

ORDINANCE NUMBER 2017-\_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF PARADISE VALLEY, ARIZONA, AMENDING ARTICLE 6-2, PROCEDURE FOR THE PREPARATION AND FILING OF PLATS/MAPS AND ARTICLE 6-9, LOT SPLITS; SECTION 6-9-7, LOT SPLIT PROCEDURES**

**BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA:**

Section 1. The Town of Paradise Valley's Municipal Code, Article 6-2, "Procedure for the Preparation and Filing of Plats" is hereby amended, showing text to be added in **bold** and deleting the text shown by ~~strikeout~~.

Article 6-2 PROCEDURE FOR THE PREPARATION AND FILING OF PLATS/MAPS

- 6-2-1 Pre-Application Conference
- 6-2-2 Preliminary Plat/**Map**
- 6-2-3 Final Plat/**Map**

Section 6-2-1 Pre-Application Conference

Prior to filing of a preliminary plat/**map**, the subdivider is invited to discuss with the Commission any problem involved in the development of a particular tract of land concerned as it pertains to requirements of the Zoning Ordinance, the Master Plan and Subdivision Regulations as these apply to the area. It is further suggested that the subdivider confer with the Town Engineer, County Engineer and the County Health Department regarding matters of streets, drainage, flood control, sanitation and public health.

Section 6-2-2 Preliminary Plat/**Map**

- A. Following the pre-application conference, if any, the subdivider shall submit a water service impact study prepared by a registered civil engineer that analyzes the water flow and pressure in the immediate area of the proposed subdivision and the appropriate infrastructure or other water system improvements that are necessary to assure that the subdivision shall have adequate flow and pressure to meet Town Code standards. After completion of the water service impact study and a review of such study and other required submittals associated with the preliminary plat/**map** by the Town, the subdivider shall present to the Commission twenty (20) copies of the preliminary plat/**map**, together with a completed application form. The preliminary plat/**map** shall be presented at least twenty-eight (28) days prior to a meeting of the

Commission in order that reasonable time is obtained for study of the plat/**map** by the Planning and Zoning Commission and other officials and agencies concerned. The Commission shall act on the preliminary plat/**map** within forty (40) days.

- B. Subdivision application fees shall be those prescribed in the Town of Paradise Valley Fee Schedule.
- C. Following action of the Commission, one copy of the preliminary plat/**map**, together with a written report, shall be returned to the subdivider or plat engineer describing any recommended changes and stating the action of the Commission. Reconsideration of a plat/**map** may be requested by the subdivider.
- D. If a preliminary plat/**map** is rejected by the Commission and the subdivider elects not to modify it to secure Commission approval, but to stand on it as submitted and rejected, the subdivider may appeal the rejection to the Council and the Council may affirm, reverse, or modify the action of the Commission, or the Council may remand the matter to the Commission for further proceedings. **If the preliminary plat/map is not rejected by the Planning Commission, no approval of the preliminary plat/map by the Council is required.**

Section 6-2-3      Final Plat/Map

- A. ~~The final plat and six (6) paper prints thereof shall be presented to the Commission for consideration within twelve (12) months from date of preliminary plat approval by the Council; otherwise, such preliminary approval shall become null and void unless an extension of time is granted by the Council.~~ **No Planning Commission approval is required for the final plat/map unless staff 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 contains substantial differences from such preliminary plat/map. If staff so determines, then Planning Commission approval 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 staff 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.

Section 2. The Town of Paradise Valley's Municipal Code, Article 6-9, Lot Splits, Section 6-9-7 is hereby amended, showing text to be added in **bold** and deleting the text shown by ~~strikeout~~.

Section 6-9-7 LOT SPLIT PROCEDURES

The Town Staff shall review the lot split application. After review by the Staff, the lot split application shall be submitted to the Planning and Zoning Commission; ~~and the Town Council by following the requirements of Article 6-2 of this Chapter.~~ **if approved by a 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, then the lot split application shall be forwarded to the Council for review and final approval.**

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of these amendments to the Town Code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. This ordinance shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the Town of Paradise Valley, Arizona, this \_\_\_\_ day of March 2017.

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Michael Collins, Mayor

ATTEST:

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Duncan Miller, Town Clerk

APPROVED AS TO FORM:

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Andrew M. Miller, Town Attorney