

ORDINANCE NO. 2023-1572

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING SECTION 15-2-3 (STAGE II – PRELIMINARY PLAT) OF THE GOODYEAR CODE OF ORDINANCES; PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

WHEREAS, pursuant to A.R.S. Section 9-463.01, the legislative body of every municipality shall regulate the subdivision of land within its corporate limits. As such, the city of Goodyear has adopted subdivision regulations codified in Chapter 15 of the Goodyear Code of Ordinances (the “Subdivision Regulations”). The Subdivision Regulations were originally adopted by the City Council in 1994 and have undergone several amendments since that time; and

WHEREAS, the most recent amendments to the Subdivision Regulations were approved by the City Council on December 13, 2021, with adoption by Ordinance No. 2021-1521. These amendments permitted the Development Services Director to administratively grant extensions of approval for preliminary and final plats; and

WHEREAS, with regards to the processing of preliminary plats, the Subdivision Regulations currently require review and recommendation from the Planning and Zoning Commission and approval from the City Council; and

WHEREAS, the city is constantly engaged in exploring process improvements that will expedite the development process without compromising city standards; and

WHEREAS, a worksession with the City Council was held on October 3, 2022, where staff presented Council with information on a process improvement involving the approval of preliminary plats. As Arizona Revised Statutes do not specifically require Commission or Council approval of preliminary plats, it was determined that if preliminary plat approval could be delegated to the staff, then it could result in greater efficiencies and time savings for both staff and applicants, with an estimation that applicants could save at least one to two months of processing time by foregoing the requirement for Commission and Council review and approval. Said findings were presented to the Council at the October 3, 2022 worksession, and Council directed staff to proceed with the process improvement; and

WHEREAS, as directed by the Council, staff is proposing to amend the Subdivision Regulations to delegate the approval of preliminary plats to the staff, specifically the Development Services Director, who may approve, approve with conditions or deny an application for preliminary plat. Appeals of the Director’s decision may be made to the Planning and Zoning Commission, with a further appeal to the City Council; and

WHEREAS, the proposed modifications to the Subdivision Regulations shall further the city’s goal of expediting the development process without compromising city standards; and

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona find that the amendment of the Subdivision Regulations in Chapter 15 of the Goodyear Code of Ordinances as set forth below is in the best interests and welfare of the city and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. AMENDMENT TO SECTION 15-2-3 OF THE GOODYEAR CODE OF ORDINANCES

Section 15-2-3 (Stage II – Preliminary Plat) in Chapter 15 (Subdivision Regulations) of the Goodyear Code of Ordinances is hereby amended as set forth in that certain document titled “EXHIBIT A – AMENDMENT TO CHAPTER 15 SUBDIVISION REGULATIONS OF THE GOODYEAR CODE OF ORDINANCES” declared a Public Record by Resolution 2023-2296 and which is hereby adopted and incorporated herein by this reference.

SECTION 2. CORRECTIONS

The Development Services Director, City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 3. SEVERABILITY

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 4. EFFECTIVE DATE

This ordinance shall become effective as prescribed by law. The provisions of Chapter 15 of the Goodyear City Code of Ordinances being amended by this Ordinance shall Ordinance full force and effect from the effective date of this Ordinance.

SECTION 5. RECORDATION

This Ordinance shall be recorded with the Maricopa County Recorder's Office.

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

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney