$\begin{vmatrix} 1\\2 \end{vmatrix}$	When recorded r	aturn to:		<u>5/9/196/13/19</u>	
2 3	When recorded, return to: Draft   Paradise Valley Town Attorney Draft				
4		6041 E. Lincoln Drive			
5		Paradise Valley, AZ 85253			
6	i araanse vaney, i	12 00 200			
7					
8			ORDINANCE NUMBER 2019-05		
9					
10	AN OF	RDINANCI	E OF THE TOWN OF PARADISE	VALLEY.	
11			NDING CHAPTER 6, SUBDIVISIONS,		
12		,	DISE VALLEY TOWN CODE		
13					
14					
15	WHEREAS, A	.R.S. §9-24	0(28)(a) establishes the authority to make, am	end, or repeal all	
16			roper for the carrying into effect of the pow		
17			tment or officer thereof, and Article 2-6 of		
18			he adoption of ordinances by the Town Counci		
19	Ĩ				
20	WHEREAS, th	WHEREAS, the Town Council desires to make some technical corrections to Chapter 6,			
21	Article 6-1 and	Article 6-10	), the Town Code, providing for new or revise	d definitions for	
22	lot line adjustr	nents, lot	splits, exempt lot splits, and replats, and	procedures and	
23	limitations, inclu	limitations, including application requirements, relating to lot line adjustments, lot splits,			
24	exempt lot splits	exempt lot splits, and replats to provide consistency and clarity for such ; and			
25					
26	NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL				
27	OF THE TOWN OF PARADISE VALLEY, ARIZONA AS FOLLOWS:				
28					
29	Section 1. Chapter 6, Subdivisions, the Table of Contents, is hereby amended (with				
30	deletions shown	as strikethr	roughs and additions shown in <b>bold</b> ):		
31					
32	Article 6-1	<u>DEFINI'</u>	TIONS		
33					
34	Article 6-2	-	DURE FOR THE PREPARATION AND FI	LING OF	
35		<u>PLATS</u>			
36		6.0.1			
37		6-2-1	Pre-Application Conference		
38		6-2-2	Preliminary Plat		
39		6-2-3	Final Plat		
40	Antiala (2		A DDC OF DECICN		
41	Article 6-3	<u>51 AND</u> 6-3-1	ARDS OF DESIGN		
42		6-3-1 6-3-2	Relation to Adjoining Street Systems	la Caa Half	
43		0-3-2	Right-of-way, Street and Alley Width, Cul-c	ie-Sac, Hall	
44		622	Street, Alley Easements		
45 46		6-3-3 6-3-4	Blocks		
46 47		0-3-4 6-3-5	Lots		
47 48		6-3-6	Building Lines		
48 49		6-3-0 6-3-7	Public Reservations		
マノ		001			

1		6-3-8	Easement Along Streams	
2		6-3-9	Building in Designated Flood Plain Areas	
3		6-3-10	Character of Development	
4		6-3-11	Subdivision Identification Signs	
5		6-3-12	Subdivision Walls or Fences	
6				
7	Article 6-4	ASSUR	ANCES, WARRANTY, MINIMUM IMPROVEMENTS	
8		<b>REQUI</b>	RED	
9				
10		6-4-1	Assurances	
11		6-4-2	Warranty	
12		6-4-3	Minimum Improvements Required	
13				
14	Article 6-5	INFOR	MATION REQUIRED ON THE PRELIMINARY PLAT	
15				
16	Article 6-6	INFOR	MATION REQUIRED ON THE FINAL PLAT	
17				
18	Article 6-7	<u>HILLSI</u>	DE DEVELOPMENT REGULATIONS	
19				
20	Article 6-8	VARIANCES AND MODIFICATIONS		
21				
22	Article 6-9	NON-ADMINISTRATIVE LAND MODIFICATION LOT SPLITS		
23				
24		6-9-1	Fees	
25		6-9-2	Final Plats	
26		6-9-3	Standards of Design	
27		6-9-4	Minimum Improvements Required	
28		6-9-5	Information Required on Final Plats	
29		6-9-6	Hillside Development Areas	
30		6-9-7	Lot Split Procedures	
31				
32				
33	Article 6-10	ADMIN	ISTRATIVE LAND MODIFICATION	
34		< 10 1		
35		6-10-1	Fees	
36		6-10-2	Administrative Plat Maps <u>Required</u>	
37		6-10-3	Standards of Design	
38		6-10-4	Minimum Improvements Required	
39		6-10-5	Information Required on Final Plats	
40		6-10-6	Hillside Development Areas Procedures	
41		6-10-7	Frocedures	
42				
43				
44 45				
45 46				
40 47				
47 48				
+0				

