

**ORDINANCE NO. 23-14**

**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 .89 ACRES OF LAND GENERALLY LOCATED SOUTH OF THE SOUTHWEST CORNER OF W. HONEYCUTT AVE. AND N. JOHN WAYNE PKWY., WITHIN THE CITY OF MARICOPA INCORPORATED LIMITS, ON PINAL COUNTY PARCEL 510-27-022B, FROM LOCAL BUSINESS (CB-1) TO GENERAL COMMERCIAL (GC) AS DESCRIBED IN ZONING CASE #ZON 23-01. THE PARCEL OF LAND IS LOCATED IN A PORTION OF SECTIONS 27 AND 28, 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 .89 acres from Local Business (CB-1) to General Commercial (GC), 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 .89 acres from Local Business (CB-1) to General Commercial (GC). 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.

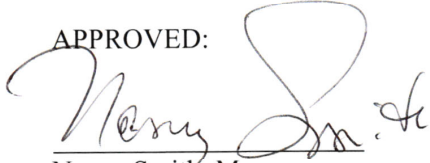
**Section 2.** Further, those conditions of approval imposed by the Maricopa City Council as part of zoning case ZON 23-01 are hereby expressly incorporated into and adopted as part of this Ordinance by this reference.

**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:

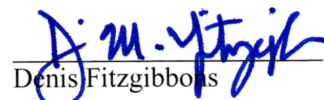
  
\_\_\_\_\_  
Nancy Smith, Mayor

ATTEST:

  
\_\_\_\_\_  
Vanessa Bueras, MMC  
City Clerk



APPROVED AS TO FORM:

  
\_\_\_\_\_  
Denis Fitzgibbons  
City Attorney

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

**ORD23-14 LEGAL DESCRIPTIONS:**

**PINAL COUNTY PARCEL 510-27-022B**

THAT PORTION OF SECTION 27 AND 28, TOWNSHIP 4 SOUTH, RANGE 3 EAST, GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE ONE-QUARTER CORNER OF SAID SECTIONS 27 AND 28;

THENCE SOUTHERLY ALONG THE SECTION LINE, 245.9 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING;

THENCE TURNING 90 DEGREES LEFT, RUN 50.00 FEET TO A POINT;

THENCE TURNING 90 DEGREES RIGHT, RUN THENCE SOUTHERLY AND PARALLEL TO THE SECTION LINE COMMON TO SAID SECTION 27 AND 28. 859.10 FEET TO A POINT, SAID POINT BEING THE POINT OF A 3 DEGREES 52 MINUTE CURVE ON THE EAST RIGHT OF WAY LINE OF THE PINAL COUNTY HIGHWAY;

THENCE RUN NORTHWESTERLY ALONG SAID CURVE TO THE LEFT, SAID CURVE BEING THE EAST RIGHT OF WAY LINE OF SAID HIGHWAY, 646.12 FEET TO A POINT, SAID POINT BEING THE END OF SAID CURVE;

THENCE CONTINUED NORTHWESTERLY ALONG THE TANGENT OF SAID CURVE AND PARALLEL TO THE CENTER OF THE HIGHWAY, 149.84 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A 4 DEGREES 09 MINUTES CURVE;

THENCE CONTINUE NORTHWESTERLY ALONG SAID CURVE AND PARALLEL TO THE CENTER LINE OF SAID HIGHWAY, 104.12 FEET TO A POINT ON CURVE;

THENCE RUN EASTERLY 192.31 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO NATURAL GAS SERVICE COMPANY OF ARIZONA, AN ARIZONA CORPORATION, BY WARRANTY DEED IN DOCKET 180, PAGE 492, DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 3 EAST, GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

FROM A POINT ON THE WEST BOUNDARY OF SAID SECTION 27 WHICH IS 1523.90 FEET NORTHERLY FROM THE SOUTHWEST CORNER OF SAID SECTION 27, GO THENCE EASTERLY AT RIGHT ANGLE TO THE SAID SECTION LINE, 50.00 FEET TO THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING IDENTICAL TO A POINT ON THE EAST RIGHT OF WAY BOUNDARY OF THE PRESENTLY EXISTING HIGHWAY (ON JUNE 17, 1957), 50.00 FEET EASTERLY FROM STATION P.C. 628 PLUS 82.66 FEET OF SAID HIGHWAY AND SAID POINT OF BEGINNING BEING FURTHER IDENTIFIED AS THE MOST SOUTHERLY POINT OF THAT PARTICULAR PARCEL OF LAND DESCRIBED IN DOCKET 114 AT PAGE 525 ON FILE IN THE OFFICE OF THE PINAL COUNTY RECORDER AT FLORENCE, ARIZONA;

THENCE NORTHERLY PARALLEL TO THE WEST BOUNDARY OF SAID SECTION 27, 264.12 FEET;

