

Town of Gila Bend

Zoning Ordinance and Subdivision Code amendments to address Arizona Legislation Effective January 1, 2026:

Context:

House Bill 2447, signed by the Governor on March 31, 2025, amended A.R.S. § 9-500.49 to require cities and towns to allow administrative review and approval of certain development applications without a public hearing. The law became effective January 1, 2026.

To ensure continuity in development review following the law's effective date, the Town implemented an Interim Administrative Interpretation and Implementation Policy to allow staff to process applications in compliance with state law while permanent code amendments were prepared.

The proposed amendments to the Zoning Ordinance and Subdivision Code are intended to formally incorporate these state law requirements into the Town's regulations. The changes are procedural in nature and do not modify zoning standards or expand development entitlements. Their purpose is to align the Town's codes with current state law and provide clarity going forward.

Zoning Ordinance Update (DRAFT TEXT AMENDMENT)

Zoning Ordinance dated September 25, 2007, updated January 21, 2026

Article II. ADMINISTRATION

16-2-01 Planning and Zoning Commission

- A. **Establishment.** The ~~PLANNING AND ZONING~~ Commission (~~PLANNING COMMISSION~~) is established by Section 2-7-1 of the Town Code.
- B. **Duties.** ~~In addition to the duties of the Commission set forth in Section 2-7-4 of the Town Code, it shall be the duty of the~~ ~~PLANNING~~ Commission ~~HAS THE FOLLOWING POWERS AND DUTIES~~ to:
 - 1. Review and make recommendations to the Council regarding amendments to the Zoning Map.
 - 2. Recommend to the Council any amendments to the regulations set forth in this Ordinance.
 - ~~3. Review or delegate review of Site Plans for development of Multi-Family Dwellings, commercial uses and industrial uses and to determine the appropriate action and requirements for each Site Plan of the Development as required by this Ordinance.~~
 - ~~4.3.~~ Review and approve or deny applications for Conditional Use Permits ~~PER A.R.S. § 9-462.01.C AND A.R.S. § 9-462.06(H)(1).~~

~~5.4.~~ Recommend to the Council a General Plan and ~~any~~ amendments ~~thereto~~
THE ADOPTED GENERAL PLAN.

~~6. Make recommendations to the Council on matters regarding the interpretation,
enforcement, and administration of the Gila Bend Subdivision Ordinance,
Chapter 12 of the Gila Bend Town Code.~~

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Article III. ADMINISTRATIVE PROCEDURES

16-3-04 Site Plan Approval

A. General.

~~The TOWN STAFF Commission~~ shall ADMINISTRATIVELY review Site Plans for all
~~d~~Development WITHIN the Town AND PLOT PLANS ~~except for s~~Single-fFamily
~~Dwellings~~ and ~~t~~Two-fFamily ~~d~~Dwellings. Site Plan approval is not required for
INDIVIDUAL sSingle-fFamily ~~Dwellings~~ and ~~t~~Two-fFamily ~~d~~Dwellings LOCATED
ON A SINGLE LOT, HOWEVER AN APPROVED PLOT PLAN IS REQUIRED TO
VERIFY SETBACKS, ACCESS, AND PARKING COMPLY WITH THE REQUIREMENTS
OF THIS ZONING ORDINANCE.

B. Submittal of Application.

Applications for Site Plan approval shall be filed on forms provided by the
Zoning Administrator. The application shall be accompanied by ~~d~~Development
plans showing sufficient information for the ~~Commission or~~ Town staff to
determine whether the proposed ~~d~~Development will meet the requirements of
this ~~o~~Ordinance. The application and applicable fee shall be filed with the
TOWN CLERK PRIOR TO BEING ASSIGNED A PROJECT CASE NUMBER ~~Zoning~~
~~Administrator. The Zoning Administrator shall review the application and~~
~~schedule it for a public hearing of the Commission.~~

C. Content of Application.

The application shall include the ALL INFORMATION REQUIRED ON THE TOWN OF
GILA BEND SITE PLAN APPLICATION. THE INFORMATION MUST BE SUBMITTED
ELECTRONICALLY TO THE TOWN CLERK AND COMMUNITY PLANNING STAFF. THE
FOLLOWING INFORMATION MUST BE PROVIDED WITH THE SITE PLAN SUBMITTAL
UNLESS TOWN STAFF DETERMINE UNNECESSARY THE ZONING ADMINISTRATOR
DETERMINES IN WRITING THAT A PARTICULAR ITEM IS NOT NECESSARY FOR THE
REVIEW OF THE APPLICATION BASED ON THE SIZE, SCOPE, OR NATURE OF THE
PROPOSED DEVELOPMENT ~~following:~~

1. General:

- a. Name of Development;
- b. Location of Development by Street address AND/OR ASSESSOR PARCEL
NUMBER(S);

c. CURRENT ZONING

~~e-d.~~ Location map, including area within one-half mile of Property;

~~d-c.~~ Name, EMAIL ADDRESS, PHONE NUMBER and mailing address of developer/owner;

~~e-f.~~ Name, EMAIL ADDRESS, PHONE NUMBER and mailing address of engineer/architect;

~~f-g.~~ Date of plan preparation;

~~g-h.~~ North point indicator; and

~~h-i.~~ Scale of not less than 1" to 100'

2. Site Plan (over seal and signature of preparing engineer or architect):

a. Boundary line of Real Property, with dimensions

b. Location, identification and dimension of existing and proposed:

- 1) ~~T~~opographic contours at a minimum interval of two feet, to a distance of 100 feet outside the property line
- 2) ~~A~~adjacent streets
- 3) ~~O~~on-site DRIVEWAYS AND CIRCULATION ROUTES~~street~~
- 4) WATER, SEWER, GAS, ELECTRIC, AND TELECOM LINES
~~utilities~~ and ~~utility~~ easements ~~and telephone and television facilities and easements~~
- 5) ~~B~~uildings and structures, including building(s) PERIMETER DIMENSIONS AND height
- 6) ~~P~~arking facilities
- 7) ~~W~~water bodies
- 8) ~~S~~urface water holding ponds and drainage ditches
- 9) ~~S~~idewalks, walkways, driveways, loading areas and docks, bikeways
- 10) ~~F~~fences
- 11) ~~E~~terior signs
- 12) ~~E~~terior refuse collection areas
- 13) ~~E~~terior lighting
- 14) ~~L~~andscaping (detailed plan showing plantings, materials equipment, etc.) including: botanical and common names of vegetation to be used, size of plantings at time of planting and at maturity, area to be irrigated
- 15) ~~T~~raffic flow on-site
- 16) ~~T~~raffic flow off-site
- 17) ~~S~~urface water drainage arrows

3. Number of employee and non-employee parking spaces existing, and proposed and total square footage of each; and
4. Site statistics including site square footage, percent of site coverage, dwelling unit density, percent park or open space.
5. Building:
 - a. Height above mean sea level of the lowest floor when the ~~b~~**B**uilding or ~~s~~**S**tructure is proposed to be located in a Floodway or Floodplain Overlay Zone; and
 - b. Gross square footage of existing and proposed structures.

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6. Permits:

A listing of all required Federal, State, and Town Permits and status of applications.
7. If the site is located in Floodplain or Floodway Overlay Zone, the following, information shall also be submitted:
 - a. ~~E~~**e**levation in relation to mean sea level of the lowest floor (including basement) of all Buildings and Structures;
 - b. ~~E~~**e**levation in relation to mean sea level to which has been, or will be flood-proofed;
 - c. ~~C~~**e**rtification by a registered professional engineer or architect, licensed in the State of Arizona, that the flood hazard reduction methods for any structure meet ~~FEDERAL, STATE, COUNTY AND TOWN REQUIREMENTS~~**the criteria in Section 16-7-12 F, page 77;** and
 - d. ~~D~~**e**scription of the extent to which any watercourse will be altered or relocated as a result of the proposed ~~d~~**B**development.

~~d.8.~~ **IF THE PROPOSED SITE DEVELOPMENT WILL HAVE ANY HAZARDOUS MATERIALS OR PRODUCT, OR INVOLVE MANUFACTURING OR HEAVY MACHINERY, THE APPLICANT MUST INCLUDE A NARRATIVE ADDRESSING HOW THE PROJECT WILL MINIMIZE THE IMPACTS TO THE COMMUNITY AND THE ENVIRONMENT.**

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D. Site Plan Review.

1. ~~Site PLANS~~**IN REVIEWING A SITE PLAN, TOWN STAFF SHALL CONSIDER:**
 - a. Conformance to the requirements of this Ordinance.
 - b. Whether existing and anticipated traffic and parking conditions would be negatively impacted.
 - c. Whether pedestrian and vehicular ingress and egress is adequate.

- d. Whether there is adequate landscaping, lighting, provisions for ~~u~~utilities, telephone or television, site drainage, open space, loading and unloading areas, grading, signage, screening, and setbacks for the site.
2. ~~The TOWN STAFF Commission~~ shall ~~FURTHER~~ consider ~~oral or~~ written ~~REFERRAL REVIEW COMMENTS OR~~ statements from the applicant, ~~the public,~~ Town staff members, ~~AND COUNTY, STATE AND FEDERAL STAKEHOLDERS or its own members.~~ ~~TOWN STAFF~~ may question the applicant and approve the application, approve the application with modifications, ~~OR~~ deny the application ~~IF IT DOES NOT MEET ALL CODES AND ORDINANCES AND ADDRESS CONCERNS IDENTIFIED BY STAKEHOLDERS (LUKE A.F. B., MARICOPA COUNTY, OR INFRASTRUCTURE PROVIDER OR MANAGER), or continue the hearing.~~ ~~The application may not be continued for more than two regular meetings of the Commission without the consent of the applicant.~~
3. ~~If the TOWN Commission shall determine by motion that the proposed Site Plan will not be detrimental to the health, safety, or welfare of the residents of the Town nor will cause traffic congestion or seriously depreciate surrounding property values and at the same time is in harmony with the purposes and intent of this Ordinance, the plan for the area, and the General Plan, the STAFF Commission may approve the application and impose such conditions as necessary to fulfill the purposes of this Ordinance.~~
- ~~IN ADDITION TO THE SPECIFIC CONSIDERATIONS ABOVE, TOWN STAFF SHALL EVALUATE WHETHER THE PROPOSED SITE PLAN MEETS ALL APPLICABLE TOWN REGULATIONS AND WOULD NOT ADVERSELY AFFECT THE GENERAL HEALTH, SAFETY, OR WELFARE OF THE COMMUNITY, CREATE UNDUE TRAFFIC OR ENVIRONMENTAL IMPACTS, OR CONFLICT WITH THE PURPOSES AND INTENT OF THIS ORDINANCE AND THE GENERAL PLAN. TOWN STAFF MAY APPROVE THE APPLICATION AND ATTACH CONDITIONS NECESSARY TO MITIGATE SUCH IMPACTS AND ENSURE COMPLIANCE.~~
4. ~~Applications may be denied by motion of the TOWN ZONING ADMINISTRATOR Commission~~ upon a finding that the conditions required for approval do not exist.
- 4.5. ~~IF THE SITE PLAN IS NOT APPROVED BY THE TOWN STAFF OR CONDITIONALLY APPROVED, AND THE APPLICANT OR OWNER WISHES TO FILE AN APPEAL, THE APPLICANT OR OWNER MAY REQUEST A HEARING BEFORE THE TOWN COUNCIL APPEALING THE ACTION OF TOWN STAFF. THE REQUEST SHALL BE IN WRITING, SHALL BE SUBMITTED WITHIN THIRTY (30) DAYS OF THE ACTION OR DECISION BY STAFF AND SHALL STATE THE SPECIFIC RELIEF WHICH THE APPLICANT OR OWNER SEEKS. WITHIN THIRTY (30) DAYS OR THE NEXT REGULARLY~~

