

ORDINANCE NO. 1569

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING APACHE JUNCTION CITY CODE, VOLUME II, LAND DEVELOPMENT CODE, CHAPTER 2: SUBDIVISION AND MINOR LAND DIVISION REGULATIONS; AND BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT TITLED "2025 AMENDMENTS TO THE APACHE JUNCTION CITY CODE, VOLUME II, LAND DEVELOPMENT CODE, CHAPTER 2: SUBDIVISION AND MINOR LAND DIVISION REGULATIONS"; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, in 2023, the Arizona State Legislature passed and approved Senate Bill 1103, which amended Arizona Revised Statutes ("A.R.S.") § 9-500.49 to allow municipalities to authorize administrative staff to review and be the approval authority of site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments; and

WHEREAS, in 2025, the Arizona legislature passed and approved House Bill 2447 to modify A.R.S. § 9-500.49 requiring municipalities to take the action noted above; and

WHEREAS, A.R.S § 9-802 permits municipalities to enact the provisions of a code or public record in existence without setting forth such provisions in full text as long as the adopting ordinance is published in full text, and one paper copy is filed with the city clerk and an electronic copy is accessible on the city's website, with both made available for public use and inspection; and

WHEREAS, city staff has identified such provisions herein, from the subdivision code, and it is the intent of the city to declare such documents and compilations as public records, on file in the office of the city clerk; and

WHEREAS, pursuant to A.R.S. § 9-462.01(J), the city council, before adopting any zoning ordinance or text amendment of general applicability, shall consider the probable impact the proposed zoning ordinance or text amendment would have on the cost to construct housing for sale or rent; and after consideration, the council finds there is no such impact involving this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I IN GENERAL

1. That, pursuant to this ordinance, existing Apache Junction City Code, Volume II, Land Development Code, Chapter 2: Subdivision and Minor Land Division Regulations, be repealed and replaced with applicable amendments as identified by section and subsection as referenced in the document noted in #2 below.
2. That certain document known as "2025 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 2: Subdivision and Minor Land Division Regulations", of which at least one paper copy is on file with the city clerk and one electronic copy of which is accessible on the city's website (www.apachejunctionaz.gov), and which document was made a public record by Resolution No. 25-31, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, pursuant to A.R.S. § 9-802.

SECTION II REPEALING ANY CONFLICTING PROVISIONS

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

SECTION III PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion of this ordinance or any part of the codes or regulations adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
APACHE JUNCTION THIS ____ DAY OF _____, 2025.

SIGNED AND ATTESTED TO THIS ____ DAY OF _____, 2025.

WALTER "CHIP" WILSON
Mayor

ATTEST:

EVIE MCKINNEY
City Clerk

APPROVED AS TO FORM:

RICHARD J. STERN
City Attorney