

**AMENDMENTS TO CHAPTER 14 “SUBDIVISIONS”, CHAPTER 7 “BUILDING”, AND  
CHAPTER 13 “ZONING”**

**SECTION 1.** That Section 7-01-140 “Permits and Inspections” in Article 7-01 “THE TOWN OF PRESCOTT VALLEY ADMINISTRATIVE CODE” in Chapter 7 “BUILDING” of the Town Code of the Town of Prescott Valley, is hereby amended to read as follows:

**7-01-140 Permits and Inspections.**

- A. Permits Required. Except as specified in subparagraph B of this Section, no building, structure or building service equipment regulated by the technical codes, including this administrative code, shall be erected, constructed, reconstructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate appropriate permit for each building, structure or building service equipment has first been obtained from the building official. This requirement includes, but is expressly not limited to, obtaining an appropriate permit for construction, installation or alteration of all fences, retaining walls, fireplaces, wood stoves, and other gas, electric, or solid fuel burning appliances and equipment. This requirement is also in addition to any zoning, subdivision and/or engineering approvals and permits required in the technical codes or elsewhere in the Prescott Valley Town this Code.

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(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14; Ord. No. 801, Amended, 02/12/15)

**SECTION 2.** That Section 13-03-060 “Building Across Lot Lines” in Article 13-03 “GENERAL REQUIREMENTS” in Chapter 13 “ZONING” of the Town Code is hereby amended to read as follows:

**13-03-060 Building Across Lot Lines.**

Building across lot lines where two (2) or more lots are used as a building site shall be permitted only to the extent that such lots are consolidated pursuant to an approved reversionary plat as defined in Section 14-01-020(A)(27)(d) of this Code (as amended).

(Ord. No. 37, Enacted, 09/04/80; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 551, Amended, 04/24/03; Ord. No. 801, Amended, 02/12/15)

**SECTION 3.** That Section 13-19-040 “Minimum Area for PAD” in Article 13-19 “PAD (PLANNED AREA DEVELOPMENT)” in Chapter 13 “ZONING” of the Town Code is hereby repealed and reenacted to read as follows:

**13-19-040 ~~Minimum Area for PAD~~Reserved.**

~~The minimum area of a PAD District shall be two (2) acres.~~

(Ord. No. 37, Enacted, 09/04/80; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 801, Rep&ReEn, 02/12/15)

**SECTION 4.** That Section 13-19-050 “Location” in Article 13-19 “PAD (PLANNED AREA DEVELOPMENT)” in Chapter 13 “ZONING” of the Town Code is hereby renamed and amended to read as follows:

**13-19-050 Locations and Size.**

A PAD overlay zoning district may be established in any zoning district upon a finding by the Town Council, after receiving a recommendation from the Planning and Zoning Commission, that such a development will comply with the intent of this Article, and that the PAD overlay zoning district substantially complies with the intent and objectives of the General Plan and companion land development codes. A PAD shall be mandatory for developments over forty (40) acres in size.

(Ord. No. 37, Enacted, 09/04/80; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 772, Amended, 03/28/13; Ord. No. 801, Ren&Amd, 02/12/15)

**SECTION 5.** That Section 13-19-060 “Plans Required and PAD Procedures” in Article 13-19 “PAD (PLANNED AREA DEVELOPMENT)” in Chapter 13 “ZONING” of the Town Code is hereby amended to read as follows:

**13-19-060 Plans Required and PAD Procedures.**

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C. Preliminary Development Plan: The applicant for a proposed PAD shall prepare a Preliminary Development Plan which shall contain necessary written and graphic information describing the general nature of the proposed development as required by the Town of Prescott Valley. The Preliminary Development Plan shall contain, at a minimum, the following information:

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4. A conceptual site plan for each building site and common open areas, showing the approximate location of all structures, buildings and improvements (except for single family detached units which shall be indicated by lot location only). The site plan shall also indicate the proposed access ways, easements and other public property needed for (and open spaces desired around) buildings and structures.

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H. Final Development Plan: The Final Development Plan shall include all pertinent information relating to the proposed PAD and contained in the Preliminary Development Plan (as revised) and as may be required by the Community Development Department, the Planning and Zoning Commission, Town Council, and the officer in

charge of administering this Chapter.

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- J. The Final Development Plan shall be submitted to the Community Development Department. Once the Department determines that the Plan substantially conforms to the submission requirements of this Section, it shall be presented to the Town Council at a future regular meeting [~~but not less than twenty-one (21) days from the date of filing~~].

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- L. Before recommending approval of the Final Development Plan, the Council may make reasonable requirements including, but not limited to:

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7. Hillside requirements

~~78.~~ Location of access ways and easements

~~89.~~ Public or private property (including open spaces)

~~910.~~ Shape and minimum size of individual lots

~~1011.~~ Grouping of uses and buildings

~~1112.~~ Maintenance of grounds

~~1213.~~ Regulation of signs

~~1314.~~ Fences and walls.

...

- P. ~~Building Permits, Easements, Streets and Other Public Property Dedications:~~ For purpose of implementation, building permits may be issued in accordance with the approved To the extent that Final Development Plans, are adopted as subdivisions in accordance with Chapter 14 of this Code, required easements, streets and other public property dedications shall be effective upon after recordation with the County Recorder and approval of the required building plans and specifications. In the case of non-residential PADs, conveyance of designated easements, streets and other public property shall be by separate deed approved as to form by the Town Attorney.

(Ord. No. 37, Enacted, 09/04/80; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 375, Amended, 12/28/95; Ord. No. 442, Amended, 08/27/98; Ord. No. 647, Amended, 01/27/06; Ord. No. 751, Amended, 08/12/10; Ord. No. 772, Amended, 03/28/13; Ord. No. 801, Amended, 02/12/15)

**SECTION 6.** That Article 13-22 “SUBDIVISION AND LAND DIVISION” is hereby renamed “LAND SPLITS.”

**SECTION 7.** That Section 13-22-010 “Land Division” in Article 13-22 “LAND SPLITS” in Chapter 13 “ZONING” of the Town Code is hereby renamed “Land Splits” and amended to read as follows:

**13-22-010 Land ~~Division~~Splits.**

- A. ~~In accordance with ARS §9-463.01(T) (as amended), this Article regulates land splits within the corporate limits with regard to division lines and area and shape of tracts or parcels. Land division into lots results in creation of roadways, the establishment of population densities, and the necessity to provide utilities, schools and other services and maintenance. Consequently, it is important to the public welfare that such division and the results therefrom receive proper guidance and control. It is therefore herein provided that~~ Any lot or parcel of improved or unimproved land whose area is two and one-half (2 ½) acres or less and is divided into two (2) or three (3) lots, tracts or parcels of land for the purpose of sale or lease hereinafter established containing five (5) acres or less shall be subject to review as to the effect of the same on street or alley projections and other matters pertinent to the public welfare is a land split for purposes of this Article.
- B. Lot Dimensions and Area: ~~No lot of five (5) acres or less~~ land split shall create a lot, tract or parcel that is hereinafter be established so as to be smaller than the minimum dimensions and area, nor larger than the maximum depth (except if it is determined that a greater depth does not adversely affect projected street or alley alignments), provided under the regulations for the district of jurisdiction. Where no Density District has been established, then the regulations of D18 District shall control.
1. ~~Substandard lots, tracts or parcels~~ (either as to dimensions or area) that were legally established when same came under the district jurisdiction shall be considered as legal lots in that district.
  2. ~~Combined lots, tracts or parcels~~ (to the extent of crossing common boundaries with structures) shall be considered as one (1) lot, except that the front of the individual lots shall remain as the front of the combined lots. Nothing contained herein shall be construed to allow the building over lot lines of ~~two (2) or more~~ lots used as a building site where the lots have not been consolidated pursuant to Section 13-03-060 in this Chapter (as amended).
  3. ~~Wedge-shaped lots, tracts or parcels~~ shall be considered legal width lots when same (measured at the front required setback line) is not less than the required width for a lot having parallel sides; ~~however,~~ however, a deeper setback line may be shown on a recorded plat at which location the minimum lot width is acceptable and the required front yard shall thereafter be measured thereto.
- C. ~~Land Splits~~
1. ~~Purpose: The purpose of this Subsection 13-22-010(C) is to provide for review of splits of improved or unimproved land in order to ensure orderly~~

~~development of the community and compliance with applicable Town development codes.~~

~~2. Definitions~~

~~a. Land Splits: The division of improved or unimproved land whose area is two and one-half (2-1/2) acres or less, into two (2) or more lots, tracts, or parcels for the purpose of sale or lease. Land splits are not subdivisions.~~

~~b. Representative: Any person (including a legal entity) who acts for an owner or purchaser as agent.~~

~~c. Purchaser: Any person (including a legal entity) who acquires title to real property which is subject to the requirements of this Subsection.~~

~~3. Scope: No land split shall occur which results in a lot, tract or parcel that does not comply with the area and shape requirements of the specific zoning district within which said lot, tract or parcel is located, or which violates any other portion of the Town this Code (including the review and Town approval process described hereinafter).~~

41. Review Process

a. When a land split is anticipated, the owner, representative or purchaser shall file with the ~~Prescott Valley Community Development Office~~Department a land split application form, along with ~~two (2)~~ copies of a "record of survey" prepared by a registered land surveyor containing the surveyor's certificate of accuracy and seal. The map of survey shall accurately set forth the boundaries of the lots, tracts, or parcels resulting from the land split, as well as any recorded easements, existing structures, and other information required on the application form.

b. The ~~Community Development Department~~ shall review the land split application and maps for ~~Town Code compliance~~ with the provisions of this Code. If the information is in order and complete and the land split complies with the Code, the Department shall approve the land split within seven (7) working days. Otherwise, the Department shall deny the same in writing within the same period.

c. Upon approval by the ~~Community Development Department~~, ~~one (1)~~ map of survey showing said approval shall be recorded in the Office of the Yavapai County Recorder.

52. Appeals: A decision by the Department to deny the land split may be appealed to the Prescott Valley Board of Adjustment, but any such appeal must be presented in writing to the ~~Community Development Director~~ within thirty (30) calendar days of the decision. Failure to comply with this time limit is jurisdictional and will preclude the appeal.