1 2	<b>Section 2.</b> Chapter 6, Subdivisions, Article 6-1 DEFINITIONS, is hereby amended (with deletions shown as strikethroughs and additions shown in <b>bold</b> ):
3	(
4	Article 6-1 DEFINITIONS
5	
6	In this chapter unless the context requires otherwise, the following terms contained in this
7	chapter shall mean:
8	
9 10	<u>Administrative Land Modification</u> – A Lot Line Adjustment, <u>Exempt</u> Lot Split ( <u>Exempt</u> ), and/or Easement Modification <u>on non-Special Use Permit zoned property</u>
11	made pursuant to Article 6-10 of the Town Code <u>, without modifications pursuant to</u>
12	Article 6-8.
13	
14	Administrative Plat Map - A document prepared in accordance with the procedures
15	specified in Article 6-10 used to evidence the changes specified in an approved
16	Administrative Land Modification and that contains the information required for the
17	filing of a final plat pursuant to the requirements of Article 6-6.
18	
19	<u>Alley</u> - A passage or way open to public travel, affording generally a secondary means of
20	vehicular access to abutting lots or upon which service entrances of buildings abut, and not
21	intended for general traffic circulation.
22	
23	Building line - A line between which line and street line no building or structure, or portion
24	thereof, may be erected, constructed or established.
25	
26	<u>Commission</u> - The Planning and Zoning Commission of the Town of Paradise Valley.
27	
28	<u>Cul-de-sac</u> (as distinguished from an unplanned dead-end street) - A short minor street
29	having but one end open for motor traffic, the other being permanently terminated by a
30	vehicular turn-around.
31	
32	<u>Cut</u> - The land surface, which is shaped through the removal of soil, rock, or other
33	materials.
34	
35	<u>Double frontage</u> - A lot which extends from one street to another or proposed street.
36	
37	Easement - A grant by a property owner of the use of a strip of land for a specific purpose
38	or purposes, by the general public, a corporation, or a certain person or persons.
39	
40	<b>Easement Modification</b> – The act of modifying, relocating, and/or dedicating an
41	easement (including, but not limited to drainage easements, sewer easements, and
42	public utility easements). <u>An Easement Modification does not include the</u>
43	abandonment or release of Easement.
44	Fill. The demosit of soil most on other motorials rised by more
45	<u>Fill</u> - The deposit of soil, rock or other materials placed by man.
46	Hillside Development Area. These areas montred in FICUDE 2 of Article VVII Hillside
47 48	<u>Hillside Development Area</u> - Those areas marked in <b>FIGURE 2</b> of Article XXII Hillside Development Regulations of the Town of Paradise Valley Zoning Ordinance and to all

