

Chapter 14

SUBDIVISION REGULATIONS

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Article 14-1 General Provisions

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Section 14-1-1 Purpose and Intent

A. The purpose of this chapter is to provide for the orderly growth and harmonious development of the city of Litchfield Park; to insure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, drainage, sanitary sewerage and other health requirements; to insure consideration for adequate sites for schools, recreation areas and other public facilities; to promote the conveyance of land by accurate legal description; and, to provide logical procedures for the achievement of this purpose.

B. In its interpretation and application, the provisions of this chapter are intended to pro-

vide common ground of understanding and equitable working relationship between public and private interests to the end that both independent and mutual objectives can be achieved in the subdivision of land.

Section 14-1-2 Definitions

In this chapter, unless the context otherwise requires:

A. "Alley" means a public or private way not more than twenty-five feet wide, which affords only secondary vehicular access to adjacent properties otherwise abutting upon a street.

B. "Approved lending institution" means any title insurance company, title insurance agent, bank, savings and loan association or mortgage lending company currently approved by Federal Housing Administration to act as a mortgagee, qualified to transact business in the state of Arizona and having a business office within the valley area, and any other lending institution approved by the city attorney.

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

D. "Board" means the planning and zoning commission of the city of Litchfield Park.

E. "Classification plan, street" means a plan which provides for the development of a system of major streets and highways, including the location, width and alignment of existing and proposed thoroughfares.

F. "Conditional approval" means an affirmative action by the board or the council indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.

G. "Condominium" means the improvement of land with one or more separate buildings with one or more floors in accordance with city standards, in which an undivided interest in common, in all or a portion of the land, is coupled with the right of exclusive

occupancy of any unit of airspace thereon. A condominium may include an undivided interest in common in a portion of the building or buildings; a separate interest in a building or buildings; a separate interest in a building or portion of a build-

ing, with a separate interest in a portion of the land together, with an undivided interest in common in portion of the land.

H. “Department” means the city manager and appointed department supervisors.

I. “Development” means the utilization of land for public or private purposes.

J. “Development master plan (DMP)” means a preliminary master plan for the development of a large or complicated land area, the platting of which is expected in progressive stages. A development master plan may be designed by the subdivider or by the department and shall be subject to board and council approval.

K. “Easement” means a grant by the owner of the use of land by the public, a corporation or persons for specific uses and purposes and so designated.

L. “Engineering plans” means plans, profiles, cross sections and other required detail for the construction of public improvements, prepared by a registered civil engineer in accordance with the approved preliminary plat and in compliance with standards of design and construction approved by the council.

M. “Exception” means any parcel of land which is within the boundaries of the subdivision which is not owned by the subdivider, to be designated on the final plat as “not a part of this subdivision”.

N. “Final approval” means unconditional approval of the final plat by the council as evidenced by certification on the plat by the city engineer and signed by the mayor and attested by the clerk which constitutes authorization to record a plat when engineering plans have been approved and an assurance bond has been posted to guarantee the installation of the improvements.

O. “General Plan” means a comprehensive plan, or parts thereof, providing for the future growth and improvement of the city and for the general location and coordination of streets and highways, schools and recreation areas, public

building sites, and other physical development. (Sometimes referred to as the “Master Plan”.)

P. “Improvements” means required installations, pursuant to these regulations, including but not limited to: grading, sewer, and water utilities, streets, alleys, underground street light circuits and traffic control devices; as a condition to the approval and acceptance of the final plat, precedent to recordation of an approved final plat.

Q. “Improvement standards” means a set of regulations setting forth the details, specifications and instructions to be followed in the planning, design and construction of certain required improvements to property formulated by the city engineer, concerned state and county departments and other city departments.

R. “Irrigation facilities” means canals, laterals, ditches, conduits, gates pumps and allied equipment necessary for the supply, delivery and drainage of irrigation water and the construction, operation and maintenance of such.

S. “Lot” means a parcel of land within a single block, which by reason of ownership, recording or use, is separate and distinct from other such parcels and which has frontage on a public street or an approved private access way.

1. “Corner lot” means a lot at the junction of two or more intersecting streets where the interior angle of intersection does not exceed one hundred thirty-five degrees. A lot abutting a curved street shall be deemed a corner lot if the tangents to the curve at the points of intersection of the side lines with street lines intersect at an interior angle of less than one hundred thirty-five degrees. A corner lot shall be considered to be in that block in which the lot fronts.

2. “Interior lot” means a lot having but one side abutting on a street.

3. “Key lot” means an interior lot, one side of which is contiguous to the rear line of a corner lot.

4. “Through lot” means a lot abutting two parallel or approximately parallel streets.

T. “Corner lot, reversed” means a corner lot, the sideline of which is substantially a continuation of the front property line of the first lot to its rear.

U. “Lot area” means the area, in square feet, lying within the lines of the lot, not including any part of any abutting public or private street or alley, and not including any part of certain easements on lots with less than twenty-four thousand square feet of area.

V. “Lot depth” means:

1. If the front and rear lines are parallel, the shortest distance between such lines.

2. If the front and rear lines are not parallel, the distance between the midpoint of the front lot line and the midpoint of the rear lot line.

3. If the lot is triangular, the shortest distance between the front lot line and a line parallel to the front lot line, not less than ten feet long, lying wholly within the lot.

W. “Lot line”:

1. “Front” means the front property line of a lot as follows:

- a. “Corner lot” means the front property line of a corner lot shall be the shorter of the two lines adjacent to the streets as platted, subdivided or laid out. Where the lines are equal, the front line shall be that line which is obviously the front by reason of the prevailing custom of the other buildings in the block. If such front is not evident, then either may be considered the front of the lot, but not both.

- b. “Interior lot” means the front property line of an interior lot shall be the line bounding the street frontage.

- c. “Through lot” means the front property line of a through lot shall be that line which is obviously the front by reason of the prevailing custom of the other buildings in the block. Where such front property line is not obviously evident, the zoning administrator shall determine the front property line. Such a lot over two hundred feet deep shall be consid-

ered, for the purposes of this chapter, as two lots each with its own frontage.

2. “Rear” means the rear property line of a lot that is opposite to the front property line. Where the side property lines of a lot meet in a point, the rear property line shall be assumed to be a line not less than ten feet long, lying within the lot and parallel to the front property line. In the event that the front property line is a curved line, then the rear property line shall be assumed to be a line not less than ten feet long, lying within the lot and parallel to a line tangent to the front property line at its midpoint.

3. “Side” means the side property lines of a lot which connect the front and rear property lines of a lot.

X. “Lot split” means the division of improved or unimproved land whose area is two and one-half acres or less into two or three tracts or parcels of land for the purpose of sale or lease.

Y. “Lot width” means the width of a lot measured as follows:

1. If the side property lines are parallel, the shortest distance between these side lines.

2. If the side property lines are not parallel, the length of a line at right angles to the axis of the lot at a distance equal to the front setback required for the zoning district in which the lot is located. The axis of a lot shall be a line joining the midpoints of the front and rear property lines.

Z. “Minor land division” means any division of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future, for which a subdivision plat is not required. A lot split, lot line adjustment, and a map of dedication are all minor land divisions.

AA. “Neighborhood plan” means a plan designed to guide the platting of remaining vacant parcels in a partially built-up neighborhood so as to make reasonable use of all land correlate street patterns, provide adequate

drainage and achieve the best possible land use relationships.

BB. “Open space lands” or “open area” means any space of area characterized by great natural scenic beauty or whose existing openness, natural condition or present state of use, if retained, would maintain or enhance the conservation of natural or scenic resources, or the production of food and fiber.

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

DD. “Pedestrian way” means a public walk dedicated entirely through a block from street to street or providing access to a school, park, recreation area or shopping center.

EE. “Plat” means a map which provides for changes in land use or ownership.

1. Subdivision:

a. “Pre-preliminary” or “conceptual” means a design submitted for review and comments at a presubmittal conference, not to be considered a preliminary plat submittal. Design to show: public streets or private access ways; methods of handling drainage; locations of buildings for condominium developments.

b. “Preliminary” means a tentative map, including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer, a registered land surveyor, a landscape architect or architect in accordance with this chapter and the statutes of the State of Arizona. A preliminary site plan for a condominium development.

c. “Pre-final” means a map in final form, but not yet executed, submitted for review and comments prior to submitting an executed final plat.

d. “Final” means a map of all or part of a subdivision essentially conforming an approved preliminary plat, prepared by a registered civil engineer or a registered land surveyor in accordance with this chapter and the

statutes of the State of Arizona and duly recorded in the Maricopa County recorder’s office.

