

ORDINANCE NO. 1448

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WINSLOW, ARIZONA, DECLARING THE DOCUMENT ENTITLED, "CITY OF WINSLOW ZONING UPDATES APRIL 2026" AS A PUBLIC RECORD AND ADOPTING SAME BY REFERENCE; AND AMENDS THE CODE OF WINSLOW, ARIZONA, TO COMPLY WITH STATE LAW, A.R.S. § 9-500.49, BY AMENDING TITLE 16 SUBDIVISIONS, CHAPTER 16.04 GENERAL PROVISIONS BY AMENDING SECTION 16.04.0340 AUTHORITY; CHAPTER 16.08 SUBDIVISION APPROVAL PROCESS BY AMENDING SECTION 16.08.020 PRELIMINARY PLAT, SECTION 16.08.030 FINAL PLAT, SECTION 16.08.040 FINAL SUBDIVISION PLAT; AND CHAPTER 16.16 REQUIRED SUBDIVISION IMPROVEMENTS BY AMENDING SECTION 16.16.030 ENGINEERING PLANS AND SECTION 16.16.060 CONTRACT FOR IMPROVEMENTS; AND CHAPTER 16.24 WAIVERS, MODIFICATIONS AND PLAT AMENDMENTS BY AMENDING SECTION 16.24.010 PURPOSE, SECTION 16.24.011 APPLICATION REQUIREMENTS, SECTION 16.24.013 APPEAL TO PLANNING AND ZONING HEARING OFFICER, AND SECTION 16.24.014 AMENDMENTS TO RECORDED PLATS; AND CHAPTER 16.28 PROPERTY SPLITS BY AMENDING SECTION 16.28.010 REQUIREMENTS; AND AMENDING TITLE 17 ZONING, CHAPTER 17.104 PLANNING AND ZONING HEARING OFFICER BY AMENDING SECTION 17.104.150 DUTIES OF THE PLANNING AND ZONING HEARING OFFICER; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Common Council of the City of Winslow find that it is necessary to adopt certain regulations to comply with State law, including A.R.S. § 9-500.49, as amended by House Bill 2447, which requires that site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats, plat amendments, and design review plans be subject to administrative approval based on objective standards without a public hearing, and to allow at-risk submittals for certain on-site preliminary grading and drainage work or infrastructure;

WHEREAS, House Bill 2447 established an effective date of December 31, 2025, for these statutory requirements, and the immediate adoption of these regulations is necessary to preserve the public peace, health, and safety;

WHEREAS, that certain document entitled “City of Winslow Zoning Updates April 2026,” one paper copy and one electronic copy of which are on file with the City Clerk, is hereby declared a public record and said copies are ordered to remain on file with the Clerk.

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

Section I. In General.

The Code of Winslow, Arizona, is amended, to read as set forth in “City of Winslow Zoning Updates April 2026,” which is hereby adopted and incorporated by reference in this Ordinance.

Section II. 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 III. 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.

Section IV. Providing for Penalties.

Pursuant to City Code Section 16.04.070, anyone violating any provision of Title 16 shall be guilty of a Class 1 misdemeanor and punishable as provided by state statute. It is a separate offense for each and every day the violation is committed, continued or permitted. The owner, lessee, tenant, and/or other person in possession of the property or use in violation are all and equally responsible for the violation(s). In addition, the City may bring civil proceedings in a court of competent jurisdiction to enforce compliance with this title including the prevention, restraining and/or abatement of the violation(s).

Pursuant to City Code Section 17.112.030, anyone violating any provision Title 17 shall be guilty of a Class 3 misdemeanor punishable by a fine or imprisonment or both. Conviction shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than thirty (30) days, or by both fine and imprisonment. It is a separate offense for each and every day the violation is committed, continued or permitted. The owner, lessee, tenant and/or other person in possession of the property are all and equally responsible for the use violation(s). In addition, the City may bring civil proceeding in a court of competent jurisdiction to enforce compliance with this chapter including the prevention, restraining and/or abatement of the violation(s). In addition, any violation is declared to be a public nuisance and the City may enjoin

or restrain said violation like any other nuisance under authority of any applicable City and State law.

