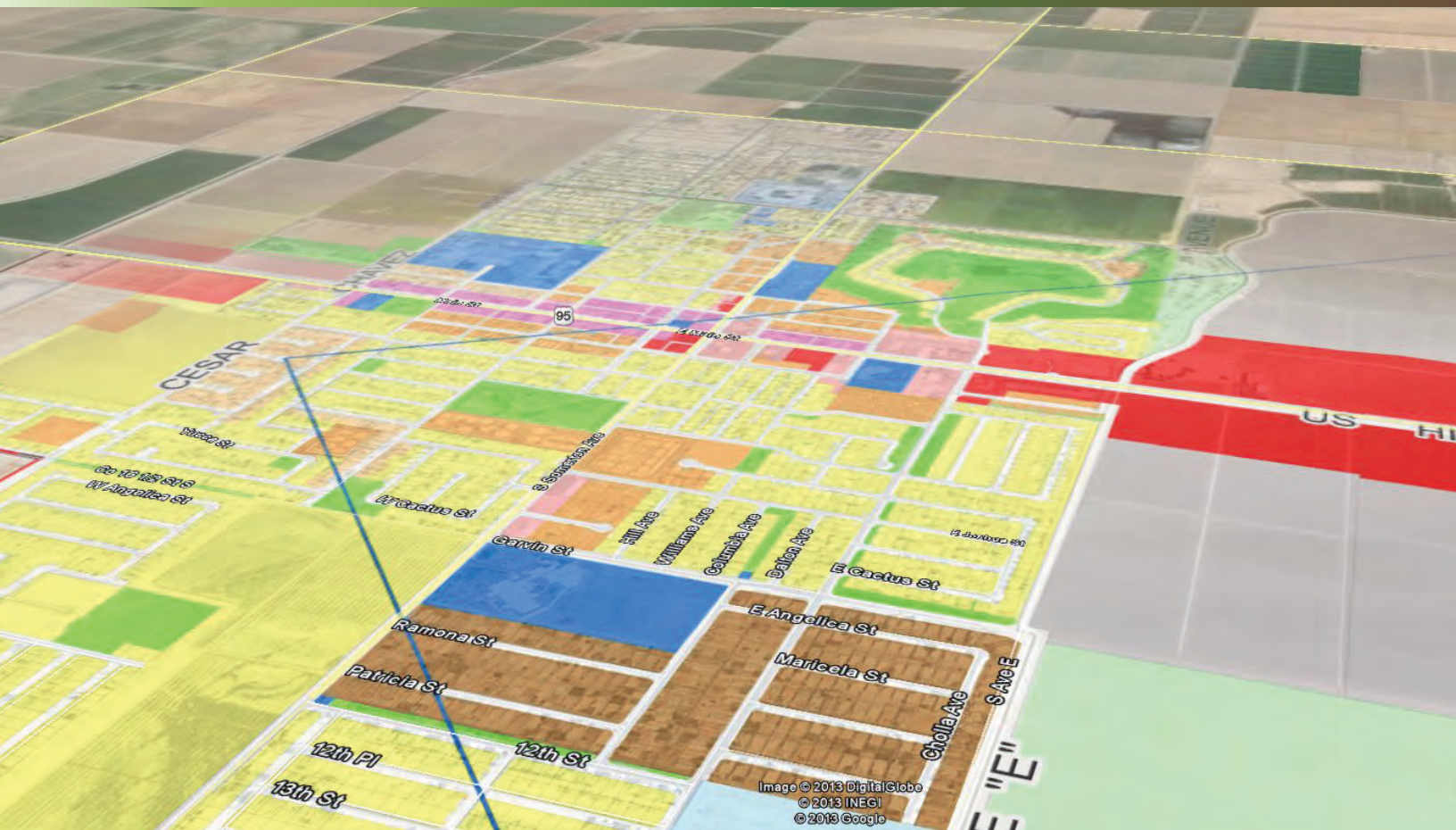




Somerton Subdivision Ordinance

City Code Article 2-7
Section 10



PENDING ADOPTION

CITY OF SOMERTON
SUBDIVISION ORDINANCE

Prepared for:

City of Somerton
Community Development Department
150 W Main Street
Somerton, AZ 85350

ACKNOWLEDGMENTS

The following individuals contributed to the preparation of the
Somerton Subdivision Ordinance

City Council

Martín Porchas, Mayor

Gerardo Anaya, Vice-Mayor

Carlos Gonzalez, Council Member

Miguel Villalpando, Council Member

Jose Yepez, Council Member

Luis Galindo, Council Member

Laura Ramirez, Council Member

Planning & Zoning Commission

Armando León, Chairman

Daniel Flores, Vice-Chairman

Ronald Rice, Commissioner

Juan Zazueta, Commissioner

Carlos A. "Andy" Lupercio, Commissioner

Julio Castillo, Commissioner

Lorena Zendejas, Commissioner

(Agustin Tumbaga, Past Commissioner)

(Alfredo Caro, Past Commissioner)

CITY STAFF

Bill Lee, City Manager/City Clerk

Carmen Juarez, Community Development Director

Samuel Palacios, Public Works Director

Louie Galaviz, Parks & Recreation Director

Adan Garcia, Building Inspector/Code Enforcement

Paul De Anda, Fire Chief

Louie Carlos, Fire Inspector/Investigator

Ralph Villa, Finance Director

Mike Paredes, Economic Development Director

CONSULTANT TO THE CITY

RBF Consulting,

A Company of Michael Baker Corporation

Kevin Kugler, AICP, Project Principal

Matthew Klyszeiko, AICP, Project Manager

Evan Fisher, Project Planner

Table of Contents

SECTION 10 – SUBDIVISION ORDINANCE	10-1
10.1. Introductory Provisions	10-1
10.1.1. Short Title	10-1
10.1.2. Purpose and Intent.....	10-1
10.1.3. Adoption of Exhibits	10-1
10.1.4. Authority.....	10-1
10.1.5. Jurisdiction	10-1
10.1.6. Severability	10-1
10.1.7. Effective Date.....	10-2
10.2. Subdivision Administration	10-2
10.2.1. Administration.....	10-2
10.2.2. Compliance Required	10-2
10.2.3. Conflicting Regulations	10-3
10.2.4. Processing Fee	10-3
10.2.5. Prohibition of Circumvention.....	10-3
10.2.6. Modifications	10-3
10.2.7. Vacation of Plats	10-4
10.2.8. Violation and Penalties.....	10-4
10.3. Platting Procedures and Requirements	10-5
10.3.1. Outline of Procedures and Requirements.....	10-5
10.3.2. Stage 1: Pre-Application Conference	10-5
10.3.3. Stage 2 – Preliminary Plat Application	10-6
10.3.4. Stage 2A – Preliminary Plat Review and Recommendation	10-11
10.3.5. Stage 2B – Preliminary Plat Approval	10-12
10.3.6. Stage 3 – Final Plat Application.....	10-13
10.3.7. Stage 3A – Final Plat and Improvement Plan Review and Recommendation.....	10-18
10.3.8. Stage 3B – Final Plat Approval.....	10-18
10.3.9. Stage 4 – Recordation of Plat.....	10-19
10.3.10. Replats (Re-subdivision Final Plat).....	10-20
10.3.11. Abandonment of Recorded Subdivision (Reversion to Acreage Map).....	10-20
10.3.12. Failure to Proceed	10-20
10.3.13. Condominium Subdivisions	10-20
10.4. Assurance for Completion and Maintenance of Improvement	10-22
10.4.1. Assurance for Completion of Improvements.....	10-22
10.4.2. Duration.....	10-23
10.4.3. Default	10-23
10.4.4. Inspection of Improvement.....	10-24
10.4.5. Acceptance of Improvements	10-24
10.4.6. Warranty Period on Public Improvements	10-24
10.5. Standards of Subdivision Design	10-25
10.5.1. Purpose.....	10-25
10.5.2. General Provisions	10-25
10.5.3. Street Location and Arrangement	10-26
10.5.4. Street Design.....	10-27
10.5.5. Pedestrian Circulation Systems	10-30
10.5.6. Blocks	10-30
10.5.7. Lots.....	10-30
10.5.8. Lot Improvements	10-31
10.5.9. Lot Dimensions.....	10-31
10.5.10. Lot Drainage.....	10-31
10.5.11. Double Frontage Lots.....	10-32
10.5.12. Lot Divided by Boundary Line.....	10-32
10.5.13. Public Service Installation	10-32
10.5.14. Fire Protection.....	10-32
10.5.15. Utilities	10-32
10.5.16. Dangerous Areas.....	10-34

