

LAND MODIFICATION PROCESS TABLE
AZHB 2447 Town of Paradise Valley Compliance/Amendment

Case Type	Code Reference	Current Process	Potential Future Process
Preliminary Plat Case Type Abbreviation (PP)	Town Code: - Section 2-5-2(D) - Chapter 6, Subdivisions - Article 6-1 Definitions - Section 6-2-1 Pre-Application - Section 6-2-2 Preliminary Plat/Map - Article 6-5 Information Required on preliminary plat - Article 6-7(A) Special Preliminary Plat Requirements (hillside) Zoning Ordinance - Section 908 Cluster Plans Commission to approve preliminary plat Notes - Design and related standards throughout Chapter 6 apply to all types of land modifications (including plats) - Typically, a private road Conditional Use Permit (CUP) approved by Commission and appealable to Council runs with the plat (The CUP is administrative via public meeting and typically occurs at the preliminary plat stage, but could occur at the final plat stage) - A private gate Special Use Permit (SUP) may accompany a plat (The SUP process is legislative via a public hearing requiring Council	- Preliminary plat is administrative via public meeting, unless deviation from Chapter 6 requirement(s) is requested pursuant to Town Code, Article 6-8, Variances and Modifications (which requires Commission review/recommendation and Council review/action) - Average 1 application annually - Pre-application review up to 20 business days - Commission Work Session - Must occur at least 28 days prior to the public meeting - Commission Action 1,500' mailing notice of action meeting by Town policy - Public comment taken (but not required) - Simple majority to approve - If denied, then moves forward to Council for review/approval - Action must be done within 40 days of a completed application Applies - All zoning districts - Hillside and non-Hillside - When property is divided into 4 or more lots	BROAD INTERPRETATION (RECOMMENDED) - Keep the current Commission process the same (include noticing, allow for public comment, and placed as action item on the agenda) Reasons - Commission review/action process is administrative not legislative via public hearing - Current approach emphasizes plat compliance to Town subdivision regulations and other related code provisions for plat approval - Any notice/public commentary is to apprise residents of upcoming plat (not deny plat) - Greater impact on subdivisions of any size exists due to Town's small area and large-lot residential nature - Aligns with Commissions advisory role on land development - Occurrence is low since preliminary plats are uncommon - Allows for greater scrutiny with hillside and/or SUP subdivisions NARROW INTERPRETATION - Modify code for more administrative process that is Town staff review and approval only Reasons - If intent for administrative is to be more staff driven process (instead of Commission driven process) EITHER INTERPRETATION - Still require Commission and/or Council approval for code deviations - No changes to the private road CUP via Commission and private gate SUP process to Commission/Council

	Statement of Direction (SOD), Commission review and recommendation, and Council review and action. This could occur at the final plat stage.	• When property is divided into 2 or more lots if a new street is required (most common)	• If preliminary plat on SUP site, the request typically has an SUP amendment to Commission or Council
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Case Type	Code Reference	Current Process	Potential Future Process
Final Plat Case Type Abbreviation (FP)	Town Code: - Section 5-8-1(A) - Chapter 6, Subdivisions - Article 6-1 Definitions - Section 6-2-1 Pre-Application - Section 6-2-3 Final Plat/Map - Article 6-4 Assurances, Warranty, Minimum Improvements - Article 6-6 Information Required on Final Plat - Article 6-7(B) Special Final Plat Requirements (hillside) - Article 6-7(C) Special Design Standards (hillside) - Article 6-7(D) Maximum Number Lots (hillside) Notes - Design and related standards throughout Chapter 6 that apply to all types of land modifications (including plats) - Typically, a private road Conditional Use Permit (CUP) approved by Commission and appealable to Council runs with the plat (The CUP is administrative via public meeting and typically occurs at the preliminary plat stage, but could occur at the final plat stage) - A private gate Special Use Permit (SUP) may accompany a plat (The SUP process is legislative via a public hearing requiring Council Statement of Direction (SOD), Commission review and recommendation, and	- Final Plat starts post preliminary plat action - Administrative via public meeting, unless deviation from Chapter 6 requirement(s) is requested pursuant to the Town Code, Article 6-8, Variances and Modifications or the final plat does not comply with the stipulations of the preliminary plat/map or contains substantial differences final plat requires Commission review/action - Average 1 application annually - Council Study Session - Council Action 1,500' mailing notice of action meeting by Town policy - Public comment taken (but not required) - Simple majority to approve - Action must be done within 40 days of a completed application - If Commission action (as described above), Commission action required within 14 days staff deems complete, and Council action must be done within 40 days from the Commission action Applies - All zoning districts - Hillside and non-Hillside	BROAD INTERPRETATION - Keep the current Council review and approval process the same Reasons - Council review/action process is administrative not legislative via public hearing - Current approach emphasizes plat compliance to preliminary plat for approval - Any notice/public commentary is to apprise residents of upcoming plat (not deny plat) - Greater impact on subdivisions of any size exists due to Town's small area and large-lot residential nature - Occurrence is low since final plats are uncommon - Allows for greater scrutiny with hillside and/or SUP subdivisions (in particular) MODIFIED BROAD INTERPRETATION (RECOMMENDED) - Modify the current Council process to allow final plat/map as a staff review and approval with a 7-day review (with ability for Council to hold meeting for action) like the SUP Managerial Amendment process. - Exceptions would be if the final plat is not in substantial conformance with the preliminary plat (then a separate study session and placement on public meeting for Council discussion/action or deviation from Chapter 6 requirement(s) is requested pursuant to Town Code, Article 6-8, Variances and Modifications which requires Commission review/recommendation and Council review/action) Reasons - Same as under Broad Interpretation - Commission and/or Council would review the final plat/map as described under exceptions above

