

# **TOWN OF PARADISE VALLEY**

## **Administrative Review Plat Applications Text Amendment Work Session**



Town Council  
November 13, 2025



# TODAY'S GOAL & AGENDA

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- Discuss amendments on administrative review of certain plat applications in accordance with current State of Arizona legislation



# BACKGROUND

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- Legislature of State of Arizona passed House Bill 2447 in 2025
- Requires ('shall' rather than 'may') municipalities 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
- 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
- Becomes effective on January 1, 2026



Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 9-500.49, Arizona Revised Statutes, is amended to read:

9-500.49. Administrative review and approval; self-certification program; expedited approval; definitions

A. Notwithstanding any other law, the legislative body of a city or town ~~may~~ **SHALL** by ordinance do the following:

1. Authorize administrative personnel to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments without a public hearing.

2. Authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing.

~~3. Adopt a self-certification program allowing registered architects and professional engineers to certify and be responsible for compliance with all applicable ordinances and construction standards for projects that the ordinance identifies as being qualified for self-certification.~~

~~3.~~ **3.** Allow at-risk submittals for certain on-site preliminary grading and drainage work or infrastructure.

~~4.~~ **4.** Allow applicants with a history of compliance with building codes and regulations to be eligible for expedited permit review.

**B. NOTWITHSTANDING ANY OTHER LAW, THE LEGISLATIVE BODY OF A CITY OR TOWN MAY BY ORDINANCE ADOPT A SELF-CERTIFICATION PROGRAM ALLOWING REGISTERED ARCHITECTS AND PROFESSIONAL ENGINEERS TO CERTIFY AND BE RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ORDINANCES AND CONSTRUCTION STANDARDS FOR PROJECTS THAT THE ORDINANCE IDENTIFIES AS BEING QUALIFIED FOR SELF-CERTIFICATION.**

~~C.~~ **C.** Applications for a license pursuant to this section are subject to chapter 7, article 4 of this title.

~~D.~~ **D.** For the purposes of this section: ~~1.~~

**1. "LICENSE" HAS THE SAME MEANING PRESCRIBED IN SECTION 9-831.**

**2. "Objective" means not influenced by personal interpretation, taste or feelings of a municipal employee and verifiable by reference to an adopted benchmark, standard or criterion available and knowable by the applicant or proponent.**

**Sec. 2. Effective date**

**This act is effective from and after December 31, 2025.**

- Council updated on the legislation
- Council executive session on topic September 11<sup>th</sup>
- Based on discussion is draft Ordinance 2025-05

# PROCESS

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- Unlike text amendments to the Zoning Ordinance, a text amendment to the Town Code provisions only requires Council review and action
- Commission provided input during November 4<sup>th</sup> study session
  - Consider lot split on a site under 2.5-net acres be appealable to Council instead of directly moving to Council if denied (After discussion, current process directly to Council on denial seen most expeditious)
  - Provide some latitude on compliance to the side lot lines at 90 degrees
    - Discussion on the proposed term “nearly” 90 degrees to quantify it
    - Suggestion to apply staff approval and 7-day Commission review process to allow for a 2<sup>nd</sup> look and still streamline this modification



# DRAFT ORDINANCE 2025-05

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- General approach is Town processes related to site plans, development plans, land divisions, lot line adjustments, and plat amendments are already administrative
- Opportunity to clarify and further define the administrative process
- Current processing remains the same for preliminary plat, replat, easement or right-of-way abandonment, and administrative land modification
- Refer to Land Modification Process Table Attachment for more information





# SUMMARY OF CHANGES

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- Correct Section 6-2-3 by removing the word “final plat” as Commission is not the approver of a final plat
- Modify the Chapter 6 final plat/map process from Council review/action to staff approval process with 7-day Council review
  - Mayor still sign the final plat
  - Applies to any zoning district (including Special Use Permit - SUP)
  - Council will still review/act if Commission rejects the preliminary plat or plat modifies the subdivision standards pursuant to Article 6-8
  - Commission/Council will see the final plat/map if the applicant requests a private road Conditional Use Permit (CUP) and/or the application includes a SUP for a private roadway gate (as these processes remain the same)
  - All final plats require a preliminary plat (which Commission reviews/approves)