Section V. Declaring an Emergency.

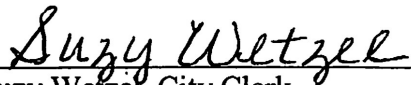
The immediate operation of the provisions of this Ordinance is necessary for the preservation of the public peace, health, and safety of the City of Winslow, and an emergency is hereby declared to exist. This Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Council of the City of Winslow.

PASSED AND ADOPTED by the Council of the City of Winslow this 14th day of April, 2026.



Roberta W. Cano, Mayor

ATTEST:



Suzy Wetzel, City Clerk

APPROVED AS TO FORM:



Trish Stuhan, City Attorney

City of Winslow
Zoning Updates April 2026

The City of Winslow City Code is hereby amended by amending Title 16, Subdivisions, Chapter 16.04 General Provisions by amending Section 16.04.0340 Authority; Chapter 16.08 Subdivision Approval Process by amending Section 16.08.020 Preliminary Plat, Section 16.08.030 Final Plat, Section 16.08.040 Final Subdivision Plat; and Chapter 16.16 Required Subdivision Improvements by amending Section 16.16.030 Engineering Plans and Section 16.16.060 Contract for Improvements; and Chapter 16.24 Waivers, Modifications and Plat Amendments by amending Section 16.24.010 Purpose, Section 16.24.011 Application Requirements, Section 16.24.013 Appeal to Planning and Zoning Hearing Officer, and Section 16.24.014 Amendments to Recorded Plats; and Chapter 16.28 Property Splits by amending Section 16.28.010 Requirements, to read as follows (new text in ALL CAPS; deletions in strikethrough):

TITLE 16 SUBDIVISIONS

Chapter 16.04

GENERAL PROVISIONS

* * *

16.04.030 Authority

~~A. The Planning and Zoning Hearing Officer of the City of Winslow shall receive, and act upon, preliminary and final subdivision plats and development plans in accordance with these regulations, and the Winslow General Plan and Zoning Ordinance. After receipt of a recommendation from the Planning and Zoning Hearing Officer, the Winslow City Council shall have final jurisdiction over all matters pertaining to the subdivision of lands.~~

~~All applications for action under this title shall be filed with the Winslow Community Development Department for processing pursuant to the provisions of this title. The Community Development Director for the City of Winslow shall enforce this title.~~ **ALL APPLICATIONS FOR SUBDIVISION AND DEVELOPMENT APPROVAL UNDER THIS TITLE SHALL BE FILED WITH THE WINSLOW COMMUNITY DEVELOPMENT DEPARTMENT FOR PROCESSING PURSUANT TO THE PROVISIONS OF THIS TITLE.**

THE CITY MANAGER OR DESIGNEE SHALL HAVE THE AUTHORITY TO REVIEW AND APPROVE, APPROVE WITH CONDITIONS, OR DENY SUBDIVISION PLATS, DEVELOPMENT PLANS, AND RELATED APPLICATIONS IN ACCORDANCE WITH THIS TITLE, THE WINSLOW GENERAL PLAN, AND THE ZONING ORDINANCE.

THE CITY MANAGER OR DESIGNEE SHALL ENFORCE THIS TITLE.

B. This Subdivision Ordinance shall apply to all land within the corporate boundaries of the City of Winslow in accordance with Arizona Revised Statutes Title 9, Article 6.2 "Municipal Subdivision Regulations." Where applicable, provisions of this title shall cover an area extending three (3) miles from the municipal limits of the City, pursuant to Arizona Revised Statutes, Section 9-463.04.

