Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
JUSTIN HEAP
20250718499 12/12/2025 03:31
ELECTRONIC RECORDING

ORDINANCE202505-35-1-1--
drachmeisterd

ORDINANCE NO. 2025-05

AN ORDINANCE OF THE TOWN OF PARADISE VALLEY, ARIZONA, AMENDING THE TOWN CODE OF THE TOWN OF PARADISE VALLEY, CHAPTER 2, COMMITTEES AND COMMISSIONS, ARTICLE 2-5-2, PLANNING COMMISSION, AND CHAPTER 6, SUBDIVISIONS, RELATING TO FINAL PLAT AND NON-ADMINISTRATIVE LAND MODIFICATIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, in its 2025 session the Arizona Legislature adopted HB 2447, which amended A.R.S. § 9-500.49 to require the all municipalities, including the Town of Paradise Valley (the "Town") to: (i) 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, and (ii) authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing; and

WHEREAS, the Town Council of the Town (the "Town Council") reviewed the recommendations from the Town staff to modify Article 2-5-2 and Chapter 6 of the Paradise Valley Town Code (the "Town Code") that are included within the document entitled the "2025 Amendments to the Paradise Valley Town Code Article 2-5 and Chapter 6" (the "December 2025 Code Amendments") to address the requirements of HB 2447; and

WHEREAS, the Town Council has determined that adopting the December 2025 Code Amendments complies with the changes in state law while maintaining the robust and transparent processes for consideration of land divisions within the corporate limits of the Town; and

WHEREAS, the Town Council desires to amend the Town Code to bring it into compliance with A.R.S. § 9-500.49.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Paradise Valley, Arizona, as follows:

Section 1. The recitals above are hereby incorporated as if fully set forth herein.

Section 2. That certain document known as the "2025 Amendments to the Paradise Valley Town Code Article 2-5 and Chapter 6," (i) of which one paper copy and one electronic copy is maintained, in compliance with A.R.S. § 44-7041, on file in the office of the Town Clerk as required by A.R.S. § 9-802, and available for public use and inspection during normal business hours, and (ii) which is attached hereto as Exhibit A, is hereby declared to be a public record, which is hereby referred to, adopted, and made a part hereof as if fully set forth herein, and said copies thereof are hereby ordered to remain on file with the Town Clerk.

Section 3. The Town Code is hereby amended as provided in the "2025 Amendments to the Paradise Valley Town Code Article 2-5 and Chapter 6."

Section 4. If any section, subsection, sentence, clause, phrase, or portion of this ordinance 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 5. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this ordinance.

PASSED AND ADOPTED by the Town Council of the Town of Paradise Valley this 11th day of December, 2025.

Signed by:
A1694871936C42C...

Mark Stanton, Mayor

ATTEST:

DocuSigned by:
Duncan Miller
FD56FF67A95043D...

Duncan Miller, Town Clerk

APPROVED AS TO FORM:

Signed by:
6C9F79CECF0C427...

Andrew McGuire, Town Attorney

STATE OF ARIZONA)
:ss.
COUNTY OF MARICOPA)

CERTIFICATION

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the foregoing is a full, true, and correct copy of Ordinance Number 2025-05 duly passed and adopted by a majority vote of the Town Council at a meeting duly called and held on the 12th day of December 2025. Said Ordinance appears in the minutes of said meeting, and it has not been rescinded or modified and is now in full force and effect.

I further certify that said municipal corporation is duly organized and existing and has the power to take the action called for by the Ordinance.

TOWN CLERK TOWN OF PARADISE VALLEY SEAL 1961 MARICOPA COUNTY, ARIZONA

Duncan Miller, Town Clerk

VOTE

AYES: 7

NAYES: 0

NOT PRESENT:

PUBLISHED
December 18, 2025
December 25, 2025

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

EXHIBIT A
TO
ORDINANCE NO. 2025-05

[2025 Amendments to the Paradise Valley Town Code Article 2-5 and Chapter 6]

[Exhibits on File at Town Clerk's Office]

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

2025 AMENDMENTS
TO THE PARADISE VALLEY TOWN CODE
ARTICLE 2-5 AND CHAPTER 6

ADOPTED DECEMBER 11, 2025

The Town Code Article 2-5 (Committees and Commissions), Section 2-5-2 (Planning Commission) is hereby amended to read as follows (new text is in **double underline**; deleted text is in ~~**strikethrough**~~):

Section 2-5-2 Planning Commission

D. Time Limits for Commission Action.

1. All applications, cases, or other matters before the Planning Commission shall be heard and considered by the Commission in an expeditious manner and without unreasonable delay, and as provided by the following limits:

   (a) Complete applications for preliminary ~~**and final**~~ subdivision approval shall be heard, approved or disapproved, and forwarded to the Town Council within ninety (90) calendar days of the filing of the application for subdivision approval.

   (b) Applications for Special Use Permits and amendments to Special Use Permits shall be heard, approved or disapproved, and forwarded to the Town Council within the time period specified by the Town Council in its Statement of Direction for a particular Special Use Permit application; or in the absence of a specified time period, the time period shall be the lesser of ninety (90) calendar days from the approval of the Statement of Direction or one hundred fifty (150) calendar days from the filing of the application for the Special Use Permit.

   (c) Proposed amendments, additions, and repeals of provisions of the Zoning Ordinance and amendments, supplements or changes to zoning district boundaries shall be heard, approved or disapproved, and forwarded to the Council within these time limits:

      (1) Where the proposal is referred to the Commission by the Town Council, within forty-five (45) calendar days of such Town Council action.

      (2) Where the proposal would amend, supplement or change zoning district boundaries pursuant to Section 306 of the Zoning Ordinance, within forty-five (45) calendar days after initiation of such action or the filing of a petition pursuant to Section 306 of the Zoning Ordinance with the Town.

   (d) For the purpose of this Section, the term "filing" of a petition shall mean an application that is filed by the applicant with the Town and determined to be administratively complete by the Town, in accordance with Section 307 of the Zoning Ordinance and applicable Planning Commission rules and regulations.

2. Effect of Failure of Commission to Act Within Prescribed Time Limits. When the Commission fails to hear, approve or disapprove, and forward to the Town Council

any application, case, or other matter within the time limits provided by Subsection D-1 of this Section, the following shall occur:

(a) Applications for preliminary subdivision plat approval, ~~**final subdivision plat approval,**~~ Special Use Permits, and amendments to Special Use Permits, shall be forwarded to the Town Council for Town Council action on such application along with the minutes of all Commission meetings where such application was heard, considered, or discussed, and the Commission shall be deemed to have recommended for approval such application; however, where the Commission finds that it cannot recommend approval or disapproval of an application because the applicant has failed to appear at a Commission meeting, then such application shall be deemed to have been withdrawn and vacated by the applicant, and the application shall be moot.