1/13/2025



- A. No ~~Planning~~ Commission or Council approval is required for the final plat/map within any zoning district unless sStaff determines that the final plat/map does not comply with the stipulations of the preliminary plat/map approved by the ~~Town's Planning~~ Commission (or the stipulations imposed by the ~~Town~~ Council should the plat/map have required Council approval in accordance with Article 6-8, Variances and Modifications, of Chapter 6 of the Town Code, if any) or contains substantial differences from such preliminary plat/map. If sStaff so determines, then ~~Planning~~ Commission approval/recommendation to the Council of the final plat/map is required. The ~~Planning~~ Commission shall act on the final plat/map no later than fourteen (14) calendar days after sStaff deems the application complete. If no ~~Planning~~ Commission approval is required, then the ~~Town~~ Council shall act on the final plat/map application within forty (40) calendar days from when staff deems the application complete. If ~~Planning~~ Commission approval was required, then the ~~Town~~ Council shall act on the final plat/map application within forty (40) calendar days from the date that the ~~Planning~~ Commission has approved the final plat/map. A final plat/map application request shall be approved by the ~~Town~~ Council if it is determined to comply with the stipulations of the preliminary plat/map approved by the ~~Town's Planning~~ Commission along with all of the other requirements set forth in this Section.
- B. Subdividers or plat engineers shall obtain final plat/map review by the Town Engineer and other officials and agencies concerned prior to presentation final action on the final plat/map.
- C. Following the pre-application conference, if any, the subdivider shall submit to the Town (1) the formal plat/map application on a form prescribed by the Town, (2) the fee set forth in the Town of Paradise Valley Fee Schedule, as such may be amended from time to time, and (3) all documents and materials deemed necessary by the Town to be in compliance with Chapter 6, Subdivisions, of the Town Code.
- D. Upon receipt of a complete submittal including all of the information and fees as set forth in Chapter 6, Subdivisions of the Town Code, Staff will review the submittal within a reasonable time to verify the final plat/map meets requirements and completion of any required conditions (e.g., assurances). If not met, the applicant will make any necessary revisions and/or submittals. If met, Staff will transmit to the Town Manager (or designee) a copy of the final plat/map, together with a written report outlining compliance within two business days of making the determination.
- E. The Town Manager (or designee) shall transmit all determinations approving the final plat/map to the Council within two business days of receiving the met determination of Section 6-2-3(D) above.
- F. The Town Manager's (or designee's) decision shall be final, and the Mayor (or designee) and applicable Staff shall sign the final plat/map in preparation for recordation with the

recorder of Maricopa County, Arizona, subject to Council review as set forth in Section 6-2-3(G).

- G. If, within seven calendar days after the Town Manager's (or designee's) written determination, at least three members of the Council submit a written request to the Town Manager, the Council shall have the authority to review the approved final plat/map application. Such review shall be considered at a Council meeting within 14 calendar days after the Town Manager's receipt of the third written request pursuant to this Section. The Council's review shall be limited to a determination, by a majority vote of the members present and not otherwise disqualified, as to whether the Town Manager's (or designee's) decision meets the requirements outlined in Chapter 6, Subdivisions, of the Town Code. If the Council decides that the criteria have been met, then there shall be no further consideration, and the final plat/map approval is final. If the Council determines that the requirements have not been met, the Council may deny the final plat/map, in whole or in part. A majority vote of the members present and not otherwise disqualified shall be necessary to deny or modify the decision of the Town Manager (or designee); otherwise the Town Manager's written determination shall be deemed affirmed.

#### Article 6-3 **STANDARDS OF DESIGN** 170 535

- 6-3-1 Relation to Adjoining Street Systems
- 6-3-2 Right-of-way, Street and Alley Width, Cul-de-Sac, Half Street, Alley 86 115
- 6-3-3 Easements
- 6-3-4 Blocks
- 6-3-5 Lots 432 564
- 6-3-6 Building Lines
- 6-3-7 Public Reservations
- 6-3-8 Easement Along Streams 513 601
- 6-3-9 Building in Designated Flood Plain Areas
- 6-3-10 Character of Development
- 6-3-11 Subdivision Identification Signs 34 83 170
- 6-3-12 Subdivision Walls or Fences 36 375

#### Section 6-3-1 Relation to Adjoining Street Systems

- A. The arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining areas or their proper projections where adjoining land is not subdivided insofar as they may be deemed necessary for public requirements. The width of streets in new subdivisions shall be not less than the minimum width established by the Town.