C. No person or agent of a person shall subdivide any parcel of land except in compliance with this title. No person shall offer for recording, in the Office of the County Recorder, any deed conveying a parcel of land, or interest therein, unless such a parcel of land has been subdivided, or otherwise created, in compliance with the provisions of this title.

D. No lot within a subdivision created prior to the effective date of the ordinance codified in this title or approved ~~by the City Council~~ under the provisions of this title shall be further divided, rearranged, or reduced in area, nor shall the perimeter boundaries of any subdivision, or any lot within a subdivision, be altered in any manner without the approval of the ~~City Council~~ **CITY MANAGER OR DESIGNEE** or as otherwise provided for in this title.

E. All officials and employees of the City of Winslow who are vested with the authority to issue permits, shall not issue permits, record documents, conduct inspections or otherwise perform any duties or administrative actions that are not in conformance with the provisions of this title.

F. Where this title imposes greater restriction upon land, land use, development or improvement than is imposed by existing provisions of law, ordinance or contract, this title shall control.

G. NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE OR TITLE 17, AND PURSUANT TO A.R.S. § 9-500.49, THE CITY MANAGER OR DESIGNEE IS AUTHORIZED TO REVIEW AND APPROVE, APPROVE WITH CONDITIONS, OR DENY THE FOLLOWING APPLICATIONS WITHOUT A PUBLIC HEARING, SUBJECT TO COMPLIANCE WITH APPLICABLE OBJECTIVE STANDARDS AND ADOPTED REGULATIONS:

- 1. SITE PLANS AND DEVELOPMENT PLANS;**
- 2. LAND DIVISIONS, INCLUDING LOT SPLITS, LOT LINE ADJUSTMENTS, AND LOT TIES;**
- 3. PRELIMINARY PLATS, FINAL PLATS, AND PLAT AMENDMENTS PROCESSED PURSUANT TO THIS TITLE; AND**
- 4. DESIGN REVIEW APPLICATIONS EVALUATED BASED ON OBJECTIVE STANDARDS.**

H. THE CITY MANAGER OR DESIGNEE MAY AUTHORIZE AT-RISK SUBMITTALS FOR ON-SITE PRELIMINARY GRADING, DRAINAGE WORK, OR INFRASTRUCTURE, SUBJECT TO CONDITIONS NECESSARY TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE.

I. THE CITY MANAGER OR DESIGNEE SHALL ESTABLISH PROCEDURES TO ALLOW APPLICANTS WITH A DEMONSTRATED HISTORY OF COMPLIANCE WITH APPLICABLE BUILDING CODES AND REGULATIONS TO BE ELIGIBLE FOR EXPEDITED PERMIT REVIEW.

**CHAPTER 16.08
SUBDIVISION APPROVAL PROCESS**

* * *

16.08.020 Preliminary Plat

The preliminary plat phase includes detailed planning, submittal, review and approval of the applicant's preliminary plat. This stage of the process is intended to resolve all major issues regarding the developability of the subject property pursuant to the City's policies, standards and requirements. All existing and proposed physical aspects of the property and adjacent properties are analyzed at this stage in the process. In addition, the need for and the availability of utility services and facilities are also analyzed and projected. It is the intent of the City that all subdivisions are planned and designed to blend harmoniously into the existing development surrounding them. Each subdivision should be carefully planned to insure compatibility with existing utilities, streets, and other needed support infrastructure.

To avoid delay in processing the preliminary plat application, the applicant shall provide the Community Development Department all information reasonably necessary to determine the character and general acceptability of the proposed development. **THE APPLICATION SHALL NOT BE DEEMED ADMINISTRATIVELY COMPLETE UNTIL SUCH INFORMATION IS PROVIDED.** ~~at least thirty (30) days prior to date of the Planning and Zoning Hearing Officer hearing.~~

A. Submittal Requirements. Following the pre-application review, the applicant shall submit to the Community Development Department a completed application form, along with the required fee, and drawings and associated documentation showing data required by Chapter 16.12, Subdivision Design Standards. The number of copies, dimensions, contents, format, and media of the required drawings and associated documentation shall be administratively determined by the Community Development Department. The Department shall also determine administratively the completeness of the application and shall inform the applicant of the status.