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SCHEDULED TOWN COUNCIL HEARING AFTER TOWN CLERK'S RECEIPT OF SUCH REQUEST, THE TOWN COUNCIL SHALL CONSIDER BOTH THE APPEAL REQUEST AND THE WRITTEN STAFF REPORT. THE COUNCIL SHALL EITHER REAFFIRM OR MODIFY THE DECISION OF TOWN STAFF AND NOTE THE DECISION IN THE RECORD OF ITS HEARING. THE APPLICANT OR OWNER MAY THEN PROCEED WITH THE SITE PLAN BASED ON THE DECISION OF THE COUNCIL. THE TOWN COUNCIL DECISION SHALL BE BINDING UPON ALL AGENCIES AND ADMINISTRATIVE PERSONNEL OF THE TOWN OF GILA BEND.

E. **Amendments to Site Plans.**

Applications to amend a Site Plan shall be submitted to the Zoning Administrator and shall include a revised Site Plan drawing showing the requested amendment.

Amendments to Site Plans may be approved by ~~PLANNING STAFF~~~~the Chairman and Secretary of the Commission~~ upon ~~receipt of a written~~ finding ~~of the Zoning Administrator~~ that the amended Site Plan is in substantial compliance with the originally approved Site Plan AND THE PROPOSED CHANGES MEET THE CURRENT ZONING ORDINANCE. If it is determined by the Zoning Administrator that the proposed amended Site Plan is not in substantial compliance with the approved Site Plan, the application shall follow the procedures set forth in Section 16-3-4 (A-C), above.

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Town Code Update (DRAFT TEXT AMENDMENT)

Subdivision Regulations dated July 14, 1985, updated January 21, 2026

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Chapter 12. SUBDIVISIONS PLATTING PROCEDURES AND REQUIREMENTS

12-3 Platting Procedures and Requirements

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A. **Pre-Application Contact and Sketch Plat**

1. Prior to the submission of a Sketch Plat as required by these Regulation, the subdivider shall contact the Zoning Administrator and any other administrative personnel or private agencies to determine:
 - a. Procedures and requirement for filing the Sketch Plat and Preliminary and Final Plats.
 - b. Availability of public water and sewer or requirements when public systems are not readily available.
 - c. Zoning requirements on the property.

- d. Requirements of the duly adopted General Plan for major streets, land use, schools, parks, and other public open space.
 - e. The location and extent of any floodplains.
 2. As a part of this contact the subdivider may discuss with the ~~COMMUNITY & ECONOMIC DEVELOPMENT~~Planning Department, or any other appropriate agency, its tentative proposals for the development of the property.
 3. The subdivider shall submit, and the ~~COMMUNITY & ECONOMIC DEVELOPMENT STAFF~~Planning and Zoning Commission shall review and comment on, a Sketch Plat prior to the preparation of a Preliminary Plat. ~~The Planning and Zoning Commission shall make such a review and make its comments known to the subdivider in writing within five (5) days from the date of the review. The Sketch Plat shall contain or show two-foot contours and the requirements of Section 12-3 A.1.a-e.~~
 4. The purpose of this pre-application procedure is to PROVIDE PRELIMINARY, NON-BINDING FEEDBACK ON POTENTIAL CODE CONSIDERATIONS TO ASSIST THE SUBDIVIDER IN PREPARING A PRELIMINARY PLAT. THIS REVIEW DOES NOT RELIEVE THE SUBDIVIDER OF RESPONSIBILITY FOR FULL COMPLIANCE WITH TOWN CODES OR REGULATIONS, AND THE TOWN DOES NOT GUARANTEE THAT ALL ISSUES WILL BE IDENTIFIED AT THIS STAGE. ~~determine any OBVIOUS CODE CONFLICTS~~problems with the proposed development before expenses are incurred in the preparation of a Preliminary Plat. ~~No official action is required of the Planning and Zoning Commission, or other agencies, other than to offer appropriate comments on the proposal and indicating suitability for proceeding through the platting process.~~

B. Preliminary Plat

1. Preliminary Plats shall be submitted ~~ELECTRONICALLY in fifteen (15) copies, and a reproducible, if requested,~~ to the ~~TOWN CLERK AND COMMUNITY & ECONOMIC DEVELOPMENT~~Planning DepartmentS. The Preliminary Plat shall consist of a drawing or drawings and accompanying material and information as prescribed by these regulations.
2. The Preliminary Plat drawing shall be prepared at a scale of 1" = 100', or larger for subdivisions where the majority of lots are less than five (5)

acres in size. The scale may be reduced to 1" = 200' for subdivisions in which the minimum lot size is five (5) acres or more. The face of the drawing shall contain the following information:

- a. The name of the subdivision. The name shall not duplicate, or too closely resemble, the name of any subdivision previously filed in the Town.
- b. Date of preparation, scale and north arrow. The top of each sheet shall represent north wherever possible.
- c. A vicinity map, drawn at a scale of 1"= 1,000', or 1" = 2,000', showing the location of the proposed subdivision in the Town and its relationship to surrounding development.
- d. The names, addresses, and phone numbers of the developer or subdivider, and the individual or firm responsible for the preparation of the Preliminary Plat.
- e. A legal description of the subdivision boundary.
- f. The boundary lines of the subdivision in a heavy, solid line and referenced to section or quarter section lines.
- g. A description of all monuments, both found and set, which mark the boundary of the subdivision, and a description of all control monuments used in the survey.
- h. Existing contours at a maximum interval of two (2) feet unless waived by the Planning Department.
- i. General location and extent of any significant natural features such as streams, or drainage ways.
- j. Floodplains as delineated on maps available in the Planning Department.
- k. Location, dimensions and name of existing roads, streets, alleys, railroad rights-of-way and structures within, and within one hundred (100) feet immediately adjacent, the property showing how they relate to the proposed subdivision layout.
- l. Location, size, and grades of existing sanitary and storm sewers and locations and size of water mains, gas lines, pipelines, or

other underground utilities or installations within the proposed subdivision and within one (100) feet immediately adjacent thereto.

- m. Location and dimensions of all easement of record.
 - n. Existing zoning and land use of the proposed subdivision and immediately adjacent areas.
 - o. Location and width of proposed streets, alleys, pedestrian ways and easements.
 - p. Layout, numbers and approximate dimensions of proposed lots and blocks.
 - q. Location, dimension and size in acres of all sites proposed to be used for commercial, industrial, multi-family residential, public or quasi-public use, with the use noted.
 - r. A summary of the total number of acres, number of lots, acreage of commercial or industrial areas, acreage of open space, amount of land in rights-of-way and other descriptive material useful in reviewing the proposed subdivision.
3. The following information and material shall be a part of any Preliminary Plat submission and shall accompany the Preliminary Plat drawing:
- a. Payment of the total amount of the Preliminary Plat fee.
 - b. A statement explaining the proposed design and function of the water, sewage, paving, sidewalk, drainage systems, their compatibility with existing systems and the timing and/or phasing of installation.
 - c. A statement describing the development and maintenance responsibility for any private streets, ways, or open space.
 - d. The recommendations of a qualified professional engineer of the affected Soil Conservation District regarding soil suitability, erosion control, sedimentation and flooding problems.

- e. A description of the phasing and scheduling of phases for the development, if the Final Plat is to be submitted in separate phases.
 - f. A petition for annexation to the Town of Gila Bend if the land to be subdivided is contiguous to, and outside either by itself or as part of a larger tract, the boundaries of the Town.
 - g. An application for appropriate zoning for the subdivided area if the area is to be annexed or if the existing zoning district does not allow the type of use proposed.
 - h. The names and addresses of all owners of subdivided lots and unplatted land contiguous to, or with two (200) hundred feet of the boundary of, the proposed subdivision.
 - i. A completed Preliminary Plat check list on the standard forms provided.
4. After receipt of the Preliminary Plat and all required supporting material, the Planning Department shall ~~schedule the Plat for consideration at the next regular meeting of the Planning Commission which occurs after twenty-three (23) days from the date on which the Plat was submitted; and shall, within three (3) days,~~ transmit copies to appropriate agencies and officials for their review and comment WITH A DUE DATE THIRTY (30) DAYS FROM THE PAYMENT OF THE TOWN FEE TO THE TOWN CLERK.
 5. Agencies receiving referral copies of the Preliminary Plat should return written comments on the Plat to the COMMUNITY AND ECONOMIC DEVELOPMENT Planning Department within THIRTYten (340) days after receipt of the Plat. Agencies may also present comments on the Plat at the PREAPPLICATION Planning and Zoning Commission meeting at which the Plat COMMENTS ARE DISCUSSED WITH THE APPLICANT ~~is considered.~~
 6. Upon receipt of all COMMENTS FROM STAFF, agencies, AND OFFICIALS comments, or at the end of the THIRTYten (130) day period, the Planning ~~STAFF~~ Department will COMPILE OR summarize the ~~agency~~ comments THAT HAVE BEEN PROVIDED, add written comments and recommendations from the Department STAFF itself, and PROVIDE THE INFORMATION TO THE APPLICANT ~~present the material and recommendations to the Planning and Zoning Commission for its consideration.~~