	Council review and action. This could occur at the final plat stage.	• When property is divided into 4 or more lots • When property is divided into 2 or more lots if a new street is required (most common)	• Final plat requires a preliminary plat (which Commission reviews/approves which allows for oversight by more than staff) • Residents would have received notice/given opportunity for public comment with the preliminary plat at Commission • Mayor will still sign the final plat • In recent years many final plats are on the consent agenda since they match the preliminary plat • If final plat on SUP site, the request will have a preliminary plat to Commission and typically has an SUP amendment to Commission and/or Council NARROW INTERPRETATION • Modify code for more administrative process that is Town staff review and approval only Reasons • If intent for administrative is to be more staff driven process EITHER INTERPRETATION • Still require Commission and/or Council approval for code deviations • No changes to the private road CUP via Commission and private gate SUP process to Commission/Council • If final plat on SUP site, the request would have had a preliminary plat reviewed and approved by Commission and typically has an SUP amendment to Commission or Council
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Case Type	Code Reference	Current Process	Potential Future Process
Replat Case Type Abbreviation (RP)	Town Code: - Chapter 6, Subdivisions - Article 6-1 Definitions - Section 6-10-7(G) Procedures Note - Design and related standards throughout Chapter 6 that apply to all types of land modifications (including replats that follow the standards for a final plat)	- Administrative via public meeting, unless deviation from Chapter 6 requirement(s) is requested pursuant to Town Code, Article 6-8, Variances and Modifications (which requires Commission review/recommendation and Council review/action) - Uncommon to have replat cases - Pre-application review up to 20 business days - Council Study Session - Council Action 1,500' mailing notice of action meeting by Town policy - Public comment taken (but not required) - Simple majority to approve Applies - All zoning districts - Hillside and non-Hillside - When there is an amendment of an existing plat of record through the act of modifying or reconfiguring (but since the code has an Administrative Land Modification and Non-Administrative Land Modification process, the replat is used when the application does not fall under those categories)	BROAD INTERPRETATION (RECOMMENDED) - Keep the current Council process the same Reasons - Council review/action process is administrative not legislative via public hearing - Current approach emphasizes plat compliance to Town subdivision regulations and other related code provisions for plat for approval - Any notice/public commentary is to apprise residents of upcoming plat (not deny plat) - Greater impact on subdivisions of any size exists due to Town's small area and large-lot residential nature - Occurrence is low since replats are uncommon - Allows for greater scrutiny with hillside and/or SUP subdivisions (in particular) - Most common with an SUP and not always an amendment to the SUP with a replat NARROW INTERPRETATION Modify code for more administrative process that is Town staff review and approval only Reasons - If intent for administrative is to be more staff driven process EITHER INTERPRETATION - Still require Commission and/or Council approval for code deviations - No changes to the private road CUP via Commission and private gate SUP process to Commission/Council

Case Type	Code Reference	Current Process	Potential Future Process
Administrative Land Modification Case Type Abbreviation (LLA) (LS)	Town Code: - Chapter 6, Subdivisions - Article 6-1 Definitions - Article 6-10 Administrative Land Modification (Procedures Section 6-10-7) Note - Design and related standards throughout Chapter 6 that apply to all types of land modifications (including plats)	- Administrative via Town staff, unless deviation from Chapter 6 requirement(s) is requested pursuant to Town Code, Article 6-8, Variances and Modifications (which requires Commission review/recommendation and Council review/action) - Average 7 to 8 applications annually - Pre-application review up to 20 business days - No noticing - Town staff review typically 10 to 15 business days per review Applies - Any property zones except SUP - Hillside and non-Hillside - Lot Line Adjustment - Lot Split (Exempt) – are divisions on property over 2.5 acres into 2 or 3 lots (without a new road) - Easement Modifications	BROAD INTERPRETATION (RECOMMENDED) - Keep the current Town staff process (for SUP properties see Non-Administrative Land Modification) Reasons - Town staff review/action process is administrative - Current approach emphasizes plat compliance to Town subdivision regulations and other related code provisions for plat for approval - Administrative land modification cannot create any nonconformities NARROW INTERPRETATION - Same as Broad Interpretation EITHER INTERPRETATION - Still require Commission and/or Council approval for code deviations - No changes to the private road CUP via Commission and private gate SUP process to Commission/Council