2. “Reversionary” means:

a. A map for the purpose of reverting to acreage of land previously subdivided.

b. A map for the purpose of vacating right-of-way previously dedicated to the public and abandoned under the procedures prescribed by the city code.

c. A map for the purpose of vacating or redescribing lot or parcel boundaries previously recorded.

FF. “Preliminary approval” means affirmative action on a preliminary plat, noted upon prints of the plat, indicating that approval of a final plat will be forthcoming upon satisfaction of specified stipulations, which constitutes authorization to proceed with final engineering plans and final plat preparation.

GG. “Private access way” means any private street or private way of access to one or more lots, or airspaces which is owned and maintained by an individual or group of individuals and has been improved in accordance with city standards and plans approved by the city engineer. A private access way is intended to apply where its use is logically consistent with a desire for neighborhood identification and control of access, and where special design concepts may be involved, such as within planned area developments, mobile home developments, sub-lot developments, hillside areas and condominiums.

HH. “Rights-of-way” means any public or private access way required for ingress or egress includes any area required for public use pursuant to any general or specific plan as provided for in this chapter; rights-of-way may consist of fee title dedications or easements.

II. “Secretary of the board” means the planning and zoning chairman or his designated representative.

JJ. “Street” means any existing or proposed street, avenue, boulevard, road, lane,

parkway, place, viaduct, easement for access or other way which is an existing state, county or municipal roadway; or a street or way shown in a plat heretofore approved pursuant to law or approved by official action; or, a street or way in a plat duly filed and recorded in the county recorder's office. A street includes the land between the right-of-way lines whether improved or unimproved and may comprise pavement, shoulders, curbs, gutters, sidewalks, parking areas, bridges, viaducts and lawns.

1. "Freeway-expressway" means a street providing for the expeditious movement of large volumes of through traffic between areas or across, around or through the city or urban area, or a divided arterial highway with full control of access and not intended to provide direct access to abutting land. In urban areas both would normally be a portion of a system or network of freeways.

2. "Major street" or "arterial road" means a street providing for traffic movement between areas and across portions of the city, direct service to principal generators and connections to the freeway-expressway system, and secondarily for direct access to abutting land. They are subject to necessary regulation and control of parking, directional controls, turning movements, entrances, exits and curb use, often divided arterial roadways and may have some control of access. The individual major streets combine to make a system for city-wide traffic movement.

3. "Collector" means a street providing direct service to residential areas from major streets and highways, for traffic movement with in neighborhoods of the city and for direct access to abutting property. It collects local traffic from the neighborhoods and delivers the same to the nearest major street or highway.

4. "Frontage road" means a collector street located within a freeway or expressway right-of-way and parallel to the freeway or expressway traffic lanes.

5. "Local" means a street providing for direct access to residential, commercial, industrial or other abutting land, for local traffic movements and connecting to collector or major streets.

6. "Marginal access road" means a local street, located within the major street or highway right-of-way, parallel and adjacent to major traffic lanes, providing direct access to abutting property, intercepting local streets and controlling access to major streets.

7. "Cul-de-sac" means a short local street having one end permanently terminated in a vehicular turnaround, or an equally convenient form of turning and backing areas, as may be recommended by the city engineer.

8. "Parkway" means any of the street types which are intensively landscaped to provide attractive or scenic appearance, or are located in a park or park-like area. The use of the facility may be restricted to non-commercial traffic.

KK. "Subdivider" means the individual, firm, corporation, partnership, association, syndication, trust or other legal entity that files the application and initiates proceedings for the subdivision of land in accordance with the provisions of this chapter, and statutes of the State of Arizona, except that an individual serving as agent for such legal entity is not a subdivider, and the subdivider need not be the owner of the property as defined by this chapter. The council may itself prepare or have prepared a plat for the subdivision of land under municipal ownership.

LL. "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. "Subdivi-

sion” 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. “Subdivision” does 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 other statutes 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.

MM. “Subdivision design” means street alignment, grades and widths, alignment and widths of easements and right-of-way for drainage, sanitary sewers and public utilities, the arrangement and orientation of lots and locations of buildings together with refuse collection and maintenance easements in condominium developments.

NN. “Usable lot area” means that portion of a lot usable for or adaptable to the normal uses made of residential property, excluding any areas which may be covered by water, excessively steep, or included in certain types of easements.

OO. “Utilities” means installations or facilities, underground or overhead, furnished for the use of the public, electricity, gas, steam, communications, water, television, cable, sewage disposal, owned or operated by any person, firm, corporation, municipal regulations. (Ord. 11-172 § 1)

Article 14-2 Platting Procedures and Requirements

Sections:

- 14-2-1 Outline of procedures**
- 14-2-2 Stage I—Pre-Application Conference**
- 14-2-3 Stage II—Preliminary Plat**
- 14-2-4 Information Required for Preliminary Plat Submittal**
- 14-2-5 Stage III—Final Plat**
- 14-2-6 Information Required for Final Plat Submittal**

Section 14-2-1 Outline of procedures

The preparation, submittal, review and approval of all subdivision plats located inside the limits of the city shall proceed through the following progressive stages.

- A. Stage I—Pre-application conference.
- B. Stage II—Preliminary Plat.
- C. Stage III—Final Plat.

Section 14-2-2 Stage I—Pre-Application Conference

A. Actions by the Subdivider:

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

1. Sketch plans and ideas regarding land use, street and lot arrangements, tentative lot sizes and their compliance with the general plan.
2. Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.

B. Actions by the Department:

The department shall discuss the proposal with the subdivider and advise him of procedural steps, design and improvement standards and general plat requirements. Then, depending upon the scope of the proposed development, the department shall proceed with the following investigations:

1. Check compliance of the proposal with the general plan.
2. Check existing zoning of the tract.
3. Determine the adequacy of existing or proposed schools, parks and other public spaces.
4. Inspect the site or otherwise determine its relationship to major streets, utility systems and adjacent land uses and to determine any unusual problems such as topography, utilities, flooding, etc.
5. Determine the need for preparation and review of a development master plan prior to subsequent consideration of a preliminary plat and advise the subdivider if a development

master plan is required and to what extent it shall be prepared by the developer and by the department.

C. Development Master Plan: The department shall use the following guidelines in establishing the need for a development master plan: whether the tract is sufficiently large to comprise an entire neighborhood; and whether the tract initially proposed for platting is only a portion of a larger land area, the development of which is complicated by unusual topographic, utility, land use, land ownership or other conditions. The entire land area need not in this case be under the subdivider's control.

1. Preparation: The DMP shall be prepared to scale and accuracy, commensurate with its purpose, and shall include:

a. Reflection of land use principles set forth in the general plan regarding the locations, density and diversity of residential areas, their relation to schools and commercial facilities and the location of parks and pathways to serve them.

b. General street pattern with particular attention to collector streets and future circulation throughout the neighborhood.

c. General location and size of schools sites, parks or other public areas.

d. Location of shopping centers, multi-family residential or other proposed land uses.

e. Methods proposed for sewage disposal, water supply and storm drainage.

f. Location of buildings and circulation for condominium developments on all land owned by the subdivider.

2. Approval: Upon acceptance of general design approach by the department, the DMP may be submitted to the board and council for their consideration. If general approval is given, notice to that effect shall be recorded in the minutes of both bodies, and a copy of said minutes transmitted to the subdivider and his engineer. If development is to take place in several parts, the DMP shall be submitted as supporting data for each part, and shall be kept up-to-date

by the subdivider and the department as modifications take place.

3. Expiration: In the event that development of the project is not initiated within three years from the approval, the development plan shall automatically expire.

Section 14-2-3 Stage II—Preliminary Plat

The preliminary plat stage of land and air-space subdivision includes detailed subdivision planning, submittal, review and approval of the preliminary plat. To avoid delay in processing his application, the subdivider should carefully provide the department with all information essential to determine the character and general acceptability of the proposed development.

A. Designs: The subdivision design shall comply with the general plan.

B. Zoning: The subdivision shall be designed to meet the specific requirements for the zoning district within which it is located. However, in the event that amendment of zoning is deemed necessary, the rezoning shall be initiated by the property owner or his authorized agent. The department shall not proceed with the processing of the preliminary plat until the necessary rezoning shall be initiated by the property owner or his authorized agent. The department shall not proceed with processing of the preliminary plat until the necessary amendment or adjustment has been obtained. Any furtherance of pre-development activity engaged in by or in behalf of the developer while an application for zoning amendment or variance is pending shall in no instance be construed as having been undertaken in reliance of a favorable determination of such application notwithstanding the nature or a department recommendation of the matter. In any event, any such zoning amendment or adjustment required in relation to the preliminary plat approval.

C. Sanitary Sewage and Water Supply: As a prerequisite of preliminary plat review by the department, the subdivider shall have informed

the Arizona Department of Health Services and the Litchfield Park Service Company of his tentative plans and learned the general requirements for sewage disposal and water supply and fire protection as applied to his location.

D. Preliminary Plat Submission:

1. Ten copies of the preliminary plat and an 8 1/2" x 11" transparency and other required supporting data prepared in accordance with requirements set forth in this article shall be filed with the department at least fourteen days prior to the board meeting at which the subdivider desires to be heard. Copies of the preliminary plat shall be reproduced in the format of blue line or black line prints on a white background. Scheduling of the case for board hearing shall be dependent upon the adequacy of data presented and completion of processing.

2. The submittal shall be checked by the department for completeness and assigned a case number; if incomplete as to those requirements set forth in this article, the submittal shall be rejected and the subdivider notified within five days of the date the map was received.

3. Filing Fee: To cover costs of examining and the processing of preliminary plats and field inspection related thereto, the subdivider shall, at the time of filing, pay to the department a filing fee of \$350 plus \$4 per lot, tract or dwelling unit.

The filing fee shall also cover the filing of amended or revised preliminary plat handled as the same case. If preliminary plat approval expires prior to application for final approval, the plat shall be resubmitted for preliminary approval as a new case, and the subdivider required to pay a new fee.

E. Preliminary Plat Review:

1. On receipt of the preliminary plat, the department shall perform its review for compliance to public objectives, giving special attention to design principles and standards as set forth in this chapter; streets and thoroughfares as related to the city streets and highway plans

and to neighborhood circulation: utility methods and systems: existing and proposed zoning and land use of the tract and its environs; and, land required for schools, parks and other public facilities.

2. The department shall distribute copies of the plat to the following reviewing offices:

a. City planner for compliance with the general plan and the requirements of the zoning code.

b. City engineer for review.

c. Director of public works for review of the proposed street system, street plans, and compliance with city street standards: tentative determination of street and drainage improvement and maintenance requirements; and, water and sewage disposal proposals.

d. Police chief, fire chief and building inspector for review of features of proposed development relating to their respective areas of operation.

e. County health department for review of water and sewage disposal proposals.

f. Superintendent of the appropriate school district for his information.

g. Where the lands abuts a state highway, to the Arizona Department of Transportation and the county highway department for recommendations regarding right-of-way and intersection design.

h. United States Postmaster at Litchfield Park, Arizona.

i. The developer shall distribute copies to interested utilities for information.

3. The reviewing offices shall transmit their recommendations to the department in writing. The department receives and summarizes the reviewing offices' recommendations, prepares a report and presents it to the board.

F. Preliminary Plat Approval: An applicant for preliminary plat approval shall comply in all respects with the provisions of this chapter.

1. If the department report indicates that the requirements of this chapter have been met, the board shall consider the preliminary plat at

a regular meeting within thirty days of the date of filing.

2. Approval is valid for a period of twelve months from the date of board approval. A six-month extension of the preliminary plat approval may be granted by the board upon receipt of a letter from the subdivider prior to expiration date.

3. Preliminary approval, in itself, does not assure final acceptance of streets for dedication nor continuation of existing zoning requirements for tract or its environs, nor constitute authorization to record the plat.

4. Following approval by the board, the preliminary plat with appropriate revisions shall be forwarded to the council with a recommendation for action.

Section 14-2-4 Information Required for Preliminary Plat Submittal

A. Form of Presentation: The information hereinafter required as part of the preliminary plat submittal shall be shown graphically or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, said scale having not more than one hundred feet to an inch. Whenever practical, scale shall be adjusted to produce an overall drawing measuring 22"x36" and not exceeding 32"x42".

B. Identification and Descriptive Data:

1. Proposed name of subdivision and its location by section, township and range, reference by dimension and bearing to an acceptable government section or quarter-section corner.

2. Name, address and phone number of subdivider.

3. Name, address and phone number of engineer, surveyor, landscape architect or land planner preparing plat.

4. Scale, north point and date of preparation including dates of any subsequent revisions.

5. A location map which shall show the relationship of the proposed subdivision to main traffic arteries and any other facilities which might help to locate the subdivision. This map may be on the preliminary plat, but, if this is not practical, then a separate map showing title, scale, north point and date shall be provided.

C. Existing Conditions Data:

1. Topography by contours or "spot elevations" related to USC & GS survey datum, or other datum approved by the city engineer shown on the same map as the proposed subdivision layout. Contour interval shall be such as to adequately reflect the character and drainage of the land.

2. Location of fences, water wells, streams, canals, irrigation laterals, private ditches, washes, lakes or other water features; direction of flow; location and extent of areas subject to inundation, whether such inundation be frequent, periodic or occasional.

3. Location, widths and names of all platted streets, railroads, utility right-of-way of public record, public areas, permanent structures to remain, including water wells and municipal corporation lines within, adjacent to or extending from the tract.

4. Location of all existing improvements on public right-of-way and on private property, including utility lines and trees.

5. Name, book and page numbers of any recorded adjacent subdivisions having common boundary with the tract.

6. By note, the existing zoning classification of the subject tract and adjacent tracts.

7. By note, the acreage of the subject tract.

8. Boundaries of the tract to be subdivided shall be fully dimensions.

9. Engineers' calculations and estimated values for each tributary storm runoff for ten-year and fifty-year frequency storms. The values to be indicated along the boundary of the plat for all points of drainage entering the property.

D. Proposed Condition Data:

1. Street layout including location, width curved radii and proposed names of public streets, alleys and crosswalks; connections to adjoining platted tract.

2. Typical lot dimension (sealed): dimensions of all corner lots and lots of curvilinear sections of streets; each lot numbered individually; total number of lots or dwelling units.

3. Designation of all land to be dedicated or reserved for public use with use indicated.

4. If plat includes land for which multi-family, commercial or industrial use is proposed, such areas shall be clearly designated together with existing zoning classifications and status of zoning change, if any.

5. Proposed development units.

6. Proposed storm water disposal system, preliminary calculations and layout of proposed drainage system. The direction of proposed street drainage to be indicated by arrows on plat; and, if required by the city engineer, a proposal to provide for the retention of storm water generated on the property by a ten-year frequency storm.

7. Compliance with:

a. Rules as may be established by a county flood control district relating to the construction or prevention of construction of streets in land established as being subject to periodic inundation.

b. Rules as may be established by the Arizona Department of Transportation relating to provisions for safety of entrance upon and departure from abutting state primary highways.

c. Rules as may be established by the state Department of Health Services or county health department relating to the provision of domestic water supply and sanitary sewerage disposal.

E. Proposed Utility Methods:

1. Sewage Disposal: A statement as to the type of facilities proposed shall appear on the preliminary plat.

2. Water Supply: A statement as to the water supply for the development shall appear on preliminary plat.

Section 14-2-5 Stage III—Final Plat

This stage includes the final design of the subdivision, engineering of public improvements and submittal of the plat and plans by the subdivider, for review and for action by the department, board and council.

A. Zoning: Zoning of the tract shall permit the proposed use, and any zoning amendment necessary shall have been adopted by the council prior to filing of the final plat.

B. Easements: It shall be the responsibility of the subdivider to provide on the final plat, prior to plat recordation, such easements in such location and width as required for utility and drainage purposes.

1. The following notation shall be placed upon all final plats which provide utility easements: no structure of any kind shall be constructed or placed within or over the utility easements except: utilities; wood, wire or removable section type fencing; asphalt paving, or grass. It shall be further understood Litchfield Park shall not be required to replace any obstruction, paving or planting must be removed during the course of maintenance, construction or reconstruction.

2. The following notation shall be placed on all final plats which provide drainage easements; no structure of any kind shall be constructed or any vegetation be planted nor be allowed to grow within, on or over the drainage easement, which would obstruct or divert the flow of storm water. The city may, if it so desires, construct or maintain drainage facilities on or under the land of the easement.

