

ORDINANCE NO. 2773 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE OF THE CITY OF GLENDALE, ARIZONA, ARTICLE 6 (OVERLAY DISTRICT REGULATIONS) BY ADDING A NEW SECTION 6.800 (GLENDALE CENTERLINE OVERLAY DISTRICT), AND ARTICLE 7 (GENERAL DEVELOPMENT STANDARDS) BY AMENDING SECTIONS 7.103 (PROHIBITED SIGNS) AND 7.104 (PERMITTED PERMANENT SIGNS); AND SETTING FORTH AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

WHEREAS, the City of Glendale Planning Commission held a public hearing on August 5, 2010, in zoning case ZTA09-02, in the manner prescribed by law for the purpose of amending the text of the Zoning Ordinance of the City of Glendale, Arizona;

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in *The Glendale Star* on July 15, 2010; and

WHEREAS, the City of Glendale Planning Commission has recommended to the Mayor and the Council the amendment of the text of the Zoning Ordinance of the City of Glendale, Arizona as aforesaid and the Mayor and the Council desire to accept such recommendation and amend the text of the Zoning Ordinance of the City of Glendale, Arizona and place said text amendment on the property described on Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the Zoning Ordinance of the City of Glendale, Arizona, Article 6 (Overlay District Regulations) is hereby amended by the addition of the following Section 6.800:

Section 6.800 Glendale Centerline Overlay District.

6.801 Purpose

The Overlay District provides an alternate set of development requirements to encourage development and redevelopment within the Glendale Centerline.

The intent is to facilitate private business investment, job creation, and the development of shopping and recreational opportunities in the Glendale Centerline. The Overlay District will facilitate a development review process that supports economic development initiatives, creates flexible development standards to support development or redevelopment of small and irregular parcels of land; will employ strategies to balance the protection of existing neighborhoods with

new development; recognizes that distinct districts may be identified in the Glendale Centerline and provides the flexibility to implement unique development standards in each district; allows certain land uses to support investment and opportunity; and, prohibits certain land uses which may otherwise inhibit investment and improvement of individual properties.

Because it is the intent of the Overlay District to provide an alternative set of land uses and development standards in addition to the land uses and development standards within the existing zoning districts, the land uses and development standards shall serve only as an alternative to the existing land uses and development standards and shall not be combined with any land uses or development standards in the existing zoning district.

At the pre-application meeting with the City's Development Review Team, the property owner can decide to meet all conditions of the property's existing zoning, or choose to meet all conditions of the property's Overlay District. Should development of property occur under the Overlay District any and all requirement of the underlying zoning district are superseded in the approval of development according to the Overlay District. No combination of existing zoning and Overlay District land uses and/or development standards shall be permitted. It is important to remember that the property owner may continue to utilize the existing zoning within the Glendale Centerline boundaries unless the Overlay District is selected.

The Overlay District is intended to be applied only in the Glendale Centerline, and as such is not appropriate to be approved outside of the geographic area bounded by Myrtle Avenue on the north, 43rd Avenue on the east, Ocotillo Road on the south, and 67th Avenue on the west.

6.802 Distinct Character Areas within the Glendale Centerline Overlay District.

Within the Glendale Centerline Overlay District there are four character areas, each with their own unique development standards:

Midtown	(43 rd to 51 st Avenues)
Beet Sugar	(51 st to 55 th Avenues)
Historic Downtown	(55 th to 59 th Avenues)
Market	(59 th to 67 th Avenues)

6.803 Permitted Uses

Land Use	Distinct Character Areas within the Glendale Centerline Overlay Districts			
	Midtown 43 rd - 51 st Avenues	Beet Sugar 51 st - 55 th Avenues	Historic Downtown 55 th - 59 th Avenues	Market 59 th - 67 th Avenues
RESIDENTIAL AND LODGING				
Bed and Breakfast Establishments	X	P	P	P
Residential Care Facilities (includes congregate care, nursing homes and assisted living facilities by geographic area)	P	P	X	P
Hotels including conference and convention facilities. A Conditional Use Permit shall be required for the use within 500 feet of residentially	P	P	P	P

zoned property				
Residential above the first floor in conjunction with non-residential uses on the ground floor	P	P	P	P
Residential on the ground floor	P	P	P	P
GENERAL RETAIL				
New merchandise sold in department stores, drugstores, pharmacies, and retail establishments selling toys, flowers, gifts, stationary, jewelry, leather, apparel, shoes (including repair), china, glassware, pottery, crafts, cigars, yard goods, hardware/paint/glass/tools/home improvement, pets, hobbies, art supplies, video sales and rental, music (including incidental recording, instruction, and instrument repair), books/magazines/newspapers, sporting goods, bicycles, medical equipment sales/rentals and health supplies, cameras, electronics, office and business supplies and equipment repair, household appliance sales and service, and other similar retail goods and services	P	P	P	P
Previously owned merchandise and goods including antiques, collectibles, coins, stamps, and consignment stores, excluding pawn shops, second hand, and thrift stores	P	P	P	P
Automotive – retail sales of previously owned automobiles, including boats, motorcycles, and recreational vehicle dealerships	X	X	X	X
Automotive – retail sales of new automobiles, including boats, motorcycles, and recreational vehicle dealerships	X	X	X	X
Automotive – minor repair. All repairs shall be within a fully enclosed permanent building	S	S	X	S
Automotive supply stores, without incidental installation of parts	P	P	X	P
Adult Businesses	X	X	X	X
EATING AND DRINKING ESTABLISHMENTS				
All types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and/or dessert service from an on-site commercial-grade freezer/refrigerator facility including beer and wine tasting, with or without incidental sales of alcohol including micro-breweries, outdoor dining, but with no drive-thru including incidental reception room space and off-site catering. Live entertainment, including outdoor amplification, and/or dancing is permitted as an accessory use, subject to Conditional Use Permit (CUP) approval if the site is located within 500 feet of a residentially zoned property. During the CUP process, the city will work with the applicant on mitigation measures and enforcement protocol	S	S	S	S
FOOD AND LIQUOR SALES				
Specialty foods, including imported and/or unique food products, produce, candy, baked goods, meat, etc., specialty liquor sales involving off-sale unique brands of beer, wine, and distilled spirits (establishments exceeding 10,000 square feet of sales area require a Conditional Use Permit)	P	P	P	P

GENERAL OFFICE, FINANCIAL AND HEALTH OR PERSONAL SERVICES				
Administrative, business and professional offices, secretarial services, realtors/real estate offices, consulting services, travel and ticket agencies	P	P	P	P
Financial institutions, banks, savings and loans, credit unions (excluding deferred presentment companies), travel bureaus, visitor and information center, government offices and services, police and fire stations	P	P	P	P
Medical/dental/optical offices, clinics and laboratories, licensed holistic health care establishments (excluding massage establishments as primary uses), veterinary services (excluding animal boarding or outdoor pens, runs or cages)	P	P	P	P
Personal Services	P	P	P	P
Tattoo Parlors	X	X	X	X
Halfway Houses	X	X	X	X
Hookah Lounges	X	X	X	X
Hospitals	U	U	U	U
Emergency Medical Care – 24 Hour Operations	P	P	P	P
SPECIALTY SERVICES				
Photographic, developing and photocopy services, watch, clock, and small appliance repair, locksmiths	P	P	P	P
Music Recording/Practice Studios	P	P	P	P
Custom Furniture/Upholstery and Repair	P	P	P	P
Picture Framing Shops	P	P	P	P
Postal services including parcel delivery (public or private)	P	P	P	P
Dry cleaning and laundering services without on-site cleaning	P	P	P	P
Home Occupations (Class I)	P	P	P	P
ENTERTAINMENT, RECREATIONAL AND CULTURAL				
Dance and Martial Arts Studios	P	P	P	P
Athletic Clubs, Health Studios, Yoga	P	P	P	P
Galleries and studios pertaining to artists, craft workers, and photographers (including incidental developing and printing), libraries, museums, etc. including incidental retail sale of merchandise pertaining to the primary use	P	P	P	P
Entertainment establishments (including internet cafes) with incidental sale of food or alcohol. Live entertainment, including outdoor amplification, and/or dancing is permitted as an accessory use, subject to Conditional Use Permit (CUP) approval if the site is located within 500 feet of a residentially zoned property. During the CUP process, the city will work with the applicant on mitigation measures and enforcement protocol	S	S	S	S