(b) A proposed amendment, addition, or repeal of a provision of the Zoning Ordinance shall be forwarded as a recommendation for approval to the Town Council for Town Council action on such proposal.

3. For good cause shown by the applicant, the Commission, by majority vote of those Commission members present at a Commission hearing, may extend the time limits set forth hereinabove for a period not to exceed thirty (30) calendar days. Only one (1) such extension shall be granted.

The Town Code Chapter 6 (Committees and Commissions), is hereby amended to read as follows (new text is in **double underline**; deleted text is in ~~**strikethrough**~~):

CHAPTER 6 SUBDIVISIONS

Article 6-1 **DEFINITIONS**

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

6-2-1 Pre-Application Conference
6-2-2 Preliminary Plat
6-2-3 Final Plat

Article 6-3 **STANDARDS OF DESIGN**

6-3-1 Relation to Adjoining Street Systems
6-3-2 Right-of-way, Street and Alley Width, Cul-de-Sac, Half Street, Alley
6-3-3 Easements
6-3-4 Blocks
6-3-5 Lots

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

6-3-6 Building Lines
6-3-7 Public Reservations
6-3-8 Easement Along Streams
6-3-9 Building in Designated Flood Plain Areas
6-3-10 Character of Development
6-3-11 Subdivision Identification Signs
6-3-12 Subdivision Walls or Fences

Article 6-4 **ASSURANCES, WARRANTY, MINIMUM IMPROVEMENTS REQUIRED**

6-4-1 Assurances
6-4-2 Warranty
6-4-3 Minimum Improvements Required

Article 6-5 **INFORMATION REQUIRED ON THE PRELIMINARY PLAT**

Article 6-6 **INFORMATION REQUIRED ON THE FINAL PLAT**

Article 6-7 **HILLSIDE DEVELOPMENT REGULATIONS**

Article 6-8 **VARIANCES AND MODIFICATIONS**

Article 6-9 ~~**NON-ADMINISTRATIVE**~~ **ENHANCED ADMINISTRATIVE LAND MODIFICATION**

6-9-1 Fees
6-9-2 Final Plats
6-9-3 Standards of Design
6-9-4 Minimum Improvements Required
6-9-5 Information Required on Final Plats
6-9-6 Hillside Development Areas
6-9-7 Procedures

Article 6-10 **ADMINISTRATIVE LAND MODIFICATION**

6-10-1 Fees
6-10-2 Administrative Plat Maps Required
6-10-3 Standards of Design
6-10-4 Minimum Improvements Required
6-10-5 Information Required on Final Plats
6-10-6 Hillside Development Areas
6-10-7 Procedures

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

CHAPTER 6 SUBDIVISIONS

Article 6-1 DEFINITIONS

In this chapter unless the context requires otherwise, the following terms contained in this chapter shall mean:

Administrative Land Modification – A Lot Line Adjustment, Lot Split (Exempt), and/or Easement Modification on non-Special Use Permit zoned property made pursuant to Article 6-10 of the Town Code, without modifications pursuant to Article 6-8.

Administrative Plat Map – A document prepared in accordance with the procedures specified in Article 6-10 used to evidence the changes specified in an approved Administrative Land Modification and that contains the information required for the filing of a final plat pursuant to the requirements of Article 6-6.

Alley – A passage or way open to public travel, affording generally a secondary means of vehicular access to abutting lots or upon which service entrances of buildings abut, and not intended for general traffic circulation.

Building line – A line between which line and street line no building or structure, or portion thereof, may be erected, constructed or established.

Commission – The Planning and Zoning Commission of the Town of Paradise Valley.

Cul-de-sac (as distinguished from an unplanned dead-end street) – A short minor street having but one end open for motor traffic, the other being permanently terminated by a vehicular turn-around.

Cut – The land surface, which is shaped through the removal of soil, rock, or other materials.

Double frontage – A lot which extends from one street to another or proposed street.

Easement – A grant by a property owner of the use of a strip of land for a specific purpose or purposes, by the general public, a corporation, or a certain person or persons.

Easement Modification – The act of modifying, relocating, and/or dedicating an easement (including, but not limited to drainage easements, sewer easements, and public utility easements). An Easement Modification does not include the abandonment or release of Easement.

Enhanced Administrative Land Modification – Any Lot Line Adjustment, Lot Split, Lot Split (Exempt) and/or Easement modification that is not an Administrative Land Modification. Enhances Administrative Land Modifications shall be made and approved pursuant to Chapter 6.

Fill – The deposit of soil, rock or other materials placed by man.

Hillside Development Area – Those areas marked in **FIGURE 2** of Article XXII Hillside Development Regulations of the Town of Paradise Valley Zoning Ordinance and to all lands where the natural terrain under the building pad has a slope of ten percent (10%) or greater, whether shown in **FIGURE 2** or not. However, a ten percent (10%) or greater slope, in an area not denoted on **FIGURE 2**, created by a natural wash on land that otherwise would not be classified as hillside land shall be exempt from the hillside regulations.

Lot – A parcel of land occupied or intended for occupancy by one (1) main building, together with any accessory buildings including the open spaces required of the Hillside Regulations and having adequate frontage on a public or private street.

Lot, double frontage – A lot which extends from one street to another street, existing or proposed.

Lot Line Adjustment – A procedure that may be used as a method for making minor revisions to property lines between two (2) or more existing parcels such that the total number of lots or parcels remain the same or are less. This procedure also includes the combining of two (2) existing lots or a parcel assemblage, being a combination of land within the Town which results in the assemblage of improved or unimproved land, whether immediate or future, into a single property. A Lot Line Adjustment is not a procedure for dividing property and shall not create any additional lots, tracts, or parcels.

Lot Split – The division of improved or unimproved land whose area is two and one-half (2.5) net acres or less into two (2) or three (3) tracts or parcels of land and 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 and official zoning map for the property.

Lot Split (Exempt) – The division of improved or unimproved land whose area is greater than two and one-half (2.5) net acres into two (2) or three (3) tracts or parcels of land, provided that no new street is involved. The Lot Split (Exempt) 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 and official zoning map for the property.

Master plan – A comprehensive plan or parts thereof adopted by the Council indicating the general locations recommended for streets and highways, parks, playgrounds, schools, public building sites and other physical improvements.

