

TOWN OF PARADISE VALLEY

Chapter 6 Town Code Amendment
Administrative Land Modifications

Town Council
Work Study

June 13, 2019



TODAY'S GOAL

- Review Code Amendments for Administrative Land Modifications

- Due to summer recess, take action at tonight's business meeting:
 - Ordinance 2019-05
 - Resolution 2019-03



AGENDA

- Background
- Summary & Scope of Amendments
- Next Steps



BACKGROUND

- Council comments received on May 9th work session

- Updated code to:
 - Differentiate between SUP and Non-SUP properties
 - Further clarify that underlying Zoning District requirements are applicable (lot size, setbacks, etc.)
 - Create Town Manager/Town Attorney approval form confirming compliance with applicable Town Codes

BACKGROUND (CONT.)

- Staff initiated update
- Town Code unclear regarding which land modifications can be processed by staff and which require Council approval
- Code update:
 - Codifies Town's current practices/processes
 - Clarifies which land modifications processed by staff and which require Council approval

BACKGROUND (CONT.)

- Code update do not change to Town's development standards

- Code update will:
 - Allow code compliant easement modifications on residential properties to be processed by staff, and
 - Identify that all land modifications on SUP properties are subject to Town Council review and approval

BACKGROUND (CONT.)

- Code update broken down into 4 topics:
 - Definitions,
 - Administrative land modifications on residential properties,
 - Land modifications on Special Use Permit (SUP) properties, and
 - Update to Town's Master Fee Schedule

ORDINANCE 2019-05

- Definitions:
 - Seven new definitions added to code:
 - Administrative Land Modification
 - Administrative Plat
 - Easement Modification
 - Lot Line Adjustment
 - Non-Administrative Land Modification
 - Exempt Lot Split
 - 3 of 7 definitions define existing processes (Lot Line Adjustments, Exempt Lot Splits, and Replats)
 - Lot Split definition updated to reflect Town's current practice and bring definition in alignment with State Statute

ORDINANCE 2019-05

- Land modification process clarified and broken down to into two areas:
 - Residential/Non-SUP properties
 - SUP properties

ORDINANCE 2019-05

■ Residential/Non-SUP Properties

Request	Process	Approval Authority
Easement Modification	Pre-Application and Final Plat	Staff
Vacation of Easement	Pre-Application and Final Plat	Town Council
Lot Line Adjustment (Code Compliant)	Pre-Application and Final Plat	Staff
Lot Line Adjustment (Non-Code Compliant)	Pre-Application and Final Plat	Town Council
Lot Split (Code Compliant)	Pre-Application and Final Plat	Unanimous Planning Commission otherwise Town Council
Lot Split (Non-Code Compliant)	Pre-Application and Final Plat	Town Council
Lot Split Exempt (Code Compliant)	Pre-Application and Final Plat	Staff
Lot Split Exempt (Non-Code Compliant)	Pre-Application and Final Plat	Town Council
Subdivision	Preliminary Plat	Planning Commission
Subdivision	Final Plat	Town Council

ORDINANCE 2019-05

- Lot Line Adjustments and Exempt Lot Splits processed administratively by staff but are not identified in Code
- Amendment codifies these current practices and processes
- Under current Code, modifications to easement only approved by Council since they are permanent interests in land
- If modifications are compliant with Town's requirements, staff believes such requests are administrative in nature and should be processed by staff

ORDINANCE 2019-05

- Section 6-10 added to Code which identifies that Code compliant land modifications on residential are processed by staff:
 - Easement Modifications
 - Lot Line Adjustments
 - Exempt Lot Splits

- Complete abandonments of easements and deviations from Town Code still require Council approval

ORDINANCE 2019-05

■ SUP Properties

Request	Process	Approval Authority
Easement Modification or Vacation	Pre-Application Final Plat	Town Council
Lot Split	Pre-Application Final Plat	Town Council
Lot Split Exempt	Pre-Application Final Plat	Town Council
Lot Combo	Pre- Application Final Plat	Town Council
Lot Line Adjustment	Pre- Application Final Plat	Town Council

ORDINANCE 2019-05

- Per Council's direction from May 9th work study session, language added to Code to clarify that all land modifications on SUP properties are subject to Council review and action

