

RESOLUTION NO. 2021-2190

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT TITLED "AMENDMENTS TO CHAPTER 15 SUBDIVISION REGULATIONS OF THE GOODYEAR CITY CODE."

Be it resolved by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, as follows:

SECTION 1. DECLARATION OF PUBLIC RECORDS

That certain document titled "AMENDMENTS TO CHAPTER 15 SUBDIVISION REGULATIONS OF THE GOODYEAR CITY CODE," a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

SECTION 2. PURPOSE

The aforementioned documents are declared public records in connection with the adoption of Ordinance 2021-1521.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section A.R.S 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

SECTION 4. EFFECTIVE DATE

This Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

EXHIBIT A

**AMENDMENTS TO CHAPTER 15 SUBDIVISION REGULATIONS OF
THE GOODYEAR CITY CODE**

Chapter 15 Subdivision Regulations of the Goodyear City Code is hereby amended as follows:

AMENDMENTS TO SECTION 15-1-2 OF THE GOODYEAR CITY CODE

Section 15-1-2 (Definitions) in Chapter 15 (Subdivision Regulations) of the Goodyear City Code is hereby amended as follows, with additions shown in all capital letters double underlined and deletions shown as double strike throughs.

Section 15-1-2 is hereby amended to add the following definitions:

CITY ENGINEER. DIRECTOR OF THE CITY OF GOODYEAR ENGINEERING DEPARTMENT.

COMMISSION. THE PLANNING AND ZONING COMMISSION OF THE CITY OF GOODYEAR.

DEVELOPMENT SERVICES DIRECTOR. DIRECTOR OF THE DEPARTMENT.

ENGINEERING DIRECTOR. DIRECTOR OF THE CITY OF GOODYEAR ENGINEERING
DEPARTMENT. ALSO MEANS CITY ENGINEER.

Section 15-1-2 is hereby amended to delete the following definitions:

~~**COMMUNITY DEVELOPMENT DIRECTOR.** Director of Development Services or his/her
designee.~~

~~**PLANNING DIRECTOR.** Director of Development Services or his/her designee.~~

Section 15-1-2 is hereby amended to amend the following definitions:

~~**DEPARTMENT.** The Director of the CITY OF GOODYEAR Development Services Department or
designee.~~

ENGINEERING PLANS. Plans, profiles, cross sections and other required details for the construction of public improvements, prepared by a registered civil engineer in accordance with the approved Preliminary Plat, AS APPLICABLE, and in compliance with standards of design and construction approved by the Council.

PLAT. A map of a subdivision.

~~(1) **PRE PRELIMINARY** or **CONCEPTUAL PLAT** means a design submitted for review and comments at a presubmittal conference, not to be considered a Preliminary Plat submittal. Designed to show: public streets or private access ways; methods of handling drainage; locations of buildings for condominium developments.~~

(2) **PRELIMINARY PLAT** means a preliminary map, including supporting data, indicating a proposed subdivision development. A preliminary site plan for a condominium development shall be considered a Preliminary Plat.

~~(3) **FINAL PLAT** means a map of all or part of a subdivision that substantially conforms to an approved Preliminary Plat~~ OR, IF THE REQUIREMENT FOR A PRELIMINARY PLAT HAS BEEN WAIVED AS PROVIDED IN CHAPTER 15 (SUBDIVISION REGULATIONS) OF THE GOODYEAR CITY CODE, MEANS A MAP OF ALL OR PART OF A SUBDIVISION THAT INCLUDES 10 OR FEWER LOTS, TRACTS OR PACELS THAT IS CONSISTENT WITH THE ZONING APPLICABLE TO THE SUBDIVISION, INCLUDING, COMPLIANCE WITH THE MINIMUM SIZE OF EACH LOT, TRACT AND PARCEL REQUIRED IN THE ZONING APPLICABLE TO THE SUBDIVISION ~~that is prepared by a registered civil engineer or a registered land surveyor.~~

(4) **RECORDED PLAT** means a Final Plat bearing all of the certificates of approval required by this chapter and the statutes of the State of Arizona and duly recorded in the Maricopa County Recorder's office.

