

TITLE 13

SUBDIVISIONS & PLANNED AREA DEVELOPMENTS

Chapter Subject

- 13-1: Subdivisions**
 - 13-2: Planned Area Developments**
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CHAPTER 1

SUBDIVISIONS

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13-1-1 DEFINITIONS

In this chapter, unless the context otherwise requires:

- A. "Alley" means a minor way designated or used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.
- B. "Area of jurisdiction" means within the corporate limits of the town and in the unincorporated area within three miles beyond such corporate limits.
- C. "Arterial street" means such major street, highway, thoroughfare, parkway or boulevard so designated on the general development plan, or so designated by the town council.
- D. "Collector street" means a street collecting traffic from local streets and connecting the same with an arterial street or another collector street.
- E. "Commission" means the planning and zoning commission of the town.

- F. "Drainage easement" means a dedication of land for the conveyance of storm and run off water.
- G. "General development plan" means the master plan or any part thereof adopted by the town.
- H. "Local street" or "minor street" mean a street exclusively or primarily to provide access to abutting properties.
- I. "Person" means any individual, as well as any firm, corporation, partnership, company or any other form of multiple organizations for the carrying on of business.
- J. "Public works department" means the designated representative of the town as appointed by the mayor and council.
- K. "Service street" or "local access street" means that part of an arterial street right-of-way, separated from the main flow of traffic and designated exclusively or primarily to provide access to abutting properties.
- L. "Street" means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, freeway, road, boulevard, avenue, lane or however otherwise designated.
- M. "Sub divider" means a person, firm, corporation, partnership, association, syndicate, or trust or other legal entity that files application and initiates proceedings for the subdivision of land.
- N. "Subdivision" means improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two 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 parts.
- O. "Utility easement" means a dedication of land for installation and maintenance of public utilities only.

13-1-2 GENERAL

- A. Conformance to Laws. Every subdivision shall conform to requirements and objectives of the general plan, specific plans, or any parts thereof as adopted by the town council, to the town zoning ordinance, to other ordinances and regulations of the town and to the Arizona Revised Statutes, as amended.
- B. Unsuitable Land. Land which, in the opinion of the commission, based on the written recommendation of the town clerk, is unsuitable for the proposed use by reason of adverse topography, adverse soils, subsidence of the earth surface, high water table, periodic flooding, lack of water or other natural or manmade hazards to life or property shall not be subdivided. However, the commission may approve subdivision of such land upon receipt of evidence from the developer's engineer and recommendation of the public works department, that the construction of specific improvements can be expected to render the land usable, in which case, construction upon such land shall be prohibited until the specified improvements have been acceptably planned and construction has been guaranteed.
- C. Layout. Streets and easements shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility, a safe and convenient street and pedestrian system and gradients to facilitate adequate drainage.
- D. Subdivision and Street Names. Subdivision names and new street names shall not duplicate or be closely similar to any existing street name in zip code 85616 except that street names shall be consistent with the natural alignment and extension of existing named streets.

13-1-3 PUBLIC LAND

Reservation of Public Land: When a tract contains all or any part of the site of a park, recreational facility, school site, fire station or other public site as shown in the general plan or a specified plan, such site shall either be dedicated to the public or reserved for acquisition by the public subject to the following conditions:

- A. The requirement may only be made upon preliminary plats filed at least thirty days after adoption of the general plan or specific plan affecting the land area to be reserved.
- B. The required reservations are in accordance with defined principles and standards adopted by the town council.
- C. The land area reserved shall be of such size and shape as to permit the remainder of the land area of the subdivision within which the reservation is located to develop in an orderly and efficient manner.
- D. The land area reserved shall be in such multiple of streets and parcels as to permit an efficient division of the reserved land in the event that it is not acquired within the prescribed period.
- E. Unless otherwise agreed in writing, the public agency for whose benefit an area has been reserved shall have a period of one year after recordation of final subdivision plat to enter into an agreement to acquire such reserved land area. The purchase price shall be the fair market value thereof at the time of filing of the preliminary subdivision plat plus the taxes against such reserved area from the date of the reservation, and any other costs incurred by the subdivider in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area.
- F. If the public agency for whose benefit an area has been reserved does not exercise the

reservation agreement set forth in subsection E of this section within such one year period or such extended period as may be mutually agreed upon by such public agency and the sub divider, the reservation of such area shall terminate.

13-1-4 REQUIREMENTS

- A. The sub divider shall be responsible for having a registered engineer or registered land surveyor prepare the necessary subdivision plats for filing.
- B. Approval of Subdivision Required. Until a plat of a subdivision has been approved in accordance with these regulations no person proposing a subdivision within the corporate limits of the town shall subdivide or file a record of survey, map or plat for record or sell any part of said subdivision.
- C. The plat of a subdivision outside and within three miles of the corporate limits which conforms to these regulations shall be approved and so recommended for approval to the Board of Supervisors of Cochise County. Any plat that does not conform to these regulations or which is approved subject to changes, shall be so reported to the board of supervisors with the reasons therefore.
- D. Fee for plat review shall be as set by resolution of the mayor and council.