THENCE WESTERLY AT RIGHT ANGLE TO THE PRECEDING COURSE A DISTANCE OF 23.72 FEET TO A POINT ON THE EASTERLY RIGHT WAY BOUNDARY OF THE PRESENTLY EXISTING HIGHWAY (ON JUNE 17, 1957);

THENCE IN A SOUTHEASTERLY DIRECTION ALONG A 3 DEGREES 53 MINUTES CURVE, SAID CURVE BEING THE EASTERLY RIGHT OF WAY BOUNDARY OF THE PRESENTLY EXISTING HIGHWAY (ON JUNE 17, 1957), 265.10 FEET MORE OR LESS, TO THE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION CONVEYED TO PINAL COUNTY, A BODY POLITIC, BY WARRANTY DEED IN DOCKET 1775, PAGE 682, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 27;

THENCE NORTH 00 DEGREES 09 MINUTES 25 SECONDS WEST ALONG THE WEST LINE OF SECTION 27 THAT IS COMMON WITH THE EAST LINE OF SAID SECTION 28, 1523.82 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1432.39 FEET, 256.58 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE ARC OF SAID 1432.39 FEET RADIUS CURVE TO THE LEFT, A LENGTH OF 368.00 FEET;

THENCE NORTH 25 DEGREES 08 MINUTES 25 SECONDS WEST 149.85 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1432.39 FEET, A LENGTH OF 107.86 FEET;

THENCE NORTH 69 DEGREES 10 MINUTES 26 SECONDS EAST 50.00 FEET;

THENCE FROM A LOCAL TANGENT BEARING OF SOUTH 20 DEGREES 49 MINUTES 34 SECONDS EAST, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1382.39 FEET, A LENGTH OF 104.09 FEET;

THENCE SOUTH 25 DEGREES 08 MINUTES 25 SECONDS EAST 149.85 FEET;

THENCE NORTH 64 DEGREES 51 MINUTES 35 SECONDS EAST 25.00 FEET;

THENCE FROM A LOCAL TANGENT BEARING OF SOUTH 25 DEGREES 08 MINUTES 25 SECONDS EAST, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1507.39 FEET, A LENGTH OF 382.37 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS EAST 9.27 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 35 SECONDS WEST 23.72 FEET;

THENCE SOUTH 79 DEGREES 34 MINUTES 47 SECONDS WEST 50.00 FEET TO THE TRUE POINT OF BEGINNING.

AND ALSO EXCEPT THAT PORTION OF SECTION 27 AND SECTION 28, TOWNSHIP 4 SOUTH, RANGE 3 EAST, GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA WHICH LIES SOUTHEASTERLY OF THE FOLLOWING DESCRIBED NEW RIGHT OF WAY LINE;

COMMENCING AT A PK NAIL STAMPED "PLS 19817" MARKING THE SOUTHWEST CORNER OF SAID SECTION 27, BEING SOUTH 00°09'00" EAST 2629.30 FEET FROM A 1.5 INCH IRON PIPE STAMPED "PLS 19817" MARKING THE WEST QUARTER CORNER OF SAID SECTION 27;

THENCE ALONG WEST LINE OF SAID SECTION 27, NORTH 00°09'00" WEST 1509.78 FEET TO THE EXISTING RIGHT OF WAY CENTERLINE OF STAT ROUTE 347 (JOHN WAYNE PARKWAY);

THENCE ALONG SAID EXISTING RIGHT OF WAY CENTERLINE OF STATE ROUTE 347, NORTH 00°40'47" WEST 27.21 FEET;

THENCE SOUTH 89°19'13" WEST 100.00 FEET TO THE POINT OF BEGINNING;

THENCE FROM A LOCAL TANGENT BEARING OF NORTH 00°40'47" WEST, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1332.39 FEET, A LENGTH OF 181.11 FEET;

THENCE NORTH 81°31'56" EAST 25.00 FEET TO THE EXISTING WESTERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 347;

THENCE NORTH 12°22'39" EAST 331.24 FEET TO THE EXISTING EASTERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 347;

THENCE SOUTH 71°42'47" EAST 23.79 FEET;

THENCE FROM A LOCAL TANGENT BEARING OF NORTH 18°17'13" EAST, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1470.00 FEET, A LENGTH OF 40.88 FEET;

THENCE NORTH 19°52'49" EAST 92.22 FEET;

THENCE NORTH 00°09'00" WEST 160.57 FEET;

THENCE NORTH 19°52'49" EAST 189.57 FEET;

THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.00 FEET, A LENGTH OF 134.45 FEET TO THE POINT OF ENDING ON THE EAST – WEST MID SECTION LINE OF SAID SECTION 27, BEING SOUTH 89°46'35" EAST 154.50 FEET FROM SAID WEST QUARTER CORNER OF SECTION 27.