

WORK SESSION
January 4, 2016
6:00 PM

CALL TO ORDER BY MAYOR

1 ROLL CALL BY THE CITY CLERK

2. 2016 STATE AND FEDERAL LEGISLATIVE AGENDA

The City Council will review and provide guidance to staff on the proposed 2016 City of Avondale Federal and State Legislative Agenda. This report presents federal and state legislative policy priorities that have been identified by staff as well as the Council. For information, discussion and direction.

3. PROPOSED TEXT AMENDMENTS TO THE ZONING ORDINANCE

City Council will review proposed amendments to the city's Zoning Ordinance. For information, discussion and direction only.

4 ADJOURNMENT

Respectfully submitted,



Carmen Martinez
City Clerk

Council Members of the City of Avondale will attend either in person or by telephone conference call.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica.

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

Notice is hereby given that pursuant to A.R.S. 1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council may be audio and/or video recorded and, as a result, proceedings in which children are present may be subject to such recording. Parents, in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. 1-602.A.9 have been waived.

De acuerdo con la ley A.R.S. 1-602.A.9, y sujeto a ciertas excepciones legales, se da aviso que los padres tienen derecho a dar su consentimiento antes de que el Estado o cualquier otra entidad política haga grabaciones de video o audio de un menor de edad. Las juntas del Concejo de la Ciudad pueden ser grabadas y por consecuencia, existe la posibilidad de que si hay menores de edad presentes estos aparezcan en estos videos o grabaciones de audio. Los padres puedan ejercitar su derecho si presentan su consentimiento por escrito a la Secretaria de la Ciudad, o pueden asegurarse que los niños no estén presentes durante la grabación de la junta. Si hay algún menor de edad presente durante la grabación, la Ciudad dará por entendido que los padres han renunciado sus derechos de acuerdo a la ley contenida A.R.S. 1-602.A.9.



CITY COUNCIL AGENDA

SUBJECT:

2016 State and Federal Legislative Agenda

MEETING DATE:

1/4/2016

TO: Mayor and Council

FROM: Jessica Blazina, Community Relations and Public Affairs Assistant Director (623)
333-1612

THROUGH: David Fitzhugh, City Manager

PURPOSE:

Council will review and provide guidance to staff on the proposed 2016 City of Avondale Federal and State Legislative Agenda. This report presents federal and state legislative policy priorities that have been identified by staff as well as the Council.

BACKGROUND:

Legislation enacted at both the federal and state level can have significant effects on the ability of municipal government to serve its citizens. Therefore, it is important to identify the City of Avondale's Legislative priorities regarding potential or pending legislative actions.

The approved Agenda will define the City's legislative priorities and guide the staff's advocacy efforts. Updates will be provided during the Session as necessary.

The Second Regular Session of the Fifty-Second Legislature will convene on Monday, January 11, 2016. Governor Ducey will give his State of the State address on this same day.

The 114th Congress, Second Session will convene on January 5, 2016.

DISCUSSION:**Avondale's Guiding Principles**

In order to prioritize and guide staff's lobbying efforts, staff recommends that the Council endorse the following two key principles as our highest priorities.

- **Support to Preserve Local Funding Mechanisms**

Protect existing federal and state funding sources and authorities that generate revenue to the City of Avondale. Work to maintain local taxing authority and oppose unfunded mandates to local governments.

- **Oppose any Preemption of Local Authority**

Support efforts to ensure continuing local decision making authority and to prohibit preemption. Like other municipalities, Avondale has unique needs and characteristics and those needs are best met

by policies set by its local governing body. Statewide preemptive efforts to remove the ability to set policy at the local level should be opposed.

Avondale's Legislative Priorities

In addition to the guiding principles described above, staff recommends the review and consideration of additional issues to include in its agenda for 2016. These issues have been identified by staff as well as the Council to respond to the specific needs of the community.

Financial Stability

- **Support the maintenance of state-shared revenues from sales and income tax revenues and oppose any state action that would reduce state-shared revenues.**

The City's budget includes revenues from a number of state sources, most notably state-shared revenues. State-shared revenues comprise approximately 35% of the City's general fund, which assists in supporting police, fire, streets, parks and other critical City services. Staff recommends opposing any action that would reduce state-shared revenue.

The Marketplace Fairness Act is another measure that could affect City revenue. This bill would enable cities to collect sales taxes and use taxes from remote retailers with no physical presence in their state. Staff recommends supporting the passage of this measure.

BUDGET IMPACT:

Staff will closely monitor any legislation that may have a budgetary impact on the City.

RECOMMENDATION:

For information, discussion and direction regarding the 2016 State and Federal and State Legislative Agenda.



CITY COUNCIL AGENDA

SUBJECT:

Proposed Text Amendments to the Zoning Ordinance

MEETING DATE:

1/4/2016

TO: Mayor and Council

FROM: Tracy Stevens, Director, Development & Engineering Services, 623-333-4012

THROUGH: David Fitzhugh, City Manager

PURPOSE:

To solicit feedback and discussion of the proposed Zoning Ordinance Text Amendments.

BACKGROUND:

The Zoning Ordinance was approved in 1990 and extensively updated between 2008 and 2011 to stay up-to-date with changing industry standards. Updates in November 2013 focused primarily on changes to meet the new vision, goals, and policies set forth in General Plan 2030 adopted in 2012. Two minor text amendments have been made since November 2013 – the first in May 2014 to expand hours of operation for medical marijuana dispensaries and a second revising time periods for expiration and conditions for commencement of approved Planned Area Developments PADs in April 2015. Subsequently, in order to provide greater flexibility in City processes and after discussions with the development community, staff has been working to further revise the Zoning Ordinance.

DISCUSSION:

The proposed amendments:

- Provide consistency of language and definitions with the General Plan 2030
- Remove redundant requirements
- Revise responsibilities for public notification of applications, shifting most from the applicant to the City
- Add a new residential zoning designation (R1-7) to allow for a midsize urban residential product
- Allow for single-family residential in the Manufactured Home Park District
- Refine and review parking standards and design, more closely reflecting today's market demand and removing parking maximums except for three specified uses:
 - o General Office/Professional
 - o Warehouse and Distribution
 - o Large-scale retail
- Expand description of permitted paving materials to include state-of-the-art paving systems
- Allow wireless facilities on existing vertical elements in the public right-of-way

- Revise design standards for retention basins to allow greater flexibility in design and avoid “bathtub” designs
- Revise sign regulations as part of a Comprehensive Sign Package; allow administrative approval of deviations up to 25 percent
- Revise design standards for landscaping and walls to enhance the aesthetic appeal of the City

A summary of the proposed text amendments is attached as Exhibit A.

Many of the amendments represent an overall update to provide consistency with the General Plan 2030 text. As noted, others strengthen existing design requirements and allow greater flexibility for development in certain areas.

The notification process for neighborhood meetings and public hearings has been amended to shift responsibility for the mailings to City staff. Project applicants will continue to be responsible for site posting and legal advertisements. Allowing the City to have more control of the notification process will ensure to a greater degree adequate fulfillment of public noticing requirements and transparency. While this will increase direct costs to the City, the amendments also provide for the use of postcards for notification rather than letter/envelopes mail, and the additional mailing costs will be included in a future proposed application fee increase to offset the additional cost to the City.

As a result of input from the development community, it was determined that an intermediate residential zoning is needed between R1-6 and R1-8. Therefore, staff has developed requirements for an R1-7 district that provides for additional flexibility in residential product. The requirements are similar to those of R1-6 and R1-8 but bridge the gap between the two existing zones to allow for an additional lot size.

Similarly, single-family residential is proposed as an allowed use in the Manufactured Home Park District, subject to design requirements outlined in Section 207 of the Zoning Ordinance.

As part of this amendment, staff is proposing to remove parking maximums except for three large land use categories - General/Professional Office, Warehouse and Distribution, and Large-Scale Retail. Research has shown that many communities have successfully eliminated parking maximums while still limiting large expanses of parking fields. Additional guidelines will allow for the inclusion of up to 15% compact parking and a reduction in overall parking stall size from 10-foot wide x 20-foot long to 9.5-foot wide x 20-foot long. The goal is to provide more flexibility with site design and respond to market demand.

The definition for permeable paving has been expanded to include state-of-the-art systems to encourage the use of alternative paving systems, assist in water conservation, and reduce stormwater run-off.

In an effort to help prevent proliferation of numerous new freestanding wireless facilities to meet the ever-growing demand for wireless service, staff is proposing to allow wireless facilities to be installed on existing or planned vertical elements (e.g. streetlight poles, power poles, etc) in the public right-of-way (freestanding facilities would remain prohibited in the right-of-way). This will provide additional opportunities for wireless facilities without the need for new towers as well as a potential revenue source for the City. Any facilities on vertical elements in the right-of-way would be subject to a lease agreement with the City.

The requirements for retention basins have been changed to provide greater flexibility in design based on basin depth rather than slope. These changes are expected to encourage more advanced and pleasing design to enhance the aesthetic appeal of the City as well as to potentially encourage multiple uses of retention areas.

There have been numerous requests recently for deviations from the sign standards in both PADs and conventionally zoned sites. In response, City staff has included an allowance for administrative approval of a deviation from sign standards up to 25 percent, while maintaining control through the Comprehensive Sign Plan (CSP) process. Any request for deviations greater than 25 percent would be required to go to City Council for their authorization. The amendments also allow for submittal of a CSP later in the process rather than limiting the submittal to the time of preliminary plat or site plan. However, the CSP must still be part of an overall development plan. Allowing administrative approval for up to a certain percentage of deviation will streamline the City's design review process and help expedite development approvals.

The proposed changes to Section 12, Landscaping, Walls, and Fences, strengthen design requirements for screen and perimeter wall articulation and screening, and provide for substantially more required shade in parking lots. Other changes strengthen the ability of the City to enforce replacement of dead or dying trees included in developments and rights-of-way and provide greater guidance to developers to help ensure plant and tree survivability.

Planning Commission Feedback

The proposed amendments were presented to the Planning Commission for their feedback at both the October 15th (Exhibit C) and December 17th (Exhibit D) meetings. The Commission had the following comments and/or feedback:

- With the change to the mailing procedures for applications, the City should be placing the burden of the mailing on the applicant, until such a time the impact fee discount is complete.
- There was concern regarding completely removing Commission from the review process regarding signage standard deviations. As a follow-up to this comment, staff has revised the standards to allow a 25% deviation in allowable sign standards at an administrative level, while anything greater would be required to go before Commission and Council.
- There was a question regarding the addition of a definition for Non-Consignment, Secondhand Retail and if that would still require Goodwill to be brought before the Commission. Staff responded that Goodwill would still be required to come before the Commission and Council for approval.
- As part of the initial draft, there was a definition allowing non-ancillary warehouse/distribution uses in certain districts. Due to the concern from the Commission, that definition has been removed from the current draft.
- A comment was raised regarding the allowance for single-family residential in a manufactured home district and if this would set a precedent for other changes to the zoning ordinance. Staff clarified that this amendment would only change the use listing allowing single-family in a manufactured home district and that the Commission would still review the preliminary plat.
- Additional comments were raised regarding parking aisle width (reduced from 26-feet to 24-feet) and the wording to allow compact parking. The aisle width reduction have been removed and the compact parking comments were clarified in the current draft.

The Zoning Ordinance Text Amendments are not anticipated to result in any adverse impacts on the community. Instead, the changes are responsive to the development community and market demand while maintaining appropriate controls to ensure good development and strengthening existing design requirements where appropriate. The goal is to revisit the Zoning Ordinance on an annual basis to continue to adapt to market trends and industry standards. The amendment to the City of Avondale Zoning Ordinance, as proposed, is consistent with the General Plan.

BUDGET IMPACT:

The only anticipated budgetary impact is the assumption of the public notification process by the City. Staff is evaluating current application fees and plans to propose increases in fees during the next budget cycle to offset the increase notification costs.

RECOMMENDATION:

This item is presented for information, discussion, and City Council direction only.

ATTACHMENTS:**Description**

[Zoning Ordinance](#)

[Exhibit A - Summary of ZO Text Amendments](#)

[Exhibit B - Redlined Draft Text Amendment](#)

[Exhibit C - Planning Commission Minutes \(10-15-2015\)](#)

[Exhibit D - Placeholder PC Minutes 12-1-2015](#)

City of Avondale
Zoning Ordinance

DUE TO ITS SIZE, THIS DOCUMENT
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/37934>

Summary of Zoning Ordinance Text Amendments

Section 1, Administration and Procedures

- 103 Definitions
 - Assisted Living (revised)
 - Flex Space (new)
 - Medical Office (removed language re: overnight patients)
 - Mural (removed signature language)
 - Non-Consignment Secondhand Retail Store (new)
 - Paved surface (included certain permeable materials)
- 105 Development Review Procedures
 - Revised Development Review Procedures to require pre-application
 - Streamlined process
- 107 Design Review
 - Added text that public schools do not require design review
 - Deleted text that SFR not located within master-planned subdivision shall not require design review
 - Administrative approval allowed for up to 25 percent deviation from sign standards; greater than 25 percent deviation requires City Council approval
 - Notification process
 - Radius increased to 1,000 ft
- 114 Public Notification
 - Revised procedures
 - Planning to send notice instead of applicant; radius increased to 1,000 feet
 - City responsible for notifications (mailings)
 - Site sign shall not obstruct sight visibility triangle

Section 2, Residential Districts

- Land Use Matrix
 - Added R1-7 zoning
 - Private school now permitted use in RR-43 through R1-6
- 204 Uses Permitted with a Conditional Use Permit
 - Deletes School, private

- 105 Development Standards
 - Minimum lot depth for R1-8 increased to 110 feet
 - Maximum building coverage increased to 45% R1-6 through R1-8
- 206 Design Standards
 - Revises net area devoted to open space and amenities for lots up to 15,000 sf
- 207 Manufactured Home Park (MH) District
 - Single-family residential allowed subject to design requirements
 - Added requirement for minimum width for single-family home denotation

Section 3, Commercial Districts

- Land Use Matrix
 - Changes from requiring CUP to permitted with conditions
 - Adult day care
 - Assisted living
 - Upper-floor residential allowed in C-2 and C-3 Districts
 - Art studio permitted in C-1 and OTAB/Neighborhood Sub-District
 - Non-consignment secondhand retail store allowed in C-1 and C-2 Districts
- 304 Uses Permitted with Conditions
 - Added adult daycare and assisted living
 - Specified that drive-through and/or pick-up windows shall not face arterial streets
 - Deleted separation requirements between bars
 - Revised screening language for drive-throughs

Section 4, Employment Districts

- Revised outdoor storage design standards

Section 5, Special Districts

- Revised sign language to match administrative approval language changes in Section 9

Section 6, Planned Area Development District

- Allows for phased infrastructure if part of a phasing plan included in a PAD

Section 7, Supplementary Regulations

- Added allowance for mounting PWSFs on existing or planned vertical elements

Section 8, Parking

- Revised Parking Schedule
 - Removed maximums except for three land uses
 - General/Professional Office
 - Warehouse & Distribution
 - Large-scale Retail
- 805 Parking and Access Standards
 - Revised size of standard parking space
 - Added requirements for compact parking
 - Revised size of parallel parking spaces

Section 9, Signs

- 904 Comprehensive Sign Plans
 - Removed requirement for CSP for all projects (now at City's discretion)
 - Added language to allow deviation from density, height, size, and separation of signs under a CSP up to 25 percent administratively; greater than 25 percent requires City Council authorization
- 913 Signs Authorized with Permits
 - Some changes as a result of *Reed v. Gilbert* decision
 - Increased maximum sign area in C-3
 - Eliminated minimum acreage for freeway pylon signs
 - Allow City's discretion for lesser separation distance for freeway pylon signs under CSP (refer to Section 904)
 - Allowed placement of A-Frame sign within shopping center expanded

Section 12, Landscape, Walls and Fences

- 1203 General Landscape Provisions
 - Added language concerning survivability
- 1204 Landscape Design Standards
 - Removed requirement for 15' separation between trees and light poles in parking lots
 - Increased required landscaping in parking lots
 - Revised requirements for retention basins frontage based on depth rather than slope
- 1207 Walls and Fences
 - Revised language to be consistent with other requirements, require articulation, material types

Exhibit B – Redline Draft 12-1-2015

DUE TO ITS SIZE, THIS DOCUMENT
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/37932>

Excerpt of the Minutes of the regular Planning Commission meeting held October 15, 2015 at 6:30 p.m. in the Council Chambers.

COMMISSIONERS PRESENT

Sean Scibienski, Chair
Michael Long, Commissioner
Grace Carrillo, Commissioner
Olivia Pineda, Commissioner
Gloria Solorio, Commissioner
Kevin Kugler, Commissioner
Russell Van Leuven, Commissioner

COMMISSIONERS ABSENT

None

CITY STAFF PRESENT

Robert Gubser, Planning Manager
Gary Verburg, Legal Counsel
Alison Rondone, Planner II
Rick Williams, Planner II
Linda Herring, Development Services Representative

DISCUSSION ITEM - Zoning Ordinance Text Amendments

Staff presented an overview of the proposed Zoning Ordinance Text Amendments and requested the Planning Commission provide direction regarding the proposed Text Amendments.

Alison Rondone, Planner II, said that the Zoning Ordinance, which was first approved in 1990, was extensively updated in 2008 and 2011 to keep up with industry trends and market forces. The last update in 2031 focused on consistency with the adopted General Plan and subsequent revisions expanded hours for medical marijuana dispensaries and extended time for commencement of an approved PAD. At the direction of City Council, the new revisions are designed to provide greater flexibility in City processes and respond to development community and market trends. In general, they provide further consistency with the language in the General Plan.

Ms. Rondone explained that the notification process was revised to specify that the City is responsible for mailing notifications of neighborhood meetings and public hearings. The radius for notification will be doubled to 1,000 feet. A new zoning residential designation, R1-7, will allow for a midsize urban residential product that developers have asked for.

Ms. Rondone stated that many changes are proposed for parking. Stall sizes will be reduced slightly to conform more to industry standards. The amount of landscaped area in

parking lots will be increased. Requirements for compact parking will be added. The maximum parking for all land uses will be removed except for Warehouse and Distribution, General Office/Professional, and large-scale Retail greater than 50,000 square feet. Wireless facilities will be allowed on existing vertical elements in the public right-of-way, which will allow telecommunications to expand without a great proliferation of freestanding towers. The comprehensive sign package language will be modified to allow the City more flexibility in deviating from the standards to accommodate more creative designs. Comprehensive sign packages could also be submitted later in the process.

Ms. Rondone said the revision of standards for retention basins would allow more flexibility in the variety of designs. Landscaping and wall standards will be revised to remove redundancy and encourage more variety. The amount of shade required for parking areas will be increased, allowing for more aesthetically pleasing designs. The description of permitted paving materials will be expanded to allow more state of the art paving systems, including more sustainable products. Single-family residential subdivisions will be allowed in the Manufactured Home District. These will not be stand-alone houses, but subdivisions subject to conditions to ensure common thematic elements and open space.

Chair Scibienski asked whether the City would raise fees to cover the cost of handling mailings. Ms. Rondone said the fees would be raised, though the specific number has not yet been determined. Chair Scibienski felt that the burden of mailing should be placed elsewhere, at least until the City gets rid of the large discount on impact fees.

Chair Scibienski said signage is a big part of any project, and moving it later in the process takes it further out of the Planning Commission's hands. Robert Gubser, Planning Manager, said the proposed changes would allow staff to administratively approve any modifications to sign standards. Chair Scibienski said the Planning Commission would still want to be able to provide the community's feedback on sign deviations. Mr. Gubser inquired whether the Commission would be comfortable allowing staff to approve minor modifications up to a certain threshold. Chair Scibienski felt it would depend on the circumstances. Mr. Gubser offered to prepare some examples for the Commission's reference.

Chair Scibienski inquired whether the addition of the Non-Consignment, Secondhand Retail designation would have still required the Goodwill use to be brought before the Commission. Mr. Gubser said it would.

Chair Scibienski inquired about the intent behind allowing non-ancillary warehouse/distribution uses. Mr. Gubser explained that the designation allows for flexible mixed-use opportunities for smaller facilities with multiple tenants. It would

allow for warehousing/manufacturing in the back with a retail component at the front, for example.

Chair Scibienski asked how this designation would differ from the Avondale Commerce Center (ACC). Mr. Gubser said staff tried to mimic some of that use to be allowed in the CP District as well, without having to also rezone the properties. Chair Scibienski noted that the use already has many vacant spaces, and questioned the need for adding more. He cautioned against the City loosening standards too much in an effort to spur development, while producing more vacancies in the process.

Commissioner Carrillo requested more details regarding the changes to Manufactured Home Park Districts. Mr. Gubser explained that this change is in response to several requests for larger parcels just north of Lower Buckeye that would be difficult to develop with manufactured homes. Builders have expressed interest in more detached or attached single-family product there. Vice Chair Long asked why they could not simply be rezoned. Mr. Gubser said it could be done that way. This proposal would simply add the use into the use list. Vice Chair Long expressed his concern that allowing this option could set a precedent that developers would try to exploit in other areas of the Zoning Ordinance. Chair Scibienski noted that if the use is permitted with conditions, notification of neighbors, public hearing would not be required and the need to come before the Planning Commission, as there would be with a conditional use, would be eliminated. Mr. Gubser said that is correct in terms of the use, but they would still have to come before the Commission for a subdivision preliminary plat.

Commissioner Kugler said he approved of the mailer changes and the expanded radius for notifications. He suggested that HOAs within the radius also be notified. He felt the compact parking requirements could cause problems in smaller lots. The reduction in width of drive aisles from 26 feet to 24 feet would make for significant challenges, especially in lots that lack defined pedestrian areas. He approved of the retention basin changes.

Commissioner Kugler said he shares Chair Scibienski's concerns about sign deviations, saying it will be difficult to define a threshold since so much depends on subjective opinion. Chair Scibienski said that language requiring a minimum number of compact parking spaces makes less sense than language allowing them. Mr. Gubser clarified that compact parking would be an option that a developer could choose to utilize; it would not be a requirement. Chair Scibienski argued that builders should be allowed to include as many compact spaces as they want up to a maximum number; there is no need to establish a minimum.

Vice Chair Long noted that reductions in drive aisle width could conflict with other City codes, such as designated fire lanes. Ms. Rondone said the text amendment requires

Exhibit C

designated fire lanes to be 26 feet wide, and are subject to review by the Fire Department during the site plan review.

PLANNING COMMISSION MEETING MINUTES FOR DECEMBER 1,
2015 ARE CURRENTLY UNAVAILABLE. PLEASE CHECK BACK ON
MONDAY, JANUARY 4, 2016. WE APOLOGIZE FOR ANY
INCONVENIENCE.

THANK YOU.



CITY COUNCIL AGENDA

CITY COUNCIL CHAMBERS . 11465 WEST CIVIC CENTER DRIVE . AVONDALE, AZ 85323

REGULAR MEETING
January 4, 2016
7:00 PM

CALL TO ORDER BY MAYOR
PLEDGE OF ALLEGIANCE
MOMENT OF REFLECTION

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2 UNSCHEDULED PUBLIC APPEARANCES

(Limit three minutes per person. Please state your name.)

3 CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. APPROVAL OF MINUTES

1. Work Session of December 7, 2015
2. Regular Meeting of December 7, 2015
3. Work Session of December 14, 2015
4. Regular Meeting of December 14, 2015

b. LIQUOR LICENSE - SERIES 12 - FIRED PIE

City Council will consider a request for approval of an application submitted by Ms. Lori Ann Cuomo for a Series 12 Restaurant license to sell all spirituous liquors at Fired Pie to be located at 13070 W Rancho Santa Fe #C-4 in Avondale. The Council will take appropriate action.

c. MINOR LAND DIVISION - QUIKTRIP AT DYSART AND THOMAS (PL-15-0078)

City Council will consider a request by the QuikTrip Corporation, for approval of a Minor Land Division for approximately 13.93 gross acres of land located at the southeast corner of Dysart and Thomas Roads to split the 13.93 gross acre parcel into two separate parcels of 2.49 acres and 11.18 acres, dedicate an additional 15-feet of right-of-way on Dysart and Thomas Roads, and dedicate 8-foot public utility easements adjacent to Dysart Road and Thomas Road. The Council will take appropriate action.

d. COOPERATIVE PURCHASING AGREEMENT - VULCAN MATERIALS FOR ASPHALT CONSTRUCTION MATERIALS

City Council will consider a request to approve a Cooperative Purchasing Agreement with Vulcan Materials to provide asphalt construction materials in an amount of \$50,000 for the initial one year contract period, with two (2) renewal options for a maximum aggregate amount not to exceed \$150,000 over the life of the agreement. The Council will take appropriate action.

e. **COOPERATIVE PURCHASING AGREEMENT - FELIX CONSTRUCTION COMPANY - RANCHO SANTA FE AND WELL 16 DISINFECTION SYSTEM**

City Council will consider a request to enter into a Cooperative Purchasing Agreement with Felix Construction Company to install disinfection units at Rancho Santa Fe Booster Station and at Well 16 for \$317,923.48, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. **COOPERATIVE PURCHASING AGREEMENT - WESTERN OILFIELDS SUPPLY COMPANY D/B/A RAIN FOR RENT**

City Council will consider a request to approve a Cooperative Purchasing Agreement with Western Oilfields Supply Company d/b/a Rain for Rent for services related to water pumping and flushing which is required at various treatment facilities and well sites for a maximum aggregate amount not to exceed \$75,000 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. **RESOLUTION 3286-116 - REPEALING RESOLUTION 3281-1115 AND APPROVING INTERGOVERNMENTAL AGREEMENT - MARICOPA COUNTY**

City Council will consider a resolution repealing Resolution 3281-1115 and approving the Second Amendment to the Intergovernmental Agreement with Maricopa County for Youth Workforce Development Services and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. **RESOLUTION 3288-116 AND ORDINANCE 1595-116 - AMENDING CITY CODE CHAPTER 19 - PLANNING AND DEVELOPMENT**

City Council will consider a resolution declaring as a public record the document entitled "City of Avondale Subdivision Regulations, Amended and Restated December 14, 2015" and an ordinance amending the Avondale City Code by deleting Chapter 22 and adding new Articles V and VI to Chapter 19 and adopting the document declared a public record by the resolution. The Council will take appropriate action.

i. **RESOLUTION 3289-116 - THIRD AMENDMENT TO PRE-ANNEXATION DEVELOPMENT AGREEMENT WITH EVERGREEN-HILLCREST, LLC**

City Council will consider a resolution authorizing the Third Amendment to the Pre-Annexation Development Agreement with Evergreen-Hillcrest, LLC and authorize the Mayor or City Manager, City Clerk and City Attorney to execute the necessary documents. The Council will take appropriate action.

j. **ORDINANCE 1594-116 - AUTHORIZING THE ACQUISITION OF PROPERTY FOR PUBLIC USE - COUNTY LINE ROAD**

City Council will consider an ordinance accepting the dedication of a waterline easement adjacent to County Line Road and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

4 **APPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES AND TO THE POSITIONS OF CHAIR AND VICE CHAIR OF THE BOARD OF ADJUSTMENT AND THE PLANNING COMMISSION**

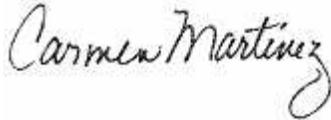
City Council will consider the subcommittee's recommendations for the appointment of members of the city's boards, commissions and committees as well as the appointment of members to the positions of chair and vice chair of the Board of Adjustment and the Planning Commission. Newly appointed members have been invited to be sworn in. The Council will take appropriate action.

5 NOTICE OF INTENT RESOLUTION 3285-116 - WATER AND WASTEWATER RATE INCREASE

City Council will consider a resolution authorizing a notice of intention to increase water and wastewater user charges or rate components. The Council will take appropriate action.

6 ADJOURNMENT

Respectfully submitted,



Carmen Martinez
City Clerk

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Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

Notice is hereby given that pursuant to A.R.S. 1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council may be audio and/or video recorded and, as a result, proceedings in which children are present may be subject to such recording. Parents, in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. 1-602.A.9 have been waived.

De acuerdo con la ley A.R.S. 1-602.A.9, y sujeto a ciertas excepciones legales, se da aviso que los padres tienen derecho a dar su consentimiento antes de que el Estado o cualquier otra entidad política haga grabaciones de video o audio de un menor de edad. Las juntas del Concejo de la Ciudad pueden ser grabadas y por consecuencia, existe la posibilidad de que si hay menores de edad presentes estos aparezcan en estos videos o grabaciones de audio. Los padres pueden ejercitar su derecho si presentan su consentimiento por escrito a la Secretaria de la Ciudad, o pueden asegurarse que los niños no estén presentes durante la grabación de la junta. Si hay algún menor de edad presente durante la grabación, la Ciudad dará por entendido que los padres han renunciado sus derechos de acuerdo a la ley contenida A.R.S. 1-602.A.9.



CITY COUNCIL AGENDA

SUBJECT:

Liquor License - Series 12 - Fired Pie

MEETING DATE:

1/4/2016

TO: Mayor and Council

FROM: Carmen Martinez, City Clerk (623) 333-1214

THROUGH: David Fitzhugh, City Manager

PURPOSE:

Staff is recommending approval of an application submitted by Ms. Lori Ann Cuomo for a Series 12 Restaurant license to sell all spirituous liquors at Fired Pie to be located at 13070 W Rancho Santa Fe #C-4 in Avondale.

DISCUSSION:

The City Clerk's Department has received an application for a Series 12 restaurant license to sell all spirituous liquors from Ms. Lori Ann Cuomo to be used at Fired Pie to be located at 13070 W Rancho Santa Fe #C-4 in Avondale. The space is part of the Palmilla Shopping Center and is currently undergoing tenant improvements.

The fees in the amount of \$1,350 have been paid.

As required by state law and city ordinance, the application was posted for the required period of time beginning on December 10, 2015. A notice was published in the West Valley View on December 23 and 30, 2015. No comments have been received.

The Arizona Department of Liquor License and Control has accepted the submitted application as complete. The Police, Fire, Development Services and Finance Departments have reviewed the application and are recommending approval. Their comments are attached.

RECOMMENDATION:

Staff is recommending approval of an application submitted by Ms. Lori Ann Cuomo for a Series 12 Restaurant license to sell all spirituous liquors at Fired Pie to be located at 13070 W Rancho Santa Fe #C-4 in Avondale.

ATTACHMENTS:

Description

[Application and related documents](#)

SERIES 12 (RESTAURANT) LIQUOR LICENSE APPLICATION FOR
FIRED PIE

DUE TO THEIR SIZE, THE FOLLOWING DOCUMENTS
HAVE BEEN POSTED SEPARATELY:

APPLICATION
DEPARTMENTAL REVIEW
POSTING PHOTOS
VICINITY MAP

<http://www.avondale.org/DocumentCenter/View/37870>



CITY COUNCIL AGENDA

SUBJECT:

Minor Land Division - QuikTrip at Dysart and Thomas (PL-15-0078)

MEETING DATE:

1/4/2016

TO:

Mayor and Council

FROM:

Tracy Stevens, Development & Engineering Services Department Director
(623) 333-4012

THROUGH:

David Fitzhugh, City Manager (623) 333-1014

REQUEST:

Approval of a Minor Land Division to create two separate parcels, including the dedication of required rights-of way and public utility easements, to facilitate the development of a QuikTrip Convenience Store and Gasoline Station.

PARCEL SIZE:

Approximately 13.93 gross acres of land

LOCATION:

Southeast corner of Dysart and Thomas Roads (Exhibits A - C)

APPLICANT:

Juan Romero, QuikTrip Corporation

OWNER:

QuikTrip Corporation

BACKGROUND:

The QuikTrip Corporation has applied to the City to divide 13.93 gross acre parcel of land, APN's 501-75-008U and 501-75-008T, into two (2) parcels of land under the Minor Land Division (MLD) process. This application will legally divide the property and dedicate additional rights-of-way and the necessary public utility easements (PUE's).

Currently, the existing rights-of-way on both Dysart Road and Thomas Road is 65-feet and 40-feet respectively. An additional 15-feet of right-of-way is required to be dedicated for both roads. In addition, there are no existing PUE's dedicated on the property. Avondale's City Code and the General Engineering Requirements Manual (GER) state that an 8-foot PUE is required at the back of right-of-way for the location of public utilities such as power and telecommunication lines.

The approval of the Minor Land Division, more specifically the Parcel 1 - 2.49 acre site, will help facilitate the development of a QuikTrip convenience and gasoline station approved under separate applications: PAD Amendment (PL-14-0240), Conditional Use Permit (PL-14-0241), and Site Plan with Design Review (PL-15-0021).

SUMMARY OF REQUEST:

The applicant is requesting the approval of a Minor Land Division (Exhibit C) that will:

- Divide approximately 13.93 gross acres of land located at the southeast corner of Dysart and Thomas Roads into two separate parcels: Parcel 1 - 2.49 acres and Parcel 2 - 11.18 acres.
- Dedicate to the City an additional 15-feet of right-of-way on Dysart Road and Thomas Road.
- Dedicate an 8-foot public utility easement (PUE) adjacent to Dysart Road and Thomas Road.
- Legally recognize the previously recorded lot split while dedicating the necessary rights-of-way and PUE's.

PARTICIPATION:

Public notification is not required for Minor Land Division applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review Minor Land Division applications.

ANALYSIS:

- The proposed Minor Land Division has been reviewed by the City's Contract Registered Land Surveyor and the document has been confirmed to be geometrically accurate and is in conformance with Arizona Revised Statutes governing the subdivision of real property.
- The proposed Minor Land Division will split one parcel of land into two parcels, and dedicates the required amount of right-of-way on both Dysart Road and Thomas Road and all necessary public utilities easements (PUE).
- The approval of the Minor Land Division will allow the City to recognize the previously recorded land split while capturing the required right-of-way and PUE dedications.
- The proposed Minor Land Division is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations.
- The approval of the Minor Land Division will help facilitate the development of a QuikTrip convenience and gasoline station approved under separate applications: PAD Amendment (PL-14-0240), Conditional Use Permit (PL-14-0241), and Site Plan with Design Review (PL-15-0021).

FINDINGS:

The proposed request complies with all applicable City documents, including but not limited to the General Plan, Zoning Ordinance, Subdivision Regulations, and the General Engineering Requirements Manual.

RECOMMENDATION:

Staff recommends that the City Council **APPROVE** application PL-15-0078 as part of the January 4, 2016 Consent Agenda.

PROPOSED MOTION:

I move that the City Council **APPROVE** application PL-15-0078, a request for approval of a Minor Land Division for approximately 13.93 gross acres of land located at the southeast corner of Dysart Road and Thomas Road.

