

ORDINANCE NO. 2025-13

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AMENDING CHAPTER 24 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 24-56 PERTAINING TO GENERAL PROVISIONS AND DEFINITIONS, DEFINITIONS; BY AMENDING SECTION 24-58 PERTAINING TO GENERAL PROVISIONS AND DEFINITIONS, ADMINISTRATION AND PROCEDURES; BY AMENDING SECTION 24-89 PERTAINING TO FINAL PLAT, FINAL PLAT OVERVIEW; BY AMENDING SECTION 24-93 PERTAINING TO FINAL PLAT, ABANDONMENTS; BY AMENDING SECTION 24-97 PERTAINING TO FINAL PLAT APPROVALS; AMENDING CHAPTER 24 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 24-107 PERTAINING TO APPROVALS, APPEALS, MODIFICATIONS, WAIVERS AND ADMINISTRATIVE CHANGES AND CONDITIONS OF CITY COUNCIL APPROVAL; AND PROVIDING FOR SEVERABILITY, FOR CLERICAL CORRECTIONS, AND FOR AN EFFECTIVE DATE.

WHEREAS, Ariz. Rev. Stat. Ann. § 9-500.49 (A)(1) provides that local governments, by ordinance, may authorize administrative personnel to review and approve final plats without a public hearing or other approval;

WHEREAS, administrative approval of final plats can help shorten the overall time it takes to complete a project and is overall a more efficient process;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Peoria as follows:

SECTION 1. Chapter 24 of the Peoria City Code is hereby amended as shown in Exhibit A.

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. Clerical Corrections. The City Clerk is hereby authorized to correct typographical, clerical, and grammatical errors, if any, related to this Ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the City Code. Any such changes shall be in writing and approved by the City Attorney.

SECTION 4. Effective Date. This Ordinance shall become effective in the manner provided by law.

**EXHIBITS ON FILE AT THE PEORIA CITY CLERK'S OFFICE – 8401 W. Monroe Ave.
Peoria, Arizona**

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Maricopa County, Arizona this 22 day of April, 2025.

Jason Beck, Mayor

Date Signed

ATTEST:

Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

Published in: Peoria Times

Publication Date:

Effective Date

Exhibit A
Amendments to the Peoria City Code, Chapter 24

HOW TO READ THIS DOCUMENT

Applicable sections of the City Code are denoted by **highlighted bold text** for ease of readability during the drafting process.

Unless otherwise stated, provisions or regulations being deleted are shown in red strikethrough text or a line through the graphic, like this: ~~Provisions that are being deleted are shown with a red strikethroughs text~~. Graphics containing red strikethrough are intended to remove the graphic in its entirety as well as any text that is embedded in the graphic.

Provisions or regulations that are being added are shown in double-underlined blue text, like this: Provisions that are being added are shown in double-underlined blue text. Graphics containing a double blue box are intended to add the graphic in its entirety as well as any text that is embedded in the graphic.

Only those changes noted through the above methods for the specific sections and subsections of the City Code identified shall be made. When regulations, graphics or other text is omitted, or is shown unchanged in adjoining sections or subsections of the code, it shall remain unchanged.

Section 1. Amend Chapter 24 - Subdivisions; Stormwater Pollution Management, Section 24-56 General Provisions and Definitions, Definitions, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 24-56. General Provisions and Definitions, Definitions.

Abandonment by Plat. The procedure whereby the owner of land may abandon temporary or permanent easements by identifying those easements on a Subdivision Plat. Such easements are abandoned, removing any city interest therein, upon approval of the plat by ~~City Council~~ City Engineer and recording of the plat in the Office of the County Recorder. A "Street", as defined in Chapter 23 of the Peoria City Code, or easement for roadway purposes accepted by the City of Peoria for dedication, can be abandoned by plat only if processing of the plat complies with the requirements of Chapter 23 of the Peoria City Code.

Final Approval. ~~Council~~ City Engineer approval of the Final Plat as evidenced by certification on the Plat by the City Engineer, Mayor, and City Clerk of the City. Final Approval constitutes authorization to record a Plat.

(Ord. No. 02-40, 6/7/02, Enacted (SUPP 2002-2))

Section 2. Amend Chapter 24 - Subdivisions; Stormwater Pollution Management, Section 24-58 General Provisions and Definitions, Administration and Procedures, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 24-58. General Provisions and Definitions, Administration and Procedures.

The City shall provide the following services:

- A. Provide application forms and development guidelines containing technical details as to standards for submittals and design of public facilities that are required to be included on the Plat.
- B. Publish the fee structure established by the City Council.
- C. Examine all Preliminary Plats for compliance with the applicable ordinances of the City of Peoria and collect fees specified for these services.
- D. Review each Plat application.
- E. Review and make recommendations on applications for Requests for Waiver to the City Engineer.
- ~~F. Forward Final Plat applications to the City Council~~
- ~~G.F.~~ Obtain required signatures of city officials on all approved Final Plat maps.
- ~~H.G.~~ Forward approved and signed Final Plats to the City Clerk for recordation.

(Ord. No. 02-40, 6/7/02, Enacted (SUPP 2002-2))

Section 3.1. Amend Chapter 24 - Subdivisions; Stormwater Pollution Management, Section 24-89 Final Plat, Final Plat Overview, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 24-89. Final Plat, Final Plat Overview.