~~**Non-Administrative Land Modification – Any Lot Line Adjustment, Lot Split, Lot Split (Exempt) and/or Easement modification that is not an Administrative Land Modification. Non-Administrative Land Modifications shall be made and approved pursuant to Chapter 6 of the Town Code.**~~

Plat, Final – A plat conforming to the requirements of Article 6-6 and which must be approved **as set forth in this Chapter** ~~**by the Council**~~ before it can be filed for record with the recorder of deeds.

Plat, Preliminary – The preliminary plat of the layout of the proposed subdivision.

Replat – Amendment of an existing plat of record; including the act of modifying or reconfiguring existing lots, parcels, and easements of record, or relocation of thereof.

Staff – The employees of the Town responsible for overseeing the implementation of Chapter 6.

Street – A road, highway, drive, lane, avenue, boulevard, easement for access, right-of-way, parking or any other way, whether public or private, which affords the principal means of access to abutting property.

Subdivider – The individual, firm, corporation, partnership, association, syndication, trust or other legal entity that files an application and initiates proceedings for the subdivision of land in accordance with the provisions of this chapter; and said subdivider need not be the person or persons holding title by deed to land, or holding title as vendees under land contract or holding any other title of record.

Subdivision – Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts; provided that the sale or exchange of parcels of land to or between adjoining property owners where such sale or exchange does not create additional lots shall not be deemed a subdivision. The partitioning of land in accordance with state statutes regulating the partitioning of land held in common ownership shall not be deemed a subdivision.

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 **Staff** ~~**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**~~ **the** meeting of the Commission **to take action** 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 **after Staff deems the application complete (unless a different time period is approved by the applicant)**.

B. Subdivision application fees shall be those prescribed in the Town ~~**of Paradise Valley**~~ Fee Schedule.

C. Following action of the Commission, one (1) 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

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

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. No ~~Planning~~ Commission **or Council** approval is required for the final plat/map **within any zoning district** 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 the stipulations**, if any,** imposed by the ~~Town~~ Council~~,~~ if ~~any~~ **the plat/map is subject to Council approval in accordance with Article 6-8**) or contains substantial differences from such preliminary plat/map. If Staff so determines, then **a** ~~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 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~~ **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 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.

D. Upon receipt of a complete submittal including all of the information and fees as set forth in Chapter 6, Staff will review the submittal within a reasonable time to verify whether the final plat/map meets the Code requirements and whether any required conditions (e.g., assurances) have been completed. If the requirements and conditions are not met, the applicant will make any necessary revisions and/or submittals. If the requirements and conditions are 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 (2) 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 (2) business days of receiving the determination of Section 6-2-3(D) above.

F. The Town Manager's (or designee's) decision shall be final, 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. 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.

H. If no review is requested pursuant to Section 6-2-3(G), or if after such review the Council upholds the Town Manager's determination, the Mayor (or designee) and applicable Staff shall sign the final plat/map in preparation for recordation with the recorder of Maricopa County, Arizona.

Article 6-3 STANDARDS OF DESIGN

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

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.

B. Wherever a subdivision adjoins a major thoroughfare, the **Town** ~~**Commission**~~ may require that access to all residential lots be provided from other than the major thoroughfare.

C. The street and alley arrangement shall take into consideration adjoining property and seek to provide for convenient access thereto.

Section 6-3-2 Right-of-way, Street and Alley Width, Cul-de-Sac, Half Street Alley

A. Rights-of-Way and Streets. The width of all rights-of-way and streets shall conform to the width designated in the **Town's Street Cross Sections policy** ~~**General Plan**~~, or such other width as specified by the Town. The subdivider shall dedicate to the Town all rights-of-way within the subdivision.

B. Cul-de-sac. A dead-end street not to exceed five hundred feet (500') in length may be established, provided that there shall be a turn-around, at the closed end, having a right-of-way radius of not less than forty-five feet (45') with an improved traffic circle having a radius of forty feet (40').

C. Half Street. Dedication of half streets shall be discouraged. Where there exists a dedicated or platted half street or alley adjacent to the tract being subdivided, the other half shall be platted unless deemed unnecessary by the Town.

D. Alley. Where alleys are required to serve residential lots a minimum width of twenty-four feet (24') shall be provided. All half alleys shall have a minimum width of twelve feet (12'). Alleys are required in the rear of all commercial lots if no other provisions are made for adequate service access or for parking and the rights-of-way of such alleys shall not be less than thirty-five feet (35'), and dead-end alleys shall not be permitted.

Section 6-3-3 Easements

Private easements for utilities shall be provided as follows:

A. Where alleys are provided, four feet (4') for aerial overhang on each side of an alley may be provided by dedication but need not be delineated on the plat.

B. Where no alley is provided and adjoining land is a part of the subdivision, eight feet (8') on each side of rear lot line.

C. Where no alley is provided and adjoining land is unplatted, eight feet (8') adjacent to the tract boundary.

D. Along side lot lines, six feet (6') on each side of lot lines for distribution facilities and one foot (1') on each side of lot lines for street lighting as may be designated.

E. Guy and anchor easements, one foot (1') wide on each side of a lot line and approximately thirty-five feet (35') in length measured from rear lot line as designated.

Section 6-3-4 Blocks

A. No block shall be longer than fifteen hundred feet (1,500'). Where a subdivision adjoins a major thoroughfare, the greater dimension of the block shall front or back on such major thoroughfare to avoid unnecessary ingress or egress.

B. A dedicated and improved right-of-way not less than eight feet (8') wide may be required if necessary to provide proper access to schools, playgrounds and other facilities.

Section 6-3-5 Lots

A. The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and to the character of surrounding development and will preclude unorthodox or unusually shaped lots.

B. All side lines of lots shall be at right angles to straight street lines and radial to curved street lines for a distance equal to the horizontal distance between the property line and the front setback line.

C. No lot shall have less area, width or access than required by the zoning regulations applying to the area in which it is located nor otherwise violate the Town's Zoning Ordinance.

D. Corner lots for residential use shall have adequate width to permit appropriate building orientation to and setbacks from both streets except as otherwise provided in Section 306 of the Paradise Valley Zoning Ordinance.

E. Each lot shall have adequate vehicular access to a public street.

F. Multi-frontage lots shall be avoided except where essential to provide separations of residential development from major thoroughfares or to overcome specific disadvantages of topography and lot orientation.

