

1. Planning & Zoning Commission - Agenda

Documents:

[2020_08_13_PZ_SP_AG.PDF](#)

2. Planning & Zoning Commission - Packet

Documents:

[2020_08_13_PZ_SP_PK.PDF](#)



Town of Chino Valley

MEETING NOTICE PLANNING AND ZONING COMMISSION

**SPECIAL MEETING
THURSDAY, AUGUST 13, 2020
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES**
 - a.** Consideration and possible action to approve the July 7, 2020, regular meeting minutes.
- 5. STAFF REPORTS**
- 6. PUBLIC HEARING**
 - a.** Public Hearing and consideration and possible action to forward a recommendation to the Town Council regarding an amendment to the Town of Chino Valley Unified Development Ordinance (UDO) Section 5 Subdivision Regulations and Section 2 Definitions.
- 7. NON-PUBLIC HEARING ACTION ITEMS**
- 8. DISCUSSION ITEMS**

9. PUBLIC COMMENTS

10. ADJOURN

Dated this 6th day of August, 2020.

By: Joshua Cook, Development Services Director

A copy of the agenda and background material provided to the Commissioners is available for public inspection at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona. Further details may be obtained by contacting Development Services Department at 1982 Voss, Chino Valley, Arizona (928) 636-4427.

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Planning and Zoning Commission Special Meeting

4. a.

Meeting Date: 08/13/2020

07/07/20 draft minutes

CASE DESCRIPTION:

Consideration and possible action to approve the July 7, 2020, regular meeting minutes.

FACTS:

1. Applicant:.....
2. Owner:.....
3. Parcel Number.....
4. Site Area.....
5. Existing zoning:.....
6. Intended Use.....

ANALYSIS:

RECOMMENDATION

Approve the July 7, 2020, regular meeting minutes.

Attachments

07/07/20 draft minutes

DRAFT

MINUTES OF THE REGULAR PLANNING AND ZONING MEETING OF THE TOWN OF CHINO VALLEY

**JULY 7, 2020
6:00 P.M.**

The Planning and Zoning Commission of the Town of Chino Valley met for a regular meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona.

1) CALL TO ORDER

Chair Chuck Merritt called the meeting to order at 6:00 p.m.

2) PLEDGE OF ALLEGIANCE

Commissioner Welker led the Pledge of Allegiance.

3) ROLL CALL

Present: Chair Chuck Merritt; Commissioner Gary Pasciak; Vice-Chair Tom Armstrong; Commissioner John McCafferty; Commissioner Teena Meadors; Commissioner Robert Switzer; Commissioner William Welker

Absent: Alternate David Somerville

Staff Development Services Director Joshua Cook; Assistant Planner Will Dingee; Public Present: Works Director/Town Engineer Frank Marbury; Administrative Technician Kathy Frohock (videographer); Deputy Town Clerk Erin Deskins

4) MINUTES

- a)** Consideration and possible action to approve the June 2, 2020, regular meeting minutes.

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner John McCafferty to approve the June 2, 2020, regular meeting minutes.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker

7 - 0 PASSED - Unanimously

5) STAFF REPORTS

6) PUBLIC HEARING

- a) Request to approve the rezoning of approximately 10.54 acres of real property from the AR-5 (agricultural-residential 5-acre minimum) zoning district to SR-0.16 PAD (single-family residential 7,000 square foot minimum lot area) zoning district with a Planned Area Development Overlay zoning district.

Mr. Dingee presented the following:

- There were two items pertaining to the specific property:
 - The requested zone change from AR-5 to SR-0.16 PAD single family residential.
 - The preliminary plat approval for the Wesdamar Farms subdivision.
- Items 6a and 6b would be presented together to avoid possible confusion and repetition.
- The subject property was 1,000 feet west of the intersection of West Road 2 South and South State Route (SR) 89.
- Surrounding residential developments included: Wagon Wheel Ranch, Chino Gardens, Bee Mountain Estates, and Parkside Village.
- The property was approximately 10.54 acres with an Agricultural Residential 5acre minimum zone designation. The existing land use was vacant but had previously been used as an agricultural property. All structures that had been on the property were removed after acquiring a demolition permit from the Town in 2019.
- The General Plan Designation was medium density residential. This designation included properties to the east and west of the subject property. The property to the north and south was designated multi-family commercial use.
- The subject property was also located near a potential community core near Road 1 South and SR89.
- The surrounding property zoning was reviewed.
- The development to the east, Chino Gardens Subdivision, of the subject property was considered non-conforming because the lot size dimensions did not meet the minimum standards. The non-conforming lots were only a half-acre.
- The subject property had a total number of 15 lots with an average of 21,796 square feet with a density of 1.5 homes to the acre. There was .77 acres of designated open space proposed.
- There were seven house models available for the subdivision.
- The zoning request included a planned area development that would alleviate the lot dimension standards and the setback on lot one only. Code required lots not exceed a three to one ration with the length ratio. The applicant was exceeding the required ratio so that there would be no detrimental impact to the lots by the 100 year flood plain.
- The applicant was requesting a setback reduction on the southern property line of lot one from a 25 foot setback to a 10 foot setback. The property line abutted Road 2 South.
- To offset the relaxation of standards, the applicant was proposing .77 acres of open space, with an open gazebo and landscaping buffer along the eastern boundary of the subdivision and the Chino Gardens subdivision.
- Onsite amenities would be maintained by the community homeowner's association.
- The General Land Use designation was medium density residential. The proposed density met the intent of the medium density residential classification. The general area supported the medium density single family residential development based on the surrounding areas current land use. The developer's proposal was to mirror the lot size of the adjacent Chino Gardens subdivision. The subdivision was originally planned to be one acre lots, but due to lot splits, the subdivision now consisted of half acre single family lots. The subject property would be no smaller than half acre in size.
- The proposed development standards were consistent with the surrounding area but the open space and landscape area exceeded the surrounding developments.
- The preliminary plat met all the requirements in Section 5.2.3 of UDO

- The main access would be off West Road 2 South.
- The development would utilize Town water and utilize private septic systems for wastewater.
- The preliminary plat had been through a staff review. Once the preliminary plat was approved, it would go through a staff technical review, followed by a final plat review by the Commission and the Town Council.
- The mailed public notice contained an error on the vicinity map. After consultation with the Town's legal staff, it was determined all pertinent parts of the mailer were correct and ARS requirements were met.
- Staff recommended forwarding a recommendation of approval of the zone change, PAD and preliminary plat to the Town Council.

Commissioners and staff discussed the following:

- The code was vague on defining general plan designation of medium density, but there was a specific section that called out two acres or less. Every residential area and zoning district in Town were designated medium density because there was not a low density zone. The proposed lots would be half acre lots.
- The lot split of the Chino Gardens subdivision from one acre to half acre lots was not normal and staff did not know how it happened, but it had happened over a 60 years ago.. The subdivision was considered non-conforming.
- The only alleviation the developer was asking for was a setback on Road 2 South to be 10 feet instead of 25 feet. They were asking for the lots to be longer because the flood plain cut through some of the lot area and by allowing the longer lots through the PAD, they would have a bigger building site and still be able to meet the setbacks. All lots were half acre minimum but the lots were longer instead of wider, or closer to a four to one ration.
- The drainage strategy that staff would look at in the technical review for lots 13, 14 and 15 would be the whole 10.5 acres as one parcel. Staff would review water coming into the parcel and the water leaving the parcel would need to remain at historic levels and places. The water could be maneuvered within the property but it still had to leave at the same point. It could not be backed up to the property upstream of the subject property. Once the property lines were set, if an individual lot owner wanted to deviate from the building plan and drainage design for the subdivision, the lot owner would have to hire an engineer to prove all water coming in and out of the individual lot did not deviate the water flow and be detrimental to surrounding properties.
- The meeting between staff and the applicant discussed the potential ability to have agriculture purposes within the single-family residential zoning, which was not something that code permitted. There would be no livestock allowed in this subdivision. The Chino Gardens Subdivision would most likely be grandfathered into livestock being allowed on the property, but any new developments could not have any agricultural uses once the zoning was changed.
- The cul-de-sac should be large enough for a school bus and emergency vehicles to turn around, but it would be part of the technical review.
- The closest sewer was at Road 1 South and SR89 on the opposite side of the road. It would cost approximately a quarter million dollars to just cross SR89.
- The buffer on the eastern side of the property was not determined and would be up to the developer. There were people that were opposed to a wall and some that supported a wall buffer. The only other amenity provided on the east side would be a landscape buffer. This was not required and was considered an additional amenity the developer would provide.

Chair Merritt reviewed the public comment rules prior to opening up the Public Hearing portion

of the meeting.

Public Hearing:

- Patricia Beaven – Chino Gardens had a spokes person that would be relaying information to the Commission. She had a declaration of the original 1963 restrictions for the subdivision that stated even though they were one acre lots they were allowed to be subdivided into half acre lots. Her major concern was that the way the proposed subdivision was laid out, it would be the only property in the area that was not allowed livestock, which changed the whole atmosphere of the area.
- Tim Korade – He shared approximately 1,000 feet of property frontage with the proposed subdivision. The Town's mission statement was clearly written. Public services were provided to the citizens of Town that cherished and wanted to preserve the rural lifestyle. The mission statement gave direction to where the Town would go, giving guidelines so that everyone was on the same page and marching in the same direction. He felt strongly against the zoning because the zoning code for the .16 zone stated the intent of the zone was to allow the regulation, development and redevelopment of existing 7,000 square residential lots and it was not the intention of the Town to create any new SR-0.16 zoned property. In keeping with the Mission Statement and the zoning code as written, he recommended looking at ways to zone it agricultural and people could have livestock if desired.
- Vince Albert – Wanted to see the agricultural designation stay in place and not use the residential 0.16 designation because it could open up other uses in that area. The density and ratio requirements could not be met without a variance. The flood plain affecting the last three lots would not be any less affected than if the developer only did 13 lots at the 0.16 designation, and he doesn't see why that came into play. The one acre lot would also eliminate the variation for the lot size ratio requirements. SR-1 zoning would also maintain the agricultural designation. Using a different zone could set a precedent for the future growth and development.
- Monte Lira – Owned ten acres on the northwest corner of the subject property. He had been in the five acre zoning for over 20 years and didn't understand the SR-0.16 zoning designation. He thought a one to two acre zoning designation was more appropriate. He also thought the way the lots were split, could cause sewage development problems and development on lots 13, 14, and 15 could compromise the waterway and cause a damming affect once people built their homes on the lots. He was concerned that the 0.16 designation with half acre lot developments might give people the impression they could further split the lots.
- Michelle Belverud – Staff had mentioned that the majority of people wanted a wall, but she only knew two families that wanted a wall and the rest of the people she knew were opposed to a wall. She did not want a wall in this area.
- Andrea Sexton – She agreed with what had previously been said. This was a precedent making decision for the Town. The other residential subdivisions sited, was called progress by some but others that valued the solitude, privacy, livestock and rural feel did not consider it progress. The areas around the property were all 2.5 acres or more. The two problems with the proposed development was the size of the properties and the agricultural issue. The development was on two sides of the road with properties going south to north and building would only happen on the east side of the properties because of the flood plain, which makes the density question even more apparent esthetically. It came down to retaining the agricultural and rural feel of the area. Fifteen homes on one single road with one single access seemed like it almost esthetically doubled the density. She presented a summary letter of what had happened in the neighborhood meeting the previous week. Other concerns for the Town included road maintenance on Road 2

South.

- John Gillman – Road 2 South at the front of the proposed housing development was required or needed to have a recess in front of the building area by the houses where a school bus could pull in safely and not be on Road 2 South. It would allow children to enter and exit the bus without being concerned about oncoming cars.
- Chris Lowman - The developer had talked about the development being comparable to the area, but there was little that was comparable. The lot size layout: they had nice square lots in which homes were spread out, but the developer had skinny lots with homes stacked on top of each other. The housing density: It was too high with two homes crammed on top of each other within the footprint of what their homes were. The land use: Due to the flood plain and the area terrain, three to four acres of the proposed development property was not developable and two of the homes were in a flood plain. The lot sizes: Once the road was put in, the lot sizes were only about one third of an acre. The proposed homes: The homes proposed were 1,800-2,200 square foot homes with a half million-dollar price point. The average sized home in Chino Gardens was only 1,400 square feet with a high price point of \$275,000. He also had an HOA proposed, which was not agriculture. They were country folks that liked being in the country. What the developer had proposed was to change the face of Chino Valley. With only a few exceptions, everything south of Center Street was rural agriculture and five to ten acre lots. This would be a bedroom community to Prescott. They were an agriculturally based society that loved their livestock. The proposed road was in a terrible location and it was difficult to see oncoming traffic. Keep Chino Chino, keep the agriculture-based society and the feel of Chino.
- Dawn Korade – Agreed with the rural things mentioned. The community had already expressed concerns about road traffic on Road 2 South and thought there needed to be a wide setback so the road could be widened in the future. She was fearful that if there was not a wide enough setback, the Town would run into financial difficulty when it came to widening the road. She hoped the Town would look at the development carefully and the future development of the road.
- Carol Faoro – Her family had been in the area for 44 years and had originally moved there for the rural atmosphere. The proposed development density was crazy, with two houses for one lot of Chino Gardens. The proposed development that wasn't allowed livestock, would be complaining about the agriculture people in Chino Gardens and their livestock. The proposed density really bothered her.
- Donna Armstrong – She was a resident of Town for 12 years, and she had fought the same fight in Los Angeles and Las Vegas. They were turning Town into LA by allowing this. Doing away with horse property was wrong, and she asked the Commission not to do it.
- Lisa Corbell – Agreed with everything everyone had said. She had a friend that had been trying to split a seven acre lot on Road 2 South and was told by the Town she could not do it. She found it odd that the Town was considering .16-acre parcels. Her friend wanted to split off one acre and was denied. The Commission was elected to represent the people of Town. The developer was there to make money and move on. They needed to listen to their people. They were there to represent the Town and the people should not be ignored. The developer should not be allowed to bully their way into that density.

Chair Merritt clarified that the Commissioners were volunteers and did not receive anything for their services.

Staff explained that when a person wanted to split their lot, they were required to go through a process with the Town. Depending on the property history and whether it had been split in the past and if the property owner was told no, a subdivision would have been required and possibly a rezone as well.

- Greg Patterson – Had been a resident for 60 years. He had tried to get his 5 acre property split in half and the Town said he could not do it. The proposed development made no sense to him.
- Vince Albert – He understood that the SR-1 and the 0.16 zoning had different requirements. He thought perhaps a different lot configuration and street location could be an option for the development. They had been told last time that SR-1 with a half acre overlay would also be a possibility. That would retain the agricultural.

Staff explained that the half acre came into play because the Town did not have a zoning district that was in between SR-1 and 0.16 zones.

Commissioners, Staff and the Developer discussed the following:

- The density was calculated based on the number of lots within the total number of acres. There was 15 half acre lots within 10.54 acres, which gave a total density of 1.66. It was similar to the density of Chino Gardens. The lots were half acre just as they were in Chino Gardens.
- The reason the SR-0.16 was used instead of SR-1 was that there was no provision in the code to allow an SR-1 property to be split into half acres without rezoning down to SR-0.16. The PAD was to specifically alleviate the lot to width ratio.
- The current arterial right-of-way width requirements was 100 feet. When looking at a property development, Town looked at what was called a half street. The development on one side of the street was responsible for half of that 100 feet or a 50 foot right-of-way dedication. 21 feet of the 5 -feet would be pavement and then curb, gutter and sidewalks, as provided by code. Staff did not have authority to go against code made by Town Council. The developer's proposal was to dedicate the 50 foot right-of-way for the ultimate 100 foot section. In most part of Town, most right-of-way dedications were between zero and 25 feet.

The Chair explained that the relaxation of the property setback on the one property had no effect on the 50 foot road right-of-way. The developer was only asking to place the house closer to the road in what would normally be allowed in a PAD. If there was a right-of-way requirement for a development, it was always included as part of the zoning change and the developer or property owner was required to give up the road right-of-way to meet Town standards.

- The Commission could add an agricultural element to the PAD overlay that would allow some form of livestock. Staff recommended that if the Commission wanted to add this, they could use similar language used in SR-1. The HOA was a civil law, so the property owners that bought the property would be required to sign the HOA agreement and would be required to abide by those rules. The Town did not care about the HOA nor did they enforce any rules. The Town's zoning laws surpassed the HOA laws, but HOA laws could be more restrictive. The language in SR-1 for livestock put limits on the livestock allowed on a one acre property.
- The school bus pullouts were determined through Town engineering with coordination with the school district. Staff had mixed feelings about a school pulling off a one lane road and then having to maneuver back into moving traffic. Sometimes it was better for the bus to take the lane with the stop bar because traffic was required to stop. The turning radius for cul-de-sacs for school buses and emergency vehicles was 45-feet.
- A letter handed out that stated Chino Gardens was allowed to have half acre properties was not per the subdivision plat, but was through a declaration of restrictions written by the developer. Technically the statement made during the meeting by the member of the public was inaccurate because in order to modify a plat and subdivision, it would need to be re-platted.