C. Final Plat Preparation: The final plat shall be presented in accordance with requirements set forth in this article and shall substantially conform to the approved preliminary plat.

D. Final Plat Submission:

1. The subdivider shall file with the department one final plat linen, one mylar transparency and eight true copies thereof, together with a letter of transmittal and recordation fee, at least fifteen days prior to the council meeting at which consideration is desired.

2. A fee for final plat and construction plan review of \$150 is required.

E. Final Plat Review:

1. The department, upon receipt of the final plat submittal, shall immediately record receipt and date of filing and check it for completeness. If complete, the department shall review the plat for substantial conformity to the approved preliminary plat and refer copies of submittal to the following reviewing offices who shall make known their recommendations in writing addressed to the council.

a. Director of public works and city engineer for approval of flood control, proposed street system, examination of survey, computations of the plat and for approval of sewer and water proposals.

b. Building inspection and parks and recreation, when applicable.

c. State highway department or county highway department for approval where the plat abuts a state or county highway.

2. The department shall assemble the recommendations of the various reviewing of officers, prepare a concise summary of recommendations and submit said summary together with the reviewer's recommendations to the council. In the event that the department finds that the final plat does not conform to the preliminary plat, as approved by the board for review and recommendations prior to submittal to the council.

F. Final Plat Approval: An applicant for final plat approval shall comply in all respects with the provisions of this chapter.

1. Upon receipt of a request for council action from the city manager, the clerk shall place the plat on the agenda of a regular council

meeting, whereupon the council shall approve or deny the plat.

2. If the council finds approval of the plat, the clerk shall transcribe a certificate of approval upon the plat, first making sure that the other certifications required by this article have been duly signed.

3. When the certificate of approval by the council has been transcribed on the plat, the department shall retain the record copy until the city engineer certifies that the subdivision has been staked and the engineering plans have been approved.

4. The department shall cause the final plat to be recorded in the office of the county recorder of Maricopa County.

Section 14-2-6 Information Required for Final Plat Submittal

A. Method and Medium of Presentation: Size prerequisites for recording maps and plats that exceed a size of eight and one-half by fourteen inches shall be subject to the following restrictions:

1. A map or plat of a subdivision.

a. Shall be drawn in India ink on a sheet or sheets of linen or mylar measuring 24" by 36", with a left margin of two inches.

b. The map or plat shall be drawn to an accurate scale not to exceed two hundred feet to the inch.

2. All other maps or plats.

a. Shall be drawn in India ink on a sheet or sheets of linen or mylar measuring 18" by 26" with a left margin of two inches.

b. The map or plat shall be drawn to a scale not to exceed three hundred feet to the inch.

3. Copies of the record plat shall be reproduced in the form of blue-line or black-line prints on a white background.

B. Identification Data Required: The following identification data shall be required as a part of the final plat submittal.

1. A title which includes the name of the subdivision and its location by number of section, township, range and county.

2. Name, address and registration number of seal of the registered civil engineer or registered land surveyor preparing the plat.

3. Scale, north arrow and date of plat preparation.

C. Survey Data Required: The following survey data shall be required as a part of the final plat submittal.

1. The corners of the plat shall be located on the monument lines of abutting street; boundaries of the tract to be subdivided 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.

2. Any excepted parcels without or surrounded by the plat boundaries shall be noted "not a part of this subdivisions" and show all bearings and distances of the excepted parcel as determined by and accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.

3. Location and description of cardinal points to which all dimensions, angles, bearings, and similar data on the plat shall be referenced. Each of two separate corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter-section corners.

4. Location of all physical encroachments upon the boundaries of the tract.

D. Descriptive Data Required: The following descriptive data shall be required as a part of the final plat submittal.

1. Name, right-of-way lines, courses, length and width of all public streets, alleys and cross-walks; radii, points of tangency and central angles of all curvilinear streets and alleys; radii of all rounded street line intersections.

2. All drainage ways shall be shown on the plat. The rights-of-way of all major drainage-

ways, as designated by the city engineer, shall be dedicated to the public.

3. All existing private easements within, on or over the plat shall be indicated, dimensioned and noted as to their use.

4. All residential lots shall be numbered by consecutive numbers throughout the plat. "Tracts" and "parcels" shall be so designated, lettered or named, and clearly dimensioned. Parcels which are not a part of the subdivision shall be so designated.

5. Locations, dimensions, bearings, radii, arcs and central angles of all sites to be dedicated to the public with the use clearly indicated.

6. Location of all adjoining subdivisions with the, name, book and page number of recordation noted, or if unrecorded or undivided, so marked.

7. Any proposed private deed restrictions to be imposed upon the plat or any part thereof pertaining to the intended use of the land, and to be recognized by the city shall be noted on the plat.

E. Dedication and Acknowledgment:

1. Dedication: There shall be required as part of the final plat submittal a statement of dedication of all streets, alleys, crosswalks, drainage ways, pedestrian ways and other easements for public use by the person holding titles of record, by persons holding titles as vends under land contract and by wives of said parties. If lands dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication shall include a written location by section, and range of the tract. If the plat contains private access ways, the public utilities shall be reserved the right to install and maintain utilities in the access ways, including refuse collection.

2. Acknowledgment of Dedication: Execution of dedication shall be acknowledged and certified by a notary public.

F. Required Certification: The following certifications shall be required as a final part of the final plat submittal.

1. Certification by the registered civil engineer or registered land surveyor making the plat that the plat is correct and accurate, and that the monuments described in it have either been set or located as described. All maps shall contain the seal of a registered civil engineer or land surveyor.

2. Certificate of plat approval by the city engineer.

3. Certificate of plat approval by the city council.

4. Certificate of recordation by the county recorder.

Article 14-3 Subdivision Design Principles and Standards

Sections:

- 14-3-1 In General**
- 14-3-2 Street Location and Arrangement**
- 14-3-3 Street Design**
- 14-3-4 Block Design**
- 14-3-5 Lot Planning**
- 14-3-6 Condominium Developments—Airspace Planning**
- 14-3-7 Easement Planning**
- 14-3-8 Street Naming**

Section 14-3-1 In General

A. Every subdivision shall conform to the requirements and objectives of the general plan, or parts thereof, as adopted by the board and the council, to the zoning code and to other ordinances and regulations of the city and to the Arizona Revised Statutes. All public works infrastructure construction or repair shall be accomplished in accordance with the Uniform Standard specifications for Public Works Construction, and the Uniform Standard Details for Public Works Constructions as sponsored and distributed by the Maricopa Association of Governments. When any portions thereof dis-

agree with requirements as described in the city code, the city code shall govern.

B. Land areas within a subdivision shall be reserved for parks, recreational facilities, school sites and other public facilities including fire stations, open space lands or open areas and flood control facilities, subject to the following conditions:

1. The requirements may only be made upon preliminary plats filed at least thirty days after the adoption of a general or specific plan affecting the land area to be reserved.

2. The required reservations are in accordance with definite principles and standards adopted by the city council.

3. The land area reserved shall be of such a 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.

4. The land area reserved shall be in such multiples of streets and parcels as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period.

5. The public agency for whose benefit an area has been reserved shall have a period of one year after recording the 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 the 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, from the date of the reservation and any other costs incurred by the subdivider in the maintenance of such reserved area, including interest cost incurred on any loan covering such reserved area.

6. If the public agency for whose benefit an area has been reserved does not exercise the reservation agreement set forth in this article within such one year period or extended period as may be mutually agreed upon by such public

agency and the subdivider, the reservation of such area shall terminate.

C. Land which is subject to periodic flooding, land which cannot be properly drained or other land which, in the opinion of the board, is unsuitable for subdivision use, shall not be subdivided: except that the board may approve subdivision of such land upon receipt of evidence from the county health department or city engineer that the construction of specific improvements can be expected to render the land suitable; thereafter, construction upon such land shall be prohibited until the specified improvements have been planned, and construction guaranteed.

Section 14-3-2 Street Location and Arrangement

A. Whenever a tract to be subdivided embraces any part of a street designated in an adopted city streets and highways plan, such street shall be platted in conformance therewith.

B. Street layout shall provide for the continuation of such streets as the department may designate.

C. Whenever a tract to be subdivided is located within an area for which a neighborhood plan has been approved by the board, the street arrangement shall conform substantially to said plan.

D. Certain proposed streets, as designated by the department, shall be extended to the tract boundary to provide future connection with adjoining unplatted lands.

