

## **ORDINANCE NO. 26-07**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING THE TOWN OF FOUNTAIN HILLS OFFICIAL ZONING DISTRICT MAP FOR APPROXIMATELY 19.35 ACRES LOCATED APPROXIMATELY 600-FEET SOUTH OF THE SOUTHEAST CORNER OF GOLDEN EAGLE BLVD. AND NYACK DRIVE AS SHOWN IN CASE NO. RZ25-000002 FROM R1-35 (35,000 SQ. FT. LOT SIZE MINIMUM) TO R1-10A (10,000 SQ. FT. LOT SIZE MINIMUM) TO ALLOW DEVELOPMENT OF 25 SINGLE-FAMILY RESIDENTIAL LOTS.

**WHEREAS**, the Mayor and Council of the Town of Fountain Hills (the “Town Council”) desires to amend the Town of Fountain Hills Official Zoning District Map (the “Zoning Map”) pursuant to ARIZ. REV. STAT. § 9-462.04, to change the zoning description for a 19.35-acre parcel of real property from R1-35 to R1-10A (the “Zoning District Map Amendment”; and,

**WHEREAS**, the Zoning District Map Amendment proposed by this ordinance is consistent with the Fountain Hills General Plan 2020 as amended; and

**WHEREAS**, all due and proper notices of public hearings on the Zoning District Map Amendment held before the Town of Fountain Hills Planning and Zoning Commission (the “Commission”) and the Town Council were given in the time, form, substance and manner provided by ARIZ. REV. STAT. § 9-462.04; and

**WHEREAS**, the Commission held a public hearing on March 9, 2026 on the Zoning District Map Amendment; and

**WHEREAS**, the Town Council held an additional public hearing regarding the Zoning District Map Amendment on April 21, 2026.

**NOW, THEREFORE, BE IT ORDAINED** BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The 19.35-acre parcel of real property generally located approximately 600-feet south of the southeast corner of Golden Eagle Blvd. and Nyack Drive from R1-35 to R1-10A as shown in Case No. RZ-25-000002 from R1-35 (35,000 sq. ft. lot size minimum) to R1-10A (10,000 sq. ft. lot size minimum), subject to the following conditions:

- a. A note shall be included on the Final Plat limiting homes to one story.
- b. A note shall be included on the Final Plat that would establish a non-developable area for (at minimum) the area defined by the regulatory floodplain and erosion setback limits.
- c. The total number of residential lots shall be 25 lots as depicted on the development plan dated March 4, 2026.
- d. A sidewalk shall be constructed along the east side of Aspen Drive, spanning the full length of the subject property’s frontage.

SECTION 3. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Fountain Hills, April 21, 2026.

**FOR THE TOWN OF FOUNTAIN HILLS: ATTESTED TO:**

\_\_\_\_\_  
Gerry M. Friedel, Mayor

\_\_\_\_\_  
Bevelyn Bender, Town Clerk

**REVIEWED BY:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Rachael Goodwin, Town Manager

\_\_\_\_\_  
Jennifer Wright, Town Attorney

EXHIBIT A  
TO  
ORDINANCE No. 26-07  
[Legal Description and Map]  
See following pages.

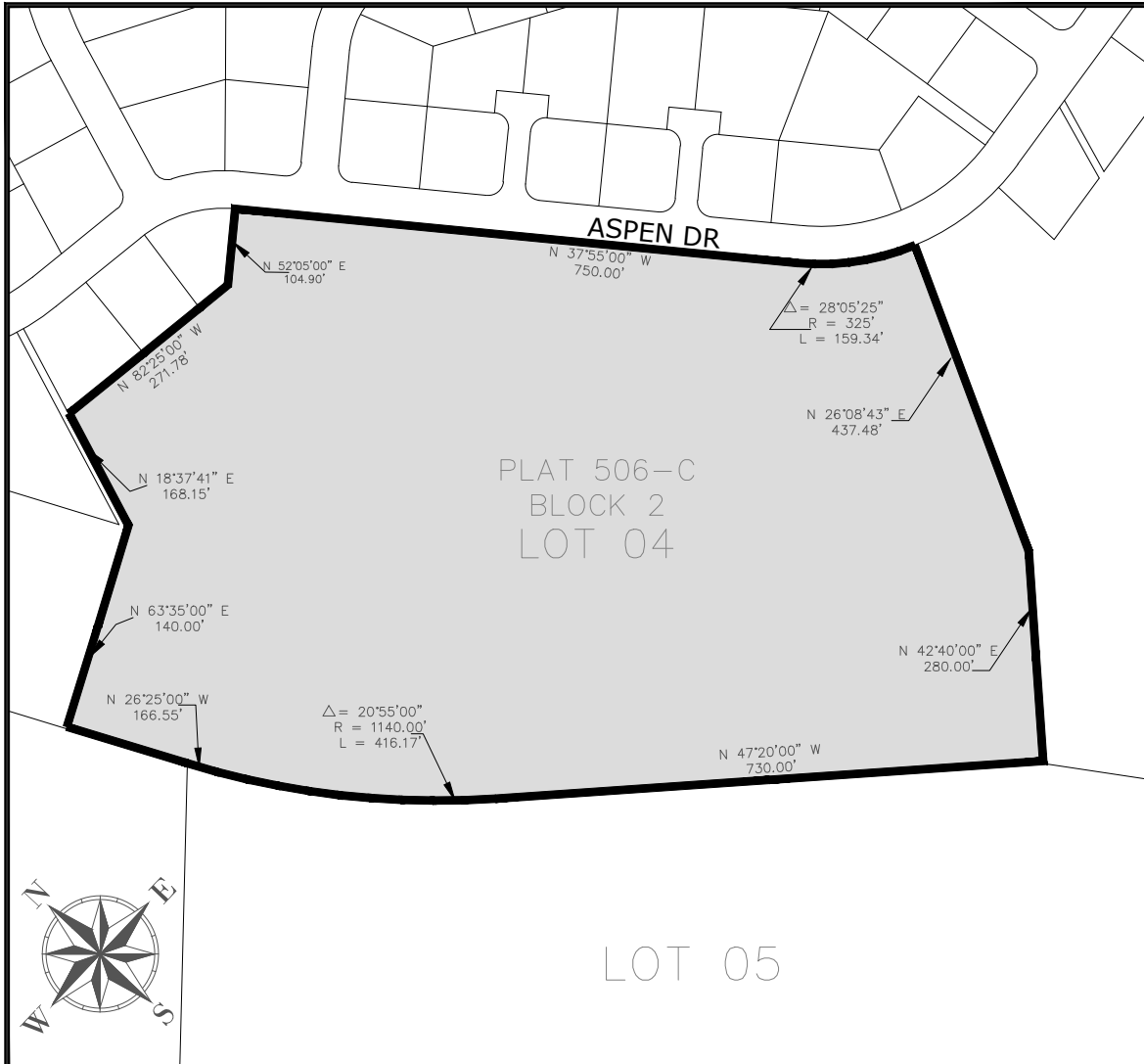
LEGAL DESCRIPTION

LOT 4, BLOCK 2, FOUNTAIN HILLS, ARIZONA, FINAL PLAT NO. 506-C,  
ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY  
RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 159 OF MAPS, PAGE 31.

CONTAINING 842,886 SQ.FT. OR 19.35 ACRES MORE OR LESS.



**EXHIBIT B**  
**OFFICIAL SUPPLEMENTARY ZONING MAP**  
**AMENDING THE TOWN OF FOUNTAIN HILLS ZONING MAP**



**CASE: RZ25-000002**

**ACREAGE: 19.35**

**REQUEST: REZONE FROM R1-35 (MIN. 35,000 SQ. FT. LOTS) ZONING DISTRICT TO R1-10A (MIN. 10,000 SQ. FT. LOTS) ZONING DISTRICT .**

**ORDINANCE: ORD 26-07**

Please be advised that the attached zoning amendments were approved by the Fountain Hills Town Council on April 21st, 2026, by Ordinance #. 26-07.

If you have any questions regarding these amendments, please contact the Town of Fountain Hills Development Services Department at 480-816-5122.

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MAYOR                      ATTEST: \_\_\_\_\_ DATE: \_\_\_\_\_  
TOWN CLERK