

TOWN *Of* **PARADISE VALLEY**



STAFF REPORT

TO: Mayor Stanton & Town Council Members

FROM: Andrew Ching, Town Manager
Chad Weaver, Community Development Director
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DATE: December 11, 2025

DEPARTMENT: Community Development Department
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AGENDA TITLE: Discussion and Possible Action on Administrative Review
on Certain Plat Applications

RECOMMENDATION

It is recommended that the Town Council approve Ordinance 2025-05 amending Article 2-5 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.

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.

TOWN COUNCIL DISCUSSION

The Town Council discussed Ordinance 2025-05 at its November 13th study session. There was discussion regarding the wording of nearly 90-degrees for side lot lines proposed in Section 6-3-5(B). The term nearly has been removed from Ordinance 2025-05 in this section. The comments provided were that the term nearly is not specific enough, the change is not legislatively required, and the change seems unnecessary without consideration of specific examples. Based on this input, the direction leaves the provision at 90 degrees and retains the ability of a property owner to seek a modification through the Planning Commission and Town Council process via Article 6-8. To clarify, the other item mentioned was whether a lot split under the Planning Commission purview that is denied moves directly to the Town Council. This is the current process and is not changing. The Planning Commission discussed the idea about changing it but at the end of that discussion there was no change. Lastly, there was clarification on the removal of the term General Plan in Section 6-3-2(A) that relates to the Town Street Cross Sections. The removal of this term is because these

street cross sections are no longer found in the adopted General Plan.

PLANNING COMMISSION DISCUSSION

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 provided input at their November 4th meeting. Overall, the Planning Commission was agreeable with the proposed amendments. There was discussion regarding the Non-Administrative Land Modification process for a lot split on a site under 2.5-net acres (which is a Planning Commission approval process) be appealable to the Town Council instead of directly moving to the Town Council if denied. However, after discussion, the current process with a direct route to the Town Council on a denial was seen to be the most expeditious and likely route an applicant would take. The other discussion point related to allowing for some latitude on compliance to the side lot lines at 90 degrees with a few Planning Commission Members expressing the need to quantify, leaving as-is, and consideration of a staff approval with a 7-day review process by the Planning Commission offered as a possible option.

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 (not being pursued), 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).

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.
- 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.

ATTACHMENT(S)

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