# SUMMARY OF CHANGES

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- Correct General Plan reference of the width of all rights-of-way and streets to Typical Street Cross Sections to match existing process
- 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



# SUMMARY OF CHANGES

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- Correct reference regarding lighting under subdivision walls or fences from submitted with SUP application to under Article XI, Special Uses And Additional Use Regulations to match existing process
- Correct under hillside provision that private roadways are approved by CUP and not SUP to match existing process and public roads not decorative surface material



# SUMMARY OF CHANGES

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- Modify lot split on a non-SUP property be approved by simple majority vote instead of unanimous vote
  - This is the only plat requiring unanimous approval
  - No change with Commission review/action (appealable to Council)
  - No change if not approved moves onto Council
- Modify Non-Administrative Land Modification process on SUP property follow final plat/map process of staff approval with 7-day Council review
  - Excludes preliminary plat, final plat, & replat (different processing)
  - Retain level of Council review as not always a SUP amendment and SUP is tailored zoning compared to the other zoning districts



Section 6-3-10 shall not apply to Non-Administrative Land Modifications. No Non-Administrative Land Modification which creates a substandard or non-conforming lot or structure shall be approved except by Council action.

#### Section 6-9-4 Minimum Improvements Required

The minimum improvements and bonding procedures set forth in Article 6-4 shall apply to a Non-Administrative Land Modification, except that street improvements may be waived if the existing streets adjacent to the Non-Administrative Land Modification are comparable to the streets on adjacent properties.

#### Section 6-9-5 Information Required on Final Plats

Where applicable, the information required on final plats as specified in Article 6-6 shall apply to Non-Administrative Land Modifications.

#### Section 6-9-6 Hillside Development Area

The provisions of Article 6-7 shall apply to a Non-Administrative Land Modification.

#### Section 6-9-7 Procedures

- A. A Non-Administrative Land Modification is only allowed for an existing lot, parcel, tract of land or combination thereof identified in the official records of the Town and the Maricopa County Recorder, Arizona, at the time of the filing of the application.
- B. ~~A Non-Administrative Land Modification shall follow the final plat/map process in accordance with Section 6-2 of the Town Code.~~ A Non-Administrative Land Modification shall be subject to ~~Town~~ Council review and approval with the exception of Lot Splits approved pursuant to Section 6-9-7(C) reviewed and approved by the Commission and appealable to Council, certain plat/map applications on property with Special Use Permit zoning pursuant to Section 6-9-7(D) that is approved by Staff with Council review, and a plat/map that includes a variance or modification request pursuant to Article 6-8 of the Town Code that requires Commission review and recommendation, and Council review and action.
- C. ~~A Lot Split application~~ on non-Special Use Permit zoned property shall be reviewed by ~~Town~~sStaff for compliance with the Town Code and Zoning Ordinance, and any other applicable requirements. After review by the ~~Town~~sStaff, the Lot Split application shall be submitted to the ~~Planning and Zoning~~ Commission, and if approved by a ~~simple majority unanimous~~ vote of the ~~Planning~~ Commission, then the Lot Split shall be deemed approved. If the Lot Split application is not approved by a ~~unanimous vote~~ of the

~~Planning~~ Commission, including a vote to deny, then the Lot Split application shall be subject to ~~Town~~ Council review and approval.

- D. ~~A Non-Administrative LotLand Modification application (e.g. Lot Split, Lot Split (Exempt), Lot Line Adjustment, Easement Modification) on property with Special Use Permit zoning shall follow the final plat/map process for Staff approval in accordance with Section 6-2 of the Town Code, and the applicable Special Use Permit provisions, and are subject to Town Council review and approval.~~
- E. Applicants for a Non-Administrative ~~LotLand~~ Modification application must first submit a pre-application for sStaff review in accordance with Section 2-5-2(E) of the Town Code. Deficiencies in the application that are identified by the ~~Town~~sStaff during the pre-application process will be brought to the applicant's attention. Pre-application is a required and informal review where major issues will be identified.
- F. Upon the filing of a Non-Administrative ~~LotLand~~ Modification application, the ~~Town~~ staff shall review the application for completeness and compliance with applicable Town Codes, including Zoning Ordinance and any Special Use Permit provisions.
- G. Requests for Non-Administrative ~~LotLand~~ Modifications 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, official zoning map, and/or the Special Use Permit (if applicable) for the property, as well as the lot arrangement and configuration requirements specified in Section 6-3-5.
- H. After a Non-Administrative ~~LotLand~~ application is approved by the ~~Planning~~ Commission and/or ~~Town~~ Council, if appropriate, it may thereafter be recorded with the Maricopa County Recorder, Arizona.

# SUMMARY OF CHANGES

13

- No change to process when include a deviation from Chapter 6, Article 6-8, Variances and Modifications, requiring Commission review and recommendation followed by Council review and action
- No changes to other ancillary processes that may accompany a plat application
  - Private Road CUP of Commission review/action (appealable to Council)
  - Private Gate SUP of Council Statement of Direction, Commission review/recommendation, and Council review/action
  - SUP amendment process of Commission and/or Council review/action



# NEXT STEPS/QUESTIONS

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- **December 11<sup>th</sup>** Council Public Hearing