10.5.17.	Exclusions	10-34
10.5.18.	Permanent Access to Subdivision	10-34
10.5.19.	Flood Control Facilities	10-34
10.5.20.	Subdivision Perimeter Wall Standards	10-34
10.5.21.	Protective Fence	10-35
10.5.22.	Subdivision Monuments.....	10-35
10.5.23.	Flood Plains.....	10-35
10.5.24.	Sidewalks	10-35
10.5.25.	Signage.....	10-35
10.6.	Residential Design Guidelines	10-36
10.6.1.	Purpose and Intent.....	10-36
10.6.2.	Goals	10-36
10.6.3.	Lots and Street Design Alternatives	10-36
10.6.4.	Open Space and Landscaping Design Alternatives	10-38
10.6.5.	Residential Appearance Requirements	10-38
10.6.6.	Residential Appearance Alternatives.....	10-39
10.6.7.	Standards for Small-Lot Single-Family Detached Residential Subdivisions	10-39
10.7.	Storm Water Runoff	10-40
10.7.1.	Purpose.....	10-40
10.7.2.	Methods of Handling Storm Water	10-41
10.7.3.	Design Standards for Handling Water	10-41
10.7.4.	Building Floor Elevations	10-44
10.7.5.	Approval	10-44
10.7.6.	Drainage Report.....	10-44
10.7.7.	Definitions	10-44
10.8.	Minor Land Divisions	10-46
10.8.1.	Applicability	10-46
10.8.2.	General Provisions and Exceptions	10-46
10.8.3.	Procedure for Approval of Minor Land Divisions.....	10-46
10.9.	Language and Definitions	10-48
10.9.1.	Rules of Language	10-48
10.9.2.	Definitions	10-48

SECTION 10 – SUBDIVISION ORDINANCE

10.1. INTRODUCTORY PROVISIONS

10.1.1. Short Title

For the purpose of identification, the official title of this ordinance shall be the “City of Somerton Subdivision Ordinance,” hereinafter referred to as the “Subdivision Ordinance.”

10.1.2. Purpose and Intent

- A. The purpose of this section is to provide for the public health, safety, and general welfare of the City of Somerton by regulating the subdivision of land: to insure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply and distribution, drainage and flood control, sanitary sewerage, and other health requirements; to insure and facilitate reservation of sites for schools, recreation facilities, and other public purposes; to promote conveyance of land by accurate legal description; and to provide practical procedures for the achievement of this purpose.
- B. In the interpretation and application of this ordinance, it is intended that a common ground of understanding and a sound and equitable working relationship exist between the public and private interests and to this end, the independent and mutual objectives of the public and private interests can be achieved in the subdivision of land.

10.1.3. Adoption of Exhibits

All exhibits and/or maps within this ordinance are hereby adopted and shall be incorporated herein as a part of this ordinance.

10.1.4. Authority

The City of Somerton Subdivision Ordinance is authorized by ARS§ 9-463.01

10.1.5. Jurisdiction

These regulations shall govern the subdivision of all land in the City of Somerton.

10.1.6. Severability

If any section subsection sentence, clause, or phrase of the ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Somerton hereby declares that it would have passed each section, subsection, sentence, clause and phrase of this ordinance irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases hereof be declared invalid or unconstitutional. No liability shall be created on the part of the City of Somerton or any district, office, or department or employee thereof for any damages that may result from the application of these regulations or any administrative decision made there under.

10.1.7. Effective Date

These Subdivision Regulations shall become effective beginning upon adoption by the City of Somerton City Council and remain in full force here after.

10.2. SUBDIVISION ADMINISTRATION

10.2.1. Administration

- A. The City of Somerton Planning and Zoning Commission is hereby authorized to receive process and otherwise act upon application of preliminary subdivision plats in accordance with these regulations. The Development Review Committee and the Zoning Administrator are hereby designated to advise the Commission and the City Council and charged with the duty of investigating and reporting upon matters referred to them in accordance with these regulations.
- B. No final plat of subdivision shall be received by the Planning and Zoning Commission and accepted by the City Council unless it conforms to the provisions of these regulations and to the provisions of the Zoning Ordinance for the City of Somerton.
- C. All applications for action under this ordinance shall be filed initially with the Community Development Department or Zoning Administrator for processing in accordance with this ordinance.

10.2.2. Compliance Required

- A. The division of land, whether by subdivision plat, minor land division, and/or lot split, shall comply with this Subdivision Ordinance; the Zoning Ordinance of the City of Somerton; any Zoning Conditions attached to the property being divided; any development agreements; the goals and objectives of the City's adopted General Plan; the Engineering Standards; requirements set forth in the City of Somerton Code of Ordinances; and all other applicable Federal, State, and/or local laws, ordinances, codes, rules, regulations, policies and/or guidelines.
 - 1. Concurrent Processing. If a proposed preliminary plat is inconsistent with the requirements for the zoning district in which the property is located and/or any zoning conditions or stipulations attached to the property ("zoning"), the City will concurrently process the application for the proposed preliminary plat and an application to amend the zoning (rezone) as generally described herein and as further described in the Somerton Zoning Ordinance. The Department shall not accept the submission of the preliminary plat until an application to amend the zoning on the property being platted has been submitted by the property owner or an authorized agent of the property owner. If the ordinance amending the zoning on the property has not been enacted or taken effect prior to the expiration of the substantive review time frame adopted for the review of preliminary plat applications, the application shall be denied prior to the expiration of the substantive review time frame. No pre-development activity for a subdivision that occurs while an application for zoning amendment is pending, including, but not limited to, the processing of a preliminary plat, shall be construed as having been undertaken in reliance on a favorable determination of such zoning application.