ATTACHMENTS:

Description

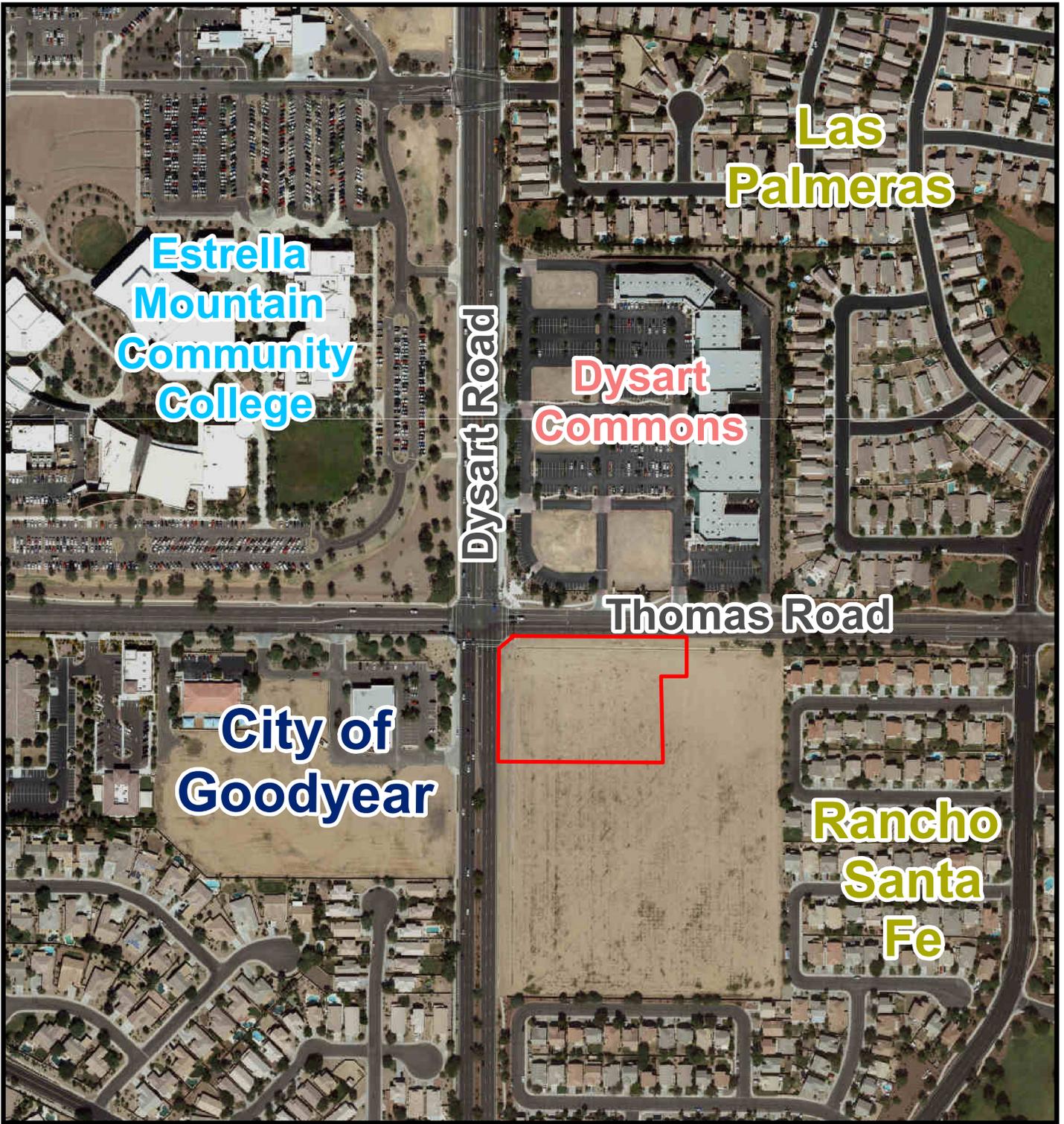
[Exhibit A - Aerial Vicinity Map](#)

[Exhibit B - Zoning Map](#)

[Exhibit C - MLD PL-15-0078](#)

PROJECT MANAGER

Rick Williams, Planner II 623-333-4018

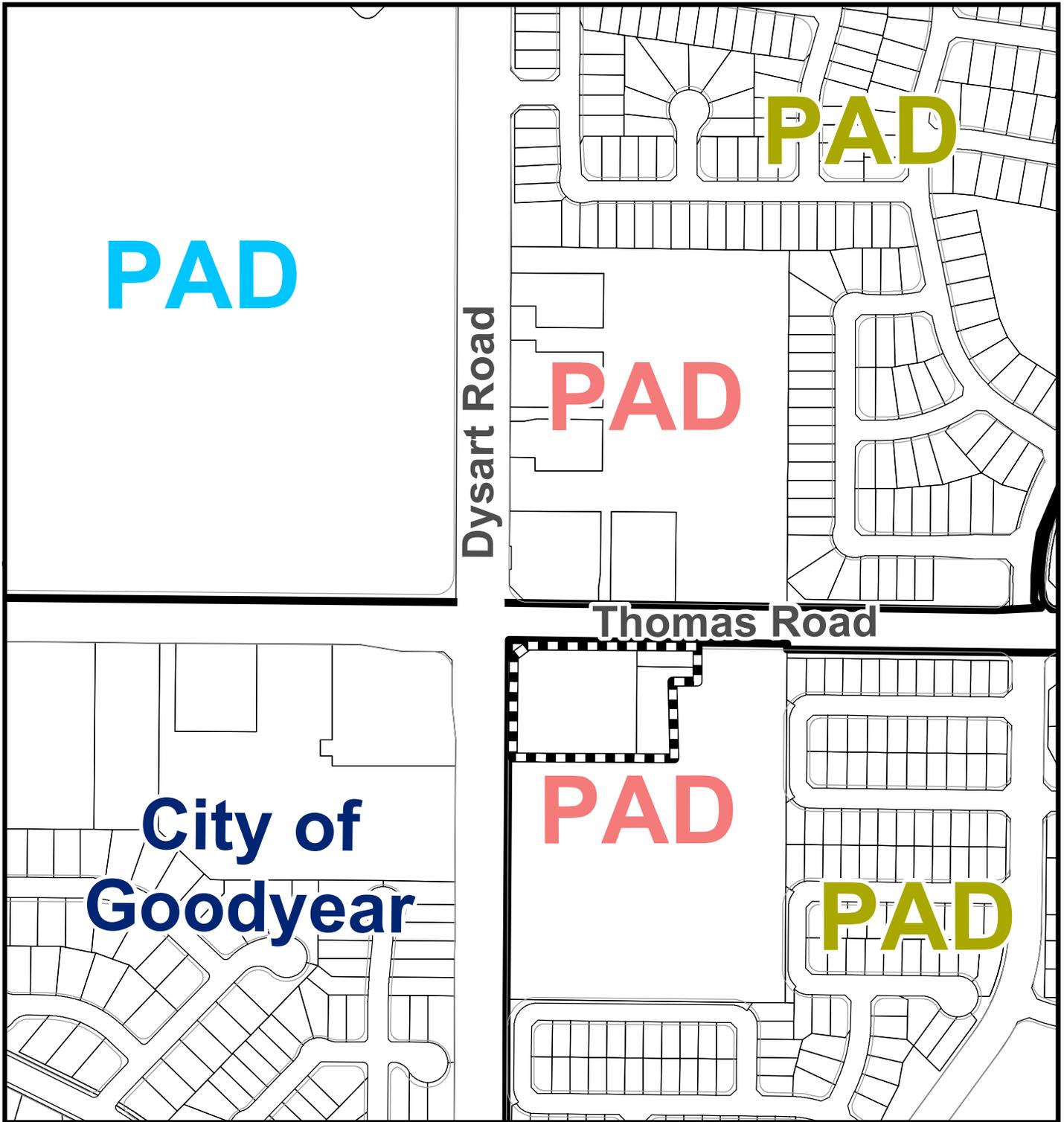


Aerial Vicinity Map

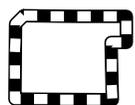


 Subject Property





Zoning Vicinity Map



Subject Property



EXHIBIT C – QUIKTRIP #423
MINOR LAND DIVISION PL-15-0078

DUE TO ITS SIZE, THIS DOCUMENT
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/37926>



CITY COUNCIL AGENDA

SUBJECT:

Cooperative Purchasing Agreement - Vulcan
Materials for asphalt construction materials

MEETING DATE:

1/4/2016

TO: Mayor and Council

FROM: Cindy Blackmore, Public Works Director, 623-333-4410

THROUGH: David Fitzhugh, City Manager

PURPOSE:

Staff is requesting that the City Council approve a Cooperative Purchasing Agreement with Vulcan Materials to provide asphalt construction materials in an amount of \$50,000 for the initial one year contract period, with two (2) renewal options for a maximum aggregate amount not to exceed \$150,000 over the life of the agreement and authorize the Mayor or City Manager and City Clerk to execute the necessary documents .

BACKGROUND:

Public Works staff strives to keep the City's roadways in the best condition possible for motorists. Due to normal deterioration and the need to service and repair the City's underground utility lines, roadway repairs are often necessary. This contract will provide staff with the materials needed to make the necessary repairs.

The City of Tempe currently has a contract with Vulcan Materials to provide construction materials including gravel base material and Asphalt Concrete. The Tempe contract contains cooperative use language which extends the use of the contract to other municipalities.

DISCUSSION:

The Water Distribution staff had previously used contractors to complete the road repairs and provide materials for excavations associates with water system repairs. The existing contractors were not able to complete the smaller repairs in a timely manner, which impacted the drivability of the roadways for our residents. This contract with Vulcan Materials to supply gravel base material and Asphalt Concrete will allow the Streets Division to make necessary repairs and to address other road maintenance and repairs in a timely manner.

BUDGET IMPACT:

Staff estimates \$50,000 in expenditures for necessary asphalt construction materials per fiscal year, for a cumulative total for the contract period not to exceed \$150,000. Funding is available in the Public Works Operation and Maintenance Budget. The materials are typically charged to the Street Maintenance Supplies line items within the Water Distribution Division (501-9100-7710) and Streets Division (201-6600-7710) budgets and are subject to budget availability.

RECOMMENDATION:

Staff recommends that the City Council approve a Cooperative Purchasing Agreement with Vulcan Materials to provide asphalt construction materials in an amount of \$50,000 for the initial one year contract period, with two (2) renewal options for a maximum aggregate amount not to exceed \$150,000 over the life of the agreement and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:**Description**

[CPA - Vulcan Materials](#)

COOPERATIVE PURCHASING AGREEMENT – VULCAN MATERIALS

DUE TO ITS SIZE, THIS DOCUMENT
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/37901>



CITY COUNCIL AGENDA

SUBJECT:

Cooperative Purchasing Agreement - Felix
Construction Company - Rancho Santa Fe and
Well 16 Disinfection System

MEETING DATE:

1/4/2016

TO: Mayor and Council**FROM:** Cindy Blackmore, Public Works Director, (623)-333-4410**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is requesting that the City Council enter into a Cooperative Purchasing Agreement with Felix Construction Company to install disinfection units at Rancho Santa Fe Booster Station and at Well 16 for \$317,923.48, and authorize the Mayor or City Manager and City Clerk to execute the contract documents.

BACKGROUND:

To comply with the federally mandated Safe Drinking Water Act and ensure we are providing safe, high quality drinking water to our customers, the City must disinfect and maintain a chlorine residual level in the water distribution system. City water is currently disinfected utilizing Onsite Hypochlorite Sodium Generation Systems (OSHGS). These systems convert salt water to a chlorine solution which is used to protect the City's water supply.

DISCUSSION:

One of the main water production sites in the City is at the Rancho Santa Fe Booster Station (see attached vicinity map). This site has an aging disinfection unit and has a high risk of failure. The unit requires increased monitoring, maintenance and repairs. Staff is requesting to purchase a new unit for this site and place the existing unit into a backup status.

Well 16 is the largest water supplier to the Coldwater Booster Station. Well 16 has its own disinfection unit, and is the primary source of chlorine used at this site. This existing disinfection unit has recently experienced failures. The unit is now obsolete and obtaining repair or replacement parts is becoming extremely difficult.

The new Onsite Hypochlorite Sodium Generation Systems requested will provide the necessary reliability and redundancy in the City's water system. Staff is requesting to utilize the City of Peoria's Cooperative Purchasing Agreement and enter into a contract with Felix Construction for installation of the new units.

BUDGET IMPACT:

The funding for this project is budgeted and available in line item 501-9122-00-8520.

RECOMMENDATION:

Staff recommends that the City Council enter into a Cooperative Purchasing Agreement with Felix Construction Company to install disinfection units at Rancho Santa Fe Booster Station and at Well 16 for \$317,923.48, and authorize the Mayor or City Manager and City Clerk to execute the contract documents.

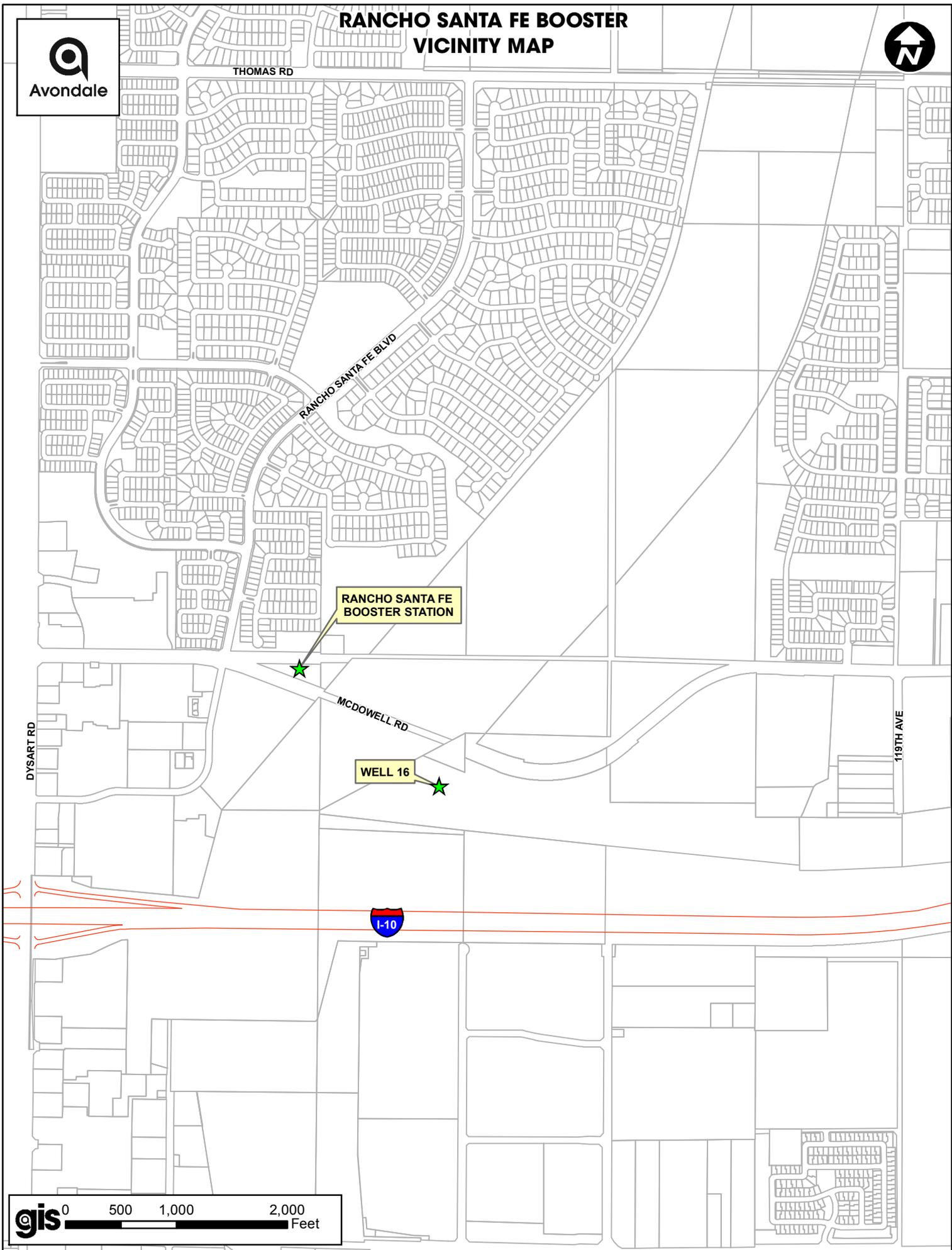
ATTACHMENTS:**Description**

[Vicinity Map](#)

[CPA - Felix Construction](#)



RANCHO SANTA FE BOOSTER VICINITY MAP



COOPERATIVE PURCHASING AGREEMENT – FELIX CONSTRUCTION COMPANY
DISINFECTION SYSTEMS FOR RANCHO SANTA FE BOOSTER STATION AND WELL 16

DUE TO ITS SIZE, THIS DOCUMENT
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/37900>



CITY COUNCIL AGENDA

SUBJECT:

Cooperative Purchasing Agreement - Western Oilfields Supply Company d/b/a Rain for Rent

MEETING DATE:

1/4/2016

TO: Mayor and Council**FROM:** Cindy Blackmore, Public Works Director, 623-333-4410**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is requesting that City Council approve a Cooperative Purchasing Agreement with Rain for Rent for services related to water pumping and flushing which is required at various treatment facilities and well sites for a maximum aggregate amount not to exceed \$75,000, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

BACKGROUND:

After a competitive procurement process, Pima County entered into a contract with Rain for Rent for water services. The initial term of the contract is in effect until December 2016 and provides for (4) one-year automatic renewal options. The Pima County contract contains cooperative use language which extends the use of the contracts to municipalities.

DISCUSSION:

The Arizona Department of Environmental Quality (ADEQ) requires that upon the completion of work performed on a domestic water source, and prior to allowing the potable water to be re-introduced into a domestic water system, the system must be thoroughly disinfected and flushed. As a water purveyor, the City of Avondale is required to abide by all established regulations as outlined by ADEQ. The City of Avondale currently does not possess the specialized equipment (high volume portable pumps, hoses, and piping) to effectively and safely satisfy the requirements.

The Public Works Department has 18 active well sites and three treatment facilities. During scheduled and unscheduled maintenance events, it becomes necessary to utilize the services described above to properly flush the lines and dispose of large volumes of contaminated water. Rain for Rent provides the essential equipment for these maintenance events.

BUDGET IMPACT:

Staff estimates a maximum of \$15,000 in expenses for services per fiscal year, for a cumulative total over the contract period not to exceed \$75,000, subject to budget approval.

Funds are typically charged to item code 6610 (rental construction equipment) within the Public Works Department and are subject to budget availability.

RECOMMENDATION:

Staff recommends that City Council approve a Cooperative Purchasing Agreement with Western Oilfields Supply Company d/b/a Rain for Rent for services related to water pumping and flushing which is required at various treatment facilities and well sites in an amount not to exceed \$75,000, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:

Description

[CPA - Rain for Rent](#)

COOPERATIVE PURCHASING AGREEMENT
WESTERN OILFIELDS SUPPLY COMPANY - DBA RAIN FOR RENT

DUE TO ITS SIZE, THIS DOCUMENT
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/37878>



CITY COUNCIL AGENDA

SUBJECT:

Resolution 3286-116 - Repealing Resolution 3281-1115 and Approving Intergovernmental Agreement - Maricopa County

MEETING DATE:

1/4/2016

TO: Mayor and Council**FROM:** Stephanie J. Small, Neighborhood and Family Services Director 623-333-2711**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is requesting that City Council adopt a resolution repealing Resolution 3281-1115 and authorizing an amendment to renew an intergovernmental agreement with the Maricopa County Human Services Department, Maricopa Workforce Connections (MWC) that will allow use of the Executive Conference Building located at 124 S. 4th Street for the provision of WIA (Workforce Investment Act) youth program services.

BACKGROUND:

On December 7, 2015, the City Council approved a resolution authorizing a second amendment to an Intergovernmental Agreement with Maricopa County for Youth Workforce Development Services. The previous report presented to City Council contained errors in the resolution number and adoption date. The appropriate corrections have been made and are being resubmitted for Council consideration.

DISCUSSION:

The proposed amendment will enable Maricopa Workforce Connections to continue offering the Genesis Youth Workforce Program in Avondale for an additional one year term. The Genesis program offers selected youth workforce development services at a location that is easily accessible to the targeted population. The location will serve as a comprehensive MWC Youth Center for the southwestern section of Maricopa County. A Career Guidance Specialist will provide outreach, eligibility and case management services to youth on a full-time basis. The center will house a computer lab and serve as a multi-purpose classroom. These rooms will be used to provide on site GED classes, tutoring, assessments, pro-social activities, various workshops and specialized training.

Maricopa County staff will work collaboratively with a variety of organizations in the area to expand the array of services offered to youth. Partnerships will be developed with educational institutions, employers, non-profits, and City and County departments to enhance the youth program activities.

Maricopa Workforce Connections provides effective and innovative services to assist youth in making a successful transition to employment and further education. A wide range of activities and services will be available to assist participants, which includes at risk youth, with a successful transition to adulthood including:

- Tutoring, study skills training and instruction leading to secondary school completion, including dropout prevention strategies
- Alternative secondary school
- Summer employment
- Paid and unpaid work experience
- Occupational skills training
- Leadership development
- Support services
- Adult mentoring
- Follow-up services
- Comprehensive guidance and counseling

The City is providing use of the building at no cost to Maricopa Workforce Connections. This partnership has resulted in Avondale youth having easier access to the full array of Workforce Investment Act services. The previously under utilized building will become another positive outlet for youth, and will further strengthen services and partnerships to benefit youth.

BUDGET IMPACT:

No additional funds are needed. Direct costs will be reimbursed by Maricopa County.

RECOMMENDATION:

Staff is recommending that City Council adopt a resolution repealing Resolution 3281-1115 and authorizing a second amendment to an Intergovernmental Agreement with Maricopa County for Youth Workforce Development Services and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:

Description

[Resolution 3286-116](#)

RESOLUTION NO. 3286-116

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, REPEALING RESOLUTION NO. 3281-1115 AND APPROVING AMENDMENT NO. 2 TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY RELATING TO YOUTH WORKFORCE DEVELOPMENT SERVICES.

WHEREAS, the Council of the City of Avondale (the “City Council”) adopted Resolution No. 3281-1115 on December 7, 2015, approving an amendment to the intergovernmental agreement with Maricopa County for youth workforce development services (the “Original Resolution”); and

WHEREAS, the Original Resolution contained the incorrect adoption date, resolution number and version of the amendment; and

WHEREAS, the City Council desires to repeal the Original Resolution and approve the correct amendment to the intergovernmental agreement.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. Resolution No. 3281-1115 is hereby repealed.

SECTION 3. Amendment No. 2 to the Intergovernmental Agreement with Maricopa County, administered by its Human Services Department, relating to providing youth workforce development services (the “Amendment”) is hereby approved in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 4. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Amendment and to take all steps necessary to carry out the purpose and intent of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, January 4, 2016.

Kenneth N. Weise, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 3286-116

[Amendment]

See following pages.

AMENDMENT TO THE
INTERGOVERNMENTAL AGREEMENT
BETWEEN
MARICOPA COUNTY
ADMINISTERED BY ITS
HUMAN SERVICES DEPARTMENT
AND
THE CITY OF AVONDALE

Contract #: C-22-14-048-3-02

Contract Start Date: December 2, 2013

Contract Termination Date: November 30, 2016

I. The Parties entered into an Intergovernmental Agreement (C-22-14-048-3-00) (Agreement) on December 2, 2013 pursuant to the Workforce Investment Act of 1998(WIA). The Parties executed Amendment No. 1 on December 10, 2014. WIA has been replaced by the Workforce Innovation and Opportunity Act (WIOA) on July 22, 2014. The purpose of this amendment is to recognize the change in authority to WIOA, to amend the mission and services consistent with WIOA and to continue to authorize the County to utilize City owned property located at 124 South 4th Street, Avondale AZ 85323 (the “Center”) for Workforce Investment Act Youth program service delivery activities.

- I. The Parties mutually desire to amend the Agreement to address the following:
 - A. Exercise the option to renew the agreement for an additional one-year term as provided for in paragraph 1. Term. The Renewal Term shall begin December 1, 2015 to November 30, 2016. Two one-year renewal terms remain in the agreement.
 - B. The County shall pay the City a not to exceed amount of \$300 monthly for all utility and janitorial service costs incurred by the City for the use of the Center.
 - C. Replace all references to “Workforce Investment Act” or “(WIA)” in the original agreement as amended and the attached Exhibit A to to “Workforce Innovations and Opportunity Act” or “(WIOA),” respectively.
 - D. Revise Exhibit A to redefine the mission and scope of services consistent with the mission and services required under WIOA. *See* attached Revised Exhibit A.

II. This amendment is subject to A.R.S. §38-511.

III. The foregoing paragraphs contain all the changes to the Agreement. All other terms and conditions of the original Agreement as amended remain the same and are in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date and year first set forth above.

CITY OF AVONDALE

MARICOPA COUNTY

David Fitzhugh, City Manager Date

Chairman, Board of Supervisors Date

Attested to:

Attested to:

Carmen Martinez, City Clerk

Fran McCarroll, Clerk of the Board

This Amendment has been reviewed by the undersigned legal counsel for the County and the City who have determined that it is in proper form and within the power and authority granted under the laws of the State of Arizona.

This _____ day of _____, 2015

This _____ day of _____, 2015

Andrew J. McGuire, City Attorney

Attorney for County

REVISED Exhibit A
Maricopa Workforce Connections
Youth Services Program
Scope of Work

Background

The Workforce Investment Act of 1998 (WIA) was replaced by The Workforce Innovation and Opportunity Act (WIOA) which was signed into law by President Barack Obama on July 22, 2014. WIOA is designed to help job seekers access employment, education, training and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.

Maricopa County is one of twelve (12) local workforce areas within the State of Arizona. The statewide system, known as Arizona Workforce Connections (AWC) is overseen by the Workforce Arizona Council (WAC). AWC is the “brand” adopted by the WAC for the statewide system. The Maricopa Workforce Connection (MWC) is administered by the Maricopa County Human Services Department (MCHSD) Workforce Development Division and is the local workforce area for Maricopa County, which is an affiliate of AWC.

Title I of the WIOA provides local areas with three funding streams to make services available to Adults, Dislocated Adults, and Youth. The purpose of youth workforce investment activities are intended to provide youth development services for economically disadvantaged youth ages 14 through twenty-four (24) who may face barriers to staying in school, completing high school or finding stable employment.

The MWC WIOA Youth program, known as *Genesis Youth Program* provides a full range of services such as:

- Tutoring, study skills training, instruction as well as drop-out prevention and recovery
- Opportunities for eligible youth in activities related to leadership, development, decision-making, citizenship, and community service;
- Involvement of employers and links to local labor markets with emphasize on high-demand, high-growth occupations in Maricopa County;
- Providing on-going mentoring opportunities for eligible youth with adults committed to providing such opportunities;
- Opportunities for training to eligible youth;
- Youth services such as internships and work experiences in high-demand, high-growth occupations;
- Continued supportive services for eligible youth
- Financial literacy education
- Entrepreneurial skills training Incentives for recognition and achievement to eligible youth

Mission and Vision

Genesis youth programs Philosophy, Mission, and Vision Statements are:

Our Philosophy is the belief that:

- All youth can learn and achieve;
- All youth can increase awareness and share ideas;
- All youth deserve to experience meaningful participation;
- We must encourage and empower youth to their fullest potential; and
- We must recognize our interaction with youth as a united and equal opportunity partnership.

Our **Mission** is to create and improve academic, occupational, and civic opportunities for youth to succeed by providing comprehensive, quality support for their transition from experiential adolescence to competent adulthood.

Our **Vision** is to empower the emerging and growing generation to achieve life-long success, contributing to the overall well-being of their community.

Center Use and Staffing

The Center will serve as a comprehensive MWC Youth Center for the southwestern section of Maricopa County. A MWC Youth Career Guidance Specialist (YCGS) will be based at the Center to conduct outreach, eligibility and case management services to youth. The Center will house a computer lab and a multi-purpose classroom. These rooms will be used to provide onsite GED classes, tutoring, assessments, pro-social activities, various workshops and specialized training.

Program Services

The Program provides a full range of services such as:

- Opportunities for eligible youth in activities related to leadership, development, decision-making, citizenship, and community service;
- Involvement of employers and links to local labor markets with emphasize on high-demand, high-growth occupations in Maricopa County;
- Ensure on-going mentoring opportunities for eligible youth with adults committed to providing such opportunities;
- Opportunities for occupational skills training to eligible youth;
- Youth services such as internships and work experiences in high-demand, high-growth occupations;
- Continued supportive services for eligible youth; and
- Incentives for recognition and achievement to eligible youth

Youth programming shall achieve the goal of assisting youth in making a successful transition to employment and further education. A wide range of activities and services

will be available to assist youth, especially at-risk youth, in making a successful transition to adulthood.

Local Program Services

The Program and activities and services provided at the Center shall consist of:

- Outreach and Recruitment
- Eligibility Determination/Intake/Assessment
- Program Enrollment
- Development of an Individual Service Strategy (ISS – employment/education plan)
- Case Management – Coordination of services
- Supportive Services
- Program Completion – Follow-up and Retention Services

WIOA mandates that the Program make 14 service elements available to both In-School and Out-of-School Youth. The fourteen Program elements will be provided to youth, as needed. An In-School Youth is 14 to 21 and has not received a diploma or its equivalent and is attending school (including alternative school). An Out of School Youth is 16 to 24, a high school dropout (including alternative school) and has not received a secondary school diploma or its equivalent; or is a high school graduate (attained diploma/equivalent) and is basic skill deficient, unemployed, or underemployed

The fourteen (14) WIOA Service Program Elements are:

1. Tutoring, study skills training and evidence based dropout prevention strategies
2. Alternative secondary school offerings
3. Paid and unpaid work experience
4. Occupational skill training
5. Education offered concurrently and in same context as workforce preparation activities and training for specific occupation or occupational cluster
6. Leadership development
7. Supportive services
8. Adult mentoring
9. Follow-up services
10. Comprehensive guidance and counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth
11. Financial literacy education
12. Entrepreneurial skills training
13. Labor Market Information training on in-demand industry sectors
14. Activities that help youth prepare for and transition to postsecondary education/training

In addition, specialized services will be provided, as needed, to include: parenting classes, pregnancy postponement, diversion services, mentoring, specialized counseling for behavioral, substance abuse, etc.

Program Eligibility

Youth served under the Program must meet the following criteria:

- Reside within the service area – Maricopa County, outside of the City of Phoenix
- Low-income as defined by WIOA;
- Ages of 14 through 24 at the time of registration;
- Legal citizen or resident of the US with the right to work;
- Be registered for Selective Service, as appropriate; **AND**
- Have at least one of the following barriers (i) deficient in basic literacy skills (reading, math, or language below the 8th grade level), (ii) homeless, runaway, or foster child, (iii) pregnant or parenting, (iv) dropout, (v) offender or (vi) an individual who requires additional assistance to complete an educational program or to secure and hold employment. Individuals who are defined “at-risk” by MWC based upon assessment of skill needs, barriers, and /or referral from Juvenile Justice Court System, Program providers, or local education agencies.

All eligible youth will undergo a preliminary assessment to determine their ability to benefit from program services, identify academic abilities, employment skills, interests, aptitudes, attitudes towards work, motivation, behavioral patterns affecting employment potential, supportive service needs, family situation and barriers to employment. The goal is to accurately evaluate the youth in order to develop a customized, Individual Service Strategy (ISS) to meet his/her individual needs.

The YCGS will develop and implement an ISS with each participant. Through the ISS development, the YCGS will guide the participant through a process to identify educational/ employment goals and specific solutions and activities that will enable the participant to reach the identified goals.

Program Hours

Services for In-school youth will be provided after school hours and may include: tutoring, study skills, career exploration, life skills, financial literacy, work readiness and pro-social activities such as arts, sports, robotics, and entrepreneurial activities.

Services for Out-of-school youth include those listed above and may also include: paid/unpaid work experience, job shadowing, job and career fairs, college/apprenticeship tours, alternative secondary school or GED classes, and instruction on applying for federal financial aid programs and scholarships.

Some of the service will be provided in group settings, such as after school activities, job readiness workshops and life skills training “cohorts”. These “cohorts” will help develop interpersonal skills, teamwork and promote a supportive atmosphere.

Youth that have completed the program will continue to work with their YCGS for up to 12 months following the completion of the Genesis program. Post program support will include monthly contact, community referrals, job referrals, and support services to assist the youth in achieving their educational and employment goals.

Special Events

Youth alumni meetings will be held at the center to provide post-program support for youth that completed the program. These meetings will provide an opportunity for youth to come together to share their individual experiences, successes, information regarding potential job opportunities and community resource information.

Guest speakers will be scheduled throughout the year to discuss a variety of employment/ educational and youth related topics. In addition, the center will be used to host larger events such as job fairs, career fairs, and a variety of social events.

Operational Contacts

Communication and details concerning the operations of the Program shall be directed to the following contact representatives:

Patricia Wallace, Assistance Director
Maricopa Workforce Connections
Maricopa County
234 N. Central, Suite 3000
Phoenix, Arizona 85004
(602) 506-4146
wallacep001@mail.maricopa.gov

Chris Lopez
Youth Development
City of Avondale
1007 South 3rd Street
Avondale, Arizona 85323
(602) 333-2700
clopez@avondale.org



CITY COUNCIL AGENDA

SUBJECT:

Resolution 3288-116 and Ordinance 1595-116 -
Amending City Code Chapter 19 - Planning and
Development

MEETING DATE:

1/4/2016

TO:

Mayor and Council

FROM:

Tracy Stevens, Development and Engineering Services Direction (623) 333-4012

THROUGH:

David Fitzhugh, City Manager

REQUEST:

Staff is requesting that the City Council adopt a resolution declaring as a public record the document entitled "City of Avondale Subdivision Regulations, Amended and Restated December 14, 2015" and an ordinance amending the Avondale City Code Chapter 19 by Adding new Articles V and VI and adopting the document declared a public record by the resolution.

LOCATION:

The amendment to the Subdivision Regulations will apply Citywide.

APPLICANT:

City of Avondale

BACKGROUND:

Subdivision regulations establish the policy framework under which the City may divide land for sale or development. The regulations are a land use control similar to a zoning ordinance, ensuring that new developments are designed properly and address the overall quality of a development. The subdivision process can be used for all types of land uses, including residential, commercial and industrial, and also for dedications of rights-of-way.

The existing Subdivision Regulations were created in 1971 and received minor updates in 1988, 2001 and 2008. The amendment are intended to maintain consistency with current Planning and Engineering documents, update references, remove redundant language, modify the approval period for preliminary plat approval, clarify language and defined terms, and add language to allow for alternative methods of developer financial assurance for installation of improvements.

SUMMARY OF REQUEST:

The proposed amendment is a complete overhaul to the existing subdivision regulations. Due to the number of proposed changes and to ease tracking the modifications, the entire document has been relocated from Chapter 22 to Chapter 19. The major changes are summarized below, with a more detailed summary included in Exhibit A.

Currently, preliminary plats go to the Development Review Committee, Planning Commission and City Council to grant approval. Once approved by Council, a preliminary plat is valid for a period of twelve months with a six-month extension allowed at the discretion of the Planning Commission. Staff is recommending a modification to allow for an initial two-year approval on preliminary plats, coupled with an administratively approved potential for two one-year extensions. This doubles the current allowable time limits for approvals and extensions.

The current regulations require all right-of-way improvements to be completed in the first phase of development. Based on the current market trend of developing in smaller phases and not taking down large plots of land, the new regulations would allow for phasing of infrastructure over time to match the needs of the individual phases.

