

ORDINANCE NO. 627 N.S.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF TOLLESON, ARIZONA, AMENDING THE CODE OF TOLLESON, ARIZONA, CHAPTER 12 LAND USAGE, ARTICLE 12-2 SUBDIVISIONS BY AMENDING GENERAL PROVISIONS SECTION 12-2-2 PRELIMINARY PLAN; PROCEDURES SECTIONS 12-2-21 PROCEDURE FOR CONDITIONAL APPROVAL OF PRELIMINARY PLAT, 12-2-22 PROCEDURE FOR APPROVAL OF FINAL PLAT, AND 12-2-23 PROCEDURE FOR APPROVAL OF LOT SPLIT; FINAL PLAN SECTIONS 12-2-40 FINAL PLAN OF SUBDIVISION, AND 12-2-43 ITEMS REQUIRED TO BE SHOWN ON FINAL PLAT; REQUIRED IMPROVEMENTS SECTION 12-2-60 GENERAL PROVISIONS; AND GENERAL REQUIREMENTS SECTIONS 12-2-75 GENERAL PRINCIPLES OF ACCEPTABILITY, AND 12-2-77 BLOCKS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Mayor and Council of the City of Tolleson desire to amend the City Code to adopt updated versions of the Chapter 12 Land Usage, Article 12-2 Subdivisions by amending General Provisions Section 12-2-2 Preliminary Plan; Procedures Sections 12-2-21 Procedure for Conditional Approval of Preliminary Plat, 12-2-22 Procedure for Approval of Final Plat, And 12-2-23 Procedure for Approval of Lot Split; Final Plan Sections 12-2-40 Final Plan of Subdivision, and 12-2-43 Items Required to be Shown on Final Plat; Required Improvements Section 12-2-60 General Provisions; and General Requirements Sections 12-2-75 General Principles of Acceptability, And 12-2-77 Blocks;

WHEREAS, reasonable regulations relating to building, construction, and property maintenance are in the best interests of residents to protect public health and safety; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TOLLESON, ARIZONA, as follows:

Section 1. In General.

The Code of Tolleson, Arizona, Chapter 12 Land Usage, Article 12-2 Subdivisions by amending General Provisions Section 12-2-2 Preliminary Plan; Procedures Sections 12-2-21 Procedure for Conditional Approval of Preliminary Plat, 12-2-22 Procedure for Approval of Final Plat, And 12-2-23 Procedure for Approval of Lot Split; Final Plan Sections 12-2-40 Final Plan of Subdivision, and 12-2-43 Items Required to be Shown on Final Plat; Required Improvements Section 12-2-60 General Provisions; and General Requirements Sections 12-2-75 General Principles of Acceptability, And 12-2-77 Blocks are hereby amended to read as follows (additions in **ALL CAPS**; deletions in ~~strikeout~~).

* * *

GENERAL PROVISIONS

§ 12-2-2 PRELIMINARY PLAN.

- (A) The subdivision preliminary plan is intended to precede and supplement the final plat of subdivision which is to be recorded. Its purpose is to show all facts needed to enable the ~~Planning and Zoning Commission~~ and the administrative officers of the city to determine whether the proposed layout of the land in question and the proposed public improvements are satisfactory from the stand point of public interest. All required engineering and surveying work must be performed by or under the supervision of a registered engineer or surveyor, as the case may be, registered in accordance with the provisions of the Arizona State Board of Registration for Professional Engineers and Land Surveyors.

* * *

- (4) *Additional information.* The following information shall be submitted to, and approved by the City Engineer prior to approval of a preliminary plan ~~by the Planning and Zoning Commission.~~

* * *

PROCEDURES

§ 12-2-21 PROCEDURE FOR CONDITIONAL APPROVAL OF PRELIMINARY PLAT.

* * *

- (B) ~~Six copies of the preliminary plat and supplementary material specified shall be submitted Planning and Zoning Commission at least seven days prior to the meeting at which it is to be considered.~~
- (C) Within 30 days after the submission of the preliminary plat and other materials submitted for conformity thereof to these regulations and negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him or her, the ~~Planning and Zoning Commission~~ **ADMINISTRATIVE STAFF** shall recommend its recommendation as conditional approval and state the conditions of the approval, if any, or if disapproved, shall express its disapproval and its reasons therefore by letter, noting reasons therein, including citation of, or reference to, the rules and regulations violated by the plat.

* * *

§ 12-2-22 PROCEDURE FOR APPROVAL OF FINAL PLAT.