13-1-5 PLATS

13-1-5-1 Procedure for Approval of Preliminary Plat

13-1-5-2 Items Required on Preliminary Plat

13-1-5-3 Approval of Final Plat

Section 13-1-5-1 Procedure for Approval of Preliminary Plat

- A. A nonrefundable preliminary plat filing fee to compensate the town for the costs of examining and processing the subdivision plat and subsequent field investigations. The required fee for subdivision plats shall be approved by resolution of the town council.
- B. Three copies of the detailed water, sewer and gas utility plans shall be submitted to the building official for review and approval prior to submission of the preliminary plat as hereafter provided. All utility plans shall be approved by the utility department and the fire department, along with every other affected department as determined by the town clerk, and such plans approved by each department prior to commission consideration of the preliminary plat.
- C. Eight copies of the preliminary plat and supplementary material specified shall be submitted to the commission with written application for conditional approval at least fourteen days prior to the meeting at which it is to be considered.
- D. Following a review of the preliminary plat and other material submitted, the commission shall, within forty-five days, act thereon as submitted, or modified, and if approved the commission shall express its approval as conditional and state the conditions of such approval, if any, or if disapproved shall express its reasons for disapproval.

- E. Action of the commission shall be forwarded to the developer and the town council in writing. Conditional approval of the preliminary plat shall not constitute final approval.
- F. The following items shall be shown on the preliminary plat or submitted as a separate information item along with the preliminary plat.
- G. The town council shall, within sixty days of receipt of the recommendation of the commission, act thereon to approve, modify or reject the preliminary plat. If the council rejects it, written reasons for its disapproval shall be given. If the council approves it, the approval of the town shall be noted thereon by the mayor and the clerk.
- H. The preliminary plat approval by the council, with the completion of the required signatures, constitutes authorization for the sub-divider to proceed with preparation and submittal of the final plat and engineering improvement plans and specifications.
- I. No person proposing a subdivision within the corporate limits of the town or within three miles thereof shall subdivide or file a record of survey, map or plat for record, or sell any part of said subdivision or proceed with any grading, construction or other work on the same, until a preliminary plat of the subdivision shall have been approved by the council.

Section 13-1-5-2: Items Required on Preliminary Plat

The following shall be required on any preliminary plat:

- A. Name of proposed subdivision, existing zoning, zoning required.
- B. Location of subdivision.
- C. Names and addresses of sub divider.
- D. Names and addresses of owners of adjoining land to the proposed subdivision.
- E. Information sufficient to locate accurately the property shown on the plan, with reference to survey markers or monuments.
- F. Contour map at one foot intervals.
- G. The boundary lines of the property to be subdivided.
- H. The location, width and other dimensions of all existing or platted streets and other important features, such as watercourses, exceptional topography and buildings within the property and within two hundred feet of the property to be subdivided.
- I. Existing sanitary sewers, storm drains, water supply mains and bridges within the property, or within two hundred feet thereof.
- J. The location, width and other dimensions of proposed streets, alleys, easements, parks and other open spaces, with proper labeling of spaces to be dedicated to the public.
- K. North point, scale and date.

- L. Location and size of water and sewer lines, approved route, slope of sewer line, connection location to existing lines and any off site augmentation work required.
- M. A grading and drainage plan submittal which shall include a hydrologic report prepared by a qualified Arizona-licensed engineer, if said report is required by the town engineer or the town clerk.

Section 13-1-5-3: Procedure for Approval of Final Plat

- A. A nonrefundable final plat filing fee to compensate the town for the costs of examining and processing the subdivision plat and subsequent field investigations. The required fee for subdivision plats shall be approved by resolution of the town council.
- B. The final plat shall conform to the preliminary plat as approved, and, if desired by the sub divider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time provided, however, that such portion conforms to all requirements of these regulations.
- D. Application for approval of the final plat shall be submitted in writing to the commission at least ten days prior to the meeting at which it is to be considered.
- E. Two copies of the final plat and other exhibits required for approval shall be prepared as specified, herein, and shall be submitted to the commission within six months after approval of the preliminary plat; otherwise such approval shall become null and void unless an extension of time is applied for and granted by the commission.
- F. Final plat shall be approved and signed by the commission and forwarded to the town council for approval prior to recordation. Approval of the final plat shall not constitute acceptance for construction of streets or utilities related to this development.
- G. The town shall be responsible for the recordation of all final plats approved by the legislative body and shall receive from the sub divider and transmit to the county recorder the recordation fee established by the county recorder. (A.R.S. § 9-463.01)
- H. Changes to approved plat shall require the same procedures as outlined in Section 13-1-5-1 and 13-1-5-2.