Under the current requirements, a subdivider is required to install right-of way improvements and file an agreement with the City to guarantee that the work will be completed. The amendment adds language to allow for alternative methods of developer guarantees, or financial assurances, for the completion of improvements. The options for financial assurance include the use of a performance bond or letters of credit (current practices), cash, cashier's check, or negotiable bonds. Another method included is the allowance for the City to withhold the final Certificate of Occupancy (C of O) on homes until improvements are completed. If approved by the City, this method means that a developer would not have to provide a large amount of money up front, but would still be prevented from closing on homes until the right-of-way infrastructure is completed. The subdivider would have to be well-established in the City and have completed public infrastructure in Avondale over three consecutive years to be eligible to request this form of financial assurance.

Finally, references to other City plans, policies, and ordinances have been either updated or replaced throughout the documents for conformance.

PARTICIPATION:

On October 1, 2015, the draft Subdivisions Regulations were uploaded to the City's Planning webpage for public review and comment.

A newspaper notice was published in the November 3, 2015 edition of the West Valley View advertising the Planning Commission meeting of November 19, 2015 and again on December 18, 2015 advertising the City Council meeting of January 4, 2016.

To date, one letter of support has been received from Evergreen Devco (Exhibit F).

PLANNING COMMISSION ACTION:

The proposed amendments to Subdivision Regulations were presented as a discussion item to the Planning Commission on October 15, 2015. Excerpts of the draft minutes from that meeting are included in Exhibit D.

The Regulations were again presented as a public hearing item on November 19, 2015, which the Commission voted 4-0 to forward a recommendation of approval to the City Council. Excerpts of the draft minutes from that meeting are included in Exhibit E.

CITY COUNCIL WORK SESSION:

The proposed amendments to the Subdivision Regulations were presented as a discussion item to the City Council at its work session of December 7, 2015. Provided below is a synopsis of the items discussed and an excerpt of the minutes from that meeting are included as Exhibit G.

Following the presentation by staff, Vice-Mayor Karlin expressed concern about ensuring that school districts are notified about proposed residential development that may impact future enrollment. To address that concern, additional language has been added to mirror the schools notification process contained in the Zoning Ordinance that will guarantee that developers work with school districts to ensure adequate school facilities for all new residential development. The developer will be required to demonstrate compliance prior to the Planning Commission or City Council hearings.

The Council discussed the elimination of the provision that preliminary plats are to be forwarded to Council for approval, subject to Planning Commission recommendation. The amendment would have allowed the Planning Commission to be the approving body for Preliminary Plats, subject to a possible appeal heard by the Council. The Council was concerned that seeing only the Final Plat could result in problems, in that the process would be so far advanced, changes recommended by Council would be difficult and costly to implement. Therefore, the Preliminary Plat process in the Subdivision Regulations was revised to reflect the Planning Commission's recommendation, followed by City Council review and potential approval.

The Council was amendable to the proposed Preliminary Plat extensions to allow additional time to review and approve a Final Plat.

A discussion was held concerning phasing of infrastructure improvements. Council members expressed apprehension that the majority of developers, if they had the option, would choose to complete infrastructure improvements later in the construction process. The language in the proposed amendment allows phasing subject to a full review by the Development Review Committee, Planning Commission, and City Council. Allowance of infrastructure phasing would be heavily scrutinized and would be required to allow each individual phase to stand on its own, and ultimately be at the City's discretion to accept phasing of the development.

Concern by the City Council was also expressed about the use of C of O holds as a form of financial assurance for completion of infrastructure. It was stated that homeowners ready to move in would be unhappy if a C of O hold were placed on their home preventing them from moving in on time. Staff responded that the option for this form of assurance would be completely at the City's discretion. The language in the amendment was strengthened to clarify that the option to utilize C of O holds would be subject to City Manager approval. Following direction from Council, the opportunity to potentially utilize a C of O hold as a type of financial assurance to complete infrastructure remains in the amendment.

ANALYSIS:

As indicated above, the existing subdivision regulations were created in 1971, and received minor updates in 2001 and 2008. Through multiple internal meetings and discussions with the development community, a substantial amendment to the Subdivision Regulations is warranted. As proposed, the amendment will add flexibility into the review process and is designed to be responsive to current development trends and market conditions.

In order to allow for additional time to move through the Final Plat and infrastructure planning phase of the development, the length of Preliminary Plat approval is recommended to be extended to an initial two-year approval, coupled with an administratively approved potential for two one-year extensions. This would benefit both the City and developer by allowing greater ability to work through potential issues and not focusing on the need to bring the Preliminary Plat back to Planning Commission on a continuous basis for reapproval and/or extensions.

Due to the economic downturn, home builders are now less likely to take down large tracts of land and are more strategic in the number of lots that they want to develop at any given time. Allowing phasing of infrastructure to occur over time throughout a development will mirror these current

market trends. Staff would add stipulations during the review process that would create triggers to make certain that future infrastructure would be completed throughout the life of the development.

The proposed amendment will expand the options for financial assurances available to a developer when permitting right-of-way infrastructure, subject to City review and approval. The options for financial assurance are to utilize a performance bond and a letter of credit (current practices), and cash, cashier's check, or a C of O hold. Through discussions with the development community, the allowance for a C of O hold was requested. As stated previously, this method means that a developer would not have to provide a bond or large sum of money up front, but would be prevented from closing on homes until the right-of-way infrastructure is completed. By the City holding off on granting a C of O on the home, the developer would not complete the sale and receive the proceeds. Completing the improvements would be the financial assurance for the City. The main downside of the C of O hold is that it does not provide the City with the bond or finances to complete infrastructure if the developer abandons the project. The ability to use this assurance would be heavily scrutinized and this option would require City Manager approval. The subdivider would have to be well-established in the City, and have completed public infrastructure in Avondale over three consecutive years. Peoria and Gilbert are other cities that have utilized C of O holds on some of their larger master-planned communities.

Overall, this amendment to the Subdivision Regulations will result in more succinct and understandable regulations, reflect new Planning and Engineering standards, respond to new development trends, and assist the development community in providing timely residential products in response to market demand.

FINDINGS:

1. That the proposed amendments to the Subdivision Regulations are consistent with the goals and objectives of the General Plan; and
2. That the proposed amendment to the Subdivision Regulations are consistent with the policies and regulations of the Zoning Ordinance; and
3. The proposed amendment is consistent with Engineering standards and requirements; and
4. That adoption of the amendment to the City of Avondale's Subdivision Regulations is in the best interest of the City.

RECOMMENDATION:

The City Council should **APPROVE** a City initiated request to amend the Avondale Subdivision Regulations.

PROPOSED MOTION:

1. I move that the City Council adopt a resolution declaring as a public record the document entitled "City of Avondale Subdivision Regulations, Amended and Restated December 14, 2015"
2. I move that the City Council adopt an ordinance amending the Avondale City Code by deleting Chapter 22 and Adding new Articles V and VI to Chapter 19 and adopting the document declared a public record by the resolution.

ATTACHMENTS:

Description

[Exhibit A - Summary of Proposed Changes](#)

[Exhibit B - Current Subdivision Regulations](#)

[Exhibit C - Proposed Subdivision Regulations](#)

[Exhibit D - Excerpt of October 15, 2015 Planning Commission Minutes](#)

[Exhibit E - Excerpt of November 19, 2015 Planning Commission Minutes](#)

[Exhibit F - Letter of Support](#)

[Exhibit G - Excerpt of December 7, 2015 City Council Minutes](#)

[Resolution 3288-116](#)

[Ordinance 1595-116](#)

PROJECT MANAGER

Robert Gubser, Planning Manager (623) 333-4015

Avondale

Development and Engineering
Services Department

Memorandum

DATE: December 14, 2015

TO: Robert Gubser, Planning Manager

FROM: Alison Rondone, Planner II

SUBJECT: Summary of Subdivision Regulations Changes
Note: Deleted text shown in ~~strike through~~, new text in underline

- Moved all subdivision regulations to Chapter 19 (Planning) as Article VI
- Capitalization fixes for consistency with remainder of MC and ZO; other typo fixes
- Definitions revised, added, clarified, or removed for consistency with ZO or to reside in other appropriate documents (e.g., “arterial route” belongs in General Engineering Requirements Manual) and avoid duplication
- Deleted several definitions
 - “Conditional plat approval”
 - “Corner lot”
 - “Council”
 - “Crosswalk”
 - “Cul de sac street”
 - “Double frontage lot”
 - “Easement”
 - “Lot line”
 - “Lot width”
 - “Major streets plan”
 - “Neighborhood plan”
 - “Phasing plan”
 - “Public improvement standards”
 - “Public utility”
 - “Rear lot line”
 - “Resubdivision”
 - “Side lot lines”

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- Added several definitions
 - “City Engineering Standards”
 - “City Master Plan Documents”
 - “Condominium”
 - “Development Review Committee”
 - “Minor Land Division”
 - “Project Manager”
 - “Street Tree Master Plan”
 - “Transportation Plan”
 - “Zoning Administrator”
- Updates to references; specific area and master plans called out as well as Street Tree Master Plan, Transportation Plan (incorrect reference to Major streets plan)
- Inclusion of Purpose statement/Scope/Intent
- Minor changes made for overall consistency with other documents
- Language made consistent with regard to consistency with City Engineering Standards (replacing section references or “in a form satisfactory to...”)
- Language made consistent with regard to reference to City Master Planning Documents (replacing references such as “community development plan”)
- Minor Land Division – clarification of differences between subdivision/land split; added language defining
- Broadened responsible parties to include “designee” and included Zoning Administrator where appropriate
- City Engineer included as permanent member of every Zoning Committee, not as deemed necessary by the ZA
- Request for Waiver (from engineering standards) – must be submitted to City Engineer at least 30 days prior to review of Pre-Plat by DRC; defined conditions for granting of waiver
- Establishes Development Review Committee to review plats consistent with review process for projects; DRC has authority to request changes and may approve conditions deemed necessary. The DRC is reflective of existing City review processes.
- Required findings revised (deleted “high quality and furthers City’s vision” language)
 - Text changes for Preliminary Plat review process

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19-123 Preliminary Plat Review.

- (a) Prior to the application for a Final Plat, a Preliminary Plat application shall be submitted for review ~~and approval~~ by the Planning Commission and approval by the City Council.
 - (b) The applicant shall furnish the names and addresses, and addressed, stamped envelopes, for all property Owners within ~~five hundred~~ one thousand (1,050) feet of the property. Within five (5) business days of the receipt of the application, including the addressed, stamped envelopes, the Planning Division shall mail a notice of Preliminary Plat review to each Owner of property situated wholly or partly within ~~five hundred~~ one thousand (51,000) feet of the property to which the site plan relates.
- Language added regarding consultation with school district(s) for residential development
 - (c) Proof of Adequate School Facilities
 - 1) The applicant shall notify all applicable school districts within four (4) business days of the submittal of a Preliminary Plat involving a residential component.
 - 2) The applicant shall provide the Planning Division with a letter from all applicable school districts indicating that the applicant has contacted and met with the school district and summarizing the outcome of the meeting. Such letter shall be submitted to the Planning Division not less than fourteen (14) days prior to the scheduled Planning Commission meeting.
 - 3) The applicant shall provide the Planning Division with a Certificate of Adequate School Facilities filled out by the school district not less than fourteen (14) days prior to the scheduled Planning Commission meeting.

19-124 Preliminary Plat Approval.

- (a) When the Project Manager deems the review complete, the Preliminary Plat shall be forwarded to the Commission for its review ~~and decision~~. The Project Manager shall include any recommendations from the Development Review Committee, which recommendations shall be in the form of approval, approval subject to stipulations, or denial for the Preliminary Plat. The Planning Commission shall hold a meeting and forward a recommendation to the City Council.
- (b) The City Council shall hold a meeting to consider the information presented and may accept or reject the Planning Commission's recommendations.
- (c) If approved by the ~~Commission~~ City Council, an approved Preliminary Plat shall be valid for a period of two (2) years. Except as set forth below, if the Final Plat has not been recorded within two (2) years after the date of the Preliminary Plat Approval, the Preliminary Plat shall be considered expired, and the process shall start from the beginning with a pre-application meeting. If the approved Preliminary Plat includes areas to be phased over time, a Final Plat for the first phase, or a Map of Dedication, must be recorded within two (2) years after Preliminary Plat

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approval; thereafter any phase that does not have a corresponding Final Plat recorded within five (5) years after Preliminary Plat Approval shall be considered expired.

~~(e) An appeal of the Commission's decision may be made within fifteen (15) business days of said decision according to the process set forth in Section 19-103 above.~~

- Language included to allow application for time extensions for good cause (pre-plat approval valid for 2 years); PC may grant up to two one-year extensions
- Once Preliminary Plat approved, no significant changes:
 - The basic conditions under which Preliminary Plat Approval is granted will not be changed prior to the expiration date
 - Preliminary Plat Approval does not ensure final acceptance of Streets for dedication or continuation of existing zoning requirements for the property affected by the Preliminary Plat
- Final Plat submission – language added to allow required zoning amendments to run concurrently with Final Plat process
- Statement of dedication of all Streets...Dedication shall include a written statement that dedicated streets shall be free of all liens or encumbrances not approved by the City
- Council recommends dedication of parks rather than Commission
- Environmental site assessment provided by subdivider required for all real property interest dedicated to the City pursuant to the Final Plat along with preliminary title report
- If complete, and if the Final Plat substantially conforms to the approved Preliminary Plat, the DRC shall summarize its recommendations for presentation to the Council
- The applicant shall provide the Final Plat package for approval and recordation in accordance with the City Engineering Standards to the City
- All Streets shall be designed in accordance with the most recent version of the City Engineering Standards unless said Streets have received an approved deviation to the City Engineering Standards.
- When a residential Subdivision abuts the right-of-way of a railroad, highway, drainage way, irrigation facility, or commercial or industrial land use or limited access highway or abuts a commercial or industrial land use, the commission or a limited access property, the Development Review Committee may recommend location of a Street approximately parallel to such right-of-way or use

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- New language: All half-street improvements shall provide adequate roadway width for two-way traffic and emergency access.
- Reverse frontage language deleted
- Subsection easements – deleted language/paragraph regarding curvilinear streets
- “Improvement district” changed to “special tax district”
- Engineering Plan expiration added: Approved plans expire one (1) year from date of approval
- Construction and Inspection - (a) All improvements in the public right-of-way shall be constructed under inspection and approval of the City Engineer or designee. Construction shall not be commenced until a permit has been issued for such construction, and if work has been discontinued for any reason, it shall not be resumed ~~until after notifying the public works director in advance~~ prior to notifying the City Engineer or designee not less than thirty (30) business days in advance unless a shorter time period is approved by the City Engineer. Civil/right-of-way permits expire one (1) year from date of approval; however, such permits may be extended for up to one (1) additional year by the City Engineer or designee.
- Language removed regarding waiver of sidewalk requirements on one or both sides for lots greater than 1/2 acre
- Added alternative methods of improvement assurances such as bond, or holds on C of O
- **19-212 Agreement to Install Improvements.** Upon approval of the Final Plat ... The agreement may, at the City’s discretion, also provide for construction of improvements in units and for an extension of time under specified conditions. ~~The council may require of the subdivider such further assurance of completion of improvements as may be justified in the interests of the future lot owners and the general public. (Code 1971, § 13-5-7)~~
 - (a) The Agreement to Install Improvements (INSTALL-A) must be accompanied by an assurance, the form of which shall be approved by the City Manager. The acceptable forms of assurances are: performance bond from a surety bonding company authorized to do business in the State of Arizona, irrevocable letter of credit, cash, cashier’s check, or negotiable bonds. The assurance shall be in an amount equal to one hundred (100) percent of the contract cost or one hundred ten (110) percent of the engineer’s estimate for public infrastructure to be constructed.
 - (b) The Agreement to Install Improvements (INSTALL-B) is an alternative form of assurance that may, with City Manager approval, be available to the Subdivider. With this form of assurance, the Subdivider gives the City the right to withhold Certificates of Occupancy in the development until all improvements have been constructed and accepted. The City Manager or

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authorized designee may allow this alternative form of assurance only upon showing that the Subdivider has completed public infrastructure within the City over the time period of at least three (3) consecutive years immediately preceding the request, during which time period it did not default in its obligations to complete the infrastructure. The Subdivider shall provide the City Manager with a list of successfully completed projects, and a list of City employee contact names and numbers, for verification.

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Format comparison

Old – Chapter 22	New – Chapter 19, Article VI
<p>Article I. In General</p> <p>22-1 Purpose.</p> <p>22-2 General Applicability.</p> <p>22-3 Interpretation.</p> <p>22-4 Platting required.</p> <p>22-5 Appeals.</p> <p>22-6 Fees.</p> <p>22-7 Definitions.</p>	<p>Division 1. In General</p> <p>19-100 Purpose.</p> <p>19-101 Platting or Division Required.</p> <p>19-102 Requests for Waivers.</p> <p>19-103 Appeals.</p> <p>19-104 Fees.</p> <p>19-105 Definitions.</p> <p>19-106 – 19-119 Reserved.</p>

<p>Article II. Platting Procedures and Requirements</p> <p>Division 1. Generally</p> <p>22-21 Outline of procedures.</p> <p>22-22 Development Review Committee.</p> <p>22-23 – 22-30 Reserved.</p> <p>Division 2. Pre-application</p> <p>22-31 Generally.</p> <p>22-32 Application.</p> <p>22-33 Withdrawal.</p> <p>22-34 – 22-40 Reserved.</p> <p>Division 3. Preliminary Plat</p> <p>22-41 Generally.</p> <p>22-42 Preliminary plat submission.</p> <p>22-43 Preliminary plat review.</p> <p>22-44 Preliminary plat approval.</p> <p>22-45 Preliminary plat time extension.</p> <p>22-46 Preliminary plat appeal.</p> <p>22-47 Information required for Preliminary Plat submission.</p> <p>22-48 – 22-55 Reserved.</p> <p>Division 4. Final Plat</p> <p>22-56 Generally.</p> <p>22-57 Pre-submission requirements.</p> <p>22-58 Final plat submission.</p> <p>22-59 Final plat review.</p> <p>22-60 Final plat approval and recordation.</p> <p>22-61 Information required for Final Plat submission.</p> <p>Division 5. Minor Land Divisions</p> <p>22-62 In general.</p> <p>22-63 Pre-application conference.</p> <p>22-64 Minor land divisions design standards and requirements.</p> <p>22-65 Minimum required minor land division improvements.</p> <p>22-66 Minor land division applications and review.</p> <p>22-67 Engineering plans for minor land divisions.</p> <p>22-68 Assurance for the construction of minor land division improvements.</p> <p>22-69 – 22-75 Reserved.</p>	<p>Division 2. Platting Procedures and Requirements</p> <p>19-120 Outline of Procedures.</p> <p>19-121 Preliminary Plat in General.</p> <p>19-122 Preliminary Plat Submission.</p> <p>19-123 Preliminary Plat Review.</p> <p>19-124 Preliminary Plat Approval.</p> <p>19-125 Preliminary Plat Time Extension.</p> <p>19-126 – 19-139 Reserved.</p> <p>19-140 Final Plat Stage in General.</p> <p>19-141 Final Plat Submission.</p> <p>19-142 Final Plat Review.</p> <p>19-143 Final Plat Approval and Recordation.</p> <p>19-144 – 19-155 Reserved.</p> <p>19-156 Minor Land Divisions in General.</p> <p>19-157 Minor Land Divisions Design Standards and Requirements.</p> <p>19-158 Minimum Required Minor Land Division Improvements.</p> <p>19-159 Minor Land Division Applications and Review.</p> <p>19-160 Engineering Plans for Minor Land Divisions.</p> <p>19-161 Assurance for the Construction of Minor Land Division Improvements.</p> <p>19-162 – 19-175 Reserved.</p>
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<p>Article III. Subdivision Design Standards</p> <p>22-76 Compliance with other laws and ordinances.</p> <p>22-77 Dedication of parks.</p> <p>22-78 Land subject to flooding.</p> <p>22-79 Street location and arrangement.</p> <p>22-80 Street design.</p> <p>22-81 Lots.</p> <p>22-82 Easements.</p> <p>22-83 Street names.</p> <p>22-84 – 22-95 Reserved.</p>	<p>Division 3. Subdivision Design Standards</p> <p>19-176 Compliance with Other Laws and Ordinances.</p> <p>19-177 Dedication of Parks.</p> <p>19-178 Land Subject to Flooding.</p> <p>19-179 Street Location, Arrangement and Design.</p> <p>19-180 Lots.</p> <p>19-181 Easements.</p> <p>19-182 Street Names.</p> <p>19-183 – 19-195 Reserved.</p>
<p>Article IV. Street and Utility Improvement Requirements</p> <p>22-96 Purpose.</p> <p>22-97 Responsibility for improvements.</p> <p>22-98 Engineering plans.</p> <p>22-99 Construction and inspection.</p> <p>22-100 Streets and alleys.</p> <p>22-101 Curbs.</p> <p>22-102 Sidewalks.</p> <p>22-103 Crosswalks.</p> <p>22-104 Street name signs.</p> <p>22-105 Storm drainage.</p> <p>22-106 Sewage disposal.</p> <p>22-107 Water supply.</p> <p>22-108 Monuments.</p> <p>22-109 Corner markers.</p> <p>22-110 Electric, telephone, and cable utilities.</p> <p>22-111 Submittal, review and approval of engineering plans.</p> <p>22-112 Agreement to install improvements.</p>	<p>Division 4. Street and Utility Improvement Requirements</p> <p>19-196 Purpose.</p> <p>19-197 Responsibility for Improvements.</p> <p>19-198 Engineering Plans.</p> <p>19-199 Construction and Inspection.</p> <p>19-200 Streets and Alleys.</p> <p>19-201 Curbs.</p> <p>19-202 Sidewalks.</p> <p>19-203 Paths.</p> <p>19-204 Street Name Signs.</p> <p>19-205 Storm Drainage.</p> <p>19-206 Sewage Disposal.</p> <p>19-207 Water Supply.</p> <p>19-208 Monuments.</p> <p>19-209 Corner Markers.</p> <p>19-210 Electric, Telephone, and Cable Utilities.</p> <p>19-211 Submittal, Review and Approval of Engineering Plans.</p> <p>19-212 Agreement to Install Improvements.</p>

Chapter 22 - SUBDIVISION REGULATIONS*

Articles:

Article I - IN GENERAL

Sections:

22-1 - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Alley" means a public way providing secondary vehicular access and service to properties which also abut upon a street.

"Arterial route" is a general term including freeways, expressways, major arterial streets and interstate, state or county highways, and usually section line roads.

"Block" means a piece or parcel of land, or group of lots, entirely surrounded by public streets, watercourses, railroads, or parks or a combination thereof.

"Collector street" means a street with limited continuity serving the primary function of carrying traffic from local streets to arterial routes, and the secondary function of providing access to abutting properties.

"Commission" means the city planning commission.

"Conditional plat approval" means an affirmative action by the commission or the council indicating that approval of a preliminary plat will be forthcoming upon satisfaction of certain specific stipulations.

"Corner lot" means a lot abutting on two (2) or more intersecting streets having an interior angle of intersection not exceeding one hundred thirty-five (135) degrees.

"Crosswalk" means a public walk dedicated entirely through a block from street to street, or to a school, park, recreation area or other public facility.

"Cul-de-sac street" means a short local street having one end permanently terminating in and including a vehicular turning area.

"Double-frontage lot" means a lot abutting on two (2) nonintersecting streets.

"Easement" means a grant by the owner of the use of a strip of land by the public, a corporation or persons, for specific and designated uses and purposes.

"Engineering plans" means plans, profiles, cross sections, specifications and other details of construction of public improvements, prepared by a registered engineer in accordance with the approved preliminary plat and in compliance with public improvement standards.

"Exception" means any parcel of land located within the boundaries of a subdivision which is not included in the plat.

"Final plat" means a map of all or part of a subdivision essentially conforming to an approved preliminary plat, prepared in accordance with all applicable state laws and this chapter.

"Final plat approval" means unconditional approval of a final plat by the council, as evidenced by certification thereon by the manager.

"Front lot line" means the lot line coinciding with the street line; or, in the case of a corner lot, the shortest of two (2) lot lines coinciding with street lines or, in the case of a double-frontage lot, both lot lines coinciding with street lines.

"General plan" means the Avondale Community Development Plan.

"Key lot" means an interior lot, one side of which is contiguous with the rear line of a corner lot.

"Local street" means a street serving the primary function of providing access to abutting property; including marginal access streets and cul-de-sac streets.

"Lot" means a piece or parcel of land separated from other pieces or parcels by description, as in a subdivision or on a record survey map or by metes and bounds, for purposes of lease, transfer of ownership or separate use.

"Lot depth" means the distance, measured on a line parallel to the exit of the lot, between a point on the front lot line and a point on the rear lot line which is closest to the proposed or existing dwelling or principal building or any part thereof.

"Lot line" means a line bounding a lot.

"Lot width" means, in the case of a rectangular lot or a lot abutting on the outside of a street curve, the distance between side lot lines, measured at the minimum front setback line parallel to the street or street chord. In the case of a lot abutting on the inside of a street curve, the distance between side lot lines measured at the rear line of the dwelling or when there is no dwelling, thirty (30) feet behind the minimum front setback line, parallel to the street or street chord.

"Major streets plan" means an adopted plan which provides locations and standards for development of the major streets system of the city.

"Marginal access street" (also called a "frontage street" or "frontage road") means a local street parallel and adjacent to an arterial route which provides access to abutting property, intercepts other local streets and controls access to the arterial route.

Minor land division. A division of land within the city which (i) meets the definition of "land split" as set forth in this chapter, (ii) results in the division of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future, into two (2) or three (3) lots, tracts, or parcels of land, and when a new street is not involved, (iii) the division of improved or unimproved land or lands for the purpose of financing, sale, or lease, whether immediate or future, into more than two (2) parts, and when the boundaries of such property have been fixed by a recorded plat.

"Neighborhood plan" means a plan prepared at the direction of the commission as a graphic statement of objectives to guide platting of remaining undeveloped parcels of land in a partially built-up neighborhood, so as to make reasonable use of all land, correlate future street patterns, and achieve the best possible land use relationships.

"Owner" means the person holding title to land by deed, or as vendee under land contract, or holding other title of record.

"Plat" means a map of a subdivision.

"Preliminary plat" means a preliminary map, including supporting data, indicating a proposed subdivision design prepared in accordance with this chapter and state law.

"Preliminary plat approval" means unconditional approval of a preliminary plat by the commission, as evidenced by meeting minutes and noted upon copies of the plat.

"Public improvement standards" means a set of regulations establishing specifications and instructions to be followed in planning, design, and construction of certain public improvements, formulated and enforced by the manager, public works director and other city departments, and duly approved by the council.

"Public utility" means underground, aboveground or overhead facilities furnishing to the public under state or municipal regulations, electricity, gas, steam, communications, water, drainage, flood control, irrigation, garbage or trash disposal and sewage disposal; also, such person, firm, corporation or municipal department or board, as the context indicates.

"Rear lot line" means the lot line opposite and farthest from the front lot line; for a pointed or irregular lot, the rear lot line shall be an imaginary line, parallel to and farthest from the front lot line, not less than ten (10) feet long and wholly within the lot.

"Recorded plat" means a final plat bearing all of the certificates of approval required by this chapter and state law.

"Resubdivision" means the redesign or recombination of a group of lots of record, or of an entire recorded subdivision, not involving a new street and not creating any additional lots; or, the division into more than two (2) parts of any lot, tract or parcel of land, the boundaries of which have been fixed by a recorded plat, whether or not a new street is involved, provided, however, that the transfer of ownership of parcels or strips of land to or between adjoining property owners where such transfer does not create additional lots, shall not be deemed resubdivision.

"Side lot lines" means any lot line other than a front or rear lot line; in the case of a corner lot, the lot line abutting the side street is termed an exterior side lot line; all other side lot lines are termed interior side lot lines.

"Street" means any street, avenue, boulevard, road, lane, parkway, place, drive, easement for access or other vehicular way which is an existing state, county or municipal roadway; or, a street or vehicular way shown on a plat heretofore approved pursuant to law or by official action; or, a street or vehicular way in a plat duly filed and recorded in the county recorder's office. A street includes all land within the right-of-way whether improved or unimproved, pavement, shoulders, curbs, gutters, sidewalks, parking space, bridges, viaducts, lawns and trees.

"Street line" means a line describing the boundaries of a street right-of-way.

"Subdivider" means the person who makes application and initiates proceedings for the subdivision of land in accordance with this chapter; provided, that an individual serving as agent for a legal entity shall not be deemed the subdivider.

"Subdivision" means improved or unimproved land divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts. The term "subdivision" also includes any condominium, cooperative, community apartment, townhouse, or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided. The term subdivision shall not include the following:

- (1) The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
- (2) The partitioning of land in accordance with statutes other than Arizona Revised Statutes, Title 9, Article 6.2 regulating the partitioning of land held in common ownership.
- (3) The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.

"Useable lot area" means that portion of a lot useable for or reasonably adaptable to the normal use for which the lot is intended, and not including area which is covered by water, is excessively steep, or

has its normal use restricted by certain types of easements. (Code 1971, §§ 13-2-1—13-2-9; Ord. No. 780-01, § 1, 4-16-01)

22-2 - Administration.

The city planning commission is hereby authorized to receive, process and otherwise act upon preliminary and final subdivision plats in accordance with this chapter. The city manager, the public works director, and the county health officer are hereby designated as advisory agents to the commission and the council in matters referred to them in accordance with this chapter. (Code 1971, § 13-1-1)

22-3 - Interpretation.

Where this chapter imposes a greater restriction upon land, land improvement or development, and land use, than is imposed or required by existing provisions of law, ordinance, contract or deed, this chapter shall control. (Code 1971, § 13-1-2)

22-4 - Platting required.

No person shall, for the purpose of circumventing this chapter, hereafter sell, offer to sell or divide any lot, piece or parcel of land which constitutes a subdivision or part thereof, as defined herein, without first having recorded a plat thereof in accordance with this chapter. (Code 1971, § 13-1-3)

22-5 - Appeals.

- (a) Where there exist extraordinary conditions of topography, land ownership, adjacent development or other similar circumstances not provided for in this chapter, the commission may, upon appeal of the subdivider, modify the enforcement of this chapter in such manner and to such extent as it deems appropriate to the public interest. Such appeal shall be submitted to the commission in conjunction with filing of the preliminary plat.
- (b) In the event that an appeal for modification of enforcement of this chapter does not receive affirmative action by the commission, the subdivider may file such appeal with the city clerk, and upon hearing, the council may make such modifications as it deems proper. The commission shall be represented at such hearing and make known to the council its recommendations and reasons for denial of the appeal.
- (c) In modifying the standards or requirements set forth in this chapter, the commission and the council may make such additional requirements as are deemed necessary to secure substantially the objectives of the standards or requirements so modified. (Code 1971, §§ 13-6-1—13-6-3)

22-6 - Fees

Fees related to any required application or for any services set forth in this chapter shall be adopted by resolution of the city council. A copy of the then-current adopted fee schedule shall be maintained at all times in the development services department. (Ord. No. 784-01, § 3, 5-7-01)

22-7—22-20 - Reserved.

Article II - PLATTING PROCEDURES AND REQUIREMENTS

Sections:

Division 1. - Generally

22-21 - Outline of procedures.

The preparation, submission, review and official action concerning all subdivision plats for locations within the city proceed through the following progressive stages:

- (1) Preapplication stage;
- (2) Preliminary plat stage;
- (3) Final plat stage. (Code 1971, § 13-3-1)

22-22 - Subdivision committee.

A subdivision committee, composed of the manager, public works director and two (2) members of the commission designated by the chairman, is hereby delegated authority to represent the commission in preapplication conferences and investigations and to perform such other functions as may be assigned by the chairman of the commission. (Code 1971, § 13-3-2(A))

22-23—22-30 - Reserved.

Division 2. - Preapplication Stage

22-31 - Generally.

The preapplication stage of subdivision planning comprises an investigatory period preceding preparation of the preliminary plat. If, during this stage, it is determined that a change in zoning will be proposed for all or part of the tract, the subdivider should prepare to initiate an application for zoning amendment simultaneously with submission of preliminary plat. This division shall apply to the preapplication stage. (Code 1971, § 13-3-2)

22-32 - Actions by the subdivider.

The subdivider shall confer with the department and present informally a general outline of his proposal, including but not limited to:

- (1) Sketch plans and ideas regarding land use, street and lot arrangement, and tentative lot sizes.
- (2) Tentative proposals regarding utility and street improvements. (Code 1971, § 13-3-2(B))

22-33 - Actions by the subdivision committee.

The subdivision committee shall advise the subdivider of procedures, design and improvement standards, and platting requirements. The committee shall investigate the following aspects of the proposal and report its recommendations to the subdivider:

- (1) Existing zoning or proposed zoning amendment.
- (2) Adequacy of existing and proposed school, recreation and other public sites.
- (3) Existing and proposed street and utility systems, existing and proposed uses of adjoining lands and any special problems such as topography, drainage and flooding. (Code 1971, § 13-3-2(C))

22-34—22-40 - Reserved.

Division 3. - Preliminary Plat Stage

22-41 - Generally.

The preliminary plat stage includes preparation, submission, review and approval of the preliminary plat. Processing will be expedited by submission of all information essential to determining the intended character and general acceptability of the proposal. This division shall apply to the preliminary plat stage. (Code 1971, § 13-3-3)

22-42 - Preliminary plat submission.

- (a) An application for preliminary plat approval, together with five (5) copies of the preliminary plat and required supporting data, prepared in accordance with section 22-46, shall be filed with the manager at least fourteen (14) days prior to the regular commission meeting at which the subdivider desires to be heard.
- (b) The preliminary plat shall be designed to meet all requirements of the zoning district in which it is located; however, in the event that an amendment of zoning is deemed necessary, such application shall accompany submission of preliminary plat. An application for zoning amendment may be heard by the commission at the same meeting as the preliminary plat but shall be acted upon separately. When a preliminary plat constitutes only one unit of a larger development intended for progressive platting, zoning amendment shall usually be limited to the area contained in the first plat.
- (c) Application for plat approval shall include payment to the city of a filing fee according to the fee schedule adopted by the city council. The filing fee shall also cover filing of an amended or revised preliminary plat when processed as the same case. The filing fee shall not be refundable.
- (d) If it meets all requirements of section 22-46, the application shall be assigned a case number; otherwise, it shall be rejected and the subdivider notified as to the deficiencies. (Code 1971, § 13-3-3(A); Ord. No. 441, § 1, 9-6-88; Ord. No. 784-01, § 2, 5-7-01)

22-43 - Preliminary plat review.

- (a) The subdivision committee shall review the preliminary plat for compliance to provisions of this chapter and distribute copies of the plat to:
 - (1) The public works director, for review of street plans, drainage, flood control, water supply and sewage disposal proposals.
 - (2) Superintendents of the elementary and high school districts, for their information.
- (b) The committee shall summarize its recommendations for modification or change may be sufficiently important to postpone commission action until the problem has been resolved with the subdivider. (Code 1971, § 13-3-3(B))

22-44 - Commission hearing and action.

