

**CHAPTER 14.      SUBDIVISIONS**

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**Article 14-01      GENERAL PROVISIONS**

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**14-01-010    Purpose and Intent.**

- A.    The purpose of this Chapter is to regulate the subdivision of lands within the Town of Prescott Valley in accordance with Article 6.2, Chapter 4, Title 9 Arizona Revised Statutes (as amended) by providing (among other things) standards for the design of subdivision plats; minimum requirements for the installation of streets, sewer and water utilities and other improvements as a condition of plat approval; controls on lot sizes and other regulations necessary for the public health, safety or general welfare; dedication of public streets, easements or other rights-of-way; acceptable engineering of public improvements; posting of necessary assurances for public improvements; and reservation of adequate sites for parks, schools, recreation areas and other public facilities.
- B.    The provisions of this Chapter may apply in conjunction with the provisions for Planned Area Developments (PADs) in Article 13-19 of this Code (as amended) land splits in Article 13-22 of this Code (as amended). Nothing herein shall preclude formation of exclusively non-residential PADs under Article 13-19 which are not subdivisions.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-01-010; Ord. No. 375, Amended, 12/28/95; Ord. No. 801, Amended, 02/12/15)

**14-01-020    Definitions.**

- A.    In addition to the definitions in Article 6.2, Chapter 4, Title 9 Arizona Revised Statutes (as amended), the following definitions shall apply to this Chapter:
  - 1.    "Access" means the location means or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this Chapter.
  - 2.    "Acre" means a parcel of land containing 43,560 square feet of area within the property lines of said parcel.
  - 3.    "Alley" means a private right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on some other street.

4. "Approved Lending Institution" means any title insurance company, title insurance agent, bank, savings and loan association or mortgage lending company currently approved by the Federal Housing Administration to act as a mortgagee and qualified to transact business in the State of Arizona, and any other lending institution approved by the Town Attorney.
5. "As-Built Drawings" means a revised set of drawings submitted by an engineer reflecting all changes made in specifications and working drawings during construction and showing exact dimensions, geometry, and location of all elements of work completed.
6. "Block" means property fronting on one (1) side of a street and so bounded by other streets, canals, railroad rights-of-way, unsubdivided acreage, or other barriers (except alleys) of sufficient magnitude as to interrupt the continuity of development on both sides thereof.
7. "Commission" means the Planning and Zoning Commission of the Town of Prescott Valley.
8. "Conditional Approval" means an affirmative action by the Commission or Council indicating that approval will be forthcoming upon satisfaction of certain specified conditions.
9. "Condominium" means the improvement of property in accordance with Town standards where an undivided interest in common, in all or a portion of the property is coupled with the right of exclusive occupancy of any unit of airspace thereon. A condominium may include an individual interest in common in a portion of the building or buildings; a separate interest in a portion of a building; or a separate interest in a portion of the property together with an undivided interest in common in a portion of the property.
10. "Department" means the Development Services Department of the Town of Prescott Valley.
11. "Development" means the utilization of land for public or private purposes.
12. "Drainage Easement" means an easement on a property that allows access to part of the property for the purpose of maintaining storm drainage. The drainage easement may include a culvert or drain that feeds into a drainage system or may describe a particular area upon the property where runoff shall be allowed to flow freely.
13. "Easement" means a grant by the owner for use of land by the public, a corporation or person for designated purposes.
14. "Engineering Plans" means plans, profiles, cross-sections and other required details for the construction of improvements, prepared by a registered engineer in accordance with the approved Preliminary Plat and in compliance with standards of design and construction set forth from time to time in this Code.

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15. "Exception" means any parcel of land within the subdivision which is not owned by the subdivider or not included in the recorded plat. All such exceptions must be noted on the Final Plat as "not a part of this subdivision".
16. "Final Approval" means unconditional approval of the Final Plat of a subdivision. Such final approval must be certified on the plat by the Mayor and attested by the Town Clerk.
17. "General Plan" means a plan, or parts thereof, providing for the future growth and improvement of the Town and for the general location of streets, schools, recreation areas, public building sites, and other physical development (sometimes referred to as the Comprehensive Plan).
18. "Improvements" means required installations set forth in this Chapter as a condition to approval, acceptance and recordation of the Final Plat.
19. "Improvement Standards" means the set of adopted regulations setting forth the details, specifications and instructions to be followed in the planning, design and construction of required Improvements.
20. "Irrigation Facilities" means canals, laterals, ditches, conduits, gates, pumps and related equipment necessary for the supply, delivery and drainage of irrigation water.
21. "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 has its principal frontage on a dedicated street, street easement, or private access way.
  - a. "Corner Lot" means a lot abutting on 2 or more intersecting streets where the angle of intersection does not exceed one hundred thirty-five degrees (135°).
  - b. "Interior Lot" means a lot having only 1 side abutting on a street.
  - c. "Key Lot" means an interior lot, 1 side of which is contiguous to the rear line of a corner lot.
  - d. "Through Lot" means a lot abutting 2 parallel or approximately parallel streets.
22. "Lot Area" means the area in square feet lying within the lines of the lot.
23. "Lot Depth" means the distance between the mid-point of the front and rear lot lines.
24. "Lot Line" means:
  - a. Front: that line abutting the street. On corner lots the front line shall

be the shorter of the 2 street lines as originally platted, subdivided, or laid out. Where lines are equal, the front line shall be that line which is the front by reason of prevailing custom of other buildings in the block. The front lot line of a through lot is that line which is the front by reason of usage of adjacent lots. Such a lot exceeding one hundred eighty-eight (188) feet in depth shall be considered as 2 lots each with its own frontage.

- b. Rear: that line opposite the front line. Where the side lines meet in a point, the rear line shall be considered parallel to the front line or a tangent of the mid-point of a curved front line and lying ten (10) feet within the lot.
  - c. Side: those lines connecting the front and rear lot lines.
25. "Lot Width" means:
- a. If side lines are parallel, the shortest distance between the side lines.
  - b. If side 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 midpoint of the front and rear property lines.
26. "Master Development Plan (MDP)" means a preliminary plan for the development of a large or complicated area, the platting of which is expected in progressive stages. An MDP may be designed by the subdivider or by the Department, and shall be subject to Commission or Council approval.
27. "Multi-Use Path (MUP)" means any 2-way path or trail designated for multiple, non-motorized uses such as bicycle or pedestrian use. MUPs are constructed of concrete or asphalt and shall be designed in accordance with AASHTO standards and shall be wheelchair accessible where possible. MUPs shall generally correspond to the Minor Arterial and Collector Roadway System identified in Chapter 6 "Circulation Element" of the General Plan (Exhibit CIR-11) (as amended) and Section 14-03-100 of this Chapter (as amended). An MUP may be developed adjacent to the roadway or as a "greenbelt" path set back or independent from an adjacent roadway.
28. "Neighborhood Plan (NP)" means a plan to guide future platting of vacant adjacent parcels in an area not initially subject to an MDP, to correlate street patterns and other land-use relationships.
29. "Open Space Lands" means any space or area characterized by natural scenic beauty (or whose existing openness, natural condition, or present state of use (if retained) would maintain or enhance the preservation of natural or scenic resources, or the production of food or fiber).
30. "Owner" means the person or persons holding title by deed to land, holding title as a vendor under land contract, or holding any other title of record.

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31. "Plat" means a map of a Subdivision.
- a. "Preliminary Plat" means a preliminary map, including supporting data, indicating a proposed subdivision design prepared by a registered civil engineer, a registered land surveyor, a landscape architect, or an architect in accordance with this Chapter and applicable Arizona Revised Statutes. A preliminary site plan for a condominium development shall be considered a Preliminary Plat.
  - b. "Final Plat" means a map of all or part of a subdivision, including supporting data, essentially conforming to an approved Preliminary Plat and prepared by a registered civil engineer, a registered land surveyor, a landscape architect, or an architect in accordance with this Chapter and applicable Arizona Revised Statutes.
  - c. "Recorded Plat" means a Final Plat bearing all certificates of approval required by this Chapter and applicable Arizona Revised Statutes, duly recorded in the Yavapai County Recorder's Office.
  - d. "Reversionary Plat" means:
    - (1) a Final Plat for the purpose of reverting previously subdivided land to unsubdivided land; or
    - (2) a Final Plat for the purpose of vacating streets or easements previously dedicated to the public; or
    - (3) a Final Plat for the purpose of vacating or redescribing lot or other parcel boundaries previously recorded.
32. "Preliminary Approval" means affirmative action on a Preliminary Plat, noted thereon, indicating that approval of a Final Plat will require satisfaction of specified conditions (allowing the subdivider to proceed with final engineering plans and Final Plat preparation).
33. "Private Access Way" means any access to 1 or more lots or air spaces which is owned and maintained by an individual or group of individuals for reasons of neighborhood identification, control of access or special development nature, but constructed in accordance with adopted Improvement Standards (or other Town standards set forth in this Code).
34. "Right-of-Way" means any access. Public rights-of-way may include areas required for public use pursuant to the General Plan. Public rights-of-way may be designated by Plat dedication or by conveyance of fee title or easements by deed.
35. "Sidewalk" means a concrete public way with curb, gutter and driveway cut-outs constructed in accordance with adopted Improvement Standards and located within the Street Right-of-Way.

36. "Street" means any existing or proposed street, avenue, boulevard, road, lane, parkway, place, bridge, viaduct, or easement for public vehicular access; or a street shown in a Plat heretofore approved pursuant to law; or a street in a Plat duly filed and recorded in the County Recorder's Office. A street includes all land within the street Right-of-Way, whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking space, bridges, and viaducts. Streets may be designed as federal, state or county highways or roadways.
- a. "Freeway - Expressway" means a street providing for the expeditious movement of large volumes of through traffic between areas or across, around or through the Town (including a divided arterial street with full control of access and not intended to provide direct access to abutting land). Freeways - Expressways will normally be a portion of a system or network.
  - b. "Arterial" means a street that provides for the movement of large volumes of traffic within and through urban areas of the Town (with direct access to abutting land). Arterials will normally be a portion of a system or network.
    1. "Major Arterial" means a street that serves centers of activity and carries the major portion of traffic entering and leaving the Town or bypassing central areas.
    2. "Minor Arterial" means a street that interconnects with and augments the Major Arterial system and provides access to Collectors. Minor Arterials do not typically penetrate neighborhoods.
  - c. "Collector" means a street that provides movement for a moderate volume of traffic and links neighborhoods, businesses and industry with the Arterial system. Collectors also provide for traffic movement within neighborhoods and direct access to abutting properties.
  - d. "Frontage Road" means a Collector located within a Freeway - Expressway Right-of-Way and parallel to the Freeway - Expressway traffic lanes.
  - e. "Local Street" means a street that serves relatively low traffic volumes and provides access to residents, businesses, or other abutting properties. The traffic volume generated by the adjacent land uses is largely short trips or a relatively small part of longer trips where the Local Street connects to the Collector.
  - f. "Cul-de-Sac" means a 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 Town Engineer.