1	lands where the natural terrain under the building pad has a slope of ten percent (10%) or
2	greater, whether shown in FIGURE 2 or not. However, a 10% or greater slope, in an area
3	not denoted on FIGURE 2, created by a natural wash on land that otherwise would not be
4	classified as hillside land shall be exempt from the hillside regulations.
5	
6	Lot - A parcel of land occupied or intended for occupancy by one main building, together
7	with any accessory buildings including the open spaces required of the Hillside
8	Regulations and having adequate frontage on a public or private street.
9	
10	Lot, double frontage - A lot which extends from one street to another street, existing or
11	proposed.
12	
13	Lot Line Adjustment – A procedure that may be used as a method for making minor
14	revisions to property lines between two or more existing parcels such that the total
15	number of lots or parcels remain the same or are less. This procedure also includes
16	the combining of two existing lots or a parcel assemblage, being a combination of
17	land within the Town which results in the assemblage of improved or unimproved
18	land for the purpose of financing, sale, or lease, whether immediate or future, into a
19	single property. A Lot Line Adjustment is not a procedure for dividing property
20	and shall not create any additional lots, tracts, or parcels.
21	
22	Lot sSplit – The division of property into two or three tracts or parcels of less than five (5)
23	acres. The division of improved or unimproved land whose area is two and one-half
24	(2.5) net acres or less into two or three tracts or parcels of land for the purpose of sale
25	or lease and shall meet the minimum size, setback, and other requirements of the
26	underlying zoning district for the property at issue as specified in the Zoning
27	Ordinance and official zoning map for the property.
28	
29	Lot Split, (Exempt) – The division of improved or unimproved land whose area is
30	greater than two and one-half (2.5) net acres into two or three tracts or parcels of
31	land for the purpose of sale or lease, provided that no new street is involved. The Lot
32	Split (Exempt) shall meet the minimum size, setback, and other requirements of the
33	underlying zoning district for the property at issue as specified in the Zoning
34	Ordinance and official zoning map for the property.
35	
36	Master plan - A comprehensive plan or parts thereof adopted by the Council indicating the
37	general locations recommended for streets and highways, parks, playgrounds, schools,
38	public building sites and other physical improvements.
39	
40	Non-Administrative Land Modification – Any Lot Line Adjustment, Lot Split, Lot
41	Split (Exempt) and/or Easement modification that is not an Administrative Land
42	Modification. Non-Administrative Land Modifications shall be made and approved
43	pursuant to Chapter 6 of the Town Code.
44	
45	
46	Plat, final - A plat conforming to the requirements of Article 6-6 and which must be
47	approved by the Council before it can be filed for record with the recorder of deeds.
48	

1	Plat, preliminary - The preliminary plat of the layout of the proposed subdivision.			
2				
3	<u><b>Replat</b></u> – Amendment of an existing plat of record; including the act of modifying or			
4	reconfiguring existing lots, parcels, and easements of record, or relocation of thereof.			
5				
6	Street - A road, highway, drive, lane, avenue, boulevard, easement for access, right of way,			
7	parking or any other way, whether public or private, which affords the principal means of			
8	access to abutting property.			
9				
10	Subdivider - The individual, firm, corporation, partnership, association, syndication, trust			
11	or other legal entity that files an application and initiates proceedings for the subdivision of			
12	land in accordance with the provisions of this chapter; and said subdivider need not be the			
13	person or persons holding title by deed to land, or holding title as vendees under land			
14	contract or holding any other title of record.			
15				
16	Subdivision - Improved or unimproved land or lands divided for the purpose of financing,			
17	sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land,			
18	or, if a new street is involved, any such property which is divided into two or more lots,			
19	tracts or parcels of land, or, any such property, the boundaries of which have been fixed by			
20	a recorded plat, which is divided into more than two parts; provided that the sale or			
21	exchange of parcels of land to or between adjoining property owners where such sale or			
22	exchange does not create additional lots shall not be deemed a subdivision. The			
23	partitioning of land in accordance with state statutes regulating the partitioning of land held			
24	in common ownership shall not be deemed a subdivision. <sup>86</sup>			
25	in common ownersnip shan not be deemed a subdrivision.			
25 26	Section 2. Chapter 6, Subdivisions, Article 6-9, LOT SPLITS is hereby amended (with			
20 27	deletions shown as strikethroughs and additions shown in <b>bold</b> ):			
28	deletions shown as suffectively and additions shown in bold).			
28 29	Article 6-9 LOT SPLITS NON-ADMINISTRATIVE LAND			
30	MODIFICATIONS			
31	MODIFICATIONS			
32	6-9-1 Fees			
32 33	6-9-2 Final Plats			
33 34	6-9-3 Standards of Design			
	6-9-4 Minimum Improvements Required			
35	<u>6-9-5</u> Information Required on Final Plats			
36	<u>6-9-6 Hillside Development Areas</u>			
37				
38	6-9-7 Lot Split Procedures			
39				
40	Section 6.0.1 East			
41	Section 6-9-1 Fees			
42				