63. Civil Penalties

- a. Failure to comply with the review and approval process as set forth in Subparagraph 13-22-010(C)(41) above (as amended), prior to a land split, is unlawful and constitutes a civil violation sanctioned as provided in Section 13-31-030 of this Chapter (as amended).
- b. Recording a land split in the Office of the Yavapai County Recorder which is not in accordance with this Subsection 13-22-010(C) (as amended), is also a civil violation which shall be sanctioned as provided in Section 13-31-030 of this Chapter (as amended). Furthermore, no building permit or other permit to use, construct, occupy, provide utilities to, grade, work in right-of-way adjacent to, etc., may be issued for any lot, tract, or parcel resulting from any such unlawful land split.

74. Criminal Penalties: Notwithstanding Subparagraph 13-22-010(C)(63) above (as amended), it shall also be a class 3 misdemeanor for any owner, representative, or purchaser to record a land split in the Office of the Yavapai County Recorder prior to complying with the requirements of this Subsection 13-22-010(C) (as amended).

85. Exemption: The sale or exchange of real property to or between adjoining property owners, if such sale or exchange does not create additional lots, tracts, or parcels, is exempt from the requirements of this Subsection 13-22-010(C) (as amended).

96. No Warranty: The purpose of this Subsection 13-22-010(C) (as amended) is public rather than private, and it is not a purpose of this Subsection to create additional rights under land splits nor to waive other Town regulatory or enforcement provisions. This Subsection 13-22-010(C) (as amended) shall not be construed as an indemnification by the Town, its officers and employees, to the owner or purchaser of any real property subject to this Subsection. An approval or denial under the provisions hereof does not constitute any representation or warranty as to the fitness of the property for use as intended. Property owners and subsequent purchasers remain obligated to comply with all Town Code provisions and procedures respecting such land, and any related uses and activities thereon.

(Ord. No. 9, Enacted, 06/28/79; Ord. No. 37, Ren&Amd, 09/04/80, 13-21-010; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 302, Amended, 07/08/93; Ord. No. 375, Amended, 12/28/95; Ord. No. 551, Amended, 04/24/03; Ord. No. 801, Ren&Amd, 02/12/15)

**SECTION 8.** That Section 13-22-020 “Subdivision Defined” in Article 13-22 “LAND SPLITS” in Chapter 13 “ZONING” of the Town Code is hereby repealed and reenacted to read as follows:

**13-22-020** ~~Subdivision Defined~~ Reserved.

A “subdivision” shall be defined as improved or unimproved lands divided for the purpose of

~~financing, lease, or sale, whether immediate or future, into four (4) or more lots, tracts, or parcels, or fractional interests, with less than thirty-six (36) acres in area including to the centerline of dedicated roads or easements, if any, contiguous to the lot or parcel; or, if a new street is involved, any such property which is divided into two (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 two (2) parts; or, for cemetery purposes. Subdivision includes any condominium, cooperative, community apartment, townhouse or similar project containing four (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.~~

(Ord. No. 9, Enacted, 06/28/79; Ord. No. 37, Ren&Amd, 09/04/80, 13-21-010; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 801, Rep&ReEn, 02/12/15)

**SECTION 9.** That Section 13-22-030 “Application of Subdivision Regulations” in Article 13-22 “LAND SPLITS” in Chapter 13 “ZONING” of the Town Code is hereby repealed and reenacted to read as follows:

**13-22-030 ~~Application of Subdivision Regulations~~Reserved.**

~~It is unlawful for any person to sell, offer to sell, or divide any lot, piece or parcel of land which constitutes a subdivision or part thereof, as defined herein, without first having recorded a plat thereof in accordance with the procedures and requirements outlined in Chapter 14, Subdivision Regulations, of the Town Code of the Town of Prescott Valley.~~

(Ord. No. 9, Enacted, 06/28/79; Ord. No. 37, Ren&Amd, 09/04/80, 13-21-010; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 801, Rep&ReEn, 02/12/15)

**SECTION 10.** That Section 14-01-010 “Purpose and Intent” in Article 14-01 “GENERAL PROVISIONS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**14-01-010 Purpose and Intent.**

- A. ~~The purpose of this Chapter is to provide for the orderly growth and harmonious development of~~ 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; to ensure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots of reasonable utility and livability; minimum requirements for the installation of streets, sewer and to secure adequate provisions for water supply, utilities drainage, sanitary sewerage and other health requirementsimprovements 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 to ensure consideration of adequate sites for parks, schools, recreation areas and other public facilities; to promote the conveyance of land by accurate legal description; and to provide procedures for the achievement of these purposes.

- B. ~~In its interpretation and application, 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) are intended to provide a common ground for understanding and equitable working relationships between public and private interests, to the end that both independent and mutual objectives can be achieved in the subdivision of 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)

**SECTION 11.** That Section 14-01-020 “Definitions” in Article 14-01 “GENERAL PROVISIONS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**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, unless the context otherwise requires:
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.
  31. “Alley” means a public passageway affording a secondary means of access to abutting property. 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.
  42. “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.
  63. “Block” means that 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.

74. "Commission" means the Planning and Zoning Commission of the Town of Prescott Valley.
85. "Conditional Approval" means an affirmative action by the Commission or Council indicating that approval will be forthcoming upon satisfaction of certain specified ~~stipulations~~conditions.
96. "Condominium" means the improvement of ~~land with one (1) or more floors~~property in accordance with Town standards, ~~in which~~ where an undivided interest in common, in all or a portion of ~~land~~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 ~~land~~property together with an undivided interest in common in a portion of the ~~land~~property.
107. "Department" means the Planning Community Development Department of the Town of Prescott Valley.
118. "Development" means the utilization of land for public or private purposes.
- ~~9.~~ ~~"Development Master Plan" means a preliminary master plan for the development of a large or complicated area, the platting of which is expected in progressive stages. A Development Master Plan may be designed by the subdivider or by the department, and shall be subject to Commission or Council approval.~~
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.
1340. "Easement" means a grant by the owner ~~effor~~ the use of land by the public, a corporation or person for ~~specific~~designated uses ~~and purposes (and so designated).~~
1414. "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 ~~approved by the Council~~set forth from time to time in this Code.
1542. "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".

1613. "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.
1714. "General Plan" means a ~~Comprehensive P~~lan, 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 "~~Master~~" or "Comprehensive" Plan).
1815. "Improvements" means required installations, ~~pursuant to set forth in this Chapter, including (but not limited to):~~ grading, sewer and water utilities, streets, alleys, underground street light circuits and traffic control devices; as a condition to the approval, and acceptance and recordation of the Final Plat(~~precedent to recordation of an approved Final Plat~~).
1916. "Improvement Standards" means ~~a~~the set of adopted regulations setting forth the details, specifications and instructions to be followed in the planning, design and construction of ~~certain required i~~ l ~~improvements to property.~~
2017. "Irrigation Facilities" means canals, laterals, ditches, conduits, gates, pumps and ~~allied~~related equipment necessary for the supply, delivery and drainage of irrigation water ~~and the construction, operation and maintenance of such.~~
2118. "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 ~~two (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 ~~one (1)~~ side abutting on a street.
  - c. "Key Lot" means an interior lot, ~~one (1)~~ side of which is contiguous to the rear line of a corner lot.
  - d. "Through Lot" means a lot abutting ~~two (2)~~ parallel or approximately parallel streets.
2219. "Lot Area" means the area in square feet lying within the lines of the lot.
2320. "Lot Depth" means the distance between the mid-point of the front and rear lot lines.
2421. "Lot Line" means:
- a. Front: ~~The front lot line shall be~~ that line abutting the street. On corner lots the front line shall be the shorter of the ~~two (2)~~ street lines as originally platted, subdivided, or laid out. Where lines are equal, the

front line shall be that line which is ~~obviously~~ the front by reason of prevailing custom of other buildings in the block. ~~If such is not evident, then either may be considered the front of the lot (but not both).~~ The front lot line of a through lot shall be that line which is obviously the front by reason of usage of adjacent lots. Such a lot exceeding one hundred eighty-eight (188) feet in depth shall be considered, ~~for purposes of this Chapter,~~ as ~~two (2)~~ lots each with its own frontage.

- b. Rear: ~~The rear lot line shall be~~ 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 property~~ lines connecting the front and rear lot lines.

2522. "Lot Width" means:

- a. If side lines are parallel, the shortest distance between the side lines.
- b. If side ~~lot~~ 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.

2823. "Neighborhood Plan (NP)" means a plan ~~designed to guide the future~~ platting of ~~remaining vacant~~ adjacent parcels in an area not initially subject to an MDP, ~~partially built-up neighborhood so as to make reasonable use of all land,~~ correlate street patterns, and achieve the ~~best possible~~ other land-use relationships.

2924. "Open Space Lands" means any space or area characterized by ~~great~~ natural scenic beauty, ~~(or whose existing openness, natural condition, or present state of use (if retained), would maintain or enhance the preservation of natural or scenic resources, or the production of food or fiber).~~

- ~~3025.~~ "Owner" means the person or persons holding title by deed to land, ~~or~~ holding title as a vendor under land contract, or holding any other title of record.
- ~~26.~~ "~~Pedestrian Way~~" means ~~a public walk dedicated entirely through a block from street to street, or providing access to a school, park, recreation area, or shopping center.~~
- ~~3127.~~ "Plat" means a map ~~which provides for changes in land use or ownership of a Subdivision.~~
- a. "Preliminary Plat" means a ~~tentative~~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 ~~the applicable Arizona Revised sStatutes of the State of Arizona.~~ 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 ~~the applicable Arizona Revised sStatutes of the State of Arizona.~~
  - c. "Recorded Plat" means a Final Plat bearing all certificates of approval required by this Chapter and ~~the applicable Arizona Revised sStatutes of the State of Arizona,~~ and duly recorded in the Yavapai County Recorder's Office.
  - d. "Reversionary Plat" means:
    - (1) ~~A map a~~ Final Plat for the purpose of reverting previously subdivided ~~acreage~~land to unsubdivided ~~acreage~~land; or
    - (2) ~~A map a~~ Final Plat for the purpose of vacating ~~rights-of-way~~streets or easements previously dedicated to the public ~~and abandoned under procedures prescribed by the Town;~~ or
    - (3) ~~A map a~~ Final Plat for the purpose of vacating or redescribing lot or other parcel boundaries previously recorded.
- ~~3228.~~ "Preliminary Approval" means affirmative action on a Preliminary Plat, noted ~~upon prints of the plat thereon,~~ indicating that approval of a Final Plat will be ~~forthcoming upon~~require satisfaction of specified ~~stipulations~~conditions (and ~~which constitutes authorization allowing the subdivider to proceed with final engineering plans and Final Plat preparation).~~
- ~~3329.~~ "Private Access Way" means any ~~private street or private way of access to one~~ {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, and has been but constructed improved in accordance with adopted Improvement Standards (or other Town standards set forth in this Code) and plans approved by the Town Engineer. A private access way is intended to apply where its use is logically consistent with a desire for neighborhood identification and control of access, and where special design concepts may be involved (such as within Planned Area Developments, mobile home developments, sub-lot developments, hillside areas and condominiums).~~