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- g. "Parkway" means any of the above street types which is intensively landscaped to provide attractive or scenic appearance, or located in a park or park-like area. Parkways may be restricted to non-commercial traffic.
  - h. "Marginal Access Road" means a partial street or half street (with related curb, gutter and sidewalk) that the Town requires an abutting business or other use to build as a condition of occupancy or operation.
37. "Street Classification Plan" means a plan for a system of Arterials (present and future).
38. "Subdivider" means a person, firm, corporation, partnership, association, syndicate, trust or other legal entity that files the application and initiates proceedings for a subdivision in accordance with the provisions of this Chapter and applicable Arizona Revised Statutes (as amended). Agents for legal entities are not subdividers and subdividers need not be property owners. The Town Council may itself prepare or have prepared a Plat for the subdivision of land under municipal ownership.
39. "Subdivision" means improved or unimproved land or lands divided for the purpose of financing, sale, or lease, whether immediate or future, into four (4) or more lots, tracts, or parcels of land; or, if a new Street is involved, any such property which is divided into 2 or more lots, tracts, or parcels of land; or, any such property, the boundaries of which have been fixed by a Recorded Plat, which is divided into more than 2 parts. Subdivision also includes any condominium, cooperative, community apartment, townhouse, or similar project containing 4 or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon. Subdivision does not include the following:
- a. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
  - b. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
  - c. The leasing of apartments, offices, stores or similar space within a building, mobile/manufactured home park, or recreational vehicle park.
  - d. Mineral, oil or gas leases.
40. "Subdivision Design" means Street alignment, grades, and widths; alignment and widths of easements and Rights-of-Way for drainage, sanitary sewers and public utilities; arrangement and orientation of lots; and locations of buildings (together with refuse collection and maintenance easements in condominium developments).



41. "Trail" means a public Right-of-Way that serves the same purpose of connection and linkage between public and quasi-public facilities in the Town as an MUP but also connects with existing or planned regional trails in Yavapai County and other municipalities. Trails are of similar width but are typically not hard-surfaced or AASHTO or ADA compliant (in that they are in natural existing terrains).
42. "Usable Lot Area" means that portion of a lot usable for, or adaptable to, the normal uses made of property. Excluded are areas covered by water, grades exceeding twenty percent (20%), or easements which limit normal property uses.
43. "Utilities" means facilities (underground or overhead) which provide electric, natural gas, steam, telecommunication, potable water, irrigation water, storm water, cable, wastewater collection and treatment, or similar services, owned and operated by any person, firm, corporation, department or board duly authorized by state or municipal regulations.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-01-020; Ord. No. 282, Amended, 10/22/92; Ord. No. 375, Amended, 12/28/95; Ord. No. 751, Amended, 08/12/10; Ord. No. 772, Amended, 03/28/13; Ord. No. 801, Amended, 02/12/15; Ord. No. 894, Amended, 01/13/22)

#### **14-01-030 Fees.**

Applications for Preliminary and Final Plat approval shall be accompanied by a non-refundable filing fee pursuant to Section 13-27-060 of this Code (as amended).

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-01-030; Ord. No. 375, Amended, 12/28/95; Ord. No. 801, Rep&ReEn, 02/12/15)

#### **14-01-040 Reserved.**

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-01-040; Ord. No. 801, Rep&ReEn, 02/12/15)

**Article 14-02 PLATTING PROCEDURES AND REQUIREMENTS**

- 14-02-010 Outline of Procedures.
- 14-02-020 Pre-Application Stage.
- 14-02-030 Preliminary Plat Stage.
- 14-02-040 Information Required for Preliminary Plat Submittal.
- 14-02-050 Final Plat Stage.
- 14-02-060 Information Required for Final Plat Submittal.
- 14-02-070 Process Flow Chart.

**14-02-010 Outline of Procedures.**

The preparation, submittal, review and approval of all Subdivision Plats located inside the limits of the Town shall proceed through the following stages:

- A. Pre-application stage.
- B. Preliminary Plat stage.
- C. Final Plat stage.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-02-010; Ord. No. 801, Amended, 02/12/15)

**14-02-020 Pre-Application Stage.**

- A. Purposes: This stage affords the Subdivider the opportunity of obtaining the advice and assistance of, and informally discussing the proposed Subdivision with the Department prior to the expense of a Preliminary Plat preparation. It also affords the Department the opportunity to give informal guidance at a time when potential points of conflict can be most easily resolved, subsequent relations improved, official action simplified, and undue expense and delay saved by the Subdivider.
- B. 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. Concepts and ideas regarding land use, street, and lot arrangements and tentative lot sizes.
  - 2. Tentative proposals regarding water supply, sewage disposal, surface drainage, and street improvements.
- C. 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. Advise the Subdivider if a zoning change will be required and that such change must be obtained prior to additional processing of the application.
  2. Advise the Subdivider if a General Plan amendment will be required and that such amendment must be obtained prior to additional processing of the application.
  3. Determine the adequacy of existing or proposed schools, parks, and other public spaces.
  4. Inspect the site or otherwise determine its relationship to Arterials, utility systems, and adjacent land uses, and determine if there are any unusual problems related to topography, utilities, flooding, etc.
  5. Provide the applicant with all of the necessary Town application forms; review with the applicant the submittal requirements and the neighborhood meeting requirements; and discuss the applicable schedules for the project.
  6. Determine the need for preparation and review of an MDP prior to subsequent consideration of a Preliminary Plat. Advise the Subdivider if an MDP is required and to what extent it shall be prepared by the Subdivider and by the Department.
- D. Master Development Plan (MDP): The Department shall use the following guidelines in establishing the need for an MDP: whether the tract is sufficiently large to comprise an entire neighborhood; whether the tract initially proposed for platting is only a portion of a larger landholding of the Subdivider; or whether the tract is a part 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 considered in determining the need for an MDP need not be under the Subdivider's control but may be part of a multi-faceted plan encompassing multiple developers and uses. MDPs shall be mandatory for developments of one hundred (100) or more acres consisting of a mixture of residential zoning districts and optional neighborhood commercial districts that support the needs of the neighborhood.
1. Preparation: The MDP shall be prepared to scale, accurate to a level commensurate with its purpose, and shall include:
    - a. General street patterns with particular attention to Collectors and future circulation throughout the neighborhood.
    - b. General location and size of school sites, parks, or other public areas.
    - c. Location of shopping centers, multi-family residential areas, or other proposed land uses.
    - d. Methods proposed for sewage disposal, water supply, and storm drainage.

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- e. Location of buildings and circulation for condominium developments.
  - f. A statement by the Department that the development conforms to the (i) Parks, Trails and Open Space Master Plan, (ii) Town's most current adopted transportation plans, and (iii) General Plan.
2. Approval: Upon acceptance of the general design approach by the Department, the MDP may be submitted to the Commission and Council for their consideration. If development is to take place in several parts, the MDP should be submitted as supporting data for each part. The MDP should be kept up-to-date by the Subdivider and the Department as modifications take place.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-02-020; Ord. No. 375, Amended, 12/28/95; Ord. No. 801, Amended, 02/12/15)

### 14-02-030 Preliminary Plat Stage.

The Preliminary Plat stage of land subdivision includes submittal, review, and approval of the Preliminary Plat. The Subdivider shall provide the Department with all information essential to determine the character and general acceptability of the proposed development.

- A. 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 a zoning amendment or a zoning adjustment is necessary for conformance with district regulations, said action 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 on behalf of the Subdivider while an application for zoning amendment or variance is pending shall in no instance be construed as having been undertaken in reliance on a favorable determination of such application (notwithstanding the nature of a Department recommendation on the matter). In any event, any such zoning amendment or adjustment required in relation to the Preliminary Plat shall have been adopted prior to Preliminary Plat approval.
- B. State and County Sanitary Sewerage and Water Supply Requirements: Where location of the development requires that the State and/or County be involved in sewage disposal, water supply, or fire protection, the Subdivider shall have first informed the appropriate State and/or County department of his tentative plans and learned the general requirements prior to Preliminary Plat review by the Department.
- C. Preliminary Plat Submission:
  - 1. Three (3) copies of the Preliminary Plat and other required supporting data prepared in accordance with requirements set forth in this Section shall be filed with the Department. Submission shall include fees as required by Section 14-01-030 of this Chapter (as amended). Copies of the Preliminary Plat shall be reproduced in the form of blue line or black line prints on a white background. The Preliminary Plat and all required supporting data shall also be provided in approved digital image format. Scheduling of the case for Commission hearing

shall be dependent upon adequacy of data presented and completion of processing.

2. The submittal shall be checked by the Department for completeness. If it is incomplete as to those requirements set forth in this Section, the submittal shall be rejected and the Subdivider notified within five (5) days from the date the map was received.

D. Preliminary Plat Review:

1. On receipt of the Preliminary Plat, the Department shall perform its review for compliance with public objectives. In so doing the Department shall give special attention to design principles and standards as set forth in Article 14-03 of this Chapter (as amended); to streets and thoroughfares (as related to the Town transportation plans) and to neighborhood circulation; to utility methods and systems; to existing and proposed zoning and land use of the tract and its environs; to land required for schools, parks, and other public facilities; to the mailbox plan as approved by the US Post Office; and to any traffic impact analysis required by the Town Engineer.
2. The Department shall distribute copies of the Plat to the appropriate agencies for review.
3. The Department shall collect the written comments of the reviewing offices, determine whether the proposed Preliminary Plat substantially conforms to the submission requirements, prepare a report, and present it to the Commission.

E. Preliminary Plat Approval:

1. If the Department report indicates that the requirements of this Chapter have been met, the Commission shall consider the Preliminary Plat at a future regular meeting.
2. The Commission shall consider the Preliminary Plat and the Department's recommendations and, if satisfied that all objectives have been met, the Commission shall approve the Preliminary Plat.
3. If the Plat is generally acceptable but requires minor revision before proceeding with preparation of the Final Plat, the Commission shall find Conditional Approval. At the direction of the Commission, the Plat may be given approval subject to the revisions in accordance with the stated conditions and reviewed by the Department.
4. If the Commission finds that the Plat requires major revision, the Plat may be continued pending revision or re-submittal for the same tract or any part thereof, and shall follow the aforementioned procedure.

F. Significance of Preliminary Approval: Preliminary approval constitutes authorization for the Subdivider to proceed with preparation of the Final Plat and the engineering plans and specifications for improvements. Preliminary approval is based upon the

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following items:

1. All subsequent Final Plats submitted within the Preliminary Plat shall comply with the basic conditions under which the Preliminary Plat is granted by the Commission.
2. Preliminary Plat approvals shall expire after twenty-four (24) months from the date of Commission approval unless a Final Plat which complies with the provisions of this Article is submitted for approval prior to the expiration of said period. Notwithstanding this requirement, a different period of validity may be negotiated as part of a development agreement between the Subdivider and the Town pursuant to ARS §9-500.05 (as amended).
3. Preliminary Plat approval, in itself, does not assure final acceptance of streets for dedication or continuation of existing zoning requirements for the tract or its environs, nor constitute authorization to record the Plat.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-02-030; Ord. No. 268, Amended, 12/12/91; Ord. No. 375, Amended, 12/28/95; Ord. No. 386, Amended, 07/11/96; Ord. No. 442, Amended, 08/27/98; Ord. No. 751, Amended, 08/12/10; Ord. No. 772, Amended 03/28/13; Ord. No. 801, Amended, 02/12/15)

### **14-02-040 Information Required for Preliminary Plat Submittal.**

#### **A. Identification and Descriptive Data:**

1. Proposed name of Subdivision and its location by section, township, range, and reference by dimension and bearing to a section or quarter section corner.
2. Name, address, and phone number of engineer, surveyor, landscape architect, or land planner preparing the Plat.
3. Name, address, and phone number of Subdivider.
4. Scale, north point, and date of preparation (including dates of any subsequent revisions).
5. A location map which shows the relationship of the proposed Subdivision to Arterials 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, north point, scale, and date shall be provided.

