

TOWN OF PARADISE VALLEY

Chapter 6 Town Code Amendment Administrative Land Modifications Town Council Work Study

May 9, 2019



TODAY'S GOAL

- Review Code Amendments for Administrative Land Modifications
- Staff is requesting Council Input and Direction on:
 - o Draft Ordinance 2019-05
 - o Resolution 2019-03



AGENDA

- Background
- Summary & Scope of Amendments
- Next Steps



BACKGROUND

- Town Code unclear which land modifications processed administratively
- Proposed amendments intended to establish and clarify which type of lot splits, lot line adjustments, and easement modifications can be processed by staff



ORDINANCE 2019-05

- Definitions:
 - o 6 new definitions and 1 modified definition
 - o Administrative land modification, easement modification, lot line adjustment, exempt lot splits, and replats defined
 - o Definition of Lot Spilt updated to be consistent with state statute

DEFINITIONS

1. Administrative Land Modification – A Lot Line Adjustment, Exempt Lot Split, and/or Easement Modification made pursuant to Article 6-10 of the Town Code.
2. Administrative Plat Map - A document prepared in accordance with the procedures specified in Article 6-10 used to evidence the changes specified in an approved Administrative Land Modification and that contains the information required for the filing of a final plat pursuant to the requirements of Article 6-6.

DEFINITIONS (CONT.)

3. Easement Modification – The act of modifying, relocating, and/or dedicating an easement (including, but not limited to drainage easements, sewer easements, and public utility easements).

DEFINITIONS (CONT.)

4. Lot Line Adjustment – A procedure that may be used as a method for making minor revisions to property lines between two or more existing parcels such that the total number of lots or parcels remain the same or are less. This procedure also includes the combining of two existing lots or a parcel assemblage, being a combination of land within the Town which results in the assemblage of improved or unimproved land for the purpose of financing, sale, or lease, whether immediate or future, into a single property. A Lot Line Adjustment is not a procedure for dividing property and shall not create any additional lots, tracts, or parcels.

DEFINITIONS (CONT.)

5. Lot sSplit – ~~The division of property into two or three tracts or parcels of less than five (5) acres.~~ The division of improved or unimproved land whose area is two and one-half (2.5) net acres or less into two or three tracts or parcels of land for the purpose of sale or lease.
6. Lot Split, Exempt – The division of improved or unimproved land whose area is greater than two and one-half (2.5) net acres into two or three tracts or parcels of land for the purpose of sale or lease, provided that no new street is involved.
7. Replat – Amendment of an existing plat of record; including the act of modifying or reconfiguring existing lots, parcels, and easements of record, or relocation of thereof.

ORDINANCE 2019-05 (CONT.)

- New Section, Article 6-10 Administrative Land Modification, added to code to outline which land modification applications may be processed by staff
- Administrative processes include easement modifications, lot line adjustments, and exempt lot splits
- Complete abandonments of easements and any requests that deviate from Town's development standards and codes will still require Town Council review and approval

ADMIN. LAND MOD. PROCEDURES (6-10-7)

- A. An Administrative Land Modification approval may only be requested for an existing lot, parcel, tract of land or combination thereof previously identified in the official records of the Town and the Maricopa County Recorder, Arizona, at the time of the filing of the Administrative Land Modification application.
- B. Applicants for an Administrative Land Modification must first complete a pre-application review process in accordance with Section 2-5-2(E) of the Town Code. Deficiencies in the application that are identified by the Town staff during the pre-application process will be brought to the applicant's attention.

ADMIN. LAND MOD. PROCEDURES (6-10-7)

- C. Upon the filing of an Administrative Land Modification application, the Town staff shall review the application for completeness and compliance with applicable Town Codes. If, after a final review, the Town staff determines that the application is in full compliance with this Article, the application may be approved administratively and, if appropriate, thereafter recorded with the Maricopa County Recorder, Arizona.
- C. Easement Modification requests shall comply with all Town Code requirements, including relevant development and design standards. Documentation such as, but not limited to, a drainage report, drainage study, drainage easement maintenance agreement, and/or written correspondence from affected utility companies may be required in conjunction with a request for an Easement Modification. Easement Modifications exclude the abandonment or release of easement.

ADMIN. LAND MOD. PROCEDURES (6-10-7)

- E. Requests for Lot Line Adjustments made in an Administrative Land Modification application shall meet the minimum size, setback, and other requirements of the underlying zoning district for the property at issue as specified in the zoning ordinance and official zoning map for the property, as well as the lot arrangement and configuration requirements specified in Section 6-3-5.
- F. If an application for an Administrative Land Modification does not meet the standards for an Administrative Land Modification, staff may reject the application and advise the applicant to instead file for a Lot Split or Subdivision application, which shall then be processed pursuant to Article 6-2, Article 6-5, Article 6-6, and/or Article 6-9 of the Town Code, as applicable.

RESOLUTION 2019-03

- Section 2.2 of Fee Schedule updated to clarify Administrative Land Modification application fees
- No change in application fees
- Just a change in name/title of the application:

2.2.8	Lot Split	\$3,575
2.2.9	Lot Line Adjustment	\$2,225
2.2.10	Exempt Lot Split Review	\$2,225
2.2.9	Administrative Land Modification	\$2,225
2.2.110	Release of Easement	\$5,200
2.2.121	Annexation Application Fee	\$9,300



NOTIFICATION

- March 8, 2019:
 - o Staff notified Building Community via Town's Contact Me/E-Notify list of proposed code amendment
 - o No comments or inquiries were received



March 8, 2019

George Burton
Planner
Town of Paradise Valley
6401 E Lincoln Drive
Paradise Valley, AZ 85253

RE: Chapter 6 Town Code Amendments – Administrative Land Modification

Dear Resident, Builder, Architect, or Affected Land Owner:

The Town Code currently lacks clarity regarding which land modifications may be processed administratively. As a result, the Town of Paradise Valley Staff is proposing to amend Chapter 6 of the Town Code to establish and provide clarification on which type of lot splits, lot line adjustments, and easement modifications may be processed administratively by staff. Language will be added to the code to:

1. Define lot line adjustments, exempt lot splits, and replats, and
2. Identify which land modifications may be processed administratively by staff.

The Town Council will review the proposed Code amendments at the March 28, 2019 work session and April 25, 2019 public meeting. The Council meeting agendas will be posted approximately a week before the scheduled meeting date and you may view the proposed amendments on the Town's website at <https://paradisevalleyaz.legistar.com/Calendar.aspx>. If you would like to receive a copy of the proposed amendments or have any questions, please contact me at gburton@paradisevalleyaz.gov or 480-348-3525.

Sincerely,
George Burton
George Burton
Planner

May 9, 2019



NEXT STEPS

- Staff will incorporate input and edits from TC on draft ordinance and resolution
- Will schedule for review and action at May 23rd TC meeting