E. Local streets shall be so arranged as to discourage their use by through traffic.

F. Where a proposed subdivision abuts or contains an existing or proposed major street, the department may require marginal access roads or reverse frontage with non-access easements along the major street, or such other treatment as may be justified for protection of residential properties from the nuisance and hazard of high volume traffic, and to preserve

the traffic function of the major street in other types of developments.

G. Where a subdivision abuts or contains the right-of-way of a railroad, drainage way, a limited access highway or an irrigation canal, or abuts a commercial or industrial land use, the department may require the location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for appropriate use of the intervening land. Such distance shall be 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. Half streets shall be discouraged except where necessary to provide right-of-way required by the city streets and highways plan, to complete a street pattern already begun or to insure reasonable development of a number of adjoining parcels. Where there exists a platted half street abutting the tract to be subdivided, the remaining half shall usually be platted within the tract.

Section 14-3-3 Street Design

A. Minimum Required Right-of-Way Widths:

1. Major streets and highways—as required by current approved city, county or state standards.

2. Collector streets as indicated by current approved city standards.

3. Local streets as indicated by current approved city standards.

a. Cul-de-sac streets shall terminate in a circular right-of-way forty-five feet in radius with at three-foot utility easement around the turnaround. The department may approve an equally convenient form of turning and backing areas where extreme conditions justify.

b. Dead end streets will not be approved except in locations designated by the department as necessary to future extension in development of adjacent lands. In any case, a dead end street extending 200 feet or more shall provide by easement a temporary turning circle with a forty-foot radius or other acceptable design to accomplish adequate access.

4. Marginal access or frontage streets as required by city standards.

5. Alleys shall be twenty feet wide. Alley intersection and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off fifteen feet on each side to permit safe vehicular movement. Dead end alleys shall be prohibited. All half alleys shall have a minimum width of twelve feet.

6. Private access ways as required by city standards.

B. Grades:

1. Maximum: Major streets as determined by the city engineer.

a. Collector streets—7%

b. Local residential streets—15%; all over 12% have a maximum length of six hundred feet.

2. Minimum: Concrete or asphalt streets with concrete gutters:

Desirable—0.40%

Minimum—0.15%

Concrete or asphalt streets without gutters:

Minimum—0.35%

3. Exceptions: Where rigid adherence to these standards causes unreasonable or unwarranted hardship in design or cost without commensurate public benefit, exceptions may be made by the board upon review and recommendation of the city engineer.

C. Vertical Curves:

1. Major streets as determined by the city engineer.

2. Collector and local streets: minimum length, one hundred feet, except in cases approved by the city engineer:

D. Horizontal Alignment:

1. Major streets as determined by the city engineer.

2. When tangent centerlines deflect from each other more than ten degrees and less than ninety degrees, they shall be connected by a curve with a minimum centerline radius of five hundred feet for collector streets, or one hundred feet for collector streets, or one hundred feet for local streets.

3. Between reverse curves there shall be a tangent section of centerline not less than one hundred feet long for a local street; as required by the city engineer for collector and major streets.

4. Streets intersecting a major street shall do so at a ninety-degree angle; intersections of local streets shall not vary from ninety degrees by more than fifteen degrees.

5. Street jogs with centerline offsets of less than one hundred twenty-five feet shall be prohibited except when approved by the city engineer. Under special circumstances where local streets intersect major streets, the city engineer may require minimum centerline offsets of four hundred feet.

6. Local streets intersecting a collector street or major street shall have a tangent section of centerline 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 curve has a centerline radius greater than four hundred feet with the center located on the major street right-of-way line. Where topographic conditions make necessary other treatment to secure the best overall design, these standards may be relaxed by the board upon the recommendation of the city engineer.

7. Street intersections with more than four legs and Y- type intersections where legs meet at acute angles shall be avoided; provision of T- type intersections for shall be encouraged.

8. At local street intersections, property line corners shall be rounded by circular arc,

said arc having a minimum tangent length and/or radius of twelve feet. A sixteen foot by sixteen foot triangle shall be provided at each corner of the intersection of two major streets; a fourteen foot by eleven foot triangle at each corner of the intersection of two major streets; a fourteen foot by eleven foot triangle at each corner of the intersection of two collector streets, or as approved by the city engineer.

9. Collector streets shall intersect the major streets at the midsection corners or as otherwise approved.

10. Local streets which are primary access to a subdivision shall intersect major streets at the quarter mile corners or as otherwise approved.

11. Marginal access road openings to major streets, at a local street intersection, shall have a minimum thirty feet wide separation island between the major street traffic lanes and marginal access road; which shall be provided within the major street right-of-way.

12. Marginal access roads shall not intersect a major street or a collector street.

Section 14-3-4 Block Design

A. Maximum length of blocks, measured along the centerline of the street, and between intersecting street centerlines, fifteen hundred feet; except that in development with lot areas averaging one-half acre or more or where extreme topographic conditions warrant, this maximum may be exceeded by five hundred feet. Blocks shall be as long as possible under the circumstances within the above maximum in order to achieve depth and possible street economy, and to reduce the expense and safety hazard arising from excessive street intersections.

B. Maximum length of cul-de-sac streets, three hundred twenty five feet, measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline. Exceptions may be made where topography justifies but shall not be

made merely because the tract has restrictive boundary dimensions, wherein provision should be made for extension of street pattern to the adjoining unpolluted parcel and a temporary turn around installed.

C. Pedestrian, bicycle and equestrian ways: A minimum right-of-way width of ten feet may be required where essential for circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities. Pedestrian ways may be used for utility purposes.

Section 14-3-5 Lot Planning

A. Lot width, depth and area shall comply with the minimum requirements of the zoning ordinance and shall be appropriate for the location and character of development proposed, and for the type and extent of street and utility improvements being installed. Where steep topography, unusual soil conditions or drainage problems exist or prevail, the board may require special lot width, depth and area requirements which exceed the minimum requirements of the particular zoning district.

B. Where steep topography, unusual soil conditions, drainage problems, abrupt changes in land use or heavy traffic on adjacent streets prevail, the board may make special lot width, depth and area requirements which exceed the minimum requirements of the particular zoning district.

C. The depth-to-width ratio of single-family residential lots shall not be greater than three to one.

D. Minimum front building lines shall conform to the minimum requirements of the zoning ordinance.

E. Side lot lines shall be substantially at right angles or radial to street lines, except where other treatment may be justified in the opinion of the department.

F. Every residential lot shall abut upon a public street or private access way furnishing satisfactory access thereto.

G. Residential lots extending through the block and having frontage on two parallel streets which are both local streets or one of which is a local street and the other is a collector street shall not be permitted; except when there are commercial or industrial zoning districts on the opposite side of the street and except as permitted in this chapter. Backing of lots to major streets and freeways shall be prohibited except where justified by the board.

**Section 14-3-6 Condominium Developments—
Airspace Planning**

A. The processing of subdivision plats for condominium developments shall follow the procedures set forth in this chapter for the processing of land subdivision plats. All sections of this chapter shall be applicable to condominium subdivisions. A preliminary site plan shall be considered a preliminary plat and a final site plan, a final plat.

B. The final condominium subdivision plat shall be certified by a registered architect or engineer that the plat accurately depicts the development as constructed and shall be recorded prior to the sale of the first unit.

1. Conversions of conventional apartment developments. Preliminary plats shall show, in addition to all information required by the department check list for site plans, the following:

- a. Firewall construction, if required by the fire code.
 - b. Additional parking, if required.
 - c. Additional open space, if required.
 - d. Locations of individual utility lines and meters, if needed.
2. Final plats shall show:
- a. All buildings.
 - b. Private drives and parking areas.
 - c. Additional open space, if required.
 - d. Locations of individual utility lines and meters, if needed.
 - e. Necessary dedication statement.

f. Statement concerning the formation of a homeowners association for the maintenance of the commonly owned property.

g. Necessary certifications and approvals.

3. New developments:

a. Preliminary plats shall show all of the information required by the department site plan check list.

b. Final plats shall show all of the information required in paragraph (2) of this subsection.

c. Building permits shall be issued in accordance with final plats approved by the department, prior to recordation of the plat.

d. Final plats to be approved by the city council and recorded after construction has been completed and final inspection made.

Section 14-3-7 Easement Planning

A. Easement for utilities shall be provided as follows:

1. Where alleys are provided: four feet for aerial overhang on each side of alley shall be provided by dedication but need not be delineated on the plat, if utility lines are overhead.