- (a) If all requirements of this chapter have been met, the commission shall consider the preliminary plat at a regular meeting within thirty (30) days of the filing date.
- (b) If satisfied that all objectives of these regulations have been met, the commission shall find preliminary approval, and the chairman shall note such approval on three (3) copies of the plat, returning one to the subdivider, retaining one in the commission files, and holding one for review by public utilities.
- (c) If the plat is generally acceptable but requires minor revision before preparation of the final plat, the commission shall find conditional approval and specify the required revisions in its meeting minutes.
- (d) If the commission determines that the plat contains major deficiencies and if the subdivider agrees to correct such deficiencies, the case may be held over pending revision, resubmission and reprocessing; otherwise, the plat shall be rejected. If the commission rejects the plat, reasons for rejection shall be recorded in the minutes and thereafter, any new filing of a plat for the same tract,

or any part thereof, shall follow normal procedures and be subject to a new filing fee. (Code 1971, § 13-3-3(C))

22-45 - Significance of approval.

Approval of a preliminary plat constitutes authorization for the subdivider to proceed with the preparation of the final plat and engineering plans. Preliminary approval is valid for a period of twelve (12) months from date, and may be extended once for six (6) months at the discretion of the commission. The subdivider may submit the final plat, or any part thereof, on or before the expiration date. If approval expires prior to filing of final plat, the preliminary plat shall be resubmitted for approval as a new case, and a new fee paid. If the manager's review of a resubmitted plat reveals no substantial change from the previously approved preliminary plat, and that conditions under which previous approval was granted have not changed, the filing fee shall be refunded and the resubmitted plat scheduled for hearing by the commission at its first regular meeting thereafter. (Code 1971, § 13-3-3(D))

22-46 - Information required for preliminary plat submission.

- (a) Preliminary plat information shall be presented on one or more plan sheets with written data entered directly thereon or contained in letters attached thereto. All mapped data for the same plat shall be drawn at the same standard engineering scale, said scale having no more than one hundred (100) feet to the inch.
- (b) The following shall be shown on the plat:
 - (1) The proposed subdivision name; location by section, township and range; reference by dimension and bearing to a section corner or one fourth section corner.
 - (2) The name, address and phone number of subdivider.
 - (3) The name, address and phone number of person preparing plat.
 - (4) The scale, north point and date of preparation, including any revision dates.
 - (5) Topography by contours, related to USGS survey datum or other datum approved by the city, shown on the same sheet as the subdivision layout. Contour interval shall usually be two (2) feet for grades up to five (5) percent, five (5) feet for grades five (5) to ten (10) percent and ten (10) feet for grades over ten (10) percent.
 - (6) Precise location of water wells; washes and drainage ditches, including direction of flow; location and extent of areas subject to inundation and data regarding frequency of inundation.
 - (7) Location, widths and names of all platted streets, alleys, utility rights-of-way of public record; public areas, and permanent structures to be retained; within or adjacent to tract.
 - (8) Name, book and page numbers of recorded plats abutting the tract or across a boundary street.
 - (9) Dimensions of tract boundaries and the acreage of tract.
 - (10) Street layout, including location and width of all streets, alleys, crosswalks and easements; proposed names of streets.
 - (11) Lot layout, including scaled dimensions of typical lots; width and depth of all corner lots and lots on street curves; each lot numbered consecutively; total number of lots.
 - (12) Location, width and proposed use of easements.
 - (13) Location, extent and proposed use of all land to be dedicated or reserved for public use.
 - (14) Location and boundary of all existing and proposed zoning classifications.
 - (15) Draft of proposed deed restrictions.

- (16) All lots shall be provided public water supply and sanitary sewerage. Preliminary drainage calculations and layout of proposed storm drainage system shall be submitted, including location of outlets. (Code 1971, § 13-3-3(E))

22-47—22-55 - Reserved.

Division 4. - Final Plat Stage

22-56 - Generally.

The final plat stage includes final design of the subdivision, engineering of public improvements, and submittal of plat and plans by the subdivider, plat review by the manager and the commission, and final hearing by the council. This division shall apply to the final plat stage. (Code 1971, § 13-3-4)

22-57 - Presubmission requirements.

- (a) The final plat shall meet all requirements of the zoning district in which it is located; any necessary zoning amendment shall have been adopted by the council prior to filing of the final plat.
- (b) The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with Section 22-46.
- (c) Final plat submission shall include letters signifying approval of utility easements by the public utilities. (Code 1971, § 13-3-4(A))

22-58 - Final plat submission.

The final plat and four (4) true copies thereof, together with the recordation fee, shall be filed with the manager at least twenty-one (21) days prior to the council meeting at which the case is to be heard. The city clerk shall record the date of filing and immediately transmit the submittal to the manager. (Code 1971, § 13-3-4(B))

22-59 - Final plat review.

The manager shall check the submittal of the final plat for completeness; if incomplete, it shall be returned to the clerk, the filing date shall be voided, and the subdivider so notified. If complete, and if the final plat substantially conforms to the approved preliminary plat, the manager shall summarize his recommendations for presentation to the council. (Code 1971, § 13-3-4(C))

22-60 - Final plat approval and recordation.

- (a) Upon notification from the manager that the final plat is in order, the city clerk shall enter the case on the agenda of the next regular council meeting, whereupon the council shall approve or reject the plat.
- (b) If the council rejects the plat for any reason whatever, the reasons therefor shall be recorded in the minutes. If the council approves the plat, the city clerk shall transcribe a certificate of approval upon the plat, first making sure that the other certificates required in Section 22-46 have been duly executed.
- (c) The city clerk shall then record the plat in the county recorder's office and pay the recordation fee. Two (2) copies of the recorded plat shall be retained in the commission file. (Code 1971, § 13-3-4(D))

22-61 - Information required for final plat submission.

The following information is required for the final plat submission:

- (1) The final plat shall be drawn in india ink on linen, plastic or other non-shrinking material on sheets of eighteen (18) inch by twenty-five (25) inch proportions.
- (2) The plat shall be drawn to an accurate scale having not more than one hundred (100) feet to an inch.
- (3) Copies of the final plat shall be reproduced in the form of blue-line or black-line prints on a white background.
- (4) Name of subdivision and location by section, township, range and county.
- (5) Name, address and registration number or seal of the registered professional engineer or registered land surveyor preparing the plat.
- (6) Scale, north point and date of plat preparation.
- (7) Boundaries of the tract fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field; all dimensions expressed in feet and decimals thereof.
- (8) Any exceptions within the plat boundaries located by bearings and distances expressed in feet and decimals thereof, determined by an accurate survey in the field.
- (9) Location and description of coordinal points to which all dimensions, angles, bearings and similar data on the plat are referenced; two (2) corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter-section corners.
- (10) Location and description of all physical encroachments upon the boundaries of the tract.
- (11) Name, right-of-way lines, courses, lengths, width of all public streets, alleys, crosswalks, and utility easements; radii, points of tangency, and central angles of all curvilinear streets and alleys; radii of all rounded street line intersections.
- (12) All drainageways, designated as such and dedicated to the public.
- (13) All utility and public service easements, including any limitations of easements; and construction within such easements shall be limited to utilities, landscaping and wood, wire or removable section type fences.
- (14) Location and all dimensions of all lots.
- (15) All lots numbered consecutively throughout the plat; exceptions and tracts shall be dimensioned and identified by letter or number.
- (16) Location, dimensions, bearings, radii, arcs and central angles of all sites to be dedicated to the public and the use specified.
- (17) Location of all adjoining subdivisions with date, book and page number of recordation noted, or if unrecorded, so marked.
- (18) Any private deed restrictions to be imposed upon the plat or any parts thereof, typewritten and attached to the plat and to each copy thereof.
- (19) Statement of dedication of all streets, alleys, crosswalks, drainageways and easements for public purposes by the owners and wives of the owners; if lands to be dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication shall include a written description by section, township and range of the tract. If the plat contains private streets, public utilities shall be reserved the right to install and maintain utilities in the street rights-of-way.
- (20) Certification by the registered professional engineer or registered land surveyor making the plat that is correct and accurate, and that the monuments described in it have been located as described.

- (21) Certificates of approval by the manager and the commission.
- (22) Certificate of approval of the council by the city clerk.
- (23) Certification of recordation by the county recorder. (Code 1971, § 13-3-4(E))

Division 5. - Minor Land Divisions

22-62 - In general.

- (a) For the purpose of this article, a minor land division shall constitute the following acts, and shall be subject to the provisions of this article:
 - (1) "Land splits" meaning the division of improved or unimproved land into two or three tracts or parcels of land for the purpose of sale or lease.
 - (2) The division of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future, into two (2) or three (3) lots, tracts, or parcels of land, and when a new street is not involved.
 - (3) The division of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future, into more than two (2) parts, and when the boundaries of such property have been fixed by a recorded plat.
- (b) The preparation, submittal, review, and approval of all minor land divisions located within the city shall proceed through the following progressive stages, except when otherwise provided herein:
 - (1) Pre-application conference with the City of Avondale Development Services Department project manager, who shall be the development services director or authorized designee.
 - (2) Submittal of the minor land division application and map by the applicant and subsequent review through the project manager.
 - (3) Approval of the application by the development services department.
 - (4) Recordation of the approved minor land division. (Ord. No. 780-01, § 2, 4-16-01)

22-63 - Pre-application conference.

The pre-application conference stage of minor land division review is an investigatory period preceding the preparation and submittal of the minor land division application. The applicant shall initially present his proposal to the project manager who shall advise the applicant of specific public objectives, standards, and regulations related to the property and the procedure for minor land division review. (Ord. No. 780-01, § 2, 4-16-01)

22-64 - Minor land divisions design standards and requirements.

- (a) All minor land divisions shall be in general conformity with the lot, street, block, alley, and easement design standards and requirements specified for subdivisions in article III of this chapter. All lots created by a minor land division shall conform to existing zoning and the city general plan.
- (b) All minor land divisions shall be designed to comply with the requirements of the specific zoning district within which the divided property is located.
- (c) No lot or parcel shall be divided in such a way that any division of such lot or parcel shall contain more dwelling units than are permitted by the zoning regulations of the district within which the lot is situated. (Ord. No. 780-01, § 2, 4-16-01)

22-65 - Minimum required minor land division improvements.

Except where otherwise provided in this section, it shall be the responsibility and duty of the applicant to improve or agree to improve all streets, pedestrian ways, alleys, and easements in the minor land division and adjacent thereto required to service the minor land division, and such other improvements as specified for subdivisions in article III and article IV of this chapter. No permanent improvement work shall be commenced until improvement plans and profiles have been approved by the project manager. Improvements shall be installed to the permanent line and grade to the satisfaction of the city engineer and in accordance with the city engineering design guidelines. (Ord. No. 780-01, § 2, 4-16-01)

22-66 - Minor land division applications and review.

- (a) Submittal requirements. The applicant shall submit the following materials to the project manager for review:
- (1) Three (3) copies of the minor land division map, reproduced in the form of blue or black line prints on a white background, containing the following information:
 - (i) Notation of the map as "A minor land division map for (applicant's name)."
 - (ii) Location by quarter-section, section, township, and range.
 - (iii) Legal description of the property involved.
 - (iv) Name, address, and phone number of applicant.
 - (v) Scale, north point, and dates of preparation and revisions.
 - (vi) Existing street dedications, utility easements, and lot lines of all adjacent properties indicated by subdivision name and Maricopa County Recorder's Office Book and Page number; unsubdivided land must be identified as such.
 - (vii) Name, address, registration number, and seal of the registered land surveyor or engineer preparing the map.
 - (viii) Boundaries of the tract to be divided fully balanced and closed showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.
 - (ix) Location and description of cardinal points of primary interest to which all dimensions, angles, bearings, and similar data on the map shall be referenced. One corner of the minor land division map shall be tied by course and distance to a survey monument approved by the city engineer.
 - (x) All existing and proposed drainage structures and natural drainage features, if required by the project manager.
 - (xi) All existing irrigation structures on the property to be divided.
 - (xii) Location and dimensions of all lots within the minor land division map. All sides of the proposed lots shall be identified by bearings and distances.
 - (xiii) All lots, identified by number or letter.
 - (xiv) Proposed street dedications and public utility easements, identified by course, length and width.
 - (xv) The following certifications:
 - a. Certification by a registered land surveyor or engineer preparing the map that the map is correct and accurate and that the monuments described in it have been located as described.
 - b. Certification of map approval by the city engineer.
 - (2) A completed minor land division application form.

- (3) A nonrefundable minor land division application filing fee to compensate the city for the costs of examining and processing the minor land division application and subsequent field inspections. The required fee for minor land division applications shall be approved by resolution of the city council.
 - (4) Any information required as part of the minor land division submittal shall be shown (i) graphically, (ii) by note on plans, (iii) by letter or (iv) by a combination of the foregoing, and may comprise several sheets showing various elements of the required data.
 - (5) An ALTA survey, preliminary title report and deed or other instrument showing proper title to the land to be divided.
- (b) Application review process. The applicant shall submit all of the documents, information, data, and other requirements for minor land division application approval to the project manager and shall furnish any additional information and materials relevant to the application that the project manager reasonably believes are necessary in order to understand the subject matter of the application and to ensure compliance with the requirements of this article. Compliance shall be determined by the project manager.
- (1) All submittals shall be checked by the project manager for completeness. If incomplete as to the requirements set forth in this article, the submittal may be rejected and returned to the applicant for revision and resubmittal.
 - (2) The procedures for approval, modification, or disapproval of minor land division applications shall be as follows:
 - (i) Approval:
 - a. If the project manager approves the minor land division application, the city engineer shall transcribe a certificate of approval upon the map, indicating that: (i) all conditions of approval have been met, (ii) the other required certifications have been duly signed and (iii) that any instruments for required street right-of-way dedications have been prepared, executed and duly recorded.
 - b. After the project manager approval of the minor land division, certification of approval by the city engineer and compliance with sections 22-67 and 22-68 hereof, the applicant shall pay to the city the fee charged by the Maricopa County Recorder for the recordation of the map, and the city shall then record the map with the Maricopa County Recorder.
 - (ii) Modification: If the project manager finds that the minor land division application requires further modification, the application shall be returned to the applicant for necessary modification. Such modification(s) must be completed within thirty (30) days of the return to the applicant or will require a new submittal.
 - (iii) Denial: If the project manager disapproves of the minor land division application, the applicant will be furnished a letter stating the reasons for the denial. The application may be refiled if suitable revisions can be made to resolve the conflicts noted by the project manager as originally proposed without additional fee if refiled within thirty (30) calendar days of the project manager's denial. (Ord. No. 780-01, § 2, 4-16-01)

22-67 - Engineering plans for minor land divisions.

- (a) If improvements are required for minor land divisions pursuant to section 22-65 herein, the applicant shall be responsible for the preparation of a complete set of engineering plans, prepared by an Arizona registered civil engineer, in a form satisfactory to the project manager, for the construction of the required improvements. The plans shall be prepared in conjunction with the minor land division map.
- (b) The minor land division map shall not be recorded until all engineering plans for the recorded improvements have been approved by the project manager. (Ord. No. 780-01, § 2, 4-16-01)

22-68 - Assurance for the construction of minor land division improvements.

If improvements are required for the minor land division pursuant to section 22-65 herein, no building permit for any lot created will be issued until such improvements are completed and the work accepted by the city engineer. Required improvements may be waived by the project manager if the applicant provides a performance bond or other assurance of construction, in a form approved by the city attorney or if all such required improvements have been completed and paid for, as determined by the city engineer. (Ord. No. 780-01, § 2, 4-16-01)

22-69—22-75 - Reserved.

Article III - SUBDIVISION DESIGN STANDARDS

Sections:

22-76 - Compliance with other laws and ordinances.

Every subdivision shall conform to requirements and objectives of the community development plan, or any parts thereof, as adopted by the council, to the zoning ordinance, to other ordinances and regulations of the city, and to the Arizona Revised Statutes, as amended. (Code 1971, § 13-4-1)

22-77 - Dedication of parks.

Where the tract contains all or any part of the site of a school, park or other public site, as shown on the community development plan or as recommended by the commission, such site shall either be dedicated to the public or reserved for acquisition by the public within a specified period of time. An agreement shall be reached between the subdivider and the appropriate public agency regarding time, method and cost of such acquisition. In the event of failure to reach such agreement within a reasonable period of time for reasons satisfactory to the commission, the commission may determine that requirements of this section have been met. (Code 1971, § 13-4-2)

22-78 - Land subject to flooding.*

Land subject to periodic flooding, or land which cannot be properly drained, or other land which, in the opinion of the commission, is unsuitable for the proposed use, shall not be subdivided; however, the commission may approve subdivision of such land upon receipt of evidence from a registered civil engineer, retained by the city, that the construction of specific improvements can be expected to render the land useable, in which event construction upon such land shall be prohibited until the specified improvements have been acceptably planned and construction has been guaranteed. (Code 1971, 13-4-3)

Cross reference— Subdivisions in flood hazard areas, § 8-41 et seq.

22-79 - Street location and arrangement.

- (a) Whenever the tract embraces any part of a street designated in the most recent adopted version of the Avondale Transportation Plan, such street shall be platted in conformity therewith.
- (b) Street layout shall provide for the continuation of existing collector streets in adjacent areas, and such other streets as the commission may designate.

- (c) Whenever the tract is located within an area for which a neighborhood plan has been approved by the commission, the street arrangement shall conform substantially to that plan.
- (d) Certain proposed streets, as designated by the commission, shall be extended to the tract boundary to provide future connection with adjoining unplatted lands. In general, these extensions should not be farther apart than the maximum permitted length of a block, as specified in subsection (e) of Section 22-80.
- (e) Local streets shall be so arranged as to discourage their use by traffic originating outside the immediate area.
- (f) When a proposed subdivision abuts or contains an existing or proposed arterial route, the commission may require marginal access streets or reverse frontage with non-access easements along the arterial route, or such other treatment as may be justified for protection of properties from the nuisance and hazard of high volume traffic and for preservation of the traffic function of the arterial route.
- (g) When a residential subdivision abuts the right-of-way of a railroad or limited access highway or abuts a commercial or industrial land use, the commission may recommend location of a street approximately parallel to such right-of-way or use at a distance suitable for appropriate use of intervening land, such distance being determined with due regard for approach grades, drainage, bridges or future grade separations.
- (h) Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility and streets of reasonable gradient, and to facilitate adequate drainage.
- (i) Except where alleys are justified by special conditions, they are not considered appropriate in residential subdivisions; however, continuation to a logical outlet of an existing dead-end alley in an adjoining subdivision and the extension of an existing alley pattern where underground utilities are located in alleys shall be considered justifying conditions. All alleys shall conform to the alley requirements set forth in the most recent adopted version of the city's General Engineering Requirements Manual.
- (j) Half-streets are discouraged except where necessary to provide rights-of-way required by the major streets plan, to complete a street pattern already begun, or to ensure reasonable development of an adjoining unplatted parcel. Where a half-street exists abutting the tract and said half-street furnishes the sole access to residential lots, the remaining half-street shall be platted within the tract. (Code 1971, § 13-4-4; Ord. No. 1289-208, § 3, 2-4-08)

22-80 - Street design.

All streets shall be designed in accordance with the most recent version of the city's adopted General Engineering Requirements Manual and City of Avondale Supplement to Maricopa Association of Governments Uniform Standard Specifications and Details. (Code 1971, § 13-4-5; Ord. No. 1289-208, § 4, 2-4-08)

22-81 - Lots.

- (a) Lot width, depth and area shall comply with the minimum requirements of the zoning ordinance; however, where drainage problems exist or prevail, the commission may require special lot width, depth and area exceeding minimum requirements of the zoning district. Depth-to-width ratio of the useable area of a lot shall usually be not greater than three (3) to one.
- (b) Side lot lines shall be substantially at right angles or radial to street lines, except where other treatment can be justified.
- (c) Every lot shall abut upon a public street furnishing satisfactory access to another existing public street; except that where special circumstances justify, private streets may be permitted provided that they are constructed to standards acceptable to the city, are contained in a permanent private easement, and responsibility for continued maintenance is vested in a corporation of lot owners.

- (d) Single-family residential lots extending through the block and having frontage on two non-intersecting streets shall be prohibited. Reverse frontage along any street shall be prohibited except where expressly permitted in accordance with this article or where otherwise justified in the opinion of the commission. (Code 1971, § 13-4-6)

22-82 - Easements.

- (a) Easements for utilities shall be provided as follows:
 - (1) Where alleys are provided, four (4) feet for aerial overhang on each side of alley, provided for by dedication but not delineated on plat.
 - (2) Where no alley is provided, six (6) feet on each side of rear and side lot lines.
 - (3) Along side lot lines, where determined necessary by the public utility, one foot on each side of lot lines for underground street lighting circuits.
 - (4) Guy and anchor easements, one foot on each side of a lot line and approximately thirty-five (35) feet in length measured from the rear lot line in locations designated by the public utility.
- (b) For lots facing on curvilinear streets, utility easements or alleys shall usually consist of a series of straight lines with points of deflection not less than one hundred twenty (120) feet apart, said points of deflection not always occurring at the junction of side and rear lot lines on the side of the exterior angle; however, curvilinear easements or alleys may be employed, providing that the minimum radii of center lines are not less than eight hundred (800) feet.
- (c) Where an important surface drainage course abuts or crosses the tract, dedication of a public drainageway of a width sufficient to permit widening, deepening, relocating or protecting such drainage course shall be required.
- (d) Land within a public street or drainageway, or land within an easement for major power transmission (tower) lines or pipelines shall not be considered a part of the useable lot area except where lots exceed one-half acre in area; provided that this shall not be applicable to land included in utility easements for distribution or service purposes.
- (e) Lots arranged to back to major streets, railroads, or commercial or industrial districts, as provided in subsection (f) of Section 22-79, shall have a recorded non-access private easement one foot wide along the rear lot line. (Code 1971, § 13-4-7)

22-83 - Street names.*

Street names shall be consistent with the natural alignment and extension of existing names streets; new street names shall not duplicate or be closely similar to any existing street name. (Code 1971, § 13-4-8)

Cross reference— Street naming and building numbering systems, § 19-36.

22-84—22-95 - Reserved.

Article IV - STREET AND UTILITY IMPROVEMENT REQUIREMENTS

Sections:

22-96 - Purpose.

It is the purpose of this article to establish in outline the minimum acceptable standards for improvement of public streets and utilities, to define the responsibility of the subdivider in the planning, construction and financing of public improvements, and to establish procedures for review and approval of engineering plans. (Code 1971, § 13-5-1)

22-97 - Responsibility for improvements.

The planning, construction and financing of all required sidewalks, curbs, gutters, pavements, sanitary sewers, storm sewers, water mains, fire hydrants and drainage structures shall be the responsibility of the subdivider, and shall comply with public improvement standards adopted by the council; provided, however, that he may meet such requirements by participation in an improvement district approved by the city. (Code 1971, § 13-5-2)

22-98 - Engineering plans.

The subdivider shall be responsible for having a registered engineer prepare a complete set of engineering plans, satisfactory to the city, for construction of required improvements. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat. Engineering plans shall have been approved by the manager prior to recordation of the final. (Code 1971, § 13-5-3)

22-99 - Construction and inspection.

- (a) All improvements in the public right-of-way shall be constructed under inspection and approval of the public works director. Construction shall not be commenced until a permit has been issued for such construction, and if work has been discontinued for any reason, it shall not be resumed until after notifying the public works director in advance.
- (b) All underground utilities to be installed in streets shall be constructed prior to the surfacing of such streets. Service stubs to platted lots within the subdivision for underground utilities shall be placed to such length as to avoid disturbance of street improvements when service connections are made. (Code 1971, § 13-5-4)

22-100 - Streets and alleys.

All streets and alleys within the subdivision shall be graded and surfaced to standards approved by the manager. Where there are existing streets adjacent to the subdivision, proposed streets shall be improved to the intercepting paving line of such existing streets. Temporary dead-end streets serving more than four (4) lots shall be provided a graded and surfaced temporary turning circle. (Code 1971, § 13-5-5(A))

22-101 - Curbs.

Portland cement concrete curb, curb-and-gutter, or other pavement edging, as designated by approved engineering plans, shall be installed in accordance with approved city standards. (Code 1971, § 13-5-5(B))

22-102 - Sidewalks.

Portland cement concrete sidewalks shall be constructed to a width, line, and grade approved by the public works director in accordance with approved city standards. Where lots are one-half acre or larger in area, the commission may recommend that requirement of a sidewalk on one or both sides be waived. (Code 1971, § 13-5-5(C))

22-103 - Crosswalks.

Portland cement concrete crosswalks through blocks shall be constructed to a line and grade approved by the public works director in accordance with approved city standards. Where lots are one-

half acre or longer in area, the commission may recommend that requirement of sidewalk on one or both sides be waived. (Code 1971, § 13-5-5(D))

22-104 - Street name signs.

Street name signs shall be installed at all street intersections by the time the street pavement is ready for use; design, construction, location and installation shall comply with approved city standards. (Code 1971, § 13-5-5(E))

22-105 - Storm drainage.

Adequate provision shall be made for disposal of storm waters from both private lots and public streets and to avoid impoundment at any point within the subdivision. Existing major surface drainage courses shall be maintained and dedicated as drainageways. The type, extent, location and capacity of drainage facilities shall be determined for the individual subdivision by the manager and shall be constructed in accordance with approved city standards. Where storm water is discharged into any outlet not directly controlled by the city, the subdivider shall submit satisfactory evidence that the use of such outlet is approved by the owner or custodian thereof. (Code 1971, § 13-5-5(F))

22-106 - Sewage disposal.*

A public or community sanitary sewerage system shall be installed in all subdivisions and shall be constructed to plans, profiles and specifications approved by the public works director. (Code 1971, § 13-5-5(G))

Cross reference— Sewers in subdivisions, § 24-73.

22-107 - Water supply.

Each lot shall be supplied with safe, pure and potable water in sufficient volume and pressure for domestic use and fire protection by a public water system planned and constructed to approved city standards. (Code 1971, § 13-5-5(H))

22-108 - Monuments.

Permanent monuments shall be installed in accordance with current city standards at all corners, angle points and points of curve, and at all street intersections. After all improvements have been installed, the subdivider shall be responsible for having a registered land surveyor or engineer check the location of monuments and certify as to their accuracy. (Code 1971, § 13-5-5(I))

22-109 - Corner markers.

Iron pipe shall be set at all corners, angle points and points of curve for each lot within the subdivision prior to the recordation of the plat. (Code 1971, § 13-5-5(J))

22-110 - Electric and telephone utilities.

All electric lines less than sixty-nine (69) KVA capacity and all telephone lines shall be installed underground unless, upon recommendation of the commission, the city council finds that, due to subsurface soil conditions, it is impractical to do so. The subdivider shall be responsible for the requirements of this section and shall make the necessary arrangements with each of the public utility companies involved for the installation of underground facilities. Letters from each of the public utility companies indicating that said arrangements have been made shall be submitted to the city planning commission at the time the final subdivision plat is filed. When, as a part of the subdivision development, it is necessary to convert overhead facilities to underground facilities or to relocate existing facilities, the subdivider shall make the necessary arrangements with the serving utility for such conversion or

relocation and for the payment of the cost thereof. (Code 1971, § 13-5-5(K); Ord. No. 1289-208, § 5, 2-4-08)

22-111 - Submittal, review and approval of engineering plans.

Two (2) sets of engineering plans shall be filed with the manager simultaneously with filing of the final plat. Plans shall be reviewed by a registered engineer retained by the city and a certificate of approval filed with the city clerk prior to recordation of the plat. If engineering plans have not been approved within ninety (90) days after approval of the final plat, the council may require that the final plat be resubmitted. (Code 1971, § 13-5-6)

22-112 - Agreement to install improvements.

Upon approval of the final plat by the council, the subdivider shall execute and file an agreement between himself and the city specifying the period within which he or his agent or contractor will complete all required improvements to the satisfaction of the city. The agreement shall provide for inspection of all improvements by the city's engineer and reimbursement of the city by the subdivider for the actual costs of such inspections. The agreement may also provide for construction of improvements in units and for an extension of time under specified conditions. The council may require of the subdivider such further assurance of completion of improvements as may be justified in the interests of the future lot owners and the general public. (Code 1971, § 13-5-7)

**CITY OF AVONDALE
SUBDIVISION REGULATIONS
AMENDED AND RESTATED
JANUARY 4, 2016**

Article VI

SUBDIVISION REGULATIONS

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Division 1. In General

19-100 Purpose.

The purpose of these regulations is to provide procedures consistent with State Law that promote the health, safety and general welfare and will allow for the orderly growth and harmonious development of the City of Avondale in a manner that:

- (a) Establishes and maintains safe and effective vehicular and non-vehicular circulation through coordinated Street, transit, bicycle and pedestrian systems with relation to major thoroughfares, adjoining Subdivisions, and public facilities.
- (b) Ensures the adequate provisions for utilities, drainage and storm water retention, and other health and safety requirements.
- (c) Ensures the provision for adequate sites for schools, recreation and open space, and other public facilities.
- (d) Implements the General Plan, any applicable Specific Area Plan, the Zoning Ordinance, design requirements, and all other codes, manuals, and ordinances of the City.
- (e) Achieves individual property Lots of reasonable utility and livability.
- (f) Promotes the conveyance of land by accurate legal description.

19-101 Platting or Division Required.

No division of land is permitted unless it conforms to the provisions of this Chapter. No person shall, for the purpose of circumventing this Chapter, sell, offer to sell or divide any Lot, piece or parcel of land without first having recorded a Plat or Minor Land Division thereof in accordance with this Chapter. The City does not recognize recorded divisions of land that have not first obtained City approval.

19-102 Request for Waiver.

Subdividers may request waivers of City Engineering Standards. Such waiver requests shall be submitted to the City Engineer or authorized designee with the applicable fee on a form supplied by the City not later than thirty (30) calendar days prior to consideration of the Preliminary Plat by the Development Review Committee. 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. A waiver may be approved by the City Engineer, following approval by the Development Review Committee, when any one or more of the following or similar conditions are present:

- (a) Inadequate right-of-way preventing access to adjacent properties.
- (b) Type and extent of existing Street improvements eliminate the need for further Street improvements.
- (c) Inability to establish a proper Street grade or alignment.
- (d) Extraordinary conditions of land ownership or adjacent development.
- (e) Physical barriers such as excessive grade of terrain, washes, ditches, canals, buildings or other structures.
- (f) Special circumstances, such as, but not limited to, inclusion of Streets or Alleys in a larger improvement project the construction of which is imminent, or the property is in an established improvement district.

In modifying the standards or requirements set forth in this Chapter, the City Engineer or the Development Review Committee may make such additional requirements as are deemed necessary to secure substantially the objectives of the standards or requirements so modified.

19-103 Appeals.

- (a) An action or decision of the City Engineer or the Development Review Committee may be appealed by the Subdivider within fifteen (15) calendar days of the action. Upon written request of the applicant, the Zoning Administrator shall schedule the appeal hearing before a hearing officer appointed for the specific matter. The hearing officer shall review the decision and make a determination as to whether the applicable required findings have been met and approve, approve with stipulations, or deny the appeal.

- (b) Appeals shall be in writing on a form provided by the City and shall include only those items not agreed upon. An appeal will be heard within twenty one (21) calendar days from the date of submission of an appeal and the appeal fee. The City shall set the date, time, and location for the appeal hearing. Persons who have expressed an interest in attending the hearing shall be informed of the date, time, and location.
- (c) The hearing officer shall issue a decision on the appeal at the hearing, or the hearing may be continued to a later date if necessary. The decision of the hearing officer shall be final.

19-104 Fees.

Fees related to any required application or for any services set forth in this Chapter shall be adopted by the Council either by inclusion in the City’s annual budget or by separate resolution. A copy of the then-current adopted fee schedule shall be maintained at all times in the Development Services and Engineering Department.

19-105 Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Alley” means a passage way open to public travel, typically affording a secondary means of vehicular access to abutting Lots or upon which service entrances of building abut, but which is not intended for general traffic.

“Arterial Route” is a general term including freeways, expressways, major arterial Streets and interstate, state or county highways, and as otherwise defined in the City’s adopted Transportation Plan.

“Block” means a piece or parcel of land, or group of Lots, entirely surrounded by Streets, watercourses, railroads, or parks or a combination thereof.

“City Engineering Standards” means the most recently-adopted (by the City) editions of the following:

- (a) The City General Engineering Requirements Manual (GER)
- (b) The City of Avondale Supplement to Maricopa Association of Governments (MAG) Standard Specifications and Details for Public Works
- (c) The City Traffic Impact Analysis (TIA) Procedures
- (d) The International Fire Code
- (e) The City of Avondale Amendments to the International Fire Code
- (f) The MAG Standard Specifications and Details for Public Works

- (g) The City template for Storm Water Pollution Prevention Plans (SWPPP)
- (h) The Standard City Cover Sheets
- (i) The City of Phoenix Barricade Manual
- (j) The Manual of Uniform Traffic Control Devices
- (k) The American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets (the “Green Book”)

“City Master Planning Documents” means the latest editions (adopted by the City) of the following documents:

- (a) The General Plan
- (b) The Transportation Plan
- (c) The Water Master Plan
- (d) The Sewer Master Plan
- (e) City Center Specific Plan
- (f) Freeway Corridor Specific Plan
- (g) North Avondale Specific Plan
- (h) Tres Rios Greenway Specific Plan
- (i) Public Art Master Plan
- (j) Parks, Recreation Facility & Trails Master Plan
- (k) City Center Design Guidelines
- (l) Commercial/Industrial/Multi-Family Design Manual
- (m) Single-Family Residential Design Manual
- (n) Street Tree Master Plan
- (o) Healthy Lifestyle Plan
- (p) Historic Avondale Design and Development Guidelines
- (q) Sustainability Plan

“Commission” means the City Planning Commission.

“Condominium” means a system of individual fee ownership units in a multi-unit structure or a division of the airspace between the finished walls, floor and ceiling surfaces, combined with joint ownership of common areas of the structure and land.

“Development Review Committee” means the committee comprised of the appropriate City staff to review and provide comment and direction on development applications.

“Engineering Plans” means plans, profiles, cross sections, specifications and other details of construction of public improvements, prepared by an Arizona registered engineer in accordance with the approved Preliminary Plat and in compliance with City Engineering Standards.

“Exception” means any parcel of land located within the boundaries of a Subdivision which is not included in the Plat.

“Final Plat” means a map of all or part of a Subdivision essentially conforming to an approved Preliminary Plat, prepared in accordance with all applicable state laws and this Chapter.

“Final Plat Approval” means approval of a Final Plat by the Council, as evidenced by certification thereon by the City Engineer or designee.

“General Plan” means the Avondale General Plan adopted by the Council and ratified by the Avondale voters pursuant to ARIZ. REV. STAT. § 9-461.05, as amended.

“Local Street” means a street serving the primary function of providing access to abutting property; including Marginal Access Streets and cul-de-sac Streets.

“Lot” means a parcel of land created legally through a Minor Land Division or Plat to be used as a unit under the provisions of the Zoning Ordinance, as shown in the records of the Maricopa County Recorder’s Office, and having its principal frontage on a Street.

“Map of Dedication” means a document that sets the location and gives the dimensions of tracts, rights-of-way and easements, including any dedications, and gives the name or letter to each on the map.

“Marginal Access Street” (also called a “frontage street” or “frontage road”) means a Local Street parallel and adjacent to an Arterial Route which provides access to abutting property, intercepts other Local Streets and controls access to the Arterial Route.