- Section 6-9-7 updated to identify:
 - All land modifications on SUP properties subject to Town Code and SUP requirements/process
 - All land modifications on SUP properties require Council Approval

RESOLUTION 2019-03

- Section 2.2 of Fee Schedule updated to clarify Non-Administrative & Administrative Land Modification application fees
 - These are **not** new fees
 - Just new title for Lot Split/Lot Line Adjustments, etc. on Residential & SUP Properties
- Clarify application fee for final plats

Final Plat

2.2.1.2	Application for approval of a final subdivision plat	\$2,835
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Land Modifications

2.2.8	Lot Split <u>Non-Administrative Land Modification</u>	\$3,575
2.2.9	Lot Line Adjustment <u>Administrative Land Modification</u>	\$2,225
2.2.10	Exempt Lot Split Review	\$2,225



TOWN MANAGER APPROVAL FORM

- Per direction from May 9th work session, staff drafted Town Manager/Town Attorney Administrative Land Modification Approval form
- Confirms that land modification is approved for completeness and compliance with the applicable Town Codes

	<p style="text-align: center;">ADMINISTRATIVE LAND MODIFICATIONS</p> <p style="text-align: center;">Town of Paradise Valley 6401 East Lincoln Drive Paradise Valley, AZ 85253</p>	
<p>After an Administrative Land Modification is reviewed and approved by staff for completeness and compliance with the applicable Town Codes, Mylars associated with the subject application must be recorded with the Maricopa County Recorder's Office. This form acknowledges and confirms that the approval of the Administrative Land Modification is in accordance with the Town Codes, prior to recordation of the Mylars:</p>		
<p>The Town Manager and the Town Attorney confirm that the Administrative Land Modification</p>		
<p>for _____, and located at (Name of Plat/Mylar)</p>		
<p>_____, has been reviewed and approved for (Property Address)</p>		
<p>compliance with the applicable Town Codes on _____. (Date of Approval)</p>		
<p>_____ Signature (Town Manager)</p>	<p>_____ Signature (Town Attorney)</p>	



NOTIFICATION

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

- June 6, 2019:
 - Staff notified Building Community via Town's Contact Me/E-Notify with second letter on proposed code amendment
 - Update Council on June 13th if received any comment or input



June 6, 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 is proposing to amend Chapter 6 of the Town Code to:

1. Codify the Town's current land modification process and define administrative land modifications, easement modifications, lot line adjustments, exempt lot splits, and replats;
2. Allow staff to process code compliant easement modifications on residential properties, and
3. Identify that lot line adjustments, lot splits, and easement modifications on Special Use Permit properties must be reviewed and approved by Town Council.

The Town Council will review and take action on the proposed Code amendments at the June 13, 2019 work session and public meeting. The Council meeting agendas will be posted several days before the scheduled meeting date and you may view the proposed amendments on the Town's website at <https://paradisvalleyaz.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@paradisvalleyaz.gov or 480-348-3525.