- The handouts that were received would be entered into the record and a copy provided in the Council packet.
- It was pointed out that the member of the public Donna Armstrong, who spoke during the public comment period, was the spouse of Commissioner Armstrong.
- George Rufus of Reserve Builders and property developer, explained he was a resident of the Tri-City area and was currently a resident of Chino Valley. He purchased Wesdamar Farms, that had fallen into complete disrepair and was uninhabitable. There was a small piece of property that could ultimately be multi-family or light commercial and even though the neighbor to the east had wider properties, they were the same density he was proposing. He was not pursuing a rezone to a multi-family use. As far as the agricultural designation, there had not been a decision made whether livestock would be allowed. The current intention was to not allow livestock. If the zoning commission were to allow some sort of one acre overlay, there would be ample room in the back of the homes to have a backyard, which could be ag-related, but it was not their intention to create mini-farms. He was not familiar with SR-1 regulations and could not answer if he would or would not allow livestock through the HOA requirements. They were not trying to create a bad situation. They had looked at the overlay and the surrounding properties and thought the subdivision made sense for the area.
- The lots were buildable in the flood plain as long as the building pad was raised above the base flood elevation. There were requirements they could follow and there was code that followed FEMA regulations written for flood areas. Building was not prohibited in a flood zone. The developer explained that each lot contained a building envelope that was the area intended to hold the residential dwelling. As the development went north, the building envelopes shrank in size due to the 100 year floodway. The building pads on lots 15 and 14 would be raised and when water came into the subdivision it would go around the building pad and it would leave the subdivision in the same state as it entered. The open space to the north was there to allow the water to spread out. Staff would need to evaluate the design to ensure water flow was not impeded and that the area did not become inundated during a storm and render itself ineffective. The preliminary plat was conceptual drawings and could change depending on what a full drainage study found.
- Staff was currently rewriting the UDO and would be addressing the zoning designations.

Commissioners discussed the following:

- Thought that Chino was already a bedroom community to Prescott because most people had to leave Town to work. The development area was a transition area and not an open space area.
- Commissioners thought it might be futile to add the HOA language because it could be overridden by the HOA. The HOA could still put that no livestock be allowed and it would then become a civil matter. It would become a buyer beware situation.

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner John McCafferty to forward a recommendation of approval to the Town Council to approve the rezoning of approximately 10.54 acres of real property from the AR-5 (agricultural-residential 5-acre minimum) zoning district to SR-0.16 PAD (single-family residential 7,000 square foot minimum lot area) zoning district with a Planned Area Development Overlay zoning district, with a stipulation that livestock be permitted as was described in SR-1 Zoning and that it could not be modified by any HOA that was empowered by this subdivision

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner John McCafferty to amend the motion by deleting the portion stating it could not be modified by any HOA that was empowered by this subdivision.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Vice-Chair Tom Armstrong,
Commissioner John McCafferty, Commissioner William Welker

NAY: Commissioner Teena Meadors, Commissioner Robert Switzer

5 - 2 PASSED

Commissioner Switzer voted no because he did not like the fact that Chino Gardens was non-conforming to SR-1 and he did not think it gave this development's plan a free go-ahead. He wanted to see SR-1 minimum and he did not like that it violated the three to one ratio on lot size. He did not like that it created more SR-.16 which went against the UDO statement. He did not like the two lots in the flood zone and he did not like the livestock issue.

Commissioner Meadors voted no for the same reasons Commissioner Switzer mentioned with issues on density, the SR-1 zoning, using a non-conforming zoning as to use for the same zoning.

- b) Request for approval of Wesdamar Farms Preliminary Plat to subdivide approximately 10.54 acres into fifteen (15) lots developed over one (1) phase.

This item was discussed under Item 6(a).

- Commissioners asked if this was the area to substitute in SR-1 zoning. Staff explained that SR-1 had a specific minimum lot size that could not go under one acre. The only option for the PAD was .0.16 because the code did not have any lot size in between the two.
- Commissioner explained that this did not open the door to future development because of the PAD Overlay, nor were the necessary utilities available, making the possibility very small. It would have to come back before the Commission for any changes. The .16 was all they had to work with to make the proposed development work. There was a Town ordinance that stated that no lot shall be constructed with septic smaller than one half acre, they must be on Town sewer.

MOVED by Commissioner Gary Pasciak, seconded by Commissioner John McCafferty to approve the Wesdamar Farms Preliminary Plat to subdivide approximately 10.54 acres into fifteen (15) lots developed over one (1) phase.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Vice-Chair Tom Armstrong,
Commissioner John McCafferty, Commissioner William Welker

NAY: Commissioner Teena Meadors, Commissioner Robert Switzer

5 - 2 PASSED

The reasons for the Nay vote were the same for both Commissioners.

7) NON-PUBLIC HEARING ACTION ITEMS

- a) Text amendment to section 4.21 Sign Regulations to amend off-site commercial signage.

Staff presented the following:

- The text amendment was to specifically to address offsite commercial signage issue within Town.
- Under current Town code, all off-street signs were prohibited.
- After receiving multiple complaints and requests for this type of signage from local businesses, Council directed staff to draft a text amendment.
- The Town received several complaints. Staff prepared language after being given Council direction that was presented at a Council Study Session. Staff meant to bring the language to the Commission in March 2020, but the pandemic changed plans. The language had been modified by legal counsel.
- Staff could not find any town in Arizona that allowed offsite signage, so they would be setting a precedent within the state.
- It was intended for businesses that primarily accessed their business off of SR89 but may not have roadway frontage. This often happened because of a lot split.
- They would require a license agreement between a property owner that wanted to place their sign on the frontage and the property owner in which the sign would be placed.
- It would not be affected by the sale of a property. If the property changed hands, the rights would still be held and was not subject to ownership.
- They would be subject to the permanent sign standards and would not be able to utilize temporary or the auxiliary signage.
- This was for any business that had a property line within a quarter mile of SR89. If the Commission wanted to increase the distance to more than a quarter mile, they could make that recommendation to Council.
- The sign placard had to be placed on an existing free-standing sign. If there was not one on the property, one could be constructed and the sign could go on that, but the sign would be for that shopping center.
- No offsite signage was allowed on vacant property. The property had to be in use as a business before any offsite sign could be erected on the property.
- The offsite business was required to have a permanent sign at their location as well, which was part of their total sign percentage.
- The agreement would have to be renewed with the property owner after the timeframe expired. If the SR89 property were sold, the temporary sign could not be taken down until the lease expired.

Commissioners and staff discussed the following:

- Staff did not think there were any loopholes that they could find.
- The SR89 property would not lose their sign square footage for the offsite business.
- The quarter mile distance could be restrictive. An increase to Council could be recommended. Staff explained that the quarter mile was chosen because that was the outer limits of the commercial/multi-family section of the General Plan. A provision could be added that businesses that were more than a quarter mile come to the Commission and Council for a conditional use permit to alleviate the distance issue for those businesses.

There had been discussion about wayfinding signs, but ADOT had restrictions that included no allowing specific names on the signs. There were also other signs that had been discussed by the Council, but the design cost was too high for Council to approve.

MOVED by Commissioner John McCafferty, seconded by Commissioner Teena Meadors to forward a recommendation of approval to the Town Council to approve text amendment to section 4.21 Sign Regulations to amend off-site commercial signage and adding a provision that authorizes businesses beyond a quarter mile to seek a conditional use permit through appropriate channels.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker

7 - 0 PASSED - Unanimously

8) DISCUSSION ITEMS

Staff wanted to recommend to the Commission to allow the engineer or developer a chance to speak before the opposition. In Robert's Rule of Order, the applicant should be given a chance to comment after the staff report as part of the public hearing and then another chance to rebut after the opposition spoke.

9) PUBLIC COMMENTS

Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Commission action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

10) ADJOURN

MOVED by Commissioner Teena Meadors, seconded by Vice-Chair Tom Armstrong to adjourn the meeting at 7:55 p.m.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker

7 - 0 PASSED - Unanimously

Chair Charles Merritt

Date

RECEIVED
JUL - 7 2020
BY (70)

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That William A. McCollum and Katherine E. McCollum, His wife, and Harry A. Nixon and Lillian A. Nixon, His wife, being the owners of all of the following described premises, situate within the County of Yavapai, State of Arizona, to-wit:

Lots 1 through 19 inclusive, Chino Gardens, according to the plat of record in the office of the County Recorder of Yavapai County, Arizona, in Book 3 of Maps and Plats, page 99 thereof:

and desiring to establish the nature of the use and enjoyment thereof, does hereby declare said premises subject to the following express covenants, stipulations and restrictions as to the use and enjoyment thereof, all of which are to be construed as restrictive covenants running with the title to said premises and with each and every part of and parcel thereof, to-wit:

All dwellings on lots shall be no smaller than one thousand (1,000) square feet, with exteriors to be completed within one year after starting construction. Only one dwelling per 1/2 acre lot shall be permitted.

No temporary quarters such as tents or trailers may be used on said lots.

All structures on said lots shall be of new construction, and no buildings shall be moved from any other location onto any of said lots.

All dwellings used for residential purposes shall install flush toilets, with adequate plumbing, septic tanks and leach lines or cesspools.

The general condition of each homesite shall be kept in a neat and orderly condition with refuse placed in containers.

No commercial livestock or poultry raising shall be permitted and all livestock and poultry shall be kept in a sanitary manner.

No unsightly objects or nuisances shall be erected, placed or permitted to remain on any lot, nor shall the said lots be used in any way which would endanger or disturb the holder of any other lot.

Invalidation of any one of these covenants or restrictions in any manner shall in no wise affect any of the other provisions which shall remain in full force and effect.

The foregoing restrictions and covenants run with this land and shall be binding on all persons owning any of said lots in Chino Gardens until (10 years from approval date) at which time said covenants shall be automatically extended for successive periods of ten years unless by vote of a majority of the then owners of the said lots in said Chino Garden, it is agreed to change the said covenants in whole or in part.

IN WITNESS WHEREOF, William A. McCollum and Katherine E. McCollum, His wife, and Harry A. Nixon and Lillian A. Nixon, His wife, AS OWNERS HAS HERETO CAUSED THEIR SIGNATURES TO BE SIGNED AND THE SAME TO BE ATTESTED, THIS 30 DAY OF April, 1963.

s/William A. McCollum

s/Katherine E. McCollum

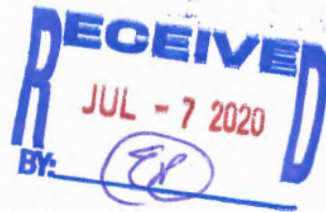
s/Lillian A. Nixon

s/Harry A. Nixon

PIONEER BANK OF ARIZONA, Mortgages

By G. E. Stack Senior Vice Pres.,

By s/Helen V. Jacobsen Asst. Cashier



July, 2, 2020

ATTENTION: Members of the Chino Valley Planning and Zoning Commission and Chino Valley City Council:

As you know, there are meetings currently underway to consider a proposal by George Rothfuss II for developing the 10.54 acres of property located at 576 West Road 2 South. Mr. Rothfuss is requesting that the property be rezoned to SR-0.16 (Single Family Residential 0.16 Acre (Minimum) zoning district with a PAD (Planned Area Development.) This rezoning request has aroused considerable opposition and concern among residents adjacent to and near the property who will be negatively impacted by the change.

This property is currently zoned AR-5, Agricultural Residential with a 5 acre minimum. Ideally we would like to keep it this way.

Please consider this public information taken from the Town of Chino Valley's Zoning Code found on the Town's web site:

"3.12 SR.O.16 - SINGLE FAMILY RESIDENTIAL

A. PURPOSE

The purpose of this district is to allow for the regulation, development and redevelopment of existing 7,000 square foot residential lots. It is not the intention of the Town to create any new SR-0.16 zoned property."

We are hopeful that the Town will adhere to this published intention in its decision-making regarding this proposal.

Mr. Rothfuss was asked whether he would consider revising his proposal for 15 new homes in his development for larger parcels of perhaps 2.5 acres. We understand that any new owner has some leeway in developing his/her property. However, there are two primary considerations here: the size of the new parcels, and agricultural zoning. 2.5 acre "ranchettes" would certainly be compatible with the neighborhood, show good faith and respect for neighborhood sentiment, and honor the strong community desire to retain the rural and agricultural flavor of our community. The developer's response to this question was that this was a business decision and that he plans to move forward with his proposal exactly as is. Personal profit is clearly the driving force here.

Mr. Rothfuss's new property lies directly west of the Chino Gardens Subdivision, homes that line both sides of East and West Damion Loop. Most of these lots are 1/2 acre in size, three are slightly larger than 1/2 acre, and two are one acre in size. While the Developer stated that his proposal is in keeping with the zoning size permitted in Chino Gardens, that comparison is unfair, compares apples and oranges, and is inaccurate. The Chino Gardens lots cover BOTH sides of the street. So they can only be aesthetically compared to Mr. Rothfuss's proposal if the homes are counted going

straight north from Road 2 South to where the loops make 45 degree turns. If the homes are counted that way, here are the numbers:

On the west side of West Damion Loop, directly adjacent his new subdivision, there are 9 homes.

On the east side of West Damion Loop there are 7 homes.

On the west side of East Damion Loop there are 7 homes.

On the east side of East Damion Loop there are 9 homes.

The planning of the Chino Gardens community protected the rural “feel” of the subdivision as well as affording it zoning that permitted its homeowners to enjoy their livestock.

Mr. Rothfuss proposes to cram 15 houses onto his property moving south to north from Road 2 South. These are wide, very narrow lots! The proposal keeps all the new homes on the east side of these lots because the west sides lie within an existing 100 year flood plain. This would create a densely packed Town road with all new homes facing east along the east side of his property. His proposal would do away with the agricultural residential zoning so these people would basically be staring into the back yards of their neighbors on West Damion Loop— seeing, hearing and smelling their chickens, horses, cows pigs and other livestock. We love our animals! But unless residents in the new homes are also zoned for agriculture, they are not likely to love them as much as we do. This is a complete set up for community animosity. We value cordial, peaceful relationships with our neighbors. This proposal all but guarantees the opposite!

To the west of Mr. Rothfuss’s property is ten acres owned by Timothy and Dawn Korade. This couple purchased this property specifically to raise livestock and have no plans whatsoever to subdivide their property. Given the rural nature and zoning of Chino Gardens, the acreage size of the homes on West Road 2 South, and the ten acres immediately west of Mr. Rothfuss’s property, his proposal completely violates the spirit, intent and values held most near and dear to our local community. He states that he plans to build beautiful homes of 1800 to 2200 square feet, obviously good sized family homes, that will increase the value of the properties in our area. Our response to that is that we live in this community because it is rural and agricultural. We all value our solitude and our privacy. We want it to stay that way!

Aside from the density and agricultural zoning concerns reflected in Mr. Rothfuss’s proposal, we have other important concerns that are not his to manage. These are Town of Chino Valley concerns. We are asking that the Town fully address them before any decision is rendered on Mr. Rothfuss’s proposal:

1. We are concerned about the current state of maintenance on Road 2 South. The collection of rain water in the area directly north of the Maverick Station has been an ongoing safety hazard for many years. Given that most families these days have at

least two cars, Mr. Rothfuss's project will add more cars, more traffic and even more danger to residents who traffic this road.

2. Road 2 South also poses serious safety hazards to pedestrians. Increasing density in this area obviously compounds that risk also.

3. We are concerned about school transportation and the safety of children who may reside in the new development. There is no new turn lane proposed for entrance into the new development. How will the town address safe pick up and drop off of children without impeding the flow of traffic on Road 2 South?

4. What about fire safety? Will the town provide a new fire hydrant in front of the development? Will fire trucks accessing the new Town road have adequate turn around space in the cul-de-sac at the rear of the property?

5. Maintenance of the access road and housing development itself. Who will be responsible for road maintenance and the green space upkeep? The developer has said that the access road will belong to the Town. We have all experienced the history of Chino Valley's inability to adequately maintain our roads. Will the proposed Homeowners Association be required to maintain the green space within this new development?

We anticipate and appreciate your consideration of our concerns and look forward to a productive dialogue that will honor them in the final decision-making process.

Respectfully,

Andrea Sexton

643 West Road 2 South

Chino Valley, AZ

Re: Rezoning of parcel 306-29-043B adjacent to Chino Gardens subdivision.

July 7th, 2020

The residents of Chino Gardens attest, by their signatures on the petition respectfully submitted tonight, that they believe the agricultural zoning designations for all other properties in the area should be retained. All of the parcels adjacent to the parcel in question here tonight are, and have been for decades, zoned to allow for the type of lifestyle that brought most of us to the Town of Chino Valley.

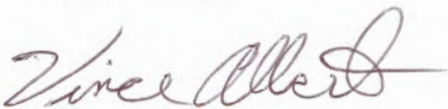
It seems wrong to set a precedent for taking away the main reason all these people love the area just to benefit one guy who already has a stable - bigger than most of our houses.

I moved to Chino Valley in 1986, and have lived in the Quad-Cities area ever since.

My wife - from Chicago - and I married ten years ago and bought a property on Damion Loop in 2013. She has said there's no way she'd ever give up the quality of life here to move back to the city.

Everyone represented by their signature on the petition feels the same way. Please don't sell off the one aspect of living here that all these people value more than any other so that one person can profit from changing the area forever.

Respectfully;

A handwritten signature in dark ink, appearing to read "Vince Albert". The signature is fluid and cursive, with the first name "Vince" being more prominent than the last name "Albert".