13-1-6 DRAINAGE PLANNING

- A. General. Storm water shall be conveyed through a subdivision in a manner that will not damage development within the subdivision nor create an undue nuisance to the inhabitants thereof or adjacent properties. When improvements within a subdivision change the natural flow of storm drainage, they shall be designed in a manner that will not damage the land or change the flow characteristics of the natural drainage over the land upstream or downstream from the subdivision unless the sub divider provides the town with a hold-harmless agreement from the affected upstream or downstream property owners.
- B. Drainage Right-of-way. All concentrated storm drainage that cannot be conveyed in a public street right-of-way shall be conveyed in a dedicated drainage way or in a drainage easement. Dedicated drainage ways shall be vested in the public for public use and not included in any lot. Drainage easements that are not dedicated for public use but for

construction and maintenance of drainage facilities shall be granted to the public, and they may be included in a lot but the use thereof shall be restricted to uses that will not interfere with maintenance of the natural flow of storm drainage over and/or under the easement. A drainage easement shall be provided to accommodate the flow that is expected to occur at least once every one hundred years. A dedicated drainage way shall be provided to accommodate the flow that is expected to occur at least once every twenty-five years; provided, however, that this requirement may be waived by the commission when the resulting drainage way will be less than ten feet in width and less than one foot in depth. All drainage easements shall be at least fifteen feet in width.

- C. Hydrologic Reports. When required, will describe as a minimum: drainage points of concentration, calculated peak drainages, a composite basin runoff analysis, cross-sectional location and modes of flow conveyance, slopes, velocities and other information as necessary to complete the analysis.

13-1-7: STREET PLANNING

A. General Layout Criteria:

1. Whenever the subdivision embraces any part of a street designated in the adopted general development plan or any adopted neighborhood or specific plan, such street shall be platted in conformity therewith; provided, however, that the developer may request, and the public works department and the commission may recommend and the council may approve minor deviations in alignment whenever it is found to be impractical to conform to the exact alignment shown on the general development plan or other plan because of adverse topography, drainage problems, existing development or traffic safety. Such minor deviations may be made without adversely affecting the public purpose to be served by the street; provided, however, that the distance between an arterial or collector and a parallel arterial or collector does not exceed one thousand three hundred twenty feet.
2. Street layouts shall provide for the continuation of existing and proposed arterial and collector streets into adjacent areas and such other streets as the commission may designate. Streets which the commission should designate include, but are not limited to, collector and local streets, are required to provide future connection with adjoining un-platted lands. In general, these extensions should not be farther apart than the one thousand three hundred twenty foot maximum permitted block length.
3. Half streets shall be discouraged except when necessary to provide right-of-way required by the general development plan to complete a street pattern already begun or to insure reasonable development of the adjoining unplatted parcel. Where a half street exists abutting a tract, the remaining half street shall be platted within the tract. Where a half street furnishes the sole access to a lot, the sub-divider shall plat and develop a street of sufficient width to accommodate two-way traffic. Dead-end streets shall not be approved except where specifically designated by the commission as necessary for connection to adjacent un-platted lands. In any case a dead-end street serving more than four lots shall provide by easement a temporary cul-de-sac turnaround conforming to the provisions herein. Dead-end alleys shall be prohibited.
4. Street access to a subdivision shall be provided as required by the commission. In general, the subdivision shall have at least two street accesses serving each forty acres or smaller tract, unless the sub divider can show to the satisfaction of the commission that the number of lots in the subdivision makes this requirement an unjustified burden. Where access must be provided across land not owned by the sub divider, the sub divider shall provide at least sixty feet of right-of-way.

5. All streets, alleys, sidewalks, paving, curbs, driveways and drainage shall be installed by the subdivider and shall meet the minimum standards and requirements of the Federal Housing Administration and the standards in Article 8-8, as the same may be amended.
6. When a residential subdivision abuts the right-of-way of 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 the intervening land, such distance being determined with due regard for approach ways, drainage, bridges or future grade separations.
7. Crosswalks are not considered a satisfactory substitute for a directional street layout and shall generally be avoided; however, where essential for circulation and access to schools, playgrounds and other community facilities, crosswalks sixteen feet wide may be required by the commission. Such walks may be used for utility installations.
8. Unless otherwise noted, all width measurements are to property lines and all length measurements are along the center line of the right-of-way and to the centerline of intersecting streets.