Sincerely,

George Burton
George Burton
Planner

June 13, 2019



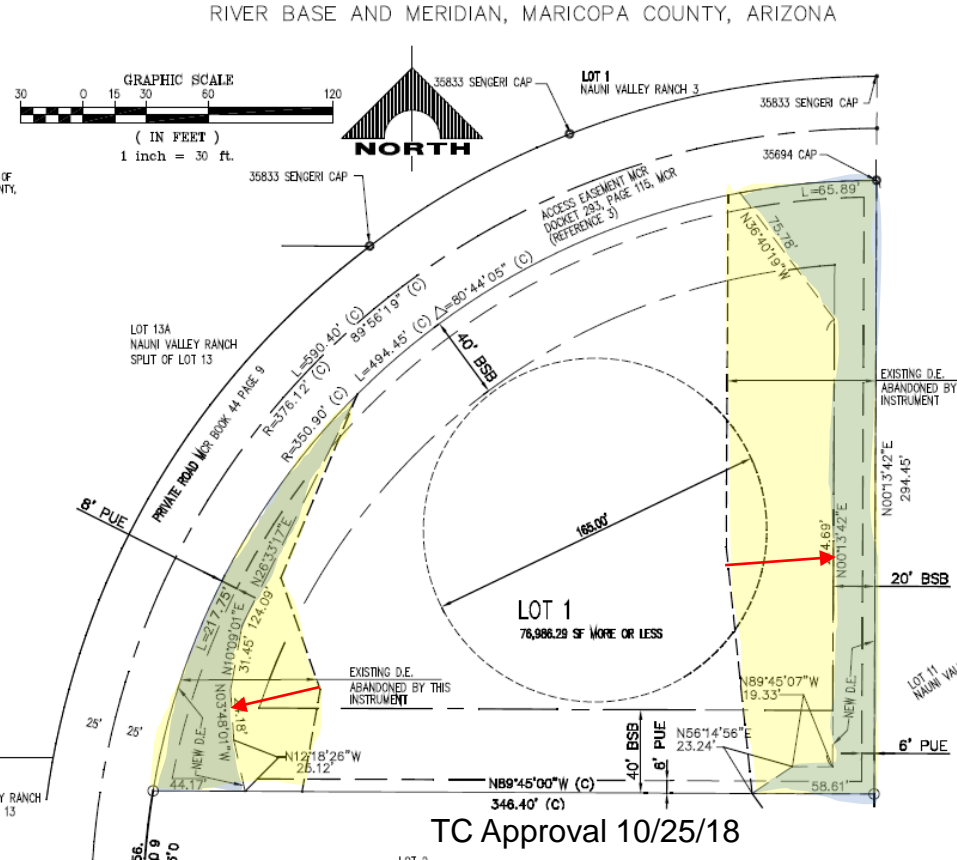
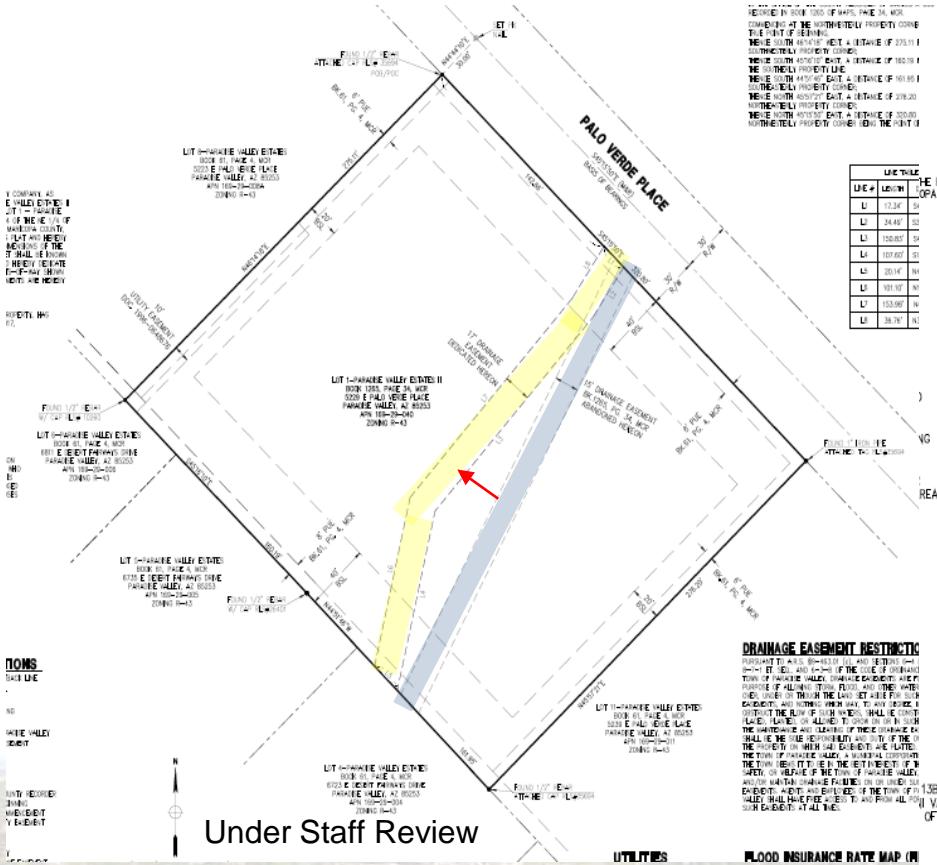
NEXT STEPS