Vince Albert

832 E Damion Loop

Chino Valley, AZ 86323

WESDAMAR FARMS PLANNED AREA DEVELOPMENT REZONE AND PRELIMINARY PLAT A PORTION OF SECTION 27, T16N, R2W CHINO VALLEY, ARIZONA

PROJECT BENCHMARKS			
BENCHMARKS UTILIZE TOWN OF CHINO VALLEY COORDINATE SYSTEM AND BENCHMARK CONTACT: JASON CURRIEN, R.L.S. 826-776-1759			
DESCRIPTION	NORTHING	EASTING	ELEVATION
CAPPED IRON - 12841	357158.55	146762.89	4699.35
PAG - 15695	357498.24	146722.11	4763.97

TOWN BENCHMARK			
TOWN OF CHINO VALLEY CONTROL POINT #101, 3" ALUMINUM CAP STAMPED TRLS 20403, 2037, 8" CHINO VALLEY, AZ, 5557524.29, TOWNSHIP 16N, RANGE 2W, N363555.55W, E129787.117, ELEVATION 4832.12			

TOWN OF CHINO VALLEY & STATE PLANE COORDINATE SYSTEM DATA & CONVERSIONS			
TOWN SURVEY DATUM REQUIREMENTS:			
COORDINATE UNITS: INTERNATIONAL FEET			
DISTANCE UNITS: INTERNATIONAL FEET			
HEIGHT UNITS: INTERNATIONAL FEET			
VERTICAL DATUM: NAVD 83			

STATE PLANE:			
COORDINATE SYSTEM: US STATE PLANE 1983			
HORIZONTAL DATUM: NAD 83			
ZONE: ARIZONA CENTRAL GZD			
GEOID MODEL: GEOID05 (CONUS)			

TOWN OF CHINO VALLEY - CONVERSION FROM STATE PLANE			
NORTHING: (STATE PLANE + 1,000,297,000) - 1,000,000			
EASTING: (STATE PLANE + 1,000,297,000) - 400,000			

STATE PLANE - CONVERSION FROM TOWN OF CHINO VALLEY			
NORTHING: (CIVIL + 1,260,000) + 0.899703013			
EASTING: (CIVIL + 400,000) + 0.899703013			
(CIVIL + CHINO VALLEY SURVEY DATUM)			

LANDSCAPING AND AMENITY LEGEND

A. LEYLAND OR AZ CYPRESS TREES 3" OC WITH 1/2" LANDSCAPE ROCK GROUND COVER.

B. HALF STREET SECTION OF 2" PAVEMENT WITH 2" CURB & GUTTER AND 8" SIDEWALK. 13' REMAINDER OF ROW TO BE LANDSCAPED.

C. 20" TO 30" DIAMETER GAZEBO AND 1/2" LANDSCAPE ROCK GROUND COVER.

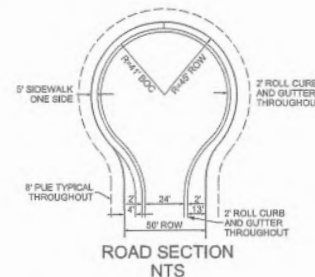
D. 8" BUREAU SIDEWALK CONNECTION TO OPEN SPACE.

E. 8" FENCE AT PROPERTY LINE ALONG LOT FRONTAGE TO RD. 2 SOUTH.

BUILDING SETBACK TABLE		
SETBACK TYPE	SR-4.18 SETBACK	PROPOSED SETBACK
INTERIOR SIDE YARD	10 FT	10 FT
ROAD 2 S. (SIDE YARD)	VARIABLE	10 FT
FRONT YARD	20 FT	20 FT
REAR YARD	20 FT	PER BLDG ENV.

10' from Road 2 South Centerline

LOT SIZE AND WIDTH	
CURRENT	PROPOSED
5.06 ACRES	8.56 ACRE
210' MINIMUM FRONTAGE	75' MINIMUM FRONTAGE



LOCATION MAP

ROAD 1 WEST
ROAD 1 SOUTH
ROAD 2 SOUTH
PROJECT

SITE DATA

PARCEL: 200-29-0408
EXISTING SITE AREA: 5.06 ACRES
NET SITE AREA: 8.57 ACRES
TOTAL LOTS: 15
DENSITY: 1.5 UNITS/ACRE
LARGEST LOT: 0.25 AC (50' x 100')
SMALLEST LOT: 0.17 AC (50' x 75')
AVERAGE LOT SIZE: 0.57 AC
TOTAL AREA: 4.96 AC
OPEN SPACE AREA: 0.57 AC
PERCENTAGE OPEN SPACE: 6%

ZONING

CURRENT ZONING: ARL-18 (PROPOSED ZONING: SR-4.18 PHD)

UTILITIES

ELECTRICITY: ARIZONA PUBLIC SERVICE
GAS: ARIZONA PUBLIC SERVICE
WATER: CHINO VALLEY WATER
CABLE: TWC
SEWER: CHINO VALLEY SEWER
SEWER: CHINO VALLEY SEWER
SEWER: CHINO VALLEY SEWER
SEWER: CHINO VALLEY SEWER

LEGAL DESCRIPTION

A PORTION OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 2 WEST OF THE 6TH AND 6TH RIVERS, BASE AND MERION, YAVAPAI COUNTY, ARIZONA

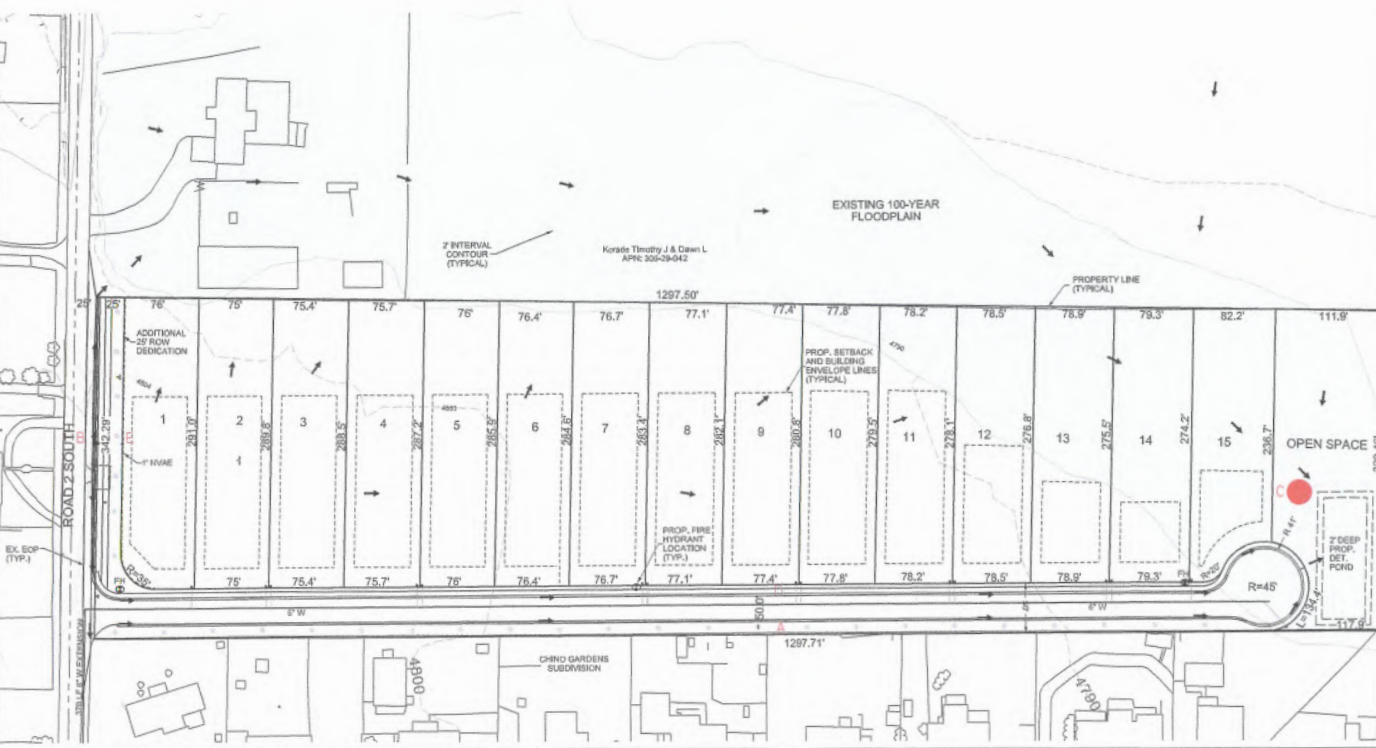
OWNER/DEVELOPER/SUBMITTER

HIGH LONESOME HOLDINGS
3218 LAKESIDE VILLAGE
PRESCOTT, AZ 86301

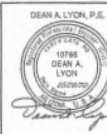
PHONE: 928-710-8801

PROJECT CONTACT:
GEORGE ROTHFUSS II

- NOTES:**
1. PROPOSED STREETS TO BE PUBLIC.
 2. THE PROPOSED PLANNED AREA DEVELOPMENT WILL BE SERVICED WITH CITY OF PRESCOTT WATER SEWER WILL BE PROVIDED VIA INDIVIDUAL YAVAPAI COUNTY APPROVED SEPTIC SYSTEMS.
 3. THERE WILL BE A 4-FOOT NON VEHICULAR ACCESS EASEMENT FOR LOTS ALONG ROAD 2 SOUTH.
 4. THE SITE INCLUDES A 25' ADDITIONAL RIGHT OF WAY DEDICATION FOR WESDAMAR FARMS PLANNED AREA DEVELOPMENT.
 5. ALL LANDSCAPING IN THE PROPOSED OPEN SPACE AND STREETScape AREA WILL BE MAINTAINED BY THE PROJECT HOA.



FILENAME: G:\Project\1017_Reserve Builders\1017-18 Rd 2 South\ACADD\PLANSET\10-acre Wesdmar Plan.dgn



VERIFY SCALE

1 inch = 50 Feet
(This scale is valid for 22"x34" sheets only)

LOCATION MAP

ROAD 1 WEST
ROAD 1 SOUTH
ROAD 2 SOUTH
PROJECT

SITE DATA

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CURRENT ZONING: ARL-18 (PROPOSED ZONING: SR-4.18 PHD)

UTILITIES

ELECTRICITY: ARIZONA PUBLIC SERVICE
GAS: ARIZONA PUBLIC SERVICE
WATER: CHINO VALLEY WATER
CABLE: TWC
SEWER: CHINO VALLEY SEWER
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OWNER/DEVELOPER/SUBMITTER

HIGH LONESOME HOLDINGS
3218 LAKESIDE VILLAGE
PRESCOTT, AZ 86301

PHONE: 928-710-8801

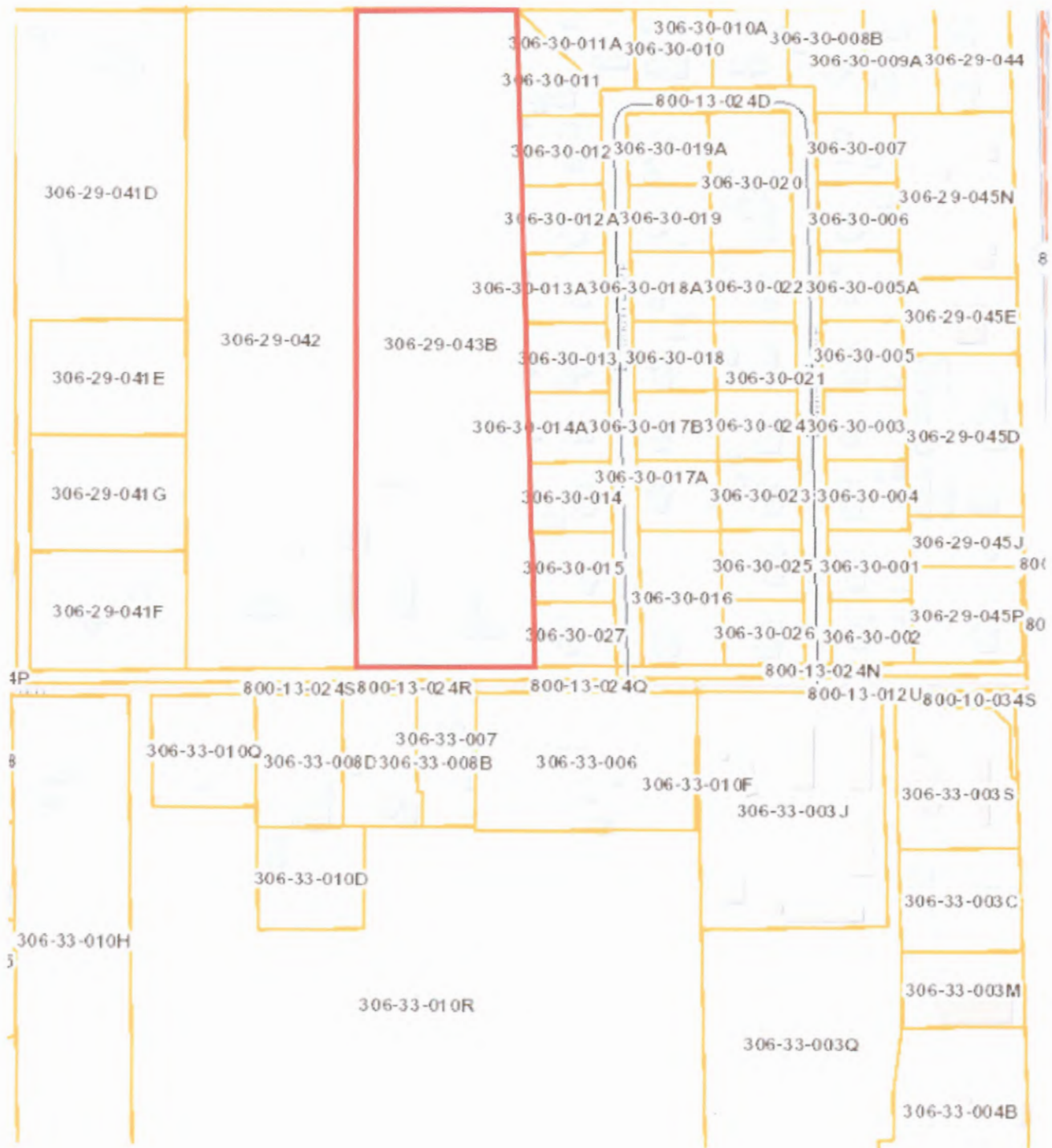
PROJECT CONTACT:
GEORGE ROTHFUSS II

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WESDAMAR FARMS PLANNED AREA DEVELOPMENT CHINO VALLEY, ARIZONA

DATE: MAY 2020
PROJECT: 1017-18
DRAWING NUMBER: EX.01
SHEET: 1 OF 1
SCALE: 1/8" = 1'







AR-5

306-31-006K

TOWN OF CHINO VALLEY

306-31-006N

YAYAPAI

306-31-006P
SR-1

800-13-024L

306-31-006M

W Road 2 South

306-02-334A

306-02-332

306-02-531C

306-33-207

306-33-206

306-33-208

306-33-213

306-33-209

SR-1

306-33-181A

306-33-190A

306-33-180A

306-33-175F

306-33-192A

306-33-193

306-33-194

306-33-195

306-33-196

306-33-186

306-33-190A

306-33-186

306-33-179

306-33-178

SR-1

306-33-192A

306-33-193

306-33-194

306-33-195

306-33-196

306-33-186

306-33-010Q

306-33-008C

306-33-007

306-33-008B

306-33-006

306-33-010F

306-33-010D

306-33-010R

306-33-010Q

306-33-008C

306-33-007

306-33-008B

306-33-006

306-33-010F

306-33-010D

306-33-010R

306-33-010Q

306-33-008C

306-33-003J

306-33-003S

306-33-003C

306-33-003M

306-33-003Q

306-33-003M

306-33-003Q

306-33-003M

306-33-003Q

306-33-003M

306-33-003Q

306-33-003M

306-33-003Q

306-33-003M

306-33-003Q

306-33-003M

306-33-003Q

306-33-003M

306-33-003Q

306-33-003M

State Route 89

OPPOSITION TO REZONING OF PARCEL # 306-29-043B

PAGE 1

NAME	ADDRESS	SIGNATURE	SIGNATURE
Joseph & Josephine Brissey	979 E. Damion Loop		
Patricia Ann Newbert & Charles Raymond	982 E. Damion Loop	<i>Patricia Ann Newbert</i>	
Anthony & Kimberley Davis	963 E. Damion Loop	<i>Kimberley Davis</i>	
Joseph & Aurielle Hicks	966 E. Damion Loop	<i>Joseph Hicks</i>	<i>Joe Hicks</i>
Gabriel Roybal & Josey Greer	934 E. Damion Loop	<i>Gabriel Roybal</i>	
Christine Wetzel	920 R. Damion Loop		
Kathryn & Joshua Lowe	883 E. Damion Loop	<i>Kathryn Lowe</i>	
Loreta Halford & Gary Clint	880 E. Damion Loop	<i>Loreta Halford</i>	
James & Diane Stoner	855 E. Damion Loop	<i>James Stoner</i>	
Joan Hopkinson	856 E. Damion Loop	<i>Joan Hopkinson</i>	
Robert Cloutier	815 E. Damion Loop	<i>Robert Cloutier</i>	
Vincent & Robin Albert	832 E. Damion Loop	<i>Vincent Albert</i>	<i>Robin Albert</i>
Robert Forshey & Sherri Parker	785 E. Damion Loop	<i>Robert Forshey</i>	
Roberta May	781 E. Damion Loop	<i>Roberta May</i>	
William and Constance Bonar	792 W. Damion Loop	<i>Constance Bonar</i>	<i>William L. Bonar</i>
Joseph & Gwen Rowitsch	796 W. Damion Loop		
Alexandria Graham & Brennan Robertson-Talbot	805 W. Damion Loop		
Michael & Michelle Belverud	820 E. Damion Loop	<i>Michelle Belverud</i>	<i>M Belverud</i>
Michael & Kayla Ditsler	835 W. Damion Loop	<i>Michael Ditsler</i>	
John & Gina Gillman	830 W. Damion Loop		
Bert Stidham	850 W. Damion Loop	<i>Bert Stidham</i>	
Roberta Gossman	865 W. Damion Loop	<i>Roberta Gossman</i>	<i>Roberta Gossman</i>
Ralph & Colett Meier	870 W. Damion Loop	<i>Ralph Meier</i>	<i>Colett Meier</i>
Michael Huston	885 W. Damion Loop	<i>Michael Huston</i>	
Vernon & Britney Bunker	910 W. Damion Loop		
Judith Hamilton	903 W. Damion Loop	<i>Judith Hamilton</i>	<i>Judith Hamilton</i>
CONNIE LOPEZ	841 E. DAMION LOOP	<i>Connie Lopez</i>	<i>Connie Lopez</i>