- ~~3430. "Right-of-Way" means any public or private access way required for ingress or egress, including any. Public rights-of-way may include areas required for public use pursuant to any the General or Specific Plan as provided for in this Chapter. [Public Rights-of-way may be designated by Plat dedication consist or by conveyance of fee title dedications or easements] by deed.~~
- ~~31. "Secretary of the Board" means the Chairman of the Planning and Zoning Commission or his designated representative.~~
- ~~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.~~
- ~~3236. "Street" means any existing or proposed street, avenue, boulevard, road, lane, parkway, place, bridge, viaduct, or easement for public vehicular access or other way which is a State, County or municipal roadway; or a street or way shown in a pPlat heretofore approved pursuant to law or approved by official action; or a street or way in a pPlat duly filed and recorded in the County Recorder's Office. A street includes all land within the street rRight-of-wWay lines, whether improved or unimproved, including and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking space, bridges, and viaducts, and landscaping. 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 or urban area; (including a divided arterial highway street with full control of access and not intended to provide direct access to abutting land). In urban areas both Freeways - Expressways will normally be a portion of a system or network of freeways.~~
- ~~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.
- ~~b. "Major Street or Highway" means a street providing for traffic movement between areas and across portions of the Town, direct service to principal generators, and connections to the freeway-expressway system; and, secondarily, for direct access to abutting land. Such are subject to necessary regulation and control of parking, directional controls, turning movements, entrances, exits and curb use. Such streets are often divided arterial roadways and may have some control of access. The individual major streets combine to make a system of Town-wide traffic movement.~~
- 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, providing direct service to residential areas from major streets and highways for traffic movement within neighborhoods of the Town and for direct access to abutting property. It collects local traffic from the neighborhoods and delivers the same to the nearest major street or highway.
- d. "Frontage Road" means a Collector street located within a Freeway or Expressway Right-of-Way and parallel to the Freeway or 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 providing for direct access to residential, commercial, industrial, or other abutting land, and for local traffic movements and connections to collector or major streets.
- f. "Cul-de-Sac" means a short Local Street having one end permanently terminated in a vehicular turnaround (or an equally convenient form of turning), and backing areas as may be recommended by the Town Engineer.
- g. "Parkway" means any of the above street types which are intensively landscaped to provide attractive or scenic appearance, or located in a park or park-like area. The use of the facilityParkways 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.

3733. "Street Classification Plan" means a plan ~~which provides for the development of a system of major streets and highways~~ Arterials (present and future), including the location, width, and alignment of existing and proposed thoroughfares.
3834. "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 of the State of Arizona, except that an individual serving as (as amended), a Agents for such legal entities is are not a subdividers and. Said subdividers need not be ~~the property owners~~ owner of the property as defined by this Chapter. The Town Council may itself prepare or have prepared a Plat for the subdivision of land under municipal ownership.
3935. "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 ~~two (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 ~~two (2)~~ parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse, or similar project containing ~~four (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. ~~However, plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.~~ "Subdivision" does not include the following:
- 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.
4036. "Subdivision Design" means Street alignment, grades, and widths; alignment and widths of easements and Rights-of-Way for drainage, sanitary sewers and public utilities; the arrangement and orientation of lots; and locations of buildings (together with refuse collection and maintenance easements in condominium developments).
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).

4237. "Usable Lot Area" means that portion of a lot usable for, or adaptable to, the normal uses made of property. Excluded are, (excluding any areas which may be covered by water, have grades exceeding twenty percent (20%), or be included in certain types of easements) which limit normal property uses.

4338. "Utilities" means ~~installations of facilities, (underground or overhead), furnished for the use of public which provide electricity, natural gas, steam, telecommunications, potable water, irrigation water, storm water, cable television, wastewater collection and treatment, or sewage disposal~~ similar services, owned and operated by any person, firm, corporation, ~~municipal~~ department or board, duly authorized by ~~S~~state or municipal regulations. ~~Utilities as used herein may also refer to such persons, firms, corporations, departments, or boards, as applicable herein.~~

(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. 772, Amended 03/28/13; Ord. No. 801, Amended, 02/12/15)

**SECTION 12.** That Section 14-01-030 "Administration" in Article 14-01 "GENERAL PROVISIONS" in Chapter 14 "SUBDIVISIONS" of the Town Code is hereby repealed and reenacted to read as follows:

**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)

**SECTION 13.** That Section 14-01-040 "Prohibition of Circumvention" in Article 14-01 "GENERAL PROVISIONS" in Chapter 14 "SUBDIVISIONS" of the Town Code is hereby repealed and reenacted to read as follows:

**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)

**SECTION 14.** That Section 14-02-010 "Outline of Procedures" in Article 14-02 "PLATTING PROCEDURES AND REQUIREMENTS" in Chapter 14 "SUBDIVISIONS" of the Town Code is hereby amended to read as follows:

**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)

**SECTION 15.** That Section 14-02-020 “Pre-Application Stage” in Article 14-02 “PLATTING PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**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. ~~Sketch plans~~Concepts and ideas regarding land use, street, and lot arrangements and tentative lot sizes.
  - ...
- 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. ~~Check existing zoning of this district.~~
  - 21. Advise the subdivider if a zoning change will be required and that such change must be obtained prior to additional processing of the application.
  - 32. 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 ~~major streets~~Arterials, utility systems, and adjacent land uses, and determine if there are any unusual problems ~~such as~~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.
  56. Determine the need for preparation and review of an Development Master Plan~~MDP~~ prior to subsequent consideration of a Preliminary Plat. Advise the sSubdivider if an Development Master Plan~~MDP~~ is required and to what extent it shall be prepared by the ~~developer~~Subdivider and by the ~~d~~Department.
- D. Development Master Plan (MDP): The ~~d~~Department shall use the following guidelines in establishing the need for an MDP~~Development Master Plan~~: 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 sSubdivider; 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~~Development Master Plan~~ need not be under the sSubdivider'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 ~~Development Master Plan~~MDP shall be prepared to scale, ~~and accuracy~~ (accurate to a level commensurate with its purpose), and shall include:
    - a. General street patterns with particular attention to cCollectors~~streets~~ and future circulation throughout the neighborhood.
    - ...
    - e. Location of buildings and circulation for condominium developments ~~on all land owned by the subdivider.~~
    - 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 ~~d~~Department, the ~~Development Master Plan~~MDP may be submitted to the Commission and Council for their consideration. ~~If general approval is given, notice to that effect shall be recorded in the minutes of both bodies and a copy of said minutes transmitted to the subdivider and his engineer. If development~~

is to take place in several parts, the ~~Development Master Plan-MDP~~ should be submitted as supporting data for each part. The ~~Development Master Plan-MDP~~ should be kept up-to-date by the ~~s~~Subdivider and the ~~d~~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)

**SECTION 16.** That Section 14-02-030 “Preliminary Plat Stage” in Article 14-02 “PLATTING PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

The Preliminary Plat stage of land ~~and airspace~~ subdivision includes ~~detailed planning,~~ submittal, review, and approval of the Preliminary Plat. ~~To avoid delay in processing his application,~~ ~~t~~The ~~s~~Subdivider shall provide the ~~d~~Department with all information essential to determine the character and general acceptability of the proposed development.

- A. Zoning: The ~~s~~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 ~~d~~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 ~~developer~~Subdivider while an application for zoning amendment or variance is pending shall in no instance be construed as having been undertaken in reliance ~~of on~~ a favorable determination of such application (notwithstanding the nature of a ~~d~~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 ~~s~~Subdivider shall have first informed the appropriate State and/or County department of his tentative plans and learned the general requirements prior to ~~p~~Preliminary ~~p~~Plat review by the ~~d~~Department.
- C. Preliminary Plat Submission:
  1. ~~Twenty (20)~~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 ~~d~~Department, ~~at least twenty-one (21) days prior to the Commission meeting at which the subdivider desires to discuss the plat.~~ 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 ~~d~~Department for completeness and assigned a case number. If it is incomplete as to those requirements set forth in this Section, the submittal shall be rejected and the ~~s~~Subdivider notified within five (5) days from the date the map was received.
3. ~~Preliminary Plats of subdivisions outside the Town but within a three (3) mile radius of the Town shall be submitted by the developer to the Town Planning and Zoning Department or review with fees as outlined in Subsection 14-01-030(C) of this Chapter. In addition, the Joint Town/County Planning and Zoning Commission shall meet to review the plat and forward its recommendation to the Yavapai County Planning and Zoning Commission pursuant to ARS 9-474, (as amended).~~

D. Preliminary Plat Review:

1. On receipt of the Preliminary Plat, the ~~d~~Department shall perform its review for compliance ~~to~~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 street and highway 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; and 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 ~~d~~Department shall distribute copies of the ~~p~~Plat to the appropriate agencies for review, following reviewing offices:
  - a. ~~Town Engineer for review.~~
  - b. ~~Director of Public Works for review of the proposed street system; street plans, and compliance with Town street standards; tentative determination of street and drainage improvement and maintenance requirements; and water and sewage disposal proposals.~~
  - c. ~~Police Chief, Fire Chief and Building Inspector for review of features of the proposed development relating to their respective areas of operation.~~
  - d. ~~Where applicable, to the appropriate State and/or County departments for review of water and/or sewage disposal proposals.~~
  - e. ~~Superintendent of the appropriate school district for his information.~~
  - f. ~~Where the land abuts a State highway, to the Arizona Department of Transportation and to the County Highway Department for~~

~~recommendations regarding right-of-way and intersection design.~~

~~g. Appropriate Town utility departments (as well as any other interested utilities).~~

~~h. United States Postmaster at Prescott, Arizona.~~

3. ~~The Department shall collect the written comments of the reviewing offices, shall transmit their recommendations to the department in writing, determine whether the proposed Preliminary Plat substantially conforms to the submission requirements, The department shall receive and summarize the reviewing offices' recommendations, prepare a report, and present it to the Commission.~~

E. Preliminary Plat Approval:

1. If the ~~d~~Department report indicates that the requirements of this Chapter have been met, the Commission shall consider the Preliminary Plat at the next regular meeting ~~[but not less than thirty (30) days from the date of filing].~~
2. The Commission shall consider the Preliminary Plat and the ~~d~~Department's recommendations, and ~~if~~ satisfied that all objectives have been met, the Commission shall approve the Preliminary Plat ~~and the secretary shall stamp a notation of approval on two (2) copies of the plat [one (1) being returned to the subdivider, and one (1) retained in the permanent Commission file].~~
3. If the ~~p~~Plat is generally acceptable but requires minor revision before proceeding with preparation of the Final Plat, the Commission shall find ~~c~~Conditional ~~a~~Approval ~~and note the required revisions in the minutes of the meeting and in a report to the subdivider.~~ At the direction of the Commission, the ~~p~~Plat may be given approval subject to the revisions in accordance with the stated conditions and reviewed by the ~~d~~Department.
4. If the Commission finds that the ~~p~~Plat requires major revision, the ~~p~~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 ~~s~~Subdivider to proceed with preparation of the Final Plat and the engineering plans and specifications for improvements. Preliminary approval is based upon the 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 ~~Planning and Zoning 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

sSubdivider 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 nor continuation of existing zoning requirements for the tract or its environs, nor constitute authorization to record the pPlat.