#### **B. Existing Conditions Data:**

1. Topography by contours or "spot elevations" related to USC&GS survey datum, or other datum approved by the Town 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 rights-of-way of record, public areas, and 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 rights-of-way and on private property (including utility lines and trees).
  5. Name, book, and page numbers of any recorded adjacent Subdivisions having common boundaries with the tract.
  6. By note, the existing zoning classifications of the subject tract and adjacent tracts.
  7. By note, the acreage of the subject tract.
  8. Fully-dimensioned boundaries of the tract to be subdivided.
  9. Engineers' calculations and estimated values for each tributary storm runoff for the 100-year and 50-year frequency storms (said values to be indicated along the boundary of the Plat for all points of drainage entering the property).
- C. Proposed Conditions Data:
1. Street layout, including location, width, curve radii, and proposed names of streets, alleys and crosswalks; and connections to adjoining platted tracts.
  2. Typical lot dimensions (scaled); dimensions of all corner lots and lots of curvilinear sections of streets; individual lot numbers; total number of lots or dwelling units.
  3. Proposed landscape, recreation and open space elements.
  4. Designation of all land to be dedicated or reserved for public use (with use indicated).
  5. Clearly-designated land for which multi-family, commercial, or industrial use is proposed (together with existing zoning classifications and status of zoning change, if any).
  6. Proposed development units.
  7. Proposed storm water disposal system and preliminary calculations and layout of proposed drainage system. The direction of proposed street drainages to be indicated by arrows on the Plat and, if required by the Town Engineer, a proposal to provide for detention of storm water.

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### 8. Compliance with:

- a. The Town Flood Control Regulations in Chapter 12 of this Code (as amended) 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 Freeways - Expressways and Arterials.
- c. Statutes, ordinances, rules and regulations of the appropriate State, County, or Town departments (as applicable), relating to the provision of domestic water supply and sanitary sewerage disposal.

### D. 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 the Preliminary Plat.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-02-040; Ord. No. 268, Amended, 12/12/91; Ord. No. 375, Amended, 12/28/95; Ord. No. 563, Amended, 07/10/03; Ord. No. 772, Amended 03/28/13; Ord. No. 801, Amended, 02/12/15)

### 14-02-050 Final Plat Stage.

This stage includes the final design of the Subdivision, engineering of the public improvements, and submittal by the Subdivider of the Plat and plans, final reports (drainage, soils, water and sewer), Covenants, Conditions & Restrictions, and documented proof of a mailbox plan approved by the United States Postmaster, Prescott, Arizona for review and for action by the Department 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, the location and width of easements 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 easement except utilities; wood, wire or removable section type fencing; asphalt paving; or grass. It shall be further understood that the Town shall not be required to replace any obstructions, paving or planting that 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 nor any vegetation planted or allowed to grow within or over the drainage easement that would obstruct or divert the flow of storm water. The Town may, if it so desires, construct or maintain drainage facilities on or under the land of any Type 2 easement."
- C. Final Plat Preparation: The Final Plat shall be presented in accordance with requirements set forth in this Section and shall substantially conform to the approved Preliminary Plat.
- D. Final Plat Submission: The Subdivider shall file with the Department two (2) Final Plats (mylar or durable paper [as defined in Section 7-01-040(B)], and thirteen (13) copies thereof, together with a copy in an approved digital format and a letter of transmittal and recordation fee, at least twenty-one (21) days prior to the Council meeting at which consideration is desired. A fee for Final Plat and construction plan review will be in accordance with Section 14-01-030 of this Chapter (as amended).
- 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 the submittal to the appropriate reviewing agencies.
  2. The Department shall assemble the recommendations of the various reviewing offices, 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 Commission), then the Final Plat shall first be submitted to the Commission for review and recommendations prior to submittal to the Council.
- F. Final Plat Approval:
1. Upon receipt of a request for Council action from the Department, the Town Clerk shall place the Final Plat on the agenda of a regular Council meeting, whereupon the Council shall approve or deny the Plat.
  2. If the Council approves the Final Plat, the Town Clerk shall transcribe a certificate of approval thereon, first making sure that the other required certifications pursuant to this Article have been duly signed.
  3. When the certificate of approval by the Council has been transcribed on the Final Plat, the Department shall retain the record copy until the Town Engineer certifies that the Subdivision has been staked and the engineering plans have been approved.

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4. The Department shall cause the Final Plat to be recorded in the Office of the County Recorder of Yavapai County.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-02-050; Ord. No. 268, Amended, 12/12/91; Ord. No. 375, Amended, 12/28/95; Ord. No. 772, Amended 03/28/13; Ord. No. 801, Amended, 02/12/15; Ord. No. 880, Amended, 11/12/20)

### 14-02-060 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 (8 1/2) by fourteen (14) inches shall be subject to the following restrictions:
  1. A map or Plat of a Subdivision.
    - a. Shall be produced with permanent ink on a sheet or sheets of durable paper [as defined in Section 7-01-040(B)] or mylar measuring twenty-four (24) by thirty-six (36) inches, with a left margin of two (2) inches.
    - b. Shall be drawn to an accurate scale not to exceed one hundred (100) feet to the inch.
    - c. Shall also be provided in an approved digital format.
  2. All other maps or Plats.
    - a. Shall be produced with permanent ink on a sheet or sheets of durable paper [as defined in Section 7-01-040(B)] or mylar measuring eighteen (18) by twenty-six (26) inches with a left margin of 2 inches.
    - b. Shall be drawn to a scale not to exceed 100 feet to the inch.
    - c. Shall also be provided in an approved digital format.
  3. Copies of the record Plat shall be reproduced in the form of blueline or blackline 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. All survey data must be on the Town of Prescott Valley datum.

1. The corners of the Plat shall be located on the monument lines of abutting streets, and the boundaries of the tract to be subdivided shall be 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 within or surrounded by the Plat boundaries shall be noted as "not a part of this Subdivision", and all bearings and distances of the excepted parcel (as determined by an accurate survey in the field) shall be shown. All dimensions shall be expressed in feet and decimals thereof.
  3. The location and description of cardinal points to which all dimensions, angles, bearings and similar data on the Plat are referenced shall be shown. Each of 2 separate corners of the Subdivision traverse shall be tied by course and distance to separate section corners or quarter section corners.
  4. The location of all physical encroachments upon the boundaries of the tract shall be shown.
- D. Descriptive Data Required: The following descriptive data shall be required as part of the Final Plat submittal.
1. Name, Right-of-Way lines, courses, length and width of all public streets, alleys and related crosswalks; radii, points of tangency, and central angles of all curvilinear streets and alleys; and radii of all rounded street line intersections. All private access ways shall be clearly labeled on the Plat.
  2. All drainage ways. The Rights-of-Way of all major drainage ways, as designated by the Town Engineer, shall be dedicated to the public.
  3. All lots, numbered by consecutive numbers. All tracts and parcels shall be designated, lettered or named and clearly dimensioned, and parcels which are not part of the Subdivision shall be so designated.
  4. Locations, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public (with the use clearly indicated).
  5. Location of all adjoining Subdivisions, with name, book, and page number of recordation noted (or, if unrecorded, so marked).
  6. 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 Town).
  7. All existing private easements within, on, or over the Plat (dimensioned and noted as to their use).
- E. Dedication and Acknowledgment:

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1. Dedication: There shall be required as part of the Final Plat submittal a statement of dedication of all streets, drainage retention basins, drainage ways, MUPs, trails, and other easements for public use (including any needed for sanitation, fire and other emergency related vehicles), executed by the person holding title of record, by persons holding title as vendees under land contract, lienholders, and the spouses of such parties. If lands dedicated are mortgaged, the mortgagee shall also sign the Plat. Dedication shall include a written location by section, township, and range of the tract. If the Plat contains private access ways, the public easement that shall be reserved shall include the right to install and maintain utilities in the private street and shall allow for access by refuse collection, fire and other emergency.
  2. Acknowledgment of Dedication: Execution of dedication shall be acknowledged and certified by a notary public.
- F. Required Certifications, Signatures and Statements: The following certifications, signatures and statements shall be required as part of the Final Plat submittal.

1. Assurances Statement:  

“Assurances as provided for in Prescott Valley Town Code Article 14-04 (as amended) to guarantee construction of the required improvements have been provided.”

2. Conveyance and Dedication:  

“Know all men by these presents that (name), as owner(s), has/have subdivided (or re-subdivided) under the name of (name of Subdivision), (add Section, Township and Range) of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, as shown platted hereon, and hereby publish(es) this Plat as and for the Plat of said (Subdivision name), and hereby declare(s) that said plat sets forth the location and gives the dimensions of all lots, easements, tracts, and streets constituting the same, and that each lot, tract and street shall be known by the number, letter and name given each respectively, and that (name), as owner(s), hereby dedicate(s) to the public for use as such the streets, the drainage and public utility easements, and other easements as shown on said Plat. In witness (name), as owner(s), has/have hereunto caused its/their name(s) to be signed and the same to be attested by the signature of (owner or designated signatory and title).

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Owner(s) Name and Title

3. Certificate of Land Surveyor and/or Engineer of Record:  

“This is to certify that the survey of the premises (property) described and platted hereon was made under my direction and supervision and is accurately represented on this Plat. I also certify that the Plat is in substantial conformance to the approved Preliminary Plat and that this Plat is correct and

accurate as shown.”

\_\_\_\_\_  
Registered Land Surveyor

\_\_\_\_\_  
Date

4. Engineers Information:

The Final Plat shall contain the name and registration number of the registered professional civil engineer(s) who prepared the Preliminary Plat and is/are responsible for the engineering necessary in preparation of the proposed Subdivision.

5. Certificate for Signatures:

“This Plat has been checked for conformance to the approved Preliminary Plat and any special conditions attached thereto, to the requirements of the Prescott Valley Subdivision Code, and to any other applicable regulations, and appears to comply with all requirements within my jurisdiction to check and evaluate.”