10.2.3. Conflicting Regulations

Where this Ordinance imposes a greater restriction upon land utilization, land improvement or development, and land use than is imposed by existing provisions of law, ordinance, contract or deed, this Ordinance shall control.

10.2.4. Processing Fee

The sub-divider shall, at the time of filing, pay to the city the subdivision application fees for water, sewer, sanitation services and all other applicable fees as established by the City Council by resolution.

10.2.5. Prohibition of Circumvention

- A.** It is unlawful for any person to offer to sell or lease, to contract to sell or lease or to sell or lease any subdivision or part thereof until a final plat thereof in full compliance with provisions of this section and of any subdivision regulations which have been duly recorded in the office of the County Recorder, is recorded in the office of the Recorder, except that this shall not apply to any parcel or parcels of a subdivision offered for sale or lease, contracted for sale or lease or sold or leased in compliance with any law or subdivision regulation regulating the subdivision plat design and improvement of subdivisions in effect at the time the subdivision was established. The County Recorder shall not record a plat unless the plat has been approved by the Council.
- B.** No person, firm or corporation shall divide any lot, piece or parcel of land for the purpose of financing, or sell or lease, or offer for sale or lease which:
 - 1. Is within a subdivision as defined in this section without first having recorded a plat thereof in accordance with the provisions of this chapter; or
 - 2. Is not within a subdivision as defined in this section without first having obtained approval by the Community Development Director as provided in this chapter.
- C.** No building permit shall be issued for construction on any lot, piece or parcel of land which is not a part of a recorded subdivision plat or has not been approved by the Community Development Director in accordance with the provisions of this chapter.

10.2.6. Modifications

- A.** Where, in the opinion of the Council, there exists extraordinary conditions of topography, land ownership or adjacent development or other circumstances not provided for in this chapter, the Council may modify these regulations in such manner and to such extent as it may deem appropriate to the public interest.
- B.** In the case of a plan and program for a complete community or a complete neighborhood, the Council may modify these regulations in such manner as appears necessary and desirable to provide adequate space and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated and may require stipulations to assure conformance with the achievement of the plan.

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

10.2.7. Vacation of Plats

- A. Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a Council Resolution, to which a copy of such plat shall be attached, declaring the same to be vacated.
- B. If no lots in a subdivision, for which a final plat has been approved and recorded, have been sold within five (5) years from the date of recordation, or if none of the improvements have been made in accordance with the assurance for completion of improvements, the Council may on its own motion hold a public hearing after notice to determine whether the approval of such Final Plat should be revoked. Such revocation shall be effective upon recordation of a certified copy of such resolutions; and thereupon, all streets, rights-of-way and easements dedicated or offer for dedication by such plat shall be of no further force or effect.
- C. When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat, by petitioning the Council for consideration of the revocation of all or portions of the plat.
- D. Any action considered by the Council relating to the revocation of all or part of a subdivision plat, whether lots or lots and rights-of-way, shall be referred to the City Planning and Zoning Commission for evaluation of at least the following:
 - 1. Correlation of the City General Plan.
 - 2. Correlation with proposed development in adjacent areas.
 - 3. Recommendation as to whether or not zoning changes should accompany such action.
 - 4. Effect of such action on existing development in areas affected by the proposed reversion or abandonment.
 - 5. Effect of such action on existing or proposed public utilities. (5)
- E. Any action taken by the Council on the revocation of a plat or any part thereof, shall be documented by Resolution, and said Resolution shall be recorded in the Office of the Yuma County Recorder. The recordation of this Resolution shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications or easements laid out or described in such plat except as specifically identified in the Resolution.

10.2.8. Violation and Penalties

A. Legal Procedure

Any building or structure erected or maintained on a lot or parcel of land that is subject to this ordinance, created or established subsequent to this ordinance becoming effective, that is contrary to the provisions of this ordinance shall be and the same is hereby declared to be unlawful and a public nuisance and the City Attorney shall, upon order of the City Council, immediately commence action or actions, proceeding or proceedings for the abatement, removal and enjoinder thereof, in the manner provided by law; and shall take such other

steps, and shall apply to such court or courts as may have jurisdiction to grant relief as will abate or remove such building or structure.

B. Remedies

All remedies provided for herein shall be cumulative and not exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures or improvements, nor prevent the enforced correction or removal thereof.