B. Intersection Criteria:

1. Streets intersecting an arterial or collector street shall do so at a ninety-degree angle. Local streets shall typically intersect at right angles but in no case less than seventy-five degrees.
2. Local streets intersecting a collector street or arterial street shall have a tangent section of center line at least one hundred fifty feet in length measured from the right-of-way line of the major street, except that no such tangent is required when the local street curb has a centerline radius greater than four hundred feet.
3. Street jogs with centerline offsets less than one hundred twenty-five feet shall be avoided except where waived by the commission based on the recommendation of the town clerk.
4. Street intersections with more than four legs and Y-type intersections with legs, meeting in acute angles, shall be avoided.

C. Arterial Street Criteria:

1. Arterials are designed for maximum utilization by through traffic and minimal access from adjacent property. Major arterials are intended to carry high volume, high speed traffic with restricted access to property and minimal intersecting traffic. Access directly on to an arterial from residential property shall be prohibited by the construction of a frontage street or a one foot no-access easement with a vertical curb. Access directly on to a major arterial from any commercial or industrial property shall be prohibited by the construction of a frontage street. Access to a major arterial shall be restricted to one access every six hundred sixty feet. Arterials are located at approximately one mile intervals as designated on the general development plan. The requirement for a frontage street or the prohibition of access to an arterial street may be waived by the council upon request of the sub divider and recommendation by the commission providing the sub divider can show that existing development prohibits the reasonable development of an adequate frontage street and that the proposed alternate plan for access will preserve the traffic function of the arterial

street and protect residential properties from the nuisance and hazard of high-volume noisy traffic.

2. Right-of-way for major arterials shall be one hundred ten feet. Right-of-way for minor arterials shall be eighty feet. Corners shall be rounded with a twenty-five foot radius curve.
3. Horizontal curves shall have a six hundred foot minimum radius.
4. The length of tangent between reversed curves shall be one hundred feet.

D. Collector Street Criteria:

1. Collectors are designed for utilization by through traffic and limited direct access from adjacent property. Access directly on to a major collector from residential property shall be discouraged. Major collectors are located at approximately one-half mile intervals as designated on the general development plan. Minor collectors are located at approximately one-quarter mile intervals. In commercial areas, all collector streets shall be designed and constructed to the standards established for major collectors.
2. Right-of-way for major collectors shall be eighty feet. Right-of-way for minor collectors shall be sixty feet. Corners shall be rounded with a twenty foot radius curve.
3. Horizontal curves shall have four hundred foot radius.
4. Length of tangent between reverse curves shall be one hundred feet.

E. Local Street Criteria:

1. Local streets are designed to discourage their use by through traffic and to provide access to adjacent property. Local streets in commercial areas shall be designed to conform to the criteria for minor collector streets. Major local streets shall generally be provided, however, minor local streets may be used where the street serves twenty-eight dwelling units or less.
2. Right-of-way for major local streets shall be sixty feet. Right-of-way for minor local streets shall be fifty feet. Corners shall be rounded with a ten foot radius curve.
3. Horizontal curves shall have a two hundred foot minimum radius where tangent centerlines deflect from each other more than ten degrees and less than seventy-five degrees. Horizontal curves shall have a fifty foot minimum radius where deflection between tangents is seventy-five degrees or larger.
4. Length of tangent between reversed curves shall be one hundred feet.

F. Cul-de-Sac Turn-Around Criteria

1. Unless otherwise authorized or approved by the mayor and council, cul-de-sac turnarounds may be used at the end of minor local-type streets providing the length of the minor local street does not exceed six hundred sixty feet.
2. Right-of-way for a cul-de-sac in a residential area shall be one hundred foot diameter circle. Right-of-way for a cul-de-sac in a commercial area shall be one hundred thirty foot diameter circle. Corners shall be rounded with a twenty-five foot radius curve.

G. Alley Criteria

1. Alleys may be developed at the option of the sub divider. When alleys are platted, the alley alignment and arrangement shall provide optimum convenience for truck service circulation and to avoid alley openings opposite fronts of residential lots. Alleys shall be required at the rear of multiple family residential, commercial or industrial developments except where, in the opinion of the commission, other provision is made for adequate permanent access for purposes of fire protection, parking and loading.
2. Right-of-way for alleys shall be twenty feet. Corners shall be cut off to form a ten foot by ten foot triangle.
3. Horizontal curves shall have a forty foot minimum radius.

13-1-8 EASEMENT PLANNING

- A. Utility Easements. The sub divider shall provide private utility easements as required by the serving utilities and is responsible for coordinating such with the utilities concerned. A separate utility easement of appropriate width acceptable to the utilities clerk shall be provided for town utilities, and joint trenches will not be allowed.
- B. Curvilinear Alignments. 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 feet apart; said points of deflection 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 centerlines are not less than eight hundred feet.
- C. Drainage. Dedicated drainage ways or drainage easements shall be provided for surface drainage courses abutting or crossing the tract in accordance with Article 14-6, and shall be of a width sufficient to permit widening, deepening, relocating or protecting such drainage course as may be required by the commission based on recommendation of the public works department.
- D. No-Access Easements. Lots arranged to back to railroad rights-of-way or commercial or industrial districts or arterial streets as provided in Article 13-1-7 shall have a recorded no access private easement one foot wide along the rear lot line.