B. City and Agency Review of Preliminary Plat. Upon receipt of the preliminary plat application submittal, the Community Development Department shall distribute copies for review to City departments, including but not limited to: City Engineer, Fire Department, Public Works, Police, Utilities and Environmental Services, and other agencies deemed appropriate.

Reviewing agencies and City departments shall transmit their recommendations to the Community Development Department in writing. The Community Development Department shall conduct a City and agency review meeting, which the applicant shall be invited to attend. Following the meeting, the Community Development Department shall summarize the recommendations of reviewing offices and agencies **AND INCORPORATE SUCH COMMENTS INTO THE ADMINISTRATIVE RECORD FOR DECISION** ~~and present it to the applicant and the Planning and Zoning Hearing Officer.~~

C. Preliminary Plat Approval. ~~The preliminary plat and staff report shall be submitted to the Planning and Zoning Hearing Officer and set on the regular agenda for the Hearing Officer's review and action at a public hearing at which time members of the public shall have an opportunity to be heard.~~

~~The Planning and Zoning Hearing Officer may recommend approval or denial of the preliminary plat application to the City Council, or, if the plat is in substantial compliance with the provisions of this title, but requires revision, the Hearing Officer may recommend conditional approval.~~ **THE PRELIMINARY PLAT SHALL BE REVIEWED AND APPROVED, APPROVED WITH CONDITIONS, OR DENIED ADMINISTRATIVELY BY THE CITY MANAGER OR DESIGNEE, BASED ON COMPLIANCE WITH THE OBJECTIVE STANDARDS OF THIS CODE. NO PUBLIC MEETING OR PUBLIC HEARING SHALL BE REQUIRED FOR THE ADMINISTRATIVE APPROVAL OF A PRELIMINARY PLAT.**

16.08.030 Final Plat

The final plat is the last stage in the subdivision approval process, which includes the final subdivision design and engineering improvements. The subdivider is also responsible for delineation and dedication of all public rights-of-way and easements, dedication of other public lands, if required, and final lot and block configuration. In addition, all public improvements associated with the subdivision are identified and quantified and the subdivider is required to enter into an agreement with the City which guarantees that appropriate improvement costs are borne by the subdivider.

The final plat submittal shall be reviewed by the Community Development Department to ensure consistency with the approved preliminary plat and for completeness of identification, survey and descriptive data. The final plat shall conform with all land use regulations and improvement requirements of the City of Winslow and shall include proper acknowledgement of all real property rights necessary for protecting public interests and private title.

No request for final plat approval shall be considered until the preliminary plat has been approved and all conditions of approval of the preliminary plat have been satisfied. The final plat application shall conform in all respects to the approved preliminary plat with any amendments.

A. Submittal Requirements. The final plat and a number of copies thereof as required administratively by the Community Development Department shall be submitted to the Community Development Department for review and consideration within one (1) year from the date of ~~City Council~~ **THE CITY MANAGER OR DESIGNEE'S** action on the preliminary plat. The Department shall also determine administratively the completeness of the application and shall inform the applicant of the status. If final plat submittal is not received within one (1) year of ~~Council~~ **THE CITY MANAGER OR DESIGNEE'S** action on the preliminary plat, approval of the preliminary plat shall become null and void unless a time extension is applied for and granted by the ~~Planning and Zoning Hearing Officer~~ **CITY MANAGER OR DESIGNEE**.

The final plat submittal shall include all items and elements of data as required by this title together with:

1. A copy of the approved preliminary plat ~~which has been signed by the Planning and Zoning Hearing Officer.~~
2. Certification of the Navajo County Treasurer that all taxes on the property are paid.

