



TOWN OF  
**QUEEN CREEK**  
 ARIZONA

**TO:** PLANNING & ZONING COMMISSION

**THROUGH:** BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR

**FROM:** ERIK SWANSON, PLANNING ADMINISTRATOR, SARAH CLARK, SENIOR PLANNER/PROJECT MANAGER

**RE:** PUBLIC HEARING AND POSSIBLE ACTION ON P24-0138 ZONING REVIEW TIMELINES TEXT AMENDMENT, A STAFF-INITIATED ZONING ORDINANCE TEXT AMENDMENT IN RESPONSE TO NEW STATE LEGISLATION ON RESIDENTIAL ZONING APPLICATION REVIEW AND APPROVAL TIMELINES.

**DATE:** October 9, 2024

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**Suggested Action:**

Move to recommend approval of P24-0138 Zoning Review Timelines Text Amendment.

**Discussion:**

This is a staff-initiated text amendment to the Zoning Ordinance in response to SB1162 that was approved in April of this year. The bill requires all municipalities to adopt an amendment to the Zoning Ordinance requiring the municipality to determine whether a residential zoning application is administratively complete within 30 days after receiving the application, to determine whether a resubmitted application is administratively complete within 15 days after receiving the resubmitted application, and once the application is complete, the municipality shall approve or deny the application within 180 days.

For reference, the Town's published administrative completeness review timeframes is 5 days, significantly lower than the new state requirement.

The proposed text amendments are summarized below (in italics).

**Section 3.4 (G) is added to the Zoning Ordinance to state:**

*G. Approval of Residential Zoning Applications.*

- 1. Administrative completeness review time frame. For each residential zoning application, the Planning Administrator shall designate a staff member to review the application. The designated Queen Creek staff member shall determine whether the application is administratively complete within thirty (30) days after receiving the application. If the application is deemed administratively incomplete, the staff member will provide the applicant with a written notice that includes a comprehensive list of the specific deficiencies. Upon issuance of the written notice, the administrative completeness review time frame and overall time frame contained in this Section are suspended until the staff member receives the resubmitted application. The staff member shall have fifteen (15) days to review the resubmitted application and determine whether every deficiency has been resolved for administrative completeness.*
- 2. Approval or Denial of Residential Zoning Applications. After determining that a residential zoning application is administratively complete, the Queen Creek Town Council shall approve or deny the application within one hundred eighty (180) days. The Town may extend the time frame to approve or deny beyond one hundred eighty (180) days as follows:*

- a. The Town may grant a one-time extension of not more than thirty (30) days for extenuating circumstances; or*
- b. Staff may grant extensions in thirty (30) days increments at the request of the applicant.*
- 3. *Exceptions. This Section does not apply to:*
  - a. Land that is designated as a district of historical significance pursuant to Ariz. Rev. Stat. § 9-462.01(a); and*
  - b. An area that is designated as historic on the National Register of Historic Places; and*
  - c. Land that is already zoned as a planned area development (PAD).*

Approximately 55% of land in Town is zoned under a PAD and the review timeframes do not apply. Of the 45% of land that is not zoned under a PAD, approximately 7,100 acres or 65% is undeveloped. Projects in this category include ASLD, Box Canyon, and PRI and any residential rezoning requests within these areas would be subject to the 180 review timeframe.

For reference, residential zoning applications submitted in the last year were approved within the 180 day timeframe. Staff will continue work with new applicants to manage zoning approval schedules for their applications in order to meet the deadlines defined by the state statute.

**Attachment(s):**

- 1. [Redlines - Residential Zoning Review Timeframes.pdf](#)
- 2. [SB1162 residential zoning; housing; assessment; hearings.pdf](#)