G. Lot Configuration

1. A lot shall be designed so that the side and rear boundary lines and the front setback line fully enclose a circle which fits within the lot area and touches the front setback line at a single point (see diagram in figure 6-3-5.G). The diameter of such circle shall be no less than the minimum lot width for the zoning district within which the lot is located (see Table 1001-A1).

2. If the front of the dwelling on a corner or double frontage lot has not been established at the time the lot is created, a front setback is required for each frontage of the lot. The

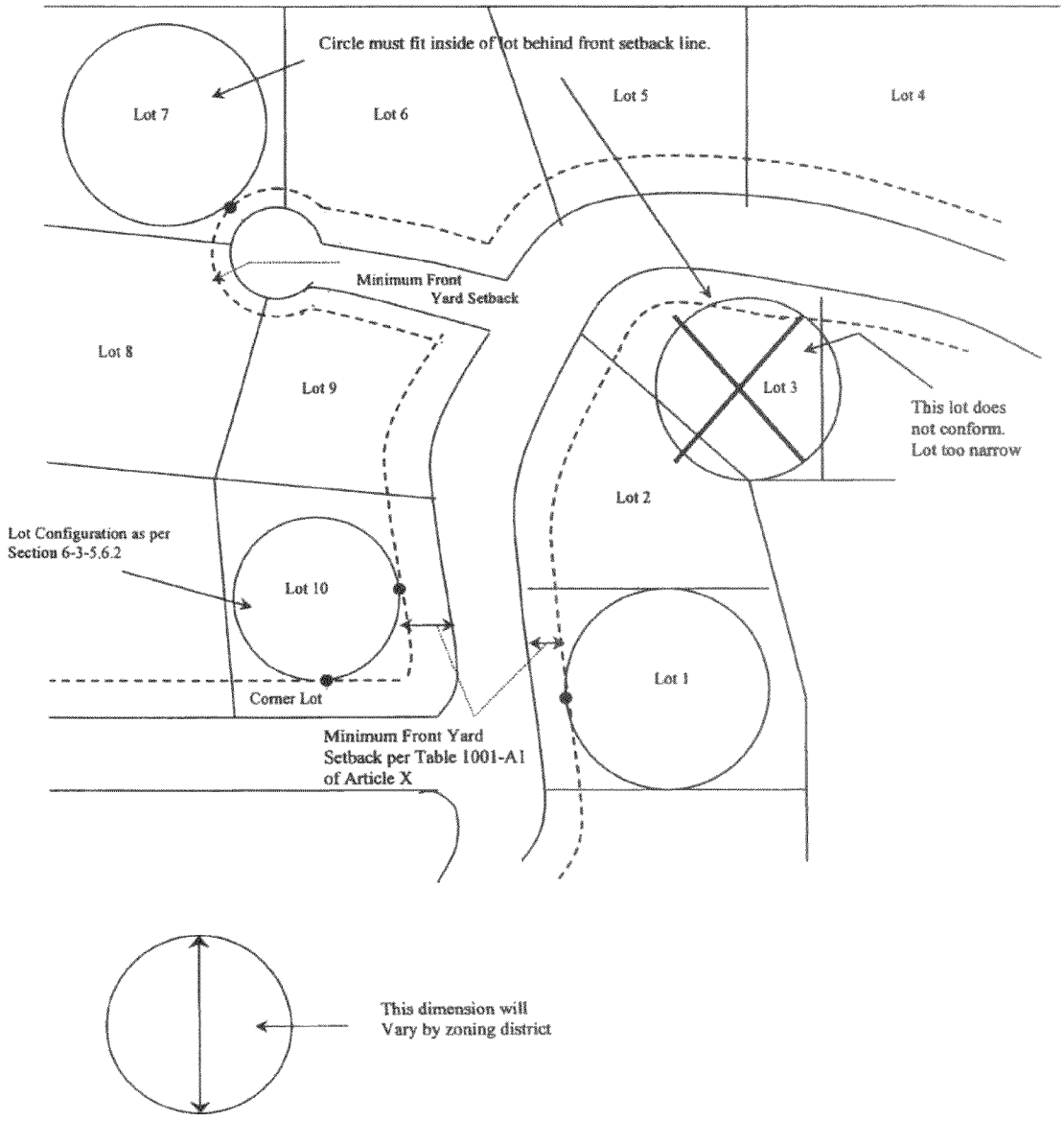
Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

circle described in Subsection 1 shall be fully enclosed within the lot area and touch each front setback line at a single point.

3. Figure 6-3-5.G attached to this article and incorporated herein by reference.

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

Figure 6-3-5.G, Lot Configuration



Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

Section 6-3-6 Building Lines

Minimum building lines shall be shown on all lots intended for residential use of any character and on commercial or industrial lots immediately adjoining residential areas. Such setback lines shall not be less than required by any Zoning Ordinance or building line regulation applying to the property. Whenever minimum building lines are shown, a statement of restrictions requiring buildings to be located on or in back of such minimum building lines shall be shown on the plat.

Section 6-3-7 Public Reservations

Where the subdivision contains a park, school, or other public area which is shown upon the Master Plan of the Town or as recommended by the ~~**Commission**~~ **Town**, such area shall either be dedicated to the proper public agency, or it shall be reserved for acquisition thereby within a specified period of time. An agreement should be entered within a reasonable period of time between the subdivider and the proper public agency regarding the time and method of acquisition and the cost thereof. If the ~~**Commission**~~ **Town** determines that an agreement has not been reached within a reasonable period of time then the ~~**Commission**~~ **Town** may make a determination that the requirements of this Section have been met.

Section 6-3-8 Easement Along Watercourses, Easement Maintenance Agreements, and Required Maintenance

A. For the purposes of this Section, "watercourse" means any creek, stream, wash, arroyo, channel or other body of water having historical banks and a bed at least two (2) feet deep and five (5) feet wide through which waters flow on a recurrent basis.

B. Whenever any watercourse is located in the area being subdivided, provision shall be made on the plat for an adequate drainage easement along the main channel and each side of the watercourse for the purpose of widening, deepening, relocating, improving or protecting the watercourse for drainage purposes, and the plat notes shall state that the provision of the drainage easement is for the purposes stated above, but that the maintenance responsibility for the watercourse, as required by Town Code, shall be the responsibility of the homeowner's association for the subdivision, if such is established, and each lot owner within the subdivision.

C. In addition to the plat requirements, Drainage Easement Maintenance Agreements shall be required for any watercourse located in an area being subdivided. Said agreements shall:

1. Be in a form acceptable to the Town Engineer,
2. Grant easement rights and a right of entry in, over, and across the drainage easement area,
3. Specify that the maintenance responsibility for the drainage easement area remains private, and
4. Be recorded in the Maricopa County Recorder's Office.