C. Penalties

It is unlawful for any person, firm, or corporation to violate, or cause the violation of, any provision of this ordinance. Any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a class one misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500) or by imprisonment for not more than six (6) months or by both such fine and imprisonment. Each separate day or part thereof during which any violation of this ordinance occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

10.3. PLATTING PROCEDURES AND REQUIREMENTS

10.3.1. Outline of Procedures and Requirements

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

Stage 1: Pre-Application Conference

Stage 2: Preliminary Plat Application

Stage 2a: Preliminary Plat Review and Recommendation
Stage 2b: Preliminary Plat Approval

Stage 3: Final Plat Application

Stage 3a: Final Plat Review and Recommendation
Stage 3b: Final Plat Approval

Stage 4: Recordation of Plat

This procedure may be modified by the City based on unique or extraordinary circumstances. The following subsections depict the different stages of the process and the necessary actions to be taken with each stage.

10.3.2. Stage 1: Pre-Application Conference

The pre-application conference stage of the subdivision process is an investigatory period that affords the sub-divider the opportunity to present their development intentions and obtain preliminary advice and assistance from the appropriate City departments prior to the expense of preparing a preliminary plat. It also affords the City the opportunity to conduct a cursory review of the proposed subdivision and give preliminary guidance at a time when potential land development points of conflict can be most easily resolved, subsequent relations improved, official action simplified, and undue expense and delay saved by the sub-divider.

- A. In carrying out the pre-application stage, the sub-divider and the department shall be responsible for the following actions:
1. **Actions by the sub-divider.** The sub-divider shall request a pre-application conference by submitting a completed pre-application form to the Community Development Department. Applicants shall submit their completed pre-application form at least fourteen (14) days prior to the desired pre-application meeting date. In addition to the pre-application form, the sub-divider shall provide a general outline of his proposal, including, but not limited to:
 - a. Sketch plans and ideas regarding land use, street and lot arrangement, tentative lot sizes.
 - b. Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.
 2. **Actions by the Department.** Prior to the scheduled pre-application meeting the Department will review the submitted preliminary application material and, depending upon the scope of the proposed development, will proceed with the following investigations:
 - a. Check existing zoning of the tract and make recommendations if a zoning change is necessary or desirable.
 - b. Determine the adequacy of existing proposed schools, parks and other public spaces.
 - c. Inspect the site or otherwise determine its relationship to major streets, transit services, bicycle and pedestrian facilities, utility systems, and adjacent land uses and to determine any unusual problems, such as topography, utilities, flooding, etc.

During the pre-application conference the Department will then discuss the proposal with the sub-divider; provide advice on procedural steps, design and improvement standards, general plat requirements, and discuss tentative timetables for the project.

10.3.3. Stage 2 – Preliminary Plat Application

The preliminary plat stage of land and airspace subdivision includes detailed planning, submittal, review, and approval of the preliminary plat. This stage is intended to resolve all major issues pertinent to the land development according to the City's policies, standards and requirements. To avoid delay in processing the application, the sub-divider shall provide the City with all essential information in accordance with the procedures generally described herein.

A. **Submittal Requirements**

The following information is required as part of the preliminary plat submittal and shall be shown graphically on the plans, by notes on the plans, or by supporting documentation supplied as part of the plan submittal, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn to a 40, 50, 60, 80 or 100 feet to the inch scale, whichever is most appropriate to clearly present necessary details, adjusted to produce an overall drawing measuring 24" x 36" and in conformance with requirements contained in this Ordinance and by the City Public Works Director and other reviewing agencies.

1. Five (5) copies/sets of the proposed preliminary plat prepared in accordance with requirements set forth in this chapter shall be filed with the Community Development Director. Submission shall include applicable application form, a statement identifying the type of assurance that will be made for the completion of improvements and fees as established in the City of Somerton fee schedule. Copies of the preliminary plat shall be reproduced in the form of black line prints on a white background. Scheduling of the case for Development Review Committee (DRC) meeting shall be dependent upon adequacy of data presented and completion of processing.
 - a. All preliminary plat submittals shall provide "identification and descriptive data", "existing conditions data", "proposed conditions data", and "proposed utility methods" information by graphic representation or note as further outlined in subsection 10.3.3.B.
2. If the proposed preliminary plat is within a Planned Development (PD), ten (10) copies of the approved PD site plan shall also be submitted as supporting documentation.
3. Submit two (2) copies of the preliminary drainage report in a separate bound folder. Prepared in compliance with Public Works Standards for Yuma County Volume I and III as well as the Yuma County Flood Control District.
4. Submit two (2) copies each of the preliminary water and sewer report in separate bound folders. Prepared in compliance with the City of Somerton Standards, Yuma County Environmental Programs Division and the Arizona Department of Environmental Quality.
5. Submit two (2) copies of the preliminary landscape plan for all off site, open space, trails, and retention area landscaping. Prepared in compliance with subsection 4.4.3 of the Somerton Zoning Ordinance.
6. Submit two (2) copies of the preliminary traffic impact analysis report (TIA), as required by the City due to the volume of traffic or other traffic related issues generated by the proposed project. Prepared in compliance with Public Works Standards for Yuma County Volume I.
7. Submit two (2) copies of the preliminary geotechnical report, as required by the City, in a separate bound folder. Prepared in compliance with City of Somerton Standards and the Public Works Standards for Yuma County.
8. Submit two (2) copies of the Environmental Site Assessment, as required by the City to identify the presence of any hazardous waste sites on the subject property and evaluate the future use of the site. Prepared in compliance with the City of Somerton Standards, Yuma County Environmental Programs Division and the Arizona Department of Environmental Quality.
9. As required by the City Submit documentation that a site records check, for potential cultural resources, has been conducted in conjunction with the State Historic Preservation Office.
10. One (1) CD containing electronic PDF copies of all submittal information.