* * *

- (B) The original and four copies of the final plat, and other supplementary material required for approval, shall be submitted. ~~to the Planning and Zoning Commission at least seven days prior to the meeting at which it is to be considered.~~ It shall also be required that the above material be submitted ~~to the Planning Commission~~ within six months after approval of the preliminary plat; otherwise, the approval shall become null and void unless an extension of time is applied for and granted by the ~~Planning Commission~~ **ZONING ADMINISTRATOR**. The filing of a unit of the preliminary plat automatically extends approval of the preliminary plat for six months.
- (C) Within 30 days after the submission of the final plat and supplementary material required for approval, ~~the Planning Commission~~ shall recommend its final actions, except as provided in § 12-2-61.
- (D) The **ZONING ADMINISTRATOR** ~~City Council~~ shall take final action on any final plat, based upon ~~the Planning Commission's~~ **STAFF** recommendation, and application of the City Code to the plat.

§ 12-2-23 PROCEDURE FOR APPROVAL OF LOT SPLIT.

* * *

- (B) Any proposed lot split shall be submitted to the ~~Planning and Zoning Commission~~ **DEVELOPMENT SERVICES DEPARTMENT** to determine compliance with applicable platting, subdividing and zoning regulations. The City Manager or City Engineer may require the submittal of any additional information as is pertinent to make this determination.

* * *

FINAL PLAN

§ 12-2-40 FINAL PLAN OF SUBDIVISION.

No subdivision as defined by this article shall be made of land without the preparation and recording of a plat of subdivision, as defined in § 12-2-1 of this article, in accordance with the provisions of the rules and regulations; except as exempted from the platting by § 12-2-23 of this article. The final plat of subdivision is the official recordable plat. It shall be submitted within six months following **THE ZONING ADMINISTRATOR'S** ~~the Planning and Zoning Commission's~~ authorization to proceed under the provisions of the subdivision preliminary plan.

* * *

§ 12-2-43 ITEMS REQUIRED TO BE SHOWN ON FINAL PLAT.

* * *

(C) *Other items to be shown on final plat.*

- (1) Any restrictive covenants to apply to lots in the subdivision other than those set forth in the zoning code, or other ordinances of the city, shall be signed by the owner(s) and shall be printed in the subdivision plat or recorded in the office of the Recorder of Maricopa County with a notation on the plat. If restrictive covenants are filed or altered after the final plat has been recorded, a certified copy of the same shall be furnished to ~~the Planning and Zoning Commission~~ and the City Engineer;

* * *

REQUIRED IMPROVEMENTS

§ 12-2-60 GENERAL PROVISIONS.

All public improvements shown on the preliminary plan and any additional improvements that may be required by the ~~Planning and Zoning Commission~~ **ZONING ADMINISTRATOR**, as a condition for approval of the final plat, shall be the responsibility of the subdivider. All improvements constructed shall meet the city standard specifications, as adopted or amended.

* * *

GENERAL REQUIREMENTS

§ 12-2-75 GENERAL PRINCIPLES OF ACCEPTABILITY.

* * *

- (B) *Public open spaces and sites.* Where, as indicated by the master plan, a proposed subdivision contains, wholly or in part, a proposed public open space or a proposed site for a public building, the sites shall be reserved unless the concerned authority states it has no intention of development in the area. The ~~Planning and Zoning Commission~~ **ZONING ADMINISTRATOR** will immediately notify the concerned authority.
- (C) ~~*Neighborhood plan.* If a tentative plan has been approved by the Planning and Zoning Commission for the neighborhood of the proposed subdivision, the street system of the latter shall conform substantially thereto.~~
- (D) *Un-subdivided portion of tract.* The ~~Planning and Zoning Commission~~ **CITY ENGINEER** may require a sketch of the tentative future street system beyond the limits of the tract adjacent to the land area presently being subdivided.

* * *

§ 12-2-77 BLOCKS.

- (A) Length of residential blocks shall not be more than 1,000 feet long unless approved by the ~~CITY ENGINEER Planning and Zoning Commission~~. Blocks longer than 800 feet in length shall have a crosswalk near the center of the block where required as necessary by the ~~CITY ENGINEER Planning and Zoning Commission~~.

* * *

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference 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.

PASSED AND ADOPTED by the Mayor and Council of the City of Tolleson, Arizona this 26th day of August, 2025.

Juan F. Rodriguez, Mayor

ATTEST: _____
Crystal Zamora, City Clerk

APPROVED AS TO FORM: _____
Justin Pierce, City Attorney