OPPOSITION TO REZONING OF PARCEL #306-29-043B

Richard & Christina O'dell	930 W. Damion Loop	Richard O'dell	
David Beaven	935 W. Damion Loop	Patricia Beaven	
Christopher & Jennifer Lowman	965 W. Damion Loop		
Dustin & Sharon Evanson	985 W. Damion Loop		
Joseph & Carol Faoro	531 W. Road 2 South	Carol Faoro	
Sandra Safarik	593 W. Road 2 South	Sandra Safarik	
Pedro Valdez Burgos & Leticia Valdez	617 W. Road 2 South		
Andrea Sexton	643 W. Road 2 South	Andrea Sexton	
Timothy & Dawn Korade	660 W. Road 2 South	Tim Korade	

CAROL & JOSEPH FAORO

970 W. DAMION
LOOP

Carol Faoro

Rebecca Lynn White

660 W. Rd. 2 S.

Rebecca Lynn White

John P. Austin

Planning and Zonning Commission Special Meeting

6. a.

Meeting Date: 08/13/2020

Text Amedment - Subdivision Regulations

CASE DESCRIPTION:

Public Hearing and consideration and possible action to forward a recommendation to the Town Council regarding an amendment to the Town of Chino Valley Unified Development Ordinance (UDO) Section 5 Subdivision Regulations and Section 2 Definitions.

LOCATION:

N/A

FACTS:

1. Applicant:..... Town of Chino Valley
2. Owner:..... N/A
3. Parcel Number..... N/A
4. Site Area..... N/A
5. Existing zoning:..... N/A
6. Intended Use.....N/A

ANALYSIS:

See attached memo and proposed language.

TECHNICAL REVIEW:

See attached memo and proposed language.

SITE PLAN

N/A

RECOMMENDATION

Forward to council a recommendation of approval to the Town Council to amend the Town of Chino Valley UDO Section 5 Subdivision Regulations, and Section 2 Definitions.

Attachments

Staff Report - Subdivision Regulations

Subdivision Regulation Language



TOWN OF CHINO VALLEY PLANNING AND ZONING COMMISSION

Memorandum August 13, 2020

APPLICATION SUMMARY

Applicant:	Town of Chino Valley
Request:	Consideration and possible Recommendation to the Town Council to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 5 Subdivision Regulations, and Section 2 Definitions.

SUMMARY

DISCUSSION

Staff began redrafting Section 5 Subdivision Regulations of the Unified Development Ordinance in November 2019. Drafts of the proposed changes to Section 5 and Section 2 were presented to the UDO Subcommittee at five meetings between January 2020 and June 2020. A study session was held with Council on June 23, 2020, and a final UDO subcommittee meeting was held on July 22, 2020. Specific dates for the meetings and general discussion topic is listed below.

January 15, 2020	– Subdivision Regulations
January 29, 2020	– Public Way
February 26, 2020	– Subdivision Regulations and Improvements. Record of Surveys and Lot Splits
May 13, 2020	– Subdivision Regulations
June 17, 2020	– Subdivision Regulations
June 30, 2020	– (Council Study Session) Subdivision Regulations
July 22, 2020	– Subdivision Regulations Draft version with changes from Study Session

The Draft presented to you is the next iteration which includes proposed changes to the definition section, specifically deleting Public Way from the code, and adding a definition for Parent Parcel, along with the proposed text changes presented to Council during the June 30th Study Session.

CITIZENS OUTREACH

Staff has followed State mandated and UDO outlined public notification requirements. The draft text amendment has been uploaded to the Town of Chino Valley's homepage and can be accessed by citizens by going to the news flash section. Staff has encouraged the citizens to send comments to the Development Service Department. To date, staff has not received any comments or emails from residents regarding the proposed text.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward to council a recommendation of approval to Town Council to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 5 Subdivision Regulations, and Section 2 Definitions.

**SEPTEMBER 2020
AMENDMENTS TO THE
CHINO VALLEY TOWN CODE
CHAPTER 154 (UNIFIED DEVELOPMENT ORDINANCE)**

ADOPTED SEPTEMBER 8, 2020

SECTION 1. The Chino Valley Town Code, Chapter 154 (Unified Development Ordinance), Section 1.9 (Review and Approval Processes), Subsection 1.9.4 (Planned Area Development Overlay District, PAD), Subsection 1.9.4.3 (PAD Procedures), paragraph C, is hereby amended as follows:

C. Zoning conditions. The Planning Commission may recommend and the Town Council may impose conditions of approval including, but not limited to, the following:

1. Timing or phasing of development;
2. Off-site improvements to mitigate the impacts of the proposed development;
3. Development standards;
4. Design guidelines;
5. Conditions of use;
6. Dedication of land for public purposes;
7. Dedication to the Town of PARCELS OR rights-of-way FOR USE as streets, alleys, ~~public ways,~~ drainage and public utilities as are reasonably required by or related to the effect of the rezoning;
8. Dedication of easements for public use AS ~~of~~ trails and open space areas;
9. Establishment by the developer of a homeowners or property owners association to ~~assure~~ ENSURE continued maintenance and ownership of open space and landscaped areas within the PAD overlay district; AND
10. Reservation of land for future public acquisition.

SECTION 2. The Chino Valley Town Code, Chapter 154 (Unified Development Ordinance), Section 2.1 (Meanings of Words and Terms), is hereby amended as follows:

. . .

LOT FRONTAGE. The length at the front line of a lot which borders upon a street ~~or public way~~ measured at the wider of said front lot line in accordance with the definition of average lot width, but which shall not be less than 25 feet at the front lot line/border with said street ~~or public way~~.

. . .

PARENT PARCEL. ALL OF THE PROPERTY FROM WHICH A LOT, PARCEL OR TRACT WAS DIVIDED, WHETHER BY SUBDIVISION OR LAND SPLIT. FOR THE PURPOSES OF DETERMINING THE NUMBER OF LOTS, PARCELS OR TRACTS CREATED FROM A PARENT PARCEL, THE PARENT PARCEL SHALL BE ANY LOT, PARCEL OR TRACT EXISTING PURSUANT TO APPLICABLE LAW AND RECORDED IN THE YAVAPAI COUNTY RECORDER'S OFFICE ON OR BEFORE OCTOBER 15, 2020.

. . .

~~**PUBLIC WAY.** An easement for ingress, egress and public utilities established by deed or as part of a land split or other legal division of land other than a platted subdivision which is not less than fifty feet (50) in width; provides permanent legal access from privately owned property or properties to an existing public street or a public way or a private street created in a properly~~

~~recorded plat; includes a perpetual easement of not less than fifty feet (50) in width and along its entire length for public utilities and for general ingress and egress use to the public; and includes a perpetual offer of dedication of such easement to the Town, but which public way shall remain private property and the Town will have no duty of maintenance unless and until the Town formally accepts the offer of dedication by Town Council approved Resolution or Ordinance. The area included within a public way shall be included in computing the gross square footage of a contiguous lot where owned by the same person (common ownership) or where the public way was owned by the owner of such lot prior to dedication as accepted by Town and as provided above.~~

SECTION 3. The Chino Valley Town Code, Chapter 154 (Unified Development Ordinance), Section 4.5 (Yard, Lot and Area Requirements), Subsection 10, is hereby amended as follows:

4.5 YARD, LOT AND AREA REQUIREMENTS

10. Notwithstanding other provisions of this code to the contrary, flag shaped or panhandle lots ("flag lots") as depicted in the diagram below may be created by land split in any zone if all of the following requirements are met:

- a. The lot has at least fifty (50) feet of frontage on a dedicated public street; OR a private street established in a final plat ~~or a public way and, unless the flagpole/panhandle is a public way, which frontage and flagpole/panhandle may serve as access only to the subject lot or parcel via the end of the flagpole or panhandle farthest from the main body of the lot;~~
- b. The entire flagpole/panhandle portion of the lot shall be at least fifty (50) feet in width;
- c. There shall be a minimum separation between the edges of flagpoles/panhandles that equals or exceeds the minimum lot width for the respective zone in which the property is located.
- d. The length of the flagpole or panhandle shall not exceed three hundred thirty (330) feet as measured from the right-of-way line or street chord upon which the flagpole/panhandle fronts on a public street or final platted private street ~~or public way~~ to the front line of the body of the lot; ~~and.~~
- e. The flagpole or panhandle portion of a flag lot shall be included in calculating gross square footage of a lot where the flagpole/panhandle is contiguous to the lot in question and is owned by the owner of the lot in question or was owned by the owner of the lot in question at the time the flagpole/panhandle or portion thereof was accepted for ownership by the Town pursuant to a dedication made by the owner in order to create, using all or part of the flagpole/panhandle and, if applicable, other property, a public street.
- f. Existing lots which would otherwise meet the definition of a flag lot but for the width or length of the flagpole/panhandle used as access to the lot shall be considered non-conforming flag lots.

SECTION 4. The Chino Valley Town Code, Chapter 154 (Unified Development Ordinance), Section 4.23 (Public Street System and Public Use Access System), Subsection G (Non-Conforming Right-of-Way), is hereby deleted in its entirety.

SECTION 5. The Chino Valley Town Code, Chapter 154 (Unified Development Ordinance), Section 5 (Subdivision Regulations), is hereby deleted in its entirety and replaced with the following:

5. SUBDIVISION REGULATIONS

5.1 INTENT

The intent of these regulations is to provide procedures consistent with State Law that promote the health, safety and general welfare for all citizens of the Town by allowing for orderly growth and harmonious development of the Town in a manner that:

- A. Implements the General Plan, any applicable specific plans, the zoning ordinance, design requirements, and all other codes and ordinances of the Town.
- B. Ensures that future development will preserve and enhance the Town's natural scenic attributes.
- C. Ensures that all new development will maintain and encourage a pleasing environment and be in harmony with the special character and historic quality of the Town.
- D. Establishes and maintains safe and effective vehicular and non-vehicular circulation through coordinated street, transit, bicycle and pedestrian systems with relation to major thoroughfares, adjoining subdivisions, and public facilities.
- E. Ensures the adequate provisions to all property for water, sewer and other utilities, drainage and stormwater retention, and other health and safety requirements.
- F. Ensures the provision for adequate sites for schools, recreation and open space, and other public facilities.
- G. Promotes the conveyance of land by accurate legal description.

These Subdivision Regulations accommodate growth by considering the need for services generated by new lots together with public ability to provide and/or private willingness to contribute to the costs of these services.

5.1.2 SHORT TITLE

For the purpose of identification, these subdivision regulations as set forth in this Section 5 of the Unified Development Ordinance (Chapter 154 of the Town Code) shall hereafter be referred to as the "Subdivision Regulations."

5.1.3 AUTHORITY

The Subdivision Regulations are authorized by Title 9, Chapter 4, Articles 6.2 and 7 of the Arizona Revised Statutes.

5.1.4 JURISDICTION

These regulations shall govern the division of all land that lies within the corporate limits of the Town. These Subdivision Regulations apply to all properties within the Town limits proposed for division in any manner, including subdivision, land split, or lot line adjustment.

5.1.5 GENERAL REGULATIONS; ADMINISTRATION

- A. Permits Prohibited: The Town shall not issue any building or other development permit for property that has been divided without meeting the requirements of these Subdivision Regulations.
- B. Interpretation: The interpretation and application of the provisions of these Subdivision Regulations shall be made by the Zoning Administrator or his/her designee. Where any provision of these Subdivision Regulations imposes restrictions different from those imposed by any other provision, or any other ordinance, rule or regulation, or other provision of law, the provision that is more restrictive or imposes higher standards controls. Nothing contained in these Subdivision Regulations shall be construed as relieving an applicant from the requirements imposed by the Arizona Revised Statutes.
- C. Administration: The Zoning Administrator or his/her designee is hereby authorized to receive, process, and otherwise act upon preliminary and final subdivision plats, and land splits not requiring a subdivision, in accordance with these regulations. The Planning and Zoning Commission and Town staff shall provide recommendations to the Council with respect to these Subdivision Regulations. Town staff is charged with the duty of investigating and reporting upon matters referred to them in accordance with these Subdivision Regulations.
- D. Fees: Fees for Town services provided in the administration of these Subdivision Regulations shall be set by Resolution of the Council and may be changed from time to time.

- E. Actions Prohibited: Until a preliminary plat and final plat of a subdivision, as applicable, have been approved in accordance with these Subdivision Regulations, no person proposing a subdivision within the Town shall subdivide or file a record of survey, map or plat for record, or sell any part of a subdivision, or proceed with any improvement or other work on same.

5.1.6 PLATTING OR DIVISION REQUIRED

No division of land is permitted unless it conforms to the provisions of this chapter. All divisions of land that meet the conditions of Section 5.1.7 below shall follow the subdivision process in these Subdivision Regulations; all Land Splits are permitted pursuant to the Land Split provisions in Section 5.2.6 below; divisions of land not meeting the definition of Land Split or Subdivision are subject to improvement requirements as set forth in Section 5.2.6 below. No person shall, for the purpose of circumventing this chapter, sell, offer to sell or divide any lot, piece or parcel of land without first having recorded a Town-approved plat or a land split thereof, as applicable, in accordance with this chapter. The Town does not recognize recorded divisions of land that have not first obtained Town approval.

5.1.7 SUBDIVISION APPLICABILITY

- A. Subdivision approval shall be required to divide improved or unimproved land for the purpose of financing, sale or lease, whether immediate or future, into:
 - 1. Four (4) or more lots, tracts or parcels or land; or
 - 2. Two (2) or more lots, tracts or parcels or land, if a new street is involved; or
 - 3. Two (2) or more lots, tracts or parcels of land, if the boundaries of said land have been fixed by a recorded plat.
- B. Subdivision Approval shall also be required for 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, but plat 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.

5.2 SUBDIVISION APPLICATION PROCEDURES

5.2.1 GENERAL PROVISIONS

- A. In General: Every land division shall conform to the goals and objectives of the General Plan, Unified Development Ordinance, and other ordinances adopted by Council and

laws of the State of Arizona that specifically relate to subdivisions and the development of land.

- B. Owner/Agent Authorization: Applications shall only be submitted by property owners or their authorized representatives. The Zoning Administrator may require proof of ownership/agency prior to accepting an application.
- C. Zoning Standards: Proposed subdivisions must be designed to meet the specific requirements of the zoning district in which they are located. In the event that a change in zoning is required to enable the development to be built as proposed, any necessary zoning amendment must be initiated by the property owner (or authorized agent) in accordance with the procedures for processing applications for changes in zoning set forth in the Town's Unified Development Ordinance. No subdivision plat for which a zone change is required may be considered by the Council until the required zone change has been adopted by the Council. The applications for both the requested zoning amendment and the preliminary plat may be filed concurrently.
- D. Dedication or Reservation of Public Land: Where a tract to be subdivided contains all or any part of a planned park, recreation facility, school, open space, water facility, wastewater facility, public safety facility, flood control facility or other area shown on the General Plan as a public area, or required by Council as a public area, such site shall be dedicated to the Town or appropriate public entity or reserved for acquisition by the Town of appropriate public entity within a specified time period. The applicant and the Town or appropriate public agency shall reach an agreement regarding dedication or acquisition of the property for such purpose prior to consideration of final plat by the Council. If a parcel of property is to be reserved rather than dedicated, the Town may require the subdivider to designate the reserved area on the final plat subject to the following conditions:
 - 1. The land reserved shall be in the size and shape as to permit the remainder of the land area in which the reservation is located to develop in an orderly and efficient manner.
 - 2. The public entity for whose benefit an area has been reserved shall have a period of one year after the recording of the final subdivision plat to enter into an agreement to acquire such reserved land area. The purchase price shall be the fair market value thereof at the time of the filing of the preliminary plat plus the taxes against such reserved area from the date of the reservation, and any other costs incurred by the subdivider in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area.
 - 3. If the public entity for whose benefit an area has been reserved does not exercise the reservation agreement set forth in paragraph 5.2.1(D)(3) above, within the agreed upon period of time, the reservation of such area shall terminate unless a

mutually agreeable time extension is executed between the entity and the subdivider.