B. Preliminary Plat Preparation

The following information shall be delineated on the preliminary plat except those items determined by the staff as not being pertinent to a particular parcel/tract.

1. Identification and Descriptive Data

- a. The proposed name of the subdivision shall be clearly indicated and include the location by section, township and range with reference by dimension and bearing to two (2) section or quarter section corners. Basis of bearings and elevation must be stated on the plat.
- b. Name, address, phone number, and seal of registered land surveyor preparing the preliminary plat and the registered civil engineer preparing the improvements.
- c. Name, address, and phone number of developer and/or sub-divider.
- d. Scale, north point (pointing up or to the right), and date of preparation including any subsequent revision dates.
- e. Location map at 1" = 1000' or 1" = 2000' which shall show the relationship of the proposed subdivision to arterial and collector streets.
- f. A surveyed boundary (i.e. legal description), including distances, lengths and bearings and the total size (acreage) of the proposed subdivision.

2. Existing Conditions Data

- a. Contours with maximum interval as follows: Slope Interval

Table 10.3-1: Slope Interval	
Slope	Interval
1-2%	2'
3-9%	5'
10% plus	10'

Contours shall be shown extending a minimum of fifty feet (50') from the external boundaries of the proposed development so to adequately reflect the character and drainage of the land. Copies of USGS Maps are not acceptable.

- b. Location of fences, existing structures, wells, canals, irrigation materials, private ditches (open or covered), washes, stock ponds or other water features and characteristics that could have a bearing on the review.
- c. Location, direction of flow, and extent of areas subject to flooding or storm runoff must be defined, whether such inundation is frequent, periodic, or occasional.
- d. Location, widths and type of any and all easements (public and private) of public record of all private and public streets of public record that may exist around the perimeter of the site, through or across it. Show any permanent structures that are to remain, including water wells and public or private utility lines within, adjacent to, or extending from the proposed development.

- e. Show all driveways, streets and median openings within three hundred twenty five feet (325') of any proposed driveway or street intersection on the opposite side of the perimeter streets.
- f. Name, book, and page numbers of any recorded subdivision adjacent to or having common boundaries with the proposed development.
- g. The existing base zone of the subject and adjacent parcel(s), the zoning case number, if any, and the case number of the approved PD of which the proposed development is a part, if applicable.
- h. The gross acreage of the subject parcel(s). Do not include previously dedicated rights of way in this figure.
- i. Boundaries and dimensions of the parcel(s) to be subdivided shall be fully dimensioned.
- j. Engineers' calculations for each tributary area of the runoff for 10-year, 50-year and 100-year frequency storms. The values to be indicated along the boundary of the parcel for all points of drainage entering and exiting the property.

3. Proposed Conditions Data:

- a. Street layout, including design cross section, preliminary curve data, curve lengths, proposed street names based on existing projected alignments wherever possible, and pedestrian connections to adjoining developments.
- b. Typical lot dimensions (scaled), dimensions of all corner lots, lots on curvilinear sections of streets, and all lots where the number of sides exceed four (4). Each lot shall be numbered individually and the total number of lots or dwelling units provided. Where plats will consist of a number of units/phases, utilizing the same subdivision name, the lot numbering shall be consecutive through the total number of lots or units.
- c. Submit a lot statistical table.
- d. Designation of all land to be dedicated or reserved for open space, parks, schools, well sites, or other public or private use with use indicated.
- e. If multiple uses are planned (multiple residential, commercial, industrial, or office), such areas shall be clearly designated, together with existing zoning classification and status of zoning change, if any.
- f. If the subdivision is larger than 40 acres or the developer is planning to plat the proposed development in phases, development phasing plans must be so indicated. If the developer later decides to phase the development, it will be necessary to resubmit for a second review.
- g. Show minimum setback lines. Where there are lots with more than four (4) sides or whose shape may be considered atypical, show all setbacks.
- h. Submit subdivision fencing detail, if applicable, depicting the type of fencing being proposed; including elevations, and general locations.