“Minor Land Division” is a division or alteration of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future. All of the following shall be considered Minor Land Divisions: (i) land divisions into less than four (4) Lots, tracts or sites, and otherwise not meeting the requirements to be defined as a Subdivision under this Chapter, (ii) Lot line adjustments, (iii) Lot combinations or (iv) Maps of Dedication.

“Owner” means the person holding title to land by deed, or as vendee under land contract, or holding other title of record.

“Plat” means a map of a Subdivision.

“Preliminary Plat” means a preliminary map prepared in accordance with this Chapter and state law, including supporting data, indicating a proposed Subdivision design.

“Preliminary Plat Approval” means approval of a Preliminary Plat by the Council, as evidenced by meeting minutes and noted upon copies of the Plat.

“Project Manager” means the assigned City staff member who has the overall responsibility of leading the project team from submittal through approval for all development applications related to a specific project.

“Recorded Plat” means a Final Plat bearing all of the certificates of approval required by this Chapter and state law that has been recorded in the Maricopa County Recorder’s Office.

“Street” means any roadway, avenue, boulevard, road, lane, parkway, place, drive, easement for access or other vehicular way which is an existing state, county or municipal roadway; or, an area designated as a Street or vehicular way shown on a Plat heretofore approved pursuant to law or by official action whether or not such Plat has been duly filed and recorded in the Maricopa County Recorder’s Office. A Street includes all land within the right-of-way whether improved or unimproved, pavement, shoulders, curbs, gutters, sidewalks, parking spaces, bridges, viaducts, and landscaping.

“Street Line” means a line describing the boundaries of a Street right-of-way.

“Street Tree Master Plan” means the document adopted by the Council on December 1, 2014, as may be subsequently amended, that provides the strategy for future tree replacement, growth, and best practices to ensure consistency in street trees throughout the City.

“Subdivider” means the person who makes application and initiates proceedings for the Subdivision of land in accordance with this Chapter; provided that an individual serving as agent for a legal entity shall not be deemed the Subdivider.

“Subdivision” means improved or unimproved land divided for the purpose of financing, sale or lease, whether immediate or future, into (i) four or more Lots, tracts or parcels of land, or (ii) two or more Lots, tracts or parcels of land if (a) a new Street is involved or (b) the land to be divided is within the boundaries of a Recorded Plat. The term “Subdivision” also includes any Condominium, cooperative, community apartment, townhouse, or similar project containing four or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the Plat are to be divided. The term Subdivision shall not include the following:

- (a) The sale or exchange of parcels of land to or between adjoining property Owners if such sale or exchange does not create additional Lots.

- (b) The partitioning of land in accordance with statutes other than Arizona Revised Statutes, Title 9, Article 6.2 regulating the partitioning of land held in common ownership.
- (c) The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.
- (d) A Minor Land Division as defined herein.

“Transportation Plan” means an adopted plan that provides locations and standards for development of the major Streets system of the City.

“Useable Lot Area” means that portion of a Lot useable for or reasonably adaptable to the normal use for which the Lot is intended, and not including area which is covered by water, is excessively steep, or has its normal use restricted by certain types of easements.

“Zoning Administrator” means the person designated by the City Manager to interpret and enforce the Zoning Ordinance.

“Zoning Ordinance” means the City of Avondale Zoning Ordinance, amended and restated November 18, 2013, as may be subsequently amended.

19-106 – 19-119 Reserved.

Division 2. Platting Procedures and Requirements

19-120 Outline of Procedures.

The preparation, submission, review and official action concerning all Subdivision Plats for locations within the City shall proceed through the following progressive stages:

- (a) Pre-application stage, as set forth in Section 19-80 above and Section 105 of the Zoning Ordinance.
- (b) Preliminary Plat stage.
- (c) Final Plat stage.

19-121 Preliminary Plat in General.

- (a) The Preliminary Plat stage includes preparation, submission, review and approval of the Preliminary Plat for all single-family residential developments.
- (b) Multi-family and non-residential developments will not be processed through the Preliminary Plat stage. These developments will go through the Site Plan process and either a Final Plat or a Minor Land Division will be required for division of Lots or units within the development.

- (c) The Preliminary Plat shall be designed to meet all requirements of the Zoning District in which it is located; however, in the event that an amendment of zoning is deemed necessary, such application shall accompany submission of the Preliminary Plat. Any application for a zoning amendment must be approved by the Council prior to any Commission action on the Preliminary Plat.

19-122 Preliminary Plat Submission.

- (a) The Preliminary Plat shall be submitted in accordance with the procedures and requirements established by the Zoning Administrator and shall follow the Preliminary Plat Submittal Checklist. The City Engineer, Zoning Administrator or designee may request additional information concerning the property.
- (b) An application for Plat approval shall include payment to the City of a filing fee according to the fee schedule adopted by the Council. The filing fee shall also cover filing of an amended or revised Preliminary Plat when processed as the same case. The filing fee shall not be refundable.
- (c) Preliminary Plat information shall be presented on one or more plan sheets with written data entered directly thereon or contained in letters attached thereto and in accordance with all application requirements, City Engineering Standards, and all applicable codes, ordinances, and plans.
- (d) At minimum the following shall be shown on the Preliminary Plat:
 - (1) The proposed Subdivision name; location by section, township and range; reference by dimension and bearing to a section corner or one fourth section corner.
 - (2) The name, address and phone number of the Subdivider.
 - (3) The name, address and phone number of the person preparing the Plat.
 - (4) The scale, north arrow and date of preparation, including any revision dates.
 - (5) Topography by contours, related to USGS survey datum or other datum approved by the City, shown on the same sheet as the Subdivision layout. Contour interval shall usually be two (2) feet for grades up to 5%, five (5) feet for grades 5% - 10%, and ten (10) feet for grades over 10%.
 - (6) Precise location of water wells, washes and drainage ditches, including direction of flow; location and extent of areas subject to inundation and data regarding frequency of inundation and methods of storm water disposal.
 - (7) Location, widths and names of all platted Streets, Alleys, utility rights-of-way of public record; public areas, and permanent structures to be retained; within or adjacent to tract.

- (8) Name, book and page numbers of Recorded Plats abutting the tract or across a boundary Street.
- (9) Dimensions of tract boundaries.
- (10) Lot and tract table, containing the overall size of each.
- (11) Street layout, including location and width of all Streets, Alleys, paths and trails, crosswalks and easements; proposed names of Streets.
- (12) Lot layout, including scaled dimensions of typical Lots; width and depth of all corner Lots and Lots on Street curves; each Lot numbered consecutively; total number of Lots.
- (13) Location, width and proposed use of easements.
- (14) Location, extent and proposed use of all land to be dedicated or reserved for public use.
- (15) Location and boundary of all existing and proposed zoning classifications.
- (16) Draft of proposed deed restrictions.
- (17) Depiction of manner in which all Lots will be provided public water supply and sanitary sewer.

19-123 Preliminary Plat Review.

- (a) Prior to the application for a Final Plat, a Preliminary Plat application shall be submitted for review by the Planning Commission and approval by the City Council.
- (b) The applicant shall furnish the names and addresses, and addressed, stamped envelopes, for all property Owners within one thousand (1,000) feet of the property. Within five (5) business days of the receipt of the application, including the addressed, stamped envelopes, the Planning Division shall mail a notice of Preliminary Plat review to each Owner of property situated wholly or partly within one thousand (1,000) feet of the property to which the site plan relates.
- (c) Proof of Adequate School Facilities.
 - (1) The applicant shall notify all applicable school districts within four (4) business days of the submittal of a Preliminary Plat involving a residential component.
 - (2) The applicant shall provide the Planning Division with letters counter-signed by applicable school districts indicating that the applicant has contacted and met with the school district and summarizing the outcome of the meeting. Such letters shall be submitted to the Planning Division not less than fourteen (14) days prior to the scheduled Planning Commission meeting.

- (3) The applicant shall provide the Planning Division with a Certificate of Adequate School Facilities filled out by the school district not less than fourteen (14) days prior to the scheduled Planning Commission meeting.
- (d) Administrative Review:
 - (1) The assigned Project Manager shall refer the Preliminary Plat to the Development Review Committee to determine compliance with this Chapter and any other applicable codes, plans, and standards.
 - (2) The Development Review Committee, through the Project Manager, shall have the authority to request modifications to the Preliminary Plat and may approve conditions consistent with this Chapter and any other applicable codes, plans, and standards deemed necessary to protect the public health, safety, and welfare.
- (e) Required Findings:
 - (1) The proposal is in conformance with all requirements of this Ordinance and any other applicable codes, plans, and standards in place at the time the application is submitted.
 - (2) Adequate conditions of approval are imposed to ensure compatibility with the current or planned use of surrounding properties.

19-124 Preliminary Plat Approval.

- (a) When the Project Manager deems the review complete, the Preliminary Plat shall be forwarded to the Commission for its review. The Project Manager shall include any recommendations from the Development Review Committee, which recommendations shall be in the form of approval, approval subject to stipulations, or denial for the Preliminary Plat. The Planning Commission shall hold a meeting and forward a recommendation to the City Council.
- (b) The City Council shall hold a meeting to consider the information presented and may accept, reject or modify the Planning Commission's recommendations.
- (c) If approved by the City Council, an approved Preliminary Plat shall be valid for a period of two (2) years. Except as set forth below, if the Final Plat has not been recorded within two (2) years after the date of the Preliminary Plat Approval, the Preliminary Plat shall be considered expired, and the process shall start from the beginning with a pre-application meeting. If the approved Preliminary Plat includes areas to be phased over time, a Final Plat for the first phase, or a Map of Dedication, must be recorded within two (2) years after Preliminary Plat approval; thereafter any phase that does not have a corresponding Final Plat recorded within five (5) years after Preliminary Plat Approval shall be considered expired.

- (d) Preliminary Plat Approval constitutes authorization for the Subdivider to proceed with preparation of the Final Plat and the Engineering Plans and specifications for public improvements. Preliminary Plat Approval is based upon the following:
 - (1) The basic conditions under which Preliminary Plat Approval is granted will not be changed prior to the expiration date.
 - (2) Preliminary Plat Approval does not ensure final acceptance of Streets for dedication or continuation of existing zoning requirements for the property affected by the Preliminary Plat.

19-125 Preliminary Plat Time Extension.

- (a) Prior to the expiration of the two (2) year time period, the property Owner or authorized representative may submit an application for a Preliminary Plat extension to the Planning Division. Preliminary Plat extension requests shall be placed on an available Commission agenda.
- (b) A Preliminary Plat extension shall only be granted if it is determined that all of the following requirements have been met:
 - (1) The Preliminary Plat meets the requirements of this Chapter and any other applicable codes, plans, and standards in place at the time the Preliminary Plat extension is requested, unless previously exempted by the Commission.
 - (2) The applicant has shown good cause for the delay.
 - (3) The applicant has proposed a reasonable timeline to bring about the commencement of construction on the site.
- (c) If the required criteria have been met, the Commission may grant up to two (2) one-year extensions. If at the end of the extension period a Final Plat or Map of Dedication has not been recorded or is no longer valid, the Preliminary Plat shall be considered expired without further action of the Commission.

19-126 – 19-139 Reserved.

19-140 Final Plat Stage in General.

The Final Plat stage includes final design of the Subdivision, engineering of public improvements, dedications of rights-of-way, easements and any other land, submittal of Plat and plans by the Subdivider, Plat review by the City Engineer, and final hearing by the Council.

19-141 Final Plat Submission.

- (a) The Final Plat shall meet all requirements of the zoning district in which it is located; any necessary zoning amendment shall either have been adopted by the Council prior to filing of the Final Plat or run concurrently with the Final Plat process.

- (b) The Final Plat shall substantially conform to the approved Preliminary Plat or site plan and be prepared in accordance with the City Engineering Standards.
- (c) Final Plat submission shall include letters signifying approval of utility easements by the applicable public utilities.
- (d) The Final Plat, the infrastructure plans, and the appropriate number of copies thereof, in accordance with the City Engineering Standards, together with the recordation fee, shall be filed with the Zoning Administrator or designee.
- (e) The information required for the Final Plat submission shall be in accordance with the City Engineering Standards. In addition to the information required for the Preliminary Plat submission set forth in Section 19-122 above, the following information is required for Final Plat submission:
 - (1) Name, address and registration number or seal of the registered professional engineer or registered land surveyor preparing the Plat.
 - (2) Boundaries of the tract fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field; all dimensions expressed in feet and decimals thereof.
 - (3) Any Exceptions within the Plat boundaries located by bearings and distances expressed in feet and decimals thereof, determined by an accurate survey in the field.
 - (4) Location and description of all physical encroachments upon the boundaries of the tract.
 - (5) All Lots numbered consecutively throughout the Plat; Exceptions and tracts shall be dimensioned and identified by letter or number.
 - (6) Location of all adjoining Subdivisions with date, book and page number of recordation noted, or if unrecorded, so marked.
 - (7) A reference, by recording number, to private deed restrictions to be imposed upon the Plat or any parts thereof.
 - (8) Statement of dedication of all Streets, Alleys, crosswalks, drainageways and easements for public purposes by the Owners and spouses of the Owners; if lands to be dedicated are subject to liens, the lien holder shall also sign the Plat. Dedication shall include a written description by section, township and range of the tract and shall be free of all liens or encumbrances not approved by the City. If the Plat contains private Streets, public utilities shall be reserved the right to install and maintain utilities in the Street rights-of-way.

- (9) Certification by the registered professional engineer or registered land surveyor making the Plat that is correct and accurate, and that the monuments described in it have been located as described.
 - (10) Certification of approval by the City Manager or authorized designee.
 - (11) Certification of Council approval by the City Clerk.
- (f) For any real property interest dedicated to the City pursuant to the Final Plat, the Subdivider shall provide:
- (1) A preliminary title report, current as of the date of dedication.
 - (2) A current phase one environmental site assessment (date of investigation not longer than one hundred eighty (180) days prior to the date of dedication to the City) which (i) is certified to the City for the City's use and reliance; (ii) has been performed and updated as necessary and reported in compliance with 40 CFR Part 312, as amended; (iii) concludes that no recognized environmental conditions were identified; (iv) identifies no vapor mitigation issues that require remediation under then-applicable environmental laws; and (v) identifies no conditions indicative of releases and threatened releases of hazardous materials that require remediation under then-applicable environmental laws, on, at, in, or to the property to be dedicated.

19-142 Final Plat Review.

The Project Manager shall check the submittal of the Final Plat and infrastructure plans for completeness; if incomplete, it shall be returned to the Subdivider. If complete, and if the Final Plat substantially conforms to the approved Preliminary Plat, the Development Review Committee, through the Project Manager, shall summarize its recommendations for presentation to the Council.

19-143 Final Plat Approval and Recordation.

- (a) Upon notification from the Zoning Administrator or designee that the Final Plat is in order, the City Clerk shall enter the case on the agenda for a Council meeting, whereupon the Council shall approve or reject the Plat.
- (b) If the Council rejects the Plat for any reason whatever, the reasons for rejection shall be recorded in the minutes. If the Council approves the Plat, the City Clerk shall transcribe a certificate of approval upon the Plat, first making sure that the other certificates required in the City Engineering Standards have been duly executed.
- (c) The applicant shall provide the Final Plat package for approval and recordation in accordance with the City Engineering Standards to the City.
- (d) The City Clerk shall record the approved and fully-executed Final Plat in the Maricopa County Recorder's Office and pay the recordation fee.

19-144 – 19-155 Reserved.

19-156 Minor Land Divisions in General.

- (a) All Minor Land Divisions shall be subject to the provisions of this article.
- (b) The preparation, submittal, review, and approval of all Minor Land Divisions located within the City shall proceed through the following progressive stages, except when otherwise provided herein:
 - (1) Pre-application conference shall be required with the Development Review Committee.
 - (2) Submittal of the Minor Land Division application and map by the applicant and subsequent review through the Project Manager.
 - (3) Approval of the application by the Development Review Committee.
 - (4) If right-of-way or easements are required, the Minor Land Division approval shall be by Council.
 - (5) Recordation of the approved Minor Land Division.

19-157 Minor Land Divisions Design Standards and Requirements.

Minor Land Divisions shall meet all requirements of the zoning district in which they are located and shall be developed in accordance with all applicable City Master Planning Documents and City Engineering Standards.

19-158 Minimum Required Minor Land Division Improvements.

Except where otherwise provided in this section, it shall be the responsibility and duty of the applicant to improve or agree to improve all Streets, pedestrian ways, Alleys, and easements in the Minor Land Division and adjacent thereto required to service the Minor Land Division, and such other improvements as specified for Subdivisions in Division 3 and Division 4 of this Article. No permanent improvement work shall be commenced until improvement plans have been approved. Improvements shall be installed to the satisfaction of the City Engineer or designee and in accordance with the City Engineering Standards.

19-159 Minor Land Division Applications and Review.

- (a) Submittal requirements. The applicant shall submit the following materials to the Development Review Committee for review:
 - (1) Minor Land Division materials in accordance with the City Engineering Standards.
 - (2) A completed Minor Land Division application form.

- (3) Payment to the City of a filing fee according to the fee schedule adopted by the Council. The filing fee shall not be refundable.
 - (4) An ALTA survey, preliminary title report and deed or other instrument showing proper title to the land to be divided.
- (b) Application review process. The applicant shall submit all of the documents, information, data, and other requirements for Minor Land Division application approval to the Development Review Committee and shall furnish any additional information and materials relevant to the application that the Development Review Committee reasonably believes are necessary in order to understand the subject matter of the application and to ensure compliance with the requirements of this article. Compliance shall be determined by the Development Review Committee.
- (1) All submittals shall be checked by the Project Manager for completeness. If incomplete as to the requirements set forth in this article, the submittal may be rejected and returned to the applicant for revision and resubmittal.
 - (2) The procedures for approval, modification, or disapproval of Minor Land Division applications shall be as follows:
 - (i) Approval:
 - a. If the Development Review Committee approves the Minor Land Division application, the City Engineer or designee shall transcribe a certificate of approval upon the map, indicating that: (1) all conditions of approval have been met, (2) the other required certifications have been duly signed and (3) that any instruments for required Street right-of-way dedications have been prepared, executed and duly recorded.
 - b. After the Development Review Committee approval of the Minor Land Division, certification of approval by the City Engineer or designee and compliance with Sections 19-160 and 19-161 hereof, the applicant shall pay to the City the fee charged by the Maricopa County Recorder for the recordation of the map, and the City shall then record the map with the Maricopa County Recorder.
 - (ii) Modification: If the Development Review Committee finds that the Minor Land Division application requires further modification, the application shall be returned to the applicant for necessary modification.
 - (iii) Denial: If the Development Review Committee disapproves the Minor Land Division application, the applicant will be furnished a letter stating the reasons for the denial. The application may be refiled if suitable revisions can be made to resolve the conflicts noted as originally proposed without additional fee if refiled within thirty (30) calendar days of the Development Review Committee's denial.

19-160 Engineering Plans for Minor Land Divisions.

- (a) If improvements are required for Minor Land Divisions pursuant to Section 19-158 above, the applicant shall be responsible for the preparation of a complete set of Engineering Plans, prepared by an Arizona registered civil engineer, in conformance with the City Engineering Standards. The plans shall be prepared in conjunction with the Minor Land Division map.
- (b) The Minor Land Division map shall not be recorded until all Engineering Plans for the recorded improvements have been approved by the City Engineer or designee.

19-161 Assurance for the Construction of Minor Land Division Improvements.

If improvements are required for the Minor Land Division pursuant to Section 19-158 herein, no building permit for any Lot created will be issued until such improvements are completed and the work accepted by the City Engineer or designee. If the City Engineer determines the required improvements are to be constructed at a later date, the requirement to make improvements may be satisfied if the applicant provides appropriate assurances as set forth in Section 19-212, in a form approved by the City Attorney.

19-162 – 19-175 Reserved.

Division 3. Subdivision Design Standards

19-176 Compliance with Other Laws and Ordinances.

Every Subdivision shall conform to requirements and objectives of the City Master Planning Documents, or any parts thereof, as adopted by the Council, to the Zoning Ordinance, to other ordinances and regulations of the City, and to the Arizona Revised Statutes, as amended.

19-177 Dedication of Parks.

Where the tract contains all or any part of the site of a school, park or other public site, as shown on the City Master Planning Documents or as approved by the Council, such site shall either be dedicated to the public or reserved for acquisition by the public within a specified period of time. An agreement shall be reached between the Subdivider and the appropriate public agency regarding time, method and cost of such acquisition. In the event of failure to reach such agreement within a reasonable period of time for reasons satisfactory to the Council, the Council may determine that requirements of this section have been met.

19-178 Land Subject to Flooding.*

Land subject to periodic flooding but which is not in a designated floodplain, or other land which, in the opinion of the City Engineer or designee, is unsuitable for the proposed use, shall not be subdivided; however, the City Engineer or designee may approve Subdivision of such land upon receipt of evidence from an Arizona registered civil engineer, that the construction of specific improvements can be expected to render the land useable, in which event construction upon such

land shall be prohibited until the specified improvements have been acceptably planned and construction has been guaranteed.

**Cross reference— Subdivisions in flood hazard areas, §§ 8-41 et seq.*

19-179 Street Location, Arrangement and Design.

- (a) Whenever the tract embraces any part of a Street designated in the most recent adopted version of the City Master Planning Documents, such Street shall be platted in conformity therewith.
- (b) All Streets shall be designed in accordance with the most recent version of the City Engineering Standards unless said Streets have received an approved deviation to the City Engineering Standards.
- (c) Unless otherwise permitted by the City Engineer, street layout shall provide for the continuation of existing Streets in adjacent areas, and such other Streets as the Development Review Committee may designate.
- (d) Whenever the tract is located within an area for which a Planned Area Development or development plan has been approved by the Development Review Committee, the Street arrangement shall conform substantially to that plan.
- (e) Certain proposed Streets, as designated by the Development Review Committee, shall be extended to the tract boundary to provide future connection with adjoining unplatted lands.
- (f) Local Streets shall be so arranged as to discourage their use by traffic originating outside the immediate area.
- (g) When a residential Subdivision abuts the right-of-way of a railroad, highway, drainage way, irrigation facility, or commercial or industrial land use or limited access highway or abuts a commercial or industrial land use or a limited access property, the Development Review Committee may recommend location of a Street approximately parallel to such right-of-way or use at a distance suitable for appropriate use of intervening land, such distance being determined with due regard for approach grades, drainage, bridges or future grade separations.
- (h) Half-street improvements are discouraged except where necessary to provide rights-of-way required by the City Master Planning Documents, to complete a Street pattern already begun, or to ensure reasonable development of an adjoining unplatted parcel. Where a half-street exists abutting the tract and said half-street furnishes the sole access to residential Lots, the remaining half-street shall be platted within the tract. All half-street improvements shall provide adequate roadway width for two-way traffic and emergency access.

19-180 Lots.

- (a) Lot width, depth and area shall comply with the minimum requirements of the Zoning Ordinance; however, where drainage problems exist or prevail, the Development Review Committee may require special Lot width, depth and area exceeding minimum requirements of the zoning district. Depth-to-width ratio of the Useable Lot Area shall not be greater than three (3) to one (1).
- (b) Side Lot lines shall be substantially at right angles or radial to Street Lines, except where other treatment can be justified.
- (c) Every Lot shall abut upon a public Street furnishing satisfactory access to another existing public Street, except that where special circumstances justify, private Streets may be permitted, provided that they are constructed to standards acceptable to the City, are contained in a permanent private easement or tract, burdened by any necessary public utility or access easements and maintained by a corporation of Lot Owners.
- (d) Single-family residential Lots extending through the Block and having frontage on two non-intersecting Streets (double frontage) shall be prohibited.

19-181 Easements.

- (a) Easements for utilities may be required pursuant to the City Engineering Standards.
- (b) Where an important surface drainage course abuts or crosses the tract, dedication of a public drainage way of a width sufficient to permit widening, deepening, relocating or protecting such drainage course shall be required.
- (c) Land within a public Street or drainage way, or land within an easement for major power transmission (tower) lines or pipelines shall not be considered a part of the Useable Lot Area except where Lots exceed one-half acre in area, provided that this shall not be applicable to land included in utility easements for distribution or service purposes.
- (d) Lots arranged to back onto major Streets, railroads, or commercial or industrial districts, as provided in Subsection (g) of Section 19-179, shall have a recorded non-access private easement one foot wide along the rear Lot line.

19-182 Street Names.*

Street names shall be consistent with the natural alignment and extension of existing names Streets; new Street names shall not duplicate or be closely similar to any existing Street name.

**Cross reference— Street naming and building numbering systems, § 19-36 et seq.*

19-183 – 19-195 Reserved.

Division 4. Street and Utility Improvement Requirements

19-196 Purpose.

It is the purpose of this article to establish the minimum acceptable standards for improvement of public Streets and utilities, to define the responsibility of the Subdivider in the planning, construction and financing of public improvements, and to establish procedures for review and approval of Engineering Plans.

19-197 Responsibility for Improvements.

The planning, construction and financing of all required sidewalks, paths and trails, curbs, gutters, pavements, sanitary sewers, storm sewers, water mains, fire hydrants, drainage structures, Street lights, landscape, and irrigation shall be the responsibility of the Subdivider, and shall comply with City Engineering Standards adopted by the Council, provided, however, that Subdivider may meet such requirements by participation in a special taxing district approved by the City.

19-198 Engineering Plans.

The Subdivider shall be responsible for having an Arizona registered engineer prepare a complete set of Engineering Plans, satisfactory to the City Engineer, for construction of required improvements. Such plans shall be based on the approved Preliminary Plat and be prepared in conjunction with the Final Plat. Engineering plans shall have been approved for permitting by the City Engineer or designee prior to recordation of the Final Plat. Approved plans expire one (1) year from date of approval.

19-199 Construction and Inspection.

- (a) All improvements in the public right-of-way shall be constructed under inspection and approval of the City Engineer or designee. Construction shall not be commenced until a permit has been issued for such construction, and if work has been discontinued for any reason, it shall not be resumed prior to notifying the City Engineer or designee not less than thirty (30) business days in advance unless a shorter time period is approved by the City Engineer. Civil/right-of-way permits expire one (1) year from date of approval; however, such permits may be extended for up to one (1) additional year by the City Engineer or designee.
- (b) All underground utilities to be installed in Streets shall be constructed prior to the paving of such Streets. Service stubs to platted Lots within the Subdivision for underground utilities shall be placed to such length as to avoid disturbance of the public right-of-way when service connections are made.

19-200 Streets and Alleys.

All Streets and Alleys within the Subdivision shall be graded and surfaced according to City Engineering Standards. Where there are existing Streets adjacent to the Subdivision, proposed Streets shall be improved to the intercepting paving line of such existing Streets. Temporary dead-

end Streets serving more than four (4) Lots shall be provided a graded and surfaced temporary turning circle per City Engineering Standards.

19-201 Curbs.

Portland cement concrete curb, curb-and-gutter, or other pavement edging, as designated by approved Engineering Plans, shall be installed in accordance with approved City Engineering Standards.

19-202 Sidewalks.

Portland cement concrete sidewalks shall be constructed to a width, line, and grade approved by the City Engineer or designee in accordance with approved City Engineering Standards.

19-203 Paths.

Portland cement concrete paths through Blocks shall be constructed to a line and grade approved by the City Engineer or designee in accordance with approved City standards.

19-204 Street Name Signs.

Street name signs shall be installed at all Street intersections by the time the Street pavement is ready for use; design, construction, location and installation shall comply with approved City Engineering Standards.

19-205 Storm Drainage.

Adequate provision shall be made for disposal of storm waters from both private Lots and public Streets and to avoid impoundment at any point within the Subdivision. Existing major surface drainage courses shall be maintained and dedicated as drainage ways. The type, extent, location and capacity of drainage facilities shall be determined for the individual Subdivision by the City Engineer or designee and shall be constructed in accordance with approved City Engineering Standards. Where storm water is discharged into any outlet not directly controlled by the City, the Subdivider shall submit satisfactory evidence that the use of such outlet is approved by the Owner or custodian thereof.

19-206 Sewage Disposal.*

A public sanitary sewerage system shall be installed in all Subdivisions and shall be constructed to plans, profiles and specifications approved by the City Engineer or designee in accordance with the City Engineering Standards.

**Cross reference— Sewers in Subdivisions, § 24-73.*

19-207 Water Supply.

Each Lot shall be supplied with safe, pure and potable water in sufficient volume and pressure for domestic use and fire protection by a public water system planned and constructed to approved City Engineering Standards.

19-208 Monuments.

Permanent monuments shall be installed in accordance with City Engineering Standards at all corners, angle points and points of curve, and at all Street intersections. After all improvements have been installed, the Subdivider shall be responsible for having an Arizona registered land surveyor verify the location of monuments and certify their accuracy.

19-209 Corner Markers.

Iron pipe shall be set at all corners, angle points and points of curve for each Lot within the Subdivision prior to the recordation of the Plat.

19-210 Electric, Telephone, and Cable Utilities.

All existing electric lines less than sixty-nine (69) KVA capacity and all telephone and cable lines shall be installed underground unless, upon recommendation of the Commission, the Council finds that, due to subsurface soil conditions, it is impractical to do so. The Subdivider shall be responsible for the requirements of this section and shall make the necessary arrangements with each of the public utility companies involved for the installation of underground facilities. Letters from each of the public utility companies indicating that said arrangements have been made shall be submitted to the Council at the time the final Subdivision Plat is filed. When, as a part of the Subdivision development, it is necessary to convert overhead facilities to underground facilities or to relocate existing facilities, the Subdivider shall make the necessary arrangements with the serving utility for such conversion or relocation and for the payment of the cost thereof.

19-211 Submittal, Review and Approval of Engineering Plans.

Engineering plans shall be filed with the City Engineer or designee simultaneously with filing of the Final Plat. Plans shall be reviewed by an Arizona registered engineer retained by the City and shall have a certificate of approval filed with the City Clerk prior to recordation of the Plat. If Engineering Plans have not been approved within ninety (90) days after approval of the Final Plat, the Council may require that the Final Plat be resubmitted.

19-212 Agreement to Install Improvements.

Upon approval of the Final Plat by the Council, the Subdivider shall execute an agreement with the City specifying the period within which all required improvements will be completed to the satisfaction of the City. The agreement shall provide for inspection of all improvements by the City Engineer or designee and reimbursement of the City by the Subdivider for the actual costs of such inspections. The agreement may, at the City's discretion, also provide for construction of improvements in units and for an extension of time under specified conditions.

An Agreement to Install Improvements (INSTALL-A or INSTALL-B) document must be filed with the City Engineer or designee prior to issuance of a construction permit. Unless approved by the City Manager or authorized designee as set forth in Subsection 19-212(b) below, the Agreement to Install Improvements shall be in accordance with Subsection 19-212(a) below.

- (a) The Agreement to Install Improvements (INSTALL-A) must be accompanied by an assurance, the form of which shall be approved by the City Manager and the City Attorney. The acceptable forms of assurances are: performance bond from a surety bonding company authorized to do business in the State of Arizona, irrevocable letter of credit, cash, cashier's check, or negotiable bonds. The assurance shall be in an amount equal to 100% of the contract cost or 110% percent of the engineer's estimate for public infrastructure to be constructed.

- (b) The Agreement to Install Improvements (INSTALL-B) is an alternative form of assurance that may, with City Manager and City Attorney approval, be available to the Subdivider. With this form of assurance, the Subdivider gives the City the right to withhold Certificates of Occupancy in the development until all improvements have been constructed and accepted. The City Manager or authorized designee may allow this alternative form of assurance only upon showing that the Subdivider has completed public infrastructure within the City over the time period of at least three (3) consecutive years immediately preceding the request, during which time period it did not default in its obligations to complete the infrastructure. The Subdivider shall provide the City Manager with a list of successfully completed projects, and a list of City employee contact names and numbers, for verification.

Excerpt of the Minutes of the regular Planning Commission meeting held October 15, 2015 at 6:30 p.m. in the Council Chambers.

COMMISSIONERS PRESENT

Sean Scibienski, Chair
Michael Long, Commissioner
Grace Carrillo, Commissioner
Olivia Pineda, Commissioner
Gloria Solorio, Commissioner
Kevin Kugler, Commissioner
Russell Van Leuven, Commissioner

COMMISSIONERS ABSENT

None

CITY STAFF PRESENT

Robert Gubser, Planning Manager
Gary Verburg, Legal Counsel
Alison Rondone, Planner II
Rick Williams, Planner II
Linda Herring, Development Services Representative

DISCUSSION ITEM. Subdivision Regulations

Robert Gubser, Planning Manager, stated that staff is considering changes to the subdivision regulations, which establishes the policy framework under which the City can divide up land for sale or development. It is a land use control similar to a zoning ordinance, and ensures that new developments are designed properly. It also addresses the quality of a development. Subdivisions can be used in all types of land uses, and in dedications of right-of-way. Regulations receive periodic updates.

Mr. Gubser said the existing subdivision regulations were created in 1971, and received minor updates in 2001 and 2008. The proposed amendments are designed to be responsive to current development trends and market conditions. They also respond to City Council direction to add flexibility into City processes. Conformance to other City plans, policies, and ordinances were built in. References to the Zoning Ordinance and Design Review Manuals have been updated.

Mr. Gubser reviewed the proposed amendments. Subdivision regulations were moved to Chapter 19. A purpose statement was created. Definitions were revised. A Development Review Committee will be created in line with how projects are reviewed today. Responsibilities have been broadened to include the Zoning Administrator where appropriate.

Mr. Gubser said preliminary plats would no longer need to go to City Council and may now be approved by the Planning Commission. Applicants would be able to appeal to the

City Council. Once the preliminary plat is approved, City Council would approve the final plat. Two-year approvals on preliminary plats would be allowed, coupled with two one-year extensions.

Mr. Gubser explained modifications in phasing requirements. The market trend is towards developing smaller phases. Current regulations require all right-of-way to be done in the first phase. The new regulations would allow for phasing of infrastructure over time.

Mr. Gubser stated that language will also be added to allow for alternative methods of developer financial assurance for the completion of right-of-way improvements. One alternative could be to stay with the performance bond, but allow the applicant to provide a letter of credit, cash, cashier's check or negotiable bonds. Certificate of occupancy holds are another method that some cities use if improvements are not completed. This means that developers will not have to provide a large amount of money up front, but would still be prevented from selling homes until the right-of-way infrastructure is completed. The subdivider would have to be well-established in the City, and have completed public infrastructure in Avondale over three consecutive years.

Commissioner Carrillo inquired about the anticipated impact of the changes. Mr. Gubser responded that the changes are intended to open up more opportunities for developers to build in Avondale. These measures have proven effective in other cities.

Commissioner Kugler said he likes the changes, but felt that the requirement for subdividers to have completed infrastructure over three consecutive years was too stringent.

Chair Scibienski questioned the effectiveness of certificate of occupancy holds, saying that in the event of another market crash, it will not matter whether builders get the certificates. The only benefit is that the City would not be stuck with residents who might be affected by incomplete improvements. Mr. Gubser agreed that this is one concern with using this method.

Excerpt of the Minutes of the regular Planning Commission meeting held November 19, 2015 at 6:30 p.m. in the Council Chambers.