Parks and General Recreation	P	P	P	P
Public assembly, including amphitheaters, auditoriums, and exhibition halls. A Conditional Use Permit shall be required for the use within 500 feet of residentially zoned property	P	P	P	P
Indoor recreation and sports facilities. A Conditional Use Permit shall be required for the use within 500 feet of residentially zoned property	P	P	P	P
Theater, live and motion picture. A Conditional Use Permit shall be required for the use within 500 feet of residentially zoned property	P	P	P	P
SOCIAL, PROFESSIONAL, AND RELIGIOUS ORGANIZATIONS				
Churches, synagogues, temples, missions, religious reading rooms, and other religious activities	P	P	P	P
Social, professional and youth organizations that conduct group and/or membership meetings on the premises, including political, veterans, civic, labor, charitable, and similar organizations	P	P	P	P
EDUCATION				
Arts and Crafts Schools and Colleges	S	S	S	S
Business Colleges and Professional Schools (excluding Vocational Schools)	S	S	S	S
Vocational Schools	S	S	S	S
Daycare Facilities, In Home	S	S	S	S
Day Care Facilities, Commercial	P	P	P	P
Public or private schools for primary and/or secondary education	X	X	X	X
COMMUNICATION FACILITIES				
Broadcasting Studios, Radio, Television, Internet	P	P	P	P
Communication Towers	U	U	U	U
Alternative tower structures. Also subject to Sections 7.506 and 7.600	P	P	P	P
TRANSPORTATION AND MISCELLANEOUS SERVICES				
Car rental services, excluding maintenance or repair	P	P	P	P
Parking lots and structures (municipal)	P	P	P	P
Parking lots and structures (commercial with fees)	P	P	P	P
Taxicab stands (incidental feature integrated into primary use)	P	P	P	P
Public transit stations and stops	P	P	P	P
Other uses that meet the intent of the Zoning Ordinance as approved by the Planning Director	P	P	P	P

Key: P = Permitted, S = Subject to Conditions, U = Conditional Use Permit, A = Accessory Use, X = Prohibited

6.804 Development Standards.

Character Areas	Minimum Lot Area ¹	Maximum Lot Area	Minimum Setbacks ²				Building Height ³	DU/AC	FAR
			Front	Rear	Side	Street			
Midtown 43rd to 51st Avenues	N/A	N/A	0	0	0	0	70	50	2 ⁴
Beet Sugar 51st to 55th Avenues	N/A	N/A	0	0	0	0	50	25	2 ⁵
Historic Downtown 55th to 59th Avenues	N/A	N/A	0	0	0	0	60	40	2 ⁶
Market 59th to 67th Avenues	N/A	N/A	0	0	0	0	50	25	2 ⁷

¹ No minimum lot size is required, but each lot must have a minimum of twenty-five (25) feet of frontage on a public street. For the purpose of this section, an alley is not considered a public street.

² 30 feet to property within a residential zoning district, which includes Agricultural, Single Residence, Mixed Residence, or Multiple Residence, or a detached single-family dwelling unit.

³ Maximum height of accessory structures is 15 feet.

⁴ A maximum Floor Area Ratio (FAR) of 4.0 can be achieved through performance incentives given for the following amenities: public art, open space, LEED certified buildings, and shared parking at the rate of .50 additional FAR for each amenity provided.

⁵ A maximum FAR of 4.0 can be achieved through performance incentives given for the following amenities: public art, open space, LEED certified buildings, and shared parking at the rate of .50 additional FAR for each amenity provided.

⁶ A maximum FAR of 4.0 can be achieved through performance incentives given for the following amenities: public art, open space, LEED certified buildings, adaptive reuse, and compatible architecture at the rate of .50 additional FAR for each amenity provided.