2. Along side lot lines: six feet on each side of lot lines for distribution facilities and one foot on each side of lot lines for street lighting as may be designated.

3. Guy and anchor easements; one foot wide on each side of lot line and approximately thirty-five feet in length measured from the rear lot line as designated if utility lines are overhead.

B. For lots facing on curvilinear streets, utility easements or alleys may consist of a series of straight lines with points of deflection not less than one hundred twenty feet apart. Points of deflection should always occur at the junction of side and rear lot lines on the side of the exterior angle.

C. Where a stream or important surface drainage course abuts or crosses the tract, dedication of a public drainage easement of a width sufficient to permit widening, deepening, relo-

cating, protecting or maintaining said watercourse shall be required.

D. Land within a public street or drain easement or width sufficient to permit widening, deepening, relocating, protecting or maintaining said watercourse shall be required.

E. Land within a public street or drain easement or land within a utility easement for major power transmission (tower) lines or pipelines shall not be considered a part of the minimum required lot area except where lots exceed one-half acre in area. This shall not be construed as applicable to land involved in utility easements for distribution or service purposes.

Section 14-3-8 Street Naming

The department shall propose the street names at the preliminary plat stage and the names shall be approved by the board and council.

Article 14-4 Street and Utility Improvement Requirements

Sections:

- 14-4-1 Purpose**
- 14-4-2 Engineering Plans**
- 14-4-3 Construction and Inspection**
- 14-4-4 Required Improvements—Subdivisions**
- 14-4-5 Submittal, Review and Approval of Engineering Plans**
- 14-4-6 Schedule of Improvement Requirements**
- 14-4-7 Fees**

Section 14-4-1 Purpose

A. It is the purpose of this article to establish in outline the minimum acceptable standards for improvement of streets and utilities, to define the responsibility of the subdivider in the planning, constructing and financing of im-

provements. Such plans shall be based on the approved preliminary plat and be prepared in with the final plat.

B. Final construction plans for all improvements shall be approved and signed by the city engineer prior to recordation of the final plat.

Section 14-4-2 Engineering Plans

A. It shall be the responsibility of the subdivider to have prepared by a registered civil engineer, registered in the State of Arizona, a complete set of engineering plans for construction of water and sanitary sewer facilities and all other required improvements. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat.

B. Final construction plans for all improvements shall be approved and signed by the city engineer prior to recordation of the final plat.

Section 14-4-3 Construction and Inspection

A. All relocation, tiling and reconstruction of irrigation facilities shall be done to standards of the owning utility and city engineer.

B. All improvements in the public right-of-way shall be constructed under the inspection and approval of the city department having jurisdiction. All construction in public right-of-way and private access ways shall require a city permit. 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 recontinued until after notifying the department having jurisdiction.

C. The locations of all utilities to be installed in public right-of-way or in private access ways shall be approved by the city engineer.

D. All underground utilities to be installed in streets, private access ways and alleys shall be constructed under city permit prior to the

surfacing of such street, private access way or alley. Service stubs to platted lots within the subdivision for under ground utilities shall be placed to such length as not to necessitate disturbance of street improvements when service connections are made: underground utilities shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.

Section 14-4-4 Required Improvements—Subdivisions

A. Streets, Private Access Ways and Alleys: All streets, private access ways and alleys within the boundary lines of the subdivision shall be improved to cross sections, grades and standards approved by the city engineer. Alleys used for primary vehicle access shall be paved. Where there are existing streets adjacent to the subdivision, subdivision streets shall be improved to the intercepting paving line of such existing streets or to a matching line determined by the city engineer. Transition paving shall be installed as required by the city engineer. When a subdivision includes a major street which is not paved or where there is no paved street between the subdivision and a paved major or collector street, an interim two lane street at least twenty-four feet wide shall be constructed to a standard approved by the city engineer on the major street, collector or local street right-of-way to the nearest paved major or collector street; when a marginal access road is required strip paving shall be installed for the major street traffic lanes. Dead-end streets extending two hundred feet or more and dead-end marginal access roads shall be provided a graded and surfaced temporary forty foot radius turning circle; alleys shall be graded and surfaced to paved streets.

B. Curbs: Where streets are to be paved, a concrete curb, curb and gutter or valley gutter as designated by the city engineer, shall be installed in accordance with approved city stan-

dards. When density of development is low or where for other reasons, such as to provide or maintain a rural atmosphere, the installation of curb and gutter is not considered necessary, the council may waive this requirement for one or both sides of local streets. Vertical curbs shall be installed on the major street side of a marginal access road, along collector streets and along school or park property.

C. Sidewalks: Concrete sidewalks shall normally be required on both sides of streets and shall be constructed to a width, line and grade approved by the city engineer in accordance with approved city standards. When density of development is low, or where for other reasons the installation of sidewalks is not considered necessary, the council may waive the requirement for one or both sides of local streets.

D. Crosswalks: Concrete walks through blocks shall be constructed to a width, line and grade approved by the city engineer.

E. Street Name Signs: Signs shall be placed at all street intersections and be in place by the time the street pavement is ready for use. Specifications for design, construction, location and installation shall be by the department.

F. Storm Drainage: Proper and adequate provision shall be made for disposal of storm water. This shall apply equally to grading of private properties, private access ways and to public streets. Existing major watercourses shall be maintained and dedicated as drainage ways. The type, extent, location and capacity of drainage facilities for a subdivision shall be required by the city from the survey and storm runoff calculations made by the subdivider's engineer. All retention basins, channels and like facilities shall be constructed in accordance with the requirements of the city engineer. Water generated on the property by a ten year frequency storm shall be retained on the site, or disposed of as required by the city engineer.

G. Sanitary Sewage Disposal: Sewage disposal facilities shall be installed to serve each

lot subject to the following standards and approvals:

1. Sanitary sewer lines shall be installed in all new subdivisions in accordance with plans, profiles and specifications approved by the county health department and the city departments having jurisdiction.

2. In areas where sanitary sewers are not reasonably accessible, the city or its designee, with the approval of the county health department, may agree to operate a temporary disposal unit or pumping station. The subdivider shall construct these temporary facilities along with the sewer lines in the subdivision. They shall be designed for connection with a future public or private sewer system.

H. Water supply: Each lot shall be supplied with safe, pure and potable water in sufficient volume and pressure for domestic use and fire protection, including fire hydrants, and other types of installations required by the fire code in water lines which are designed to the standards of the city.

I. Irrigation Facilities: All irrigation facilities, requiring seventy-two-inch diameter pipe or less which are to remain within the boundaries of the tract or in a abutting one-half street or alley right-of-way shall be tiled in accordance with standards of the city or its designee and relocated as may be directed by the city. Where street improvements require relocation of control gates or other structures, such relocation and reconstruction shall conform to the requirements of the city. In rural developments this requirement may be waived by the city.

J. Monuments: Permanent monuments shall be installed in accordance with current city standards at all corners, angle points and point of curves, at all street intersections and at all corners, angle points and pints of curve of all conservation easements. After all improvements have been installed, a registered land surveyor or civil engineer shall check the location of monuments and certify their accuracy.

K. Lot Corners: Iron pipes shall be set at all corners, angle points and points of curve for each lot within the subdivision prior to the recording of the plat.

L. Utilities:

1. New electric, communication and T.V. lines, including but not limited to, electric, communication and T.V. lines shall be installed underground. When overhead utility lines exist within the property being platted, said existing overhead utility lines and the new installations within the platted area shall be placed underground; when overhead utility lines exist on the periphery of the property being platted, said existing overhead utility lines and any additions or replacements needed to increase capacity or improve service reliability may remain overhead, provided however, that any service drops into the platted area from said peripheral overhead lines shall be underground. When overhead utility lines exist on the periphery of the property of five acres or less being platted, then the utility lines within the platted area may be overhead. When, as a result of the subdivision development, it is necessary to relocate, renew or expand existing facilities within the platted area, the subdivider shall make the necessary arrangements serving utility for these installations to be placed underground. The subdivider shall arrange with the serving utility for, and be responsible for, the cost of underground service lines to approved street locations.