- i. Proposed storm water disposal system, preliminary calculations, and layout of proposed drainage system. The direction of proposed street drainage to be indicated by arrows on the plat; and, if required by the city, a proposal to provide for the retention of storm water generated on the property. Retention of storm water to comply with Yuma County Flood Control District requirements and the design standards of this chapter.
- j. Compliance with rules as may be established by the state department of environmental quality and/or state department of water resources relating to the provision of domestic water supply and sanitary sewerage disposal.

4. Proposed Utility Methods

- a. Sewage Disposal: A statement as to the type of facilities proposed shall appear on the preliminary plat. Also show the preliminary sewer layout indicating line sizes and manhole and cleanout locations.
- b. Water Supply: A statement as to the assured water supply for the development shall appear on the preliminary plat. Subdivisions having lots less than one (1) net acre in area shall be provided with a complete water distribution system which will adequately serve the subdivision in the opinion of the political entity and agencies having jurisdiction. The preliminary layout of the water system shall be shown, indicating fire hydrants, valves, meter vaults, water line sizes and locations.
- c. Electric Supply: A statement as to the electric supply for the development shall appear on the preliminary plat. Any necessary easements shall be shown on the preliminary plat.
- d. Gas Supply: A statement as to the gas supply for the development shall appear on the preliminary plat. Any necessary easements shall be shown on the preliminary plat.
- e. Telephone Service: A statement as to the telephone service for the development shall appear on the preliminary plat. Any necessary easements shall be shown on the preliminary plat.
- f. Garbage Service: A statement as to the garbage service for the development shall appear on the preliminary plat.
- g. Cable Television: If applicable, a statement as to the cable television service for the development shall appear on the preliminary plat.

C. Preliminary Plat Filing Fee

The sub-divider shall, at the time of filing, pay to the Community Development Department the preliminary plat application fee(s) as specified on a separate fee schedule adopted by the City Council.

D. Date of Filing

The date of filing a preliminary plat shall be fixed as the date on which all of the maps and information required by the Subdivision Ordinance have been filed, as determined by the staff and the required fees have been paid.

10.3.4. Stage 2A – Preliminary Plat Review and Recommendation

The Development Review Committee (DRC) shall review the preliminary plat and supporting documentation for compliance with the applicable requirements in accordance with the procedures generally described herein.

A. Completeness Review

The submittal shall be checked by the city for completeness and assigned a case number; if incomplete as to those requirements set forth in this Ordinance, the submittal shall be rejected and the sub-divider notified within fifteen (15) days of the date the application was received.

B. Preliminary Plat Distribution

Upon receipt of a complete preliminary plat application, the City shall forward one (1) copy and/or digital file of the preliminary plat to each of the following, as applicable to obtain additional comments: each member of the DRC, any adjacent municipality, community services, school or other duly authorized district, and to any utility company serving the area within its facilities. The staff may change the reviewing agencies and number of copies required to be filed as may be necessary.

C. Preliminary Plat Review and Recommendation

1. The DRC and all other notified agencies shall review the plat for matters within their jurisdiction and promptly report their recommendations in writing to the Community Development Director who shall check the plat for conformity to this Ordinance. If additional questions about the plat are presented by any reviewing agency, staff may arrange a project review meeting with that agency to discuss said questions with the applicant or applicant representative.
2. The failure of any officer, department, municipality, district or agency to report to the Commission in writing within 30 days after transmittal of the preliminary plat shall be deemed as an approval; except that an additional five (5) days shall be granted upon the written request of any duly authorized person or agency.
3. When all replies have been received, or the specified date of reply reached, the Community Development Director shall prepare a correlated report, including all comments from each reviewing agency and forward a copy to the sub-divider and/or authorized agent. The Department's comments shall identify areas in which the preliminary plat submission, which includes the preliminary plat and all required supporting documentation, requires revision in order to comply with applicable requirements.
4. The sub-divider shall be responsible for revising the preliminary plat submission in accordance with the comments provided by the Department. The response to the Department's comments shall be in writing and in the manner and format requested by the Department.
5. Once preliminary plat is in conformance with these regulations, the Community Development Director shall schedule the review of the preliminary plat by the Planning and Zoning Commission at their next regularly scheduled public meeting.

10.3.5. Stage 2B – Preliminary Plat Approval

A. Review by Planning and Zoning Commission

The Commission shall hold a public hearing to review the preliminary plat and recommend to approve, approve with conditions, or deny said plat.

B. City Council Review and Action

The Council shall hold a public hearing to review the preliminary plat and approve, approve with conditions or deny said plat.