13-1-9 LOT PLANNING

- A. Code Compliance. 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/or area exceeding requirements of the zoning district. Land within a public street, alley or drainage way; land within easement for major power transmission lines or major pipelines; and such other land considered by the commission to be unusable shall not be considered a part of the usable lot area. Utility easements for distribution or service purposes and drainage easements may be considered a part of the usable lot area.
- B. Dimensions. The depth to width ratio of the usable area, lots shall generally be not greater than three to one.
- C. Side Lot Lines. Side lot lines shall be substantially at right angles or radial to street lines except where other treatment can be justified.
- D. Access. Every lot shall abut a public street furnishing satisfactory access to another existing public street; provided, however, that a lot in a commercial area may be considered as having satisfactory access if such lot abuts a joint use private drive providing public access to the lot from a public street.
- E. Double Frontage Lots. Single family residential lots extending through the block and having frontage on to non-intersecting streets shall be prohibited as may be required herein.

13-1-10 IMPROVEMENTS

13-1-10-1 Purpose

13-1-10-2 Responsibility for Improvements

13-1-10-3 Drainage Improvement Standards

13-1-10-4 Street Improvement Standards

13-1-10-5 Utility Improvement Standards

13-1-10-6 Lot Improvement Standards

13-1-10-7 Submittal, Review and Approval of Engineering Plan

13-1-10-8 Improvements Security

13-1-10-9 Final Inspection and Acceptance of Improvements

13-1-10-1 Purpose

It is the purpose of this article to define the responsibility of the sub divider and town in the planning, construction and financing of public improvements, to establish in outline the minimum acceptable standards and required public improvements for subdivisions and to establish procedures for review and approval of engineering plans.

13-1-10-2 Responsibility for Improvements

- A. Responsibility of Sub divider. It is the responsibility of the sub divider to finance the planning, design and construction of the streets and alleys, curbs and gutters, sidewalks, crosswalks, street name signs, drainage facilities, sewage disposal facilities, monuments, street lights, fire hydrants, water facilities and all other public and semipublic improvements required by the council, this article to standards established herein.
- B. Engineering Plans Required.
1. The sub divider shall be responsible for having a registered engineer prepare a complete set of engineering plans, satisfactory to the public works department, for construction of required improvements. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat.
 2. All required improvements shall be designed and constructed in accordance with the latest revision of the Uniform Standard Specifications for Public Works Construction as compiled by the Maricopa Association of Governments, and such other standards as may be adopted by the town council.
- C. Inspection and Testing of Improvements.
1. All improvements in the public right-of-way shall be constructed under inspection and approval of the public works department. 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 department in advance.

2. The sub divider shall be responsible for having a person conduct the testing of all materials used in the construction of public improvements who is authorized under Title 32 of the Arizona Revised Statutes to perform materials testing.

13-1-10-3 Drainage Improvement Standards

Drainage Design and Construction:

- A. The design and construction of drainage facilities shall be in accordance with approved engineering procedures and shall not conflict with the provisions of the state statutes.
- B. All buildings shall be located so they have all-weather access. All-weather access is defined as not having to traverse any storm drainage that has a depth greater than seven-tenths feet during the storm that is expected to occur at least once every one hundred years.

13-1-10-4 Street Improvement Standards

A. General. Measurements are to the back-of-curb unless otherwise noted.

B. Arterial Street Design:

- 1. The paved width of an arterial shall be sixty-eight feet. Frontage streets shall be twenty-two feet and shall generally be located to create a twelve foot unpaved island between the arterial and frontage street and an eight foot pedestrian way between the frontage street curb-gutter and the property line. Street corners shall be rounded with a twenty-five foot radius curve.
- 2. Vertical curves shall have a three hundred foot minimum length but not less than fifty feet for each algebraic difference in grade.
- 3. Street grades shall be a maximum of five percent and a minimum of five-tenths percent.
- 4. Sight distance shall be four hundred feet.
- 5. Design speeds shall be forty miles per hour.

C. Collector Street Design:

- 1. Paved street width for major collectors shall be forty-eight feet. Paved width for minor collectors shall be forty feet. Corners shall be rounded with a twenty-five foot radius curve.
- 2. Vertical curves shall have a two hundred foot minimum length.
- 3. Street grades shall be a maximum of seven percent and a minimum of five-tenths percent.
- 4. Sight distance shall be two hundred feet.
- 5. Design speed shall be thirty miles per hour.