2. The subdivider shall be responsible for the requirements of this subsection and shall make the necessary arrangements with each of the serving utility companies involved for the installation of the underground facilities. Letters from each of the serving utility companies indicating that said arrangements have been made shall be submitted to the city engineer at the time the final subdivision plat is submitted for approval. When, due to subsurface soil conditions or other special conditions, it is determined by the city engineer that it is impractical to construct facilities underground, installations

shall be overhead. Those electric lines of greater than 3,000 KVA (Kilovolt Amperes) capacity as rated by the American Standard Association are excluded from the requirements of this subsection.

M. Street Lights: In subdivisions where all other utilities are installed underground, underground electrical service required for street lighting shall be installed to those street light locations approved by the city engineer.

N. Walls on Landscape and Vehicular Non-Access Easements: Continuous undulating or offset decorative masonry walls shall be installed on landscape and vehicular non-access easements along major streets when lots back up to a major street in accordance with the design requirements and approval of the city engineer.

O. Landscaping: All landscaping, along with appropriate watering systems, within public right-of-way or landscape easements, shall be in accordance with plans approved by the city engineer.

Section 14-4-5 Submittal, Review and Approval of Engineering Plans

Prior to the recording of the plat a certificate of approval of engineering plans signed by the department having jurisdiction, along with a certification that the agreement between the city and the subdivider has been executed and the letter of agreement with serving utilities has been submitted, and the necessary performance and completion bond, cash, or agreement has been posted with the city engineer, shall be filed with the clerk. If the engineering plans have not been approved within ninety day, the council may require that the final plat be re-submitted.

Section 14-4-6 Schedule of Improvement Requirements

Specific standards of improvements to be installed in a subdivision shall depend on the location of the subdivision and type of the development proposed therein, as outlined in the following schedule improvement requirements.

A. Urban Developments:

1. Description: Urban developments include single family residential developments with lot widths less than one hundred twenty feet, lot areas less than eighteen thousand square feet and a density of about four dwelling units per acre; two family and multi-family residential development regardless of site area or density; and commercial and industrial developments.

2. Requirements Include:

- a. Sewers in accordance with this chapter.
- b. Water supply systems in accordance with this chapter, including mains and fire hydrants to city standards.
- c. Storm drainage to an acceptable outlet in accordance with this chapter.
- d. All streets with approved pavement, concrete curbs and gutters; sidewalks required on both sides of major or collector streets.
- e. Alleys, if provided, completely paved with approved material to approved width.
- f. Utilities in accordance with this chapter.
- g. Underground street light circuits in accordance with this chapter.
- h. Private access ways shall have pavement with concrete curbs, gutters and sidewalks in accordance with city standards and specifications.

C. Estate Developments:

1. Description: Estate developments include single-family residential developments with minimum lot areas of thirty-five thousand square feet.

2. Requirements Include:

- a. Sewers in accordance with this chapter.

b. Water supply systems in accordance with this chapter, including mains and fire hydrants to city standards.

c. Storm drainage to an acceptable outlet in accordance with this chapter.

d. All streets with approved pavement, concrete curbs and gutters; sidewalks required on both sides of major or collector streets.

e. Utilities in accordance with this chapter.

f. Underground street light circuits in accordance with this chapter.

g. Private access ways shall have approved pavement with concrete curbs, gutters and sidewalks in accordance with city standards and specifications.

D. Rural Developments:

1. Description: Rural developments include single-family residential developments with minimum lot widths of one hundred fifty feet, minimum lot areas of thirty-five thousand square feet and being developed as a community of small farms.

2. Requirements Include:

a. Sewers in accordance with this chapter.

b. Water supply systems in accordance with this chapter, including mains and fire hydrants to city standards.

c. Storm drainage handled in a manner acceptable to the city engineer to an acceptable outlet in accordance with this chapter.

d. All streets with approved pavement; concrete curbs and gutters on both sides of major and collector streets; concrete, or another type of hard surface sidewalks, on one or both sides of major and collector streets.

e. Utilities in accordance with this chapter.

f. Underground street light circuits in accordance with this chapter.

g. Private access ways in accordance with requirements for public streets.

E. Agreement By Subdivider: Upon the approval by the council of the final plat, the subdivider shall execute an agreement covering the following:

1. The subdivision improvements in a recorded development unit may be constructed in practical increments of lots, as specified by the subdivider, subject to provisions for satisfactory drainage, traffic movements and other services as determined by the city engineer.

2. The improvements shall be constructed in accordance with plans approved by the city engineer.

3. The improvements, except those utility facilities defined in Section 14-4-4(L)(1), shall be completed within an agreed specified time period for increment. An extension of time may be granted under conditions specified therein.

4. The subdivider shall give adequate assurance of the construction of each increment in accordance with this chapter.

5. Progress payments may be made to the subdivider on his order from any cash deposit made. Such progress payments shall be made in accordance with standards established by the city engineer.

6. Any work abandoned or not completed by the subdivider may be completed by the city which shall recover the construction costs from the subdivider.

7. Construction of all improvements within streets and easements, except those utility facilities defined in Section 14-4-4(L)(1), shall be subject to inspection by city engineer.

8. No lots shall be released from the approved increment of lots until either the agreement or an assurance of construction has been posted and accepted by the city engineer.

F. Assurance of Construction:

1. To ensure construction of the required improvements as set forth in this article, except those utility facilities defined in Section 14-4-4 L(1) and the water and sewer facilities, the subdivider shall deposit with the city engineer an amount in cash or a surety bond equal to the amount of the cost of the work of each recorded increment (as determined by the city engineer) guaranteeing that the work will be completed in accordance with city details and specifications.

When no marginal access road is being constructed and the improvement of a major or collector street by a governmental agency is imminent, the subdivider shall deposit shall deposit the current estimated cost of improving the abutting half street in an account to be disbursed to the city at the time the contract is awarded for the city project to improve the full width of the street.

2. The surety bond shall be executed by the subdivider, as principal, with a corporation duly authorized to transact surety business in the State of Arizona, as surety. The bond shall be in favor of the city, shall be continuous in form and shall require that the total aggregate liability of the surety for all claims shall be limited to the face amount of the bond, regardless of the number of years the bond is in force. The bond or cash shall be released upon satisfactory performance of the work and its acceptance by the city engineer. The bond may be canceled or the cash withdrawn by the subdivider provided that other security satisfactory to the city has been deposited which will cover the obligations of the subdivider which remain to be performed.

G. Assurance of Construction Through Loan Commitment: In lieu of providing assurance of construction in the manner provided in subsection (F) of this section, the subdivider may provide assurance of construction of required improvements, except those utility facilities defined in Section 14-4-4(L)(1) and the water and sewer facilities, by delivering to the city engineer, prior to the recording of said plat, an appropriate agreement between an approved lending institution and the subdivider, stating that funds sufficient to cover the entire cost of installing the required improvements, including engineering and inspection costs and the cost of replacement or repairs of any existing streets or improvements damaged by the subdivider in the course of development of the subdivision, in an amount approved by

the city engineer, have been deposited with such approved lending institutions.

Section 14-4-7 Fees

The council may by resolution establish a schedule of fees for the plan reviews and inspection permits required by this article. Such resolution shall also state the effective date of the fees adopted therein.

Article 14-5 Lot Splits and Minor Land Divisions

Sections:

- 14-5-1 General**
- 14-5-2 Process**
- 14-5-3 Preapplication Meeting**
- 14-5-4 Minor Land Division Design Standards and Requirements**
- 14-5-5 Minimum Required Minor Land Division Improvements**
- 14-5-6 Minor Land Division Applications**
- 14-5-7 Minor Land Division Application and Review**
- 14-5-8 Application Approval**
- 14-5-9 Denial**
- 14-5-10 Engineering Plans for Minor Land Divisions**
- 14-5-11 Assurance of Construction of Minor Land Division Improvements**

Section 14-5-1 General

Minor land divisions shall comply with the provisions of this article. (Ord. 11-172 § 1)

Section 14-5-2 Process

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:

A. Preapplication conference with the planning department.

B. Submittal of a minor land division application and map by the applicant and review by the planning department and city engineer.

C. Approval, conditional approval or denial of the application by the city council.

D. Recordation of the approved minor land division by the applicant. (Ord. 11-172 § 1)

Section 14-5-3 Preapplication Meeting

The preapplication meeting stage of minor land division review is an investigatory period preceding the preparation and submittal of the minor land division application by the applicant. Applications shall be submitted to the planning department. The planning department shall forward a copy to the city engineer. The planning department shall advise the applicant of specific public objectives, standards, and regulations related to the property and the procedure for minor land division review. (Ord. 11-172 § 1)

Section 14-5-4 Minor Land Division Design Standards and Requirements

A. Except where expressly modified or permitted by the planning department or city engineer, all minor land divisions shall be in general conformity with the lot, street, block, alley, and easement design standards and requirements specified for subdivisions. All lots created by a minor land division shall conform to existing zoning district standards and the city's 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. Any newly created lots shall have adequate access to public roads or highways or private roads with public access easements.