- 43 <u>Lot split aApplication fees per lot shall be in accordance with the Paradise Valley Fee</u>
   44 <u>Schedule and shall be paid upon filing of the lot splitapplicable application.</u>

1	Section 6-9-2 Final Plats			
2	A final plat and two paper prints shall be submitted with the lot splits Non Administrative			
3 4	A final plat and two paper prints shall be submitted with the lot splita Non-Administrative Land Modification application.			
5				
6				
7	Section 6-9-3 Standards of Design			
8				
9	The standards of design set forth in Article 6-3 shall apply to lot splits Non-			
10	Administrative Land Modification, except that identification signs as provided in Section			
11	6-3-11 shall not be allowed. Section 6-3-10 shall not apply to Non-Administrative Land			
12	Modificationslot splits. No Non-Administrative Land Modification Lot Split or Lot			
13	Split Exempt which creates a substandard or non-conforming lot or structure shall be			
14	approved except by Council action.			
15				
16 17	Section 6-9-4 Minimum Improvements Required			
17	Section 0-3-4 Winnihum improvements Required			
19	The minimum improvements and bonding procedures set forth in Article 6-4 shall apply to			
20	a Non-Administrative Land Modification lot splits, except that street improvements may			
21	be waived if the existing streets adjacent to the Non-Administrative Land Modification			
22	lot split are comparable to the streets on adjacent properties.			
23				
24				
25	Section 6-9-5 Information Required on Final Plats			
26				
27	Where applicable, T the information required on final plats as specified in Article 6-6 shall apply to Non-Administrative Land Modificationslot splits.			
28 29	apply to Non-Administrative Land Modificationstot spins.			
29 30				
31	Section 6-9-6 Hillside Development Area			
32				
33	The provisions of Article 6-7 shall apply to a Non-Administrative Land Modification lot			
34	<u>splits.</u>			
35				
36				
37	Section 6-9-7 Lot Split Procedures			
38				
39	A. A Non-Administrative Land Modification is only allowed for an existing lot,			
40	parcel, tract of land or combination thereof identified in the official records			
41 42	of the Town and the Maricopa County Recorder, Arizona, at the time of the filing of the application.			
42 43	ming of the appreation.			
44	<b>B.</b> A Non-Administrative Land Modification application shall follow the final			
45	plat/map process in accordance with Section 6-2 of the Town Code. A Non-			
46	Administrative Land Modification shall be subject to Town Council review			
47	and approval with the exception of Lot Splits approved pursuant to Section 6-			
48	<u>9-7.</u>			

1	
2	<u>— A Lot Split or Lot Split (Exempt) application on property with Special Use</u>
3	Permit zoning shall follow the final plat/map process in accordance with
4	Section 6-2 of the Town Code and the applicable Special Use Permit provisions
5	and are subject to Town Council review and approval.
6	
7	C. A Lot Split application on non-Special Use Permit zoned property shall be
8	reviewed by Town staff for compliance with the Town Code and Zoning
9	Ordinance, and any other applicable requirements. After review by the Town
10	staff, the L <sub>l</sub> ot S <sub>s</sub> plit application shall be submitted to the Planning and Zoning
11	Commission, and if approved by a unanimous vote of the Planning Commission,
12	then the L <sub>l</sub> ot S <sub>s</sub> plit shall be deemed approved. If the L <sub>l</sub> ot S <sub>s</sub> plit application is not
13	approved by a unanimous vote of the Planning Commission, <b>including a vote to</b>
14	deny, then the Llot Ssplit application shall be forwarded subject to the Town
15	Council for review and final-approval.
16	coulen for review and find approval.
10	D. A Non-Administrative Lot Modification application (e.g. Lot Split, Lot Split
18	(Exempt), Lot Line Adjustment, Easement Modification) on property with
19	Special Use Permit zoning shall follow the final plat/map process in accordance
20	with Section 6-2 of the Town Code and the applicable Special Use Permit
20 21	provisions and are subject to Town Council review and approval.
21 22	provisions and are subject to rown council review and approval.
22	<u>— A Lot Split or Lot Split (Exempt) on property with Special Use Permit Zoning</u>
23 24	is only allowed for an existing lot, parcel, tract of land or combination thereof
24 25	identified in the official records of the Town and the Maricopa County
23 26	Recorder, Arizona, at the time of the filing of the application.
20 27	Accorder, Arizona, at the time of the timing of the appreation.
27	A. Applicants for a Lot Split or Lot Split (Exempt)Non-Administrative Lot
28 29	Modification application on property with Special Use Permit zoning must
29 30	first submit a pre-application for staff review in accordance with Section 2-5-
	2(E) of the Town Code. Deficiencies in the application that are identified by
31	
32 33	the Town staff during the pre-application process will be brought to the applicant's attention. Pre-application is a required and informal review where
34 25	<u>major issues will be identified.</u>
35 36	<u>E.</u>
30 37	
38	BUpon the filing of a Lot Split or Lot Split (Exempt) Non-Administrative Lot
39	Modification application <del>on property with Special Use Permit Zoning</del>
40	application, the Town staff shall review the application for completeness and
41	compliance with applicable Town Codes, including Zoning Ordinance and any
42	Special Use Permit provisions.
43	F
44	
45	
46	<b><u>G. Requests for Non-Administrative Lot Modifications Lot Splits or Lot Splits</u></b>
47	(Exempt) on property with Special Use Permit Zoning shall meet the
48	minimum size, setback, and other requirements of the underlying zoning
49	district for the property at issue as specified in the Zoning Ordinance, and