D. The Homeowners Association for the platted area, if any, and the individual lot owners in the subdivision shall clean, repair and maintain the watercourse within the Drainage Easement area in a safe, clean, and properly operating condition and in compliance with all applicable Town Codes.

Section 6-3-9 Building in Designated Flood Plain Areas

All subdivisions built wholly or in part within designated flood plain areas shall comply with all provisions of the Flood Plain Regulations as contained in the Zoning Ordinance.

Section 6-3-10 Character of Development

The subdivider shall confer with the ~~**Commission**~~ **Town** regarding the type and character of development that will be permitted in the subdivision and the Town may require certain minimum restrictions to be placed upon the property to prevent the construction of substandard buildings, control of the type of structure or the use of the lots, which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and of adjoining property. These restrictions may include provisions for the proper protection and maintenance of the subdivision in the future.

Section 6-3-11 Signs

All signs shall comply with the terms of Article XXV of the Zoning Ordinance of the Town ~~**of Paradise Valley**~~.

Section 6-3-12 Subdivision Walls or Fences

A. All subdivision perimeter walls and fences must conform to the provisions of Article XXIV of the Zoning Ordinance. Construction of perimeter walls may not begin until after the ~~**Town Planning and Zoning**~~ Commission has considered a plan for the wall or fence, or both, and the plan has been approved by the ~~**Town**~~ Council. The plan must show the location and dimensions, and must include detailed landscape plans.

B. In any subdivision that has a perimeter wall, no landscape or accent or aesthetic lighting shall be allowed between that wall and the nearest street. All safety or security lighting for guardhouses and guard gates shall be restricted to the entrance of that guardhouse or guard gate and a lighting plan for safety/security shall be submitted with the ~~**Special Use Permit**~~ application **as may be required under Article XI of the Zoning Ordinance of the Town**.

EXCEPTION: If signage is allowed for a subdivision, any lighting of that signage shall be governed by Section 2506 of the Town Zoning Ordinance.

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

Article 6-4 ASSURANCES, WARRANTY, MINIMUM IMPROVEMENTS REQUIRED

6-4-1 Assurances
6-4-2 Warranty
6-4-3 Minimum Improvements Required

Section 6-4-1 Assurances

No final plat **or lot line adjustment** of any subdivision shall be approved unless the subdivider shall have petitioned and secured the approval of the Town of a procedure which places the Town in an assured position to do or to contract to be done all or any part of the improvements listed in Section 6-4-3, the cost of which may be assessed against the owners of the property within the subdivision.

Section 6-4-2 Warranty

No final plat of any subdivision shall be approved unless the subdivider shall have provided the Town with a warranty deed or deeds certifying title to all dedicated property such as rights-of-ways and public utility and drainage easements.

Section 6-4-3 Minimum Improvements Required

A. Street Improvements. All streets shall be paved and curbs or combined curbs and gutters shall be constructed along all streets in accordance with the standard specifications of the Town.

B. Water System. Every subdivision shall be provided with a complete water distribution system. Both the quality and adequacy of the supply of water to be provided by the complete water distribution system shall: (1) incorporate all water system improvements recommended by the water service impact study, pursuant to Section 6-2-2 of Article 6-2 of the Subdivisions Code, and any additional system requirements identified during the review of the water service impact study, (2) be certified by the Water Corporation or public utility that shall provide water to the subdivision, and (3) be approved by the Maricopa County Department of Health Services, as conditions precedent to final subdivision plat approval.

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

C. Sanitary Sewers.

1. Where public sanitary sewers are within reasonable access of the subdivision, in the opinion of the County Health Department or Town Engineer, each lot therein shall be provided with sanitary sewer line, notwithstanding the construction of such sewer line, a homeowner may choose private wastewater treatment approved by the Town.

2. Whenever a public sanitary sewer is not accessible, in the opinion of the County Health Department or Town Engineer, proper provision shall be made for disposal of sanitary wastes in accordance with standards and requirements of such department.

D. Fire Hydrants. Every subdivision shall be provided with fire hydrants as an integral part of the water distribution system which are considered adequate to serve the area in the opinion of the Town Engineer or such other official as may be designated by the Council by resolution. Such hydrants shall be dedicated to the Town.

E. Drainage. All necessary facilities, as determined by the Town Engineer, including underground pipe, inlets, detention/retention basins, or open drainage ditches, shall be installed to provide for the adequate containment and disposal of surface water and to maintain any natural drainage course.

F. Reference Monuments. Permanent reference monuments shall be installed in accordance with current Town standards at all corners, angle points and points of curvature and at all street intersections. On section corners and quarter section corners a brass monument shall be installed in the street. After all improvements have been installed, a registered surveyor or engineer shall check the location of monuments and certify their accuracy to the satisfaction of the **Town** ~~**Commission**~~. Iron pipe shall be set at all corners, angle points, and points of curvature for each lot within the subdivision prior to the recording of the plat.

G. Street Name Signs. Street name signs, of a type meeting the approval of and in locations designated by the Town, shall be erected at all highways, thoroughfares, and street intersections.

H. Miscellaneous. Electrical service, gas mains, telephone service, water service and cable communications systems shall be provided within each subdivision. All such services shall be located underground. The subdivider shall notify the appropriate provider of each service. The notice shall include date of trenching and location sketches. [185]

I. Plans, Specifications and Supervision. All of the improvements required in this Section shall be installed in accordance with the specifications and under the supervision of the appropriate public official.

J. Provisions for Maintenance and Operation. Where the subdivision is to contain sewers, sewage treatment plants, park areas, street trees or other physical facilities necessary or desirable for the welfare of the area and which are of common use or benefit for example private streets, and cluster plan common area and which are of such character that the Town

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

does not desire to maintain them, or has no original obligation to maintain, then provision shall be made for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivision. The provisions for maintenance and supervision shall be in the form of deed restrictions (CC&R's) and must include the right of the Town of Paradise Valley to do the maintenance after reasonable notice if the property owners fail to do the maintenance. The deed restrictions shall permit the Town of Paradise Valley, if it does maintenance, to recover costs from the property owners, and to place a lien on the individual lots of the subdivision if the property owners do not reimburse the Town.