⁷ A maximum FAR of 4.0 can be achieved through performance incentives given for the following amenities: public art, open space, LEED certified buildings, and shared parking at the rate of .50 additional FAR for each amenity provided.

6.805 Performance Standards.

The following standards and restrictions shall apply to all properties within this district:

- A. Unless otherwise prohibited or regulated by any other ordinance, provision, agreement, or conditional use permit, outdoor displays are permitted subject to the following restrictions and may be required to be screened from public view:
 - 1. All products displayed outdoors shall be customary, accessory, and incidental to those sold and displayed in a primary business being conducted in a permanent building on the property.
 - 2. Outdoor displays shall not interfere with pedestrian access-ways, fire lanes, parking spaces, driveways, landscape areas, or traffic visibility at driveway entries and street intersections.

3. All pedestrian access-ways must maintain the minimum dimensions required by the International Building Code (IBC).
 4. Items shall not obstruct the normal ingress and egress, including handicapped access, from the business or any other property.
 5. Hours of daily operations shall be limited to the normal business hours of the primary business.
- B. All sales transactions and service activities shall be within an enclosed permanent building on the property, except parking lots.
- C. There shall be no manufacturing, compounding, processing, or treatment of products, except as otherwise permitted, and other than that which are clearly incidental to a retail store or business.
- D. Outdoor Sidewalk Cafes.
1. Purpose. It is the policy of the City to encourage the establishment of outdoor sidewalk cafes on private property and within public rights-of-way.
 2. Outdoor sidewalk cafes are permitted on any public right-of-way within the Overlay District upon application and issuance of any required permits.
 3. Standards.
 - a. Outdoor sidewalk cafes must not obstruct sidewalk pedestrian traffic or create public health and safety hazards. All sidewalks must maintain the minimum dimensions required by the International Building Code (IBC).
 - b. Outdoor sidewalk cafes may be open, partially covered, or enclosed by means of umbrellas, awnings, canopies, or similar protective structure subject to the requirements found in the IBC.
 - d. Outdoor sidewalk cafes must be used only as seating areas. Storage, kitchen, or restroom uses are not allowed. The seating must be movable.
 - e. All outdoor sidewalk cafes must be level with the sidewalk, and handicap accessible.
 - f. Decorative/accent lighting may be incorporated into the outdoor cafe structure, awning, canopy, etc., and must meet all Glendale City Code requirements.
- E. Any change to the exterior color of the building shall be subject to Design Review approval.

6.806 Parking.

- A. Due to the pedestrian nature of the Glendale Centerline Overlay District, there are no off-street parking requirements in the Beet Sugar and Historic Downtown character areas for businesses located within this zoning district when development is in conformance with the Glendale Centerline Overlay District rather than the underlying zoning district.
- B. Parking Space Dimension.

All parking spaces shall be striped with a 10 foot by 20 foot dimension. Handicapped parking spaces shall meet all Americans with Disabilities Act (ADA) standards, as may be amended.

6.807 Signs.

Refer to Section 7.100.

SECTION 2. That the Zoning Ordinance of the City of Glendale, Arizona, Article 7 (General Development Standards), Sections 7.103(C) and 7.104(C) and (D) are hereby amended as follows:

7.103. Prohibited Signs.

Any sign not specifically listed as permitted by this ordinance is prohibited, including, but not limited to the following:

...

- C. Projecting signs, except in the Pedestrian Retail (PR) and Glendale Centerline Overlay District (Overlay District) Zoning Districts as provided for in Section 7.104 D.

...

7.104 Permitted Permanent Signs.

Permitted signs shall conform to the definitions in Section 2.300 and the specific provisions for each zoning district. The following signs are permitted:

...

- C. Commercial and Industrial Districts except Pedestrian Retail District (PR) and Glendale Centerline Overlay District (Overlay District).

...

- D. Pedestrian Retail and Glendale Centerline Overlay Districts.

- 1. General:

- a. This applies to all signs in the PR and Overlay District Zoning Districts.
 - b. All permanent signs in the PR and Overlay District Zoning Districts are subject to design review as outlined in Section 3.600.
 - c. A wall, fascia, mansard, parapet, projecting, or window identification sign may identify the name of the business and up to three (3) principal services when the name alone does not identify the general nature of the business. It may also include the street address. Such signs shall not include advertising copy.
 - d. Awning and shingle signs may only identify the name of the business.