B. Final Plat Review. The Community Development Director, upon receipt of the final plat submittal, shall immediately record the receipt and the date of filing and review the application to determine whether it is complete and consistent with the approved preliminary plat.

If the Community Development Director determines that the final plat application is not in compliance with the approved preliminary plat, a list of the deficiencies will be given to the applicant.

Upon a determination that the final plat application is complete and consistent with the approved preliminary plat, the Community Development Department shall distribute copies of the final plat for review to staff and agencies as required by this title and other agencies deemed appropriate.

The Community Development Department shall ~~assemble~~ **INCORPORATE** the written comments and recommendations of the reviewing agencies and City departments **INTO THE ADMINISTRATIVE RECORD** and ~~prepare a staff report. The Community Development Director or designee shall review the final plat for consistency with the approved preliminary plat and compliance with this title.~~

~~The Community Development Department shall assemble the written comments and recommendations of the reviewing agencies and city departments prepare a staff report consolidating the reviewers' recommendations and submit it to the Planning and Zoning Hearing Officer for review and recommendation to the City Council~~ **THE CITY MANAGER OR**

DESIGNEE SHALL REVIEW THE FINAL PLAT FOR CONSISTENCY WITH THE APPROVED PRELIMINARY PLAT AND COMPLIANCE WITH THIS TITLE.

C. ~~Final Plat Approval. The Community Development Department staff report shall be submitted to the Planning and Zoning Hearing Officer for review and recommendation to the City Council. submission of subdivision deed restrictions, if any, may be required prior to final plat approval.~~

~~upon city council consideration and approval of the final plat, the mayor shall sign the plat after all the other required certifications have been duly signed. when the certificate of approval by the city council has been transcribed on the plat, the community development department shall retain the record copy until the city engineer certifies that the subdivision has been staked and the engineering plans, containing the seal of a registered civil engineer or registered land surveyor, have been approved.~~

- ~~1. the registered civil engineer or registered land surveyor shall certify that the plat is correct and accurate and that the lot corners will be set in accordance with the recorded plat within one (1) year of the date of city council approval and prior to any lot sales.~~
- ~~2. bonding shall also be posted prior to recording and within one (1) year of the date of city council approval and prior to the issuance of any grading, excavation, building or grubbing permits.~~

~~the community development department shall cause the final plat to be recorded in the office of the Navajo County Recorder. **THE CITY MANAGER OR DESIGNEE SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY THE FINAL PLAT ADMINISTRATIVELY, BASED ON COMPLIANCE WITH THE APPROVED PRELIMINARY PLAT AND THE OBJECTIVE STANDARDS OF THIS TITLE.**~~

UPON ADMINISTRATIVE APPROVAL, THE CITY MANAGER OR DESIGNEE AND CITY ENGINEER SHALL EXECUTE THE FINAL PLAT AS REQUIRED FOR RECORDING.

16.08.040 Final Subdivision Plat

A. ~~After receipt of the approval or conditional approval~~ **ADMINISTRATIVE APPROVAL** of the final subdivision plat by the ~~City Council~~ **CITY MANAGER OR DESIGNEE**, the subdivider shall prepare and submit to the City Engineer the original final subdivision plat. The number of copies, dimensions, contents, format, and media of the required final plat drawings and associated documentation shall be administratively determined by the Community Development Department.

The final subdivision plat shall be completed in accordance with the requirements of A.R.S. Sections 9-463, 9-474 to 9-479, 9-1141, 32-2181, and the requirements of this title.

B. The developer shall record the final plat with the office of the Navajo County Recorder, and shall provide a copy of such recording on a mylar copy of the final plat to the City. Failure of the subdivider to prepare and file such final subdivision plat with the City Engineer within ten (10) months after the date of approval or conditional approval of the final subdivision plat by the ~~City Council~~ **CITY MANAGER OR DESIGNEE** and to have such final subdivision plat recorded at the office of the Navajo County Recorder within one (1) year of approval or conditional approval of the preliminary subdivision plat, shall automatically terminate and void the proceedings.