- ~~7. At least seven (7) days prior to the date of the Planning and Zoning Commission meeting at which the Plat is to be considered, the Planning Department shall, from information provided by the subdivider as a part of his Preliminary Plat submission, notify the owners of subdivided lots and owners of unplatted land within two (200) hundred feet of the boundaries of the proposed subdivision of the time and date of the meeting.~~
- ~~8. The subdivider, or duly authorized representative, shall attend the Commission meeting at which the plat proposal is scheduled for consideration.~~
- ~~9. At the Commission meeting the subdivider and all other interested or affected parties shall be allowed to offer comments. Within fifteen (15) days of the meeting the Commission shall approve or disapprove the Preliminary Plat. Within ten (10) days after the date of the meeting at which final action was taken, the Commission shall notify the subdivider and Town Council of its decision. If conditions are attached to its approval, the subdivider and Town Council shall be informed of such conditions.~~
- ~~10.7. Within thirty (30) days of receipt of the Commission's recommendation, the Town Council shall by motion, act on the Preliminary Plat and the Commission's recommendation and shall send notices of their action to the Commission and the subdivider. STAFF MAY APPROVE THE PRELIMINARY PLAT, APPROVE WITH CONDITIONS, OR DENY THE PLAT IF IT DOES NOT MEET APPLICABLE STANDARDS. Upon STAFF'S approval of the Preliminary Plat a 224" x 346" mylar of the Preliminary Plat shall be submitted to the Town CLERK WITH THE NECESSARY SIGNATURES.~~
- ~~11.8. Approval of the Preliminary Plat by the Town Council shall be effective for six (6) consecutive calendar months from the date of approval. The subdivider may apply in writing for, and the Planning Commission may for cause shown, grant up to a six (6) month extension. If a Final Plat has not been submitted within SIX (6) MONTHS OF STAFF'S WRITTEN APPROVAL THIS specified period on all or a portion of the land area included in the Preliminary Plat, a Preliminary Plat must again be submitted for approval. In a phased development, any land ~~or a~~ for which a Preliminary Plat has been approved and for which a Final Plat has not been submitted within twenty-four (24) months from the date of the approval of the Preliminary Plat, shall not be allowed to proceed with final platting until a new Preliminary Plat is submitted and approved.~~

C. Final Plat

1. After approval of the Preliminary Plat, a Final Plat may be prepared and submitted. The Final Plat shall be prepared and certified as to its accuracy by a registered land surveyor licensed to do such work in the State of Arizona. The Final Plat and required supporting material shall conform to the design and engineering standards set forth in these regulations and to any conditions of approval specified by the COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT ~~STAFF~~ ~~Planning Commission and Town Council.~~
2. Final platting may be accomplished in stages covering reasonable portions of the area of an approved Preliminary Plat. When this is done, each sheet of the Final Plat shall contain a vicinity map showing the location of the portion being submitted in relationship to the area for which the Preliminary Plat was submitted. All Final Plats so submitted shall be of the same scale, shall have identical titles, legends and other information, and shall have match lines so that mosaics of the entire subdivision can be developed. Each stage of the subdivision shall by itself, or in conjunction with previous stages, meet the design standards set forth in these regulations so that if development of the entire subdivision is interrupted or discontinued after one or more stages is/are completed, a viable development will result.
3. The Final Plat shall be clearly and legibly drawn in black, waterproof India ink ~~upon tracing linen~~, mylar of .004 inch thickness (minimum) or some similar stable base material. Required affidavits, certificates and acknowledgments shall be legibly printed on the Plat in opaque ink. The sheet size of the Plat should be so positioned that a ~~1~~ 1/2" margin is on the left hand side and a 1/2" margin is shown on the remaining sides. The Final Plat shall be prepared at a scale of 1" = 100', or at a scale of 1" = 200' for subdivisions in which the minimum lot size is five (5) acres or more. Each sheet of the Final Plat shall be numbered and the total number of sheets comprising the plat shall be stated on each sheet (for example: Sheet 2 ~~of~~ 4). The relationship of one sheet to the other shall be shown by key maps and by match lines.
4. The original ~~linen or~~ mylar, one (1) reproducible copy (sepia is not acceptable) ~~Of and nine (9) prints of~~ the Final Plat MUST BE PROVIDED and two (2) copies of all required supporting material, shall be submitted to the TOWN CLERK Planning Department, at least fourteen (14) days prior to the Planning Commission meeting at which the Final Plat is to be considered-APPLICANT MUST ALSO PROVIDE ELECTRONIC COPIES OF ALL FINAL PLAT DOCUMENTS AND SUPPORTING

MATERIALS TO THE TOWN CLERK AND TOWN ENGINEER PRIOR TO RECORDING.

5. The submitted Final Plat shall contain the notarized signatures of the owner, or owners, of any and all equitable or legal interest in the land of whatever nature and the signature of the registered land surveyor.
6. All Final Plats shall include the following information on the face of the Plat:
 - a. The name of the subdivision, centered at the top of each sheet.
 - b. General location of the subdivision by section, township, range, county, and state, entered under the name of the subdivision.
 - c. North arrow, date, and scale.
 - d. Boundary lines of the subdivision in a heavy solid line.
 - e. Legal description of the subdivision boundary based on an accurate traverse, giving bearing and linear dimensions that result in a maximum allowable error of closure of one (1) part in ten thousand (10,000).
 - f. The location and description of the point of beginning and its proper reference to the monumented boundary survey.
 - g. Location and description of all monuments.
 - h. Bearings, distances, and curve data of all perimeter boundary lines indicated outside of the boundary lines.
 - i. On curved boundaries and on all curves within the Plat, sufficient data to allow the reestablishment of the curves on the ground.
 - j. The location and layout of lots, blocks, tracts, streets, alleys, easements, and other public grounds within and immediately adjoining the Plat, with accurate dimensions in feet and one-hundredths of feet, bearings, curve data, length of radii and/or area of all curves.
 - k. Drainage easements clearly labeled as such.
 - l. The names of all streets.

- m. All lots logically and consecutively numbered in the center of the lot.
- n. All dimensions shown on irregularly shaped lots.
- o. Parcels completely or partially surrounded by the area being subdivided shall be clearly marked "EXCEPTED", and the common boundary with the subdivision shown in a heavy solid line with bearings and distances.
- p. A notation of the total acreage of the subdivision and the total number of lots.
- q. A notarized certificate by all parties having any titled interest in or lien upon the land, consenting to the recording of the Plat and dedicating public ways, grounds and easements.
- r. A notarized certificate of a registered land surveyor, registered under the laws of Arizona, stating that the plat is true, accurate and complete.
- s. Certificate of review of the Town Engineer (or acting Town Engineer) as follows:

Data on this plat reviewed this _day of _____, A.D., 20__, by the Town Engineer of Gila Bend, Arizona.