STREET. Any existing or proposed street, avenue, boulevard, road, lane, parkway, place, viaduct, easement for access or other way which is an existing state, county or municipal roadway; a street or way shown in a plat heretofore approved pursuant to law or approved by official action; or a street or way in a plat duly filed and recorded in the County Recorder's office. A **STREET** includes the land between the right of way lines, whether improved or unimproved, and may comprise pavement, shoulders, curbs, gutters, sidewalks, parking areas, bridges, viaducts and lawns.

~~(1) **FREEWAY OR EXPRESSWAY.** A street providing for the expeditious movement of large volumes of through traffic between areas or across, around or through the City or urban area or a divided arterial highway with full control of access and not intended to~~

~~provide direct access to abutting land. In urban areas both will normally be a portion of a system or network of freeways.~~

~~(2) **ARTERIAL.** A street providing for traffic movement between areas and across portions of the City, direct service to principal generators and connections to the freeway or expressway system and secondarily for direct access to abutting land. They are subject to necessary regulation and control of parking, directional controls, turning movements, entrances, exits and curb use. Arterials are often divided roadways and will have some control of access. The individual arterial streets combine to make a system for City wide traffic movement. Arterial streets are divided into two types — major and minor.~~

~~(3) **COLLECTOR.** A street providing direct service to residential areas from arterial streets and highways, for traffic movement within neighborhoods of the City and for direct access to abutting property. It collects local traffic from the neighborhoods and delivers the same to the nearest arterial or highway.~~

~~(4) **FRONTAGE ROAD.** A collector street located within a freeway or expressway right of way and parallel to the freeway or expressway traffic lanes.~~

~~(5) **LOCAL.** A street providing for direct access to residential, commercial, industrial or other abutting land for local traffic movements and connecting to collector or major streets.~~

~~(6) **MARGINAL ACCESS ROAD.** A local street, located within the arterial or highway right of way, parallel and adjacent to major traffic lanes, providing direct access to abutting property, intercepting local streets and controlling access to arterials.~~

~~(7) **CUL-DE-SAC.** A short local street having one end permanently terminated in a vehicular turnaround or an equally convenient form of turning and backing areas as may be recommended by the City Engineer.~~

~~(8) **PARKWAY.** A street providing for traffic movement between areas and across portions of the City, direct service to principal generators and connections to the freeway or expressway system and secondarily for direct access to abutting land. They are subject to necessary regulation and control of parking, directional controls, turning movements, entrances, exits and curb use, and typically are divided roadways with large medians that can accommodate indirect left turns.~~

AMENDMENTS TO SECTION 15-2-3 OF THE GOODYEAR CITY CODE

Section 15-2-3 (Stage II – Preliminary Plat) in Chapter 15 (Subdivision Regulations) of the Goodyear City Code is hereby amended as follows, with additions shown in all capital letters double underlined and deletions shown as double strike throughs:

§ 15-2-3 Stage II - Preliminary plat.

The preliminary plat stage ~~of land and airspace subdivision~~ includes detailed subdivision planning, submittal, review and approval of the preliminary plat. The preliminary plat will be processed and reviewed in accordance with the procedures generally described herein and more particularly described in the Administrative Process Manual and Engineering Standards.

(A) *Zoning.* The subdivision shall be designed to meet the specific DEVELOPMENT STANDARDS, MINIMUM DIMENSION REQUIREMENTS AND ALL OTHER requirements for the zoning district in which it is located, and to comply with all zoning conditions and/or stipulations attached to the property.

(1) *Concurrent Processing.* If a proposed preliminary plat is inconsistent with the requirements for the zoning district in which the property is located and/or any zoning conditions or stipulations attached to the property ("zoning"), the City will concurrently process the application for the proposed preliminary plat and an application to amend the zoning as generally described herein and as further described in the Administrative Process Manual adopted by the City Council as amended from time to time. The Department shall not accept the submission of the preliminary plat until an application to amend the zoning on the property being platted has been submitted by the property owner or an authorized agent of the property owner. If the ordinance amending the zoning on the property has not been enacted or taken effect prior to the expiration of the substantive review time frame adopted for the review of preliminary plat applications, the application shall either be denied prior to the expiration of the substantive review time frame or, at the discretion of City Council, conditionally approved subject to the ordinance amending the zoning on the property being enacted and taking effect. No pre-development activity for a subdivision that occurs while an application for zoning amendment is pending, including, but not limited to, the processing of and/or conditional approval of a preliminary plat, shall be construed as having been undertaken in reliance on a favorable determination of such zoning application.