- 2. Wall, Fascia, Mansard, and Parapet, Identification Signs:

- a. A wall, fascia, mansard, or parapet sign is not permitted if a projecting sign is used to identify the business.
 - b. A wall, fascia, mansard, or parapet sign is allowed only on the exterior elevation of the space occupied by the business.
 - c. No more than one (1) wall, fascia, mansard, or parapet sign per business is permitted on each street or alley frontage.
 - d. The sign area for each business shall be as follows:
 - (1) The sign area for each ground floor business on a street shall not exceed one (1) square foot for each linear foot of the business wall elevation along the street frontage on which the sign is displayed. If the business occupies the ground floor and an upper floor, the sign area shall be the same as for a ground floor only business.
 - (2) The sign area for each ground floor business on an alley shall not exceed one-half (1/2) square foot for each linear foot of the business wall elevation along the alley frontage on which the sign is displayed. If the business occupies the ground floor and an upper floor, the sign area shall be the same as for a ground floor only business.
 - (3) The sign area for a business located only on an upper floor shall not exceed one-half (1/2) square foot for each linear foot of the business wall elevation along the street or alley frontage on which the sign is displayed.
3. Projecting Identification Signs:
- a. A projecting sign is not permitted if any wall, fascia, mansard, or parapet sign is used to identify the business.
 - b. A projecting sign is allowed only for a ground floor business.
 - c. A projecting sign is allowed only on the exterior elevation of the space occupied by the business.
 - d. No more than one (1) projecting sign per business is permitted on each street or alley frontage.
 - e. The sign area for each business shall be as follows:
 - (1) The sign area for each ground floor business on a street shall not exceed one (1) square foot for each linear foot of the business wall elevation along the street frontage on which the sign is displayed, up to a maximum of fifteen (15) square feet. If the business occupies the ground floor and an upper floor, the sign area shall be the same as for a ground floor only business.
 - (2) The sign area for each business on an alley shall not exceed one-half (1/2) square foot for each linear foot of the business wall elevation along the alley frontage on which the sign is displayed, up to a maximum of six (6) square feet. If the business occupies the ground floor and an upper floor, the sign area shall be the same as for a ground floor only business.

- f. The minimum separation between the sign and the face of the building shall be three (3) inches.
 - g. The maximum sign projection from the face of the building shall be five (5) feet. No sign shall project beyond the bracket on which it is hung.
 - h. On a one-story building, the top of the projecting sign and its supporting framework shall not be higher than the top of the cornice line. On a multiple story building, the top of the projecting sign and its supporting framework shall not be higher than the top of the second-story window sills of the building from which the sign projects.
 - i. The sign shall be perpendicular to the building and attached to the bracket on which it is hung so that it will not swing.
 - j. The minimum clearance between the bottom of the sign and the nearest grade or sidewalk shall be seven (7) feet six (6) inches.
- 4. Window Identification Signs:
 - a. The area covered by window signs shall not exceed fifty (50) percent of the exterior window area.
 - b. Window signs on required exit doors shall not exceed twenty-five (25) percent of the glass area of the door.
- 5. Awning Identification Signs:
 - a. A maximum of fifty (50) percent of the valance area of the awning may be used for signage.
 - b. The sign area shall be measured according to Section 7.102-F-2 of this ordinance unless a distinctive background is provided.
- 6. Shingle Identification Signs:
 - a. One (1) shingle sign which is designed and oriented for the aid of pedestrians is allowed per business. A shingle sign must be located immediately adjacent to the business it identifies.
 - b. The maximum area of a shingle sign shall be three (3) square feet.
 - c. The minimum clearance between the bottom of the sign and the nearest grade or sidewalk shall be seven (7) feet six (6) inches.
- 7. Directory Signs:
 - a. A directory sign is permitted when used to:
 - (1) Direct pedestrians to businesses within a building or complex which do not have an exterior wall elevation along a street or alley frontage; or
 - (2) To direct pedestrians to multiple businesses that use a single entrance.
 - b. The directory sign shall have a maximum area of four (4) square feet.
 - c. The directory sign shall be located at the entrance to the building or complex.