- Staff will incorporate any edits from work session

- Take action at tonight's business meeting on:
 - Ordinance 2019-05
 - Resolution 2019-03



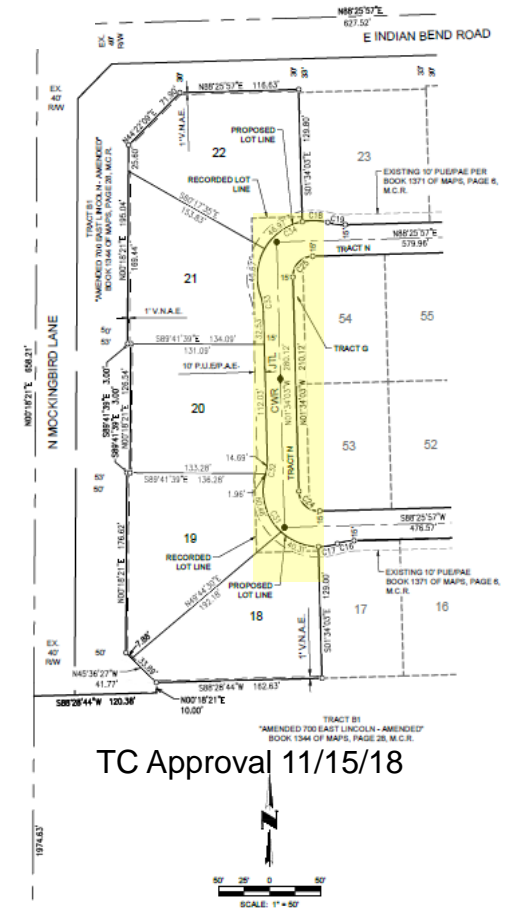
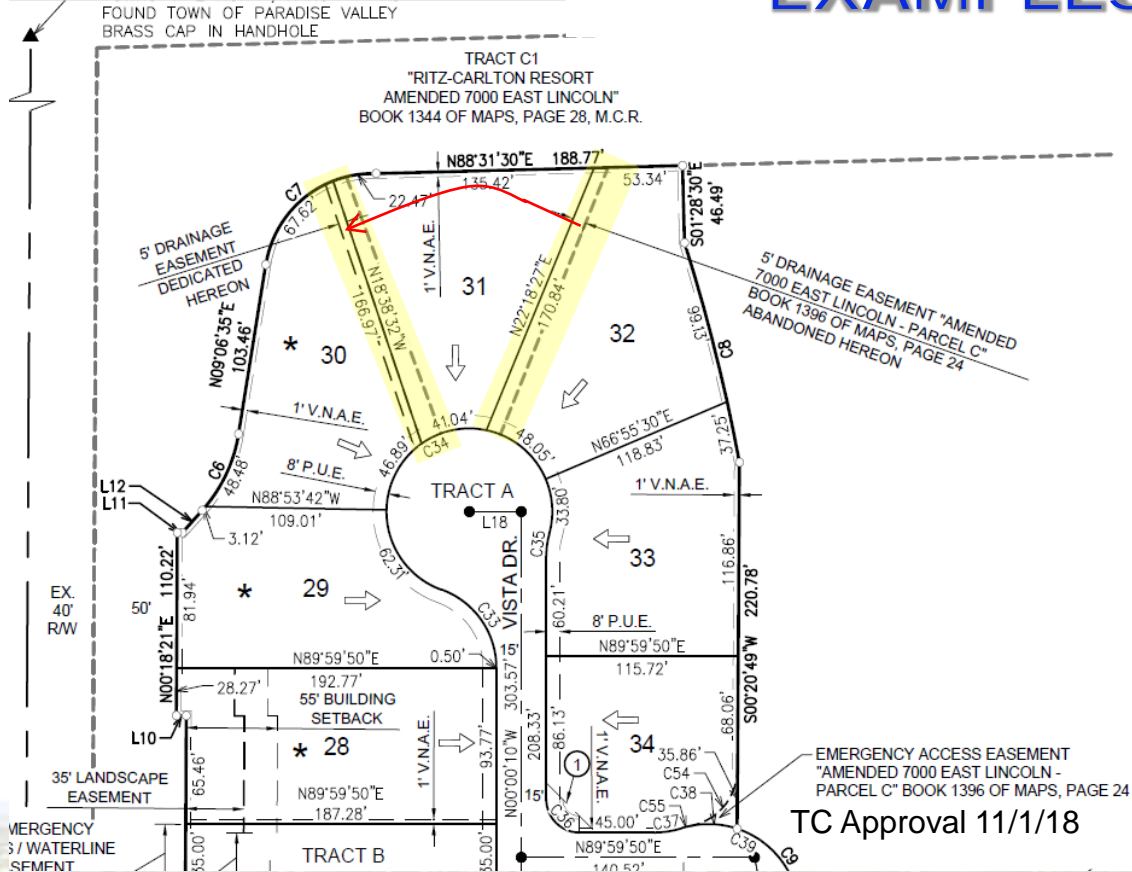
RESIDENTIAL EXAMPLES