By (Mayor)                      Date  
By (Town Engineer)      Date  
By (Town Clerk)            Date

6. Assured Water Supply:

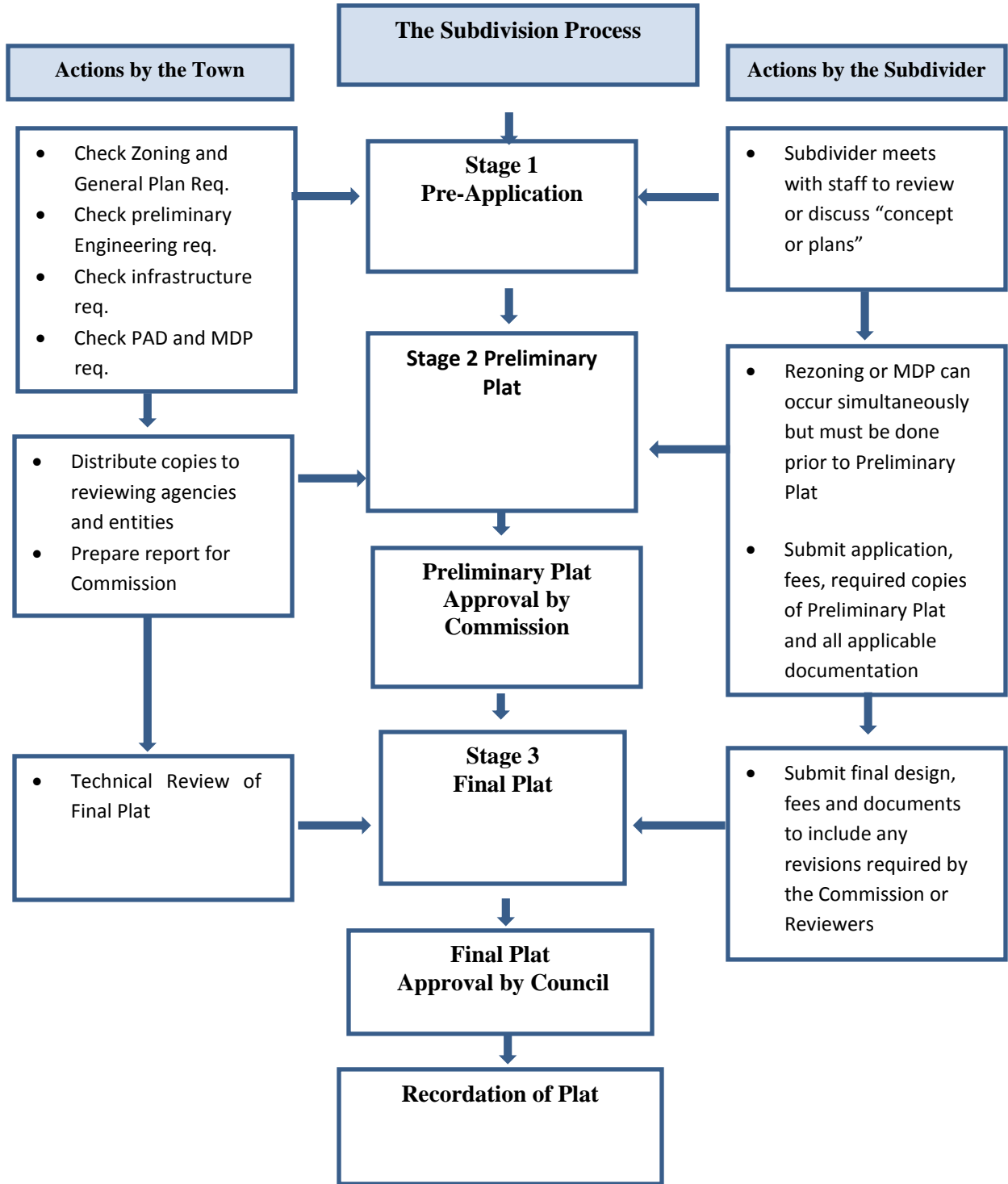
“The Arizona Department of Water Resources has granted a Certificate of Assured Water Supply, DWR File No. \_\_\_\_\_, in accordance with ARS §45-576.”\*

\*Note: This requirement may be waived by the Town Engineer for commercial plats based on site specific conditions or other information related to the project

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-02-060; Ord. No. 375, Amended, 12/28/95; Ord. No. 772, Amended, 03/28/13; Ord. No. 801, Amended, 02/12/15; Ord. No. 880, Amended, 11/12/20)

**14-02-070      Process Flow Chart.**

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(Ord. No. 801, Enacted, 02/12/15)

**Article 14-03        SUBDIVISION DESIGN STANDARDS AND PRINCIPLES**

- 14-03-010    In General.
- 14-03-020    Street Location and Arrangement.
- 14-03-030    Street Design.
- 14-03-040    Block Design.
- 14-03-050    Lot Planning.
- 14-03-060    Condominium Developments.
- 14-03-070    Easement Planning.
- 14-03-080    Street Naming and Addressing.
- 14-03-090    Hillside Development.
- 14-03-100    Design Diagrams.

**14-03-010    In General.**

- A.    Conformance to Plans. Every Subdivision shall conform to requirements and objectives of the General Plan (or any parts thereof) as adopted by the Council; to the Town Zoning Chapter; to this Chapter; to other ordinances, codes, and regulations of the Town; and to the Arizona Revised Statutes (as amended).
- B.    Dedication of Parks and other Public Lands. Where the tract contains all or any part of the site of a school, park, or other public site (as shown on the General Plan or as recommended by the Commission), such site shall either be dedicated to the public or reserved for acquisition by the public within a specified period of time. An agreement shall be reached between the Subdivider and the appropriate public agency regarding time, method, and cost of such acquisition. In the event of failure to reach such agreement within a reasonable period of time for reasons satisfactory to the Commission, the Commission may determine that requirements of this Section have been met.
- C.    Land Unsuitability. No land shall be subdivided which is determined by the Commission to be unsuitable for residential use by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formations, extreme topography, erosion susceptibility, or similar conditions which are likely to prove harmful to the health, safety and general welfare of the community or the future property owners. The Commission, in applying the provisions of this Section, shall state in writing the particular facts upon which its conclusions are based and shall also define the conditions under which the land may, in its opinion, become suitable for the proposed development. Any Subdivider proposing development of such land shall have the right to present evidence to the Council contesting such determination of unsuitability, whereupon the Council may affirm, modify, or withdraw the restriction.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-03-010; Ord. No. 375, Amended, 12/28/95; Ord. No. 801, Amended, 02/12/15)

**14-03-020    Street Location and Arrangement.**

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- A. Whenever a tract to be subdivided embraces any part of a street designated in an adopted Town transportation 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 an NP has been approved by the Commission, 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. Street locations and access shall conform to the provisions of Chapter 6 "Circulation Element" of the General Plan (as amended).
- 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 Town transportation plans, to complete a street pattern already begun, or to ensure 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.
- J. Where private access ways are approved, statements shall be contained on the Plat (and in both the deed restrictions and the homeowners' association by-laws) that those access ways are subject to an easement authorizing use by emergency and public service vehicles, but otherwise remain the permanent responsibility of the homeowners' association.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-03-020; Ord. No. 772, Amended, 03/28/13; Ord. No. 801, Amended, 02/12/15)

### 14-03-030 Street Design.



- A. Street and alley design shall conform to the following standards as well as the Improvement Standards adopted from time to time.
- B. Minimum Required Right-of-Way Widths:
  - 1. Arterials - as required by applicable Town, County or State standards.
  - 2. Collectors - as required by applicable Town standards.
  - 3. Local Streets - sixty (60) feet wide adjacent to park and school sites; otherwise as required by applicable Town standards.
    - a. Cul-de-Sacs - terminate in a circular Right-of-Way forty-eight (48) feet in radius (96' diameter) (with a three (3) foot utility easement around the turnaround).
    - b. A fire code official with the Central Yavapai Fire District may, as part of a preliminary development plan approval process, approve a Cul-de-Sac terminating in a circular Right-of-Way with a minimum forty-one (41) feet in radius (82' diameter) (with a three (3) foot utility easement around the turnaround) with No Parking / Fire Lane signs posted in the Cul-de-Sac.
    - c. Note: dead-end streets will not be approved except in locations recommended by the Department as necessary to future extension in development of adjacent lands. In such cases, a dead-end street extending two hundred (200) feet or more shall include an easement for a temporary turning circle with a forty (40) foot radius (or other acceptable design to accomplish adequate access).
  - 4. Alleys - sixteen (16) feet wide where single-family residential uses are on both sides, and twenty (20) feet wide if there are abutting commercial, multiple-family residential, or industrial uses. Alley intersections and sharp changes in alignment shall be avoided but, where necessary, corners shall be cut off fifteen (15) feet on each side to permit safe vehicular movement. Dead-end alleys are prohibited. All half alleys shall have a minimum width of twelve (12) feet.
  - 5. Private Access Ways - as required by applicable Town standards.
- C. Grades:
  - 1. Maximum:
    - a. Collectors 7%
    - b. Local Streets 15%  
[All over twelve percent (12%) have a maximum length of six hundred (600) feet]

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- c. Arterials: as determined by the Town Engineer.
- 2. Minimum:
  - a. Concrete or asphalt streets with concrete gutters:
    - (1) Minimum .5%
  - b. Concrete or asphalt streets without gutters:
    - (1) Minimum 1%
- D. Horizontal Design:
  - 1. Arterials as determined by the Town Engineer.
  - 2. Tangent centerlines shall not deflect from each other more than ten (10) degrees and less than ninety (90) degrees; they shall be connected by a curve with a minimum centerline radius of five hundred (500) feet for Collectors or one hundred (100) feet for Local Streets.
  - 3. All Arterials and Collectors with reverse curves shall have a tangent section of centerline not less than 100 feet long, unless the radius exceeds 600 feet on Collectors. Low volume, low speed Local Streets may accommodate reverse curves without a tangent section between curves.
  - 4. Streets intersecting Arterials shall do so at a 90 degree angle. Intersections of Local Streets shall not vary from 90 degrees unless otherwise approved by the Traffic Engineer and Town Engineer.
  - 5. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be prohibited except when approved by the Town Engineer. Under special circumstances where Local Streets intersect Arterials, the Town Engineer may require minimum centerline offsets of four hundred (400) feet.
  - 6. Local Streets intersecting Collectors or Arterials shall have a tangent section of centerline at least one hundred fifty (150) feet in length measured from the Right-of-Way line of the Arterial; except that, no such tangent is required when the Local Street curve has a centerline radius greater than 400 feet with the center located on the Arterial Right-of-Way line.
  - 7. Street intersections with more than four (4) legs and Y-type intersections where legs meet at acute angles shall be avoided. Provisions of T-type intersections for Local Streets are encouraged.
  - 8. Collectors shall intersect the Arterials at the midsection corners.
  - 9. Local Streets which are primary access to a Subdivision shall intersect Arterials at the quarter mile corners.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-03-030; Ord. No. 772, Amended, 03/28/13; Ord. No. 801, Amended, 02/12/15; Ord. No.830, Amended, 04/27/17)

**14-03-040 Block Design.**

- A. Maximum length of blocks, measured along the centerline of the street and between intersecting street centerlines, shall be no more than fifteen hundred (1,500) feet. However, in developments with lot areas averaging one-half (1/2) acre or more (or where extreme topographic conditions warrant), this maximum may be exceeded by five hundred (500) feet. Blocks shall be as long as reasonably 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-Sacs shall be no more than thirteen hundred twenty five (1,325) 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. Rather, provisions shall be made for extension of the street pattern to the adjoining unplatted parcel (and a temporary turnaround installed).

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-03-040; Ord. No. 772, Amended, 03/28/13; Ord. No. 801, Amended, 02/12/15)

**14-03-050 Lot Planning.**

- A. Lot width, depth, and area shall comply with the minimum requirements of the Zoning Code 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 Commission 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 Commission may make special lot width, depth, and area requirements which exceed the minimum requirements of the particular zoning district.
- C. Single-family residential lots shall not have a width to depth ratio greater than one (1) to three (3).
- D. Minimum front building lines shall conform to the minimum requirements of the Zoning Code.
- E. Side lot lines shall be substantially at right angles or radial to street lines.
- F. Every residential lot shall abut upon a public street or private access way furnishing

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satisfactory access thereto.