(2) WAIVER OF PRELIMINARY PLAT. THE ENGINEERING DIRECTOR, OR DESIGNEE MAY WAIVE THE REQUIREMENT FOR A PRELIMINARY PLAT FOR PROPOSED SUBDIVISIONS THAT WILL INCLUDE 10 OR FEWER LOTS, TRACTS OR PARCELS IF THE PROPOSED SUBDIVISION WILL BE CONSISTENT WITH THE ZONING APPLICABLE TO THE SUBDIVISION, INCLUDING, COMPLIANCE WITH THE MINIMUM SIZE OF EACH LOT, TRACT AND PARCEL REQUIRED IN THE ZONING APPLICABLE TO THE SUBDIVISION. IF THE REQUIREMENT FOR A PRELIMINARY PLAT IS WAIVED, THE SUBDIVIDER MAY THEN PROCEED DIRECTLY TO THE SUBMISSION OF A FINAL PLAT AND ENGINEERING PLANS.

(B) *Additional Requirements.* The preliminary plat and the proposed development reflected therein shall comply with the requirements set forth in:

- (1) the Subdivision Regulations;
- (2) the Engineering Standards;
- (3) the Flood Prevention Regulations;
- (4) the City of Goodyear General Plan;
- (5) the Zoning Ordinance of the City of Goodyear;
- (6) any applicable Zoning Conditions;
- (7) any applicable Development Agreement;
- (8) ~~any applicable Development Master Plan;~~ THE CITY OF GOODYEAR DESIGN GUIDELINES MANUAL; and,
- (9) all other applicable federal, state, and local laws, ordinances, codes, rules, regulations, policies, and guidelines, including by way of example, but not limitation:
 - (a) regulations established by the Maricopa County Flood Control District relating to the construction or prevention of construction of streets in lands established as being subject to periodic inundation;
 - (b) regulations established by the State of Arizona Department of Transportation relating to provisions for safety of entrance upon and departure from abutting state highways;

(c) regulations established by the State of Arizona Department of Health Services and Maricopa County Health Department relating to the provision of domestic water supply and sanitary sewage disposal;

(d) regulations established by the Arizona Department of Environmental Quality, Arizona Department of Water Resources, and the Maricopa County Department of Environmental Quality governing development in Maricopa County.

(C) *Water and Wastewater.* As a prerequisite of preliminary plat review by the Department, the subdivider shall have informed the applicable state and county agencies and the City, or other applicable utility provider, of the tentative subdivision plans and learned the general requirements for potable water supply, distribution, and fire protection and for wastewater treatment and transmission for the property being platted. The preliminary plat and development reflected in the preliminary plat shall comply with applicable requirements for potable water supply, distribution, and fire protection; for wastewater treatment and transmission; and for the transport and use of reclaimed water for the property being platted. A statement as to the proposed source of water supplies for the development and proposed wastewater disposal facilities shall be included on the preliminary plat.

(D) *Preliminary Plat Submission.*

(1) Applications for preliminary plats shall be made ~~on form(s)~~ IN THE MANNER established by the Department and shall include all of the information identified in the: application form(s), in the section of the Administrative Process Manual related to preliminary plats; in the Subdivision Regulations, and in the Engineering Standards. Except as provided herein, the application shall be ~~signed~~ SUBMITTED by the property owner or an authorized agent of the property owner and all applicable fees shall be paid when the application is submitted. The City shall be entitled to initiate an application for a preliminary plat filed for the purpose of reverting to acreage land previously subdivided as needed to revoke a previously approved final plat.

(2) The Department may request additional information, and may, during the administrative completeness review process, modify or waive submission requirements as deemed appropriate to the size or nature of the subdivision.