Ritz Parcel C Lot Line Adjustment and Relocated DE

SUP EXAMPLES

Ritz Parcel B Lot Line Adjustment and Modified PUE



**Administrative Land Modification
Chapter 6 Code Amendment
Comparison/Consideration Points
April 11, 2019**

Below is summary comparison of the current Town Code, proposed Town Code, and neighboring municipality codes and processes.

Town – Current	Town – Proposed	City of Phoenix	Town of Fountain Hills	Town of Cave Creek	Town of Gilbert	City of Peoria
<p>Unclear on which type of land modification processes are administrative</p> <p><u>Easement Modification</u> Approved by Town Council. Not Defined in Code. Process Not Outlined in Code.</p> <p><u>Lot Line Adjustment</u> Administrative Process by State Statute. Not Defined in Code. Process Not Outlined in Code.</p> <p><u>Lot Split</u> Unique Definition Not Consistent with State Statute.</p> <p><u>Lot Split, Exempt</u> Administrative Process by State Statute. Not Defined in Code. Process Not Outlined in Code.</p> <p><u>Replat</u> Not Defined in Code.</p>	<p>Administrative Processes Defined in Code and Process Identified as Administrative Land Modification (Article 6-10)</p> <p><u>Easement Modification</u> If compliant with Code requirements, then it may be processed by Staff. Definition added to Code. Process outlined in Article 6-10.</p> <p><u>Lot Line Adjustment</u> Definition added to Code. Process outlined in Article 6-10.</p> <p><u>Lot Split</u> Definition updated to be consistent with State Statute.</p> <p><u>Lot Split, Exempt</u> Definition added to Code. Process outlined in Article 6-10.</p> <p><u>Replat</u> Defined added to Code.</p>	<p>Land Divisions. Definition are similar to State Statute (if more than 3 parcels – will require subdivision plat).</p> <p>Land Divisions of 3 or less lots processed by staff via Land Division Specialist and City Engineering Department.</p> <p>City of Phoenix Code does not address lot line adjustments/lot combinations.</p>	<p>Land Splits. Fountain Hill’s definition is similar to State Statute definition. However, the process is not outlined in Code.</p> <p>Fountain Hills Code does not identify if Land Splits are processed administratively by staff.</p> <p>Fountain Hills Code does not address lot line adjustments/lot combinations.</p>	<p>Lot Splits and Lot Line Adjustment. Similar to TPV process. Cave Creek’s definitions is similar to the State Statute definition. It is an administrative/staff level process granted by the Zoning Administrator.</p>	<p>Minor Land Divisions. Similar to TPV Exempt Lot Split. Gilbert’s definition is similar to the State Statute definition. Administrative/staff level process granted by Town Engineer.</p> <p>Easement Modifications and Lot Line Adjustments not outlined in their Code.</p>	<p>Minor Land Divisions. Similar to TPV Exempt Lot Split. Peoria’s definition is similar to the State Statute definition. It is an administrative/staff level process granted by City Staff.</p> <p>Changes to a Recorded Plat. Similar to TPV Easement Modification and Lot Line Adjustment. City of Peoria has a broad definition changes to a plat as any material change to a recorded subdivision plat that will require the plat to be recorded. The process not outlined in Code.</p>