D. Local Street Design:

1. Paved width of major local streets shall be forty feet. Paved width for minor local streets shall be thirty-two feet. Corners shall be rounded with a twenty-five foot radius curve.
2. Vertical curves shall have a one hundred foot minimum length. Vertical curves are not required where the algebraic difference in grade is one percent or less.
3. Street grades shall be a maximum of ten percent and a minimum of five-tenths percent.
4. Sight distance shall be one hundred fifty feet.
5. Design speed shall be twenty-five miles per hour.

E. Cul-de-Sac Design:

1. Paved width of a cul-de-sac in a residential area shall be ninety foot diameter circle. Paved widths for a cul-de-sac in a commercial area shall be one hundred ten foot diameter circle. Corners shall be rounded with a twenty-five foot radius curve.
2. Curve grades shall be a maximum of five percent and a minimum of five-tenths percent.

F. Alley Design:

1. Street width of alleys shall be twenty feet in commercial areas and sixteen feet in residential areas.
2. Alley grades shall be a maximum of ten percent and a minimum of five-tenths percent.

G. Street and Alley Construction:

1. All streets shall be graded and paved with Asphaltic Concrete or Portland Cement Concrete to standards approved by the public works department. Streets within, adjacent to, or serving the subdivision shall be constructed to the full street width indicated in this section unless otherwise noted herein below.
 - a. Streets and alleys adjacent to the subdivision need only to be improved for the half width adjacent to the subdivision providing the half width is sufficient for two-way traffic (twenty-two feet) in the case of a street and for one way traffic (ten feet) in case of an alley.
 - b. Where a frontage street is required and constructed by the sub divider, the construction of the major arterial adjacent to the frontage street is the responsibility of the town.
 - c. The sub divider is not required to pave more than twenty feet of pavement width on each side of the street, except at intersections, when the required street width is greater than forty-four feet. When traffic demands require additional width, the town is responsible, subject to funding availability, for paving the center island created whenever the sub divider elects to pave only the twenty foot minimum requirement.

d. Where there are existing streets adjacent to the subdivision, proposed streets shall be improved to the intercepting paving line of such existing streets.

e. Where a minimum width twenty-eight foot paved access road is allowed, it shall be designed and constructed so that it can easily be widened to the full width street without reconstructing the center twenty-eight feet. Connections to existing and proposed streets shall be designed to safely accommodate traffic including any traffic control devices required by the public works department.

H. Intersection Design and Construction:

1. Intersections shall be designed and constructed in accordance with the improvement standards for streets.
- + 2. The approach to an intersection shall have a relatively level area with a grade of not more than two percent for a distance of twenty-five feet measured from the nearest right-of-way line of the intersecting street.
3. All intersections shall have street name signs installed by the town at the subdivider's expense, located and constructed to standards approved by the public works department.

I. Curb-Gutter Design and Construction:

1. Unless otherwise agreed by the mayor and council, all streets shall have concrete curbs and gutters along the pavement edge constructed to standards approved by the public works department.
2. The provisions of paragraph 1 of this subsection shall not apply in residential subdivisions where the actual density is less than one residence per acre in the developed area.

J. Sidewalk Design and Construction:

1. Sidewalks shall be located behind the back-of-curb; providing, however, that lighting standards, utility poles, traffic control devices, fire hydrants, and mailboxes as applicable, can be located behind the sidewalk. In cases where such items cannot be located behind the sidewalk or in alleys, sidewalks may be located five feet behind the back-of-curb. In all cases not otherwise governed by the provisions of the Manual of Uniform Traffic Control Devices, a minimum clearance of two feet shall be maintained between the face-of-curb and any obstruction. In cases of demonstrated necessity or existing unusual conditions, the public works department may approve a reduction of minimum clearance to the face-of-curb.
2. All streets shall have Portland Cement concrete sidewalks behind the curb-gutter where curb-gutter is required, constructed to standards approved by the public works department. Sidewalks shall be four inches thick and four feet wide in residential areas and five feet wide in commercial areas. All crosswalks shown on the subdivision plat shall have a Portland Cement concrete sidewalk down the center. Sidewalks shall be four inches thick and a minimum four feet wide.
3. Sidewalks shall not be required in residential subdivisions where the smallest actual lot size is greater than 14,520 square feet or in those instances where the council determines the nature of the subdivision, or a portion thereof, does not require sidewalks.

K. Street Monument Construction.

Permanent monuments consisting of a brass cap, set in concrete, shall be installed to designate street centerlines and subdivision boundary lines at all angle points and points of curvature and at all street intersections. Concrete bases shall not be less than six inches in diameter and twenty-four inches deep with at least one vertical steel reinforcing bar of minimum one-half inch diameter placed directly beneath the brass cap and extending the full length of the concrete. After all improvements have been installed, the sub divider shall be responsible for having a registered land surveyor or engineer check the location of monuments and certify as to their accuracy prior to acceptance by the town for maintenance.