C. At the time of filing a final subdivision plat, a fee must be paid as established in Ordinance No. 637, schedule of rates, fees, and charges, as amended.

D. After receipt of the final subdivision plat, the City Engineer shall examine it as to conformance with the approved or conditionally approved preliminary subdivision plat, sufficiency of affidavits and acknowledgements, correctness of surveying data, mathematical data and computations and such other matters as require checking to insure compliance with the provisions of this title.

E. If the final subdivision plat is found to be in correct form and the matters shown thereon are sufficient, the City Engineer shall endorse his approval thereon and transmit it to ~~the City Council~~ **THE CITY MANAGER OR DESIGNEE**; and if unsatisfactory shall return the final subdivision plat. Approval of the ~~City Council~~ **CITY MANAGER OR DESIGNEE** shall be so certified on the original final subdivision plat and the duplicate print made on mylar; copy on computer memory media, and the original final subdivision plat shall be returned to the subdivider.

F. The ~~City Council~~ **CITY MANAGER OR DESIGNEE** shall be the final authority to approve or disapprove the final subdivision plat. Approval of the ~~City Council~~ **CITY MANAGER OR DESIGNEE** shall be so certified on the original final subdivision plat and the duplicate print made on mylar; copy on computer memory media, and the original final subdivision plat shall be returned to the subdivider.

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CHAPTER 16.16

REQUIRED SUBDIVISION IMPROVEMENTS

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16.16.030 Engineering Plans

The subdivider shall be responsible for the preparation of complete engineering plans, prepared by an Arizona registered civil engineer, satisfactory to the City Engineer for construction of required improvements. The plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat.

The final plat shall not be presented to ~~City Council~~ **THE CITY MANAGER OR DESIGNEE** until all engineering plans for water, sanitary sewer, grading, street construction, street lighting, landscaping, and all other required improvements have been approved by the City Engineer.

16.16.060 Contract for Improvements

Prior to the ~~approval by the City Council~~ **RECORDING** of any final plat or the acceptance of the dedication of any of the streets, alleys or other public places shown thereon, the owner or subdivider shall enter into a development agreement with the City whereby such owner or subdivider shall agree to make all or such of the improvements mentioned in this section as may be required by the City Council ~~upon approval of such final plat~~, within one (1) year after such ~~approval~~ **ADMINISTRATIVE APPROVAL OF THE FINAL PLAT, UNLESS OTHERWISE EXTENDED BY THE CITY COUNCIL**. Such development agreement shall be in writing and filed with the City Clerk, and performance shall be secured by a faithful performance bond furnished by a qualified surety company in an amount not less than the estimated cost of making such improvements plus ten (10) percent.

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CHAPTER 16.24

WAIVERS, MODIFICATIONS AND PLAT AMENDMENTS

16.24.010 Purpose

The City recognizes that there may be circumstances where it may be appropriate to approve a request by a subdivider for waiver or modification of subdivision, street, or engineering design standards due to special circumstances regarding the property to be subdivided. "Special circumstances" may include, but is not limited to, topography, size, configuration, and whether the property is located in whole or in part in a flood plain.

~~The purpose of this chapter is to provide a process pursuant to which a subdivider may formally request a waiver or modification during the preliminary plat review process before the plat is presented to the Planning and Zoning Hearing Officer and the City Council for approval. In addition, this chapter provides for administrative changes to correct minor errors on recorded plats with approval of the Community Development Department.~~ **THE PURPOSE OF THIS CHAPTER IS TO PROVIDE A PROCESS PURSUANT TO WHICH A SUBDIVIDER MAY FORMALLY REQUEST A WAIVER OR MODIFICATION OF SUBDIVISION, STREET, OR ENGINEERING DESIGN STANDARDS DURING THE PRELIMINARY PLAT REVIEW PROCESS, WHERE STRICT APPLICATION OF SUCH STANDARDS WOULD BE IMPRACTICAL DUE TO SPECIAL CIRCUMSTANCES RELATED TO THE PROPERTY.**

THIS CHAPTER ALSO PROVIDES FOR ADMINISTRATIVE CORRECTIONS TO RECORDED PLATS TO CORRECT MINOR ERRORS, AS APPROVED BY THE CITY MANAGER OR DESIGNEE.