Case Type	Code Reference	Current Process	Potential Future Process
Non-Administrative Land Modification Case Type Abbreviation (LLA) (LS)	Town Code: - Chapter 6, Subdivisions - Article 6-1 Definitions - Article 6-9 Non-Administrative Land Modification (Procedures Section 6-9-7) Note - Design and related standards throughout Chapter 6 that apply to all types of land modifications - Any site zoned SUP follows the preliminary plat, final plat, replat, or Non-Administrative Land Modification process.	- Administrative via public meeting, unless deviation from Chapter 6 requirement(s) is requested pursuant to Town Code, Article 6-8, Variances and Modifications (which requires Commission review/recommendation and Council review/action) - Average 1 to 2 applications annually - Pre-application review up to 20 business days Lot Split (on Site Under 2.5 Net Acres Only Non-SUP) - Commission Work Session - Commission Action 500' mailing notice of action meeting by Town policy - Public comment taken (but not required) - Unanimous approval - If there is no unanimous approval for Lot Split under 2.5 net acres, then moves forward to Council for review/action Non-Administrative Land Modification (SUP Property) - Applies to any other plat process except for preliminary plat, final plat, or replat as described in Chapter 6, Subdivisions, of the Town Code - Council Study Session - Council Action	BROAD INTERPRETATION - Keep the current Commission process the same Reasons - Commission review/action process is administrative not legislative via public hearing - Current approach emphasizes plat compliance to Town subdivision regulations and other related code provisions for plat for approval - Any notice/public commentary is to apprise residents of upcoming plat (not deny plat) - Greater impact on plats of any size exists due to Town's small area and large-lot residential nature - Occurrence is low since Non-Administrative Land Modifications are uncommon - Allows for greater scrutiny with hillside and/or SUP subdivisions (in particular) MODIFIED BROAD INTERPRETATION (RECOMMENDED) - Retaining the Commission review of Lot Splits (on Non-SUP Sites Under 2.5 Net Acres Only) since state law seems to still allow for a different procedure for splits on 2.5-acre lots or less. The change is removing the unanimous vote to simple majority vote as this process is administrative. - Modify the current Council review and approval process for Non-Administrative Land Modification (SUP property) to staff review and approval with a 7-day review (with ability for Council to hold meeting for action) like the SUP Managerial Amendment process. Reasons - Same as under Broad Interpretation - Lot Splits (on Non-SUP Sites Under 2.5 Net Acres Only) were the only plat-type action requiring unanimous approval - There is not always an amendment to the SUP with a Non-Administrative Land Modification. This is why

		○ 500' mailing notice of action meeting by Town policy ○ Public comment taken (but not required) ○ Simple majority approval All other Non-Administrative Land Modification • Applies to public easement abandonment (e.g., Public Utility Easement or Drainage Easement - any zoning district) • Council study session • Council action ○ 500' mailing notice of action meeting by Town policy ○ Public comment taken (but not required) ○ Simple majority approval Applies • Any property zone (as noted above) • Hillside and non-Hillside	Council review is still appropriate since a SUP is tailored zoning compared to the Town's residential zoning districts (which the process for plat-type applications that are not a preliminary plat, final plat, or replat and are deemed an Administrative Land Modification which is reviewed and approved by Town staff) NARROW INTERPRETATION • Modify code for more administrative process that is Town staff review and approval only Reasons • If intent for administrative is to be more staff driven process EITHER INTERPRETATION • Still require Commission and/or Council approval for code deviations • No changes to the private road CUP via Commission and private gate SUP process to Commission/Council • Easement abandonment and Right-of-Way abandonments (any zoning district) process remain the same (through the Engineering Division with review/approval by Council)
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Other Code Sections related to land modification requirements and process that do not require changes:

- Town Code, Section 5-10-5(C) dust control
- Town Code, Section 5-10-10 assessments for streets, sidewalks, and other public places (5-10-5, 5-10-6)
- Town Code, Section 15-3-3, 15-3-12 wastewater development fees
- Zoning Ordinance, Section 905 Cluster Plan indentures recorded with final plat and Commission to review/ act upon preliminary plat
- Zoning Ordinance, Section 2408 Location, height, setback, and design of subdivision perimeter walls or view fences shall be part of the approved final plat