8. Pedestrian Directional Signs:

- a. Directional signs for pedestrians indicating the type of businesses available in the immediate area are allowed subject to approval of a master directory sign plan by the city council. The master plan will address items such as the general design, location, and size of signs. Such signs shall not include advertising copy.
- b. These signs shall be located on street corners in the public right-of-way and be designed at a pedestrian scale.
- c. The specific design, location, and size of each sign will be determined through the design review process outlined in Section 3.600 based on the approved master directory sign plan.

9. Map Directory Signs:

- a. Map directory signs intended to show pedestrians the overall location of businesses, public buildings, recreational facilities, and other features in the PR and Overlay Districts are allowed, subject to approval of a master directory sign plan by the city council. The master plan will address items such as the general design, location, and size of signs. Such signs shall not include advertising copy.
- b. These signs shall show a map of the area and the location of individual businesses and be designed at a pedestrian scale.
- c. The maximum sign area shall be twenty-four (24) square feet.
- d. The specific design, location, and size of each sign will be determined through the design review process outlined in Section 3.600 based on the approved master directory sign plan.

10. A-Frame Signs:

A-frame or sandwich board signs are permitted subject to the following conditions:

- a. Signs shall be located adjacent to the individual business for which they advertise.
- b. Shall provide a minimum five-foot clearance on the sidewalk.
- c. Are allowed to be a maximum of two (2) feet by three (3) feet.
- d. Cannot be placed in or on vehicles.

SECTION 3. That land in Glendale, Maricopa County, Arizona described in Exhibit A is hereby rezoned to add the Glendale Centerline Overlay District as an Overlay District.

SECTION 4. Amendment of Zoning Map. The City of Glendale Zoning Map is herewith amended to reflect the placement of the Glendale Centerline Overlay District referred to in Sections 1 and 2, and the property described in Exhibit A.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6. That the provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 14th day of June, 2011.

Elaine M. Scruggs
M A Y O R

ATTEST:

Pamela Hanna
City Clerk (SEAL)

APPROVED AS TO FORM:

Craig Tindall
City Attorney

REVIEWED BY:

Ed Beasley
City Manager

EXHIBIT A

The South half of the South half of Section 31, Township 3 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

And the South half of the South half of Section 32, Township 3 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except those portions of said Section 32 presently zoned Planned Area Development by the Zoning Ordinance of the City of Glendale, Arizona;

And the South half of the South half of Section 33, Township 3 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except those portions of said Section 33 presently zoned R1-6 – Single Residence by the Zoning Ordinance of the City of Glendale, Arizona;

And the North half of the North half of Section 4, Township 2 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except those portions of said Section 4 presently zoned R1-6 – Single Residence by the Zoning Ordinance of the City of Glendale, Arizona;

And the North half of the North half of Section 5, Township 2 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except those portions of said Section 5 presently zoned R1-6 – Single Residence by the Zoning Ordinance of the City of Glendale, Arizona which are not within the property identified by Maricopa County Assessor's parcel 146-06-058-B;

And except those portions of said Section 5 presently zoned R-3 – Multiple Residence by the Zoning Ordinance of the City of Glendale, Arizona;

And the North half of the North half of Section 6, Township 2 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except those portions of said North half of the North half of Section 6 presently zoned R1-6 – Single Residence by the Zoning Ordinance of the City of Glendale, Arizona;

And except those portions of said North half of the North half of Section 6 presently zoned R1-6 – Single Residence with a Planned Residential Development overlay by the Zoning Ordinance of the City of Glendale, Arizona;

And except those portions of said North half of the North half of Section 6 presently zoned R-3 – Multiple Residence by the Zoning Ordinance of the City of Glendale, Arizona within the Orchard Addition Amended Plat of Blocks 1, 2, 3, 4 a subdivision recorded in Book 3 of Maps, Page 36, records of Maricopa County, Arizona.