- E. Outline of the Review Process: The preparation, review and approval of subdivisions within the Town Limits shall proceed through the following progressive stages:
 - 1. Pre-Application Conference with Town staff.
 - 2. Preliminary plat submittal: The preliminary plat will be reviewed by Town staff to ensure it is complete and consistent with these Subdivision Regulations; the complete preliminary plat submittal is then considered by Planning and Zoning Commission and Council.
 - 3. Final plat submittal: Includes review by the Town staff to ensure the Final Plat meets the requirements of these Subdivision Regulations and Subdivision Technical Review by Town staff and pertinent outside public service and utility agencies, all prior to consideration of the Final Plat by the Council.

5.2.2 PRE-APPLICATION CONFERENCE

Pre-application Conference: The pre-application conference precedes preparation of platting and improvement plans by the applicant. During this conference, applicants informally provide Town staff with an overview of the proposed land division, after which the Town Staff advises the applicants of specific public objectives related to the subject tract, and provides the applicant with detailed information regarding platting procedures and requirements.

- A. At the pre-application meeting, the applicant must provide a general outline of the proposed development including:
 - 1. Sketch plan(s) and ideas regarding land use, street and lot arrangement, and tentative lot sizes.
 - 2. Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.
- B. Town staff will discuss the proposal with the applicant and provide input and suggestions regarding procedural steps, including the public hearing timeline, public policy objectives, design and improvement standards, and general platting requirements. Then, depending upon the scope of the proposed development, the Town staff will:
 - 1. Check the existing General Plan land use designation for the proposed subdivision and determine if a General Plan amendment will be required and if such amendment will be obtained prior to additional processing of the application.

2. Check the existing zoning of the proposed subdivision and recommend changes in zoning if necessary or desirable.
 3. Provide the applicant with information regarding existing and proposed schools, parks, and other public places, and inform the applicant of the Town's requirements for infrastructure improvements required for the proposed subdivision.
 4. Inspect the site or otherwise determine its relationship to major streets, utility systems, and adjacent land uses, and identify any unusual problems, including but not limited to those related to topography, utilities, and drainage.
 5. Determine whether a Development Master Plan (DMP) will be required prior to the preparation of a preliminary plat, and the extent to which the property owner will be required to prepare it.
- C. Subdivision Referral and Approval Process: Within fifteen (15) calendar days after the pre-application conference, the Zoning Administrator or his/her designee will send a written notice to the subdivider with staff's recommendations related to preparation and submittal of a preliminary plat by developer to be considered by the Planning and Zoning Commission and the Council, and with a determination as to whether a Development Master Plan will be required pursuant to 5.2.2(D) of these Subdivision Regulations. If the proposed subdivision does not require a Development Master Plan, the subdivider may proceed with the preparation of a preliminary plat to be considered by the Planning and Zoning Commission and the Council. As a prerequisite of preliminary plat review by the Development Services Director and the Public Works Director, the subdivider shall submit copies of letters written to the following agencies informing them of the intent to subdivide and to learn the general requirement for public utilities and public dedications applicable to the subdivision needs:
1. Appropriate public utilities
 2. Cable television and communication companies
 3. Chino Valley Unified School District
 4. Yavapai County Health Department
 5. ADOT
 6. U.S.D.A. Soil Conservation Service
 7. Yavapai Flood Control District

- D. Development Master Plan (DMP): A DMP shall be required prior to the preparation of a preliminary plat if any of the following apply: (i) the tract is larger than 100 acres; (ii) the tract is to be developed in multiple phases or if the tract is only a portion of a larger landholding of the subdivider; or (iii) the tract is part of a larger land area the development of which is complicated by unusual topographic, utility, land use, land ownership, or other conditions. As part of the notification described in 5.2.2(C) above, the Zoning Administrator or his/her designee shall notify the subdivider of the requirement to prepare a DMP. To ensure cohesive development, the subdivider may include areas within its DMP that are anticipated for future acquisition. If subdivider is requesting a zone change as part of the development, the conceptual land use plan required for such zone change application may, at the reasonable discretion of the Zoning Administrator or his/her designee, serve as the DMP for the subdivision.
1. Preparation: Development Master Plans must be prepared to a scale and accuracy commensurate with their purposes, and must include:
 - a. General street pattern with particular attention to collector streets and future circulation throughout the development.
 - b. General location and size of existing and proposed school sites, parks, and other public areas.
 - c. Location of shopping centers, multiple-family residential or other non-residential land uses.
 - d. Methods proposed for sewage disposal, water supply and storm drainage.
 - e. Approximate densities and intensities of various land uses.
 2. Phasing Plan: If development is to take place in several stages, the DMP must be submitted as a supporting document for each stage. The DMP must be kept up to date by the subdivider as modifications take place.
 3. Approval: After Town staff has determined the required elements in 5.2.2(D)(1) are included in the proposed DMP, the DMP shall be forwarded to the Planning and Zoning Commission and the Council for review and approval. Upon acceptance of the general design approach by the Commission and the Council, the subdivider may submit a preliminary plat for review.

5.2.3 PRELIMINARY PLAT

To ensure that a subdivision complies with the most-current edition of these Subdivision Regulations, preliminary plats must be submitted to the Town for review no later than 120

calendar days after (i) the date of the Zoning Administrator's comment letter described in paragraph 5.2.2(C) in the case where a DMP is not required, and (ii) the date of Council approval of the DMP as described in paragraph 5.2.2(D)(3), an applicant shall apply for a preliminary plat or submit a Development Master Plan (DMP); provided, however that this time period may be extended by the Zoning Administrator to a time mutually agreed upon with the subdivider if the result of such extension will not cause the comment letter described in paragraph 5.2.2(C) to be inconsistent with a later change to the Subdivision Regulations.

- A. Application Procedures and Requirements In General: The preliminary plat stage of land subdivision involves detailed subdivision planning, submittal, review, and approval of the preliminary plat. The preliminary plat must substantially conform to the conceptual land use plan provided to the Town during the pre-application meeting described in Section 5.2.2 and, if applicable, to the approved DMP. A preliminary plat and may only be submitted for review subsequent to the issuance of the Zoning Administrator's comment letter described in 5.2.2(C) and must be accompanied by payment of the prescribed fee. The subdivider must provide all essential information outlined below to enable the Zoning Administrator to determine the character and general acceptability of the proposed development.
- B. Preliminary plat Submission: In addition to a completed preliminary plat application form, a complete submittal shall include a digital copy of the preliminary plat, or if the applicant is unable to produce a digital copy, twelve (12) blue-line (or blackline) copies of the preliminary plat, which must be scaled to fit on one twenty-four (24) inches by thirty-six (36) inches sheet (where practical, although the scale may not exceed one hundred (100) feet to the inch), in addition to two eleven (11) inches by seventeen (17) inches reduced copies; whether digital or in blue-line (or blackline), the preliminary plat must show:
 - 1. Identification and Descriptive Data
 - a. Proposed subdivision name, location by township, range, and section, and reference by dimension and bearing to a section or quarter section corner.
 - b. North arrow, scale, and date of preparation.
 - c. Name, address and phone number of the owner, and the engineer, surveyor, landscape architect, or land planner who prepared the preliminary plat.
 - d. Vicinity map showing the relationship of the proposed subdivision to main traffic arterials and any other landmarks that would help to locate the project.
 - e. Property owners name, fee number or assessor's parcel numbers for all abutting properties.

- f. Legal description of property.

2. Existing Conditions Data

- a. Topography by one (1), two (2) or five (5) foot contour intervals adequate to reflect the character and drainage of the land as determined by the Public Works Director, and related to U.S. Coastal and Geodetic Survey (USC&GS) datum, or other datum approved by the Public Works Director.
- b. Surveyed location of all existing improvements on public rights-of-way and private property including land use, structures and fences, walls, shacks, barns, utility lines, wells, streams, irrigation canals and structures, private and public culverts, ditches, washes, lakes, water features of all types, direction of flow, flow pattern, location and extent of areas subject to inundation, and whether such inundation is frequent, periodic, or occasional and data regarding frequency.
- c. Location, width, and names of all platted streets, drainage and utility easements, public areas, and municipal boundaries within, adjacent to, or extending from the property.
- d. Location of historic and archaeological sites, if any.
- e. Acreage and zoning of the property and abutting properties.
- f. Complete boundary dimensions of the property and engineer's calculations and estimated values for each tributary storm runoff channel for ten (10), fifty (50), and one hundred (100)-year frequency storms (the values should be indicated along the boundary of the survey map for all points of drainage entering and exiting the property).
- g. Evidence of adequate access from an existing public right-of-way.

3. Proposed Conditions Data

- a. Proposed lot configuration, including approximate size and dimensions of each lot, and identification of each lot by number, and total number of lots; building setback lines; street layout, including location, width, curve radii, and proposed names.
- b. Lot and tract table, containing the overall size of each lot, and identification of average and minimum lot size(s).

- c. Designation of all land(s) to be dedicated or reserved for public use with use and acreage for each indicated.
- d. Location of all proposed private and controlled access streets and identification of all access devices on local streets within the subdivision; their means of accomplishing access control (e.g. signage, traffic barriers, gates, etc.) and monitoring devices and facilities; and their hours of operation and standards and procedures for admittance.
- e. Location and description of proposed and existing utilities within the subdivision; location of all above-ground utilities cabinets and facilities; location of water and sewer mains with respect to property lines, easements and/or street centerlines, with line sizes and valve/manhole locations shown.
- f. Location of the permanent subdivision identification sign(s).
- g. Location of all proposed fire hydrants within the subdivision.
- h. Location of vehicular non-access easements.
- i. Typical maximum construction envelope containing minimum building setbacks and maximum lot coverage permitted; non-typical buildings setbacks shall be specifically noted.
- j. Location of water wells, streams, ditches, washes, lakes, or other water features; direction of flow; 100-year flood plain; location and extent of areas subject to inundation, whether such inundation is frequent, periodic or occasional, within the subdivision boundaries and 200 feet beyond such boundaries. In addition, the proposed location(s) of storm-water detention facilities shall be indicated.
- k. If the proposed sewage disposal system will be by individual lot septic tanks, where permitted, the result of the percolation test and test boring logs shall be submitted with the Preliminary Plat.
- l. A statement as to the types of potable water facilities proposed shall be included with the preliminary plat application. Such statement shall show evidence of adequate volume and quality of proposed water supply and facilities to the satisfaction of the Public Works Director.
- m. Preliminary calculations and description of proposed stormwater disposal outlets in a form acceptable to the Public Works Director.

4. Additional Information and Requirements

- a. An electronic copy of the preliminary plat on disk or other digital format compatible with the Town computer database. Typically, the form of these files will be in DXF, DWG or other similar industry-standard digital file (latest edition of AutoCAD or similar).
- b. Payment of prescribed filing fee.
- c. A preliminary draft or outline of conditions, covenants and restrictions that demonstrate the proposed theme and character of the proposed subdivision.
- d. Such other information as, in the reasonable opinion of the Zoning Administrator or his/her designee, will be required to complete a thorough analysis of the preliminary plat in terms of its compliance with all Town Codes, ordinances, rules and regulations.
- e. Water Certificates for assured water supply shall be required in accordance with A.R.S. § 45-576, as amended and as may be supplemented by rules promulgated by the Arizona Department of Water Resources.

C. Preliminary plat Review and Approval

- 1. Upon acceptance of an application for approval of a preliminary plat, the Zoning Administrator or his/her designee will have five (5) working days to advise the applicant if the submittal is complete. Copies of complete applications will be forwarded to the Town departments and utility and public safety agencies that serve the area for their review and comment.
- 2. The reviewing agencies and departments shall transmit their comments and recommendations to the Zoning Administrator or his/her designee. The Zoning Administrator or his/her designee will then summarize the comments and recommendations, prepare a staff report, and present it to the Commission.
- 3. The Commission shall consider the proposed preliminary plat at a properly posted and advertised public meeting. The Commission shall provide a recommendation to the Council to approve the preliminary plat as submitted, to approve the preliminary plat with conditions, or to deny the preliminary plat.
- 4. After the Planning and Zoning Commission has forwarded its recommendation to the Council, the Council shall consider the proposed preliminary plat at a properly posted and advertised public meeting. The Council may approve the preliminary plat as submitted, approve the preliminary plat with conditions as recommended by the Commission, approve the preliminary plat with additional or modified conditions, or deny the preliminary plat.

5. Preliminary plat approval constitutes authorization for the subdivider to proceed with the preparation and submittal of engineering plans and specifications for public infrastructure improvements and the final plat. Preliminary plat approval does not ensure final plat approval.
6. Each approved preliminary plat shall expire if a final plat for that property has not been submitted within one (1) year of the preliminary plat approval. Extensions of one (1) year may be granted by the Zoning Administrator or his/her designee upon written request by the applicant/subdivider.

5.2.4 FINAL PLAT

When the subdivider submits an application for final plat approval, all required documents, civils, and plans outlined below shall be required for a complete application. The Town will not accept any application if all required submittal documents are not included. The time limitations for expiration of the preliminary plat will not be extended by submittal of an incomplete application.

A. Application Procedure and Requirements

1. In General: The final plat will be processed in stages involving the final design of the subdivision, submittal of engineering plans and specifications (if not already completed), final CC&R's clearly setting forth the requirements for property owners form and operate a homeowners' association to maintain private streets, satisfactory assurance documentation, execution of a development agreement (if applicable), and signing of an infrastructure improvement agreement.
2. Zoning: The zoning of a tract must permit the proposed development. If a zoning amendment is required to enable the property to be developed as proposed, the rezoning must be approved by Council prior to approval of a final plat; provided that the subdivider must file an application for such rezoning prior to consideration of the preliminary plat. In the event a preliminary plat is not required as permitted in Section 5.2.7.
3. Easements:
 - a. The subdivider shall be responsible for providing on the final plat, prior to plat approval, the location and width of all easements necessary to provide the infrastructure improvements required by these Subdivision Regulations. All easements shown on the final plat shall be accompanied by the necessary dedication and acceptance statements to convey the easement to the appropriate person or entity to meet the requirements of these Subdivision Regulations.

- b. The following notation shall be placed on all final plats: "Construction within easements, except by public agencies and utility companies, shall be limited to utilities, fencing (wood, wire or removable section-type), and/or landscaping. Utility companies will not be required to replace any obstructions or landscaping that must be removed during the course of maintenance, construction, or reconstruction within any utility easement."
4. Technical Review: the subdivider must submit the documents below at the same time as the application for final plat approval.
- a. A complete set of engineering plans and specifications prepared by a civil engineer who is currently registered in the State of Arizona, including water, sanitary sewer, streets, grading and drainage and all other improvements; such plans and specifications shall be designed based upon the approved preliminary plat.
 - b. The final plat shall not be presented to Council until all engineering plans for have been approved by the Development Services Director, the Public Works Director, and other applicable review agencies.
 - c. When applicable, for water and sewer mainline extensions, the subdivider must furnish to the Arizona Department of Environmental Quality (ADEQ) and the Town's Public Works Director such evidence as the ADEQ may require regarding the adequacy of the design and operation of the proposed potable water and sanitary sewerage facilities. Applications for plan review by ADEQ may only be made with written authorization of the Public Works Director. For the purposes of calculating distances for required water and sewer improvements, extension of utilities shall be measured from property line of the parent parcel that is closest to the existing water or sewer lines.
 - d. In conjunction with all necessary engineering plans prescribed in these Subdivision Regulations, the subdivider shall provide a Comprehensive Development Plan (CDP) that illustrates the physical relationship of all proposed utility improvements for the proposed subdivision. This plan shall cumulatively index all proposed utility improvements for future reference, and help coordinate ongoing development within the Town.
 - (1) The subdivider may submit a preliminary CDP for Town staff review with the preliminary plat, or prior to the preparation and submittal of a final CDP and other engineering or improvement plans.
 - (2) The CDP shall depict the following:

- i. Proposed location and separation of all public improvements and how they relate to the lots or blocks of the subdivision.
 - ii. Approximate distances and measurements of all proposed rights-of-way, easements, one hundred (100)-year floodplain limits for regulatory flows, utility placements, edge of pavement, curb, gutter, and sidewalk (if required); drainage structures and building envelopes for each lot.
 - iii. Topographic contours with an interval of between two (2) and ten (10) feet. The topographic mapping should extend fifty (50) feet beyond the subdivision boundaries. Spot elevations for the proposed grading should be provided at various locations to assist in determining the suitability of topography for the proposed subdivision.
 - iv. Phase lines, phase numbers and infrastructure to be provided in each phase.
 - e. Until such time as the Town formally adopts its own Engineering Design Details, the subdivider shall be required to use the Maricopa Association of Governments Standard Specifications and Details (most recent version), the Quad City Standards as published by the City of Prescott, and the Yavapai County Drainage Manual.
- B. Final plat Submission: A complete Final Plat application submittal shall include the following:
- 1. Two (2) copies of a record plat drawn in permanent black ink on linen or mylar on a twenty-four (24) inches by thirty-six (36) inches sheet with the scale not to exceed one hundred (100) feet to one (1) inch. The Zoning Administrator or his/her designee may permit a variation in that scale if there is a unique or unusual size or shape to the subject property. If more than two (2) sheets are required for the drafting of the final plat, an index sheet of the same dimensions illustrating the layout of the entire subdivision shall be included.
 - 2. A certificate or letter from each utility company providing service to the area indicating approval of the plans for utility installations and confirming the availability of services.
 - 3. An Arizona Department of Transportation access permit, where required.
 - 4. An Infrastructure Improvement Agreement, completed and recorded, between the subdivider and the Town, including all required bonds to cover warranties.