COMMISSIONERS PRESENT

Sean Scibienski, Chair
Michael Long, Commissioner
Olivia Pineda, Commissioner
Russell Van Leuven, Commissioner

COMMISSIONERS ABSENT

Gloria Solorio, Commissioner - excused
Kevin Kugler, Commissioner - excused
Grace Carrillo, Commissioner - excused

CITY STAFF PRESENT

Robert Gubser, Planning Manager
Gary Verburg, Legal Counsel
Alison Rondone, Planner II
Linda Herring, Development Services Representative

AGENDA ITEM. Subdivision Regulations

This is a public hearing before the Planning Commission to review and solicit public input on a proposed amendment to the Subdivision Regulations. The revisions to the subdivision regulations are proposed to maintain consistency with current Planning and Engineering documents, update references, remove redundant language, streamline and facilitate the process for preliminary plat approval, clarify language and defined terms, and add language to allow for an alternative method of developer assurance for installation of improvements. Staff Contact: Robert Gubser

Robert Gubser, Planning Manager, said this item was presented to the Commission last month for discussion and feedback. Tonight it is before the Commission for a recommendation to City Council. Arizona State Statute requires the City to have subdivision regulations adopted and updated periodically. These essentially establish a policy framework on how the City can divide land for sale and development. The original documents dates from 1971. Minor updates were made in 2001 and 2008. Staff has discussed the proposed amendments with the development community and the proposed changes are responsive to development trends. Staff is looking to bring the regulations into conformance with existing City plans, policies and ordinances, as well as updating the references with the documents that have changed or been added to. The document is being moved from Chapter 22 to Chapter 19 which was previously vacant. A purpose statement has been created. Staff has reviewed and updated the definitions. A Development Review Committee has been established with members drawn from the Planning Group, the Engineering Group, the Building Safety, and the Fire Department. The Committee reviews projects and issues comments. The City's standard review

procedures are now being codified into the subdivision regulations. The responsibilities are being broadened to include the Zoning Administrator or designee and the City Engineer or designee.

Mr. Gubser stated that in terms of the preliminary plat process, staff is looking to update the process to create a greater speed to market for finished lots. Currently processing preliminary plats need to go to the Development Review Committee, the Planning Commission and to City Council for approval. Staff proposes that that approval stops with the Planning Commission, which would issue the approval. There would be an opportunity to appeal if the developer was not satisfied with the decision of the Planning Commission. Final plats would be approved by City Council as the legislative body. Currently, preliminary plats are approved for 12 months and staff proposes extending that to two years allowing for two one-year extensions. At this time only one six-month extension is allowed.

Mr. Gubser said that staff is considering modifying the phasing requirements. Under the current regulations, the development community is hesitant to take large areas of land. This makes it difficult to get all the arterial right-of-way improvements taken care of during the first phase of a development. Staff recommends allowing the arterial right-of-ways to be phased throughout the life of the development. This would be part of the overall review of a project.

Mr. Gubser noted that in response to development trends, staff is looking at modifying some of the assurances for right-of-way improvements. Currently the developer must post a performance bond. Additional alternative methods to obtain financial assurance are now proposed, including letters of credit, cash, cashier's check and negotiable bonds. For phased development, staff would continue to ensure that right-of-way improvements on major arterials and collectors are taken care of by means of performance bonds. However, it is proposed that for local streets, developers will be allowed a certificate of occupancy hold instead of posting a bond to make sure that local street infrastructure is in place before a new home can be sold.

Mr. Gubser summarized that the changes provide flexibility. Other cities such as Gilbert and Peoria are following similar policies. Also, staff received a letter from Evergreen Devco supporting the draft subdivision regulations as proposed.

Chair Scibienski opened the public hearing. After confirming there were no requests to speak, he closed the public hearing.

Chair Scibienski invited a motion. Commissioner Van Leuven moved to recommend approval the proposed amendments to the Subdivision Regulations, Chapter 19 as detailed in Exhibit C to the Planning Commission Staff Report. Commissioner Pineda seconded the motion.

ROLL CALL VOTE

Sean Scibienski Chair	Aye
Michael Long, Acting Chair	Aye
Kevin Kugler, Commissioner	Excused
Grace Carrillo, Commissioner	Excused
Olivia Pineda, Commissioner	Aye
Gloria Solorio, Commissioner	Excused
Russell Van Leuven, Commissioner	Aye

The motion carried by a 4-0 vote.



Evergreen

Development | Services | Investments

www.evgre.com

November 18, 2015

Via Electronic Delivery

Robert Gubser, AICP (RGubser@avondale.org)
Planning Manager
City of Avondale
11465 Civic Center Drive
Avondale, Arizona 85323

Re: 11/19/15 Planning Commission Agenda, Item No. 2, City of Avondale Amendment to Subdivision Regulations

Dear Rob,

We reviewed the draft Subdivision Regulations scheduled for this week's Planning Commission meeting and would like to offer our support for the proposed amendments. Specifically, we appreciate the additional time provided for preliminary plat approvals and provision for infrastructure phasing. As you have outlined in your staff report to the Commission, those changes will enable us to make market-timed decisions without jeopardizing the status of our entitlements. We appreciate the City's recognition of this as an issue for the development community and taking amendments forward to address it.

Sincerely,

Andrew Gasparro
Evergreen Devco, Inc.

Cc: Carolyn Oberholtzer
Doug Leventhal

Arizona
2390 E. Camelback Rd., Suite 410, Phoenix, AZ 85016
Phone: 602-808-8600 Fax: 602-808-9100

California
200 N. Maryland Ave., Suite 201, Glendale, CA 91206
Phone: 818-240-6727 Fax: 818-240-1823

Colorado
12460 1st St., P.O. Box 247, Eastlake, CO 80614
Phone: 303-552-6160 Fax: 303-280-2978

Excerpt of the Draft Minutes of the City Council Work Session held December 7, 2015 at 6:00 p.m. in the Council Chambers.

Minutes of the Work Session held December 7, 2015 at 6:04 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Kenn Weise and Council Members

Stephanie Karlin, Vice Mayor
Bryan Kilgore
Jim McDonald
Sandy Nielson
Lorenzo Sierra

ABSENCE EXCUSED

David Iwanski

ALSO PRESENT

David Fitzhugh, City Manager
Gina Montes, Assistant City Manager
Kevin Artz, Assistant City Manager
Al Bates, Police Lieutenant
Robert Gubser, Planning Manager
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

3 PROPOSED AMENDMENT TO AVONDALE CITY CODE CHAPTER 22 - SUBDIVISION REGULATIONS

David Fitzhugh, City Manager, said Chapter 22 of the City Code covers the regulations that govern the subdivision of land within the City of Avondale. It relates to the Zoning Code, Engineering and Design Guidelines, Master Plans and other documents used to plan development. It was originally created in 1971, and has been updated three times, most recently in 2008. The majority of changes have been minor, but staff, along with the Attorney's Office, recently did a major rewrite of the Code to bring it in conformance with current City policies and practices.

Robert Gubser, Planning Manager, stated that subdivision regulations are a requirement of State statutes. They establish a policy framework that allows the City to divide land for sale and development. They are similar to the Zoning Ordinance, and ensure that new developments are designed properly based off of codes and ordinances. They are used in all different types of land uses and can be used as part of right-of-way dedications. There have been many changes in how developers and homebuilders operate since 2008, when Chapter 22 was last updated.

Mr. Gubser summarized the new changes. They include moving all subdivision regulations to Chapter 19; correcting typographical errors; revising, deleting and adding definitions; redefining roles; and updating references. A new Development Review Committee has been established to review plats. The preliminary plat

process will be streamlined to allow the Planning Commission to grant approval of preliminary plats. An appeal process will take matters to City Council in the event that plats are denied. Final plats would still be approved by City Council. Preliminary plats would be valid for two years, with two one-year extensions being dependent on approval of the Planning Commission.

Mr. Gubser explained that since 2008, homebuilders have been less likely to take large plots of land. They are taking smaller pieces in more strategic locations. The City has looked at helping builders by no longer requiring that all right-of-way improvements be built in the first phase. The City will review proposals to make sure this approach makes sense for each project. Instead of requiring that developers post a performance bond for right-of-way improvements, the City is looking at alternative methods for assuring that the improvements are built. Possible alternatives could include letters of credit, cash assurance, cashier's check, or negotiable bonds.

Mr. Gubser said developers would also like the option of certificate of occupancy holds. This would not provide the City with a financial assurance, but developers cannot be paid until the city has issued certificates of occupancy. In order to qualify for this option, homebuilders would have to have established a good working relationship with staff and would have to have completed infrastructure for three consecutive years within Avondale.

Mr. Gubser stated that this proposal was presented to the Planning Commission on October 15 as a discussion item. They discussed the impact of changes, stated their concerns, and suggested revisions. The revised document was presented again on November 19 for recommendation. Without further discussion, the amendment was approved by a four to zero vote. The developer of the Hillcrest Project submitted a letter of approval for the amendment.

Council Member McDonald expressed his disfavor of bypassing City Council on preliminary plats because doing so would take away Council's ability to provide guidance and make changes before most of the work has been done. He also expressed concern about allowing the phasing of infrastructure to always be an option. If the option is always available, that is what the developers will always do. In certain situations, it makes more sense to complete all the infrastructure at the same time, and it could create problems if the City has to go asking for it. Regarding the two-year approval, he said if the project is good enough to earn approval, two years plus extensions should not be a problem.

Vice Mayor Karlin said felt renaming Community Improvement Districts to Special Tax Districts was a mistake. She concurred with Council Member McDonald that cutting City Council out of the preliminary plat process means that Council can only provide input on the very end product. The phasing of infrastructure needs to be revisited. She felt that developers should be required to write to the school districts informing them of the number of new homes that they are building in their areas.

Andrew McGuire, City Attorney, explained that the rewrite to special taxing districts is intended to gather up all of the different mechanisms under state law by which the developer can avoid the cost of building the infrastructure. There are a large number of different special taxing districts, and this is an effort to open them up so there is no

ambiguity, and developers can understand their options. Special Taxing Districts is a term of art used in Title 48 of the statute to refer to the whole universe of taxing districts. If the name were changed, it would create more ambiguity.

Mr. Gubser said that the City does notify school districts as needed when new houses are built in their areas. Vice Mayor Karlin suggested that school superintendents should be required to acknowledge that they have received the notice and are aware of the changes. Mr. Gubser said that in most cases, the schools do respond to acknowledge the information.

Council Member Nielson agreed that letting school superintendents know about growth in their districts is important for planning purposes. It takes time to get bonds passed and issued, and for construction to be completed.

Mayor Weise stated that City Council should have a say on plats from the beginning instead of waiting until the end after most of the work has been done. It makes sense to phase in infrastructure. It is difficult to hold back on issuing certificates of occupancy for residential projects because it affects many people who have no say in the process and just want to move into their homes.

Mayor Weise inquired about credit holds. Mr. McGuire explained that three forms of assurance are in use today. The best is a letter of credit from a bank saying that the developer has sufficient funds that can be drawn upon in the event of a default on infrastructure improvements. They are the preferred mechanism because it is a simple ask from the bank. Developers dislike doing them, because they are expensive. The second method comes in the form of performance and payment bonds. He said he has never seen a call upon a bond take less than 12 to 18 months, and even then pay out only pennies on the dollar. The third form that some cities use is to withhold certificates of occupancy. He felt that this is no kind of construction assurance whatsoever, because City Council will be challenged by the people wanting to move into their homes. One developer suggested instead following the practice in Peoria, which rewards developers with good track records by making the certificate of occupancy option available only after three years of good projects.

Mayor Weise said he would be okay with rewarding good developers, and that allowing extensions gives developers more flexibility. School superintendents should be required to acknowledge that they have received the letters informing them of new housing projects in their area, even though most now do so voluntarily.

Council Member Kilgore concurred with Council Member McDonald that City Council should retain the authority to approve preliminary plats.

RESOLUTION NO. 3288-116

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED THE "CITY OF AVONDALE SUBDIVISION REGULATIONS, AMENDED AND RESTATED JANUARY 4, 2016."

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. That certain document entitled the "City of Avondale Subdivision Regulations, Amended and Restated January 4, 2016," of which three copies are on file in the office of the City Clerk and open for public inspection during normal business hours, is hereby declared to be a public record and said copies are ordered to remain on file with the City Clerk.

PASSED AND ADOPTED by the Council of the City of Avondale, January 4, 2016.

Kenneth N. Weise, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

ORDINANCE NO. 1595-116

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE AVONDALE CITY CODE, CHAPTER 19, PLANNING AND DEVELOPMENT, BY ADDING A NEW ARTICLE V, PRE-APPLICATION PROCESS AND A NEW ARTICLE VI, SUBDIVISION REGULATIONS; AMENDING THE AVONDALE CITY CODE BY DELETING CHAPTER 22, SUBDIVISION REGULATIONS, IN ITS ENTIRETY; ADOPTING BY REFERENCE THE “CITY OF AVONDALE SUBDIVISION REGULATIONS, AMENDED AND RESTATED, JANUARY 4, 2016”; AND INCORPORATING THE CITY OF AVONDALE SUBDIVISION REGULATIONS, AMENDED AND RESTATED JANUARY 4, 2016, AS THE TEXT OF THE NEW ARTICLE VI.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The Avondale City Code, Chapter 19 (Planning and Development), is hereby amended to include a new Article V (Pre-Application Process) to read as follows:

Article V – Pre-Application Process

19-80 Generally.

Prior to submittal of a formal development application, including but not limited to, general plan amendments, rezoning, subdivisions, site plan or other approval, a Pre-Application Meeting with the Development Review Committee is required according to the procedure set forth in Section 105 of the Zoning Ordinance, as amended from time-to-time.

19-81 Application.

The Zoning Administrator shall create applications for the development types outlined herein, which shall outline the required deliverables. No application shall be accepted without all deliverables listed on the application as indicated by the Zoning Administrator or designee.

19-82 Withdrawal.

In order to ensure that developments are reviewed against the most current standards and regulations, the Zoning Administrator shall have the authority to close any applications that have

been inactive for more than one (1) year. Any further processing of an application that has been closed shall require a new application to be filed in accordance with this Chapter.

19-83 – 19-99 Reserved.

SECTION 2. That certain document known as the “City of Avondale Subdivision Regulations, Amended and Restated January 4, 2016” (the “Subdivision Regulations”), three copies of which are on file in the office of the City Clerk, which document was made a public record by Resolution No. 3288-116 of the City of Avondale, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

SECTION 3. The Avondale City Code, Chapter 19 (Planning and Development), is hereby amended to include a new Article VI (Subdivision Regulations) and the Subdivision Regulations are hereby inserted into the Avondale City Code as the text of the new Article VI (Subdivision Regulations).

SECTION 4. The Avondale City Code, Chapter 22 (Subdivision Regulations) is hereby deleted in its entirety and reserved for future use.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason to be held 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 6. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, January 4, 2016.

Kenneth N. Weise, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney



CITY COUNCIL AGENDA

SUBJECT:

Resolution 3289-116 - Third Amendment to Pre-Annexation Development Agreement with Evergreen-Hillcrest, LLC

MEETING DATE:

1/4/2016

TO: Mayor and Council**FROM:** David A. Janover, PE, F.NSPE, City Engineer**THROUGH:** David Fitzhugh, PE, City Manager**PURPOSE:**

Staff is requesting the City Council adopt a resolution authorizing the Third Amendment to the Pre-Annexation Development Agreement with Evergreen-Hillcrest, LLC and authorize the Mayor, or City Manager, City Clerk and City Attorney to execute the necessary documents.

BACKGROUND:

Evergreen-Hillcrest, LLC owns approximately 304 gross acres of real property generally located at the southwest corner of Broadway Road and 107th Avenue. The City Council approved a Pre-Annexation Development Agreement (Agreement) with Evergreen-Hillcrest, LLC on November 5, 2007. Due to economic conditions and certain stipulations in the zoning approval pertaining to development timing, Amendment One to the Agreement was approved by City Council on May 18, 2009.

Subsequent to the execution of the Agreement, the Arizona Department of Transportation disclosed an intention to locate the State Route 30 Freeway (SR 30) across real property including a portion of the Rigby Lots in the Hillcrest PAD. Based on that information, the City amended its General Plan which provides for the general location of the proposed SR30 through the City. As the final location or width of SR30 was not yet determined, its effect on the subject development was unknown as to the reduction of the number of acres within Evergreen-Hillcrest, LLC's Property and the Hillcrest PAD. On December 3, 2012, the City Council approved the Second Amendment to the Agreement which addressed the City's concern for reimbursement for the acquisition of the Rigby Water Company, and provided reasonable relief to Evergreen-Hillcrest, LLC regarding the pro-rata share payment schedule, considering the then-current and projected development climate.

DISCUSSION:

The initial payment of the owner pro-rata share as set forth in the Second Amendment to the Agreement was due on December 31, 2015. The assumption was that construction would have been underway by this time, but market conditions dictated otherwise, and the start of construction is still pending. The Developer requested, based on this condition, that they be allowed to submit a partial payment in lieu of the full initial payment of \$217,600, scheduled on December 31, 2015, and the balance deferred and included with a later payment. Staff is amenable to the request, and will accept \$117,600 by 12/31/2015. The remaining \$100,000 will be added to the next scheduled payment of \$100,000 due 12/31/2017, so a total of \$200,000 will be due on 12/31/2017. The Third

Amendment modifies Sections of the Agreement to reflect these pro-rata share costs, and incorporates language related to the preliminary plat approval. A summary of the proposed changes is as follows:

Section 1.2(B) modifies the amount timing of Owner Pro-Rata Share. In consideration of the Rigby Acquisition by the City, the Owner shall pay a Pro-Rata share as follows:

- \$117,600 (representing 27% of the Aggregate Installment Amount) due and payable on December 31, 2015; and
- \$200,000 (representing 46% of the Aggregate Installment Amount) due and payable by December 31, 2017; and

Section 6 has been modified to extend the preliminary plat approval date from December 31, 2015 to February 26, 2017 (two years from the approval of the Hillcrest Preliminary Plat Amendment, dated February 26, 2015). A substantially complete final plat for any portion of the Hillcrest PAD or map of dedication application for the entire Hillcrest PAD must be submitted to the City prior to the February 27, 2017, or the preliminary plat process will be restarted. If this timeframe is administratively extended by the City Manager or authorized designee, the expiration date shall not exceed 24 months after such final plat is submitted to the City for approval.

BUDGET IMPACT:

The Third Amendment to the Agreement continues to defer payment by the Owner to the City for the Rigby Water Company acquisition. The Third Amendment provides a revised pro-rata contribution schedule by Evergreen-Hillcrest, LLC based on the actual purchase price not to exceed \$600,000. The total reimbursement remains the same, but \$100,000 of the payment is being deferred from December 31, 2015 to December 31, 2017.

RECOMMENDATION:

Staff recommends that the City Council adopt a resolution authorizing the Third Amendment to the Pre-Annexation Development Agreement with Evergreen-Hillcrest, LLC and authorize the Mayor, or City Manager, City Clerk and City Attorney to execute the necessary documents.

ATTACHMENTS:

Description

[Resolution 3289-116](#)

RESOLUTION NO. 3289-116

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING A THIRD AMENDMENT TO THE PRE-ANNEXATION DEVELOPMENT AGREEMENT WITH EVERGREEN-HILLCREST, LLC.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The Third Amendment to the Pre-Annexation Development Agreement with Evergreen-Hillcrest, LLC (the “Third Amendment”) is hereby approved substantially in the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Third Amendment and its related documents and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, January 4, 2016.

Kenneth N. Weise, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 3289-116

[Third Amendment]

See following pages.

When recorded, return to:

City Clerk
City of Avondale
11465 West Civic Center Drive, Suite 110
Avondale, Arizona 85323-6804

THIRD AMENDMENT TO PRE-ANNEXATION DEVELOPMENT AGREEMENT

THIS THIRD AMENDMENT TO PRE-ANNEXATION DEVELOPMENT AGREEMENT (the “Third Amendment”) is entered into January 5, 2016, by and between the City of Avondale, an Arizona municipal corporation (the “City”) acting by and through the Mayor and City Council and Evergreen-Hillcrest, LLC, an Arizona limited liability company (the “Owner”). The City and Owner are sometimes referred to herein collectively as the “Parties” or individually as a “Party.”

RECITALS

A. Owner and City are parties to that certain Pre-Annexation Development Agreement (the “Original Agreement”) dated November 5, 2007, and recorded on November 20, 2007, with the Maricopa County Recorder as instrument number 2007-1236436, and to that certain First Amendment to Pre-Annexation Development Agreement (the “First Amendment”) dated May 11, 2009, and recorded on June 29, 2009, with the Maricopa County Recorder as instrument number 2009-0591810, and to that certain Second Amendment to Pre-Annexation Development Agreement (the “Second Amendment”) dated November 8, 2012, with the Maricopa County Recorder as instrument number 2012-1137688. The Original Agreement, the First Amendment and the Second Amendment are collectively referred to herein as the “Agreement.”

B. Terms as defined in the Agreement and exhibits identified in the Agreement shall have the same meaning when referred in this Third Amendment.

C. Subsequent to the Parties’ execution of the Original Agreement, the Arizona Department of Transportation (“ADOT”) disclosed an intention to locate the State Route 30 Freeway (“SR30”) across real property including a portion of the Rigby Lots in the Hillcrest PAD.

D. The City amended its General Plan (“GP Amendment”) to, among other things, provide for the general location of the proposed SR30 through the City (the “Hybrid Alignment”). The GP Amendment affects Owner’s Property and the Hillcrest PAD. Specifically, the GP Amendment locates SR30 through a substantial portion of the Rigby Lots of the Hillcrest PAD.

E. Owner has submitted written comments to both ADOT and the City that support the Hybrid Alignment.

F. As of the date of this Third Amendment, ADOT has not yet determined the final, precise location or width of SR30 as it relates to the Owner's Property, the Hillcrest PAD, and the Rigby Lots. The final determination of the location of SR30, and ADOT's completion of the purchase or condemnation of the right-of-way for SR30 ("ADOT Freeway Procurement") from Owner's Property, may result in reduction of the number of acres within the Owner's Property and the Hillcrest PAD.

G. Owner has continued to work towards the development of the Property and obtained a Preliminary Plat Amendment (PL-14-0063) on February 26, 2015.

H. The Parties acknowledge that the provisions of the Agreement with respect to the preliminary plat, final plat, and the timing of the payment of the Owner Pro Rata Share and Agreement should be further adjusted in recognition of the ongoing uncertainty and impact associated with ADOT's determination of the final SR30 alignment, the Hillcrest PAD, the Rigby Lots, and the market conditions affecting the delay in the commencement of development within the Hillcrest PAD and surrounding area.

I. The Owner and the City desire to amend the Agreement upon such terms as are set forth in this Third Amendment.

J. The Parties understand and acknowledge that the Agreement, as amended by this Third Amendment, is a "Development Agreement" within the meaning of and entered into pursuant to the terms of A.R.S. § 9-500.05. The terms of the Original Agreement, as amended by the First Amendment, the Second Amendment and this Third Amendment, shall constitute covenants running with the Property as more fully described in the Agreement.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing Recitals, which are incorporated herein by reference, the promises contained in this Third Amendment and for other good and valuable consideration, the receipt and sufficiency of which the Parties acknowledge, the Parties hereto agree as follows:

1. Timing of Owner Pro Rata Share. The last sentence of Subsection 1.2(B) of the Agreement is hereby deleted and replaced with the following:

In consideration of the City completing the Rigby Acquisition as set forth in subsection 1.2(A) above, Owner shall pay to the City the Owner Pro Rata Share, as follows:

- (i) \$117,600, representing 27% of the Aggregate Installment Amount (as defined in Section 1.2(C)), due and payable on December 31, 2015, and which payment has been made to, and accepted by, the City; and
- (ii) \$200,000, representing 46% of the Aggregate Installment Amount, due and payable by December 31, 2017; and

- (iii) \$117,600, representing the balance of the Aggregate Installment Amount, due and payable by December 31, 2019; and
- (iv) 17% of the total of “Future Payment Amounts” (as defined in the Settlement Agreement between the City and Rigby Water Company dated September 7, 2010, and which payment obligations are triggered only after more than 700 units within the service area of the Rigby Water Company are constructed) paid by the City to Rigby Water Company through December 31, 2020, which amounts shall be paid to the City not later than January 31, 2021; provided, however, that in no event shall the aggregate total of the Future Payment Amounts and the Aggregate Installment Amount be greater than \$600,000.

2. Preliminary Plat Extension. The Hillcrest Preliminary Plat Amendment (PL-14-0063), approved on February 26, 2015, is hereby extended to February 26, 2017. Submission of a (i) substantially complete final plat for any portion of the Hillcrest PAD, or (ii) map of dedication application for the entire Hillcrest PAD to the City prior to the expiration of the February 27, 2017, extension shall preserve the validity of the Hillcrest Preliminary Plat. The extension will remain in place beyond February 27, 2017, provided that Owner (or Owner’s successors and assigns) continue processing the final plat or map of dedication application with reasonable diligence for approval by the City, but in no event (unless administratively extended by the City Manager or authorized designee) for longer than 24 months after such application is submitted to the City for approval. The provisions of this Section 2 shall supersede the periods established in Section 6 of the Second Amendment.

3. Effect of Amendment. In all other respects, the Agreement is affirmed and ratified and, except as expressly modified herein, all terms and conditions of the Agreement shall remain in full force and effect.

4. City Non-Default. By executing this Third Amendment, the Owner affirmatively asserts that (i) the City is not currently in default, nor has been in default at any time prior to the Third Amendment, under any of the terms or conditions of the Agreement and (ii) any and all claims, known and unknown, relating to the Agreement and existing on or before the date of this Third Amendment are forever waived.

5. Owner Non-Default. By executing this Third Amendment, the City affirmatively asserts that (i) the Owner is not currently in default, nor has been in default at any time prior to this Third Amendment, under any of the terms or conditions of the Agreement and (ii) any and all claims, known and unknown, relating to the Agreement and existing on or before the date of this Third Amendment are forever waived.

6. Conflict of Interest. This Third Amendment and the Agreement may be cancelled by the City pursuant to A.R.S. § 38-511.

7. Recording of Amendment. Within ten days after execution of this Third Amendment by the City, such Third Amendment shall be recorded in the Maricopa County Recorder's Office.

IN WITNESS WHEREOF, the Parties have executed this Third Amendment as of the date first set forth above.

“City”

CITY OF AVONDALE,
an Arizona municipal corporation

Kenneth N. Weise, Mayor

ATTEST:

Carmen Martinez, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2016, before me personally appeared Kenneth N. Weise, the Mayor of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document on behalf of the City of Avondale.

Notary Public

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]



CITY COUNCIL AGENDA

SUBJECT:

Ordinance 1594-116 - Authorizing the Acquisition
of Property for Public Use - County Line Road

MEETING DATE:

1/4/2016

TO: Mayor and Council**FROM:** Cindy Blackmore, Public Works Director, (623)-333-4410**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is requesting that the City Council adopt an ordinance accepting the dedication of a waterline easement adjacent to County Line Road. Council will authorize the Mayor or City Manager and City Clerk to execute the contract documents.

DISCUSSION:

City Council recently approved a Contract Award for the waterline construction in 127th Avenue, as well as waterlines in Pioneer Street and County Line Road. The waterlines in Pioneer Street and County Line Road are being constructed to provide improved service to the homes in the area, as well as fire flows which did not exist. In order to complete the waterline in County Line Road, the property owners on the north side of the road dedicated a waterline easement to facilitate construction of this line. The Primera Inglesia Bautista Church on the east end of the street dedicated this waterline easement. See attached exhibit.

BUDGET IMPACT:

Accepting the dedication of the waterline easement will have no budgetary impact on the City.

RECOMMENDATION:

Staff recommends that the City Council adopt an ordinance accepting the dedication of a waterline easement adjacent to County Line Rd. Council will authorize the Mayor or City Manager and City Clerk to execute the contract documents.

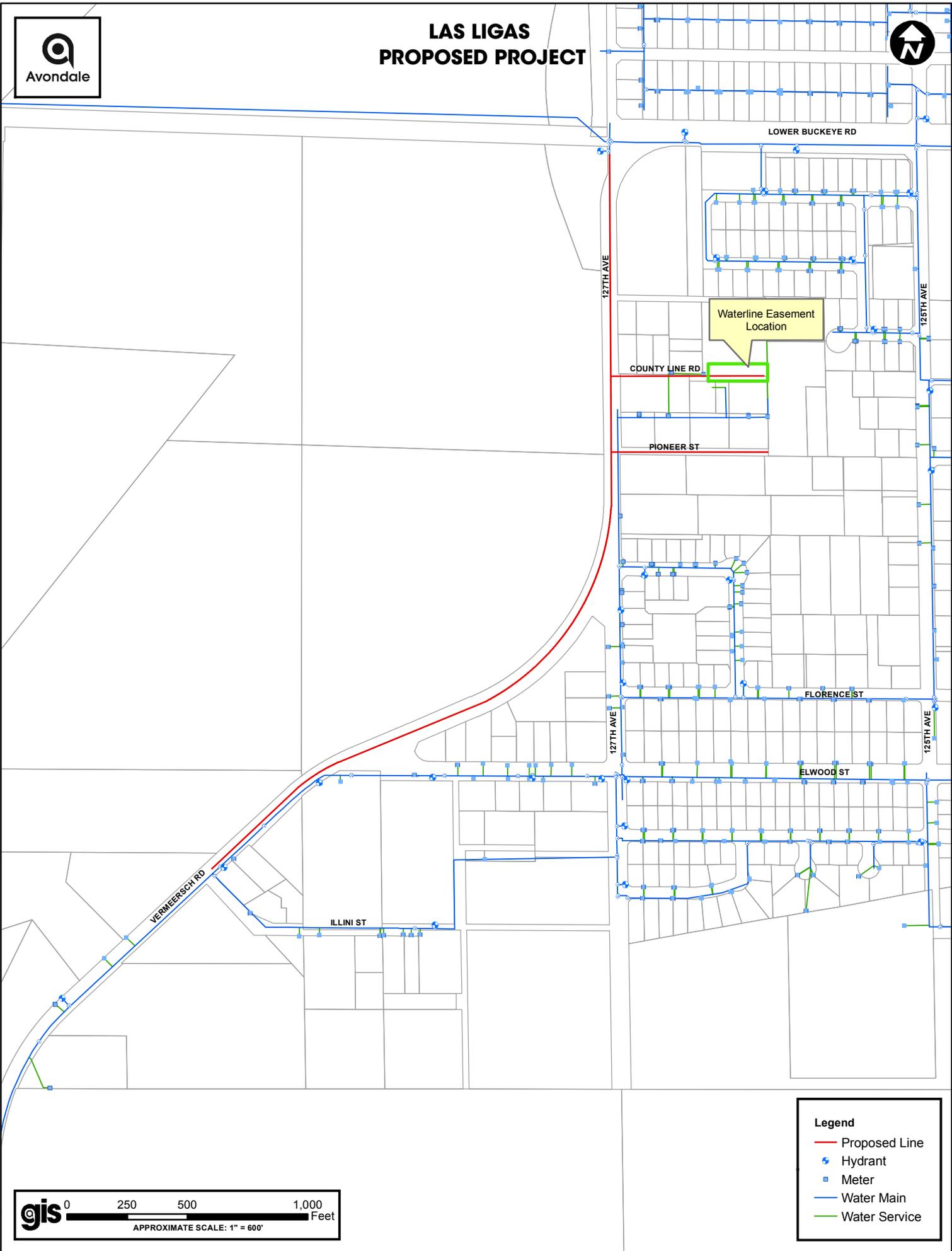
ATTACHMENTS:**Description**

[Vicinity Map](#)

[Ordinance 1594-116](#)



LAS LIGAS PROPOSED PROJECT



Legend

- Proposed Line
- Hydrant
- Meter
- Water Main
- Water Service



ORDINANCE NO. 1594-116

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR PUBLIC USE.

WHEREAS, Article I, Section 3 of the Avondale City Charter authorizes the City of Avondale (the “City”) to acquire real property in fee simple or any lesser interest, inside or outside its corporate limits for any City purpose, when the public convenience requires it and in accordance with the provisions of State law; and

WHEREAS, the Council of the City of Avondale (the “City Council”) desires to authorize the acquisition of a waterline easement over, under and across certain real property generally located on County Line Road east of 127th Avenue for use in connection with the City’s water system.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The acquisition, by purchase, condemnation or dedication, of a waterline easement over, under and across real property totaling \pm 0.062 acres, generally located on County Line Road east of 127th Avenue, as more particularly described and depicted on Exhibit A attached hereto and incorporated herein by reference (the “WLE”), is hereby authorized.

SECTION 3. In the event a negotiated purchase cannot be reached for the WLE, the City Attorney is hereby authorized to immediately initiate condemnation proceedings, including all actions necessary to enable the City to take possession of said real property at the earliest possible date.

SECTION 4. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, January 4, 2016.

Kenneth N. Weise, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 1594-116

[Legal Description and Map of WLE]

See following pages.

127th Ave Waterline - County Line Road
Waterline Easement
Part of APN: 500-65-012D
Owner: First Baptist Church, Garden Lakes

EASEMENT LEGAL DESCRIPTION

The South ten feet of the East 405 feet of the North half of the Southwest quarter of the Northwest quarter of the Northeast quarter of Section 23, Township 1 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County Arizona.

Except the West 135 feet thereof.



EXPIRES JUNE 30, 2016



127TH AVENUE

990.10'

2640.27'

S00°51'15"E

Center Section 23

Basis of Bearing'
S89°06'56"E 2596.02'

LOWER BUCKEYE ROAD

Northeast corner Section 23
Township 1 North, Range 1 West
Gila & Salt River Meridian,
Maricopa County, Arizona

North 1/4 corner
Section 23

East Line of the W 135'
of the E 405' of the N 1/2
SW 1/4 NW 1/4 NE 1/4 Section 23

APN: 500-65-012D

N00°55'32"W
10.00'

S00°55'32"E
10.00'

S89°20'00"E 270.10'

380.06'
S89°20'00"E

N89°20'00"W 270.10'

COUNTY LINE ROAD

S Line of the N 1/2
SW 1/4 NW 1/4 NE 1/4
Section 23

**SUBJECT
EASEMENT**
Area: 2701 sq ft

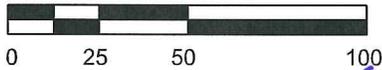
Reference Documents:

Maricopa County Records;
ROS PLSS Bk694 Pg38

Deed Dkt9601 Pg0288 MCR

Note: This drawing is based
upon record information only

SCALE



Avondale

DEVELOPMENT AND
ENGINEERING SERVICES
DEPARTMENT



EXPIRES: 6-30-2016

**EXHIBIT MAP
WATERLINE EASEMENT**

Part APN: 500-65-012D

DATE: 01-28-2015
DSN: _____
DRN: LS
CHK: CH

PROJECT NAME
127TH AVE WATERLINE
PAGE
1 OF 1



CITY COUNCIL AGENDA

SUBJECT:

Appointment of Members to the City's Boards, Commissions and Committees and to the positions of Chair and Vice Chair of the Board of Adjustment and the Planning Commission

MEETING DATE:

1/4/2016

TO: Mayor and Council
FROM: Carmen Martinez, City Clerk (623) 333-1214
THROUGH: David Fitzhugh, City Manager

PURPOSE:

Staff is recommending that the Council approve the subcommittee's recommendations for the appointment of members of the city's boards, commissions and committees as well as the appointment of members to the positions of chair and vice chair of the Board of Adjustment and the Planning Commission.