- G. Residential lots extending through the block and having frontage on two (2) parallel streets (both being Local Streets or 1 being a Local Street and the other a Collector), are not permitted except when there are commercial or industrial uses on the opposite side of the street or when otherwise permitted in this Chapter. Backing of lots to Arterials or Freeways - Expressways is prohibited.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-03-050; Ord. No. 375, Amended, 12/28/95; Ord. No. 801, Amended, 02/12/15)

### 14-03-060 Condominium Developments.

- A. All requirements of this Chapter apply to condominiums. A preliminary site plan shall be considered a Preliminary Plat and a final site plan a Final Plat.
- B. The Final Condominium 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. Conversion of Conventional Apartment Developments. Preliminary Plats shall show the following (in addition to all information required by the Department check list for site plans):
    - a. Firewall construction (if required by the Fire Code).
    - b. Additional parking (if required).
    - c. Additional open space (if required).
    - d. Location of individual utility lines and meters (if needed).
    - e. Additional exits.
  - 2. Final Plats shall show:
    - a. All buildings.
    - b. Private drives and parking areas.
    - c. Required assessments.
    - d. Designation of commonly-owned property.
    - e. Necessary dedication statements.
    - 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 Plat shall show all of the information required by the Department's Preliminary Plat checklist.
  - b. Final Plats shall show all of the information required above in this Section.
  - 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 Town Council and recorded after construction has been completed and final inspection made.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-03-060; Ord. No. 801, Amended, 02/12/15)

**14-03-070 Easement Planning.**

- A. In addition to the public streets, public utility easements for both on-site and off-site utilities shall be provided by Subdividers as follows:
  - 1. Where alleys are provided: four (4) feet for aerial overhang on each side of alley shall be provided by dedication.
  - 2. Along side lot lines: seven and one-half (7 1/2) feet on each side of lot lines for distribution facilities and one (1) foot on each side of lot lines for street lighting.
  - 3. Guy and anchor easements: 1 foot wide on each side of lot line, and approximately thirty-five (35) feet in length measured from the rear lot line (if utility lines are overhead).
  - 4. Connecting Subdivisions to utility systems: minimum thirty (30) foot wide easements for off-site trunk lines and mainlines to connect Subdivisions to utility systems.
- 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 (120) 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 a tract, dedication of a public drainage easement of a width sufficient to permit widening, deepening, relocating or protecting and maintaining said water course shall be required.

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- D. Land within a public street or drainage 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 (1/2) acre in area. This shall not apply to land involved in utility easements for distribution or service purposes.
- E. Except where alleys are provided, lots that back up to railroads, canals or commercial or industrial uses shall have a minimum depth of one hundred ten (110) feet. The rear ten (10) feet of such lots shall be recorded as a vehicular non-access and landscape easement.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-03-070; Ord. No. 390, Amended, 07/11/96; Ord. No. 801, Amended, 02/12/15)

### **14-03-080 Street Naming and Addressing.**

- A. Before submittal of a Final Plat, the Department will provide the Subdivider with the street naming and addressing standards set forth in Sections 1-11-040 and 1-11-080 of this Code (as amended) and instructions for preparing and submitting the following:
  - 1. A map illustrating street layouts, the name proposed for each street, and the proposed address number for each adjacent lot, parcel and/or building; and
  - 2. An alphabetical list of the proposed street names, together with alternate names and English translations of foreign language names (where appropriate).
  - 3. A mailbox plan approved by the United States Postmaster, Prescott, Arizona.
- B. Once the Subdivider has submitted all of the information required in this Section, the Subdivider may incorporate the approved street names in the Final Plat. The Department will then input the approved addresses into the Town's permit system and database.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 49, Enacted, 01/22/81; Ord. No. 54, Amended, 06/25/81; Ord. No. 178, Renumbered, 05/26/88, 17-03-080; Ord. No. 350, Amended, 02/09/95; Ord. No. 350, Rep&ReEn, 02/09/95; Ord. No. 772, Amended, 03/28/13; Ord. No. 801, Amended, 02/12/15)

### **14-03-090 Hillside Development.**

Because of the unique and peculiar problems inherent in the development of hillside areas, special standards must be applied (regardless of parcel size).

- A. Special Preliminary Plat Requirements.
  - 1. A topographic map of existing terrain, with contour intervals adequate to show the nature and variations in the terrain: two (2) foot intervals for grades less than fifteen percent (15%), and five (5) foot intervals for grades greater than 15%. The map shall also include elevations of critical spots, rock outcrops, and special characteristics.

2. Where necessary to determine that lots will be usable, a plan for each lot, in conformance with grading and drainage regulations, showing the natural topography of the total parcel to be platted, the location and size of all structures, the finished grade at all improvement locations, and the depth and extent of all cuts and fills (as recommended by the Department or required by the Commission).
  3. A report of a proper soil investigation by a licensed geologist or engineer to determine any geological hazard and soil bearing quality.
  4. The location of existing and proposed conservation easements.
- B. Special Final Plat Requirements.
1. A final grading plan which conforms to the requirements of the grading and drainage regulations in this Chapter and as otherwise required in this Code.
  2. A detailed topographic map at larger scale and closer contour intervals, or suitable cross sections or profiles of areas where streets, driveways, buildings, and utility or grading construction are proposed.
  3. Road profiles and cross sections at all significant changes in the cross slopes (the cross section to show proposed and natural grades at the centerline of the road, edge of roadway, the Right-of-Way line, and the proposed building setback lines).
  4. Locations of all building sites and proposed driveways.
- C. Special Design Standards.
1. Street and private access way grades shall conform as closely as possible to natural topography (but shall not exceed 15%).
  2. Street grades exceeding twelve percent (12%) shall have a maximum length of six hundred (600) feet.
  3. Upon approval of the Town Engineer, horizontal alignments may provide curves with less than one hundred (100) foot centerline radius.
  4. Upon the recommendation of the Town Engineer (and approval of the Commission), alternate methods for turning and backing areas may be substituted for turnarounds.
  5. Upon approval of the Town Engineer, required paving width of the traffic lanes may be modified when off-street parking bays are provided, developed, and paved in the public Right-of-Way.
  6. The centerline of the paving may be offset from the centerline of the Right-of-Way to provide parking bays in the Right-of-Way.

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7. Where bridle trails are approved, sidewalks may be placed by the trails on the upgrade side of the Right-of-Way.
  8. Vertical curbs shall be required on the downhill side of streets having grades of six percent (6%) or greater. Concrete "U" or "V" gutters may be installed in lieu of conventional rolled or vertical curbs elsewhere.
  9. On a corner lot, no grading shall be allowed which results in the ground level being raised so as to obstruct the vision more than a height of three (3) feet above the grade of either street within an area formed by the lot lines on the street sides of such lot and a line joining points on such lot lines located a distance of thirty-three (33) feet from the point of their intersection.
  10. Transverse street cross sections, with the gutter on the uphill side, may be used where approved by the Town Engineer.
  11. All cut and fill slopes shall be within the roadway Right-of-Way or roadway easement. Slope maintenance easements for roadway cuts and fills may be required by the Town Engineer.
  12. All excavated material shall be removed from lots and roadways or contained behind retaining walls, or otherwise placed so that the slopes of any fill material will not be visible from any public street.
  13. "Panhandle", double-frontage, and other unorthodox lots [including lots which have a width to depth ratio greater than 1 to 3], shall be permitted if it can be adequately demonstrated that their design will eliminate excessive cuts and will not adversely affect any other lot so arranged.
  14. Private access ways may be permitted to provide access to lots in lieu of the required street frontage, with a minimum paved surface of twelve (12) feet in width. Each private access way serving more than one lot shall have a minimum paved surface of twenty-four (24) feet in width, or as may be otherwise required by adopted Improvement Standards. Where needed, additional easements for drainage or utilities shall be provided.
  15. Maximum driveway grades shall be twenty percent (20%).
  16. Building sites shall be free of geological hazards.
- D. Grading Standards for Lots and Parcels.
1. Not more than five percent (5%) of a lot or parcel shall be left with a cross slope steeper than natural grade of the ground or steeper than 20% (whichever is greater).
  2. All driveway and garage cuts shall be made at the time of street grading and before street improvements are installed.

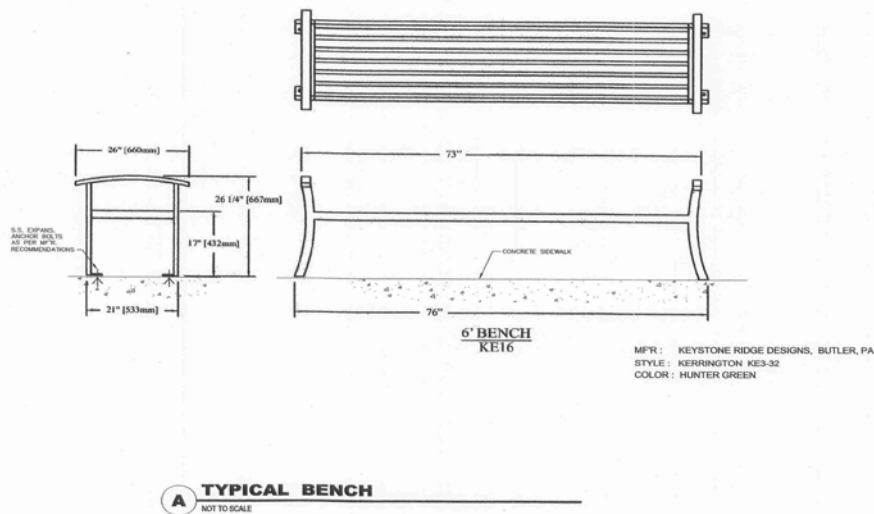


3. The total area of all cuts and fills, other than the enclosed floor area of the dwelling, shall not exceed ten percent (10%) of the lot or parcel.
  4. Cut or fill slopes shall be entirely contained within the downhill lot.
  5. All excavated material shall be removed from the premises, contained behind retaining walls, or otherwise placed so that the slopes of any fill material will not be visible from any public street.
- E. Utilities: All utilities shall be installed underground in the streets or private access ways. Water and sewage disposal shall be provided to each lot as required by Chapter 9 of this Code (and other related Town, County or State provisions).

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-03-090; Ord. No. 268, Amended, 12/12/91; Ord. No. 375, Amended, 12/28/95; Ord. No. 801, Amended, 02/12/15)

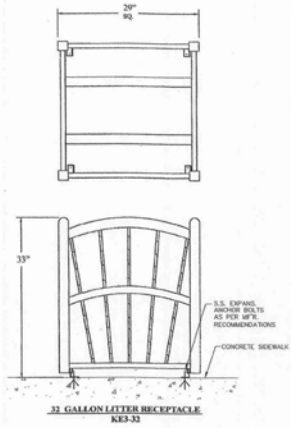
#### 14-03-100 Design Diagrams.

- A. Street Furniture. The diagrams below depict bench, litter receptacle and seating area plan specifications for street furniture to be installed within Town boundaries. Other options with equivalent specifications may be approved by the Town Engineer.