5. A completion date for the construction of the improvements. Council shall approve the completion date as part of the final plat approval. The completion date for the improvements should not exceed two (2) years from the date of such approval. If subdivider fails to complete the improvements by the completion date, the Council may, in its sole discretion, draw upon the assurances described hereafter to complete the improvements.
6. In addition to the paper submittal required above, an electronic version of the final plat, in digital format compatible with the Town's computer database (DXF, DWG or other similar digital file developed with the latest AutoCAD or ArcGIS), to facilitate the inclusion of the final plat into the Town's parcel database.
7. A copy of the subdivision's proposed covenants, conditions and restrictions (CC&R's). The CC&R submittal, including any HOA requirements as set forth in these Subdivision Regulations, shall be in recordable format and shall be submitted and recorded with the final plat.
8. Identification Data
 - a. A title that includes the name of the subdivision and its location by section, township, and range.
 - b. Name, address, registration number, and valid seal of the registered land surveyor who prepared the plat.
 - c. Names, addresses, and signatures of all owners of record.
 - d. Names and addresses of the engineer and applicant for the project.
9. Survey Data
 - a. Subdivision boundary lines and corners, together with courses and distances and all curve or angle data. Subdivision corners must be shown and must close on the ground within 0.05 foot per one hundred (100) feet; other monuments, lot corners, and other survey points must also be described and located. One (1) tie must be made by true course and distance to a GLO corner, or, if none exists, to a corner of common acceptance. Proposed subdivisions adjacent to existing subdivisions must tie to the corners of the existing subdivisions. Adjoining property must be identified by subdivision name, or as "unsubdivided" if applicable. Forest Service lands must be identified. All connecting streets (public and private) and Forest Service roads must be shown and named.

- b. Name, courses, length and width of all streets and street cross sections; radii, points of tangency, and central angles of all curvilinear streets; radii of all rounded street line intersections; location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public; and a statement noting that the streets dedicated on the plat will not be accepted for Town maintenance until they are brought up to minimum Town standards.
- c. Certification by a registered professional land surveyor that all lots are staked, or will be staked within six (6) months.

10. Existing Conditions Data

- a. Utility easements intended to remain on the property, including a reference to the recorded documents that granted the easements.
- b. Drainage easements intended to remain on the property, with the following notation: "Natural, unimpeded flow is preferred in all drainage ways, wherever practical. No structure of any kind may be constructed or placed, nor may any vegetation be planted nor be allowed to grow within, on or over any drainage easement, which would obstruct or divert the flow of storm water. The Town may construct and/or maintain drainage facilities on or upon or under the land in any drainage easement."
- c. Zoning on surrounding properties.

11. Descriptive Data Required:

- a. Name, right-of-way lines, courses, lengths, width of all streets, crosswalks, and utility easements; radii, points of tangency and central angles of all curvilinear streets and rounded street line intersections.
- b. Utility easements shown in the manner and including the information required as part of the preliminary plat submittal.
- c. All drainage ways, including rights-of-way or easements for all major drainage ways, as designated by the Public Works Director, which shall be dedicated to the public on the face of the plat.
- d. Location and dimension of all residential lots, including identification of each lot by number and size of each lot, total number of lots and average and minimum lot sizes.

- e. All residential lots shall be numbered by consecutive numbers throughout the plat. "Exception" parcels, "tracts" and amenities such as parks shall be so designated, lettered or named and clearly dimensioned.
- f. Locations, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public, with the use clearly indicated.
- g. Location of all adjoining subdivisions with date, map and page number of recordation noted, or if unrecorded or unsubdivided, so marked.

12. Assurances:

- a. In order to ensure proper installation of subdivision improvements, the subdivider shall designate the type of assurance in a form and method acceptable to the Town Attorney and approved by Council in conjunction with review of the final plat. A final copy of the assurance shall be submitted to the Zoning Administrator within ninety (90) calendar days of Council approval, and prior to the recordation of any final plat approved by Council.
- b. The amount of the assurance shall be based on a cost estimate prepared by a registered civil engineer in an amount to cover one hundred ten percent (110%) of the complete installation of the improvements. This assurance shall provide for its forfeiture to the Town in the event the Town does not accept the improvements by the declared completion date due to the default of the subdivider. Any portion of the forfeiture in excess of the expenses incurred by the Town in connection with the installation of the improvements shall be returned to the subdivider. The owner must provide the Town with one of the following types of financial assurances for the completion of the construction of the improvements required for the development of the subdivision:

(1) Surety Bond

- i. A surety bond shall be executed by the subdivider with a corporation duly licensed and 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.
- ii. The bond shall be released upon satisfactory performance of the work and its acceptance by the Town according to its customary requirements.

- iii. The bond may be only cancelled by the subdivider if other security, satisfactory to the Town Attorney, has been deposited with the Town in an amount that will will cover the obligations of the subdivider that remain to be performed.
- iv. Any work abandoned or not completed by the subdivider may be completed by the Town, which shall recover the construction costs first from cash deposit or the bond, and second from the subdivider as to any amounts not covered by the cash deposit or the bond.

(2) Irrevocable Letter of Credit

- i. A letter of credit shall be provided by a banking institution authorized to transact business in the State of Arizona. The letter of credit shall be in favor of the Town for the full amount of the required assurance.
- ii. The letter of credit shall be released upon satisfactory performance of the work and its acceptance by the Town according to its customary requirements. In the Town's sole discretion as infrastructure is completed, the subdivider may subsequently replace the original letter of credit with substitute letters of credit as the required infrastructure is completed and accepted, so long as the total amount available to the Town is at all times sufficient to cover the cost of the remaining infrastructure to be built.
- iii. The letter of credit will only be surrendered by the Town if the subdivider provides other security to the Town, in a form satisfactory to the Town Attorney, and in an amount that will ensure completion of the subdivider's obligations that remain to be performed.
- iv. Any work abandoned or not completed by the subdivider may be completed by the Town, which shall recover the construction costs first from the letter of credit, and second from the subdivider as to any amounts not covered by the letter of credit.

(3) Cash or Certified Check

- i. A cash deposit for the full amount of the required assurance in an account held by subdivider separate from other subdivider accounts, at a banking institution authorized to transact business in the State of Arizona. The subdivider shall execute a deposit account control agreement in the Town's favor, authorizing the Town to have exclusive control over the account until all of subdivider's obligations have been met.

- ii. The cash deposit shall be released upon satisfactory performance of the work and its acceptance by the Town according to its customary requirements. In the Town's sole discretion as infrastructure is completed, the Town may release amounts from the account as the required infrastructure is completed and accepted, so long as the total amount available to the Town is at all times sufficient to cover the cost of the remaining infrastructure to be built.
 - iii. The cash deposit will only be surrendered by the Town if the subdivider provides other security to the Town, in a form satisfactory to the Town Attorney, and in an amount that will ensure completion of the subdivider's obligations that remain to be performed.
 - iv. Any work abandoned or not completed by the subdivider may be completed by the Town, which shall recover the construction costs first from the cash on deposit, and second from the subdivider as to any amounts not covered by the cash on deposit.
 - (4) Alternative Assurances. In lieu of providing cash, a letter of credit, or a surety bond, the Town Attorney may approve and recommend to Council such alternative assurances that it deems sufficient to guarantee and assure construction of the required improvements.
 - c. When no adjacent arterial or collector (as identified on the Chino Valley Streets Master Plan) is being constructed and the improvement of an arterial or collector street by a governmental agency is anticipated in the short-term future, the subdivider shall deposit the current estimated cost of improving the abutting half street with the Town in full satisfaction of its responsibility to the Town for such half-street improvements.
13. Dedication and acknowledgment - A statement dedicating all streets and easements for public use by the person holding legal title of record to the property. If the property contains any liens, all lien holders shall execute an appropriate release for all dedications. If the plat shows private access ways, it must include the appropriate easements to allow for use by, and access to, public utility providers, refuse collectors, and other public services. All signatures for dedication and acknowledgment shall be notarized.
14. Final plat Review
- a. Complete Application: Upon acceptance of an application for approval of a final plat, the Zoning Administrator or his/her designee will have five (5) working days to advise the applicant if the submittal is complete. Copies of

complete applications will be sent to the Town departments and utility and public safety agencies that serve the area. No application shall be deemed complete unless it includes all of the required items set forth above.

- b. Council Consideration. Council shall consider the proposed final plat after the Zoning Administrator and the Public Works Director approve all civil drawings and deem technical review to be complete.
- c. Recordation: Upon receipt of the required assurances, and proof of adequate water supply, the Zoning Administrator or his/her designee will have the final plat recorded and provide a recorded copy of the plat to the applicant.

5.2.5 SUBDIVISION PLAT AMENDMENTS

There are three (3) types of plat amendments that apply to any recorded subdivision:

- A. Replat: The following activities shall be considered a replat and require an application and processing with the Final Plat procedures and subsequent approval by the Council:
 - 1. Any division of a lot or lots in a recorded subdivision resulting in an increase in the total number of lots in that subdivision.
 - 2. Any revision to a final plat involving dedication or abandonment of land for a public street, public easement, or other public rights-of-way.
 - 3. Any change in lot lines in a recorded subdivision affecting 5% or more of the total lot area within the subdivision; provided that no such adjustments shall be permitted to reduce lot sizes below the minimum for the applicable zoning category.
 - 4. Any changes in the location of streets, easements or and other rights-of-way that are adjacent to 10% or more of the lots in a subdivision.
 - 5. Any changes in the exterior boundary of a recorded subdivision.
- B. Lot Line Adjustment: The following activities shall be considered a lot line adjustment and shall require an application in accordance and processing with the Final Plat procedures, but may be administratively approved by the Development Services Director. Notwithstanding the above, the Development Services Director may request and the Council may direct that any re-plat request be acted on by the Council.
 - 1. Any joining or merger of lots in a recorded subdivision.

2. Any joining of lots and subsequent division of those same lots in a recorded subdivision, so long as such division results in no increase in the total number of lots in that subdivision.
 3. Any changes in lot lines that result in only nominal increases or decreases of lot sizes (less than 5% of total lot area).
 4. Any nominal changes (adjacent to 10% or fewer of the lots in a subdivision) in the location of streets, easements, and other rights-of-way.
- C. Plat Correction: An amendment to a plat for the sole purpose of correcting a scrivener's error, such as for a distance or course, may be administratively approved by the Development Services Director with the correction noted and the plat labeled as "Amended Map of _____."

5.2.6 LAND SPLITS AND OTHER DIVISIONS OF LAND NOT REQUIRING A SUBDIVISION

Land splits or divisions of land not meeting the definition of land split or subdivision do not require the submission and approval of preliminary and/or final plats. Such divisions do not include or allow for a land split or further division of previously-subdivided land. All divisions of land are subject to the following:

- A. All parcels or lots created by any division of land must meet the minimum parcel size applicable under the current zoning of the lots or parcels created by the division of land.
- B. All parcels or lots created in a division of land shall have the required frontage on a dedicated and improved street. If a parcel or lot does not have the required frontage (determined by the zoning) on a dedicated and improved street (public or private), then the applicant shall be required to go through the subdivision process.
- C. The proposed division of land may not modify lot lines in a manner that would cause building setbacks to be less than required by the underlying zoning or increase the non-conformance of an already non-conforming structure relating to building setbacks.
- D. The parcels or lots created by the division of land shall have permanent legal access by connecting to a street that is part of the public access system, or to a private street created by a properly recorded plat.
- E. A person proposing a land split shall submit a Record of Survey prepared by a civil engineer or registered land surveyor licensed in Arizona that reflects the lots or parcels created by the land split and the required legal access for the lots or parcels created, as set forth in Subsection 5.2.6(D). The access required to be depicted on the

Record of Survey shall be only that portion leading to a public street or a street that is part of the public access system. No building permit shall be issued for a lot or parcel created by a land split until the party seeking the building permit has provided the requisite Record of Survey reflecting compliance with this Section 5.2.6 and has paid the required fees for review and approval of land splits as those fees may be established by the Council. No building permit shall be issued for a lot or parcel created by a division of land other than a land split or a subdivision until the party seeking the building permit has provided the requisite Record of Survey reflecting compliance with this Section 5.2.6.

- F. All land splits or divisions of land not meeting the definition of land split or subdivision shall be required to provide street improvements along the lot frontage proportional to the impact of the parcel on the existing or planned street and consistent with the improvements constructed by adjoining parcels, but in no event less than the required street improvements for private streets in subdivisions of fewer than three lots, as shown in Table 5.2 below. If the parcel is adjacent to a public arterial or collector street, in lieu of making the street improvements described in this paragraph, the owner of the new parcel may contribute an amount to the Town equal to the parcel's proportionate share of the improvements already made, or to be made, to the public street. After the owner makes such contribution, the Town shall be responsible for the costs related to any such improvements.
- G. Extension of utilities shall be measured from the closest property line of the Parent Parcel.
- H. When a parcel is divided via land split pursuant to this Section 5.2.6, the Zoning Administrator may require the applicant to include on the Record of Survey the following statement:

"The parcels depicted on this Record of Survey were created on the date of this survey, and any further division of the land shown on this Record of Survey shall be treated as a subdivision."

5.2.7 MINOR SUBDIVISION

The minor subdivision process provides relief from certain administrative requirements related to subdivisions of ten (10) or fewer lots. In order to utilize the minor subdivision process, the subdivider shall provide, as part of its application, certification that the land sought to be subdivided consists of ten (10) or fewer lots and that such subdivision is situated such that future extensions of streets therein cannot facilitate a subdivision of more than ten (10) lots. Subdivisions meeting the requirements of a minor subdivision shall meet all of the requirements of these Subdivision Regulations except as follows:

- A. Preliminary Plats. Subdividers of minor subdivisions shall be permitted to seek final plat approval in a single stage, without the need for a preliminary plat approval by the Commission.
- B. Drainage Design. A minor subdivision subdivider shall not be required to submit an engineered drainage study as required by Section 5.3.5(H) of these Subdivision Regulations; provided, however that the subdivider shall be required to provide documentation containing sufficient detail, as determined by the Public Works Director, to show the drainage for the subdivision will meet the requirements of Sections 5.3.5(A)–(G) of these Subdivision Regulations.
- C. Traffic Study. A minor subdivision subdivider shall not be required to submit an engineered traffic study as required by Section 5.3.1(C)(2) of these Subdivision Regulations; provided, however that the subdivider shall be required to provide documentation containing sufficient detail, as determined by the Public Works Director, to show how traffic from the subdivision will safely join the existing street system.
- D. Geotechnical Report. A minor subdivision subdivider shall not be required to submit a geotechnical report as required by Section 5.4(E) of these Subdivision Regulations; provided, however that the subdivider shall be required to provide documentation containing sufficient detail, as determined by the Public Works Director, to show that safe, durable streets will be constructed.

5.2.8 RURAL SUBDIVISION

Property with an underlying residential zoning designation of one acre or larger may be developed as a rural subdivision. Unless also permitted to utilize the reduced procedural requirements of a minor subdivision, all rural subdivisions shall follow the submittal and review requirements for subdivisions under these Subdivision Regulations. Rural subdivisions shall be required to meet the subdivision improvement standards set forth in these Subdivision Regulations, except for the following:

- A. Private Streets. Rural subdivisions may utilize private streets meeting the requirements set forth in Table 5.2.
- B. Sidewalks, vertical curb and gutter, as described in Table 5.1.

5.3 **DESIGN PRINCIPLES AND DEVELOPMENT STANDARDS**

5.3.1 STREET LOCATION AND ARRANGEMENT

- A. The arrangement, character, extent, width, grade, and location of all streets should conform to the Town's General Plan Circulation/Transportation Element and

Transportation Plan and should ensure public safety and convenience, and respond to existing natural features of terrain, vegetation, and drainage.