DISCUSSION:

The Council Subcommittee on Boards, Commissions and Committees hosted the annual meet and greet with candidates for appointment to the City's BCCs on Wednesday, December 9th. Their recommendations for appointment are listed below:

Board of Adjustment

Mandy Neat	December 31, 2018
Sean Scibienski	December 31, 2018

Energy, Environment and Natural Resources

Lindsay Kothe	December 31, 2018
Frank Palacio (Youth)	December 31, 2018
Troy Timmons	December 31, 2018
Curtis Nielson (Alternate)	December 31, 2018
Christopher Reams (Alternate)	December 31, 2018

Municipal Art Committee

Pat Dennis	December 31, 2018
Lesha Schuur	December 31, 2018
John Chavez (Alternate)	December 31, 2018

Neighborhood and Family Services

Yvonne Hopper	December 31, 2018
Kristopher Ortega	December 31, 2018
Bradley Ruggles	December 31, 2018
Mariea Vasquez (Alternate)	December 31, 2018

Planning Commission

Kristopher Ortega	December 31, 2018
Pearlette Ramos	December 31, 2018
Christopher Reams	December 31, 2018
Troy Timmons (Alternate)	December 31, 2018

Parks, Recreation and Libraries

Lynn Cheatham	December 31, 2018
Glen Hein	December 31, 2018
Katherine Hall (Alternate)	December 31, 2018

Capital Improvement Plan

Mandy Neat	December 31, 2018
Curtis Nielson	December 31, 2018

Industrial Development Authority

Michael Long	December 31, 2018
Curtis Nielson	December 31, 2017

Judicial Advisory Board

Michael Long	December 31, 2019
Betty Lynch	December 31, 2019

Municipal Development Corporation

Michael Long	December 31, 2018
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Risk Management

Pearlette Ramos	December 31, 2017
Sean Scibienski	December 31, 2018

Citizen Corps Council

Mariea Vasquez	December 31, 2018
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Newly appointed members have been invited to attend tonight's meeting to be sworn in.

The subcommittee is also making the following recommendations for the appointment of members to the positions of Chair and Vice Chair of the Planning Commission and the Board of Adjustment.

Board of Adjustment

Chair	David Sours
Vice Chair	Melissa Valenzuela

Planning Commission

Chair	Olivia Pineda
Vice Chair	Gloria Solorio

RECOMMENDATION:

Staff is recommending that the Council approve the subcommittee's recommendations for the appointment of members of the city's boards, commissions and committees as well as the appointment of members to the positions of chair and vice chair of the Board of Adjustment and the Planning Commission.



CITY COUNCIL AGENDA

SUBJECT:

Notice of Intent Resolution 3285-116 - Water and Wastewater Rate Increase

MEETING DATE:

1/4/2016

TO: Mayor and Council

FROM: Abbe Yacoben, Finance and Budget Director

THROUGH: David Fitzhugh, City Manager

PURPOSE:

Staff is requesting that the City Council adopt a resolution authorizing a notice of intention to increase water and wastewater user charges or rate components.

BACKGROUND:

On December 14th, 2015, the City Council held a work session on the topic of water and sewer rate increases. Both funds have had operating losses (which includes depreciation expense) over the past five years, and rates have not been increased since 2009. At the December 14th work session, staff proposed a 7.5% rate increase in water rates in the first year followed by five years of 6% rate increases. In addition, in the wastewater fund staff proposed 6% rate increases for six years. The goal of the increase in rates is to begin to break even in both funds, in addition to establishing reserve policies for operating and capital needs.

Council directed staff to adjust the rate model to reflect a 15% adjustment to the rates in the first, third and fifth years.

DISCUSSION:

Staff has made the appropriate changes in the model to reflect a 15% increase in FY 2016, 0% in FY 2017, 15% in FY 2018, 0% in FY 2019, 15% in FY 2020, and 0% in FY 2021. The revised report is attached for review, and the table reflecting cash flows is located on page 6 of the attached report.

In addition, the impact to the residential customer at different usages can be found on page 15 of the attached report. The increase to the most common user of 5,000 gallons of water per month (4,000 gallons of sewer generated) is \$4.27 per month or 12.6%. The impact is \$9.88 or 15.5% for the higher user of 12,000 gallons per month. Commercial impact examples can be found on the same page.

The Council will hold a public hearing on the water and sewer rate increases on February 16th, and in order to do so must adopt a Notice of Intent resolution and publish this in the newspaper.

BUDGET IMPACT:

The new rates and associated reserve policies will impact the cash flows of the funds in a positive way. The funds both begin to have positive cash flow during FY 2021, which means that not only will the City be able to keep up with its infrastructure and operating needs, the funds will both be in compliance with the nine months of expenses benchmark for working capital reserves and five percent of asset value for capital reserves.

Please see the new cash flows summary on page 6 of the attached report.

RECOMMENDATION:

Staff recommends that the City Council adopt a resolution authorizing a notice of intent to increase water and wastewater user charges or rate components.

ATTACHMENTS:**Description**

[Resolution 3285-116 NOI Water & Wastewater Rate Increase](#)

[Revised Water and Wastewater Rate Model Report](#)

RESOLUTION NO. 3285-116

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, ADOPTING A NOTICE OF INTENT TO INCREASE WATER AND WASTEWATER USER CHARGES, SETTING A PUBLIC HEARING ON THE PROPOSED INCREASES AND FILING A WRITTEN REPORT SUPPORTING THE PROPOSED INCREASES WITH THE CITY CLERK.

WHEREAS, pursuant to the provisions of ARIZ. REV. STAT. § 9-511.01, the Council of the City of Avondale (the “City Council”) may increase water and wastewater rates if (i) a written report supporting the increased rate or rate component, fee or service charge has been prepared and made available to the public by filing a copy in the office of the City Clerk at least 30 days before the public hearing, (ii) a notice of intention to increase water or wastewater rates or rate components has been adopted, (iii) a public hearing is held on the proposed increase, which shall be held not less than 30 days after adoption of the notice of intention and (iv) a copy of the notice of intention showing the date, time and place of such hearing shall be published one time in a newspaper of general circulation within the boundaries of the municipality not less than 20 days before the public hearing date; and

WHEREAS, City Staff has (i) performed a revenue sufficiency and cost of service analysis, (ii) determined that the City of Avondale’s water and wastewater rates or rate components need to be increased and (iii) documented their findings in a written report (the “Report”); and

WHEREAS, a copy of the Report was filed with the City Clerk on December 10, 2015, and made available to the public; and

WHEREAS, the City Council desires to declare its intention to increase rates consistent with the findings of the Report; and

WHEREAS, a public hearing will be held to receive input from Avondale citizens regarding possible increases in water and wastewater user charges; and

WHEREAS, a copy of this Resolution/Notice of Intention, showing the date, time and place of such hearing, shall be published one time in a newspaper of general circulation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. Upon adoption, this Resolution shall serve as the Notice of Intention to increase water and wastewater user charges.

SECTION 3. A public hearing on the proposed increases shall be held before the City Council on February 16, 2016, at 7:00 p.m. in the Council Chambers of the Avondale Civic Center, 11465 West Civic Center Drive, Avondale, Arizona.

SECTION 4. The Report supporting the proposed increases in water and wastewater user charges shall remain in the office of the City Clerk for public use and inspection.

SECTION 5. The City Clerk is hereby directed to publish a copy of this Notice in a newspaper of general circulation in the City not less than 20 days prior to February 16, 2016.

SECTION 6. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, January 4, 2016.

Kenneth N. Weise, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

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I. Introduction/Background

The City currently uses a rate revenue analysis model developed in 2004 by Red Oak Consulting, which at that time was a division of Malcolm Pirnie, Inc. The primary objective of the model is to assess water and wastewater revenue, costs and required rates. City staff regularly completes a study of the water and wastewater enterprises to determine if the current schedule of rates and charges are sufficient to generate the revenue necessary to meet operating and capital needs in an equitable manner while encouraging water conservation. Over the last few years, the Public Works Department has been in the process of developing system master plans to ensure the adequacy of the systems into the future. To avoid developing rates inconsistent with master plans and for the duration of the most recent recession, the City has not updated its water and wastewater rate schedule since 2009.

While this has helped Avondale residents over that time frame and the enterprise funds have remained relatively stable, increasing costs and asset depreciation are starting to have an impact and both water and wastewater funds have had declines in net position (commonly referred to as fund balance). The City Council's goals this fiscal year also include an objective to develop a long-range asset replacement plan for water and wastewater. Staff has been assigned the task of conducting a full rate analysis that incorporates the latest master plan needs and projects, establishment of reserves for asset replacement and debt service requirements while also ensuring the funds do not continue to lose net position.

The Public Works' and Finance & Budget staff has been working jointly to assess the financial impact of the current operations and capital project needs. The methodology used to conduct the analysis is summarized below:

- ▣ Revenue sufficiency analysis
 - Historical trend analysis
 - Baseline projections
- ▣ Cost of service analysis
- ▣ Rate design
 - Allocation of costs to rate components
 - Local market comparison
 - Customer impact

The historical trends are reviewed over the last ten years while the projected study period includes the current fiscal year and five additional years. The projection years are referred to as the study period.

In summary, staff's analysis has concluded both the water and wastewater enterprises require rate adjustments in order to sustain the current service levels, fund infrastructure improvements, add additional debt service and also establish much needed reserves. A 15% revenue adjustment is recommended in both the water and wastewater funds with two (2) additional adjustments of 15% in fiscal years 2018 and 2020. While this recommended plan does not achieve all stated objectives immediately, it puts the City in a position to reach the desired goals over a period of time that softens the impact on customers. This report documents the analysis conducted by staff with input from the residents and City Council in updating the rate model.

II. Revenue Sufficiency Analysis

Revenue sufficiency analysis helps determine if the annual rate revenue projected over the study period is sufficient to fund the water and wastewater system financial requirements, including operating expenses, debt service and the capital improvements program. In order to update the model, staff evaluates utility expenses, current budgets, capital projects, debt requirements and the impact on operations from the capital program. These expenses are then updated in the model to keep it current. In evaluating the expenses it is clear that the rising costs of treating and distributing water and maintaining the system components have continued to accelerate at rates that are currently outpacing the normal consumer inflation rates.

Another driving factor in the rates is the need to fund the replacement of system components. As indicated in the City of Avondale's Municipal Code §24-117, the user charge rates for sewer should be revised as needed to pay for the total operations, maintenance and replacement costs for the system. While the Code is not specific on the water system it is prudent to ensure the rates also recover sufficient revenue to ensure the timely replacement of water system components. Due to the aging system in some areas of the City, additional replacement funding is required to ensure the timely replacement of system components.

A. Historical Trend Analysis

Over the last ten years, Avondale population has increased an average of 3% while the number of net new single family water and sewer accounts has increased an average of 2% over the same time frame. Actual billed water volume has increased an average of 4% per year and treated wastewater inflows have also increased 4.2% per year on average. The most recent completed fiscal year, however, indicates a decline in both water & wastewater volumes.

Inflation as measured by the Consumer Price Index (CPI) has averaged 2.16% per year during the ten year period. Costs have increased by approximately 3% each year in water operations while wastewater operations have increased on average by over 6.4% each year since Fiscal Year 2006. The most rapidly increasing costs in wastewater operations are salaries and electricity.

Rate increases have averaged only 1.8% in water and 0.42% in wastewater over the same ten year time frame. There have not been any rate increases in the last six years. The following table shows the revenue adjustment percentages from FY 2006 through FY 2015.

Table 1 - Revenue Adjustment History

Year	Water	Wastewater
2015	0%	0%
2014	0%	0%
2013	0%	0%
2012	0%	0%
2011	0%	0%
2010	0%	0%
2009	3.8%	1.76%
2008	3.4%	2.4%
2007	5.5%	0%
2006	5.5%	0%

B. Baseline Expense Projections

The model was updated to include all new expenses and other revenue needs for a five year study period in addition to the current budget year. Baseline expense projections for the forecast period assumed the following:

- ✓ Based on the historical trend analysis, the majority of operating expenses and transfers out increase by 3% per year with the exception of the following:
 - Salary related expenses – increase by 3% in year one and 2% each year thereafter in the forecast period
 - Employee Benefits – increase of 4% each year in the forecast period
 - Maintenance contracts – increase an average of 2% per year.
- ✓ Annual debt service expenses and debt service coverage requirements were taken from the current outstanding debt information and only projected to increase in years in which additional debt is projected.

Public Works staff identified additional operating needs which have been incorporated in the model. Most notable new costs are the addition of pressure zone maintenance (\$2 million annually) and the purchase of effluent for recharge from the City's water reclamation facility (\$1.3 million annually). These costs were estimated by Public Works staff and will be supplemental appropriation requests commencing with the 2017 fiscal year. The additional costs result in an increase in water operating needs of \$5.1 million or 50% of existing operating costs by the last year of the study period. The wastewater operating cost additions total \$315,000 by the end of the study year. These costs are shown in the following table.

Table 2 - Operating Cost Additions

Water Operating Fund	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22
Treatment Operator/Mechanic (ongoing)	75,000	150,000	150,000	150,000	150,000	225,000
SCADA tech (.5 FTE split water/ww) (ongoing)	45,000	45,000	45,000	45,000	45,000	45,000
Operating Costs- Production (ongoing)	300,000	550,000	655,000	655,000	760,000	865,000
On-site Chlorine Generation System (ongoing)	150,000	150,000	150,000	150,000	150,000	150,000
R&M Bulk Chemical Systems (ongoing)	30,000	30,000	30,000	30,000	30,000	30,000
Increased CAP Water Costs assumes no shortage* (ongoing)			12,000	140,000	250,000	250,000
Vehicles & Equipment for treatment operator/mechanic	40,000	40,000				40,000
Vehicle & Equipment for SCADA tech	12,500					
Valve Machine & Truck	105,000					
Hydro Excavation Truck		350,000				
Integrated Utility Master Plan (50% split water/ww)	125,000					125,000
Wetland Liner Study (onetime)	125,000					
Ongoing	600,000	925,000	1,042,000	1,170,000	1,385,000	1,565,000
Onetime	407,500	390,000	-	-	-	165,000
Optional						
Effluent Purchase - Avondale WRF	1,213,063	1,242,177	1,271,989	1,302,517	1,333,777	1,365,788
Pressure Zone Implementation Cost Estimates		2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
* Increased CAP Water Costs assuming shortage (ongoing)	44,000	88,000	132,000	252,000	372,000	
Water Operating Total Additions	\$ 2,264,563	\$ 4,645,177	\$ 4,445,989	\$ 4,724,517	\$ 5,090,777	\$ 5,095,788
Wastewater Operating Fund	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22
PM materials/supplies/services (on-going)	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
PM materials/supplies/services (on-going)	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000
Security Systems Maintenance & Upgrades (ongoing)	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
SCADA tech (.5 FTE split water/ww) (ongoing)	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
2-man crew for Collections- dig up & vactor (ongoing)				\$150,000	\$150,000	\$150,000
Security System (onetime)	\$50,000	\$50,000				
Vehicle & Equipment for SCADA tech (onetime)	\$12,500					
Dig up truck & tractor for collections crew (onetime)				\$320,000		
Integrated Master Plan (50% split between water/ww)	\$125,000					
Ongoing	\$165,000	\$165,000	\$165,000	\$315,000	\$315,000	\$315,000
Onetime	\$187,500	\$50,000	\$0	\$320,000	\$0	\$0
Wastewater Operating Subtotal	\$352,500	\$215,000	\$165,000	\$635,000	\$315,000	\$315,000

Capital projects included in the baseline projections reflect the current adopted capital improvement plan (CIP) with the following additions/changes:

- ✓ Water reservoir coating and rehabilitation
- ✓ Sewer pipe relining
- ✓ Additional large diameter pipe rehabilitation
- ✓ Lift station rehabilitation

Complete CIP schedules are included in the appendix in exhibit 1. Additional projects have also been included in the years beyond this study period. The projects are subject to change each year based on new development and existing infrastructure conditions.

C. Baseline Revenue Projections

Baseline revenue projections were assumed to exclude additional revenue from rate increases. The following assumptions were used to project annual changes in baseline revenue during the period:

- ✓ Baseline water and wastewater rate revenue, that is, rate revenue increases that are exclusive of programmed rate increases, was projected to increase at 2% annually to reflect projected annual growth in the water and wastewater customer base.
- ✓ FY 2016 Budgeted miscellaneous revenue (turn on/off charges, late fees, etc.) was projected to remain constant during the forecast period.
- ✓ Water and wastewater development fee revenue was projected to remain constant during the forecast period.
- ✓ Planned bond revenue from the City's CIP is included and the model also assumes additional bonds will be issued to match development fee and/or operating transfer shortfalls.
- ✓ Interest income was calculated by the model based on projected fund balances during the period and assumed interest earnings rate of 1.0% per year.

Other Revenue Requirements

In addition to operating expenses, the City has set a management objective to maintain a working capital reserve in an amount equal to at least nine months of operations and maintenance. The City Council has also set an objective to develop a long-range asset replacement plan for water and wastewater. In order to fund such a plan a funding mechanism must be developed that will ensure the rate revenue will be sufficient to fund existing system upgrades and replacement while also funding a reserve for replacement that will be available for future or emergency needs. The current net position in both water and wastewater have declined in recent years so in order to fund replacement needs and reserves, the rate revenue must increase to improve cash flow in both funds. The full funding of these reserves will need to be implemented over a period of a few years to avoid drastic increases. Staff included an initial reserve requirement of 5% of existing asset cost excluding depreciation.

Financial Projections associated with the Revenue Sufficiency Analysis Phase

The results of the revenue sufficiency analysis are presented in Table 3 - Cash Flow Analysis **Error! Reference source not found.** as the pro-forma and cash flow analysis. As indicated on the lines 7 and 31 of Table 3, rate increases are necessary in both funds over the next six years.

Table 3 - Cash Flow Analysis

City of Avondale, Arizona Revenue Sufficiency Analysis Pro-Forma and Cash Flow Analysis - By Fund						
Water Operating Fund	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21
Beginning Balances	25,809,542	27,469,282	26,716,520	25,660,995	26,170,718	27,408,721
Water Rate Revenue	12,383,470	14,240,991	14,582,774	17,172,675	17,584,819	20,707,883
Plus: Growth	0%	2%	2%	2%	2%	2%
Water Rate Revenue After Growth	12,383,470	14,582,774	14,932,761	17,584,819	18,006,855	21,204,872
Pct Change in Water Rates	15.00%	0.00%	15.00%	0.00%	15.00%	0.00%
Pct of Year Rate Increase Effective	50%	50%	50%	50%	50%	50%
Water Rate Revenue After Growth and Rate Increase	13,312,230	14,582,774	16,052,718	17,584,819	19,357,369	21,204,872
Other Revenue	771,220	771,220	771,220	771,220	771,220	771,220
Interest Income	266,353	274,560	269,259	266,655	275,462	296,290
Total Revenue	14,349,803	15,628,555	17,093,197	18,622,694	20,404,051	22,272,382
O&M	(10,123,130)	(12,150,073)	(14,685,293)	(15,017,513)	(15,579,843)	(16,237,883)
Debt Service	(36,934)	(1,073,743)	(1,073,430)	(1,095,457)	(1,086,206)	(1,086,127)
Capital Outlay	(530,000)	(407,500)	(390,000)	-	-	-
Transfers Out	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
Cash Funded Capital	-	(750,000)	-	-	(500,000)	-
Net Cash Flow	1,659,740	(752,761)	(1,055,526)	509,724	1,238,002	2,948,372
Restricted Reserve for Required New Debt	-	(742,745)	(742,745)	(765,151)	(765,151)	(765,151)
Restricted Reserve for Replacement/Refurbishment	-	(15,046,060)	(15,213,522)	(15,382,847)	(15,554,056)	(15,727,171)
Ending Unrestricted Balances	27,469,282	10,927,715	9,704,728	10,022,721	11,089,514	13,864,771
Working Capital Reserve	7,592,348	9,112,555	11,013,970	11,263,135	11,684,882	12,178,412
Surplus/(Deficit)	19,876,934	1,815,160	(1,309,242)	(1,240,414)	(595,368)	1,686,359
Sewer Operating Fund	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21
Beginning Balances	8,558,727	10,776,762	9,684,458	12,407,982	16,184,161	18,458,150
Sewer Rate Revenue	8,330,190	9,579,719	9,809,632	11,551,822	11,829,066	13,929,908
Plus: Growth	0%	2%	2%	2%	2%	2%
Sewer Rate Revenue After Growth	8,330,190	9,809,632	10,045,063	11,829,066	12,112,964	14,264,226
Pct Change in Sewer Rates	15.00%	0.00%	15.00%	0.00%	15.00%	0.00%
Pct of Year Rate Increase Effective	50%	50%	50%	50%	50%	50%
Sewer Rate Revenue After Growth and Rate Increase	8,954,954	9,809,632	10,798,443	11,829,066	13,021,436	14,264,226
Other Revenue	43,440	1,256,503	1,285,617	1,315,429	1,345,957	1,377,217
Interest Income	186,331	209,854	240,160	290,095	346,991	411,393
Total Revenue	9,184,726	11,275,989	12,324,219	13,434,590	14,714,383	16,052,836
O&M	(5,127,804)	(5,367,803)	(5,448,389)	(5,531,906)	(5,821,112)	(5,968,856)
Debt Service	(1,044,886)	(1,869,980)	(2,126,667)	(2,120,345)	(2,038,174)	(3,180,411)
Capital Outlay	(194,000)	(181,875)	(48,500)	-	(310,400)	-
Transfers Out	(600,000)	(2,568,636)	(1,597,139)	(1,626,160)	(3,655,708)	(2,685,793)
Cash Funded Capital	-	(2,380,000)	(380,000)	(380,000)	(615,000)	-
Net Cash Flow	2,218,035	(1,092,304)	2,723,524	3,776,179	2,273,989	4,217,775
Restricted Reserve for Required New Debt	(410,275)	(410,275)	(674,298)	(674,298)	(721,459)	(721,459)
Restricted Reserve for Replacement/Refurbishment	-	(15,686,362)	(15,971,391)	(16,261,599)	(16,557,081)	(16,857,931)
Ending Unrestricted Balances	10,366,487	(6,412,179)	(4,237,706)	(751,736)	1,179,610	5,096,535
Working Capital Reserve	3,845,853	4,025,852	4,086,291	4,148,930	4,365,834	4,476,642
Surplus/(Deficit)	6,520,634	(10,438,032)	(8,323,998)	(4,900,666)	(3,186,223)	619,893
Summary Results of Combined Water and Sewer Fund	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21
Debt Service Coverage Calculation						
Rate Revenue	22,267,185	24,392,406	26,851,161	29,413,885	32,378,805	35,469,098
Other Revenue	814,660	2,027,723	2,056,837	2,086,649	2,117,177	2,148,437
Interest Income	452,684	484,415	509,419	556,750	622,453	707,682
Total Revenue	23,534,529	26,904,544	29,417,416	32,057,284	35,118,434	38,325,218
O&M	(15,250,934)	(17,517,876)	(20,133,681)	(20,549,420)	(21,400,955)	(22,206,739)
Net Income	8,283,594	9,386,668	9,283,735	11,507,864	13,717,479	16,118,478
Debt Service - Existing	1,081,820	2,943,722	3,200,097	3,215,802	3,124,380	4,266,538
Debt Service Coverage	7.66	3.19	2.90	3.58	4.39	3.78
Summary of Increase in Rate Revenue (excluding Growth related increases)						
Total Full Year Rate Revenue Increase (excluding Growth)	23,820,709	23,820,709	28,051,267	28,724,497	33,825,968	34,637,791
Total Rate Revenue Before Rate Increase	20,713,660	23,820,709	24,392,406	28,724,497	29,413,885	34,637,791
Annual Pct Rate Revenue Increase	15.00%	0.00%	15.00%	0.00%	15.00%	0.00%
Revenue Requirement Water Allocation	61.1%	67.9%	71.2%	71.4%	70.7%	68.8%
Revenue Requirement Sewer Allocation	38.9%	32.1%	28.8%	28.6%	29.3%	31.2%

III. Cost of Service Analysis

Cost of service analysis helps determine the cost to serve water and wastewater customers and allocate those costs to rate components and customer classes based on a review of line-item operating, debt service and capital costs.

A. Allocation of Costs to Water Cost Components

Customer related costs, such as billing, customer service costs and meter reading for water customers were allocated directly to the water customer charge rate component. Meter related costs, such as meter repair and replacement costs associated with maintaining the utility's readiness to serve customers were allocated to the meter, or readiness to serve, charge. Other costs, such as transmission costs and treatment costs that are associated with flow-related activity, were allocated to the flow charge.

B. Allocation of Costs to Wastewater Cost Components

Customer related costs, such as billing and customer service costs, for wastewater customers were allocated directly to the wastewater customer charge rate component. Costs related to the collection system are allocated to a volume charge and treatment costs are allocated to strength charge both of which are then combine into a single flow charge.

The cost allocation process resulted in the percentage of the rate revenue requirement identified in the revenue sufficiency analysis that is to be recovered through the following rate components for each Utility:

Table 4 - Rate Cost Components

Water Rate Components		Wastewater Rate Components	
Customer charge	7%	Customer Charge	19%
Readiness to serve charge	21%	Flow Charge	41%
Flow Charge	72%		

As demonstrated in Table 4, the majority of the costs associated with the water and wastewater systems can be attributed to the level of usage. This helps with rate development that achieves the following objectives:

- ✓ Revenue stability
- ✓ Discouragement of wasteful water use
- ✓ Promotion of fairness and equity among rate-payers
- ✓ Understandability of rates
- ✓ Allocation of costs of wastewater treatment based on estimated contribution to the wastewater system by user class.

IV. Rate Analysis and Design

To ensure fair and equitable rates utilizing the current rate model, the rate revenue requirement for each rate component is apportioned by customer class based on the allocation of the cost components.

A. Allocation of Costs to Water Customers

- ✓ Customer charge – The number of customers, by customer class, was compiled from the most recent fiscal year’s utility billing data to determine the number of customers and number of bills issued per year. The total costs were allocated on a per bill basis to develop the monthly charge.
- ✓ Readiness to serve charge – In order to properly apportion the rate revenue requirement for the readiness to serve charge among customer classes, equivalent units for each customer class were calculated in the following manner:
 - Equivalent Residential Units (ERUs) - The number of equivalent units for all customers, except multi-unit customers, was determined by calculating the equivalent residential units by meter size by class. Equivalent residential units for each class were calculated by multiplying the number of meters times the meter equivalency factor for each meter size. The meter equivalency factors used are established by the American Water Works Association (AWWA). The number of equivalent units was calculated by multiplying the number of units for multi-unit customers by the ratio of average monthly demand for multi-unit customers (4,700 gallons per month) as compared to single family residential customers (10,000 gallons per month), or 47%.

The rate revenue requirement for the readiness to serve charge is then apportioned based on the pro-rata portion of equivalent residential units for each class based on meter size.

- ✓ Flow rate – The water conservation component of the water rate design includes the development of four (4) blocks of water usage. The volume of water flow, by customer class, was compiled in order to determine the distribution of flow by class and rate block. The rate revenue requirement for the flow rate was then apportioned based on the pro-rata portion of customers for each class. One of the main objectives in the development of the current rate structure was to incorporate a conservation rate structure which alters the apportionment of the rate revenue requirement among customer classes based on their usage patterns.

The calculation of a user's monthly water bill is represented by the following formula:

$$\text{Water Charge} = \text{CC} + (\text{R} \times \text{M} \times \text{U}) + [(\text{B1} \times \text{V1}) + (\text{B2} \times \text{V2}) + (\text{B3} \times \text{V3}) + (\text{B4} \times \text{V4})]$$

Where:

B1= Rate per 1,000 gallons in block one

B2= Rate per 1,000 gallons in block two

B3= Rate per 1,000 gallons in block three

B4= Rate per 1,000 gallons in block four

CC = Customer charge per bill

M=Meter equivalency factor

R=Readiness to serve charge for 0.75" Meter per unit

U=Number of units

V1= Water usage in thousands of gallons in block one

V2= Water usage in thousands of gallons in block two

V3= Water usage in thousands of gallons in block three

V4= Water usage in thousands of gallons in block four

The blocks for water usage are determined using the ¾" meter as the base. Except for hydrant meters and residential customers with a ¾" or 1" meter, all blocks are adjusted by the meter equivalency factor. Hydrant meters have relatively high capacity when compared to the standard meter and are therefore calculated separately.

B. Allocation of Costs to Wastewater Customers

The rate revenue requirement for each rate component for wastewater was apportioned by customer class in the following manner:

- ✓ Customer charge – The number of customers, by customer class, was compiled from the most recent fiscal year's utility billing data to determine the number of customers and number of bills issued per year. The total costs were allocated on a per bill basis to develop the monthly charge.
- ✓ Flow rate – The volume of wastewater flow, adjusted to reflect the assumed return factors by customer was compiled in order to determine the distribution of flow by class. The volume charge was developed using volume data from the last fiscal year's billing data. The costs of the collection system were reduced to a cost per 1,000 gallons based on total billed volumes. The second component is the allocation of treatment costs. Strength of wastewater is measured based on wastewater loadings of Biochemical Oxygen Demand (BOD) and Suspended Solids (SS). The costs of treatment were apportioned between the two categories based on the estimated pounds of BOD and SS removed from wastewater by user class. Except for the residential class, these estimated pounds were calculated based on typical (Industry Standards) user strength characteristics developed by the California State Water Resources Control Board in 1998. The residential strength characteristics are based on the local residential contributions estimated by the Public Works Department staff. These loadings by customer class are presented in Table 5.

Table 5-Typical User Strengths

Standard Classifications	BOD (mg/l)	SS (mg/l)
Residential	331	383
Auto Steam Cleaning	1,150	1,250
Bakery, wholesale	1,000	600
Bars without dining facilities	200	200
Car Wash	20	150
Department and Retail Store	150	150
Hospital and Convalescent	250	100
Hotel with dining facilities	500	600
Hotel/Motel without dining	310	120
Industrial Laundry	670	680
Laundromat	150	110
Laundry, commercial	450	240
Market with garbage grinders	800	800
Mortuary	800	800
Professional Office	130	80
Repair Shop and Service Station	180	280
Restaurant	1,000	600
School and College	130	100
Septage	5,400	12,000
Soft Water Service	3	55

The calculation of a user's monthly wastewater bill is represented by the following formula:

$$\text{Wastewater Charge} = CC + Vs[(Bc \times 0.00834 \times Bm) + (Sc \times 0.00834 \times Sm)]$$

Where:

Bc= Cost of treatment per unit of Biochemical Oxygen Demand (BOD)

Bm= Concentration of BOD in milligrams per liter

CC = Customer charge per bill

Sc= Cost of treatment per unit of Suspended Solids (SS)

Sm= Concentration of SS in milligrams per liter

Vs= Volume of wastewater in thousands of gallons

Volumes of wastewater are determined based on 80% of the average winter quarter (December, January and February) water usage for single family residential customers. Multi-family customer wastewater volumes are based on 100% of billed water volume. Laundries and Car Washes wastewater volumes are based on 70% of billed water usage each month. All other customer class wastewater volumes are based on 80% of billed water usage.

C. Water Rates

The current rates for water consumption are compared to the proposed rates in Table 6. Two additional meter sizes have been added to the rate schedule.

Table 6-Water Rates

Water Rates	Current	Proposed
Customer Charge Per Bill - all users	\$ 2.60	\$ 3.50
<u>Meter Size-Base Fee all users</u>		
3/4" Meter	\$ 7.90	\$ 8.00
1" Meter	19.90	20.00
1 1/2" Meter	31.80	40.00
2" Meter	50.90	63.90
3" Meter	95.50	119.90
4" Meter	159.20	199.80
6" Meter	318.50	399.60
8" Meter	-	639.40
10" Meter	-	919.10
Hydrant Meter	318.50	919.10
<u>Residential Usage Charge per 1,000 gallons</u>		
0-4,000 gal	\$ 0.94	\$ 1.10
5,000-8,000 gal	1.44	1.76
9,000-12,000gal	2.16	2.56
13,000 + gal	3.30	4.02
<u>Non-Residential Usage Charge per 1,000 gallons</u>		
0-8,000 gal	\$ 1.44	\$ 1.76
9,000-12,000gal	2.16	2.56
13,000 + gal	3.30	4.02
Hydrant Usage – all gal	3.30	4.02

Multi-family rates are adjusted by the 47% unit equivalency factor and rate blocks are adjusted by the meter equivalency factor.

D. Sewer Rates

The current rates for wastewater services are compared to the proposed rates in Table 7.

Table 7 - Wastewater Rates

<u>Customer Charge all users</u>	<u>Current</u>	<u>Proposed</u>	
	\$ 6.25	\$ 6.70	
<u>Customer Class</u>	<u>Volume charge per 1,000 gal</u>	<u>Volume charge per 1,000 gal</u>	<u>Return Factor</u>
Residential	\$ 3.17	\$ 3.73	80%
Multi-family	3.17	3.73	100%
Mobile Home Park	3.17	3.73	80%
Auto Steam Cleaning	9.37	9.14	70%
Bakery Wholesale	7.30	5.79	80%
Hospital & Convalescent	2.90	2.80	80%
Markets with Garbage Disposal	6.84	6.74	80%
Repair Shop and Service Station	2.98	2.80	80%
Restaurant	7.30	7.20	80%
Schools & Colleges	2.37	2.27	80%
Bars W/O Dining	2.89	2.79	80%
Laundromat	2.48	2.38	70%
Commercial Laundry	4.09	3.99	70%
Car Wash	1.99	1.89	70%
Professional Office	2.31	2.22	80%
Department Store & Retail	2.56	2.46	80%
Hotel w/Dining	5.08	4.98	80%
Hotel w/o Dining	3.21	3.11	80%
Mortuaries	6.84	6.74	80%

*Residential charges are calculated using the average water usage for the months of December, January and February, adjusted by the listed return factor.

E. Local Rate Comparisons

The proposed water and wastewater rates are still very competitive with rates around the Phoenix valley area. Water rates for the average usage are still among the lowest in the valley. The comparison values for water assume a 9,000 gallon residential water bill and the wastewater bill assumes average water usage of 8,000 gallons during the winter months. As indicated in the media, various other cities are also considering rate hikes so the rates depicted in Figure 1 and Figure 2 may change within the next year depending on the action taken by the respective City Councils.