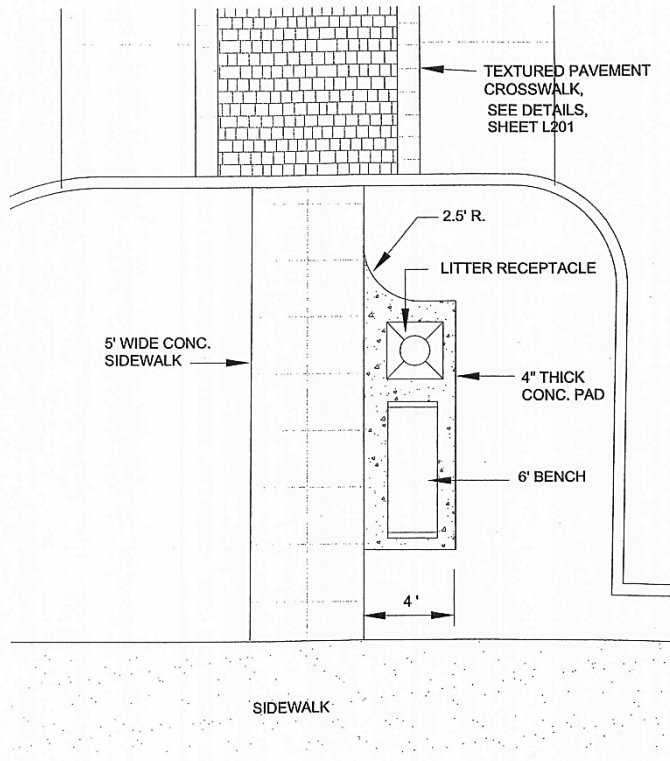


# SUBDIVISIONS

MFR : KEYSTONE RIDGE DESIGNS, BUTLER, PA  
STYLE : KERRINGTON KE18  
COLOR : HUNTER GREEN



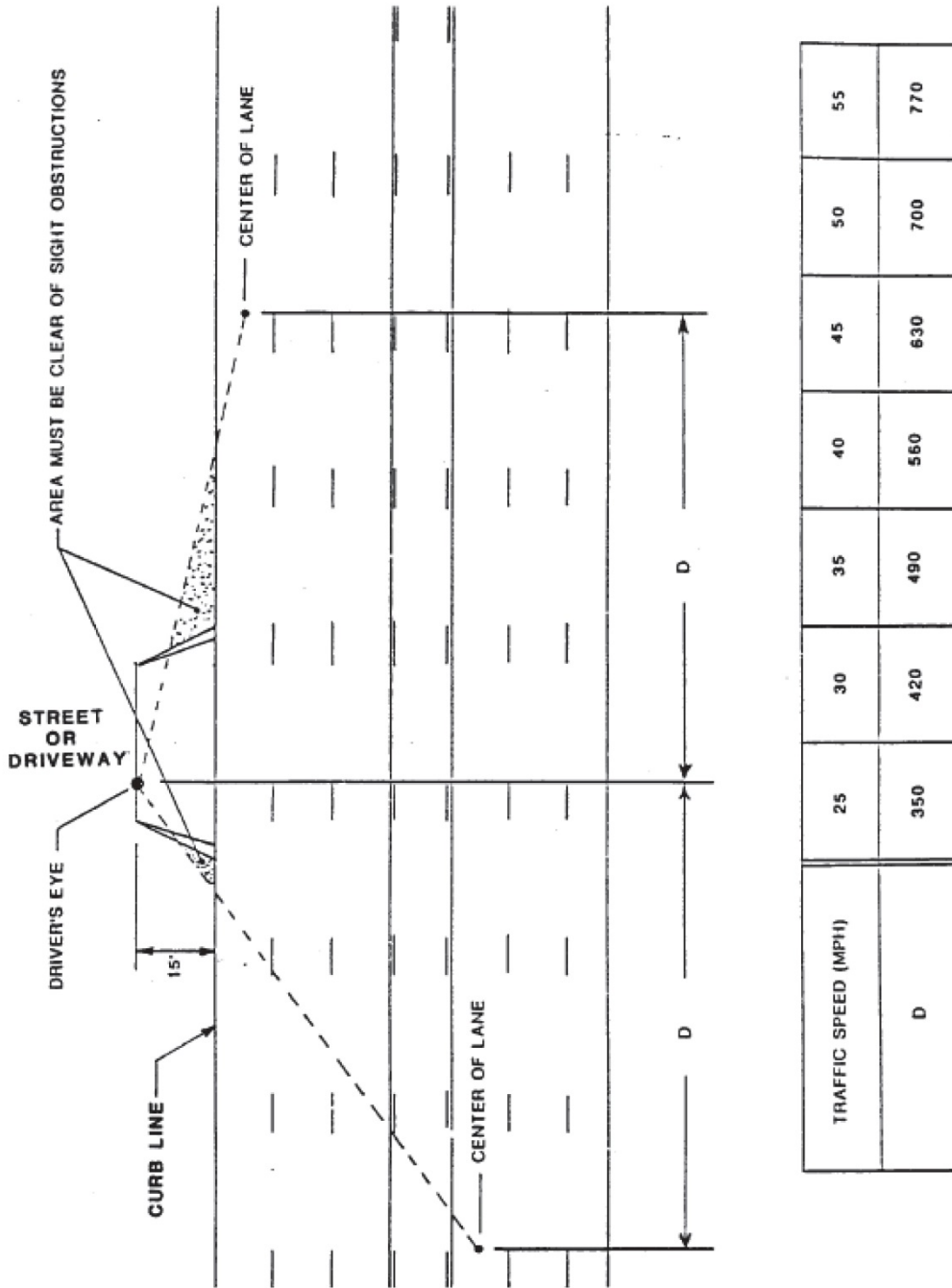
**B** **TYPICAL LITTER RECEPTACLE**  
NOT TO SCALE



**C** **TYPICAL SEATING AREA PLAN**  
SCALE: 1/4" = 1'-0"

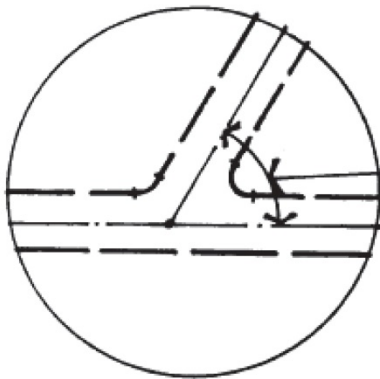
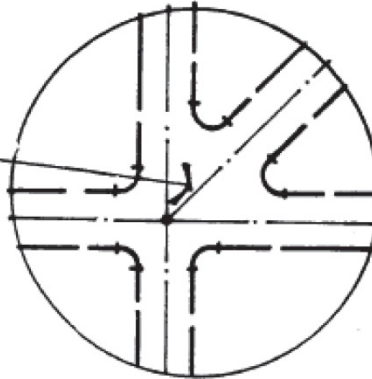
B. Street Design.

### SIGHT DISTANCE REQUIREMENTS



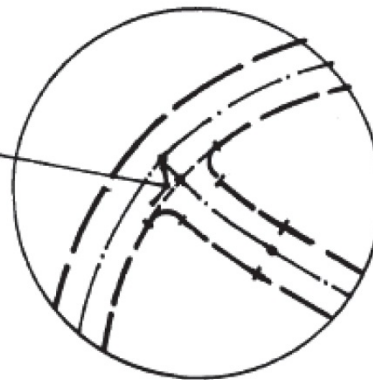
## PROHIBITED INTERSECTIONS

**ILLUSTRATION #1**  
MULTIPLE LEGS-  
IN EXCESS OF FOUR (4).



**ILLUSTRATION #2**  
ACUTE ANGLE OR Y-TYPE  
INTERSECTIONS,  
(LESS THAN 90°).

**ILLUSTRATION #3**  
INSIDE OF A CURVE



(Ord. No. 801, Enacted, 02/12/15)

SUBDIVISIONS

**Article 14-04      STREET AND UTILITY IMPROVEMENT REQUIREMENTS**

- 14-04-010    General.
- 14-04-015    Subdivider Responsibility.
- 14-04-020    Engineering Plans.
- 14-04-030    Construction and Inspection.
- 14-04-040    Required Improvements.
- 14-04-050    Submittal, Review and Approval of Engineering Plans.
- 14-04-060    Schedule of Improvement Requirements.
- 14-04-070    Public Improvement Reimbursement Agreements.
- 14-04-080    Assurances by Subdivider.

**14-04-010    General.**

It is the purpose of this Article to establish minimum standards for street and utility improvements required for Subdivisions in the Town, to define the responsibility of the Subdivider in the planning, constructing, and financing of such improvements, and to establish procedures for review and approval of engineering plans for such improvements.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-04-010; Ord. No. 390, Amended, 07/11/96; Ord. No. 801, Amended, 02/12/15)

**14-04-015    Subdivider Responsibility.**

- A.    The financing, constructing and/or acquiring of all on-site and off-site street and utility improvements required as a condition of Plat approval in this Article are the responsibility of the Subdivider. Such responsibility includes, but is not limited to, acquiring the necessary public Rights-of-Way, easements, and licenses in which such improvements will be constructed or located, and thereafter dedicating, conveying, assigning, or otherwise transferring such Rights-of-Way, easements, and licenses to the Town of Prescott Valley at the time of Plat approval.
- B.    Ownership of all on-site and off-site street and utility improvements constructed and/or acquired as a condition of Plat approval shall pass to the owner(s) of or other party(ies) responsible for the street system or the utility systems being extended thereby, upon written acceptance of the same for maintenance purposes by such owner(s) or other responsible party(ies), unless otherwise provided for on the Plat or by express agreement between the Subdivider and such owner(s) or other party(ies).
- C.    With regard to on-site and off-site street and utility improvements accepted for maintenance by the Town, Subdividers shall warrant all workmanship and materials involved in such improvements for a period of two (2) calendar years from the date of written acceptance. Warranties with regard to improvements accepted by owners or parties other than the Town may be provided for by separate agreement between Subdividers and those owners or parties.

(Ord. No. 390, Enacted, 07/11/96; Ord. No. 801, Amended, 02/12/15)

**14-04-020 Engineering Plans.**

- A. It shall be the responsibility of the Subdivider to have a registered engineer prepare a complete set of engineering plans for construction of all required improvements. Such plans shall be based on the approved Preliminary Plat and shall be prepared in conjunction with the Final Plat and in accordance with all applicable Town, County, or State standards.
- B. Final construction plans for all improvements shall be approved and signed by the Town Engineer prior to the recording of the Final Plat.
- C. Fees for the engineering plan review of final construction plans, listed in the engineering fee schedule provided for in Section 16-01-030 of this Code (as amended), shall be paid by the Subdivider upon submittal of plans.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-04-020; Ord. No. 263, Amended, 07/25/91; Ord. No. 801, Amended, 02/12/15)

**14-04-030 Construction and Inspection.**

- A. In accordance with Section 7-10-030 of this Code (as amended), all construction in public Rights-of-Way and private access ways shall require a Town permit. Construction shall not begin until a permit has been issued for such construction and, if work has been discontinued for any reason, it shall not be resumed until after notifying the department having jurisdiction.
- B. All improvements in the public Right-of-Way shall be constructed with the inspection and approval of the Town department having jurisdiction. The locations of all utilities to be installed in public Right-of-Way or in private access ways shall be approved by the Town Engineer.
- C. All underground utilities to be installed in streets, private access ways, and alleys shall be constructed under Town permit prior to the surfacing of such street, private access way, or alley. Service stubs to platted lots within the Subdivision for underground utilities shall be placed to such length as not to necessitate disturbance of street improvements when service connections are made.
- D. Required on-site improvements shall be extended to the boundaries of the Plat so as to provide service connections to abutting unsubdivided land.
- E. Fees for the inspection of all construction activities shall be estimated by the Town Engineer in accordance with the engineering fee schedule provided for in Section 16-01-030 of this Code (as amended). These estimated fees shall be paid by the Subdivider prior to receipt of approval for construction based on the engineering plan review. Inspection fees for additional construction approved after the initial submittal

## SUBDIVISIONS

shall also be estimated by the Town Engineer and paid by the Subdivider prior to the issuance of any approval for construction.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-04-030; Ord. No. 263, Amended, 07/25/91; Ord. No. 390, Amended, 07/11/96; Ord. No. 801, Amended, 02/12/15)