Town Engineer

t. CERTIFICATE OF REVIEW OF THE TOWN ZONING ADMINISTRATOR
(OR ACTING ZONING ADMINISTRATOR) AS FOLLOWS:

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DATA ON THIS PLAT REVIEWED THIS ___ DAY OF _____, A.D.,
20 __, BY THE TOWN ZONING ADMINISTRATOR OF GILA BEND,
ARIZONA.

TOWN ZONING ADMINISTRATOR

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t. ~~Certificate of approval by the Town of Gila Bend Planning and
Zoning Commission as follows:~~

This plat approved by the Town of Gila Bend Planning and Zoning Commission
this _____ day of _____, A.D., 20____

Chairman

Attest:

Secretary

u:— Certificate of acceptance and approval by the Town Council of
— The Town of Gila Bend as follows:

— Approved by the Town Council of the Town of Gila Bend, Arizona, this
— day of _____, A.D., 20____.

Mayor

Attest:

Town Clerk

v.u. Certificate for recording by the County Clerk and Recorder as
follows:

This plat was filed for record in the Office of the Clerk and Recorder
at ____ o'clock __m., _____, 20____, and is duly recorded in
Book _____, Page No. _____.

County Clerk

7: The Final Plat shall be accompanied by the total amount of the
Final Plat fee:

7. After receipt of the Final Plat, the **COMMUNITY & ECONOMIC
DEVELOPMENT** Planning Department shall review the submittal for
completeness and for conformance with the approved Preliminary Plat.

8. AFTER THE FINAL PLAT SUBMITTAL IS DETERMINED TO BE COMPLETE,
APPLICANT MUST PAY THE REQUIRED REVIEW FEE AND THE TOWN CLERK
WILL ASSIGN A PROJECT NUMBER.

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8-9. ~~THE TOWN PLANNER WILL SEND THE FINAL PLAT DOCUMENTS OUT FOR REFERRAL TO RELEVANT AGENCIES, STAKEHOLDERS AND TOWN STAFF TO THE~~ Department may refer copies of the Final Plat to and seek comments from other officials and AGENCIES FOR REVIEW AND COMMENT. Any such comments should be made known to the ~~TOWN PLANNER~~ Department within ~~thirty (30)~~ thirty (30) days after the date of submittal of the Final Plat. IF THE FINAL PLAT IS APPROVED, THE SUBDIVIDER MAY PROCEED WITH SECTION 12-3 D OF THESE REGULATIONS. IF THE FINAL PLAT IS NOT APPROVED BY THE TOWN STAFF OR CONDITIONALLY APPROVED, AND THE SUBDIVIDER WISHES TO APPEAL THE DECISION, THE SUBDIVIDER MAY REQUEST A HEARING BEFORE THE TOWN COUNCIL APPEALING THE ACTION OF TOWN STAFF. THE REQUEST SHALL BE IN WRITING, SHALL BE SUBMITTED WITHIN THIRTY (30) DAYS OF THE ACTION OR DECISION APPEALED AND SHALL STATE THE SPECIFIC RELIEF WHICH THE SUBDIVIDER OR LANDOWNER SEEKS. WITHIN THIRTY (30) DAYS OF THE RECEIPT OF SUCH A REQUEST, OR THE NEXT REGULARLY SCHEDULED TOWN COUNCIL HEARING, THE TOWN COUNCIL SHALL HOLD A HEARING TO DETERMINE THE PROPER DISPOSITION OF THE MATTER. AT THE HEARING, THE COUNCIL SHALL CONSIDER NOT ONLY THE SUBDIVIDER'S APPEAL BUT ALSO THE WRITTEN OR VERBAL COMMENTS OF TOWN STAFF. THE COUNCIL SHALL EITHER REAFFIRM OR MODIFY THE DECISION OF TOWN STAFF AND NOTE THE DECISION IN THE RECORD OF ITS HEARING. THE SUBDIVIDER OR LANDOWNER MAY THEN PROCEED WITH THE SUBDIVISION OF HIS LAND BASED UPON THE DECISION OF THE COUNCIL. THIS DECISION SHALL BE BINDING UPON ALL AGENCIES AND ADMINISTRATIVE PERSONNEL OF THE TOWN OF GILA BEND.

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9. ~~The Final Plat shall be scheduled for the consideration of the Planning and Zoning Commission at its next regular meeting after the fourteen (14) day review period. After due deliberation, the Planning Commission shall approve, conditionally approve, or disapprove the Final Plat. Approval of a Final Plat by the Planning Commission shall remain effective for eighteen (18) calendar months.~~

10. ~~Within ten (10) days after the date of the meeting at which final action was taken, the Commission shall notify the subdivider and Town Council of its action. If the Final Plat is approved, the subdivider may proceed with Section 12-3 D of these regulations. If the Final Plat is disapproved by the Commission or conditionally approved, and the subdivider wishes to appeal the conditions, the subdivider may request a hearing before the Town Council appealing the action of the Commission. The request shall be in writing, shall be submitted within thirty (30) days of the action or decision appealed from and shall state the specific relief which the subdivider or landowner seeks. Within thirty (30) days of the receipt of such a request, the Town Council shall hold a hearing to determine the proper disposition of the matter. At the hearing, the Council shall consider not only the~~

~~subdivider's appeal but also the written or verbal comments of the Commission. The Council shall either reaffirm or modify the decision of the Commission and note the decision in the record of its hearing. The subdivider or landowner may then proceed with the subdivision of his land based upon the decision of the Council. This decision shall be binding upon all agencies and administrative personnel of the Town of Gila Bend.~~

D. Complete Final Plat

1. A complete Final Plat submittal shall consist of the Final Plat as approved by the ~~COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT STAFF~~ Planning Commission and all required supporting materials. Following approval of the Final Plat ~~by the Planning Commission~~, the subdivider shall submit the following supporting material relating to the Final Plat to the COMMUNITY & ECONOMIC DEVELOPMENT AND TOWN CLERK ~~Planning Department~~ S:

- a. A Final Plat checklist on standard forms provided.