(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. 772, Amended 03/28/13; Ord. No. 801, Amended, 02/12/15)

**SECTION 17.** That Section 14-02-040 “Information Required for Preliminary Plat Submittal” in Article 14-02 “PLATTING PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

~~A. Form of Presentation: The information hereinafter required as part of the Preliminary Plat submittal shall be shown graphically or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be produced at the same standard engineering scale, said scale having not more than one hundred (100) feet to an inch. Whenever practical, scale shall be adjusted to produce an overall drawing measuring twenty-two by thirty-six (22x36) inches and not exceeding thirty-two by forty-two (32x42) inches. The Preliminary Plat and all required supporting data shall also be provided in approved digital format.~~

BA. Identification and Descriptive Data:

1. Proposed name of sSubdivision 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 pPlat.
3. Name, address, and phone number of sSubdivider.

...

5. A location map which shows the relationship of the proposed sSubdivision to ~~main traffic arteries~~Arterials and any other facilities which might help to locate the sSubdivision. 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.

CB. 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 ~~s~~Subdivision layout. Contour interval shall be such as to adequately reflect the character and drainage of the land.

...

5. Name, book, and page numbers of any recorded adjacent ~~s~~Subdivisions having common boundaries with the tract.

...

8. Fully-dimensioned ~~B~~boundaries of the tract to be subdivided ~~shall be fully dimensioned~~.

9. Engineers' calculations and estimated values for each tributary storm runoff for the ~~one hundred (100)-~~year and fifty (50) year frequency storms (said values to be indicated along the boundary of the ~~p~~Plat for all points of drainage entering the property).

DC. Proposed Conditions Data:

...

3. Proposed landscape, recreation and open space elements.

34. Designation of all land to be dedicated or reserved for public use (with use indicated).

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

56. Proposed development units.

67. 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 ~~p~~Plat and, if required by the Town Engineer, a proposal to provide for detention of storm water ~~is to be shown~~.

78. 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 ~~primary highways~~ 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.

**ED.** 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)

**SECTION 18.** That Section 14-02-050 “Final Plat Stage” in Article 14-02 “PLATTING PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

This stage includes the final design of the sSubdivision, engineering of the public improvements, and submittal by the Subdivider of the Final pPlat 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, ~~by the subdivider~~ for review and for action by the dDepartment, ~~Commission,~~ and Council.

...

- B. Easements: It shall be the responsibility of the sSubdivider to provide on the Final Plat, prior to pPlat 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: “ANo 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: “ANo structure of any kind shall be constructed nor any vegetation planted or allowed to grow within or over the drainage easement, whichthat 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 the any Type 2 easement.”

...

D. Final Plat Submission: The sSubdivider shall file with the dDepartment two (2) Final Plat mylar transparencies 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 dDepartment, upon receipt of the Final Plat submittal, shall immediately record receipt and date of filing and check it for completeness. If complete, the dDepartment shall review the pPlat for substantial conformity to the approved Preliminary Plat and refer copies of the submittal to the appropriate reviewing agencies. ~~following reviewing offices who shall make known their recommendations in writing, addressed to the Council.~~

a. ~~Director of Public Works, Town Engineer, and Sewer Department for approval of flood control and proposed street system; for examination of survey and computations of the plat; and for approval of sewer and water proposals.~~

b. ~~Building Inspection and Parks and Recreation, when applicable.~~

c. ~~When applicable, the appropriate State and County departments for approval of sewage disposal and water supply plans.~~

d. ~~Arizona Department of Transportation or County Highway Department for approval where the plat abuts a State or County highway.~~

2. The dDepartment 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 dDepartment 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 ~~Town Manager~~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 pPlat.

...

3. When the certificate of approval by the Council has been transcribed on the Final Plat, the dDepartment shall retain the record copy until the Town

Engineer certifies that the sSubdivision has been staked and the engineering plans have been approved.

4. The dDepartment 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)

**SECTION 19.** That Section 14-02-060 “Information Required for Final Plat Submittal” in Article 14-02 “PLATTING PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**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 pPlat of a sSubdivision.

...

- b. ~~The map or plat s~~Shall be drawn to an accurate scale not to exceed ~~two~~ one hundred (2100) feet to the inch.

...

2. All other maps or pPlats.

- a. Shall be produced with permanent ink on a sheet or sheets of mylar measuring eighteen (18) by twenty-six (26) inches with a left margin of ~~two (2)~~ inches.

- b. ~~The map or plat s~~Shall be drawn to a scale not to exceed ~~three hundred~~ (3100) feet to the inch.

...

3. Copies of the record pPlat 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 sSubdivision 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 pPlat.
  3. Scale, north arrow, and date of pPlat 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 pPlat 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 pPlat boundaries shall be noted as "not a part of this sSubdivision", 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 pPlat are referenced shall be shown. Each of ~~two (2)~~ separate corners of the sSubdivision traverse shall be tied by course and distance to separate section corners or quarter section corners.
- ...
- D. Descriptive Data Required: The following descriptive data shall be required as part of the Final Plat submittal.
1. Name, rRight-of-wWay 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 shall be shown on the plat.~~ The rRights-of-wWay of all major drainage ways, as designated by the Town Engineer, shall be dedicated to the public.
  3. ~~All lots, shall be numbered by consecutive numbers throughout the plat.~~ All "tracts" and "parcels" shall be designated, lettered or named and clearly dimensioned, and parcels which are not part of the sSubdivision 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 sSubdivisions, 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 pPlat or any

part thereof pertaining to the intended use of the land (and to be recognized by the Town) ~~shall be noted on the plat.~~

7. All existing private easements within, on, or over the ~~p~~Plat ~~shall be indicated, (dimensioned, and noted as to their use).~~

E. Dedication and Acknowledgment:

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, alleys, crosswalks, drainageways, pedestrian ways, 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 by spouses of said parties, and the spouses of such parties. If lands dedicated are mortgaged, the mortgagee shall also sign the ~~p~~Plat. Dedication shall include a written location by section, township, and range of the tract. If the ~~p~~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 \_\_\_\_\_ maintain utilities in the access ways (including refuse collection).

...

F. Required Certifications, Signatures and Statements: The following certifications, signatures and statements shall be required as part of the Final Plat submittal.

1. ~~Certification by the registered civil engineer or registered land surveyor making the plat that the plat is correct and accurate, and that the monuments described on it have either been set or located as described. All maps shall contain the seal of a registered civil engineer or land surveyor.~~
2. ~~Certificate of plat approval by the Town Engineer.~~
3. ~~Certificate of plat approval by the Town Council.~~
4. ~~Certificate of recordation by the County Recorder.~~

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

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.”\*

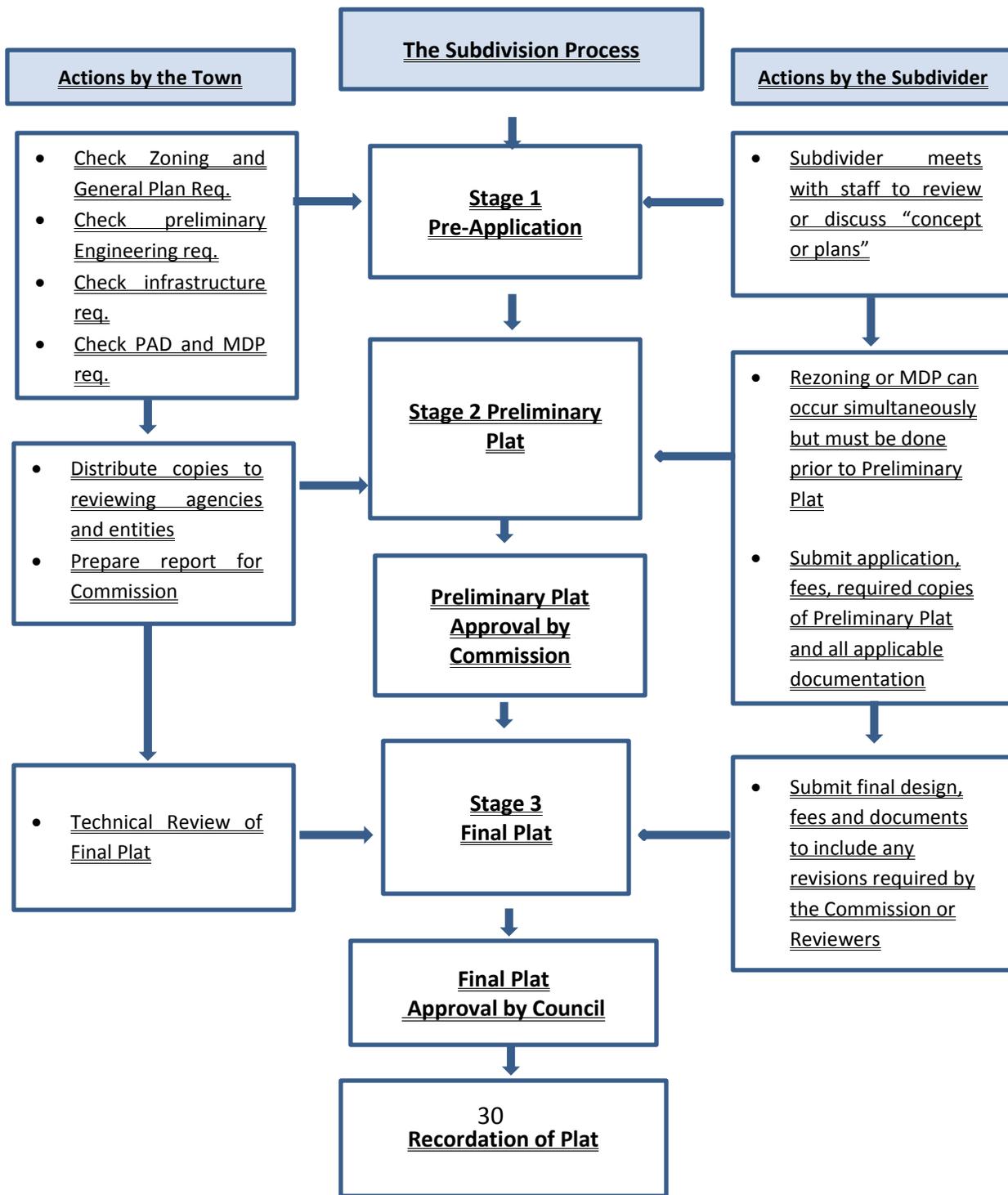
\*Note: This requirement may be waived by the Town Engineer for commercial