### 14-04-040 Required Improvements.

- 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 Town Engineer. Alleys used for primary vehicular 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 Town Engineer. Transition paving shall be installed as required by the Town Engineer. When a Subdivision includes an Arterial which is not paved, or where there is no paved street between the Subdivision and a paved Arterial or Collector, an interim two (2) lane street at least twenty-four (24) feet wide shall be constructed to a standard approved by the Town Engineer on the Arterial, Collector, or Local Street Right-of-Way to the nearest paved Arterial or Collector. When a Marginal Access Road is required, strip paving shall be installed for the Arterial traffic lanes. Dead-end streets extending two hundred (200) feet or more and dead-end marginal access roads shall be provided a graded and surfaced temporary forty (40) 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 Town Engineer) shall be installed in accordance with adopted Improvement Standards. When density of development is low (or where, for other reasons such as maintaining a rural atmosphere) the installation of curb and gutter is not considered necessary, the Council may waive this requirement for one (1) or both sides of local streets. Vertical curbs shall be installed on the major street side of a Marginal Access Road, along Collectors and along school or park property.
- C. Sidewalks: Concrete sidewalks shall normally be required on 1 side of a Local Street and shall be constructed to a width, line, and grade approved by the Town Engineer in accordance with adopted Improvement Standards. Where density of development is low (or where, for other reasons, the installation of sidewalks is not considered necessary), the Council may waive this requirement. MUPs shall be required on Arterials and Collectors as identified in Exhibit CIR-11, in Chapter 6, Circulation Element, of the General Plan (as amended).
- D. Street Name Signs and Addresses: Street name signs conforming to the standards set forth in Section 1-11-050 of this Code (as amended) shall be installed by the Subdivider at all street intersections and at such other locations as may be determined to be necessary by the Town Engineer. Such signs must be in place (along with other traffic control signs to be installed by the Subdivider) by the time the street pavement is ready for use. Where applicable, address numbers shall also be installed by the Subdivider, prior to occupancy, in compliance with the standards set forth in Section 1-11-090 of this Code (as amended).



- E. Storm Drainage: Grading of private properties, public streets, and private access ways shall maintain existing major water courses, and those water courses shall be dedicated as drainage ways. The type, extent, location, and capacity of drainage facilities for a Subdivision shall be as required by the Town Engineer from the survey and storm runoff calculations made by the Subdivider's engineer. All detention basins, channels, and like facilities shall be constructed in accordance with the requirements of the Town Engineer. On-site detention shall be required to hold runoff to historic peak levels for the full range of storm events from the 2-year through the 100-year event. It is necessary to demonstrate that runoff peaks are maintained at "undeveloped" levels for the 2-year, 10-year, 25-year and 100-year storm events. In making these determinations, the Town Engineer shall refer to the policies, design procedures and safety considerations described in the Yavapai County Drainage Criteria Manual, 1998, Chapter 5, "Storm Water Storage (Detention/Retention)."
- F. Types of Drainage Easements:
1. Type 1 Drainage Easement  
Drainage Easement intended to facilitate lot-to-lot drainage, generally established along front, side and rear property lines. Walls, fences and structures are permitted within a Type 1 Drainage Easement as long as the surface runoff does not pond onto a neighbor's property or impede drainage flows. The property owner shall be responsible for aesthetic maintenance of the drainage easement and for any and all damage caused by the impedance of storm water runoff.
  2. Type 2 Drainage Easement  
Drainage Easement established to convey larger rates of runoff through constructed drainage facilities such as culverts or channels. Walls, fences, or structures are not permitted within a Type 2 Drainage Easement. The property owner shall be responsible for aesthetic maintenance and for any and all damage caused by the impedance of storm water runoff. The Town will maintain, repair and/or replace only the major elements of the constructed drainage facilities.
- G. Sanitary Sewage Disposal: Sewage disposal facilities shall be installed to serve each lot. Public sanitary sewer lines shall be installed in all new Subdivisions in accordance with plans, profiles and specifications approved by appropriate Town departments as set forth in Chapter 9 of this Code.
- 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. Wells, water pumps, water tanks, water mains, water lines, fire hydrants, and any installations required by the Uniform Fire Code (as adopted from time to time by any agency having jurisdiction within the Town) shall be installed in all new Subdivisions in accordance with plans, profiles and specifications approved by appropriate Town departments and connected to the public water system.

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- I. Monuments: Permanent monuments shall be installed in accordance with adopted Improvement Standards at all corners, angle points, and points of curve, at all street intersections, and at all corners, angle points, and points of curve of all conservation easements. After all improvements have been installed, a registered land surveyor or engineer shall check the location of the monuments and certify their accuracy.
- J. 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.
- K. Utilities:
  - 1. New electric cable and other telecommunication 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 (5) 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 with the 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 light locations.
  - 2. The Subdivider shall be responsible for the requirements of this Section 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 Town Engineer at the time the Final Plat is submitted for approval. When due to subsurface soil conditions or other special conditions it is determined by the Town Engineer that it is impractical to construct facilities underground, installations shall be overhead. Those electric lines of greater than three thousand (3,000) IVA (Kilovolt Ampers) capacity (as rated by the American Standard Association) are excluded from the requirements of this Section.
- L. Street Lights: Street lights shall be provided in accordance with Article 13-26a of this Code. Furthermore, 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 Town Engineer.
- M. 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 Arterials if lots back up to said Arterials.

- N. Landscaping: All landscaping (along with appropriate watering systems) within public Rights-of-Way or landscape easements shall be in accordance with plans approved by the Town Engineer.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-04-040; Ord. No. 268, Amended, 12/12/91; Ord. No. 276, Amended, 06/11/92; Ord. No. 350, Amended, 02/09/95; Ord. No. 386, Amended, 07/11/96; Ord. No. 521, Amended, 05/09/02; Ord. No. 563, Amended, 07/10/03; Ord. No. 801, Amended, 02/12/15)

#### **14-04-050 Submittal, Review and Approval of Engineering Plans.**

Prior to the recording of the Final Plat, the following shall be filed with the Town Clerk: a certificate of approval of engineering plans signed by the department having jurisdiction, a Subdivision agreement between the Town and Subdivider and necessary letters of agreement between the Subdivider and serving utilities, and the necessary assurances under this Chapter for construction of improvements. If these items have not been filed with the Clerk within ninety (90) days, the Council may require that the Final Plat be resubmitted.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-04-050; Ord. No. 375, Amended, 12/28/95; Ord. No. 801, Amended, 02/12/15)

#### **14-04-060 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 development proposed therein, as outlined in the following schedule of improvement requirements.

##### **A. Urban Developments**

1. Description: Single-family residential development with lot widths less than one hundred twenty (120) feet, lot areas less than eighteen thousand (18,000) square feet, and a density of approximately four (4) dwelling units per acre; two (2) family and multifamily residential development regardless of site area or density; and commercial and industrial developments.
2. Requirements:
  - a. Public sewer in accordance with this Chapter.
  - b. Public water supply in accordance with this Chapter, including mainlines and fire hydrants to adopted Improvement Standards.
  - c. Storm drainage to an acceptable outlet in accordance with this Chapter.
  - d. All streets with approved pavement and concrete curbs, gutters, and sidewalks on one (1) sides.
  - e. Alleys, if provided, completely paved with approved material to an approved width.

## SUBDIVISIONS

- f. Utilities in accordance with this Chapter.
- g. Underground street light circuits in accordance with this Chapter.
- h. Private access ways with pavement and concrete curbs, gutters, and sidewalks in accordance with adopted Improvement Standards.

### B. Suburban Developments:

1. Description: Single-family residential development with minimum lot widths of more than 120 feet but less than one hundred fifty (150) feet, and minimum lot areas of 18,000 square feet [but less than thirty-five thousand (35,000) square feet].
2. Requirements:
  - a. Public sewers in accordance with this Chapter.
  - b. Public water supply in accordance with this Chapter, including mainlines and fire hydrants to adopted Improvement Standards.
  - c. Storm drainage to an acceptable outlet in accordance with this Chapter.
  - d. All streets with approved pavement, concrete curbs, and gutters; and sidewalks on 1 side of Arterials or Collectors. With the approval of the Town Engineer, a ten (10) foot wide MUP may be placed in-lieu of sidewalks on 1 side of Arterials or Collectors.
  - e. Alleys, if provided, completely paved with approved material to an approved width.
  - f. Utilities in accordance with this Chapter.
  - g. Underground street light circuits in accordance with this Chapter.
  - h. Private access ways with pavement and concrete curbs, gutters, and sidewalks in accordance with adopted Improvement Standards.

### C. Estate Developments

1. Description: Single-family residential development with minimum lot areas of 35,000 square feet.
2. Requirements:
  - a. Public sewer in accordance with this Chapter.
  - b. Public water supply in accordance with this Chapter, including mainlines and fire hydrants to adopted Improvement Standards.

- c. Storm drainage to an acceptable outlet in accordance with this Chapter.
- d. All streets with approved pavement, concrete curbs, and gutters; and sidewalks on 1 sides of Arterials or Collectors. With the approval of the Town Engineer, a 10 foot wide MUP may be placed in-lieu of sidewalks on 1 side of Arterials or Collectors.
- e. Utilities in accordance with this Chapter.
- f. Underground street light circuits in accordance with this Chapter.
- g. Private access ways with pavement and concrete curbs, gutters, and sidewalks in accordance with adopted Improvement Standards.

D. Rural Developments:

- 1. Description: Single-family residential development with minimum lot widths of 150 feet, minimum lot areas of 35,000 square feet, and being developed as a community of small farms.
- 2. Requirements:
  - a. Public sewers in accordance with this Chapter.
  - b. Public water supply in accordance with this Chapter, including mainlines and fire hydrants to adopted Improvement Standards.
  - c. Storm drainage to an acceptable outlet in accordance with this Chapter.
  - d. All streets with approved hard surface and 10 foot wide MUPs on 1 side of Arterials or Collectors.
  - 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 in these developments.

E. Planned Area Developments (PADs)

To the extent that any of the above Subdivision developments which include residential uses are also PADs, the following table lists required and optional design elements. Those elements deemed optional may be included on the site plan. Any design element that is optional or exceeds the minimum requirements (and is determined by the Town Engineer to be maintenance-intensive) shall not be maintained by the Town but shall be the permanent responsibility of 1 or more homeowners' associations.

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(A) Design Elements	(B) Required	(C) Optional
School site(s) reserved or dedicated	x	
Open space and parks in accordance with the General Plan	x	
Curvilinear residential street patterns	x	
Customized entrances at entry streets intersecting Arterials or Collectors, featuring sculptures, monument signage, special landscaping, specialty pavement, enhanced fence wall details or boulevard medians	x	
Safe pedestrian/bicycle access to schools and parks	x	
MUPs incorporated to ensure connectivity between communities within neighborhoods.	x	
Benches, trash receptacles and street furniture along MUPs,	x	
Lot and space variety to encourage diversity in housing product types and neighborhoods	x	
Outdoor lighting in strict compliance with Article 13-26(a) of this Code	X	
Decorative Street Signs		x
Xeriscaping methods used for ROW and Easement landscaping		x
Unique and cohesive themes through streetscapes		x
Decorative perimeter walls		x
Bicycle facilities along MUPs		x
Exercise stations along MUPs		x

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-04-060; Ord. No. 801, Amended, 02/12/15)

**14-04-070 Public Improvement Reimbursement Agreements.**

- A. Purpose. Inasmuch as it may be in the public interest to extend public improvements to undeveloped areas in the Town (or for one (1) development to size certain public improvements larger than would otherwise be necessary for that development so as to better accommodate nearby development, the Town Manager is hereby authorized to require that Subdividers either extend certain improvements off-site to connect with existing improvements or upsize certain on or off-site improvements to facilitate connection thereto by other developments.
  