- b. Drainage Report

A Drainage Report for the site in question and all pertinent off-site areas shall be prepared by a licensed engineer or hydrologist. The report shall examine one hundred (100) year high-water mark of any river, creek, arroyo, gully, diversion ditch, spillway, reservoir, etc., that may in any way affect the project area, along with the depth of flow for one hundred (100) year runoff. The watershed in all off-site areas shall be considered fully developed. Intensities shall be for this area's one (1) hour one hundred (100) year storm based upon two and one-half (2 ½) inches per hour. Times of Concentration (TC) used in the study shall provide for "C" to be 0.5 or greater and the over lot flow time to gutter to be eight (8) minutes unless adequate evidence is provided to the contrary. A certificate shall be provided, signed, and sealed by a Registered Professional

Engineer that all drainage facilities, utilizing gutters and streets, are designed and sized to handle one hundred (100%) percent of the Q one hundred (100) runoff.

- c. Soils Report

A Soils Report for the site in question and pertinent off-site areas shall be prepared by a licensed engineer or soil scientist. The report shall indicate the type and location of soils, using the unified soil

classification system, shall contain drill logs and swell consolidation curves, and shall contain a discussion of any present or potential hazards, associated with soils on the site along with measures which could be taken to mitigate such hazards. In addition the Soils Report shall contain recommendations on subsurface area drains and peripheral drains, foundation design, erosion control measures and surface drainage.

d. Grading, Drainage and Development Plan

A Grading, Drainage and Development Plan shall be prepared at a scale of 1" = 100' or larger showing proposed rights-of-way, easements, walkways, parks, common areas, roadways, waterlines and reservoirs, sewer lines, manholes and treatment facilities, curbs and gutters, culverts, drains, storm water detention and retention basins, swales, ditches and other drainage devices, spot top of curb elevations, high and low street points, drainage arrows, street plans, all drainage areas and acreages, all one hundred (100) year storm flows (Q 100s) adjacent to and/or flowing onto the development and on-site at each surface junction, storm water "pick-up" and "take-off" points designed to handle one hundred (100) year flow on the surface, cross sections and high water elevations for all one hundred (100) year flows. Spot elevations shall be given for all inverts, low points and flowing entry and exit point.

For residential subdivisions, all minimum building setbacks shall be shown. No one hundred (100) year flow line shall encroach upon any minimum setback line.

The following standards shall be used in preparation of the Grading, Drainage and Development Plan: one hundred (100) year storm flows shall not exceed two hundred (200) cfs per half street when feasible; pipes into which surface water flows will have a minimum diameter of fifteen (15) inches; a capability for handling all Q100 surface flow within the roadway. Exceptions and variations to these standards must be recommended by a licensed engineer and approved by the Town Engineer or acting Town Engineer.

e. Construction Plans and Details

Construction Plans and Details must be prepared by a Registered Professional Engineer in the State of Arizona and shall provide for all improvements indicated on the Grading, Drainage, and Development Plan, including right-of-way and easement cross-

sections showing construction and placement of streets, walks, curbs, gutters, medians, lighting standards, swales, ditches, utilities, planting strips and property lines; details of hydrants, valves, manholes, pipe junctions, pumps, thrust-blocking, catch basins, etc.; street profiles showing natural finish grades, center line and both curbs, with a recommended minimum vertical scale of 1" - 50'; sanitary sewer line and manhole profiles with natural and finish grades, showing area under-drains, if applicable, and the location of gravity outfall lines; storm drainage system profiles showing natural and finish grade; erosion control and re-vegetation details and other details necessary to adequately convey the design intent. Quantity take-offs shall also be provided.

f. Deeds

When required by the Town, assurance that a warranty deed or other acceptable instrument conveying to the Town or other appropriate public agency any public lands other than streets, alleys or easements shown on the Final Plan and title assurance if required by the Town on the subject parcel, shall be presented to the Town upon approval of the Final Plat. The method of assurance will be approval by the Town Attorney.

g. Title Opinion

Evidence satisfactory to the Town must be submitted showing all taxes and assessments due on the property to be subdivided to be paid in full, showing title or control of the property to be subdivided, and showing the property to be subdivided as free and clear of any liens. An attorney's title opinion or ownership and encumbrance report from a land title company shall be considered satisfactory evidence.

h. Floodplain

If **ALL OR PART OF THE** subdivision lies within a one hundred (100) year floodplain, the following statement shall appear on the face of the Final Plat and all contracts and agreements relating to the subdivision: "**ALL OR PART OF THIS SUBDIVISION IS (OR THE FOLLOWING LOTS ARE) LOCATED IN THE ONE HUNDRED YEAR FLOODPLAIN AS DEFINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**"

i. Financial Guarantee

A contractor's performance bond to guarantee the complete and timely development of any facilities or improvements which are the subdivider's responsibility, subject to Section 12-6 A1 of this Ordinance, shall be submitted.