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)

**SECTION 20.** That a new Section 14-02-070 “Process Flow Chart” in Article 14-02 “PLATTING PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby enacted to read as follows:

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



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

**SECTION 21.** That Section 14-03-010 “In General” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**14-03-010 In General.**

- A. Conformance to Plans. Every sSubdivision 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 sSubdivider 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 ~~held~~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 sSubdivider 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)

**SECTION 22.** That Section 14-03-020 “Street Location and Arrangement” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

- A. Whenever a tract to be subdivided embraces any part of a street designated in an adopted Town ~~street and highway~~transportation plan, such street shall be platted in conformance therewith.

- B. Street layout shall provide for the continuation of such streets as the ~~e~~Department may designate.
- C. Whenever a tract to be subdivided is located within an area for which an ~~n~~ neighborhood ~~plan~~NP has been approved by the Commission, the street arrangement shall conform substantially to said ~~p~~Plan.
- D. Certain proposed streets, as designated by the ~~e~~Department, shall be extended to the tract boundary to provide future connection with adjoining unplatted lands.
- E. Local ~~s~~Streets shall be so arranged as to discourage their use by through-~~l~~traffic.
- F. Street locations and access shall conform to the provisions of Chapter 6 "Circulation Element" of the General Plan of the Town of Prescott Valley (as amended).
- G. Where a ~~s~~Subdivision abuts or contains the ~~r~~Right-of-~~w~~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 ~~r~~Right-of-~~w~~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.

...

- I. Half streets shall be discouraged except where necessary to provide ~~r~~Right-of-~~w~~Way required by the Town ~~street and highway~~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)

**SECTION 23.** That Section 14-03-030 "Street Design" in Article 14-03 "SUBDIVISION DESIGN STANDARDS AND PRINCIPLES" in Chapter 14 "SUBDIVISIONS" of the Town Code is hereby amended to read as follows:

**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.
- AB. Minimum Required Right-of-Way Widths:

1. ~~Major Streets~~ highways Arterials - as required by ~~current~~ applicable Town, County or State standards.
2. ~~Collectors~~ streets - as required by ~~current~~ applicable Town standards.
3. Local ~~s~~ Streets - ~~{sixty (60) foot~~ feet ~~full street right-of-way may be required~~ wide adjacent to park and school sites}; ~~otherwise~~ as required by ~~applicable~~ current Town standards.
  - a. ~~Cul-de-s~~ Sacs ~~streets~~ - ~~shall~~ terminate in a circular ~~r~~ Right-of-w Way ~~forty-five~~ six (4546) feet in radius ~~(with a three (3) foot utility easement around the turnaround)~~. The ~~d~~ Department may recommend an equally convenient form of turning and backing areas where extreme conditions justify.
  - b. Note: ~~D~~ dead-end streets will not be approved except in locations recommended by the ~~d~~ Department as necessary to future extension in development of adjacent lands. In ~~any~~ such cases, a dead-end street extending two hundred (200) feet or more shall ~~be provided by~~ include an easement for a temporary turning circle with a forty (40) foot radius ~~(or other acceptable design to accomplish adequate access)~~.
4. ~~Alleys (when provided)~~ - sixteen (16) feet wide where ~~there is~~ single-family residential uses are on both sides, and twenty (20) feet wide if ~~there are~~ abutting ~~commercial~~ commercial, multiple-family residential, or industrial ~~districts~~ 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 ~~a~~ Access ~~w~~ Ways - as required by applicable Town standards.

BC. Grades:

1. Maximum:
  - a. ~~Collectors~~ streets 7%
  - b. Local ~~s~~ Streets 15%  
[All over twelve percent (12%) have a maximum length of six hundred (600) feet]
  - c. ~~Major streets~~ Arterials: as determined by the Town Engineer.

...

3. ~~Exceptions: Where rigid adherence to these standards causes unreasonable or unwarranted hardship in design or cost without commensurate public benefit,~~

exceptions may be made by the Commission upon review and recommendation of the Town Engineer.

CD. Horizontal Design:

1. ~~Major streets~~Arterials as determined by the Town Engineer.
2. ~~When t~~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 cCollectors ~~streets~~ or one hundred (100) feet for lLocal ~~sStreets~~.
3. ~~Between reverse curves there~~ All Arterials and Collectors with reverse curves shall be ~~have~~ a tangent section of centerline not less than ~~one hundred (100)~~ feet long, unless the radius exceeds ~~six hundred (600)~~ feet on cCollectors ~~streets~~. Low volume, low speed lLocal ~~sStreets~~ may accommodate reverse curves without a tangent section between curves.
4. Streets intersecting a ~~major street~~Arterials shall do so at a ~~ninety (90)~~ degree angle. Intersections of lLocal ~~sStreets~~ shall not vary from ~~ninety (90)~~ degrees by more than fifteen (15) 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 lLocal ~~sStreets~~ intersect ~~major streets~~Arterials, the Town Engineer may require minimum centerline offsets of four hundred (400) feet.
6. Local ~~sStreets~~ intersecting a cCollectors ~~street~~ or ~~major street~~Arterials shall have a tangent section of centerline at least one hundred fifty (150) feet in length measured from the ~~rRight-of-w~~Way line of the ~~major street~~Arterial; except that, no such tangent is required when the lLocal ~~sStreet~~ curve has a centerline radius greater than ~~four hundred (400)~~ feet with the center located on the ~~major street~~Arterial ~~rRight-of-w~~Way line. ~~Where topographic conditions make necessary other treatment to secure the best overall design, these standards may be varied by the Commission upon the recommendation of the Town Engineer.~~
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 lLocal ~~sStreets~~ shall be ~~are~~ encouraged.
8. ~~Collectors~~ ~~streets~~ shall intersect the ~~major streets~~Arterials at the midsection corners ~~or as otherwise approved.~~
9. Local ~~sStreets~~ which are primary access to a ~~sSubdivision~~ shall intersect ~~major streets~~Arterials at the quarter mile corners, ~~or as otherwise approved.~~

(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)

**SECTION 24.** That Section 14-03-040 “Block Design” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**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 ~~except that~~, 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 ~~streets~~: 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, wherein provisions should ~~shall~~ be made for extension of the street pattern to the adjoining unplatted parcel (and a temporary turnaround installed).
  
- ~~C. Pedestrian, Bicycle and Equestrian ways: a minimum right-of-way width of ten (10) feet may be required where essential for circulation or access to schools, playgrounds, shopping centers, and transportation and other community facilities. Pedestrian ways may be used for utility purposes.~~

(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)

**SECTION 25.** That Section 14-03-050 “Lot Planning” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**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.

...

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

...

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

(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)

**SECTION 26.** That Section 14-03-060 “Condominium Developments” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**14-03-060 Condominium Developments.**

A. ~~The processing of subdivision plats for condominium developments shall follow the procedures set forth in this Chapter for the processing of land subdivision plats. All sections~~ requirements of this Chapter shall ~~be applicable~~ apply to condominium ~~subdivisions~~. A preliminary site plan shall be considered a Preliminary Plat, and a final site plan a Final Plat.

B. The Final Condominium ~~Subdivision~~ Plat shall be certified by a registered architect or engineer that the ~~p~~ 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 dDepartment 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:

...

e. Necessary dedication statements.

...

3. New dDevelopments:

- a. Preliminary Plat shall show all of the information required by the dDepartment's site plan pPreliminary pPlat checklist.
- b. Final Plats shall show all of the information required above in ~~Subsection 14-03-060(B)(2)~~ this Section.
- c. Building permits shall be issued in accordance with Final Plats approved by the dDepartment, prior to recordation of the pPlat.
- 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)

**SECTION 27.** That Section 14-03-070 "Easement Planning" in Article 14-03 "SUBDIVISION DESIGN STANDARDS AND PRINCIPLES" in Chapter 14 "SUBDIVISIONS" of the Town Code is hereby amended to read as follows:

**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 sSubdividers as follows:
  - 1. Where alleys are provided: four (4) feet for aerial overhang on each side of alley shall be provided by dedication ~~but need not be delineated on the plat (if utility lines are overhead).~~
  - 2. Along side lot lines: 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, ~~as may be designated.~~
  - 3. Guy and anchor easements: ~~one (1)~~ foot wide on each side of lot line, and approximately thirty-five (35) feet in length measured from the rear lot line ~~as designated (if utility lines are overhead).~~
  - 4. Connecting sSubdivisions to utility systems: minimum thirty ~~feet (30')~~ foot wide easements for off-site trunk lines and mainlines to connect sSubdivisions to utility systems ~~and thereby extend such systems.~~

...

- E. Except where alleys are provided, lots ~~arranged to that~~ back up to major streets, railroads, canals or commercial or industrial districts ~~uses, as required in this Chapter,~~ 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)

**SECTION 28.** That Section 14-03-080 “Street Naming and Addressing” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

- A. Before submittal of a Final Plat, the ~~Community Development~~ Department will provide the sSubdivider with the street naming and addressing standards set forth in Sections 1-11-040 and 1-11-080 of ~~the Town~~this Code (as amended) and instructions for preparing and submitting the following:

...