D. Any newly created lots shall have adequate access to all utilities necessary and

appropriate for the development proposed on the property to be divided. (Ord. 11-172 § 1)

Section 14-5-5 Minimum Required Minor Land Division Improvements

A. Except where otherwise provided in this section, it shall be the responsibility of the applicant to improve or agree to improve all streets, pedestrian ways, alleys, and easements in the minor land division and adjacent thereto that are required to serve the minor land division and to construct and install all such other improvements as specified for subdivisions. No permanent improvement work shall be commenced until improvement plans have been submitted by the applicant and approved by the city engineer. Improvements shall be satisfactorily installed in accordance with the city's adopted standards and all other applicable city ordinances and requirements.

B. Minor land division improvements may be waived by the city manager, in consultation with the city engineer, for minor land divisions in the following situations:

1. For lot line adjustments where no new lot is created and utility services are existing;

2. When the division is to allow construction of a single-family dwelling and the city manager determines that less than fifty percent of the half-street right-of-way for the side of the block on which the property is located would be improved as a result of such condition;

3. In any case when the city manager determines that the improvement of any or all of the abutting street or the installation of any or all of the other normally required improvements would be impractical because of considerations such as, but not limited to: the type and extent of existing street improvements; inability to establish a proper street grade or alignment; physical barriers such as excessive grade of terrain or washes, ditches, canals, buildings or other structures; or other special

circumstances where, in the opinion of the city manager, the immediate installation of the improvements is not deemed necessary to protect the public health, safety and general welfare, and that the waiver of the improvement requirements would not impair the purpose and intent of this chapter; or

C. The city manager may require, as a condition for the waiver of the required minor land division improvements, an in-lieu payment for the cost of improvements. An acceptable form of assurance may be considered at the discretion of the city manager. (Ord. 11-172 § 1)

Section 14-5-6 Minor Land Division Applications

The applicant shall submit an application in the form prescribed by the planning department together with the application fee established by council resolution and the application information and materials required by the planning department. The applicant shall also submit a title report showing the ownership history of the property demonstrating that a subdivision is not required. (Ord. 11-172 § 1)

Section 14-5-7 Minor Land Division Application and Review

A. Information Required. All information required as part of the minor land division submittal shall be shown graphically, or by note on plans, or by letter, or by combination thereof, and may comprise several sheets showing various elements of the required data.

B. Submittal Requirements. The applicant shall submit the following materials to the planning department for a minor land division application:

1. A completed minor land division application form.

2. 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, if applicable. The required fee for minor land division applications shall be adopted by resolution of the city council.

3. An ALTA survey, preliminary title report and deed or other instrument showing proper title to the land to be divided.

4. Digital file of the minor land division map.

5. All minor land division maps shall contain the following information:

a. Notation of the map as, "A Minor Land Division Map of (Lot or Parcel of applicant/owner's name)."

b. Location by quarter-section, section, township and range.

c. Legal description of the property involved.

d. Name, address, and phone number of applicant.

e. North point and dates of preparation and revisions.

f. Existing street dedications, on- and off-site utility easements, and lot lines of all adjacent properties indicated by subdivision name and Maricopa County recorder's office book and page number; and unsubdivided land must be identified as such.

g. Locations of all existing underground and overhead utilities on the property.

h. Name, address, registration number, and seal of the registered engineer or land surveyor preparing the map.

i. 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.

j. 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 section corner monument approved by the city engineer.

k. All existing and proposed drainage easements and natural drainage features.

l. All existing irrigation easements on the property to be divided.

m. 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.

n. All lots shall be identified by number or letter.

o. Building setbacks, if applicable.

p. Any information required as part of the minor land division submittal shall be shown:

i. Geographically;

ii. By note on the plans;

iii. By letter; or

iv. By a combination of the foregoing, and may comprise several sheets, twenty-four inches by thirty-six inches in size, showing various elements of the required data.

q. The following certifications must be included on the minor land division map:

i. Certification by a registered engineer or land surveyor preparing the map that the map is correct and accurate, and that the monuments described in it have been located as described.

ii. Certification by the city engineer that all engineering conditions and requirements of the city have been complied with. (Ord. 11-172 § 1)

Section 14-5-8 Application Approval

A. The planning department and the city engineer shall forward their written recommendation to the council.

B. After approval of the minor land division, the planning department shall authorize recordation of the minor land division after confirmation that:

1. All stipulations of approval have been complied with, including engineering plans pursuant to Section 14-5-10; and

2. Any instruments for required street right-of-way and utility easement dedications have been prepared, executed, and duly recorded. (Ord. 11-172 § 1)

Section 14-5-9 Denial

If the minor land division application is denied, the applicant will be furnished a letter stating the reasons for the denial. The application may be re-filed if suitable revisions can be made to resolve the conflicts and the stated reasons for denial. (Ord. 11-172 § 1)

Section 14-5-10 Engineering Plans for Minor Land Divisions

If improvements are required for minor land divisions pursuant to Section 14-5-5, the applicant shall be responsible for the preparation of a complete set of engineering plans, prepared by an Arizona registered civil engineer, satisfactory to the city engineer for the construction of the required improvements. The plans shall be prepared in conjunction with the minor land division map. The minor land division map shall not be recorded until all engineering plans for the required improvements have been approved by the city engineer. (Ord. 11-172 § 1)

Section 14-5-11 Assurance of Construction of Minor Land Division Improvements

If improvements are required for the minor land division, 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 deferred or waived by the city engineer if the applicant provides a performance bond or other assurance of construction, in a form approved by the city attorney, or if all such improvements have been completed and paid for, as determined by the city engineer. (Ord. 11-172 § 1)

Article 14-6 Modifications

A. Where, in the opinion of the council, there exists extraordinary conditions of topography, land ownership or adjacent development, or other circumstances not provided for in this chapter, the council may modify these regulations in such manner and to such extent as it may deem appropriate to the public interest.

B. In the case of a plan and program for a complete community or a complete neighborhood, the council may modify these regulations in such manner as appears necessary and desirable to provide adequate space and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and may require stipulations to assure conformance with the achievement of the plan.

C. In modifying the standards or requirements of these provisions as outlined in this section, the council may make such additional requirements as appear necessary, in its judgment, to secure substantially the objectives of the standards or requirements so modified. (Ord. 11-172 § 1. Formerly Article 14-5)

Article 14-7 Prohibition Against Circumvention of Chapter

It is unlawful for any person to offer to sell or lease, to contract to sell or lease or to sell or lease or to sell or lease any subdivision or part thereof until a final plat thereof, in full compliance with provisions of this chapter and of any subdivision regulations which have been duly recorded in the office of the county recorder, is recorded in the office of the recorder, except that this shall not apply to any parcel or parcels of a subdivision offered for sale or lease, contracted for sale or lease, or sold or leased in compliance with any law or subdivision regulation regulating the subdivision plat design and improvement of subdivisions in effect at the time the subdivision was established. The

county recorder shall not record a plat unless the plat has been approved by the council.

A. No person, firm or corporation shall divide any lot, piece or parcel of land for the purpose of financing, or sell or lease, or offer for sale or lease which:

1. Is within a subdivision as defined in Section 14-1-2 of this chapter without first having recorded a plat thereof in accordance with the provisions of this chapter; or

2. Is not within a subdivision as defined in Section 14-1-2 of this chapter without first having recorded a plat thereof in accordance with the provisions of this chapter.

B. No building permit shall be issued for construction on any lot, piece or parcel of land which is not a part of a recorded subdivision plat, or has not been approved by the planning director in accordance with the provisions of this chapter. (Ord. 11-172 § 1. Formerly Article 14-6)

Article 14-8 Violations and Penalties

Any person, firm, corporation or legal entity who violates any provision of this chapter shall be guilty of a misdemeanor and upon conviction thereof, may be punished by a fine of not more than three hundred dollars or by imprisonment in the city jail for not more than ninety days, or by both such fine and imprisonment. Each day that a violation is permitted to exist may constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of these regulations. (Ord. 11-172 § 1. Formerly Article 14-7)