- B. Street layout shall provide for the continuation of existing principal streets through new subdivisions. Principal streets shall typically follow section or mid-section lines, however, if the alignment is impractical then principal street right-of-way should be provided at least every three thousand (3,000) feet.
- C. Proposed streets shall be arranged to provide for future connection with adjoining unplatted lands.
 - 1. Street connections to an adjoining platted tract shall be made only to those extended streets of the platted tract.
 - 2. Street connections shall be designed to accommodate the amount of increased traffic flow generated by the proposed subdivision, as determined by an engineered traffic study or as approved by the Public Works Department.
- D. Local streets shall be so arranged as to discourage their use by through traffic. If topography allows and suitable alternate locations are available, the subdivider shall provide at least two (2) points of access for ingress/egress into the subdivision.
- E. The maximum length of cul-de-sac streets shall be one thousand, five hundred (1,500) feet measured from the intersection of the right-of-way lines to the extreme depth of the turning circle along the street centerline. Regardless of length, no cul-de-sac shall provide access to more than twenty-five (25) single family residences.
- F. Where a proposed subdivision abuts or contains an existing or proposed arterial and collector routes, sufficient right-of-way may be required for access, frontage streets, and/or turning movements or for reverse frontage combined with a one (1) foot non-vehicular access easement abutting the major route; or for such other treatment as may be justified for protection of residential properties from traffic hazards occurring on the major route.
- G. Where a subdivision abuts or contains the right-of-way of a limited access highway or an irrigation canal or abuts a commercial or industrial land use, the Zoning Administrator or his/her designee may recommend location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for appropriate use of the intervening land. Such distance shall be determined with due regard for approach grades, drainage, bridges or future grade separations.
- H. Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility and streets of reasonable gradient and to facilitate adequate drainage.

- I. No alleys may be constructed in residential, commercial, or industrial subdivisions, except that the Zoning Administrator or his/her designee may waive the requirements in certain areas because of topography, open space provided or service access.
- J. Half streets shall be discouraged, but may be permissible where necessary to provide right-of-way required by the Town's General Plan and Transportation Plan, to complete a street pattern already begun, or to ensure reasonable development of a number of adjoining parcels. The minimum paved street width of a half street is twenty (20) feet. Where there exists a platted half street abutting the tract to be subdivided, the remaining half shall be platted within the tract. In lieu of the actual construction of a half street, the subdivider may provide the Town a cash payment for the probable cost of the half street. The amount of the cash payment shall be determined by a registered civil engineer and must be approved by the Public Works Director. Such funds will be held on deposit by the Town until such time as the Town proceeds to improve the full width of the street.
- K. A minimum of two (2) permanent reference survey monuments shall be required for a street as a recoverable point for future surveys.

5.3.2 STREET DESIGN

All streets in the Town, unless otherwise specified in these Subdivision Regulations shall be designed to the standards in this subsection and as follows:

- A. Minimum required right-of-way widths shall be provided as set forth in Table 5.1 below. Additionally, the following standards shall apply:
 - 1. Cul-de-sac streets shall terminate in a circular right-of-way sixty (60) feet in radius with a minimum improved traffic turning circle forty-one (41) feet in radius.
 - 2. Dead end streets will not be approved except in locations designated by the Zoning Administrator or his/her designee as necessary for future extension to facilitate development of adjacent lands. A dead end street serving more than four (4) lots shall provide a temporary turning circle with a forty-one (41) foot radius or other acceptable design to accomplish adequate access.
 - 3. Local roads for commercial or industrial subdivisions are highly recommended at sixty (60) feet. However, when the size of subdivisions or other factors limit the inclusion of the sixty (60)-foot rights-of-way, the Zoning Administrator or his/her designee may approve the use of fifty (50)-foot rights-of-way with all intersection chamfers at forty-five (45) feet.
 - 4. Access or frontage streets shall be provided as required by a traffic impact study.

Table 5.1: Town Public Street Minimum Design Standards							
Item	Principal Arterial (1)	Urban Arterial	Rural Arterial	Urban Collector	Urban Local Road SR-0.16, MR	Rural Local Road SR-1, SR-1.6, SR-2, SR-2.5, AR-4, AR-5, AR-36	Commercial & Industrial
Minimum Right of Way	Per ADOT (1)	80'	80'	80'	50' (4)	50'	60'
Minimum Roadway Width w/o On Street Parking	Per ADOT	51'	24'	28'	24'	20' - 24'	28'
Pavement Edge Treatment	7" ADOT C&G	6" Vert. C&G	4'-6' shoulder each side, thickened edge	Vertical Curb	Rolled Curb	4'-6' shoulder each side, thickened edge	6" Vert. C&G
Sidewalk	6' on each side	5' Min. on each side (2)	None (3)	5' Min. on one side (3)	5' Min. on one side (3)	None (3)	5' detached 6' Min. on each side (2)
Street Design Notes (1) Currently, all principal arterial routes are state highways owned and maintained by the Arizona Department of Transportation. (2) Sidewalk may be required on only one (1) side of the road with an increased width if approved by the Zoning Administrator or his/her designee and the Public Works Director. (Also, see note #3.) (3) A minimum of two (2) foot wide shoulders is required if no sidewalk is installed. These shoulders shall maintain the same slope as the pavement and shall be constructed of ABC or an approved equal. However, construction of sidewalks on collector roads shall be determined through a Development Agreement. Note: These standards are primarily for new roadway construction. These standards may be adjusted on projects involving rehabilitation or reconstruction of existing improvements as approved by the Public Works Director. (4) 62' versus 50-feet right-of-way options for urban level local street to accommodate subdivision that have on-street parking versus no on-street parking.							

Table 5.2: Rural Subdivision Private Street Minimum Design Standards (1) (2)							
Number of Lots (3)	Right-of-way Width		Subgrade	Base Depth	Surface Depth	Edge Improvements	Accept ROW?
	Total Width	Improvement Width					
2 to 3	50	20	6"	6"	3" Dust free material	None	No
4 to 10	50	24	6"	6"	Double Chip	Ribbon/Thickened Edge	No
More than 10	50	24	6"	6"	3" Asphalt	Ribbon/Thickened Edge	Council Discretion
(1) Rural subdivision private streets shall meet the roadway geometric criteria and pavement structural section requirements set forth in Sections 5.3.2(A)–(D) of these Subdivision Regulations. (2) Subdividers utilizing rural subdivision private streets shall be required to meet the homeowners’ association requirements set forth in Section 5.3.2(E) of these Subdivision Regulations. (3) If the proposed subdivision serves as an access point to other lots or parcels, and the total number of potential remaining lots that could be developed, together with the proposed subdivision, is more than 10, the proposed subdivision shall make the “Improvement Width” the same as a development with 10 or more lots. As an example, if the proposed subdivision is three lots, but the private street could continue beyond the proposed subdivision to include more than 10 lots, the “Improvement Width” must be 24 feet. Surface Depth and Edge Improvements shall remain as listed for the proposed number of lots in the proposed subdivision.							

B. Grades

1. Maximum:

- a. Arterial routes: as determined by the Public Works Director.
- b. Collector streets: eight (8) percent.
- c. Local residential streets: twelve (12) percent.

(Maximum longitudinal slopes of up to eighteen (18) percent may be used for a distance not to exceed three hundred (300) feet if existing terrain dictates, and if approved by the Public Works Director).

- d. Cul-de-sacs: eight (8) percent.
 - e. Intersections five (5) percent for a minimum of fifty (50) feet from points of intersection.
2. Minimum: all streets shall have a minimum longitudinal slope of four-tenths (0.4) percent.
 3. Desirable: all streets six (6) percent.

4. Exceptions may be made upon showing of extraordinary circumstances by the subdivider and review and approval by the Public Works Director.

C. Vertical Curves

1. Arterial routes: Minimum length, one hundred (100) feet, or as determined by using the AASHTO Standards.
2. Collector and minor streets: Minimum length, one hundred (100) feet, or as determined by using the AASHTO Standards for residential streets, the length of the vertical curve may be reduced to fifty (50) feet if existing terrain dictates and if approved by the Public Works Director.
3. When the longitudinal grade for all streets changes with an algebraic difference of one (1) percent as measured between the tangent grades in percent, a vertical curve shall be provided.

D. Horizontal Alignment

1. Arterial routes: As determined by the Public Works Director.
2. When tangent center lines 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 collector streets and one hundred fifty (150) feet for local streets.
3. Between reverse curves there shall be a tangent section of centerline not less than one hundred (100) feet long, unless the radius exceeds seven hundred fifty (750) feet on arterial and collector streets or two hundred fifty (250) feet on local streets, in which cases fifty (50) feet of tangent shall be required if approved by the Public Works Director.
4. Intersecting arterial and collector streets shall do so at an angle that shall not vary from ninety (90) degrees by more than ten (10) degrees; intersections of local streets shall not vary from ninety (90) degrees by more than fifteen (15) degrees.
5. Street jogs shall be avoided. Street Intersections shall be a minimum of one hundred-fifty (150) feet apart unless otherwise approved by the Public Works Director.
6. Minor streets intersecting a collector street or arterial route shall have a tangent section of centerline at least one hundred fifty (150) feet in length measured from the right-of-way line of the major street; except that, no such tangent is required when

the minor street curve has a centerline radius greater than four hundred (400) feet with the center located on the major street right-of-way line.

Where topographic conditions make necessary other treatment to secure the best overall design, these standards may be modified by the Public Works Director.

7. Street intersections with more than four (4) legs, and Y-type intersections where legs meet at acute angles, shall be avoided.
8. At street intersections, property line corners shall be rounded by circular arc having a minimum chamfer length of thirty-five (35) feet for collector and arterial streets and twenty-five (25) feet for local streets.

E. Private Streets

1. Private streets in zoning districts that do not permit rural subdivisions shall be constructed to conform to current Town street standards, including but not limited to right-of-way widths, roadway geometric criteria, and pavement structural section. Private streets in zoning districts that allow rural subdivisions shall be constructed to conform to current Town street standards, including but not limited to right-of-way widths, roadway geometric criteria, and pavement structural section, except as specifically modified by Table 5.2 above.
2. If private streets are proposed for a subdivision, whether urban or rural, maintenance of such streets shall be solely the responsibility of the homeowners. A homeowners' association shall be established at the time the final plat is approved with a mechanism for collecting funds to be placed in an escrow account for future maintenance of the private streets. A note shall be placed on the final plat that states, "All private streets shown on this plat shall be maintained by the homeowners association. The Town will not maintain these streets and will not take the streets into the public street system unless they are improved, at the sole expense of the property owners, to the Town public street standards that are in effect at the time of the request."
3. An emergency rapid entry system for unrestricted entry of police and fire emergency vehicle at all gated locations shall be provided. For uniformity, the only allowable system shall be the "Knox Rapid Entry System".

5.3.3 WATER FACILITIES DESIGN

- A. Subdivision water system and facilities will substantially conform to the precepts of the Chino Valley Comprehensive Water Master Plan and other water company master plans.

- B. Each lot or building unit shall be supplied with potable water in sufficient volume and pressure for domestic use and fire purposes. Design and construction of any and all facilities relating to transmission and distribution of potable water within and outside of any subdivision must meet with the written approval of the Public Works Director.
- C. Water mains shall be looped or installed in a circulatory configuration whenever possible. Branching or dead-end patterns may be accepted by the Public Works Director if no looping alternative is possible.
- D. All lots created pursuant to these Subdivision Regulations that are served by the Town's water system shall connect to such system in the manner described in this Section 5.3.3. A lot is considered to be served by the Town's water system if a Town water line is within three hundred (300) feet of the property line of the parent parcel from which the lot to be served was divided; provided, however, that until September 1, 2025, any lot that is created in conformance with the requirements for (1) land splits not requiring a subdivision in Section 5.2.6, or (2) a combination of the minor subdivision and rural subdivision provisions in Sections 5.2.7 and 5.2.8 of these Subdivision Regulations, may be developed without connecting to the Town's water system, even if the lot is served at the time of building permit application.

5.3.4 SEWER FACILITIES DESIGN

- A. Wastewater disposal facilities shall be installed to serve each lot and be subject to the following standards and approvals:
 - 1. Individual systems, including septic tanks, shall be discouraged, but may be constructed in areas not presently served. Property is considered served if a public sewer is within three hundred (300) feet of the property line of the parent parcel from which the lot to be served was divided; provided, however, that until September 1, 2025, any lot that is created in conformance with the requirements for (1) land splits not requiring a subdivision in Section 5.2.6, or (2) a combination of the minor subdivision and rural subdivision provisions in Sections 5.2.7 and 5.2.8 of these Subdivision Regulations, and which otherwise meets the requirements of these Subdivision Regulations and any applicable law, regulation or ordinance, may be developed without connecting to the Town's sewer system, even if the lot is served at the time of building permit application.
 - 2. Public sanitary sewers shall be installed in areas served by an existing public sewer system, and shall be installed in all areas where the lot sizes are one-half (½) acre or less, regardless of whether the area is currently served. A gravity sewer system is the preferred method of collecting and conveying wastewater. However, low-pressure sewer systems may be installed if a homeowners' association is established during the platting process to oversee operation and maintenance of the individual grinder pump stations. If low-pressure sewer systems are utilized within a subdivision, a hybrid of

gravity and low-pressure sewer should be contemplated with line lengths for low-pressure sewer system kept to minimum lengths in an attempt to minimize odors.

- B. Public sanitary sewers shall be designed for location within the street rights-of-way unless topography or unusually excessive cost dictates the installation of sewers in public utility easements extending through the rear or side yards of lots.
- C. Design and construction of any and all facilities relating to the collection and conveyance of wastewater within and outside any subdivision is the responsibility of the developer of the subdivision and must meet with the written approval of the Public Works Director.

5.3.5 DRAINAGE DESIGN

- A. Drainage and topography shall be a primary consideration of any subdivision.
- B. The preservation of natural flood areas, streams, washes, arroyos, rivers or ephemeral drainage courses should be maintained, if possible, in their natural state. The limits of the ten (10) year flood event shall define the extent of the area of concern. The only exceptions are for roadway crossings and utility lines, if no other alternative exists. Subdividers are encouraged to preserve natural flood areas to the maximum extent possible.
- C. Drainage layout and development shall meet all State and Federal requirements to allow residents of Chino Valley to purchase flood insurance, to receive disaster relief, to obtain real estate loans and to minimize flood damage.
- D. Subdivision improvements that propose grading and/or grade changes shall not have an adverse impact on surrounding property. At the boundaries of the subdivision, all drainage and floodwaters shall be accepted and released so that the flow characteristics are minimally disturbed by providing appropriate entrance and exit transitions.
- E. All weather access to all lots shall be provided during any regulatory flood, which means depths of flows over streets will not exceed one (1) foot to allow passage of emergency vehicles. The standard applies to both public and private streets.
- F. All drainage ways that convey fifty (50) cubic feet per second or more during a one-hundred (100)-year flood event shall be considered regulatory flood ways. Regulatory floodways shall be maintained by the adjacent property owner within the subdivision, unless the Town has agreed to allow such flood ways to be dedicated to the Town with provisions for maintenance access ramps. Flows less than fifty (50) cubic feet per second shall be regulated for impacts to buildings and structures, particularly the placement of the finished first floor or basement, and areas designated for containing such flows shall be identified as a common area or noted on the final plat as impacting a lot and the lot owner's responsibility for maintenance.
- G. Drainage basins or watersheds with known flood hazards shall be designated as critical basins. Within designated critical basins, all proposed subdivisions shall address on-site detention for the two (2)-, ten (10)- and one hundred (100)-year flood events to mitigate the post-development drainage to the pre-development levels. If the subdivider can demonstrate that on-site detention will exacerbate the downstream condition, then the Public Works Director may allow for modifications to the requirement.
- H. A drainage study that addresses the hydrologic and hydraulic components relating to onsite and off-site drainage shall be developed for each subdivision. The study shall be prepared by a registered Arizona Professional Engineer. The drainage study shall be

approved before the street improvement plans and final plat are approved. If the subdivision will be developed in phases, a master drainage plan will be required.

5.3.6 BLOCK DESIGN

- A. Blocks should not exceed one thousand five-hundred (1,500) feet in length between street centerlines. Variation from this requirement may be justified where topography or optimal lot configurations are achieved or when lot sizes average one-half acre or greater.
- B. Blocks should have sufficient width for an optimal layout of two (2) tiers of lots of the size required by these Subdivision Regulations.
- C. Where practical, pedestrian ways with a minimum width of ten (10) feet may be required at mid-block and/or internal connection locations where essential for access to schools, playgrounds, common open space or other community facilities. Pedestrian ways may be used for utility purposes.

5.3.7 LOT PLANNING

- A. Lot width, depth, and area shall comply with the minimum development standards of the applicable zoning district.
- B. Lots having double frontage should be avoided except where necessary to provide separation of the residential development from traffic collectors and arterials.
- C. Corner lots should be a minimum of ten (10) feet wider than the interior lots within the same block.
- D. The depth to width ratio of useable area shall be no greater than three (3) to one (1).
- E. Grouping of wider side yards of no less than thirty (30) feet in combined width shall be encouraged to convey openness and privacy as well as create useable storage area.
- F. Where gross densities of four (4) units to the acre or greater are provided, front yard setback lines should be staggered within a ten (10)-foot range to create a diversified streetscape. No front yard should be less than twenty (20) feet in depth, measured from the property line to the closest point of the structure.
- G. Where a two (2)-story single-family dwelling is provided, the rear yard setback should be a minimum of thirty (30) feet.

5.3.8 EASEMENT PLANNING

- A. Generally, a Public Utility Easement (PUE) shall be twenty (20) feet in width. In cases of slopes greater than a six (6) percent or unusual topography, the PUE should be increased to twenty (20) feet in width. The location PUE of shall be approved by the Public Works Director.
- B. The subdivider must provide a one (1)-foot easement prohibiting vehicular access to and from arterials and collectors from rear yards of double frontage lots.
- C. No wall structures are allowed or permitted within any Public Utility Easement (PUE).