2. An alphabetical list of the proposed street names, together with ~~an~~ alternate names ~~for each proposed name~~ (and ~~an~~ English translations ~~of any~~ foreign language names (where appropriate)).

3. A mailbox plan approved by the United States Postmaster, Prescott, Arizona.

- B. Once the sSubdivider has submitted all of the information required in this sSection ~~in accordance with the standards set forth in Sections 1-11-040 and 1-11-080 of the Town Code,~~ the sSubdivider may incorporate the approved street names in the Final Plat. The ~~Community Development~~ Department will then input the approved addresses into the Town’s permit system and database.

- ~~C. Any appeal of the determination of the Building Department as to compliance with the applicable standards, or any request for variation from said standards, shall be considered by the Town Council as part of the Council's Final Plat consideration.~~

(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)

**SECTION 29.** That Section 14-03-090 “Hillside Development” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

Because of the unique and peculiar problems inherent in the development of hillside areas, special standards ~~and conditions for hillside development areas~~ must be

~~considered applied. The provisions of this Section shall be applicable to the division of all land in a hillside development area (regardless of parcel size).~~

A. Subdivisions:

~~1.~~ Special Preliminary Plat Requirements.

- ~~a~~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 ~~fifteen percent (15%)~~. The map shall also include elevations of critical spots, rock outcrops, and special characteristics.
- ~~b~~2. Where necessary to determine that lots will be usable, ~~the department may recommend and the Commission may require~~ a plan for each lot, in conformance with grading and drainage regulations ~~required by the Town~~, 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).
- ~~c~~3. A report of a proper soil investigation by a licensed geologist or engineer to determine any geological hazard and soil bearing quality.
- ~~d~~4. The location of existing and proposed conservation easements.

~~2~~B. Special Final Plat Requirements.

- ~~a~~1. A final grading plan which conforms to the requirements of the grading and drainage regulations in this Chapter and as otherwise required ~~by the Town in this Code~~.
- ~~b~~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.
- ~~c~~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 ~~r~~Right-of-way line, and the proposed building setback lines).
- ~~d~~4. Locations of all building sites and proposed driveways.

~~3~~C. Special Design Standards:

- ~~a~~1. Street and private access way grades shall conform as closely as possible to natural topography ~~{(but shall not exceed fifteen percent (15%))}~~.
- ~~b~~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.
- đ4. Upon the recommendation of the Town Engineer (and approval of the Commission), alternate methods for turning and backing areas may be substituted for turnarounds.
- ē5. 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.
- ƒ6. 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.
- g7. Where bridle trails are approved, sidewalks may be placed by the trails on the upgrade side of the Right-of-Way.
- h8. 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.
- i9. 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.
- j10. Transverse street cross sections, with the gutter on the uphill side, may be used where approved by the Town Engineer.
- ƙ11. 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.
- ł12. 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.
- Ń13. "Panhandle", double-frontage, and other unorthodox lots [including lots which have a width to depth ratio greater than ~~one (1)~~ to ~~three (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.
- ñ14. 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 ~~Town~~adopted Improvement Standards and specifications. Where needed, additional easements for drainage or utilities shall be provided.

~~e~~15. Maximum driveway grades shall be twenty percent (20%).

~~p~~16. Building sites shall be free of geological hazards.

4D. Grading Standards for Lots, and Parcels ~~and PAD Sites:~~

~~a~~1. Not more than five percent (5%) of a lot, or parcel, ~~or PAD site~~ shall be left with a cross slope steeper than natural grade of the ground or steeper than ~~twenty percent (20%),~~ (whichever is greater).

~~b~~2. All driveway and garage cuts shall be made at the time of street grading and before street improvements are installed.

~~e~~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, ~~or PAD site area~~.

~~d~~4. Cut or fill slopes shall be entirely contained within the downhill lot.

~~e~~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.

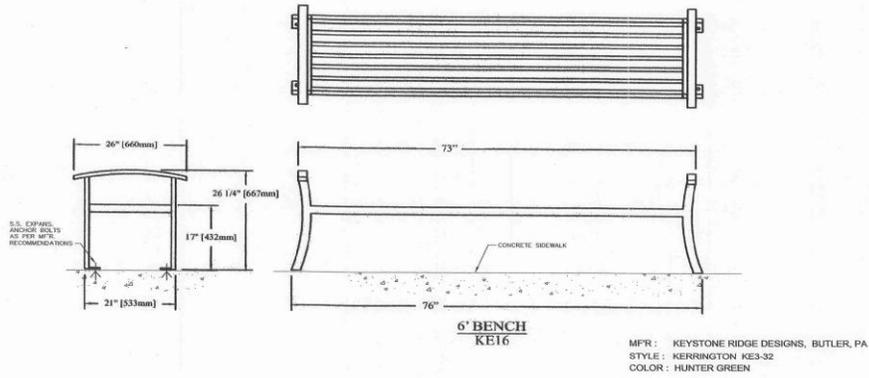
5E. Utilities: All utilities shall be installed underground in the streets or private access ways. Water and sewage disposal shall be provided to each lot as required by ~~Section 7-03-110~~ Chapter 9 of this Code (and other related Town, County or State provisions).

(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)

**SECTION 30.** That a new section 14-03-100 “Design Diagrams” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby enacted to read as follows:

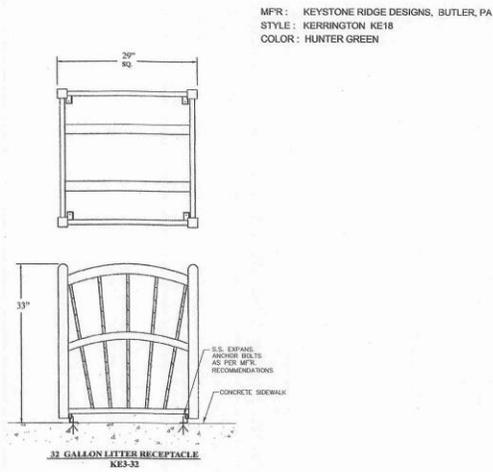
**14-03-100 Design Diagrams.**

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.