(3) The formatting, content and information to be provided in and in support of the preliminary plat and the formatting, content and information to be provided in and in support of the preliminary engineering plans and reports that are to be submitted in connection with

an application for a preliminary plat shall comply with the requirements set forth in the Subdivision Regulations, the Flood Prevention Regulations, the Engineering Standards, the Administrative Process Manual, and any other applicable federal, state, and/or local law, ordinance, code, rule, regulation, policy, and/or guideline.

(4) Subdivisions containing hillside areas shall provide all applicable information as specified in Section 15-3-9.

(5) Residential subdivisions near existing or proposed freeways shall provide all applicable information as specified in Section 15-4-4(P).

(E) *Preliminary Plat Review.* The Department shall review the preliminary plat and supporting documentation for compliance with the applicable requirements.

(1) Once the submission has been deemed complete, the Department shall conduct a review of the preliminary plat.

(2) The preliminary plat shall be distributed to other City departments, City staff and outside agencies for review and comment. ~~The Department shall compile the comments and provide~~ COMMENTS SHALL BE PROVIDED ~~them in writing~~ to the subdivider.

(3) The Department's comments shall identify areas in which the preliminary plat submission, which includes the preliminary plat and all required supporting documentation, requires revision in order to comply with applicable requirements.

(4) The subdivider shall be responsible for revising the preliminary plat submission in accordance with the comments provided by the Department REVIEW. The response to the Department's comments shall be MADE ~~in writing and~~ in the manner and format requested by the Department.

(F) *Preliminary Plat Approval.* The Department will schedule the preliminary plat for consideration for approval generally as follows:

(1) Upon completion of the ~~Department's~~ review PROCESS BY CITY STAFF, the preliminary plat will be scheduled for public meetings before by the Planning and Zoning Commission and City Council. The Department will provide a recommendation of approval, approval with conditions, or denial to the Commission and Council.

(2) The Commission shall make a recommendation to the Council. The Commission may vote to forward a recommendation of approval, approval with conditions, or denial to the Council.

(3) The Council shall consider the preliminary plat and the Department and Commission recommendations and may take action to approve, conditionally approve or deny the preliminary plat.

(4) If the preliminary plat is generally acceptable, but requires minor revision before proceeding with the preparation of the final plat, the Council may find conditional approval and the required conditions noted in the minutes of the meeting and in ~~written~~ correspondence provided to the subdivider. At the direction of the Council, the preliminary plat may be given approval subject to the revisions in accordance with the stated conditions and review by the Department.

(5) Council may impose conditions on the approval of the preliminary plat and/or on the approval of any extension of a preliminary plat approval as Council deems necessary to implement the requirements of any federal, state, and/or local law, ordinance, code, rule, regulation, policy and/or guideline; to protect the public from potential adverse impacts from the proposed development; or to fulfill an identified need for public services. The conditions of approval shall be noted in the Council meeting minutes and in ~~a written~~ correspondence provided to the subdivider.

(6) If the Council finds the preliminary plat does not meet the requirements of this chapter or other applicable plans, codes, ordinances or design guidelines, the Council shall take action to deny the preliminary plat. The Department will provide ~~a written~~ notice to the subdivider indicating the reasons for the denial.

(G) *Significance of Preliminary Plat Approval.* Preliminary plat approval constitutes authorization for the subdivider to proceed with preparation of the final plat and the engineering plans and specifications for public improvements. Preliminary plat approval is subject to the following conditions:

(1) The basic conditions under which approval of the preliminary plat was granted will not be changed prior to the expiration date.

(2) An approved preliminary plat shall expire 12 months from the date of Council approval unless either a final plat has been submitted for all or part of the property included in the

preliminary plat or an extension has been obtained, as provided herein, ~~prior to the expiration date.~~

