

TOWN *Of* **PARADISE VALLEY**



STAFF REPORT

TO: Chair & Planning Commission Members

FROM: Chad Weaver, Community Development Director
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DATE: November 4, 2025

DEPARTMENT: Community Development Department
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AGENDA TITLE: Proposed amendments for Administrative Review on Certain Plat Applications (MI-25-02)

REQUEST

Proposed amendments to Article 2-5 (Committees and Commissions), Section 2-5-2 (Planning Commission), of the Town Code and Chapter 6, Subdivisions, of the Town Code that will allow for the administrative review of certain plat applications in accordance with current State of Arizona legislation along with correcting any technical and other conforming changes.

BACKGROUND

In 2025, the Legislature of the State of Arizona passed House Bill 2447 (Attachment B). This legislation requires (compared to the previous 'may' language) municipal legislative bodies to authorize administrative personnel to review and approve site plans, development plans, land divisions, lot line adjustments, and plat amendments, and to review and approve design review plans based on objective standards, without a public hearing. Also, it allows municipalities to adopt a self-certification program for registered architects and professional engineers, allowing them to be responsible for compliance with ordinances and construction standards. This legislation becomes effective on January 1, 2026. As such, municipalities across Arizona have been evaluating and amending their codes and/or policies in advance of the December 31st deadline.

The Town Council has been updated on this legislation during the process by the Town Manager and Town Attorney. Town Council discussed this legislation and general direction at an executive session on September 11, 2025. Based on this discussion, Town staff drafted the attached proposed amendments related to certain plat applications via draft Ordinance 2025-05 (Attachment D). The full code text is shown for reference, but the final ordinance will use the adoption-by-reference process whereby the ordinance will only show the changed sections.

Unlike text amendments to the Zoning Ordinance, a text amendment to the Town Code provisions only requires Town Council review and action. However, due to the nature

of the changes within the subdivision regulations of the Town Code, the Planning Commission input is requested. Please note that the provisions for a text amendment to the Zoning Ordinance outlined in Section 2-5-2 of the Town Code for a Citizen Review Session by the Planning Commission and A.R.S. § 9-462.04 to receive public comment and make a recommendation to the Town Council at a public hearing do not apply. Unless otherwise directed, due to the sensitivity of the timing of this text amendment and the required process being under the purview of the Town Council, the Planning Commission input will be forwarded to the Town Council via the Planning Commission work session.

TEXT AMENDMENT CHANGES

The general approach for the proposed text amendment is that the Town processes related to site plans, development plans, land divisions, lot line adjustments, and plat amendments are already administrative. However, draft Ordinance 2025-05 is an opportunity to clarify and further define the administrative process. The current processing remains the same (including preliminary plat, replat, easement or right-of-way abandonment, and administrative land modification). The changes are on final plat with some changes to the non-administrative land modification process. This is outlined in the Land Modification Process Table (Attachment C) with the changes summarized below.

- Correct Section 6-2-3 by removing the word “final plat” under Section 6-2-3 as the Planning Commission is not the approver of a final plat (which is the current code). This section covers time limits on Planning Commission action.
- Add a definition for “Staff”.
- Modify the final plat/map process from Town Council review and action at a public meeting to a staff approval process with a 7-day Town Council review (like the Managerial Special Use Permit (SUP) and Personal Wireless Service Facility process in the Town) with the Mayor still required to sign the plat/map. This applies to any zoning district (including SUP). Town Council will still review/act on a final plat/map if the Planning Commission rejects the preliminary plat or the plat has a modification of the subdivision standards pursuant to Article 6-8. Indirectly, Planning Commission and Town Council will see the final plat/map if the applicant requests a private road Conditional Use Permit (CUP) and/or the application includes a Special Use Permit for a private roadway gate (as these processes remain the same). Also, the final plat requires a preliminary plat (which the Planning Commission reviews/approves which allows for oversight by more than staff).
- Correct the General Plan reference of the width of all rights-of-way and streets to the Town’s Typical Street Cross Sections as this was removed from the 2022 General Plan.
- Allow under Lots that all side lines of lots shall be at nearly right angles to straight street lines as the current wording technically requires a variance/modification process if the property line is not exactly 90 degrees 0 minutes and 0 seconds between the property line and the front setback line.
- Correct the reference regarding lighting under subdivision walls or fences that a lighting plan for safety/security shall be submitted with the Special Use Permit application to with the application as may be required under Article XI, Special Uses And Additional Use Regulations, of the Zoning Ordinance. Article XI covers SUPs, private gate SUPs, and private road CUPs that this type of

lighting would be included.

- Correct under hillside provision that private roadways are approved by the private road Conditional Use Permit (which is approved by the Planning Commission and appealable to the Town Council) and not approved by the Town Council. Years back this process was by Special Use Permit that was approved by the Town Council. Also, under public roads, the surface material is noted as decorative pavers or other surface material. However, asphalt is the typical public road standard with decorative surface material allowable by a private road CUP.
- Modify the Non-Administrative Land Modification process for a lot split on a non-SUP property to be approved by a simple majority vote instead of by unanimous vote as this is the only plat action requiring unanimous approval. There is no change with the Planning Commission review and action (appealable to the Town Council) for these lot splits or if not approved the review and approval moves onto the Town Council.
- Modify the Non-Administrative Land Modification process for any plat adjustment on an SUP property (other than preliminary plat, final plat, and replat as the process for these are described separately under Chapter 6 of the Town Code). The process will follow the modified final plat/map process from Town Council review and action at a public meeting to a staff approval process with a 7-day Town Council review. This modification to retain a level of Town Council review is because there is not always an amendment to the SUP with a Non-Administrative Land Modification that warrants Town Council review as an SUP is tailored zoning compared to the Town's residential zoning districts (which the process for these type of plat applications that are not a preliminary plat, final plat, or replat are deemed an Administrative Land Modification reviewed and approved by Town staff).
- No change to the process when any of the plat applications include a deviation from Chapter 6, Article 6-8, Variances and Modifications, which requires Planning Commission review and recommendation followed by Town Council review and action.
- No changes to other ancillary processes that may accompany a plat application. This includes the private road Conditional Use Permit process requiring Planning Commission review and action (appealable to the Town Council), the private gate Special Use Permit process requiring Town Council Statement of Direction, Planning Commission review and recommendation, and Town Council review and action, and the Special Use Permit amendment process which requires Planning Commission and/or Town Council review.

NEXT STEPS

The next steps after Planning Commission review are for a Town Council study session tentatively set for November 13th and a Town Council public hearing on December 11th.

ATTACHMENT(S)

- A. Staff Report
- B. House Bill 2447
- C. Land Modification Process Table
- D. Draft Ordinance 2025-05
- E. Presentation