

ATTACHMENT A

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ADOPTED ORDINANCE**

ORDINANCE G-

**AN ORDINANCE AMENDING PHOENIX CITY CODE
CHAPTER 31, CHAPTER 32, AND APPENDIX A.2; AND
ESTABLISHING AN EFFECTIVE DATE OF APRIL 1, 2024.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as
follows:

SECTION 1. Phoenix City Code Chapter 31 is hereby amended as
follows:

Sec. 31-102. Street improvements—Assessment procedure.

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f. The manner of collecting unpaid assessments shall be as follows:

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2. The Planning and Development Director shall collect any unpaid
assessment prior to the City Council's PLANNING AND DEVELOPMENT
DIRECTOR'S OR THEIR DESIGNEE approval of any final subdivision plat
which plat will result in a subdivision of assessed property pursuant to
chapter 32 of the Phoenix City Code.

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SECTION 2. Phoenix City Code Chapter 32 is hereby amended as
follows:

Sec. 32-3. Definitions.

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Abandonment by plat means the procedure whereby the owner of land may abandon temporary easements and landscape easements by including those easements on a subdivision plat. Such easements are abandoned, removing any City interest therein, upon approval of the plat by the ~~City Council~~ PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE and recording of the plat in the office of the County Recorder. *Roadway*, as defined by Section 31-63 of the City Code, can be abandoned by plat only if processing of the plat complies with the requirements of Section 31-63 et seq. of the City Code.

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Final approval means the unconditional approval of the final plat, INCLUDING THE ACCEPTANCE OF ALL THE RIGHTS-OF-WAY, EASEMENTS AND OTHER PROPERTY INTERESTS DEDICATED TO THE CITY PER THE FINAL PLAT, by the ~~Council~~ PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE as evidenced by certification on the plat by the Phoenix City Clerk authorizing recordation of the plat.

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SECTION 3. Phoenix City Code, Chapter 32, Division 3 is hereby amended as follows:

Division 3. Final Plat

The final plat stage includes the final design of the subdivision, engineering of public improvements, and submittal of the plat and plans by the subdivider. It includes review of the final plat by the Planning and Development Department, and if applicable, the City of Phoenix Floodplain Ordinance and the Arizona Department of Transportation, and final APPROVAL ~~action taken~~ by the ~~Council~~ PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE.

SECTION 4. Phoenix City Code, Chapter 32 is hereby amended as follows:

Sec. 32-19. Final plat submission.

A. The subdivider shall file with the Planning and Development Department the final plat, with a letter of transmittal, and a fee for final plat review (non-refundable) as set forth in Appendix A.2 of the City Code.

B. The City Clerk shall be responsible for recording all plats with the Maricopa County Recorder's office. Once a subdivision plat AND ALL ENGINEERING PLANS ARE approved by the Council PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE and all of the engineering plans have been approved by the Planning and Development Department, the Department will not hold the recording at the request of the subdivider for longer than 90 days from the date of the Council PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE'S approval unless extended by Section 32-21, or by the Planning and Development Director. One copy shall be kept on file in the City Clerk's Department for public access.

Sec. 32-20. Final plat review.

A. Upon receipt of the final plat submittal, the Department shall check it for completeness. If incomplete, the date of the filing shall be voided, and the submittal shall be returned to the subdivider. If complete, the Department shall review the plat for substantial conformity to the approved preliminary plat and route copies of the submittal to the appropriate reviewing offices.

~~1. City Parks and Recreation Department, when applicable;~~

2. Street Transportation Department, Floodplain Management Section, for review where the plat includes or abuts an area of special flood hazard; and

3. Arizona Department of Transportation (ADOT), for approval (where the plat abuts a State highway).

3. ANY APPLICABLE CITY DEPARTMENTS

B. The Department shall prepare a concise summary of recommendations. In the event that the Department finds that the final plat does not conform to the preliminary plat as approved, the final plat shall be returned to the applicant for corrections. The final submittal process shall MAY be repeated until EITHER all requirements are met, OR THE EXPIRATION OF THE PRELIMINARY PLAT APPROVAL.

C. THE PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE SHALL APPROVE THE FINAL PLAT IF THE FINAL PLAT CONFORMS TO THE PRELIMINARY PLAT AND ALL APPLICABLE REQUIREMENTS. Upon final plat approval the subdivider shall submit the original plat with all required owner signatures and certifications for City signature. The Planning and Development Director OR THEIR DESIGNEE shall sign the APPROVED FINAL plat. ~~The Department shall determine the next available Council approval date. The Department shall transmit the plat to the City~~

~~Clerk and the request for Council approval to the City Manager's office.~~

D. THE PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE'S DECISION UNDER THIS SECTION IS THE FINAL ADMINISTRATIVE DECISION.

32-21. Final plat approval.

~~A. Upon receipt of a request for Council action from the City Manager, the Clerk shall place the case on the agenda of the next regular Council meeting, whereupon the Council shall approve or deny the plat.~~

B A. If the Council approves the plat, ~~the~~ The CITY Clerk shall transcribe a certificate of approval upon the plat, first making sure that the other required certifications (see Section 32-24 (F)) have been duly signed, and that the Department has certified that all of the civil engineering plans have been approved.

C B. The City Clerk shall notify the Planning and Development Department of all plats for which a certification of approval of engineering plans has not been received within 90 days of final plat approval by the Council PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE. The Subdivision Committee, upon receipt of valid written justification, may extend the period for up to 90 days. The Planning and Development Department will subsequently report the status of the plat to the Council PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE with one of the following recommendations:

1. The Council PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE should revoke approval of the final plat and require the applicant to resubmit the final plat to the Department for review (with payment of fees) and reapproval by the Council PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE. This review may require additional dedications or improvements, or a revised plat if conditions or ordinances have changed since the Council's PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE'S approval of the final plat; or
2. The Council PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE may extend the time for the approval of engineering plans for a specific period of time not to exceed 90 days.

D C. A subdivider may withdraw an approved plat by submitting a written request to the Council PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE through the Planning and Development Department. The Council PLANNING AND DEVELOPMENT DIRECTOR or their designee may formally rescind its approval and void the plat.

E D. When the plat (reference subsection C of this section) has been revoked by the Council PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE, or withdrawn by the subdivider (reference subsection D of this section), the City Clerk shall

transmit the plat to Planning and Development Department who shall return it to the subdivider or engineer. If the subdivider or engineer cannot be found or does not respond within 60 days, the plat will be destroyed.

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Sec. 32-36. Approval by the ~~City Council~~ PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE.

The approval by the ~~City Council~~ PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE of the final plat is subject to the following conditions:

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SECTION 5. The Appendix A.2, Phoenix City Code, Part 22 is amended as follows:

Part 22. Glossary of Terms

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PLAT, FINAL: A map dividing property and dedicating public right-of-way in final form with all required owner signatures that is ready for the ~~City Council~~ PLANNING AND DEVELOPMENT DIRECTOR OR THEIR DESIGNEE approval and recording.

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SECTION 6. The effective date of this Ordinance shall be April 1, 2024

PASSED by the Council of the City of Phoenix this 21st day of February, 2024.

M A Y O R

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:_____

REVIEWED BY:

Jeffrey Barton, City Manager

PML:ac:(**LF24-0149**):2-21-24:

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