~~(3) Prior to the expiration of the preliminary plat, and at subdivider's request, Council may grant a 12-month extension of preliminary plat approval if the subdivider demonstrates that there has been no significant substantive change in the Engineering Standards, that the approved preliminary plat, including the supporting documents, continue to comply with all applicable requirements; and that the subdivider has expended substantial effort to create a final plat and engineering plans.~~ THE CITY ENGINEER, OR DESIGNEE, MAY ADMINISTRATIVELY GRANT A SINGLE 12-MONTH EXTENSION TO EXTEND THE EXPIRATION DATE OF A PRELIMINARY PLAT APPROVAL. SHOULD ADDITIONAL TIME BE WARRANTED BEYOND AN EXTENSION GRANTED BY THE DEVELOPMENT SERVICES DIRECTOR OR DESIGNEE THE COUNCIL MAY GRANT AN ADDITIONAL, ONE TIME 12-MONTH EXTENSION OF THE PRELIMINARY PLAT APPROVAL. NO EXTENSIONS SHALL BE GRANTED HEREUNDER UNLESS ALL OF THE FOLLOWING CONDITIONS HAVE BEEN MET: (I) THERE HAVE BEEN NO SUBSTANTIVE CHANGES TO ANY OF THE STANDARDS LISTED IN SECTION 15-2-3(B) OF THE GOODYEAR CITY CODE; (II) THAT THE EXISTING PRELIMINARY PLAT CONTINUES TO COMPLY WITH ALL APPLICABLE REQUIREMENTS; AND (III) THE SUBDIVIDER HAS EXPENDED SUBSTANTIAL EFFORT TO PREPARE A FINAL PLAT AND ENGINEERING PLANS TO SUPPORT SUCH FINAL PLAT. A REQUEST FOR AN EXTENSION HEREUNDER SHALL BE FORMALLY SUBMITTED TO THE CITY PRIOR TO THE EXPIRATION OF THE PRELIMINARY PLAT APPROVAL AND SHALL BE ACCOMPANIED BY DOCUMENTATION DEMONSTRATING COMPLIANCE WITH THE CONDITIONS SET FORTH HEREIN. IF SUCH REQUESTS FOR EXTENSION, INCLUDING THE SUPPORTING DOCUMENTATION, ARE FILED PRIOR TO THE EXPIRATION OF THE PRELIMINARY PLAT APPROVAL, THEN THE PRELIMINARY PLAT APPROVAL SHALL CONTINUE IN EFFECT UNTIL SUCH TIME AS THE REQUESTS FOR EXTENSION HAVE BEEN ACTED UPON. THE PRELIMINARY PLAT SHALL EXPIRE UPON EITHER THE DATE SUCH REQUEST FOR EXTENSION WAS DENIED OR THE EXPIRATION DATE OF A PRELIMINARY PLAT APPROVAL, WHICHEVER IS LATER.

(4) Preliminary plat approval does not assure final acceptance of streets for dedication.

(5) Preliminary plat approval does not assure that subdivider will receive a certificate of assured water supply or a written commitment of water service for the proposed subdivision from the City or private water company designated as having an assured water supply as required under Arizona law as a requirement for final plat approval.

(H) *Appeals.* THE DECISION OF THE CITY ENGINEER OR DESIGNEE TO DENY A REQUEST TO WAIVE THE REQUIREMENT FOR A PRELIMINARY PLAT SHALL BE FINAL. The decision of the Council to approve, conditionally approve, or deny ~~the~~ A preliminary plat shall be final. THE DECISION OF THE DEVELOPMENT SERVICES DIRECTOR OR DESIGNEE AND THE DECISION OF THE COUNCIL TO DENY A REQUEST FOR AN EXTENSION TO EXTEND THE EXPIRATION DATE OF A PRELIMINARY PLAT APPROVAL ARE FINAL. Persons with standing who are aggrieved by ~~a decision of the Council hereunder may,~~ SUCH DECISIONS AND WHO DESIRE TO APPEAL SUCH DECISIONS SHALL, within thirty (30) days after ~~Council rendered its~~ THE decision IS RENDERED, file a complaint for special action in the superior court of Maricopa County to review the ~~Council's~~ decision.

(I) *AMENDMENT.* ALL OR PART OF AN APPROVED PRELIMINARY PLAT MAY BE AMENDED. THE AMENDMENT PROCESS SHALL BE THE SAME AS THE ORIGINAL APPROVAL PROCESS FOR PRELIMINARY PLATS.