- B. Agreements. In the event the Town Manager requires such extensions of off-site improvements or upsizing of on or off-site improvements, he may propose to the Town Council 1 or more agreements with the Subdividers whereby the additional costs will ultimately be reimbursed from buy-in fees charged to other developers that later benefit from connecting to such improvements. Such agreements may either require the Subdivider to advance the costs (and then be reimbursed from buy-in fees charged to later developers by the Town and reimbursed to the Subdivider) or provide for up-front Town payment of the costs and later reimbursement to the Town from buy-in fees charged to later developers by the Town. The Manager's determination as to which agreement shall be presented to the Town Council shall be guided by development agreements, considerations involved with zoning approvals, or by any other benefits accruing to Subdividers.

- C. Form and Effect of Agreements. The approval of any such agreements to reimburse some or all costs of off-site improvement extensions or upsizing of on or off-site improvements shall have the effect of authorizing the Town to impose buy-in fees to later developers who connect to such improvements, as set forth in the agreements. Said agreements may address the following:
1. Whether or not the improvement must be competitively bid in accordance with ARS §34-201 (as amended);
  2. When and according to what processes the improvement becomes the property of the Town;
  3. Whether and to what extent any improvement district assessments, in-lieu of assessment fees, connection charges, or development fees charged to Subdividers will be offset by the extra costs of the improvement incurred by Subdividers;
  4. Whether and to what extent Subdividers shall be reserved a specific amount of capacity in the improvement;
  5. After accounting for any offsets for the extra costs to Subdividers (and any capacity in the improvement reserved to Subdividers), what capacity in the improvement will remain available for use or connection by other developers (for which Subdividers should be reimbursed). Note that engineering costs may be included as reimbursable costs.
  6. The reasonable buy-in fee to charge other developers who use or connect to the improvement.
  7. How such buy-in fees shall be paid to the Town and repaid to Subdividers after deduction of a reasonable administrative fee by the Town.
  8. That the total of such repayments shall not exceed the amount established in Subparagraph 14-04-070(C)(5) above (as amended), and may be less if sufficient buy-in fees are not collected during the term of the agreement.
  9. The term of any such agreement.
  10. That the Town has the option to reimburse Subdividers with a credit against development fees, connection charges, improvement district assessments, or in-lieu of assessment fees imposed by the Town (in which case the Town shall reimburse the appropriate fund accounts with the applicable buy-in fees collected).
  11. How and under what circumstances the agreement may be assigned to successors-in-interest.
  12. That such agreements shall be recorded in the Office of the Yavapai County Recorder.

## SUBDIVISIONS

- D. General Requirements. All required extensions of off-site improvements or upsizing of on- or off-site improvements shall be constructed in accordance with adopted Improvement Standards. Upon approval and acceptance of said extensions or upsized improvements by the Town Engineer, the same shall be dedicated by appropriate instrument to the Town and the Town shall exercise exclusive control over who may connect to or use the same and the procedures therefor.
- E. Offset. Buy-in fees paid by other developers as a result of such reimbursement agreements with Subdividers may be offset, in whole or in part, against any development fees, connection charges, improvement district assessments, or in-lieu of assessment fees charged those other developers for such improvements.

(Ord. No. 357, Enacted, 03/23/95; Ord. No. 389, Amended, 07/11/96; Ord. No. 801, Amended, 02/12/15)

### 14-04-080 Assurances by Subdivider.

#### A. Agreement by Subdivider.

Upon approval by the Town 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 Town Engineer.
2. The improvements, except those utility facilities specified in this Chapter, shall be constructed in accordance with plans approved by the Town Engineer and the appropriate Town department for water and public sanitary sewer facilities, and by the Town Engineer for all other improvements. If location of the development so requires, water and sanitary sewer facilities shall also be constructed in accordance with plans approved by the appropriate State and County departments.
3. The improvements, except those utility facilities specified in this Chapter, shall be completed within an agreed specified time period for each 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. In the event the required assurances are not provided, any lots or parcels for which the assurances have not been delivered shall automatically revert to un-platted land and the Subdivider agrees that the necessary Reversionary Plats may be recorded to formalize such reversion.
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 Town Engineer.



6. Any work abandoned or not completed by the Subdivider may be completed by the Town which shall recover the construction costs from the Subdivider.
7. Construction of all improvements within streets and easements, except those utility facilities specified in this Chapter, shall be subject to inspection by the Town 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 Town Engineer.
9. With regard to on-site and off-site street and utility improvements accepted for maintenance by the Town, the Subdivider shall warrant all workmanship and materials involved in such improvements for a period of two (2) calendar years after the date of written acceptance.

B. Assurances of Improvement Construction.

1. Cash or Surety Bond. To ensure construction of the required improvements as set forth in this Chapter (except specified utility facilities), the Subdivider may deposit with the Town 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 Town Engineer) guaranteeing that the work will be completed in accordance with adopted Improvement Standards. When no Marginal Access Road is being constructed and the improvement of an Arterial or Collector by a governmental agency is imminent, the Subdivider shall deposit the current estimated cost of improving the abutting half street in an account to be disbursed to the Town at the time the contract is awarded for the Town project to improve the full width of the street.
  - a. Any 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 Town, 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 Town Engineer. The bond may be canceled or the cash withdrawn by the Subdivider provided that other security satisfactory to the Town has been deposited which will cover the obligations of the Subdivider which remain to be performed.
2. Loan Commitment. The Subdivider may provide assurance of construction of required improvements (except those utility facilities specified in this Chapter) by delivering to the Department, prior to the recording of the Final 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 in an amount approved by the Town Engineer) have been deposited with such

## SUBDIVISIONS

approved lending institution. The agreement shall provide that the funds in the approved amount are specifically allocated and will be used by the Subdivider, or on his behalf, only for the purpose of installing the Subdivision improvements. The Town shall be the beneficiary of such agreement (or the Subdivider's rights thereunder shall be assigned to the Town and the Town Engineer shall approve each disbursement for such funds). The agreement may also contain terms, conditions, and provisions normally included by such lending institutions in loan commitments for construction funds (or as may be necessary to comply with statutes and regulations applicable to such lending institutions).

3. Trust Agreement. The Subdivider may provide assurance of construction of required improvements (except those utility facilities specified in this Chapter) by placing on deposit in a trust account with a bank or trust company, in the name of the Town, a sum of money equal to the estimated cost of all such improvements (as set by the Town Engineer). Said trust shall be approved as to form and substance by the Town Attorney. Periodic withdrawals may be made from the trust account for progressive payment of installation costs based upon estimates approved by the Town Engineer and approved by the appointed trustee.
4. Title Hold. Title to the property being developed by the subdivider may be placed in trust with a third-party escrow agency. The terms of the trust shall be that the trustee may not convey title to any portion of the property until the improvements for that portion have been satisfactorily completed as determined by the Town Engineer. The form and substance of the trust agreement shall be approved by the Town Attorney.
5. Construction At-Risk. If the Subdivider desires to construct required improvements at-risk (without posting assurances), the Town Council may agree to do so in the Subdivision agreement and may conditionally approve the Final Plat on that basis. Nevertheless, in no circumstance will the Final Plat be recorded by Town staff until all improvements have been constructed in accordance with adopted Improvement Standards as determined in writing by the Town Engineer.

### C. Administration of Assurances.

1. Documents creating the assurances described herein shall include a term of at least 2 years and shall provide for extensions of time in one (1) year increments. Said documents shall further provide that the assurance shall remain in full force and effect until it is released in writing by the Town Engineer.
2. Upon certification by the Subdivider's engineer of record, the Town Engineer may partially release an assurance for successful completion of a portion of the required improvements as determined by the Town Engineer. The Town Engineer may require that any remaining assurances provide for preparation of necessary as-built drawings for all of the improvements.

3. In the event the Subdivider defaults or fails or neglects to satisfactorily install the required improvements within the time set forth in the Subdivision agreement, the Town Engineer may declare the assurance forfeited and, under the terms thereof, the Town may make or cause the remaining required improvements to be made using the resources in said assurance. In addition, the Town Engineer may notify the Arizona Department of Real Estate of the Subdivider's default.
4. At the conclusion of the construction of improvements (or thirty (30) days prior to the term of the assurance, whichever is sooner) the Subdivider's engineer of record shall submit a set of as-built drawings of the improvements. The Town Engineer will review said drawings and notify the Subdivider of any noncompliance with the approved construction plans or this Chapter. It shall be the responsibility of the engineer of record to finalize said as-built drawings as part of the final approval of the improvements by the Town Engineer.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-04-070; Ord. No. 268, Amended, 12/12/91; Ord. No. 357, Renumbered, 03/23/95, 14-04-070; Ord. No. 386, Amended, 07/11/96; Ord. No. 390, Amended, 07/11/96; Ord. No. 801, Amended, 02/12/15)

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*Article 14-05      MODIFICATIONS*

14-05-010    Modifications.

14-05-010    Modifications.

Extraordinary conditions of topography, land ownership, adjacent development or other circumstances not provided for in this Chapter, may be the basis for Town Council action to modify application of the regulations in this Chapter to a particular Final Plat (including application of additional requirements necessary to secure the objectives of this Chapter) based on specific findings that such modifications are in the public interest.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-05; Ord. No. 375, Ren&Amd, 12/28/95, 14-05; Ord. No. 801, Amended, 02/12/15)

**Article 14-06 ABANDONMENT**

- 14-06-010 Plat Abandonment.
- 14-06-020 Other Abandonment.

**14-06-010 Plat Abandonment.**

- A. In addition to the consolidation of lots set forth in Section 13-03-060 of this Code (as amended) and the automatic reversion of Subdivisions to un-platted land in accordance with Subdivision agreements when assurances have not been provided, Final Plats may be abandoned and revert to acreage (and streets, Rights-of-Way, easements, reserve strips, or other public ways or facilities previously dedicated therein to the public) may be vacated or abandoned by Town Council adoption of Reversionary Plats per ARS §9-463.01(G) (as amended). The procedures for adoption of such Reversionary Plats shall be substantially similar to the adoption of other Plats as set forth in this Chapter.
- B. In the event a Subdivision is also a PAD, the modification and abandonment requirements in Article 13-19 shall also apply.

(Ord. No. 801, Enacted, 02/12/15)

**14-06-020 Other Abandonment.**

- A. Public Rights-of-Way (including streets and easements) initially created by Final Plat dedications may be vacated or abandoned without abandoning the entire Plat in accordance with the provisions of Article 8, Chapter 20, Title 28 Arizona Revised Statutes (as amended).
- B. In the event Rights-of-Way initially created by Final Plat dedications are vacated or abandoned under Article 8, Chapter 20, Title 28 ARS (as amended), the Town Council may provide in the applicable resolution for payment by the persons obtaining property interests as a result of such vacation or abandonment (and may condition such vacation or abandonment on payment being made). Amounts to be received in payment may be set from time to time in said resolutions based on any appraisal or other indication of value reasonably determined by the Council to reflect the property's value.

(Ord. No. 801, Enacted, 02/12/15)