Figure 1 -Valley-Wide Water Bill Comparison 9,000 gallons

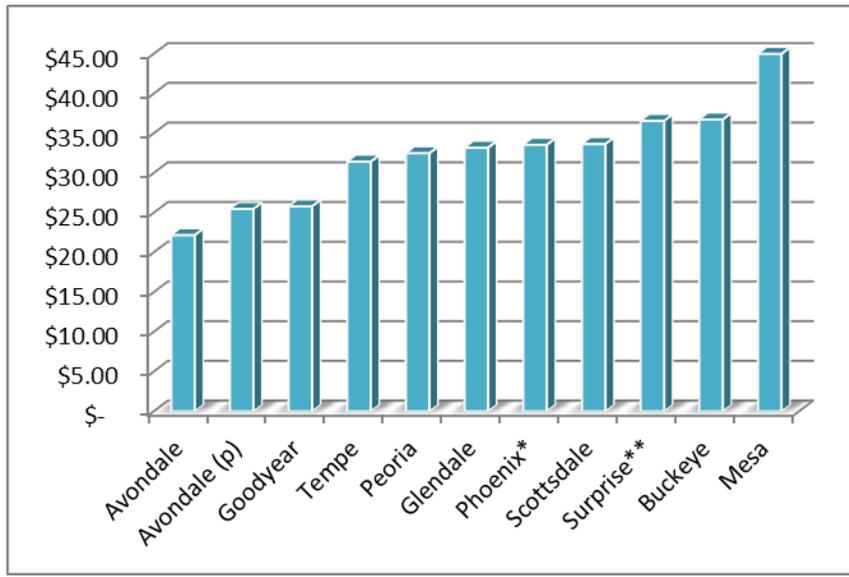
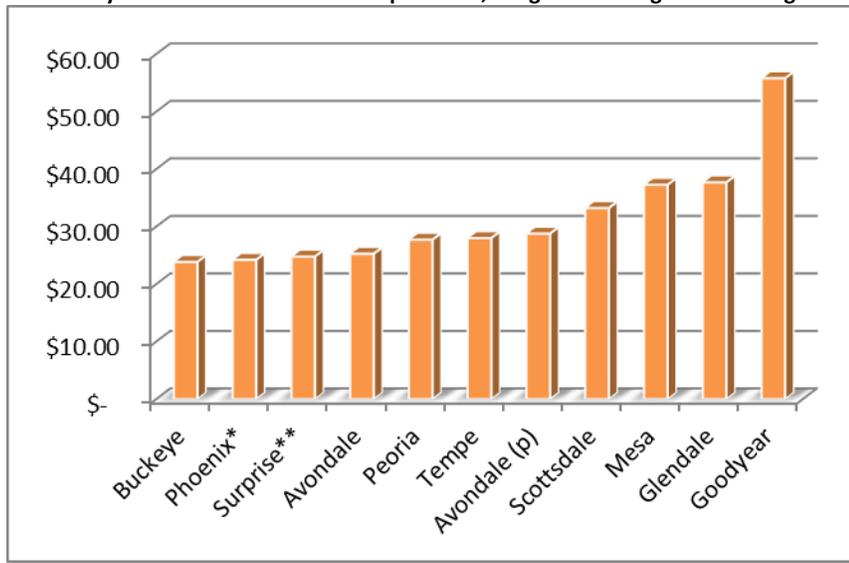


Figure 2 - Valley-Wide Wastewater Bill Comparison 8,000 gallon average winter usage



Avondale water rates remain among the lowest in the valley with the proposed (p) adjustment in the first year. Wastewater rates would also remain below the valley average bill, when assessing only the first year of the adjustment.

F. Estimated Impact on Customer Bills

The customer impact of each of this plan is presented in Figure 3 for residential customers with a 3/4" meter. The average billed volume for residential customers is 9,000 gallons per month. Sixty-five percent (65%) of all residential bills issued are between 0 and 9,000 gallons.

Figure 3 - Percent Change in Residential Monthly Water Bill

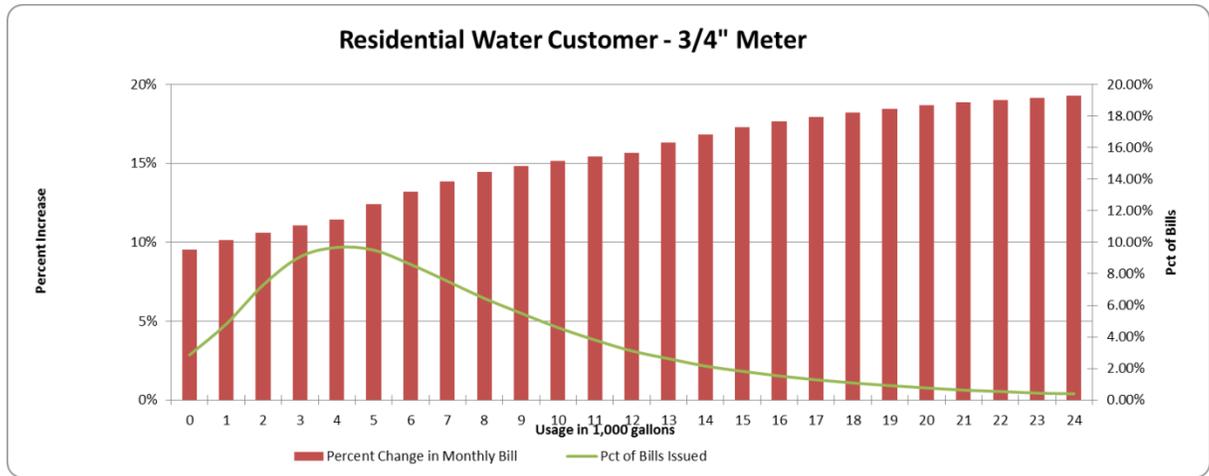
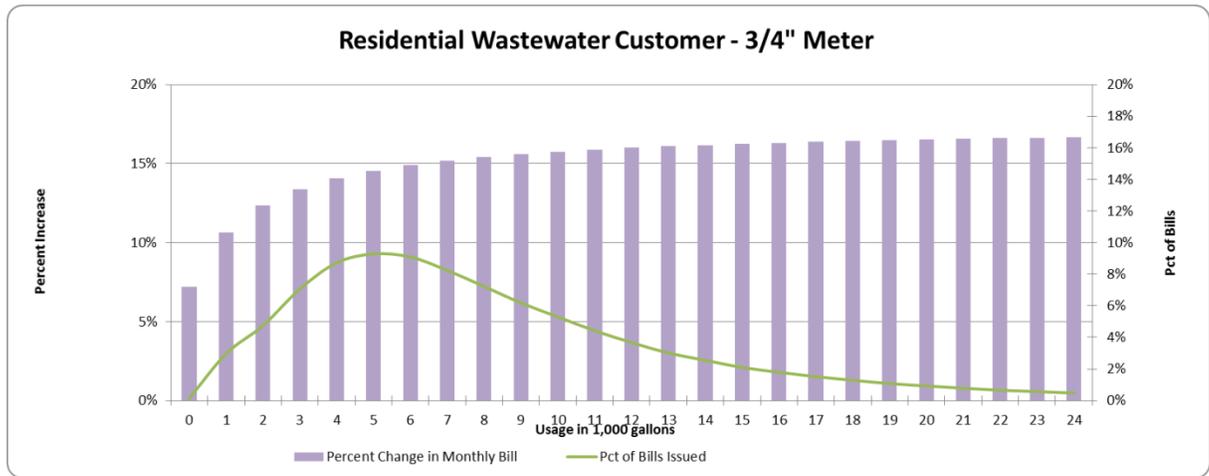


Figure 4 -Percent Change in Residential Monthly Wastewater Bill



The graphs depict the percent increase in monthly bills along with the percentage of bills issues for the billed volume on average. Water usage tends to vary while wastewater bills remain constant once set in July based on 80% of the average water usage during the winter months of December, January and February.

V. Sample Bills

For comparison purposes, examples of monthly bills are presented on the following pages. The figures include a full month utility bill including all water, wastewater and sanitation services. The impact varies from 0.2% to 4.2% for most residential customers with a ¾" or 1" meter.

Figure 5 - 5,000 Gallons Water Usage – Residential ¾" Meter

Residential	Gallons Billed	Current	Proposed
Water	5		
Base Fee ¾" Meter		\$ 10.50	\$ 11.50
Volume Charge		5.20	6.16
Sub-Total		15.70	17.66
Sewer (Winter Average)	4		
Base Fee		\$ 6.25	\$ 6.70
Volume Charge on 80%	3	9.51	11.19
Sub-Total		15.76	17.89
Sanitation		20.00	20.00
Environmental Fee		1.00	1.00
Taxes		1.42	1.60
Total		\$ 33.88	\$ 38.15
Total Bill Change			\$ 4.27
% Bill Change			12.6%

Figure 6 - 12,000 Gallons Water Usage – Residential ¾" Meter

Residential	Gallons Billed	Current	Proposed
Water	12		
Base Fee ¾" Meter		\$ 10.50	\$ 11.50
Volume Charge		18.16	21.68
Sub-Total		28.66	33.18
Sewer (Winter Average)	10		
Base Fee		\$ 6.25	\$ 6.70
Volume Charge on 80%	8	25.36	29.84
Sub-Total		31.61	36.54
Sanitation		20.00	20.00
Environmental Fee		1.00	1.00
Taxes		2.64	3.07
Total		\$ 63.91	\$ 73.79
Total Bill Change			\$ 9.88
% Bill Change			15.5%

Figure 7 - 15,000 Gallons Water Usage - Residential 1" Meter

Residential	Gallons Billed	Current	Proposed
Water	15		
Base Fee 1" Meter		\$22.50	\$23.50
Volume Charge		28.06	33.74
Sub-Total		50.56	57.24
Sewer (Winter Average)	10		
Base Fee		\$ 6.25	\$ 6.70
Volume Charge on 80%	8	25.36	29.84
Sub-Total		31.61	36.54
Sanitation		20.00	20.00
Environmental Fee		1.00	1.00
Taxes		4.64	5.26
Total		\$ 87.81	\$ 100.04
Total Bill Change			\$ 12.23
% Bill Change			13.9%

Figure 8 - 105,000 Gallons Water Usage - Hotel 3" Meter

Non-Residential	Gallons Billed	Current	Proposed
Hotel w/Dining			
Water	105		
Base Fee 3" Meter		\$98.10	\$123.40
Volume Charge		151.20	184.32
Sub-Total		249.30	307.72
Sewer	84		
Base Fee		\$6.25	\$ 6.70
Volume Charge		426.72	418.32
Sub-Total		432.97	425.02
Environmental Fee			1.00
Taxes		18.05	20.72
Total		\$ 700.32	\$ 754.46
Total Bill Change			\$ 54.14
% Bill Change			7.7%

VI. Recommendation

Upon presentation of the revenue sufficiency analysis to the City Council on December 14, 2015, direction was provided to increase revenue at a rate of 15% every two years over the study period to ensure both funds achieve the desired funding levels without affecting customers each year. Based on the findings of the rate analysis and Council direction, it is recommended that the City implement a rate plan that helps the City continue to fund the water and wastewater operations,

contribute to system development and improvement, meet all required debt service requirements for existing and planned bond issues, maintain working capital reserves at nine months of operations and begin building reserves for future asset replacement. The suggested rate plan includes increases in alternating years over the next few years.

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
Water	15.0%	0%	15.0%	0%	15.0%	0%
Wastewater	15.0%	0%	15.0%	0%	15.0%	0%

In conjunction, staff recommends that a fund balance (net position) policy be considered that would begin reserving net position in an amount of at least 5% of undepreciated assets along with the working capital reserves

VII. Appendix

- A. Capital improvement estimates
- B. Revenue requirements comparison
- C. Wastewater treatment cost allocation
- D. Estimated sewer strength

City of Avondale, Arizona
Revenue Sufficiency Analysis
10 Year Capital Improvements Program

Raw Project Amounts													Non Expansion								
Project Type	Eligible Project Funding Sources				% Related to Expansion of System Capacity	Project Description	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Expansion Portion	Non Expansion Portion	Total	
	Other Fund	Water	Development	Bond Funds Restricted for Capital Asset																	
TRT	N	N	Y	N	25%	WA1068 Wellhead Treatment	2,000,000	1,600,000										900,000	2,700,000	3,600,000	
SOS	N	Y	N	N	100%	WA1090 Well 28												2,500,000	-	2,500,000	
SOS	N	Y	N	N	100%	WA1131 Future Well						500,000	2,000,000					2,500,000	-	2,500,000	
DIST	N	Y	N	N	100%	WA1133 99th Waterline - Thomas to McDowell			500,000			800,000						800,000	-	800,000	
DIST	N	Y	N	N	100%	WA1135 McDowell Waterline 117th to Avondale				500,000								500,000	-	500,000	
SOS	N	Y	N	N	100%	WA1142 Future Well								500,000	2,000,000			2,500,000	-	2,500,000	
DIST	N	Y	N	N	100%	WA1153 127th Ave Waterline	765,000											765,000	-	765,000	
SOS	N	Y	N	N	100%	WA1201 Well 22				500,000	1,000,000							1,500,000	-	1,500,000	
SOS	N	Y	N	N	100%	WA1214 Well 27							500,000	2,000,000				2,500,000	-	2,500,000	
DIST	N	Y	N	N	100%	WA1231 Dysart Waterline - Whyman to Lower Buckeye							500,000					500,000	-	500,000	
SOS	N	N	Y	N	25%	WA1285 White Mountain Tribe Lease		2,000,000										500,000	1,500,000	2,000,000	
DIST	N	Y	N	N	100%	WA1302 Dysart Waterline - Roeser Alignment							1,000,000					1,000,000	-	1,000,000	
SOS	N	Y	N	N	100%	WA1315 Well Relocation - 107th & McDowell							500,000	2,000,000				2,500,000	-	2,500,000	
DIST	N	Y	N	N	100%	WA1318 Central Avondale Waterlines							700,000	2,000,000				2,700,000	-	2,700,000	
DIST	N	Y	N	N	100%	WA1320 El Mirage Waterlines - Lower Buckeye to Southern							1,000,000	2,500,000				3,500,000	-	3,500,000	
DIST	N	Y	N	N	100%	WA1321 El Mirage Waterlines - Southern to Indian Springs										500,000	1,000,000	1,500,000	-	1,500,000	
DIST	N	Y	N	N	100%	WA1322 Southern Waterline - Dysart to Avondale										1,200,000		1,200,000	-	1,200,000	
TRT	N	N	Y	N	50%	WA1340 Nitrate Removal System		500,000	3,000,000									1,750,000	1,750,000	3,500,000	
SOS	N	Y	N	N	100%	WA1341 Coldwater Booster Expansion					500,000	3,000,000						3,500,000	-	3,500,000	
SOS	N	N	Y	N	100%	WATR20 Capacity Expansion Debt												-	-	-	
DIST	N	N	Y	N	0%	WA1057 Citywide Water Improvements	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000		-	3,300,000	
DIST	N	N	Y	N	0%	WA1162 CDBG Waterline Improvements		400,000				800,000						-	2,000,000	2,000,000	
DIST	N	N	Y	N	0%	WA1169 Rio Vista Waterline Replacement	1,400,000	1,500,000										-	2,900,000	2,900,000	
SOS	N	N	Y	N	0%	WA1298 Well #7 Site Improvements		500,000	1,200,000									-	1,700,000	1,700,000	
DIST	N	N	Y	N	0%	WA1343 Water System Line Replacements and Expansions	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000		-	13,200,000	
DIST	N	N	Y	N	0%	WA1344 System Pressure Reducing Stations	600,000												-	600,000	600,000
SOS	Y	N	Y	N	0%	Reservoir Coating and Rehabilitation (onetime)		750,000	750,000	500,000	500,000							-	2,500,000	2,500,000	
DIST	N	Y	N	N	100%	WA1323 Southern Avondale Waterline - Lower Buckeye to Southern											1,000,000	1,000,000	-	1,000,000	
Total							\$ 6,265,000	\$ 8,750,000	\$ 6,950,000	\$ 5,000,000	\$ 4,300,000	\$ 5,000,000	7,800,000	10,000,000	5,500,000	3,200,000	3,500,000	\$ 34,115,000	\$ 32,150,000	\$ 66,265,000	

Notes: Expansion Percentages provided by City staff

City of Avondale, Arizona
Rate Structure Analysis
Comparison of Allocated Revenue Requirements and Calculated Revenue by Customer Class

Calculation of Water and Wastewater Rate Revenue Requirements

Total Rate Revenue Requirement		\$ 22,267,185
Allocation to Water Rates	57.3%	\$ 13,312,230
Allocation to Wastewater Rates	42.75%	\$ 8,954,954

Allocation of Water Rate Revenue to Charge Components

Total Water Rate Revenue Required		\$ 13,312,230
Allocation to Customer Charge	7.00%	931,856
Allocation to Readiness-to-Serve Charge	21.00%	2,795,568
Allocation to Flow Rate	72.00%	\$ 9,584,806

Allocation of Wastewater Rate Revenue to Charge Components

Total Wastewater Rate Revenue Required		\$ 8,954,954
Allocation to Customer Charge	19.00%	1,701,441
Allocation to Strength Charge	48.00%	4,298,378
Allocation to Flow Rate	33.00%	\$ 2,955,135

Allocation of Water Rate Revenue Requirement to Customer Classes

Customer Class	Customer Charge						RTS Charge						Flow Rate						Total			
	Bills	Percent	Allocated Customer Charge		\$ Variance	% Variance	Meter Equiv / Unit Equiv	Percent	Allocated RTS Charge		\$ Variance	% Variance	Annual Flow (000s)	Percent	Allocated Flow Rate Revenue		\$ Variance	% Variance	Total Allocated Revenue Requirement	Total Revenue	\$ Variance	% Variance
			Requirement	Revenue from Customer Charge					Requirement	Revenue from RTS Charge					Requirement	Revenue from Flow Rate						
Residential	253,250	94%	\$ 874,140	\$ 874,140	-	0.00%	266,314	78%	\$ 2,128,536	\$ 2,128,536	-	0.00%	2,230,434	59%	\$ 5,672,641	\$ 4,686,432	(986,209)	-17.39%	\$ 8,675,317	\$ 7,689,108	(986,209)	-11.37%
Multi-Family/Apt/Motel	1,973	1%	6,810	6,810	-	0.00%	927	0%	7,412	7,412	(0)	0.00%	250,468	7%	637,013	754,700	117,688	18.47%	651,235	768,922	117,688	18.07%
Commercial/Government	6,282	2%	21,684	21,684	-	0.00%	32,472	9%	259,532	259,532	(0)	0.00%	325,455	9%	827,726	923,690	95,963	11.59%	1,108,942	1,204,905	95,963	8.65%
Schools	852	0%	2,941	2,941	-	0.00%	9,066	3%	72,461	72,461	(0)	0.00%	69,897	2%	177,768	213,952	36,184	20.35%	253,170	289,354	36,184	14.29%
Churches	490	0%	1,691	1,691	-	0.00%	1,426	0%	11,397	11,397	(0)	0.00%	4,924	0%	12,523	9,823	(2,700)	-21.56%	25,612	22,912	(2,700)	-10.54%
Industry	36	0%	124	124	-	0.00%	456	0%	3,645	3,645	(0)	0.00%	2,916	0%	7,416	7,393	(23)	-0.31%	11,185	11,162	(23)	-0.20%
Laundries	48	0%	166	166	-	0.00%	276	0%	2,206	2,206	(0)	0.00%	6,183	0%	15,725	18,247	2,522	16.04%	18,097	20,619	2,522	13.94%
Mobile Home Parks	228	0%	787	787	-	0.00%	228	0%	1,822	1,822	(0)	0.00%	59,227	2%	150,631	232,976	82,345	54.67%	153,241	235,585	82,345	53.74%
Hydrant Meters	133	0%	459	459	-	0.00%	6,650	2%	53,151	53,151	(0)	0.00%	14,334	0%	36,456	42,326	5,871	16.10%	90,065	95,936	5,871	6.52%
Car Wash	108	0%	373	373	-	0.00%	744	0%	5,946	5,946	(0)	0.00%	23,587	1%	59,989	83,597	23,608	39.35%	66,308	89,916	23,608	35.60%
Landscape Meter	6,559	2%	22,640	22,640	-	0.00%	31,182	9%	249,221	249,221	(0)	0.00%	777,296	21%	1,976,889	2,596,561	619,672	31.35%	2,248,750	2,868,422	619,672	27.56%
Water and Trash Only	12	0%	41	41	-	0.00%	30	0%	240	240	(0)	0.00%	3,943	0%	10,028	15,107	5,079	50.65%	10,309	15,388	5,079	49.27%
Total	269,971		\$ 931,856	\$ 931,856	-	0.00%	349,770		\$ 2,795,568	\$ 2,795,568	(0)	0.00%	3,768,664		\$ 9,584,806	\$ 9,584,806	-	0.00%	\$ 13,312,230	\$ 13,312,230	(0)	0.00%

Note: Variance in flow revenue versus allocated revenue requirement costs is a result of the conservation rate structure which places a greater portion of the cost burden on high use customers in order to incent them to conserve water

Allocation of Wastewater Rate Revenue Requirement to Customer Classes

Customer Class	Customer Charge						Strength Charge						Flow Rate						Total			
	Customer Bills	Percent	Allocated Customer Charge		\$ Variance	% Variance	Annual Strength (LBs)	Percent	Allocated Strength Charge		\$ Variance	% Variance	Annual Flow (000s)	Percent	Allocated Flow Rate Revenue		\$ Variance	% Variance	Total Allocated Revenue Requirement	Total Revenue	\$ Variance	% Variance
			Requirement	Revenue from Customer Charge					Requirement	Revenue from Strength Charge					Requirement	Revenue from Flow Rate						
Residential	245,475	97%	\$ 1,642,447.68	\$ 1,642,319	(129)	-0.01%	8,641,611	78%	\$ 3,354,219	\$ 3,270,601	(83,618)	-2.49%	1,454,804	73%	\$ 2,150,793.76	\$ 2,150,675	(118)	-0.01%	\$ 7,147,461	\$ 7,063,595	(83,866)	-1.17%
Multi-Family/Apt/Motel	1,899	1%	12,706	12,705	(1)	-0.01%	1,327,921	12%	515,429	539,315	23,886	4.63%	239,894	12%	354,661	354,642	(20)	-0.01%	882,796	906,662	23,866	2.70%
Commercial/Government	5,318	2%	35,582	35,579	(3)	-0.01%	749,619	7%	290,963	357,409	66,447	22.84%	194,326	10%	287,293	287,277	(16)	-0.01%	613,838	680,266	66,428	10.82%
Schools	756	0%	5,058	5,058	(0)	-0.01%	83,678	1%	32,479	40,204	7,725	23.78%	50,839	3%	75,161	75,157	(4)	-0.01%	112,699	120,419	7,720	6.85%
Churches	472	0%	3,158	3,158	(0)	-0.01%	6,007	0%	2,332	3,072	740	31.74%	3,684	0%	5,446	5,446	(0)	-0.01%	10,936	11,676	739	6.76%
Industry	12	0%	80	80	(0)	-0.01%	121	0%	47	32	(15)	-32.39%	42	0%	62	62	(0)	-0.01%	189	174	(15)	-8.04%
Laundries	48	0%	321	321	(0)	-0.01%	8,701	0%	3,377	3,915	538	15.93%	4,330	0%	6,402	6,401	(1)	-0.01%	10,100	10,638	538	5.32%
Mobile Home Parks	204	0%	1,365	1,365	(0)	-0.01%	220,791	2%	85,699	76,698	(9,002)	-10.50%	34,116	2%	50,437	50,435	(2)	-0.01%	137,502	128,497	(9,005)	-6.55%
Car Wash	96	0%	642	642	(0)	-0.01%	24,458	0%	9,493	7,027	(2,466)	-25.98%	16,516	1%	24,417	24,416	(1)	-0.01%	34,553	32,085	(2,468)	-7.14%
Goodyear	12	0%	80	80	(0)	-0.01%	11,178	0%	4,339	701	(3,637)	-83.83%	312	0%	461	461	(0)	-0.01%	4,880	1,243	(3,637)	
Total	254,292		\$ 1,701,441	\$ 1,701,308	(134)	-0.01%	11,074,085		\$ 4,298,378	\$ 4,298,974	596	-0.01%	1,998,863		\$ 2,955,135	\$ 2,954,972	(163)	-0.01%	\$ 8,954,954	\$ 8,955,254	300	0.00%

City of Avondale, Arizona
Cost of Service Analysis
Calculation of Estimated Pounds of BOD/SS Removed

Account Type	Water Rate Code	Sewer Rate Code	Class	Class 2	Meter Size	Inside / Outside	Wastewater Flow (1,000 Gallons)	Wastewater Flow (Liters)	Calculation of Estimated Pounds of BOD Removed						Calculation of Estimated Pounds of SS Removed							
									Industry Standard Loading Factor (mg/L)	Total Estimated BOD Removed (mg)	Normal Strength (mg/L)	Estimated BOD Removed from Normal Strength Flows (mg)	Estimated BOD Removed from Normal Strength Flows (Pounds)	Estimated BOD Removed from Extra Strength Flows	Industry Standard Loading Factor (mg/L)	Total Estimated SS Removed (mg)	Estimated SS Removed (Pounds)	Normal Strength (mg/L)	Estimated SS Removed from Normal Strength Flows (mg)	Estimated SS Removed from Normal Strength Flows (Pounds)	Estimated SS Removed from Extra Strength Flows	
																						Total Estimated BOD Removed (Pounds)
01	101		#N/A	Residential	0	0	72	272,550	331	90,213,934	199	1500	90,213,934	199	-	383	104,386,515	230	1000	104,386,515	230	-
01	101		Residential	Residential	0	0	207,224	783,671,089	331	259,395,130,516	571,868	1500	259,395,130,516	571,868	-	383	300,146,027,152	661,709	1000	300,146,027,152	661,709	-
01	101		Residential	Residential	0.75	0	1,179,073	4,463,276,828	331	1,477,344,630,199	3,256,987	1500	1,477,344,630,199	3,256,987	-	383	1,709,435,025,276	3,768,659	1000	1,709,435,025,276	3,768,659	-
01	101		Residential	Residential	1	0	64,050	242,456,625	331	80,252,811,797	176,927	1500	80,252,811,797	176,927	-	383	92,860,504,285	204,722	1000	92,860,504,285	204,722	-
01	101		Residential	Residential	1.5	0	124	469,391	331	155,368,441	343	1500	155,368,441	343	-	383	179,776,776	396	1000	179,776,776	396	-
02	101		Multi-Fami	Residential	0.75	0	72	272,550	331	90,213,934	199	1500	90,213,934	199	-	383	104,386,515	230	1000	104,386,515	230	-
02	101		Multi-Fami	Residential	1.5	0	228	863,074	331	285,677,457	630	1500	285,677,457	630	-	383	330,557,299	729	1000	330,557,299	729	-
02	301		Multi-Fami	Multi-Family	0	0	5,092	19,275,317	331	6,380,129,862	14,066	1500	6,380,129,862	14,066	-	383	7,382,446,336	16,276	1000	7,382,446,336	16,276	-
02	301		Multi-Fami	Multi-Family	0.75	0	21,508	81,416,637	331	26,948,906,731	59,412	1500	26,948,906,731	59,412	-	383	31,182,571,837	68,746	1000	31,182,571,837	68,746	-
02	301		Multi-Fami	Multi-Family	1.5	0	7,347	27,811,420	331	9,205,580,145	20,295	1500	9,205,580,145	20,295	-	383	10,651,774,004	23,483	1000	10,651,774,004	23,483	-
02	301		Multi-Fami	Multi-Family	2	0	116,053	439,308,394	331	145,411,078,337	320,577	1500	145,411,078,337	320,577	-	383	168,255,114,813	370,939	1000	168,255,114,813	370,939	-
02	301		Multi-Fami	Multi-Family	3	0	35,095	132,849,027	331	43,973,027,791	96,944	1500	43,973,027,791	96,944	-	383	50,881,177,172	112,174	1000	50,881,177,172	112,174	-
02	301		Multi-Fami	Multi-Family	4	0	37,462	141,809,096	331	46,938,810,859	103,482	1500	46,938,810,859	103,482	-	383	54,312,883,865	119,739	1000	54,312,883,865	119,739	-
03	110		Commerci	Auto Steam Cleaning	0.75	0	5	18,927	1150	21,766,118	48	1500	21,766,118	48	-	1250	23,658,824	52	1000	18,927,059	42	10
03	111		Commerci	Bakery Wholesale	0.75	0	87	329,331	1000	329,330,825	726	1500	329,330,825	726	-	1600	197,598,495	436	1000	197,598,495	436	-
03	111		Commerci	Bakery Wholesale	1.5	0	73	276,335	1000	276,335,060	609	1500	276,335,060	609	-	1600	165,801,036	366	1000	165,801,036	366	-
03	112		Commerci	Hospital & Convalescence	1	0	218	825,220	250	206,304,942	455	1500	206,304,942	455	-	1000	82,521,977	182	1000	82,521,977	182	-
03	112		Commerci	Hospital & Convalescence	2	0	7,612	28,814,554	250	7,203,636,625	15,881	1500	7,203,636,625	15,881	-	1000	2,881,455,450	6,353	1000	2,881,455,450	6,353	-
03	113		Commerci	Hotel w/Dining	2	0	9,623,053	34,069,353	500	4,841,541,672	10,674	1500	4,841,541,672	10,674	-	600	5,809,850,006	12,809	1000	5,809,850,006	12,809	-
03	114		Commerci	Hotel w/Dining	2	0	2,153	8,149,992	310	2,526,497,387	5,570	1500	2,526,497,387	5,570	-	120	977,998,989	2,156	1000	977,998,989	2,156	-
03	115		Commerci	Markets with Garbage Disposal	0	0	19	71,923	800	57,538,259	127	1500	57,538,259	127	-	800	57,538,259	127	1000	57,538,259	127	-
03	115		Commerci	Markets with Garbage Disposal	0.75	0	876	3,316,021	800	2,652,816,578	5,848	1500	2,652,816,578	5,848	-	800	2,652,816,578	5,848	1000	2,652,816,578	5,848	-
03	115		Commerci	Markets with Garbage Disposal	1.5	0	1,086	4,110,957	800	3,288,765,758	7,250	1500	3,288,765,758	7,250	-	800	3,288,765,758	7,250	1000	3,288,765,758	7,250	-
03	115		Commerci	Markets with Garbage Disposal	2	0	6,729	25,472,036	800	20,377,628,716	44,925	1500	20,377,628,716	44,925	-	800	20,377,628,716	44,925	1000	20,377,628,716	44,925	-
03	116		Commerci	Mortuaries	1.5	0	149	564,026	800	451,221,085	995	1500	451,221,085	995	-	800	451,221,085	995	1000	451,221,085	995	-
03	117		Commerci	Repair Shop and Service Station	0	0	26	98,421	180	17,715,727	39	1500	17,715,727	39	-	280	27,557,798	61	1000	27,557,798	61	-
03	117		Commerci	Repair Shop and Service Station	0.75	0	746	2,823,917	180	508,305,094	1,121	1500	508,305,094	1,121	-	280	790,696,813	1,743	1000	790,696,813	1,743	-
03	117		Commerci	Repair Shop and Service Station	1	0	916	3,467,437	180	624,138,695	1,376	1500	624,138,695	1,376	-	280	970,882,414	2,140	1000	970,882,414	2,140	-
03	117		Commerci	Repair Shop and Service Station	1.5	0	2,070	7,835,802	180	1,410,444,431	3,109	1500	1,410,444,431	3,109	-	280	2,194,024,670	4,837	1000	2,194,024,670	4,837	-
03	117		Commerci	Repair Shop and Service Station	2	0	4,952	18,745,359	180	3,374,164,648	7,439	1500	3,374,164,648	7,439	-	280	5,248,700,563	11,571	1000	5,248,700,563	11,571	-
03	118		Commerci	Restaurant	0	0	155	586,739	1000	586,738,827	1,294	1500	586,738,827	1,294	-	600	352,043,296	776	1000	352,043,296	776	-
03	118		Commerci	Restaurant	0.75	0	1,917	7,256,634	1000	7,256,634,390	15,998	1500	7,256,634,390	15,998	-	600	4,353,980,634	9,599	1000	4,353,980,634	9,599	-
03	118		Commerci	Restaurant	1	0	1,333	5,045,954	1000	5,045,953,908	11,124	1500	5,045,953,908	11,124	-	600	3,027,572,345	6,675	1000	3,027,572,345	6,675	-
03	118		Commerci	Restaurant	1.5	0	10,360	39,216,866	1000	39,216,866,082	86,458	1500	39,216,866,082	86,458	-	600	23,530,119,649	51,875	1000	23,530,119,649	51,875	-
03	118		Commerci	Restaurant	2	0	8,486	32,123,004	1000	32,123,004,399	70,819	1500	32,123,004,399	70,819	-	600	19,273,802,639	42,491	1000	19,273,802,639	42,491	-
03	120		Commerci	Schools & Colleges	0	0	266	1,006,920	130	130,899,539	289	1500	130,899,539	289	-	100	100,691,953	222	1000	100,691,953	222	-
03	121		Commerci	Bars W/O Dining	0.75	0	211	751,163	200	62,238,683	115	1500	62,238,683	115	-	200	52,238,683	115	1000	52,238,683	115	-
03	121		Commerci	Bars W/O Dining	1	0	87	329,331	200	65,866,165	145	1500	65,866,165	145	-	200	65,866,165	145	1000	65,866,165	145	-
03	178		Commerci	Commercial Laundry	0.75	0	183	692,730	450	311,728,660	687	1500	311,728,660	687	-	240	166,255,286	367	1000	166,255,286	367	-
03	179		Commerci	Car Wash	1	0	61	230,910	20	4,618,202	10	1500	4,618,202	10	-	150	34,636,518	76	1000	34,636,518	76	-
03	179		Commerci	Car Wash	2	0	2,071	7,839,588	20	156,791,756	346	1500	156,791,756	346	-	150	1,175,938,171	2,592	1000	1,175,938,171	2,592	-
03	201		Commerci	Professional Office	0	0	2,968	11,235,102	130	1,460,563,283	3,220	1500	1,460,563,283	3,220	-	80	898,808,174	1,982	1000	898,808,174	1,982	-
03	201		Commerci	Professional Office	0.75	0	4,091	15,486,120	130	2,013,195,549	4,438	1500	2,013,195,549	4,438	-	80	1,238,889,569	2,731	1000	1,238,889,569	2,731	-
03	201		Commerci	Professional Office	1	0	6,354	24,052,506	130	3,126,825,842	6,893	1500	3,126,825,842	6,893	-	80	1,924,200,518	4,242	1000	1,924,200,518	4,242	-
03	201		Commerci	Professional Office	1.5	0	17,224	65,199,933	130	8,475,991,234	18,686	1500	8,475,991,234	18,686	-	80	5,215,994,605	11,499	1000	5,215,994,605	11,499	-
03	201		Commerci	Professional Office	2	0	62,535	236,720,726	130	30,773,694,369	67,844	1500	30,773,694,369	67,844	-	80	18,937,658,073	41,750	1000	18,937,658,073	41,750	-
03	201		Commerci	Professional Office	3	0	2,463	9,323,469	130	1,212,050,999	2,672	1500	1,212,050,999	2,672	-	80	745,877,538	1,644	1000	745,877,538	1,644	-
03	201		Commerci	Professional Office	4	0	5,506	20,842,477	130	2,709,522,047	5,973	1500	2,709,522,047	5,973	-	80	1,667,398,183	3,676	1000	1,667,398,183	3,676	-
03	202		Commerci	Department Store & Retail	0	0	65	246,052	150	36,907,765	81	1500	36,907,765	81	-	150	36,907,765	81	1000	36,907,765	81	-
03	202		Commerci	Department Store & Retail	0.75	0	1,878	7,109,003	150	1,066,350,500	2,351	1500	1,066,350,500	2,351	-	150	1,066,350,500	2,351	1000	1,066,350,500	2,351	-
03	202		Commerci	Department Store & Retail	1	0	1,062	4,020,107	150	603,016,097	1,329	1500	603,016,097	1,329	-	150	60					