The Final Plat stage includes the final design of the Subdivision, engineering and construction drawings of public improvements, and submittal of the Plat and plans by the Subdivider. It includes review of the Final Plat by the Engineering Department and if applicable, the Arizona Department of Transportation and other agencies, and final action taken by the ~~City Council~~ City Engineer. The Final Plat shall be prepared and submitted in accordance with City of Peoria Infrastructure Development Guidelines.

(Ord. No. 02-40, 6/7/02, Enacted (SUPP 2002-2))

Section 4.2. Amend Chapter 24 – Subdivisions; Stormwater Pollution Management, Section 24-93 Final Plat, Abandonments, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 24-93. Final Plat, Abandonments.

- A. The Subdivider shall make application to the City Engineer for abandonment of all existing easements, rights-of-way or other dedications not included in the proposed project prior to or at the same time of submittal of the Final Plat application.
- B. All abandonments approved by the City Engineer and not included on the Final Plat shall be recorded by the Subdivider with a copy of the recordation submitted to the City Engineer ~~prior to presentation of the Final Plat to the City Council.~~
- C. Abandonments of Streets and City Utility Easements shall be shown on the Final Plat.

(Ord. No. 02-40, 6/7/02, Enacted (SUPP 2002-2))

Section 5.3. Amend Chapter 24 – Subdivisions; Stormwater Pollution Management, Section 24-97 Final Plat, Final Plat Approval, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 24-97. Final Plat, Final Plat Approval.

Final Plat approval and approval of requests to modify a recorded plat shall be an administrative process managed by the City Engineer, the culmination of which shall be a ~~recommendation decision~~ by the City Engineer ~~for City Council action to approve or deny the Final Plat request.~~

~~A. The City Engineer shall forward a request for Council action to the City Clerk who shall place the Final Plat on the agenda of the next regular Council meeting for City Council action.~~

~~B. A.~~ The ~~Mayor~~ City Engineer shall sign ~~Council-approved~~ Final Plats and the City Clerk shall transcribe a Certificate of Approval upon the Plat after ensuring that all other required certifications have been duly executed and the City Engineer has certified that all engineering and construction drawings have been approved.

~~C. B.~~ The City Engineer shall not ~~forward a Final Plat to the City Clerk~~ approve a final plat request until all required engineering and construction drawings have been approved.

~~D. C.~~ A subdivider may withdraw an approved Final Plat by submitting a written request to ~~the City Council through~~ the City Engineer. The ~~City Council~~ City Engineer may then formally rescind ~~its~~ approval and void the Plat.

~~E. D. When the plat has been revoked by the City Council, If a requested Final Plat is denied by the City Engineer,~~ or withdrawn by the Subdivider and voided, the City Clerk shall transmit the Plat to the City Engineer, who shall return it to the Subdivider or the Subdivider's engineer. If the Subdivider or the Subdivider's engineer cannot be found or does not respond within 60 days, the Plat shall be destroyed.

~~F. E.~~ The City Clerk shall be responsible for recording all Plats with the Maricopa County Recorder's Office. One copy shall be kept on file in the Office of the City Engineer for public access.

(Ord. No. 02-40, 6/7/02, Enacted (SUPP 2002-2))

Section 6.4. Amend Chapter 24 – Subdivisions; Stormwater Pollution Management, Section 24-107 Approvals, Appeals, Modifications, Waivers and Administrative Changes and Conditions of City Council Approval, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 24-107. Approvals, Appeals, Modifications, Waivers and Administrative Changes and Conditions of ~~City Council~~ Approval.

If the ~~City Council~~ City Engineer approves the Final Plat, the Final Plat shall be subject to the following conditions:

A. Subdivision improvements, including all survey monuments, shall be installed according to approved engineering and Plat drawings. Improvements may be constructed in phased increments identified by the Subdivider and approved by the City Engineer. Phased construction is subject to provisions of satisfactory drainage, traffic movements and other services.

B. If the Subdivision is comprised of subdivided lands, as defined in A.R.S. § 32-2101, and is within a groundwater active management area, as defined in A.R.S. § 45-402, the Final Plat shall be accompanied by one of the following documents:

1. A certificate of assured water supply issued by the Director of the Arizona Department of Water Resources (ADWR),
2. A written commitment of water service for the subdivision from a city, town or private water company designated as having an assured water supply by the Director of ADWR pursuant to A.R.S. § 45-576, or
3. A written determination that the Subdivision is exempt from the assured water supply requirement pursuant to A.R.S. § 45-576.

C. The City Engineer shall assure that a note has been placed on the face of the Final Plat identifying which one of the three documents listed in Subsection B has been applied to the Plat.

D. The improvements shall be completed in accordance with a specified schedule for each increment, provided an extension of time may be granted upon conditions specified by the Engineering Department.

E. Construction of all improvements within Street rights-of-way and Easements shall be inspected by the Engineering Department.

F. The Subdivider shall submit all improvement district formation and management documents, including petitions, diagrams, and warranty agreements.

G. The Subdivider shall be responsible for bond payments for all improvement districts within the Subdivision that are required to be made prior to the City receiving distribution of assessment payments.

(Ord. No. 02-40, 6/7/02, Enacted (SUPP 2002-2))