Article 6-5 INFORMATION REQUIRED ON THE PRELIMINARY PLAT

The preliminary plat shall be drawn at a scale of not more than one hundred feet to the inch and shall show the following information:

A. The proposed street and lot layout showing the names and location of all existing streets, roads, alleys, parks, parkways, tree masses, public spaces, easements, sewers, utilities and utility easements, buildings, streams, washes, ditches, political and zoning district boundaries and similar features in the subdivision and adjacent to the property where such features would affect the design of the subdivision.

B. The elevation and description of the benchmark used.

C. The name and address of the subdivider.

D. The date, north point, scale and title under which the proposed subdivision is to be recorded.

E. The name, address and license number of the engineer, surveyor, landscape architect or land planner who prepared the plat.

F. The name and address of all owners and the location of the unsubdivided property adjoining the property to be subdivided.

G. The names and adjoining boundaries of all adjoining subdivisions showing the name, book and page of recording and existing dedications adjacent to the preliminary plat.

H. Topography by contours related to USGS survey datum, or other datum approved by the Town or County Engineer, and shown on the same map as the proposed subdivision layout. The contour interval shall be such as to reflect adequately the character and drainage of the land.

I. Indications to show areas which are subject to frequent or periodic inundation.

J. Indication to show the proposed use of all the land in the subdivision including reservations and exceptions.

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

K. The location, height, design and setback of the subdivision perimeter wall.

Article 6-6 INFORMATION REQUIRED ON THE FINAL PLAT

The following items shall be included in the final plat:

A. The name and address of the subdivider.

B. The title of the subdivision, date, north point, scale and name of the registered professional Engineer or land surveyor who prepared the plat.

C. The boundaries of the property fully balanced and closed showing all bearings, angles and dimensions, determined by an accurate survey in the field. A relative location to the nearest existing street shall also be shown on the plat.

D. The location and description of all permanent monuments, and a reference bench mark set at such critical points and so interconnected and dimensioned that any surveyor can lay out lots or street s in the subdivision correctly by referring to the plat alone without any additional information.

E. The names, locations and widths of all parkways or easements and any other portions intended to be dedicated to public use or provided for the installation of utilities, fully dimensioned showing the angles of intersection of streets and the radii, chords, points of tangency and central angels for all curvilinear streets and the radii of all rounded corners and with notations concerning their dedication, reservation and use.

F. Lot and block numbers, lot lines and setback lines, fully dimensioned.

G. The location of all immediately adjoining property lines and the location, name and width of all roads, streets, alleys, parkways and easements.

H. All dimensions shall be expressed in feet or decimals thereof.

I. Any private restrictions and trusteeships and their period of existence shall be shown on the plat or reference to them made thereon. If such restrictions are too long to be shown on the plat, a copy of the same shall be filed with the **Town** ~~**Commission**~~ together with the final plat.

J. The final plat is to be drawn at a scale of not more than one hundred (100) feet to the inch from an accurate survey. If more than two (2) sheets are required, an index sheet of the same dimension shall be filed showing the entire subdivision on one (1) sheet together with all areas shown on other streets.

K. The following certificates shall be placed on the plat:

1. Statement of dedication of all streets, alleys, crosswalks, and other rights-of-ways and easements for public use by the person holding title by deed to the lands, by persons holding any other title or record, by persons holding title as vendee under land contract, and by wives of said parties. If lands dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication shall include a written location by section, Township, and range of the tract. If the plat contains private streets, the public shall be reserved the right to install and maintain utilities in the street rights-of-way.

2. Certification by the registered professional Engineer or land surveyor making the plat that the plat is correct and accurate and that the monuments described in it have been located as described.

3. Such other certificates as may be required for the enforcement of these regulations.

L. The location, height, design and setback of the subdivision perimeter wall. [134]

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

Article 6-7 HILLSIDE DEVELOPMENT REGULATIONS

All subdivisions and lot splits within the Hillside Development Area, as defined in Article 6-1 of this Ordinance shall abide by the requirements and provisions contained in the following sections and the regulations for Hillside Development as outlined in Article XXII of the Town of Paradise Valley Zoning Ordinance.

A. Special Preliminary Plat Requirements. There shall be filed with the Town a preliminary plat which shall contain in addition to all other information and submittals required in Chapter 6 of this Ordinance the following:

1. A topographic map, certified by a registered Engineer or land surveyor, with a scale of not less than one (1) inch per one hundred (100) feet of existing terrain with contour intervals adequate to show the nature and variations in the terrain.

    a. Two (2) foot intervals for grades less than fifteen percent (15%).

    b. Five (5) foot intervals for grades greater than fifteen percent (15%).

    c. Elevations of critical spots, rock outcrops, and special characteristics.

2. A proposed grading plan, certified by a registered Engineer, for each lot, in conformance with the grading and drainage regulations as adopted by the Town, showing the natural topography of the total parcel to be platted, the location and size of all structures, and grade of all improvement locations and the depth and extent of all cuts, fills, and disturbed areas.

3. A report of a soil investigation by a registered Engineer or geologist to determine any geological hazard and soil bearing quality.

4. Location of existing and proposed conservation easements, if any.

B. Special Final Plat Requirements. There shall be filed with the Town a final plat which shall contain in addition to the information required in Article 6-6 of this Ordinance the following:

1. A final grading plan which conforms to the requirements of the grading and drainage regulations as required by and established in the Uniform Building Code adopted and approved by the Council.

2. A detailed topographic map at larger scale and closer contour intervals than in the preliminary plat, or suitable cross sections or profiles of areas where roads, driveways, buildings, utility, or grading construction is proposed.

3. Road profiles and cross sections at all significant changes in the cross slopes; the cross section to show proposed and natural grade at the centerline of the road, the right-of-way line, and the proposed building setback lines.

4. Locations of all building sites and proposed driveways.

C. Special Design Standards.

1. A road with a grade exceeding twelve percent (12%) shall not be longer than six hundred (600) feet.

2. One-way loop roads may be constructed upon recommendation of the Commission and the Town Engineer and approved by the Council.

3. All public roads shall have a fifty (50) foot dedicated right-of-way and shall be constructed with **a** ~~**decorative brick pavers or other**~~ surface material as approved by the **Town** ~~**Council**~~. To minimize cuts, the Commission may recommend and the Council may approve a road of reduced pavement width but not less than twenty (20) feet wide. The maximum grade shall not exceed fifteen percent (15%) except that under demonstrated hardship the Commission may recommend and the Council may approve a road having grade not to exceed twenty percent (20%).