AMENDMENTS TO SECTION 15-2-5 OF THE GOODYEAR CITY CODE

Section 15-2-5 (Stage III – Final Plat) in Chapter 15 (Subdivision Regulations) of the Goodyear City is hereby amended as follows, with additions shown in all capital letters double underlined and deletions shown as double strike throughs:

Subsection A of Section 15-2-5 (15-2-5(A)) is amended as follows:

(A) *Zoning.* The zoning of the property to be subdivided shall permit the use intended for the subdivision, and any zoning amendment necessary to allow the intended use shall have been adopted by the Council prior to the filing of the application for final plat. The subdivision shall be designed to meet the specific DEVELOPMENT STANDARDS, MINIMUM DIMENSION REQUIREMENTS AND ALL OTHER requirements for the zoning district in which it is located and to comply with all Zoning Conditions attached to the property.

Subsection C of Section 15-2-5 is amended as follows:

(C) *Final Plat.* FINAL PLATS SHALL BE PREPARED AND SEALED BY A REGISTERED CIVIL ENGINEER LICENSED BY THE STATE OF ARIZONA OR BY A REGISTERED LAND SURVEYOR LICENSED BY THE STATE OF ARIZONA. ~~The final plat~~ FINAL PLATS shall substantially conform to ~~the~~ AN approved preliminary plat UNLESS THE REQUIREMENT FOR A PRELIMINARY PLAT HAS BEEN WAIVED AS PROVIDED IN SECTION 15-2-3 OF THE GOODYEAR CITY CODE. SUBSTANTIAL CONFORMANCE SHALL MEAN NO MATERIAL CHANGES TO THE OVERALL SUBDIVISION BOUNDARY, RELOCATION OF ANY ARTERIAL OR HIGHER CLASSIFIED ROADWAY RIGHTS-OF-WAY, OR RECONFIGURATION OF ANY MAJOR DRAINAGE WAYS OR UTILITY CORRIDORS ESTABLISHED WITH THE APPROVED

PRELIMINARY PLAT, AS DETERMINED BY THE ENGINEERING DIRECTOR OR DESIGNEE. IN INSTANCES WHERE THE REQUIREMENT FOR A PRELIMINARY PLAT HAS BEEN WAIVED, THE FINAL PLAT SHALL BE CONSISTENT WITH THE ZONING APPLICABLE TO THE SUBDIVISION, INCLUDING, COMPLIANCE WITH THE MINIMUM SIZE OF EACH LOT, TRACT AND PARCEL REQUIRED IN THE ZONING APPLICABLE TO THE SUBDIVISION. In addition, the final plat and the proposed development reflected therein shall comply with the requirements for the zoning district in which the property is located and shall comply with the requirements set forth in:

- (1) the Subdivision Regulations;
- (2) the Engineering Standards;
- (3) the Flood Prevention Regulations;
- (4) the City of Goodyear General Plan;
- (5) the Zoning Ordinance of the City of Goodyear;
- (6) any applicable Zoning Conditions;
- (7) any stipulations and/or conditions imposed with the approval of the preliminary plat;
- (8) any applicable Development Agreement;
- (9) THE CITY OF GOODYEAR DESIGN GUIDELINES MANUAL~~any applicable Development Master Plan~~; and
- (10) all other applicable federal, state, and local laws, ordinances, codes, rules, regulations, policies, and guidelines, including by way of example, but not limitation:
 - (a) regulations established by the Maricopa County Flood Control District relating to the construction or prevention of construction of streets in lands established as being subject to periodic inundation as applicable;
 - (b) regulations established by the State of Arizona Department of Transportation relating to provisions for safety of entrance upon and departure from abutting state highways as applicable;
 - (c) regulations established by the State of Arizona Department of Health Services and Maricopa County Health Department relating to the provision of domestic water supply and sanitary sewage disposal as applicable;

(d) regulations established by the Arizona Department of Environmental Quality, Arizona Department of Water Resources, and the Maricopa County Department of Environmental Quality governing development in Maricopa County.

Subsection (I) of Section 15-2-5 is amended to read as follows:

(I) *Final Plat Extension.* Final Plat approval shall expire if the final plat is not recorded with the Maricopa County Recorder within 90 calendar days from the date Council approved the final plat except as provided below.