16.24.011 Application Requirements

Subdividers shall submit any requests to waive or modify a subdivision, street, or engineering design standards required by the Community Development Department with the required fee on a form supplied by the Department fifteen (15) days prior to ~~consideration of the preliminary plat by the Planning and Zoning Hearing Officer~~ **ADMINISTRATIVE CONSIDERATION OF THE PRELIMINARY PLAT BY THE CITY MANAGER OR DESIGNEE.** The subdivider shall specifically identify the requirement that is requested for waiver or modification, list possible impacts caused by granting of the waiver or modification, and identify proposed mitigation measures that address the possible impacts.

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16.24.013 Appeal to Planning and Zoning Hearing Officer

~~The City Engineer's decision approving or denying the request for a waiver or modification of a subdivision, street, or engineering design standard shall be in writing and shall be included in the staff report for the preliminary plat submitted to the Planning and Zoning Hearing Officer. If the City Engineer denies the application, the subdivider may request in writing that the Planning and Zoning Hearing Officer reverse or modify the decision by the City Engineer during its consideration of the preliminary plat. The Planning and Zoning Hearing Officer's decision on the appeal, along with any approved stipulations, shall be included with its recommendation to the City Council to approve or deny the preliminary plat.~~ **THE CITY ENGINEER'S DECISION APPROVING OR DENYING A REQUEST FOR A WAIVER OR MODIFICATION SHALL BE ISSUED IN WRITING. THE SUBDIVIDER MAY FILE A WRITTEN ADMINISTRATIVE APPEAL OF THE CITY ENGINEER'S DECISION TO THE CITY MANAGER OR DESIGNEE WITHIN TEN (10) CALENDAR DAYS OF THE DECISION. THE CITY MANAGER OR DESIGNEE SHALL REVIEW THE APPEAL BASED ON THE RECORD AND SHALL ISSUE A WRITTEN FINAL ADMINISTRATIVE DECISION. THE DECISION OF THE CITY MANAGER OR DESIGNEE SHALL BE FINAL AND NOT SUBJECT TO FURTHER ADMINISTRATIVE APPEAL.**

16.24.014 Amendments to Recorded Plats

A. Any material change to a recorded subdivision plat requires that the plat or portion of the plat be resubmitted to the Community Development Department for processing pursuant to Chapter 16.08. Examples of material changes include, but are not limited to, substantive changes to a legal description, adding or deleting land area from the subdivision, relocating, removing, or adding a street or right-of-way, or adding or reconfiguring the dimensions of dedicated drainage or similar feature and changes in required public improvements.

B. The Community Development Department and the subdivider shall work cooperatively to expedite processing of the proposed amendment ~~for presentation to the Planning and Zoning Hearing Officer and City Council for consideration and action~~ **FOR ADMINISTRATIVE REVIEW AND APPROVAL BY THE CITY MANAGER OR DESIGNEE.**

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CHAPTER 16.28

PROPERTY SPLITS

16.28.010 Requirements

A. Except for any property split involving the creation of a new road, any owner or owners, or agents thereof, proposing to split or divide any lot, tract or parcel of land into three (3) or fewer lots, plots, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development shall:

1. Conform to the procedures and comply with the regulations as established in this title for subdivision; and
2. File with the Community Development Department a property split proposal, consisting of the legal description of the land proposed to be split or divided and legal descriptions of the proposed lot or lots with a map showing the boundaries and dimensions of the land proposed to be divided and of the proposed lot or lots together with the approximate location of existing and proposed streets, easements or rights-of-way, and major improvements on or adjoining the property. The aforementioned legal descriptions and maps shall be submitted under the seal of a registered land surveyor. The Community Development Director shall check such property split proposal as to its compliance with the Zoning Ordinance of the City and ~~shall submit a written report to the Planning and Zoning Hearing Officer with recommendations concerning easements, dedications, improvements or changes in the property split proposal.~~

~~The Planning and Zoning Hearing Officer shall make a written recommendation to the City Council as to the approval, conditional approval or disapproval of the property split proposal showing the proposed split or divisions and the reasons upon which such recommendation was based. The Community Development Director shall present the record of property split proposal and all written reports thereon to the City Council. After considering the recommendations of the Planning and Zoning Hearing Officer or if no recommendations were submitted, the City Council shall approve or disapprove the property split proposal. After approval of a property split proposal and upon compliance with any conditions of such approval as dedications, easements or improvements, the~~

~~property split proposal and certificate of compliance or agreement signed by the City Clerk and Community Development Director shall be filed with the official records of the City Clerk and with the Navajo County Recorder.~~ **THE CITY MANAGER OR DESIGNEE SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY THE PROPERTY SPLIT PROPOSAL ADMINISTRATIVELY. UPON APPROVAL AND SATISFACTION OF ANY CONDITIONS, THE APPROVED PROPERTY SPLIT PROPOSAL SHALL BE FILED WITH THE OFFICIAL RECORDS OF THE CITY CLERK AND RECORDED WITH THE NAVAJO COUNTY RECORDER.**

B. No property split proposal shall be approved without first ascertaining that all parcels of the property so divided have permanent easements or access to a public street, and utilities including, but not limited to, sewers, gas, electricity, water and telephone.

The City of Winslow City Code is hereby amended by amending the City of Winslow, Arizona, Zoning Code Title 17, Zoning, Chapter 17.104 Planning and Zoning Hearing Officer by amending Section 17.104.150 Duties of the Planning and Zoning Hearing Officer to read as follows (new text in ALL CAPS; deletions in ~~strikethrough~~):

TITLE 17 ZONING

CHAPTER 17.104

PLANNING AND ZONING HEARING OFFICER

* * *

17.104.150 Duties of the Planning and Zoning Hearing Officer

A. The Planning and Zoning Hearing Officer shall hold public hearings when necessary and make recommendations to the City Council, ~~pursuant to A.R.S. § 9-500.49,~~ on all matters concerning annexations, ~~lot splits,~~ special developments (see special development option), amendments to the zoning code or zoning map(s), including the creation of zoning districts, the boundaries of zoning districts, and appropriate regulations to be enforced in such districts, recommendations regarding nonconforming uses, ~~design review in compliance with adopted design standards and Design Review Board member duties,~~ subdivision plats, General Plan review, recommendations and adoptions, and any other matter **FOR WHICH A PUBLIC HEARING IS REQUIRED BY STATE LAW OR CITY CODE** ~~within the scope of the zoning power.~~ The Planning and Zoning Hearing Officer shall fix a reasonable time for hearings and give notice as required by A.R.S. § 9-462.04, as amended, City code, and other law as applicable.

ADMINISTRATIVE REVIEWS AND APPROVALS DELEGATED TO THE CITY MANAGER OR DESIGNEE PURSUANT TO THIS TITLE ARE NOT SUBJECT TO PUBLIC HEARING OR RECOMMENDATION BY THE PLANNING AND ZONING HEARING OFFICER OR CITY COUNCIL UNLESS OTHERWISE REQUIRED BY LAW.

B. The Planning and Zoning Hearing Officer is also responsible for hearing and deciding applications for conditional use permits.