

ORDINANCE NO. 23-16

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 5.34 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 GENERAL BUSINESS (CB-2) TO GENERAL COMMERCIAL (GC) AND ON PINAL COUNTY PARCEL 510-29-047D FROM GENERAL RURAL (GR) 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 5.34 acres from General Business (CB-2) and General Rural (GR) 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 5.34 acres from General Business (CB-2) and General Rural (GR) 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.

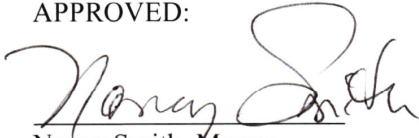
Section 3. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

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 4th day of April, 2023.

APPROVED:


Nancy Smith, Mayor

ATTEST:


Vanessa Bueras, MMC
City Clerk



APPROVED AS TO FORM:

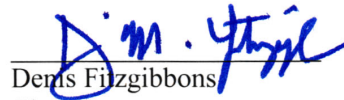

Denis Fitzgibbons
City Attorney

EXHIBIT A
Legal Description

Parcels 510-25-009N & 510-29-047D – General Commercial (GC)

That portion of the West half (W1/2) of Section 27 and the East half (E1/2) of Section 28, Township 4 South, Range 3 East, Gila and Salt River Meridian, Pinal County, Arizona, further described as Parcels B and C as more fully set forth and described in Record of Survey recorded February 17, 2009 in Survey Book 23, Page 189, records of Pinal County which lie west and south of the following described Right of Way line;

COMMENCING at a PK nail stamped "PLS 19817" marking the Southwest corner of said Section 27, being S 00°09'00" E a distance of 2629.30 feet from a 1.5 inch iron pipe stamped "PLS 19817" marking the West quarter corner of said Section 27;

Thence along the West Line of said Section 27, N 00°09'00" W a distance of 1509.78 feet to the existing Right of Way centerline of State Route 347 (JOHN WAYNE PARKWAY);

Thence along said existing Right of Way centerline of State Route 347, N 00°40'47" W a distance of 27.21 feet;

Thence S 89°19'13" W a distance of 100.00 feet to a point on the westerly right of way line of said State Route 347, being the **Point of Beginning**;

Thence along said westerly right of way line of State Route 347, from a Local Tangent Bearing of N 00°40'47" W along a curve to the Left, having a radius of 1332.39 feet, a length of 181.11 feet;

Thence N 81°19'13" E along said westerly right of way line, a distance of 25.00 feet;

Thence N 12°22'39" E along said westerly right of way line, a distance of 331.24 feet;

Thence S 71°42'47" E along said westerly right of way line, a distance of 23.79 feet;

Thence from a Local Tangent Bearing of N 18°17'13" E, along said westerly right of way line, along a curve to the Right, having a radius of 1470.00 feet, a length of 40.88 feet;

Thence N 19°52'49" E along said westerly right of way line, a distance of 92.22 feet;

Thence N 00°09'00" W along said westerly right of way line, a distance of 160.57 feet;

Thence N 19°52'49" E along said westerly right of way line, a distance of 189.57 feet;

Thence along a curve to the Left, continuing along said westerly right of way line, having a radius of 1325.00 feet, a length of 458.83 feet;

Thence N 00°02'23" E along said westerly right of way line, a distance of 96.30 feet, to a point on the southerly right of way line of Honeycutt Avenue;

Thence N 89°57'37" W along said southerly right of way line of Honeycutt Avenue, a distance of 38.93 feet;

Thence along a curve to the Right, continuing along said southerly right of way line, having a radius of 605.00 feet, a length of 382.71 feet;

Thence N 53°42'57" W along said southerly right of way line, a distance of 97.29 feet to a point on the easterly right of way line of Maricopa Road (formerly known as John Wayne Parkway, said point being the **Point of Ending**).

Except that portion of said Parcels B and C lying west of the following described line;

COMMENCING at a 1.5 inch iron pipe stamped "PLS 19817" marking the East quarter corner of said Section 28, being the N 89°48'20" E a distance of 5279.82 feet from a 3 inch BLM brass cap marking the West quarter corner of said Section 28;

Thence along the East – West mid section line of said Section 28, S 89°48'20" W a distance of 311.26 feet to the Right of Way centerline of State Route 347 (now known as Maricopa Road);

Thence from a Local Tangent Bearing of N 09°49'14" W, along said Right of Way centerline, along a curve to the Right, having a radius of 1432.39 feet, a length of 40.00 feet;

Thence N 81°46'46" E a distance of 50.00 feet to the **Point of Beginning** on the easterly right of way line of said Maricopa Road;

Thence from a Local Tangent Bearing of S 65°02'34" E, along a curve to the Right, having a radius of 65.50 feet, a length of 124.86 feet to the **Point of Ending** on said easterly right of way line of Maricopa Road.