13-1-10-5 Utility Improvement Standards

A. General:

1. Utilities, excepting municipal storm drains and sanitary sewers, shall not be located beneath the street pavement other than necessary crossings, which shall be made as close as perpendicular as possible. In cases of demonstrated necessity and upon presentation of technically adequate plan insuring proper installation and maintainability, the public works department may approve location beneath the street pavement of major primary transmission lines of electrical, water, sewer, gas or communications. Any utility installation that may be approved for placement beneath the street pavement shall be completed prior to actual paving of said streets.
2. Reference is made to Section 13-1-10-4 (J) (1).

B. Sewerage Disposal Design and Construction. A public or community sanitary sewage system shall be installed and shall be constructed to plans, profiles and specifications approved by the public works department, and in accordance with Arizona Department of Environmental Quality regulations.

C. Water Service Design and Construction: Fire hydrants and water service to each lot shall be installed on all streets in the subdivisions according to the standard set forth in Section.

D. Electrical Service Design and Construction:

1. Street Lights. When required for overhead lighting by the council, street lights on metal standards shall be installed on all streets within the subdivision and on streets developed in conjunction with the subdivision. The sub divider shall be responsible for coordinating street lighting design and installation with the Sulphur Springs Valley Electric Cooperative and shall cause the street lighting design plan to be submitted for approval of the town concurrently with other required improvement plans. Street lighting design practices shall be in conformance with the current edition of the Illuminating Engineering Society Lighting Handbook, and calculated luminosity shall meet the following criteria for average horizontal foot candles (maintained) light-level range, for each street classification:

Street Classification

Light-Level Range*

Arterial Type

(Horizontal Foot-candles- Maintained)

Major

1.20 - 1.60

Minor <u>Street Classification</u>	0.90 - 1.20 <u>Light-Level Range*</u>
Collector Type	
Commercial	0.70 – 0.90
Residential	0.60 - 0.90
Local Type	
Commercial	0.40 - 0.60
Residential	0.20 - 0.60
Cul-de-Sac	
Commercial	0.30 - 0.60
Residential	0.20 - 0.40

*Horizontal foot-candle maintained values are based upon average pavement reflectance of approximately ten percent. For reflectance less than ten percent, increase value fifty percent. For reflectance more than ten percent, decrease value by twenty-five percent.

Additionally, the following criteria shall be applied:

- a. Lights shall be placed at all intersections.
 - b. Mid-block lights should be located at lot corners.
 - c. Separation between standards should be no less than three nor more than six lots apart.
2. Street lights shall be installed on metal or concrete standards.

13-1-10-6 Lot Improvement Standards

A. Lot Design and Construction.

1. All lots shall be graded to drain toward a street or drainage easement and the finished floor elevation of any building shall be at least one foot above the elevation of the water surface that is created during a storm that is expected to occur at least once every one hundred years.
2. Corner lots shall be graded such that they do not create a traffic hazard by limiting visibility.

B. Lot Monument Construction. Iron or steel bars or iron pipes at least fifteen inches long and one-half inch in diameter shall be set at all corners, angle points of curvature for each lot and block within a subdivision within one year of recordation of the final plat. Identifying data shall be affixed to each point set in accordance with current rules and by-laws of the State Board of Technical Registration.

13-1-10-7 Submittal, Review and Approval of Engineering Plan

Plans submitted in accordance with the provisions of Section 13-10-2(B)(1) shall be reviewed and approved by the public works department. In addition, a set of water improvement plans shall be supplied to the fire chief, who, in turn will review the plans and make his written recommendations to the public works department. The improvement plan originals shall be stamped by the public works department as "approved for construction" and a certificate of approval filed with the town clerk prior to recordation of the final plat. Two sets of the final, approved improvement plans shall be supplied to the public works department prior to commencing construction.

13-1-10-8 Improvements Security

Prior to approval of the final plat by the council, the sub divider shall provide security by either:

- A. Posting of a performance bond issued by a qualified surety;
- B. Establishing a cash trust, said funds to be deposited with the town to the credit of the sub divider;
- C. Depositing with the town a certificate of deposit issued by a banking institution authorized to issue same;
- D. Filing with the town an executed contract of guaranty between financial institution authorized to enter into such contracts;
- E. Executing a Third Party Trust and Assurance Agreement whereby an Arizona-licensed title or trust company holding title to the lands proposed to be subdivided agrees to act as a trustee who shall not convey title to any of said lands without first obtaining a written release from the town council, or its designee, except that the trustee may convey title in conjunction with a bulk sale or for the sole purpose of encumbering lands immediately re-conveyed to the trust and said assurance agreement shall be subject to acceptance by the town council and approval of the town attorney.

