the proposed rezoning of approximately 27 acres from General Business (CB-2) to General Mixed Use (MU-G), 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 28, 2023 in zoning case #ZON 23-01, 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 the Maricopa Zoning Map is hereby amended by changing the property described in Exhibit A on approximately 27 acres from General Business (CB-2) to General Mixed Use (MU-G). 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.

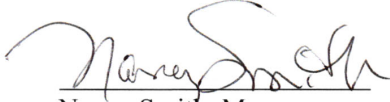
**Section 2.** Further, those conditions of approval imposed by the Maricopa City Council as part of zoning case ZON 23-01 are hereby expressly incorporated into and adopted as part of this Ordinance by this reference.

**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 4<sup>th</sup> day of April, 2023.

APPROVED:

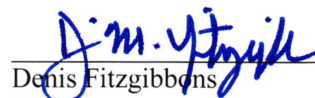
  
Nancy Smith, Mayor

ATTEST:

  
Vanessa Bueras, MMC  
City Clerk



APPROVED AS TO FORM:

  
Denis Fitzgibbons  
City Attorney

**EXHIBIT A**  
**Legal Description**

{00244530}  
{00244409}

**ORD23-13 LEGAL DESCRIPTIONS:**

**PINAL COUNTY PARCEL 510-25-009Q (PORTION THEREOF)**

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 27, TOWNSHIP 4 SOUTH RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 27 FROM WHENCE THE NORTHWEST CORNER LIES NORTH 0 DEGREES 9 MINUTES 10 SECONDS WEST, A DISTANCE OF 2628.84 FEET;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, SOUTH 89 DEGREES 46 MINUTES 13 SECONDS EAST, A DISTANCE OF 385.26 FEET TO A POINT COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 347 ACCORDING TO "RIGHT OF WAY PLANS OF THE MARICOPA ROAD MARICOPA UNION PACIFIC CROSSING" ON FILE WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION IN PROJECT NUMBER 347 PN 172 H7007 WITH A DRAWING NUMBER OF D-11-T-497, SAID POINT BEING THE POINT OF BEGINNING; SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES NORTH 77 DEGREES 58 MINUTES 6 SECONDS WEST, A RADIAL DISTANCE OF 1,550.00 FEET;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 11 DEGREES 59 MINUTES 9 SECONDS, A DISTANCE OF 324.25 FEET;

THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE, NORTH 0 DEGREES 2 MINUTES 45 SECONDS EAST, A DISTANCE OF 81.29 FEET;

THENCE DEPARTING SAID RIGHT OF WAY LINE, NORTH 45 DEGREES 2 MINUTES 45 SECONDS EAST, A DISTANCE OF 21.23 FEET, TO A POINT COINCIDENT WITH THE SOUTHERLY RIGHT OF WAY LINE OF WEST HONEYCUTT AVENUE, ACCORDING TO SAID ARIZONA DEPARTMENT OF TRANSPORTATION "RIGHT OF WAY PLANS OF THE MARICOPA ROAD MARICOPA UNION PACIFIC CROSSING";

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 89 DEGREES 57 MINUTES 15 SECONDS EAST, A DISTANCE OF 468.00 FEET, TO A POINT COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF SAID WEST HONEYCUTT AVENUE;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 0 DEGREES 2 MINUTES 45 SECONDS EAST, A DISTANCE OF 110.00 FEET;

THENCE DEPARTING SAID RIGHT OF WAY LINE, SOUTH 62 DEGREES 56 MINUTES 34 SECONDS EAST, A DISTANCE OF 194.07 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 123.56 FEET AND A CENTRAL ANGLE OF 62 DEGREES 17 MINUTES 28 SECONDS;

THENCE EASTERLY ALONG THE ARC A DISTANCE OF 134.33 FEET; THENCE NORTH 54 DEGREES 45 MINUTES 59 SECONDS EAST, A DISTANCE OF 7.88 FEET TO THE POINT OF A CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 52 DEGREES 7 MINUTES 17 SECONDS EAST, A RADIAL DISTANCE OF 325.00 FEET, SAID POINT BEING COINCIDENT WITH A POINT OF CURVATURE ON THE SOUTHERLY LINE OF A RECORD OF SURVEY, MINOR LAND DIVISION ON FILE IN THE OFFICE OF THE PINAL COUNTY ARIZONA RECORDER, IN FEE NUMBER 2021-091167;

THENCE SOUTHERLY ALONG SAID SOUTHERLY LINE AND THE ARC, THROUGH A CENTRAL ANGLE OF 37 DEGREES 35 MINUTES 48 SECONDS, A DISTANCE OF 213.26 FEET;

THENCE CONTINUE ALONG SAID SOUTHERLY LINE, SOUTH 0 DEGREES 16 MINUTES 55 SECONDS WEST, A DISTANCE OF 127.16 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 325.08 FEET AND A CENTRAL ANGLE OF 40 DEGREES 50 MINUTES 18 SECONDS;