1	official zoning map, and/or the Special Use Permit (if applicable) for the
2	property, as well as the lot arrangement and configuration requirements
3	specified in Section 6-3-5.
4	
5	<b>C.H.</b> After a Non-Administrative Lot application Lot Split application is
6	approved by the Planning Commission and/or Town Council, if appropriate, it
7	may thereafter be recorded with the Maricopa County Recorder, Arizona.
8	may increation be recorded with the Maricopa County Recorder, Arizona.
	D. A Lot Line Adjustment explication on property with Special Use Downit
9	D. <u>A Lot Line Adjustment application on property with Special Use Permit</u>
10	<del>zoning shall follow the final plat/map process in accordance with Section 6-2 of</del>
11	<del>the Town Code and the applicable Special Use Permit provisions; and are</del>
12	subject to Town Council review and approval.
13	
14	E. <u>A Non-Administrative Land Modification is only allowed for an existing lot</u> ,
15	parcel, tract of land or combination thereof identified in the official records
16	of the Town and the Maricopa County Recorder, Arizona, at the time of the
17	filing of the application.
18	ming of the upplication.
19	F. Applicants for a Lot Line Adjustment on property with Special Use Permit
-	
20	zoning must first submit a pre-application for staff review in accordance with
21	Section 2-5-2(E) of the Town Code. Deficiencies in the application that are
22	<del>identified by the Town staff during the pre-application process will be brought</del>
23	to the applicant's attention. Pre-application is a required and informal review
24	where major issues will be identified.
25	
26	<u>— Upon the filing of a Lot Line Adjustment on property with Special Use Permit</u>
27	Zoning application, the Town staff shall review the application for
28	completeness and compliance with applicable Town Codes, including Zoning
29	Ordinance and any Special Use Permit provisions.
30	or and the any special cost remains provisions.
31	F. Requests for Lot Line Adjustments on property with Special Use Permit
-	Zoning shall meet the minimum size, setback, and other requirements of the
32	
33	underlying zoning district for the property at issue as specified in the Special Use
34	Permit, Zoning Ordinance, and official zoning map for the property, as well as
35	the lot arrangement and configuration requirements specified in Section 6-3-5.
36	
37	<b>G.</b> After a Lot Line Adjustment application is approved by the Planning
38	Commission and/or Town Council, if appropriate, it may thereafter be
39	recorded with the Maricopa County Recorder, Arizona.
40	
41	
42	Section 34. Chapter 6, Subdivisions, is hereby amended by adding a new Article 6-10
43	(with deletions shown as strikethroughs and additions shown in <b>bold</b> ):
44	("In deletions shown as sufficient oughts and additions shown in bora).
45	Article 6-10 ADMINISTRATIVE LAND MODIFICATION
45 46	
40 47	6-10-1 Fees
47 48	6-10-1 Administrative Plat Maps Required
+0	$v = i v - \omega$ runningu au y i lau mang <b>nguuli cu</b>