4. Private roadways, where permitted, shall have a tract width of fifty (50) feet, be approved pursuant to the Zoning Ordinance of the Town of Paradise Valley**,** and be constructed with **a** ~~**decorative brick pavers or other**~~ surface material as approved by ~~**the Town Council**~~ **a private road Conditional Use Permit**. In addition to all other requirements, and where needed, easements for drainage shall be provided. Such private roadways in Hillside Development Area subdivisions or lot splits shall have a paved surface width of not less than twelve (12) feet if serving only one (1) lot, fifteen (15) feet if serving two (2) lots, and twenty (20) feet if serving three (3) or more lots. Each private road shall have a fifty-foot easement for utility purposes and shall conform to Town standards.

5. All private roads shall have sufficient turnarounds, and may be identified by a single road sign.

6. Subdivision identification signage shall not be permitted.

7. In any Hillside Development Area to be subdivided, the amount of land devoted to public rights-of-way or private roads approved by **Conditional** ~~**Special**~~ Use Permit shall not exceed ten percent (10%) of the gross parcel area.

8. The total area subject to cut and/or fill for purposes of public or private roads within a Hillside Development Area subdivision shall not exceed five percent (5%) of the gross parcel area.

9. Upon recommendation by the Commission and the approval of the Council, the following street modifications may apply:

   a. Various designs for turning and backing such as hammerheads may be substituted for cul-de-sacs.

   b. Required paving width of the traffic lanes may be modified when off-road parking bays are provided, developed, and paved in the public right-of-way.

   c. Centerline of the paving may be offset from the centerline of the right-of-way to provide parking bays in the right-of-way.

10. Vertical curbs may be required on the downhill side of roads having grades of six percent (6%) or greater; concrete U or V gutter may be installed in lieu of conventional rolled or vertical curb elsewhere as determined by the Engineer's final drainage report.

11. Transverse road cross sections with gutter on the uphill side may be used where approved by the Town.

12. All cut and fill shall be within the roadway right-of-way or easement. For cul-de-sacs and turnarounds, easements for slope maintenance may be required by the Town Engineer.

13. All cut slopes and fill slopes shall be landscaped or treated in such a manner that the slopes blend into the natural appearance of the hillside. Such blending shall be accomplished within one (1) year of the start of any roadway improvements and shall be required before the release of the Assurance of Construction bond on the improvements within the subdivision.

14. All excavated material from a right-of-way shall be removed from the right-of-way or contained behind retaining walls or otherwise hidden in order that no fill material will be visible from any public or private road.

15. Roadway retaining walls shall not exceed eight (8) feet in height. Roadway retaining walls over four (4) feet in height shall not exceed one hundred (100) feet in length. Roadway retaining walls shall be veneered with natural rock compatible to the site.

16. Intersecting roads shall not be graded at their intersection so as to create an obstruction to vision which extends two (2) feet or more above the grade of either road within an area formed by the lot lines on the road sides of such lot and a line joining points on such lines located a distance of fifty (50) feet from the point of their intersection. If excessive cut and fill is required to attain the fifty (50) foot then a lesser dimension (thirty (30) feet minimum) may be permitted if approved by the ~~Town~~ Council.

17. Permanent survey markers shall be installed in accordance with current Town standards at all corner, angle points, and points of curve and at all street intersections,

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

and at all corners, angle points, and points of curve of all conservation easements. After all improvements have been installed, a registered land surveyor or Civil Engineer, at the expense of the developer, shall check the location of markers, correct any inaccuracies, and certify their accuracy.

18. Percolation test and test boring logs in accordance with the requirements of the County Health Department shall be taken at the proposed subdivision prior to the submittal of the preliminary plat.

19. Any proposed sewage treatment facility shall be approved by the County Health Department prior to final plat approval.

D. Maximum Number of Lots. No lot split or subdivision subject to the provisions of this Section shall be approved when such lot split or subdivision would thereby create a greater number of lots than allowed under Section 2209 of the Zoning Ordinance of the Town of Paradise Valley and by the following **TABLE 1.**

TABLE 1 – Density / Slope Category

Average Lot Slope %	Min. Lot Size Acres	Min. Lot Size -Sq. Ft.	Average Lot Slope %	Min. Lot Size Acres	Min. Lot Size – Sq. Ft.
10%	1	43,560	41%	6.8	296,208
11%	1.01	43,996	42%	7.6	331,056
12%	1.02	44,431	43%	8.4	365,904
13%	1.04	45,302	44%	9.2	400,752
14%	1.06	46,174	45%	10	435,600
15%	1.08	47,045	46%	11	479,160
16%	1.1	47,916	47%	12	522,720
17%	1.2	52,272	48%	13	566,280
18%	1.3	56,628	49%	14	609,840
19%	1.4	60,984	50%	15	653,400
20%	1.55	67,518	51%	16	696,960
21%	1.6	69,696	52%	17	740,520
22%	1.7	74,052	53%	18	784,080
23%	1.8	78,408	54%	19	827,640
24%	1.9	82,764	55%	20	871,200
25%	2	87,120	56%	21	914,760
26%	2.2	95,832	57%	22	958,320
27%	2.4	104,544	58%	23	1,001,880
28%	2.6	113,256	59%	24	1,045,440
29%	2.8	121,968	60%	25	1,089,000
30%	3	130,680	61%	26	1,132,560
31%	3.2	139,392	62%	27	1,176,120
32%	3.4	148,104	63%	28	1,219,680
33%	3.6	156,816	64%	29	1,263,240
34%	3.8	165,528	65%	30	1,306,800
35%	4	174,240	66%	32	1,393,920
36%	4.4	191,664	67%	34	1,481,040
37%	4.8	209,088	68%	36	1,568,160
38%	5.2	226,512	69%	38	1,655,280
39%	5.6	243,936	70%	40	1,742,400
40%	6	261,360			

Article 6-8 VARIANCES AND MODIFICATIONS

A. Where the Commission in its recommendations and the Council find that extraordinary hardships may result from strict compliance with these regulations, the Council may vary the regulations after receipt of recommendations for the Commission so that substantial justice may be done and the public interest secured; provided, that such variation shall not have the effect of nullifying the intent and purpose of the Master Plan or these regulations.

B. The standards and requirements of these regulations may be modified by the Council upon recommendation of the Commission in the case of a plan and program for a neighborhood unit, which in the judgment of the Commission and the Council provides for adequate public spaces and improvements for the circulation, recreation, light, air, and service needs of the tract when fully developed and populated, and which also provide such covenants or other legal provisions as will assure conformity to and achievement of the plan.

C. In granting variances and modifications, the Commission, by recommendation, and the Council may require such conditions as will, in their judgment, secure substantially the objectives of the standards or requirements so varied and modified.