The amount of said security is to be based upon the cost estimate prepared by a registered professional civil engineer in an amount to cover the completed installation of the improvements and requires approval by the public works department. A completion date for the improvements shall be declared by the sub divider and the security shall provide for its forfeiture to the town in the event that said improvements have not been completed or not accepted by the town by the declared completion date due to the default of the sub divider. Where applicable, a concurrent agreement may be executed between the town and the sub divider providing for incremental improvements in planned unit developments; provided, however, that each approved increment shall commensurately conform to the security requirements herein above specified. The council may require of the sub divider such further assurance of the completion of improvements as they may deem necessary to the interest of the public.

13-1-10-9 Final Inspection and Acceptance of Improvements

Upon due notice from the sub divider of presumptive completion of all improvements as called for on the approved improvement plans and required under the provisions of this article, the public works department will make an inspection. If all construction is found to be completed to his satisfaction, then that inspection shall constitute the final inspection and the public works department will recommend final acceptance of the public improvements (including street, sewer and drainage improvements) to the town council upon receipt of the following items:

- A. Final Plans. Final plans drawn in India ink, or a reproducible copy thereof, showing all street, drainage and sewer improvements constructed, and copies of the final plans, showing all electrical, lighting, gas, telephone, cable television and water improvements constructed within public rights-of-way or public easements for inclusion in the town's permanent files. Final plans shall show the approved design conditions and reflect any field changes approved by the public works department, and the developer's engineer shall certify that the final plans represent as nearly as possible the actual field conditions as constructed. Reproducible copies shall be defined as a copy prepared using an archival photographic image process conforming to standards established by the American National Standards Institute on a polyester material four thousandths of an inch thick with a matte finish. Additionally, the town may request and the developer shall furnish all final plans on compact disc (CD) in the AutoCAD computer format, and each CD shall be labeled with the name of the subdivision and date submitted.
- B. Affidavit Regarding Settlement of Claim. The sub divider shall certify that all bills for labor and materials incorporated in the work have been paid and agree to indemnify and save harmless the town against any and all liens, claims of liens, suits, actions, damages, charges and expenses whatsoever, which the town may suffer arising out of the failure of the sub divider to pay for all labor performed and materials furnished in the construction of the required improvements.
- C. Guarantee. The sub divider and contractor shall guarantee all work against defective workmanship or materials for a period of one year from the date of its final acceptance by the mayor and town council. Upon final acceptance of the public improvements by the mayor and town council, the public works department will notify the sub divider in writing of this acceptance as of the date of approval by the council.

13-1-11 VARIANCES

- A. Hardship. The developer or sub divider may upon written application to the planning and zoning commission request a variance from certain regulations of this chapter. Where the planning and zoning commission finds that hardship may result from strict compliance with these regulations, the commission may recommend to the town council to vary the regulations, provided that such variations will not have the affect of nullifying the intent and purpose of the general development plan or these regulations.
- B. Large Scale Development. The standards and requirements of these regulations may be modified by the commission in the case of a plan and program for a new town, a complete community or a neighborhood unit, which in the judgment of the commission provides adequate public spaces and improvements for circulation, recreation, light, air, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.
- C. Conditions. In granting variances or modifications the commission or town council may require such conditions as will, in its judgment, secure substantially the objectives of the standards of requirements so varied and modified.

13-1-12 ISSUANCE OF BUILDING PERMITS

The town building official shall not issue building permits until all provisions of Section 13-1-10-9 have been accepted by the Town Council.

13-1-13 WAIVER

The council may, for good cause, waive any requirements of this chapter by two-thirds majority vote.

CHAPTER 13-14: FEES

The following planning and zoning fees, which may be amended by the town council from time to time by resolution, are hereby established to recoup some of the staff, engineer or consultant review costs associated with the various listed submittals.

<u>ACTION REQUESTED</u>	<u>FEE *</u>	<u>MINIMUM DEPOSIT</u>
Amendment of the General Development Plan	\$250	
Amendment of the Zoning Regulations	\$250	
Rezoning \$550		
Board of Adjustment Action (variance, interpretation, etc.)	\$100	
Subdivision - Preliminary Plat	\$250	\$1,500
Final Plat	\$250	
Residential - Plus...per lot (each plat)	\$2	
Commercial - Plus...per acre (")	\$50	
Master Development Plan	\$100	\$1,500.
Plus...per acre	\$2	
Manufactured Home or R.V. Park	\$250	
Plus...per space	\$2	
Site Plan - Commercial	\$250	
Abandon or Amend a Recorded Plat	\$100	

* All fees are plus the actual cost incurred by the town including but not limited to attorney and engineers' fees and advertising, filing fees and etc. A deposit will be required to cover the additional costs anticipated to be incurred by the town. The amount of the minimum will be determined at time of receipt of the request by the town.