1	6-10-3	Standards of Design
2	6-10-4	Minimum Improvements Required
3	6-10-5	Information Required on Final Plats
4	6-10-6	Hillside Development Areas
5	6-10-7	Procedures Administrative Land Modification Procedures
6		
7	Section 6-10-1	Fees
8		
9 10		shall be in accordance with the Paradise Valley Master Fee Schedule d upon filing of the applicable application.
11	-	
12	Section 6-10-2	Administrative Plat Maps Required
13	A A J	
14		ive Plat Map and two paper prints shall be submitted with an
15	Administrative	Land Modification application.
16 17		
17 18	Section 6-10-3	Standards of Design
18 19	Section 0-10-3	Standards of Design
20	With the excent	ion of Section 6-3-10 and Section 6-3-11, the standards of design set
20 21	-	6-3 shall apply to Administrative Land Modifications.
22		o o shan apply to Manimistrative Land Mountearions.
23	Section 6-10-4	Minimum Improvements Required
24		
25	The minimum i	mprovements and bonding procedures set forth in Article 6-4 shall
26		ninistrative Land Modification, except that <u>compliance with</u> street or
27		ninimum improvements may be waived by the concurrence of the
28	Town Engineer	and Community Development Director if the existing streets or other
29	minimum impro	ovements servicing the property for which the Administrative Land
30	Modification ha	s been requested are deemed to be adequate at the time of application.
31		
32	Section 6-10-5	Information Required on Administrative Plat Maps
33		
34		le, the information required on Final Plats as specified in Article 6-6
35	shall apply to <u>ar</u>	Administrative Land Modifications.
36		
37	Section 6-10-6	Hillside Development Area
38		
39	The provisions of	of Article 6-7 shall apply to <u>an Administrative Land Modification<del>s</del>.</u>
40		
41	Section 6-10-7	Administrative Land Modification Procedures
42 43	A An Ad	ministrative Land Modification is only allowed for an existing lot,
43 44		, tract of land or combination thereof identified in the official
44 45		Is of the Town and the Maricopa County Recorder, Arizona, at the
43 46		f the filing of the Administrative Land Modification application.
40 47	<u>time o</u>	i de ming of the frammistrative Land Mounication application.
• /		

1	
1	<b>B.</b> An Administrative Land Modification may be approved by Town staff in
2	accordance with this Section.
3	
4	<b>C.</b> Applicants for an Administrative Land Modification must first complete a
5	pre-application review process in accordance with Section 2-5-2(E) of the
6	Town Code. Deficiencies in the application that are identified by the Town
7	staff during the pre-application process will be brought to the applicant's
8	attention. The pre-application phase is a required and informal review where
9	major issues will be identified.
10	
11	A. An Administrative Land Modification A Non-Administrative Land
12	Modification shall follow the final plat/map process in accordance with Section
13	6-2 of the Town Code and the Special Use Permit. A Non-Administrative
14	Land Modification shall be subject to Town Council review and approval with
15	the exception of Lot Splits approved pursuant to Section 6-9-7(B). approval
16	may only be requested for an existing lot, parcel, tract of land or combination
17	thereof previously identified in the official records of the Town and the
18	Maricopa County Recorder, Arizona, at the time of the filing of the
19	Administrative Land Modification application.
20	
21	
22	
23	B. Applicants for an Administrative Land Modification must first complete a pre-
24	application review process in accordance with Section 2-5-2(E) of the Town
25	Code. Deficiencies in the application that are identified by the Town staff
26	during the pre-application process will be brought to the applicant's attention.
27	
28	<b>D.</b> Upon the filing of an Administrative Land Modification application, the Town
29	staff shall review the application for completeness and compliance with
30	applicable Town Codes, including the Zoning Ordinance.
31	
32	C If, after a final review, the Town staff determines that the application is in
33	full compliance with this Article, the application may be approved
34	administratively and, if appropriate, thereafter recorded with the Maricopa
35	County Recorder, Arizona.
36	
37	A. <u>Request for an Easement Modification requests made in an Administrative</u>
38	Land Modification application shall comply with all Town Code
39	requirements, including relevant development and design standards.
40	Documentation such as, but not limited to, a drainage report, drainage study,
41	drainage easement maintenance agreement, and/or written correspondence
42	from affected utility companies may be required in conjunction with a request
43	for an Easement Modification. Easement Modifications exclude do not
44	include the abandonment or release of easement.
45	
46	<u>E.</u>
47	
48	<b>B.</b> Requests for <u>a</u> Lot Line Adjustmen <u>t and/or a Lot Split (Exempt)</u> ts made in
1	
49	an Administrative Land Modification application shall-must meet the