Article 6-9 ~~NON-ADMINISTRATIVE~~ ENHANCED ADMINISTRATIVE LAND MODIFICATION

6-9-1 Fees
6-9-2 Final Plats
6-9-3 Standards of Design
6-9-4 Minimum Improvements Required
6-9-5 Information Required on Final Plats
6-9-6 Hillside Development Areas
6-9-7 Procedures

Section 6-9-1 Fees

Application fees shall be in accordance with the ~~**Paradise Valley**~~ **Town** Fee Schedule and shall be paid upon filing of the applicable application.

Section 6-9-2 Final Plats

A final plat and two (2) paper prints shall be submitted with ~~**a Non-Administrative**~~ **an Enhanced Administrative** Land Modification application.

Section 6-9-3 Standards of Design

The standards of design set forth in Article 6-3 shall apply to ~~**a Non-Administrative**~~ **an Enhanced Administrative** Land Modification, except that identification signs as provided in Section 6-3-11 shall not be allowed. ~~**Section 6-3-10 shall not apply to Non-Administrative Land**~~

~~Modifications.~~ No **~~Non-Administrative~~** **Enhanced 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~~** **an Enhanced Administrative** Land Modification, except that street improvements may be waived if the existing streets adjacent to the **~~Non-Administrative~~** **Enhanced 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~~** **Enhanced Administrative** Land Modifications.

Section 6-9-6 Hillside Development Area

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

Section 6-9-7 Procedures

A. **~~A Non-Administrative~~** **An Enhanced 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~~** **An Enhanced Administrative** Land Modification shall be subject to **~~Town~~** Council review and approval**,** with the exception of**: (1)** Lot Splits approved pursuant to Section 6-9-7**(C), which shall be reviewed and approved by the Commission and appealable to Council; (2) 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 (3) a plat/map that includes a variance or modification request pursuant to Article 6-8 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~~** Staff for compliance with the **~~Town~~** Code and Zoning Ordinance, and any other applicable requirements. After review by the **~~Town~~** Staff, the Lot Split application shall be submitted to the **~~Planning and Zoning~~** Commission, and if approved by a **~~unanimous~~** **simple majority** 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 Lot**~~ **An Enhanced Administrative Land** 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 Lot**~~ **an Enhanced Administrative Land** Modification application must 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 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 major issues will be identified.

F. Upon the filing of ~~**a Non-Administrative Lot**~~ **an Enhanced Administrative Land** Modification application, the ~~**Town**~~ Staff shall review the application for completeness and compliance with applicable Town Codes, including **the** Zoning Ordinance and any Special Use Permit provisions.

G. Requests for ~~**Non-Administrative Lot**~~ **Enhanced Administrative Land** 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 Lot**~~ **an Enhanced Administrative Land** application is approved by the ~~**Planning**~~ Commission and/or ~~**Town**~~ Council, if appropriate, it may thereafter be recorded with the Maricopa County Recorder, Arizona.

Docusign Envelope ID: 96D13424-6B48-4BEB-964E-98C28B1EABF1

Article 6-10 ADMINISTRATIVE LAND MODIFICATION

6-10-1 Fees
6-10-2 Administrative Plat Maps Required
6-10-3 Standards of Design
6-10-4 Minimum Improvements Required
6-10-5 Information Required on Final Plats
6-10-6 Hillside Development Areas
6-10-7 Administrative Land Modification Procedures

Section 6-10-1 Fees

Application fees shall be in accordance with the ~~**Paradise Valley**~~ **Town** Master Fee Schedule and shall be paid upon filing of the applicable application.

Section 6-10-2 Administrative Plat Maps Required

An Administrative Plat Map and two (2) paper prints shall be submitted with an Administrative Land Modification application.

Section 6-10-3 Standards of Design

With the exception of Section 6-3-10 and Section 6-3-11, the standards of design set forth in Article 6-3 shall apply to Administrative Land Modifications.

Section 6-10-4 Minimum Improvements Required

The minimum improvements and bonding procedures set forth in Article 6-4 shall apply to an Administrative Land Modification, except that compliance with street or other required minimum improvements may be waived by the concurrence of the Town Engineer and Community Development Director if the existing streets or other minimum improvements servicing the property for which the Administrative Land Modification has been requested are deemed to be adequate at the time of application.

Section 6-10-5 Information Required on Administrative Plat Maps

Where applicable, the information required on Final Plats as specified in Article 6-6 shall apply to an Administrative Land Modification.

Section 6-10-6 Hillside Development Area

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

Section 6-10-7 Procedures

A. An 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 Administrative Land Modification application.

B. An Administrative Land Modification may be approved by ~~**Town**~~ Staff in accordance with this Section.

C. Applicants for an Administrative Land Modification must first complete a pre-application review process in accordance with Section 2-5-2(E) ~~**of the Town Code**~~. Deficiencies in the application that are identified by the ~~**Town**~~ Staff during the pre-application process will be brought to the applicant's attention. The pre-application phase is a required and informal review where major issues will be identified.

D. Upon the filing of an Administrative Land Modification application, the ~~**Town**~~ Staff shall review the application for completeness and compliance with applicable Town Codes, including the Zoning Ordinance.

E. Request for an Easement Modification made in an Administrative Land Modification application shall comply with all Town Code requirements, including relevant development and design standards. Documentation such as, but not limited to, a drainage report, drainage study, drainage easement maintenance agreement, and/or written correspondence from affected utility companies may be required in conjunction with a request for an Easement Modification. Easement Modifications do not include the abandonment or release of easement.

F. Requests for a Lot Line Adjustment and/or a Lot Split (Exempt) made in an Administrative Land Modification application must meet the minimum size, setback, and other requirements of the underlying zoning district for the property at issue as specified in the Zoning Ordinance and official zoning map for the property, as well as the lot arrangement and configuration requirements specified in Section 6-3-5.

G. If an application for an Administrative Land Modification does not meet the standards of design per Article 6-3 and other Town Code requirements for an Administrative Land Modification, Staff shall reject the application and advise the applicant to instead submit an application for ~~**a Non-Administrative**~~ **an Enhanced Administrative** Land Modification, such as for a Lot Split, Lot Split (Exempt), Lot Line Adjustment, Subdivision Plat or Replat, which shall then be processed pursuant to Article 6-2, Article 6-8, and/or Article 6-9 of the Town Code, as applicable.

H. If, after a final review, the Town staff determines that the application is in full compliance with this Article and all other Town Codes, the application may be approved administratively and, if appropriate, thereafter recorded with the Maricopa County Recorder, Arizona.