2. Agency Review

Upon submission of all required supporting materials to the Final Plat, the department shall review them for completeness to determine whether a complete Final Plat submittal has been made and shall refer the material to appropriate agencies for review and comment. Upon being notified of the comments and any necessary approvals of reviewing agencies, the ~~COMMUNITY & ECONOMIC DEVELOPMENT~~ Planning Department shall forward the Final Plat, comments and approvals of reviewing agencies ~~TO THE APPLICANT, pertinent supporting materials, and the recommendations of the Planning Commission to the Council~~ ~~incomplete Final Plats, or Final Plats for which necessary approvals have not been secured, shall not be forwarded to Council for action.~~

~~3. Town Council Action~~

~~Following receipt of the recommendation of the Planning Commission, along with the Final Plat and accompanying materials the Town Council shall either approve the Final Plat or disapprove the Final Plat and notify the subdivider of the conditions to be met to gain approval. If a disapproved Final Plat is modified and resubmitted to the Town Council at a later date for their consideration, the Council may require the concurrent submittal of an updated ownership and encumbrance report or title opinion.~~

4.3. Filing With County Clerk

Upon approval by the ~~COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT STAFF~~ Town Council of the Final Plat, the subdivider shall be notified to submit payment for the recording fee to the ~~TOWN CLERK~~ Planning Department ~~AND MUST PAY ALL OTHER APPLICABLE FEES~~, and the ~~TOWN CLERK~~ Department shall transmit the subdivider's recording fee and the duly approved and executed Final Plat to the County Clerk and Recorder for the filing of the Final Plat among the official records of the County.

5.4. Alternate Approval Procedure

As an alternative procedure and at the request of the subdivider, the Town ~~COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT STAFF~~ Council may approve a Final Plat and ~~instruct the Planning Department to~~ withhold the

approved Final Plat from recording for a period of time to allow the subdivider to install all of the required public improvements according to the plans and specifications approved by the Town Engineer. This procedure, when approved by ~~STAFF the Council~~, shall be in lieu of the guarantees for installation of improvements as set forth in Section 12-6 A1. of these regulations. An executed standard contract as approved by the Town Attorney regarding installation of improvements shall be submitted with the Final Plat. The contract shall require that all improvements be completed no later than twelve (12) months from the date the Final Plat was approved by the Town ~~STAFF Council~~ and that no lot may be sold. When the completed improvements are inspected and approved by the Town Engineer, the Plat shall be recorded by the ~~TOWN CLERK~~ Department, and the sale of lots may proceed according to the approved and recorded plat, provided that a one year warranty shall be submitted covering the completed improvements as per Section 12-6 B.2.c.ii.

E. Simultaneous Submittal of Preliminary and Final Plats

For certain subdivisions, the subdivider may, after discussion with the ~~COMMUNITY & ECONOMIC DEVELOPMENT~~ ~~Planning~~ Department, simultaneously submit both the Preliminary Plat and the Final Plat. Depending on the size and complexity of the subdivision and the amount of street dedication any or all of the information required in the Preliminary and Final Plat processes may be submitted. The ~~TOWN ENGINEER AND ZONING ADMINISTRATOR~~ ~~Planning Department~~ shall determine which information must be submitted for adequate review of the subdivision. The Preliminary and Final Plats may then be processed concurrently. It is possible for the Preliminary and Final Plats to be one and the same instrument.

F. Corrected Plats, ~~and~~ Resubdivisions ~~AND LOT DIVISION/COMBINATIONS~~

1. If, after the approval and recording of a Final Plat, errors are found in the language or numbers on the recorded Plat, the subdivider shall file a properly signed, corrected or revised original mylar ~~or linen~~ with the Department. The Plat shall be noted CORRECTED PLAT under the name of the subdivision. Notations shall be made on the face of the Plat listing all corrections made and the book and page numbers where the original plat was recorded. The ~~COMMUNITY & ECONOMIC DEVELOPMENT~~ Department shall review the Plat for corrections, secure the signatures of the proper public officials on the corrected plat ~~and present the plat to the Town Council for the reaffirmation of their approval~~ and to the County Clerk for recording. The recording of the corrected plat shall void the incorrect original plat, and the County Clerk shall note VOID across the face of the incorrect plat.
2. If, after the approval and recording of a Final Plat, a subdivider wishes to modify the location of lot lines on part or all of the recorded plat, and if there

is no change in the location or size of dedicated streets, the subdivider shall submit a ~~LOT DIVISION/COMBINATION~~~~new Final Plat~~ drawing with the lotting arrangement revised. The ~~COMMUNITY & ECONOMIC DEVELOPMENT~~~~Planning~~ Department shall determine which of the required supporting documents shall be resubmitted with the revised ~~LOT DIVISION/COMBINATION~~~~Final Plat~~. The ~~LOT DIVISION/COMBINATION~~~~plat~~ shall be TITLED "MINOR LAND DIVISION PLAT OF APN(S) _____" ~~marked the RESUBDIVISION OF _____~~ under the name of the subdivision and shall be processed ~~BY THE TOWN CLERK TO BE RECORDED WITH MARICOPA COUNTY~~~~as a Final Plat~~.

3. If, after the approval and recording of a Final Plat, a subdivider wishes to substantially change the street and lotting arrangement of a part or all of the platted area, the resulting subdivision shall be treated as a new submittal with both a Preliminary Plat and a Final Plat required. Based on the currency of the information submitted with the original plat and the magnitude of the change(s), the procedure described in Section 12-3 E may be applied. The subdivision shall be identified as the ~~RESUBDIVISION~~ ~~RESUBDIVISION~~ OF _____ (INSERT SUBDIVISION NAME).