5.4 IMPROVEMENT REQUIREMENTS AND SPECIFICATIONS

A. Purpose

- 1. The purpose of this Section 5.4 is to establish the minimum acceptable standards for improvement of public streets and utilities, to define the responsibility of the subdivider in the planning, constructing, and financing of public improvements and to establish procedures for review and approval of engineering plans.
- 2. All improvements required in streets or easements that are required as a condition to plat approval shall be the responsibility of the subdivider.
- 3. Any subdivider failing to comply with the following minimum acceptable standards shall be punished as provided in these Subdivision Regulations.

B. Engineering Plans

- 1. Except for specific exemptions relating to rural subdivisions as set forth in these Subdivision Regulations, the subdivider shall have a complete set of engineering plans and specifications prepared by a registered civil engineer who is currently registered in the State of Arizona, and submit such plans to the Public Works Department for approval. Such plans and specifications shall be based on the approved preliminary plat and shall be prepared and submitted in conjunction with the comprehensive development plan, or if no comprehensive development plan is required, prepared and submitted in conjunction with the final plat review process.
- 2. Final engineering plans shall be approved by the Public Works Director prior to recordation of the final plat. This final plan approval is valid for a period of one (1) year. If construction is not started prior to the plan approval expiration, the plans shall be resubmitted to the Public Works Department for an update approval according to then-current standards and guidelines. If, after construction has begun on a project and it is stopped for any reason for a period of one year or more, the

plans must be resubmitted for update approval prior to restarting construction. The plans will be reviewed for compliance with then-current standards and requirements.

3. Improvement plans shall include plans, profiles and typical street cross sections that contain the following minimum information:

a. The cover sheet shall include at least the following information:

- (1) Name and type of plan.
- (2) Vicinity map.
- (3) Location map.
- (4) Benchmarks approved by the Town.
- (5) Basis of bearing for the project.
- (6) Name, address, and phone number of subdivider.
- (7) Name, address, phone number, and professional seal of engineer preparing plans.
- (8) List of utility agencies serving the proposed development.
- (9) Plan sheet index.
- (10) Approval signature block of the Town officials, including the Public Works Director.
- (11) Bluestake note.

b. Plans shall include at least the following information:

- (1) Street names.
- (2) A north arrow and graphic on each plan sheet.
- (3) Stationing and lateral dimensions of streets and rights-of-way, including pertinent survey data and curb return data.
- (4) Location of existing and proposed utilities being designed and existing streets to be joined.

- (5) Drainage structures, including cross gutters, culverts, catch basins, or similar items. Show a positive outlet for all drainage leaving the site sufficient to ensure will not have a negative impact on the downstream property. All concentrated drainage flowing from public right-of-way onto private property must have a drainage easement to flow into or a note on the final plat relating the drainage impact on the lot.
 - (6) Curb, gutter, sidewalks and asphalt structures.
 - (7) Survey monument location to be set, existing control monuments to be referenced prior to destruction and all benchmarks used.
 - (8) New traffic control devices, all existing traffic control devices within the area of the project, and changes in traffic control devices in the vicinity of the project that are required as a result of the project.
 - (9) The top and toe of slopes for both cuts and fills shall be shown if the project extends outside of the right-of-way limits.
 - (10) Location of all existing and proposed water lines, water valves, water meters, water service lines, fire hydrants, sewer manholes, sewer services, storm drains, and street lights shall be shown on the plans.
 - (11) Construction notes indicating any and all construction items for utilities, paving, storm drainage, etc.;
 - (12) Town current general notes for construction.
 - (13) A plan sheet showing the location of all traffic control signs shall be included as a plan sheet.
 - (14) Additional information needed to clarify plans or deal with specific conditions.
- c. Profiles shall include at least the following information:
- (1) Bench marks, including description, location and elevation.
 - (2) Existing and finished grade profiles. Profiles of centerline and right and left gutter control line or edge of pavement are required. The presentation must clearly show and distinguish existing profiles and other profile information.

- (3) Finished elevations including BVC, PI, and EVC of vertical curves, vertical intersection points, curb returns match lines and all other points needed for vertical control of construction.
 - (4) Slopes and vertical curve lengths.
 - (5) Curb return profiles at intersections.
 - (6) Drainage structures and utilities.
 - (7) Extension of the improvement project as required to ensure that the design is compatible with future extensions.
 - (8) Consistent stationing throughout the plans.
 - (9) Additional information needed to clarify profiles or deal with special conditions, including, but not limited to, profile or drainage channels, stationing and elevations at beginning and end of all curb returns, grade breaks and beginning and end of construction.
- d. Cross Sections shall include at least the following:
- (1) Typical street cross-sections are needed for each condition encountered and each should be clearly identified as to where it applies.
 - (2) Materials and thickness, including sub-base select material aggregate base, prime coat, asphaltic concrete, curb and gutter, and sidewalk with notation of the engineering firm preparing the soils reports and the report numbers, if applicable. The specification and types of materials shall be stated.
 - (3) Horizontal dimensions to all key points, including rights-of-way.
 - (4) Cross slopes.
 - (5) Parkway conditions. Maximum and minimum slopes are to be shown for cuts, fills, and side hill conditions. Any side ditches or other special conditions are to be shown. A minimum two (2)-foot wide flat area shall be constructed behind the sidewalk or curb before the slope begins.
 - (6) Right-of-way widths shown in relation to centerline, and identified by street name to which each is applicable.
 - (7) Limits of applicability by station if necessary.

- e. The plans shall contain the current Town “General Notes” for water, sewer, grading, and paving construction as prepared by the Public Works Director.
- f. One set of Record Drawings on reproducible film and electronic file (AutoCAD or approved equal) of all improvements must be submitted to and approved by the Public Works Director prior to final approval of the project.

C. Construction and Inspection

1. All improvements in the public rights-of-way and easements shall be constructed under the inspection and approval of the Town. The subdivider shall be responsible for the total cost of all inspection and testing during the construction of all improvements. The subdivider will execute an Infrastructure Improvement Agreement (IIA) with the Town and the subdivider will be responsible for the performance of the required inspections and testing. If the IIA provides that the Town will perform the inspection and testing, an estimated advance payment will be provided to the Town prior to the commencement of any construction work. If the IIA provides that the subdivider will be responsible for providing qualified engineers to conduct inspection and testing, a payment in the amount as established by resolution, will be required for the Town's oversight and monitoring of the IIA requirements.
2. All construction work shall be performed and all material furnished shall be in reasonably close conformity to the lines, grades, cross sections, dimensions, and material requirements, including tolerances shown on the plans and profiles or indicated in the specifications. The Public Works Director shall determine the limits of reasonably close conformity in each individual case and the Public Works Director's judgment shall be final and conclusive.
3. The Public Works Director shall be notified at least three (3) calendar days before the start of any construction. Clearing and grubbing activities shall not proceed without approved Improvement Plans by the Public Works Director.
4. All relocation and reconstruction of existing irrigation and utility facilities shall be conducted according to the standards of the owning utility and the Town.
5. All underground utilities installed in streets shall be constructed prior to the surfacing of such street. Service stubs for underground utilities to platted lots within the subdivision shall be placed to such length as not to necessitate disturbance of street improvements when service connections are made.
6. Prior to the Town accepting any subdivision, the subdivider shall submit engineering record drawings or as-built plans for all water and sewer infrastructure.

The record information shall be submitted on both a high quality mylar having a thickness of approximately four (4) mil and in a digital format that is compatible with the Town computer database to facilitate the inclusion of the plans into the Town database. Typically, the form of these files will be in DXF, DWG or other similar industry standards digital file developed in a recent version of AutoCAD according to the Town's technological capabilities. Additionally, a certified letter from a professional land surveyor shall be required, stating that the centerlines of streets, easements, and survey monuments are located as denoted on the final plat.

7. When public infrastructure improvements for a subdivision are accepted by Council for maintenance and operation, the developer shall provide all approvals from all appropriate regulatory agencies (for example, ADEQ Approval of Construction) and shall provide a warranty or guarantee for a period of two (2) years against defective materials and workmanship.

D. Development of Plans and Specifications

The "Uniform Standard Specifications and Details for Public Works Construction" as published by the Maricopa Association of Governments (MAG) are recognized as acceptable construction specifications and standard details. Because of variations in climate, soils, and availability of materials, modifications to the MAG specifications may have been implemented by the Town. The MAG specifications shall be utilized at the direction and approval of the Public Works Director. Other pertinent manuals for the development of plans and specifications include "A Policy on Geometric Design of Highways and Streets" as distributed by AASHTO; all design manuals, specifications, and standard details as distributed by the Arizona Department of Transportation; all engineering bulletins as distributed by the Arizona Department of Environmental Quality; "Manual on Uniform Traffic Control Devices for Streets and Highways" as distributed by the U.S. Department of Transportation, Federal Highway Administration; and the various design manuals, procedures, and guidelines as published by professional organizations and governmental agencies.

E. Streets

1. Except as specifically exempted for rural streets as set forth in these Subdivision Regulations, a geotechnical report shall be required for the pavement design of all subdivision streets. The design approach shall be based on the latest methodology that is utilized by the Arizona Department of Transportation or the American Association of Highway and Transportation Officials.

Traffic volumes for the pavement design shall be based on a trip generation analysis as developed by the Institute of Transportation Engineers.

2. Portland cement concrete shall normally be used for all required curb and gutter, valley gutters, and sidewalks unless otherwise approved by the Public Works Director.
3. A seal coat shall be required on all street paving projects. If pavement cuts occur after the final lift of asphaltic concrete then a chip seal will be required.
4. The developer shall be responsible for the installation of all regulatory, warning, and street signs for the orderly movement of vehicles and for public safety. Regulatory and warning signs shall be in conformance Manual on Uniform Traffic Control Devices. Street signs shall be in accordance with Town standards and include 911 or emergency addressing.

F. Drainage

1. Subdivider must show the limits of the one hundred (100)-year floodplain on the final plat in a readily retraceable manner with frequent ties to intersecting lot lines for all flows of fifty (50) cubic feet per second or more.
2. Watercourses that are relocated, altered, or include any man-made improvements, should be developed with channel treatments that allow for the reestablishment of vegetation. The use of concrete will be limited to headwalls, cut-off walls, transitions, and areas with limited right-of-way because of existing improvements. The placement of concrete structures shall be at the discretion of the Public Works Director.
3. Culverts for streets shall be designed to convey at the fifty (50)-year peak discharge with no flow over the roadway. Additionally, the flow depth over the street shall be limited to one (1.0) foot for one hundred (100)-year peak discharge if the street provides all weather access.
4. A minimum pipe diameter of eighteen (18) inches is required for all street crossings and a minimum pipe diameter of twelve (12) inches is required for all driveways.
5. Culvert outlet velocities should be kept below fifteen (15) feet per second unless approved by the Public Works Director due to special conditions. The maximum velocity should be consistent with the channel stability requirements at the culvert outlet. If the culvert velocities exceed permissible velocities for the proposed outlet (greater than five (5) feet per second for natural conditions depending on soil types), suitable outlet protection must be provided.
6. Drainage ditches or storm drains along streets and adjacent areas shall be required to avoid trapping water and to ensure positive drainage away from the streets. Street drainage shall be designed to provide for one (1) lane of traffic on all local streets and one (1) lane of traffic in both directions for all collectors and arterials for the ten (10)-year peak discharge.

G. Water

1. New water facilities shall be designed in accordance with the Arizona Department of Environmental Quality (ADEQ) and the Arizona Department of Health Services Bulletin No. 10 (latest edition). Any deviation from the bulletin's requirements shall require the written approval of the Public Works Director.
2. All water mains shall be a minimum of six (6) inches in diameter, unless designated otherwise by the Public Works Director, to ensure minimum water flow requirements of the pressure zone or the Chino Valley Comprehensive Water Master Plan.
3. All water mains, valves, and fittings shall be constructed with materials having a working pressure rating of two hundred (200) pounds per square inch.
4. The longitudinal bending of water mains shall not be allowed. All changes in direction or angle will require the appropriate fittings.
5. All dead ends on new mains shall be provide with a blow-off cock in the plug or cap, and reaction backing or thrust blocking shall be arranged not encased or covered by the concrete, if used.
6. Fire hydrants shall be spaced at a distance no greater than five hundred (500) feet apart in residential areas and five hundred (500) feet apart in commercial and industrial areas. The measurement between fire hydrants shall be linear and the measurement will be effected along the centerline of the streets. The Chino Valley Fire District may adjust the distances between fire hydrants when circumstances dictate.
7. The water system for the subdivision must be capable of supplying and sustaining the required flows for fire protection throughout all subdivided properties as approved by the Town. For residential areas, the minimum required fire flow capability is one thousand (1,000) gallons per minute for a duration of two (2) hours with a minimum system pressure of twenty (20) pounds per square inch while the required fire hydrant flow rate is being met. For all multi-family, industrial and commercial areas, the chief Building Code official, in consultation with the Chino Valley Fire District, shall determine minimum fire flow capability and that flow will be provided with a minimum system pressure of twenty (20) pounds per square inch.
8. The approval of the final design of the water system rests with the Council and will be based on the conformity of the design to policy, standards, and specifications. The subdivider is responsible for all approvals with ADEQ and other regulatory agencies.

9. The Town may issue building permits after the approval of the water system and the installation of an all-weather road. Approval of the water system requires that the water lines have been successfully pressure tested and disinfected to Town standards and that fire flow can be provided to all subdivided properties. An all-weather road for this purpose means that the sub-grade and aggregate base material has been constructed to the approved plans and specifications and the width of the road is a minimum of twenty (20) feet wide. Water service shall not be connected to any structures until approval from ADEQ is received.
10. The Town will not issue any certificates of occupancy until the subdivision improvements are accepted for maintenance and operation by Council.

H. Sewer

1. New sanitary sewerage facilities shall be designed in accordance with the Arizona Department of Environmental Quality (ADEQ) and the Arizona Department of Health Services Bulletin No. 11 (latest edition). Any deviations from the bulletins requirements must have the written approval of the Public Works Director.
2. New sanitary sewers shall be designed to carry the designated peak wet weather flow from the area that will be ultimately tributary to the respective reach of sewer.
3. No public gravity sewer lines shall be less than eight (8) inches in diameter. All gravity sewer line pipes shall be of bell and spigot and gasketed joints.
4. The longitudinal bending of PVC SDR 35 sewer pipe is allowable with a minimum allowable radius of one hundred-fifty (150) feet and no joint deflection. Because longitudinal bending is allowable for PVC sewer pipe, drop manholes shall be discouraged with elevational differences addressed by vertical sweeps of the sewer main.
5. Testing of gravity sewer lines and manholes may include multiple test methods to ensure a minimum of inflow and infiltration. Sewer lines shall be subject to but not limited to low pressure air testing, deflection testing, and closed circuit TV inspection. Manholes, at a minimum, shall be vacuum tested after the frame and cover are installed.
6. Low pressure pipe shall be PVC SDR 21 with gasketed joints or HDPE SDR 11 with welded joints. Substitution may be provided if the pipe is of equal or better quality.
7. Low pressure sewer system shall be pressure tested in accordance with applicable test procedures for potable water lines.

8. The outfall for all low-pressure sewer systems shall include adequate measures to prevent sulfide corrosion of manholes and to mitigate odors.
9. Pump stations that are to be operated and maintained by the Town shall be designed as a wet/dry well type system and include odor control, corrosion mitigation measures, and supervisory/control and data acquisition systems.
10. Sewer house service connections shall have adequate separation or protection from potable water house service connections. Sewer service lines should be installed at points ten (10) feet from the lowest lot corner adjacent to the sewer main. Crossing of water and sewer service lines, especially a low-pressure sewer with water service line, may require that the sewer service line be sleeved.
11. The Town will not issue any certificates of occupancy until the subdivision improvements are accepted for maintenance and operation by Council.

5.5 ENFORCEMENT

Fines/Imprisonment: Any person, as principal, owner, agent, tenant, employee, or otherwise found violating these Subdivision Regulations, or violating or failing to comply with any order or regulation made hereunder, shall be guilty of a civil violation punishable as provided in these Subdivision Regulations. Such person shall be deemed guilty of a separate offense for each and every day during which any such violation or failure to comply with these regulations is committed, continued or permitted. All remedies provided for herein shall be cumulative and exclusive. A finding of guilty or responsible and punishment of any person hereunder shall not relieve such person from the responsibility to correct prohibited conditions. In addition to the other remedies provided herein, any adjacent or neighboring property owner who is damaged by the violation of any provision of these Subdivision Regulations may institute any action in law or equity to prevent or abate such violation.

Enforcement Action: Any division of property contrary to these Subdivision Regulations is hereby declared to be a public nuisance and the Town Attorney may, upon order of Council, or on his or her own initiative, immediately commence all necessary actions or proceedings for the abatement, enjoinder, and removal thereof in the manner provided by law; and may take such other lawful steps as may be necessary, and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate, enjoin, and restrain any person from violating these Subdivision Regulations.

5.6 FLOODPLAIN MANAGEMENT

The Town designates the Yavapai County Flood Control District as the enforcement authority for all floodplain management activities within the Town's corporate limits. The district is hereby authorized to exercise the powers and duties set forth in Title 45, Chapter 10, Article 4, Arizona Revised Statutes, within all areas of the Town.