THENCE CONTINUE ALONG SAID SOUTHERLY LINE, SOUTHERLY ALONG THE ARC, A DISTANCE OF 231.70 FEET;

THENCE CONTINUE ALONG SAID SOUTHERLY LINE, ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 49 DEGREES 28 MINUTES 46 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A POINT COINCIDENT WITH THE NORTHWESTERLY CORNER OF A RESIDENTIAL SUBDIVISION KNOWN AS "A FINAL PLAT FOR DESERT CEDARS" ON FILE IN THE OFFICE OF THE PINAL COUNTY ARIZONA RECORDER, IN CABINET E, SLIDE 86;

THENCE ALONG THE WESTERLY LINE OF SAID RESIDENTIAL SUBDIVISION, SOUTH 49 DEGREES 28 MINUTES 46 SECONDS WEST, A DISTANCE OF 299.07 FEET;

THENCE CONTINUE ALONG SAID WESTERLY LINE, SOUTH 0 DEGREES 0 MINUTES 46 SECONDS WEST, A DISTANCE OF 753.49 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 6 DEGREES 39 MINUTES 48 SECONDS EAST, A RADIAL DISTANCE OF 625.00 FEET, SAID POINT BEING COINCIDENT WITH THE NORTHERLY RIGHT OF WAY LINE OF DESERT CEDARS DRIVE ACCORDING TO SAID FINAL PLAT FOR DESERT CEDARS;

THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND THE ARC, THROUGH A CENTRAL ANGLE OF 6 DEGREES 33 MINUTES 50 SECONDS, A DISTANCE OF 71.60 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 1,975.00 FEET AND A CENTRAL ANGLE OF 5 DEGREES 15 MINUTES 6 SECONDS;

THENCE CONTINUE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND THE ARC, A DISTANCE OF 181.02 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE, ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 7 DEGREES 58 MINUTES 32 SECONDS EAST, A DISTANCE OF 3.22 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES NORTH 11 DEGREES 14 MINUTES 50 SECONDS WEST, A RADIAL DISTANCE OF 1,060.00 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE, WESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 11 DEGREES 20 MINUTES 48 SECONDS, A DISTANCE OF 209.92 FEET;

THENCE CONTINUE ALONG SAID NORTHLY RIGHT OF WAY LINE, NORTH 89 DEGREES 54 MINUTES 2 SECONDS WEST, A DISTANCE OF 155.08 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 1,000.00 FEET AND A CENTRAL ANGLE OF 6 DEGREES 51 MINUTES 16 SECONDS;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE, WESTERLY ALONG THE ARC A DISTANCE OF 119.63 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 1,030.00 FEET AND A CENTRAL ANGLE OF 6 DEGREES 26 MINUTES 54 SECONDS;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE, WESTERLY ALONG THE ARC A DISTANCE OF 115.92 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE, ALONG A LINE NON-TANGENT TO SAID CURVE, NORTH 45 DEGREES 39 MINUTES 46 SECONDS WEST, A DISTANCE OF 29.72 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 89 DEGREES 19 MINUTES 28 SECONDS WEST, A RADIAL DISTANCE 1,522.39 FEET, SAID POINT BEING COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF MARICOPA ROAD (STATE HIGHWAY 347) AND "THE POINT OF BEGINNING" OF PARCEL A OF A "RECORD OF SURVEY" ON FILE AT THE OFFICE OF THE PINAL COUNTY ARIZONA RECORDER, IN BOOK 23, PAGE 189;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL A, NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 4 DEGREES 55 MINUTES 18 SECONDS, A DISTANCE OF 130.77 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES SOUTH 86 DEGREES 0 MINUTES 50 SECONDS EAST, A RADIAL DISTANCE OF 1,320.00 FEET, SAID POINT BEING COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF SAID ARIZONA DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY 347;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 3 DEGREES 42 MINUTES 7 SECONDS, A DISTANCE OF 85.29 FEET;

THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 82 DEGREES 18 MINUTES 42 SECONDS EAST, A DISTANCE OF 45.00 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES SOUTH 82 DEGREES 18 MINUTES 43 SECONDS EAST, A RADIAL DISTANCE OF 1,275.00 FEET;

THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE 12 DEGREES 11 MINUTES 54 SECONDS, A DISTANCE OF 271.45 FEET;

THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 70 DEGREES 6 MINUTES 49 SECONDS EAST, A DISTANCE OF 5.00 FEET;

THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 19 DEGREES 53 MINUTES 11 SECONDS EAST, A DISTANCE OF 401.28 FEET;

THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 70 DEGREES 6 MINUTES 49 SECONDS WEST, A DISTANCE OF 30.00 FEET;

THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 19 DEGREES 53 MINUTES 11 SECONDS EAST, A DISTANCE OF 31.37 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 1,550.00 FEET AND A CENTRAL ANGLE OF 7 DEGREES 51 MINUTES 17 SECONDS;

THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTHERLY ALONG THE ARC A DISTANCE OF 212.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,181,714.76 SQUARE FEET OR 27.1284 ACRES, MORE OR LESS.