minimum size, setback, and other requirements of the underlying zoning 1 2 district for the property at issue as specified in the zoning Ordinance 3 **Ordinance** and official zoning map for the property, as well as the lot arrangement and configuration requirements specified in Section 6-3-5. 4 5 <u>F.</u> 6 7 G. D.- Request for an Lot Split (Exempt) made in an Administrative Land 8 Modification application must meet the minimum size, setback, and other 9 requirements of the underlying zoning district for the property at issue as 10 specified in the zoning ordinance and official zoning map for the property, as 11 well as the lot arrangement and configuration requirements specified in 12 Section 6-3-5. 13 14 **E**. 15 16 If an application for an Administrative Land Modification does not meet the 17 18 standards of design per Article 6-3 and other Town Code requirements for an Administrative Land Modification, staff may shall reject the application and 19 advise the applicant to instead submit an application for a Non-Administrative 20 Land Modification, such as -for file or a Lot Split, Lot Split (Exempt), Lot Line 21 Adjustment, or Subdivision applicationPlat or Replat, which shall then be 22 processed pursuant to Article 6-2, Article 6-2, Article 6-5, Article 6-6, Article 23 24 6-8, and/or Article 6-9 of the Town Code, as applicable. 25 26 H. If, after a final review, the Town staff determines that the application is in full 27 compliance with this Article and all other Town Codes, the application may be 28 approved administratively and, if appropriate, thereafter recorded with the 29 30 Maricopa County Recorder, Arizona. 31 32 <u>Section 54</u>. Pursuit to Section 1-9-2 of the Town Code, any person found guilty of 33 violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and 34 upon conviction thereof shall be punished by a fine not to exceed \$2,500, or 35 imprisonment not to exceed six months, or by both such fine and imprisonment. Each 36 day that a violation continues shall be a separate offense punishable as described. 37 Pursuant to Section 1-9-3 of the Town Code, a violation of the provisions of this Code or 38 amendments thereto may also constitute a civil offense, and any person who is served 39 with a citation charging such violation and who admits or is found responsible for such 40 offense shall be liable to pay to the Town a civil sanction in an amount not to exceed 41 seven hundred fifty dollars (\$750). Each day that a violation continues shall be a separate 42 offense punishable as described. 43 44 Section 65. If any section, subsection, sentence, clause, phrase, or portion of this 45 Ordinance is for any reason held to be invalid or unconstitutional by the decision of any 46

- 47 court of competent jurisdiction, such decision shall not affect the validity of the remaining
- 48 portions thereof.

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2	Section 76. This Ordinance shall becom	ne effective in 30 days.
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4	Section <u>87</u> . In accordance with Article	II, Sections 1 and 2, Constitution of Arizona,
5		vidual property rights and personal liberties of
6	the residents of the Town before adopting	this ordinance.
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8		
9		or and Council of the TOWN OF PARASDISE
10	VALLEY, Arizona, this 9 <sup>th</sup> day of <del>\</del>	<del>lay June</del> 2019.
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14		
15		Jerry Bien-Willner, Mayor
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17		
18	SIGNED AND ATTESTED THIS	_DAY OF <u>MAY_JUNE</u> 2019
19		
20	ATTEST:	APPROVED AS TO FORM:
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22		
23		
24		
25	Duncan Miller, Town Clerk	Andrew Miller, Town Attorney