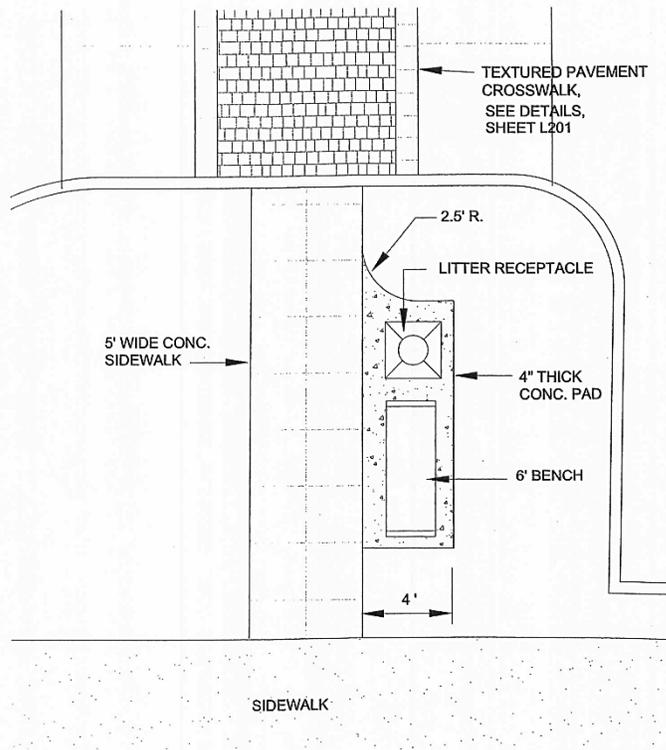
**A TYPICAL BENCH**

NOT TO SCALE



**B TYPICAL LITTER RECEPTACLE**

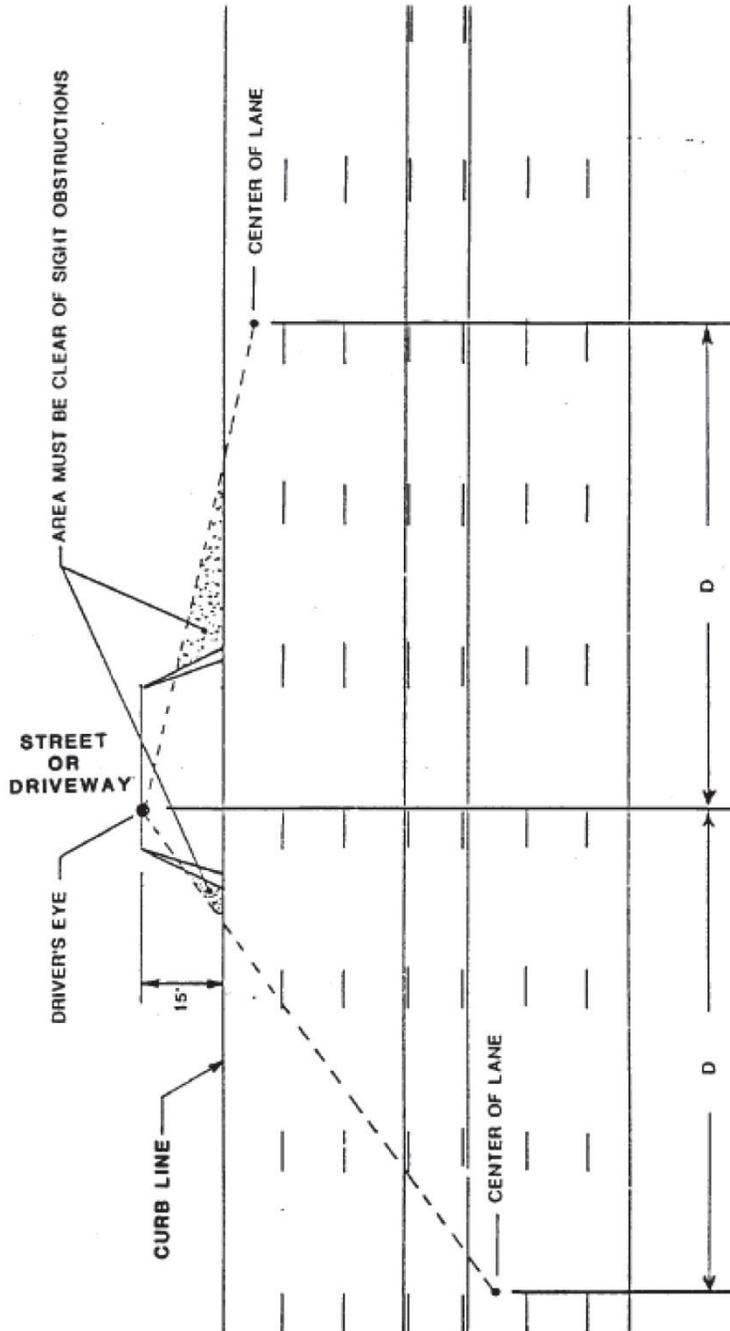
NOT TO SCALE



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

B. Street Design.

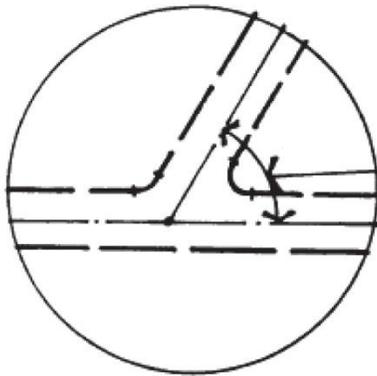
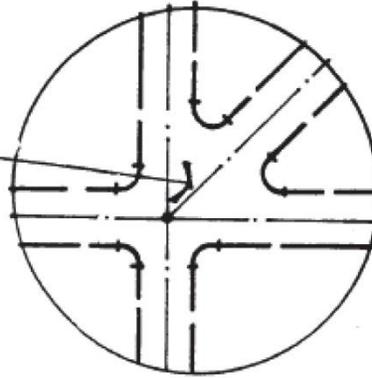
## SIGHT DISTANCE REQUIREMENTS



TRAFFIC SPEED (MPH)	25	30	35	40	45	50	55
D	350	420	490	560	630	700	770

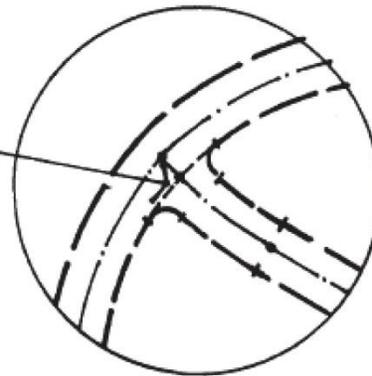
## PROHIBITED INTERSECTIONS

*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*



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

**SECTION 31.** That Section 14-04-010 "General" in Article 14-04 "STREET AND UTILITY IMPROVEMENT REQUIREMENTS" in Chapter 14 "SUBDIVISIONS" of the Town Code is hereby amended to read as follows:

**14-04-010 General.**

It is the purpose of this Article to establish the minimum acceptable standards for the street and utility improvements required for sSubdivisions in the Town, to define the responsibility of the sSubdivider 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)

**SECTION 32.** That Section 14-04-015 “Subdivider Responsibility” in Article 14-04 “STREET AND UTILITY IMPROVEMENT REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**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 pPlat approval in this Article are the responsibility of the sSubdivider. Such responsibility includes, but is not limited to, acquiring the necessary public rRights-of-wWay, easements, and licenses in which such improvements will be constructed or located, and thereafter dedicating, conveying, assigning, or otherwise transferring such rRights-of-wWay, easements, and licenses to the Town of Prescott Valley at the time of pPlat approval.
- B. Ownership of all on-site and off-site street and utility improvements constructed and/or acquired as a condition of pPlat 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 subdivision pPlat or by express agreement between the sSubdivider 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 of Prescott Valley, sSubdividers shall warrant all workmanship and materials involved in such improvements for a period of ~~one~~ two (12) 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 sSubdividers and those owners or parties.

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

**SECTION 33.** That Section 14-04-020 “Engineering Plans” in Article 14-04 “STREET AND UTILITY IMPROVEMENT REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

- A. It shall be the responsibility of the sSubdivider 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 ~~s~~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)

**SECTION 34.** That Section 14-04-030 “Construction and Inspection” in Article 14-04 “STREET AND UTILITY IMPROVEMENT REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

- ~~A.~~ ~~All relocation, tiling, and construction of irrigation facilities shall be completed to the standards of the owning utility and the Town Engineer.~~
- AB. In accordance with Section 7-10-030 of ~~the Town~~this Code (as amended), all construction in public ~~r~~Rights-of-~~w~~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.
- BC. All improvements in the public ~~r~~Right-of-~~w~~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 ~~r~~Right-of-~~w~~Way or in private access ways shall be approved by the Town Engineer.
- CD. 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 ~~s~~Subdivision for underground utilities shall be placed to such length as not to necessitate disturbance of street improvements when service connections are made.
- DE. Required on-site improvements shall be extended to the boundaries of the ~~p~~Plat so as to provide service connections to abutting unsubdivided land.
- EF. 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 ~~developer~~Subdivider prior to receipt of approval for construction based on the engineering plan review. Inspection fees for additional construction approved after

the initial submittal shall also be estimated by the Town Engineer and paid by the ~~developer~~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)

**SECTION 35.** That Section 14-04-040 “Required Improvements” in Article 14-04 “STREET AND UTILITY IMPROVEMENT REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**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 ~~s~~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 ~~s~~Subdivision, ~~s~~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 ~~s~~Subdivision includes an ~~an~~ major street Arterial which is not paved, or where there is no paved street between the ~~s~~Subdivision and a paved ~~major street~~Arterial or ~~Collector street~~, 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 ~~major street~~Arterial, ~~Collector~~, or ~~Local~~ Street ~~Right-of-way~~ to the nearest paved ~~major street~~Arterial or ~~Collector street~~. When a ~~m~~Marginal ~~a~~Access ~~Road~~ is required, strip paving shall be installed for the ~~major street~~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 ~~approved~~adopted ~~Town~~Improvement ~~s~~Standards. When density of development is low (or where, for other reasons ~~(such as to provide or~~ 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 ~~m~~Marginal ~~a~~Access ~~Road~~, along ~~Collectors streets~~, and along school or park property.
- C. Sidewalks: Concrete sidewalks shall normally be required on 1 side of a Local Street~~both sides of streets~~ and shall be constructed to a width, line, and grade approved by the Town Engineer in accordance with ~~approved~~Town~~adopted~~ Improvement ~~s~~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 ~~for one or both sides of local streets~~. 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. Crosswalks: Concrete walks through blocks shall be constructed to a width, line, and grade approved by the Town Engineer.~~

ED. Street Name Signs and Addresses: Street name signs conforming to the standards set forth in Section 1-11-050 of this Code (as amended ~~from time to time~~) 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 ~~or his/her designee~~. 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 ~~from time to time~~).

FE. Storm Drainage: ~~Proper and adequate provision shall be made for disposal of storm waters. This shall apply equally to g~~Grading of private properties, public streets, and private access ways, shall maintain Eexisting major water courses, and those water courses shall be ~~maintained and~~ 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 ~~shall be as 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.
- ~~1. If compatible with the public sewer system, as determined by the Town, pPublic sanitary sewer lines shall be installed in all new sSubdivisions in accordance with plans, profiles and specifications approved by appropriate Town departments, and connected to the public sewer as set forth in Chapter 9 of this Code.~~
  - ~~2. In areas where a public sanitary sewer is not reasonably accessible, the owning agency (with the approval of the appropriate State, County and Town departments) may provide for septic systems or other appropriate private sewage disposal systems. In such event, the subdivider shall construct sewer lines and any temporary facilities in the subdivision in accordance with plans, profiles, and specifications approved by appropriate Town departments, and designed for connection with a future public sewer system.~~
- H. Water Supply: Each lot shall be supplied with safe, pure and potable water in sufficient volume and pressure for domestic use and fire protection.
- ~~1. If compatible with the public water system (as determined by the Town), wWells, 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 sSubdivisions in accordance with plans, profiles and specifications approved by appropriate Town departments, and connected to the public water system.~~
  - ~~2. In areas where a public water system is not reasonably accessible, the subdivider (with the approval of the appropriate State, County and Town departments) may provide for development of or connection to a private water system. In such event, the subdivider shall construct the wells, water pumps, water tanks, water mains, water lines, fire hydrants, and other installations required by the Uniform Fire Code, in accordance with plans, profiles, and specifications approved by appropriate Town departments, and designed for connection with a future public water system. Nothing herein precludes modification of these requirements by one or more development agreements between the subdivider and the Town.~~
- I. ~~Irrigation Facilities: All irrigation facilities requiring seventy-two (72) inch diameter pipe or less which are to remain within the boundaries of the tract or in an abutting one-half (1/2) street or alley right-of-way, shall be tiled in accordance with standards of the owning agency relocated as may be directed by the Town Engineer and the owning agency. Where street improvements require relocation of control gates or other structures, such relocation and reconstruction shall conform to the requirements of the Town Engineer and the owning agency. In rural developments, this requirement may be waived by the Town Engineer.~~

- J. **Monuments:** Permanent monuments shall be installed in accordance with ~~current adopted Improvement Town~~ sStandards 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.
- K. **Lot Corners:** Iron pipes shall be set at all corners, angle points, and points of curve for each lot within the sSubdivision prior to the recording of the pPlat.
- L. **Utilities:**
1. New electric, cable and other telecommunication, ~~and T.V. lines (including, but not limited to, electric, communication and T.V. lines)~~, shall be installed underground. When overhead utility lines exist within the property being platted, said existing overhead utility lines and the new installations within the platted area shall be placed underground. When overhead utility lines exist on the periphery of the property being platted, said existing overhead utility lines (and any additions or replacements needed to increase capacity or improve service reliability) may remain overhead; pProvided, 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 sSubdivision development, it is necessary to relocate, renew, or expand existing facilities within the platted area, the sSubdivider shall make the necessary arrangements with the serving utility for these installations to be placed underground. The sSubdivider shall arrange with the serving utility for, and be responsible for, the cost of underground service lines to approved street light locations.
  2. The sSubdivider 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 ~~Subdivision~~ 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.
- M. **Street Lights:** Street lights shall be provided in accordance with Article 13-26a of this Code. Furthermore, in sSubdivisions 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.
- N. **Walls on Landscape and Vehicular Non-access Easements:** Continuous undulating or offset decorative masonry walls shall be installed on landscape and vehicular non-access easements along ~~major streets~~ Arterials ~~whenif~~ lots back up to asaid ~~major~~