(1) ~~Prior to the expiration of the final plat approval, subdivider may request an extension of the final plat approval. If a request for extension is filed prior to the expiration of the final plat approval, the final plat approval shall continue in effect until Council acts on the request. Council may grant a 90 day extension of the final plat approval if subdivider demonstrates that there has been no significant substantive change in the Engineering Standards; that the final plat, including the supporting documents, continue to comply with all applicable requirements; and that the subdivider has expended substantial effort and made substantial progress towards the completion of the engineering construction plans for the subdivision improvements.~~ THE ENGINEERING DIRECTOR, OR DESIGNEE, MAY ADMINISTRATIVELY GRANT A SINGLE 90-DAY EXTENSION TO EXTEND THE EXPIRATION DATE OF A FINAL PLAT APPROVAL. SHOULD ADDITIONAL TIME BE WARRANTED BEYOND AN EXTENSION GRANTED BY THE ENGINEERING DIRECTOR OR DESIGNEE, THE COUNCIL MAY GRANT AN ADDITIONAL, ONE TIME 90-DAY EXTENSION OF THE FINAL PLAT APPROVAL. NO EXTENSIONS SHALL BE GRANTED HEREUNDER UNLESS ALL OF THE FOLLOWING CONDITIONS HAVE BEEN MET: (I) THERE HAVE BEEN NO SUBSTANTIVE CHANGES TO ANY OF THE STANDARDS LISTED IN SECTION 15-2-5(D) OF THE GOODYEAR CITY CODE; (II) THAT THE EXISTING PRELIMINARY PLAT CONTINUES TO COMPLY WITH ALL APPLICABLE REQUIREMENTS; AND (III) THE SUBDIVIDER HAS EXPENDED SUBSTANTIAL EFFORT AND MADE SUBSTANTIAL PROGRESS TOWARDS THE COMPLETION OF ENGINEERING CONSTRUCTION PLANS FOR THE REQUIRED SUBDIVISION IMPROVEMENTS. A REQUEST FOR AN EXTENSION HEREUNDER SHALL BE FORMALLY SUBMITTED TO THE CITY PRIOR TO THE EXPIRATION OF THE FINAL PLAT APPROVAL AND SHALL BE ACCOMPANIED BY DOCUMENTATION DEMONSTRATING COMPLIANCE WITH THE CONDITIONS SET FORTH HEREIN. IF SUCH REQUESTS FOR EXTENSION, INCLUDING THE SUPPORTING DOCUMENTATION, ARE FILED PRIOR TO THE EXPIRATION OF THE FINAL PLAT APPROVAL, THEN THE FINAL PLAT APPROVAL SHALL CONTINUE IN EFFECT UNTIL SUCH TIME AS THE REQUESTS FOR EXTENSION HAVE BEEN ACTED UPON.

(2) If ~~the~~ AN extension is granted, the final plat approval shall be valid for 90 days from the date SUCH REQUEST FOR EXTENSION WAS APPROVED ~~Council approved the request for an extension~~, and the final plat approval shall expire if the final plat is not recorded with the Maricopa County Recorder within 90 days from the date the ~~Council approved the request for an extension of the final plat approval~~ WAS APPROVED. If ~~the~~ A request for extension is denied, the final plat shall expire upon the date the ~~Council denied the request for an extension~~ WAS DENIED or 90 calendar days from the date Council approved the final plat, whichever is later.

Subsection J of Section 15-2-5 is amended to read as follows:

(J) *Appeals*. The decision of the Council to approve, conditionally approve, or deny a final plat ~~and to approve, conditionally approve, or deny a request to extend a final plat approval~~ shall be final. THE DECISION OF THE ENGINEERING DIRECTOR OR DESIGNEE AND THE DECISION OF THE COUNCIL TO DENY A REQUEST FOR AN EXTENSION TO EXTEND THE EXPIRATION DATE OF A FINAL PLAT APPROVAL ARE FINAL. Persons with standing who are aggrieved by ~~a decision~~ DECISIONS of the Council AND/OR ENGINEERING DIRECTOR OR DESIGNEE hereunder AND WHO DESIRE TO APPEAL SUCH DECISIONS SHALL ~~may~~, within 30 days after THE decision IS MADE, file a complaint for special action in the superior court of Maricopa County to review ~~the Council's~~ SUCH decision.