~~street, in accordance with the design requirements and approval of the Town EngineerArterials.~~

- ØN. Landscaping: All landscaping (along with appropriate watering systems) within public ~~R~~Rights-of-wWay 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)

**SECTION 36.** That Section 14-04-050 “Submittal, Review and Approval of Engineering Plans” in Article 14-04 “STREET AND UTILITY IMPROVEMENT REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

Prior to the recording of the FinalPlat, the following shall be filed with the Town Clerk: ~~(A)~~ a certificate of approval of engineering plans signed by the department having jurisdiction, ~~(B)~~ a ~~certification that the~~Subdivision agreement between the Town and sSubdivider ~~has been executed and the~~necessary letters of agreement ~~with~~between the Subdivider and serving utilities ~~has been submitted,~~ and ~~(C)~~ the necessary assurances under this Chapter for construction of improvementsperformance and completion bond, cash, or agreement shall be filed with the Town Clerk. If these items have not been filed with the Clerkthe engineering plans ~~have not been approved~~ 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)

**SECTION 37.** That Section 14-04-060 “Schedule of Improvement Requirements” in Article 14-04 “STREET AND UTILITY IMPROVEMENT REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

**14-04-060 Schedule of Improvement Requirements.**

Specific standards of improvements to be installed in a sSubdivision shall depend on the location of the sSubdivision 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 ~~about~~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 ~~Town~~adopted Improvement sStandards.
- 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 ~~both~~one (1) sides.
- . . .
- h. Private access ways ~~shall have~~with pavement ~~with~~and concrete curbs, gutters, and sidewalks in accordance with ~~Town~~adopted Improvement sStandards ~~and specifications.~~

B. Suburban Developments:

1. Description: Single-family residential development with minimum lot widths of more than ~~one hundred twenty (120)~~ feet but less than one hundred fifty (150) feet, and minimum lot areas of ~~eighteen thousand (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 ~~systems~~ in accordance with this Chapter, including mainlines and fire hydrants to ~~Town~~adopted Improvement sStandards.
- c. Storm drainage to an acceptable outlet in accordance with this Chapter.
- d. All streets with approved pavement, concrete curbs, and gutters; and sidewalks ~~required~~ on ~~both~~1 sides of ~~major streets~~Arterials or Collectors streets. 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.
- . . .
- g. Underground street light circuits in accordance with ~~Town standards and specifications~~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 ~~thirty-five thousand (35,000)~~ square feet.
2. Requirements:
  - a. Public sewer in accordance with this Chapter.
  - b. Public water supply ~~systems~~ in accordance with this Chapter, including mainlines and fire hydrants to ~~Town~~adopted Improvement sStandards.
  - c. Storm drainage to an acceptable outlet in accordance with this Chapter.
  - d. All streets with approved pavement, concrete curbs, and gutters; and sidewalks ~~required on both~~1 sides of ~~major streets~~Arterials or Collectors streets. 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.
  - ...
  - g. Private access ways ~~shall have approved~~with pavement ~~with~~and concrete curbs, gutters, and sidewalks in accordance with ~~Town~~adopted Improvement sStandards ~~and specifications~~.

D. Rural Developments:

1. Description: Single-family residential development with minimum lot widths of ~~one hundred fifty (150)~~ feet, minimum lot areas of ~~thirty-five thousand (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 ~~systems~~ in accordance with this Chapter, including mainlines and fire hydrants to ~~Town~~adopted Improvement sStandards.
  - c. Storm drainage ~~handled in a manner acceptable to the Town Engineer~~ to an acceptable outlet in accordance with this Chapter.
  - d. All streets with approved ~~pavement~~hard surface; ~~concrete curbs and gutters on both sides of major and collector streets; concrete or another type of hard surface sidewalks on one or both sides of major and collector streets.~~ and 10 foot wide MUPs on 1 side of Arterials or Collectors.
  - ...
  - 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.

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

(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)

**SECTION 38.** That Section 14-04-070 “Public Improvement Reimbursement Agreements” in Article 14-04 “STREET AND UTILITY IMPROVEMENT REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

- A. Purpose. Inasmuch as it ~~is often~~ may be in the public interest to extend public ~~capital improvements or infrastructure~~ to undeveloped areas in the Town, ~~(or for one (1) development to size certain public capital improvements or infrastructure larger than would otherwise be necessary for the that development itself (so as to better accommodate nearby development),~~ the Town Manager ~~(or his/her designee)~~ is hereby

authorized to ~~specify~~require that sSubdividers either extend certain improvements off-site to connect with existing improvements or "upsized" certain on- or off-site improvements ~~(at subdividers' cost)~~ so as to facilitate connection thereto by other developments.

B. ~~Agreements—Optional.~~ In the event the Town Manager ~~(or his/her designee)~~ ~~specifies~~requires such extensions of off-site improvements or such upsizing of on- or off-site improvements, ~~nothing herein shall preclude~~he may propose to the Town Council 1 or more from entering into agreements with the sSubdividers to whereby the additional costs will ultimately be reimbursed from buy-in fees charged to other developers ~~over that later benefit from connecting to such improvements time some or all of the additional costs involved.~~ 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. However, it is expressly understood thatThe Manager's determination as to which agreement shall be presented ~~nothing herein requires the Town Council to enter into such agreements where the requiring of such extensions or upsizing at subdividers' sole cost is justified~~shall be guided by significant other benefits accruing to subdividers, or as a consequence of development agreements, or as considerations for involved with zoning, development plan, or site plan approvals, or for by any other appropriate reasonsbenefits 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);

...

3. Whether and to what extent any improvement district assessments, in-lieu of assessment fees, connection charges, or development fees charged to sSubdividers will be offset by the extra costs of the improvement incurred by sSubdividers;

4. Whether and to what extent sSubdividers shall be reserved a specific amount of capacity in the improvement;

5. After accounting for any offsets for the extra costs to sSubdividers (and any capacity in the improvement reserved to sSubdividers), what capacity in the improvement will remain available for use or connection by other developers (for which sSubdividers should be reimbursed). Note that engineering costs may be included as reimbursable costs.

...

7. How such buy-in fees shall be paid to the Town and repaid to sSubdividers 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. ~~That tThe term of any such agreement shall not be longer than ten (10) years or when the amount set forth in Subparagraph 14-04-070(C)(5) above is reimbursed (whichever is earlier).~~
10. That the Town has the option to reimburse sSubdividers 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).

...

- D. General Requirements. All required extensions of off-site improvements or upsizing of on- or off-site improvements shall be constructed in accordance with ~~specifications approved by the Town Engineer~~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 sSubdividers 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)

**SECTION 39.** That Section 14-04-080 “Assurances by Subdivider” in Article 14-04 “STREET AND UTILITY IMPROVEMENT REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby amended to read as follows:

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

- A. Agreement by Subdivider.

Upon approval by the Town of the Final Plat, the sSubdivider shall execute an agreement covering the following:

1. The sSubdivision improvements in a recorded development unit may be constructed in practical increments of lots, as specified by the sSubdivider, subject to provisions for satisfactory drainage, traffic movements, and other

services as determined by the Town Engineer.

...

4. The sSubdivider 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 sSubdivider 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 sSubdivider may be completed by the Town which shall recover the construction costs from the sSubdivider.

...

9. With regard to on-site and off-site street and utility improvements accepted for maintenance by the Town of Prescott Valley, the sSubdivider shall warrant all workmanship and materials involved in such improvements for a period of ~~one~~two (12) 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 ~~above in this Section~~Chapter (except ~~those specified~~ specified in this Chapter), the sSubdivider shall 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 ~~Town details and specifications~~ adopted Improvement Standards. When no ~~m~~Marginal a Access r Road is being constructed and the improvement of an major street Arterial or Collector street by a governmental agency is imminent, the sSubdivider 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.2. ~~The~~Any surety bond shall be executed by the sSubdivider, 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 sSubdivider, provided that other security satisfactory to the Town has been deposited which will cover

the obligations of the sSubdivider which remain to be performed.

2C. ~~Assurance of Construction Through Loan Commitment. In lieu of providing assurance of construction in the manner provided above in this Section, tThe sSubdivider may provide assurance of construction of required improvements (except those utility facilities specified in this Chapter) by delivering to the dDepartment, prior to the recording of said the Final pPlat, an appropriate agreement between an approved lending institution and the sSubdivider stating that funds sufficient to cover the entire cost of installing the required improvements (including engineering and inspection costs, and the cost of replacement or repairs of any existing streets or improvements damaged by the subdivider in the course of development of the subdivision, in an amount approved by the Town Engineer) have been deposited with such approved lending institution to the subdivider. The agreement shall provide that the funds in the approved amount are specifically allocated and will be used by the sSubdivider, or on his behalf, only for the purpose of installing the sSubdivision improvements. The Town shall be the beneficiary of such agreement, (or the sSubdivider'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. Contruction 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)

**SECTION 40.** That Section 14-05-010 "Modifications" in Article 14-05 "MODIFICATIONS" in Chapter 14 "SUBDIVISIONS" of the Town Code is hereby amended to read as follows:

**14-05-010 Modifications.**

- ~~A. Where, in the opinion of the Town Council, there exist e~~Extraordinary conditions of topography, land ownership, or adjacent development (or other circumstances not provided for in this Chapter), may be the basis for Town Council action to~~may~~ modify application of these 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 insuch manner and to such extent as it may deem appropriate to the public interest.
- ~~B. In the case of a plan and program for a complete community a complete neighborhood, the Council may modify these regulations in such manner as appears necessary and desirable to provide adequate space and improvements for the~~

~~circulation, recreation, light, air, and service needs of the tract when fully developed and populated (and may require stipulations to assure conformance with the achievement of the plan).~~

~~C. In modifying the standards or requirements of this Chapter, as outlined above, the Council may make such additional requirements as appear necessary, in its judgment, to secure substantially the objectives of the standards or requirements so modified.~~

(Ord. 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)

**SECTION 41.** That a new Article 14-06 “ABANDONMENT” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby enacted.

**SECTION 42.** That Section 14-06-010 “Plat Abandonment” in Article 14-06 “ABANDONMENT” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby enacted to read as follows:

**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)

**SECTION 43.** That Section 14-06-020 “Other Abandonment” in Article 14-06 “ABANDONMENT” in Chapter 14 “SUBDIVISIONS” of the Town Code is hereby enacted to read as follows:

**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)