C. Conditions of Preliminary Approval

1. The sub-divider or his agent, and his engineer shall be present at each meeting. The sub-dividers engineer may act as agent.
2. The Council may impose conditions on the approval of the preliminary plat and/or on the approval of any extension of a preliminary plat approval as the Council deems necessary to implement the requirements of any federal, state, and/or local law, ordinance, code, rule, regulation, policy and/or guideline; to protect the public from potential adverse impacts from the proposed development; or to fulfill an identified need for public services. The conditions of approval
3. When in the opinion of the Council the location of the proposed subdivision is such that a significant impact may develop between future residents of the subdivision and existing land uses in the vicinity, appropriate special easements dedicated to adjacent property owners may be required of the sub-divider prior to recording of the final map. These easements may provide for the continued occasional generation of smoke, odors, noise, dust and spraying of pesticides as necessary.
4. The action of the City Council shall be communicated in writing to the sub-divider. Conditions of approval or disapproval shall be noted in the Council meeting minutes and in a written correspondence provided to the sub-divider.

D. Significance of Preliminary Approval

Preliminary plat approval constitutes authorization for the sub-divider to submit the final plat and the improvement plans and specifications for the proposed project. Preliminary approval is based on the following terms:

1. The basic conditions under which preliminary approval of the preliminary plat is granted will not be substantially changed prior to the expiration date.
2. After approval of the preliminary plat by the Council, the sub-divider shall, within one (1) year, cause a final plat of the subdivision or any part thereof to be prepared in accordance with a complete survey of the subdivision and in compliance with the approved preliminary plat within the provisions of this Ordinance.
 - a. Upon application by the sub-divider, the Council may grant an extension for submission of the final plat of one (1) year. In the event the Council denies a sub-divides application for extension, the decision shall be final.
 - b. If the sub-divider fails to record a final plat for any phase of the preliminary plat within one (1) year, the preliminary plat approval will expire unless the sub-divider applies for and receives an extension from either the City Council.

- c. Any application of a Sub-divider for such extension of time for the recording of a final plat tract map shall be made in writing to the Council not less than 30 days prior to the expiration of the time allowed.
 3. Conditional approval of a preliminary plat shall not constitute approval of the final plat. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat which will be submitted for approval of the City Council upon fulfillment of the requirements of these regulations and the conditions of the conditional approval.
- E. Appeals**
1. The decision of the Council to approve, approve with conditions or deny the preliminary plat shall be final.
 2. Whenever standards of subdivision design or subdivision improvement standards are requested to be modified or altered, application shall be made in writing on a form provided by the Community Development Department, stating fully the reasons for the application and the facts relied upon by the sub-divider. The City Council may, after receiving a recommendation from the Community Development Director and Public Works Director, allow a modification from the subdivision regulations, provided facts are presented to the satisfaction of the Council, that the modifications will not be detrimental to the public welfare or injurious to other property in the vicinity.
- F. Preliminary Plat Required Re-subdivision**
- A preliminary plat showing data and information required by this section shall be required when the re-subdivision of a lot, lots, tracts, or parcels previously recorded as a subdivision or portion of a subdivision results in three (3) or more additional lots, tracts or parcels.
- G. Re-Filing Following Disapproval**
- In the event that a preliminary plat is disapproved by the Council, a new preliminary plat of the same area or portion thereof may only be filed, within six (6) months of the date of disapproval, if the re-submittal is not in substantial conformance to the original application. The applicant shall be required to submit a new preliminary plat application, including fees and shall adhere to the same review process.

10.3.6. Stage 3 – Final Plat Application

This stage includes the final design of the subdivision, engineering of the public improvements, and submittal by the sub-divider of the final reports and plans for all of the required subdivision improvements to the City for approval; including the submittal of the final plat for review and action by the City Council.

A. Submittal Requirements

The final plat shall be presented in accordance with requirements set forth in this section, and shall substantially conform to the approved preliminary plat and any other applicable federal, state, and/or local law, ordinance, code, rule, regulation, policy and/or guideline.

The following required information shall be shown graphically on the plans, by notes on the plans, or by supporting documentation supplied as part of the plan submittal, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at a scale no smaller than 100 feet to the inch (80 feet to the inch is preferred), adjusted to produce an overall drawing measuring 24" x 36".

The Department may request additional information, and may, during the final plat review process, modify or waive submission requirements as deemed appropriate to the size or nature of the subdivision.

1. **Final Plat.** The sub-divider shall file with the City the original and three (3) full size (24"x36") black line copies of the final plat along with copies of the approved PD (if applicable) for final review by the City, together with a letter of transmittal, indicating "Final Plat Review Requested"
 - a. All final plat submittals shall provide "identification data", "survey data", "descriptive data", and "dedication and acknowledgement" information by graphic representation or note as further outlined in subsection 10.3.6.B.
 - b. If the developer is planning to construct the proposed development in phases, the developer must submit separate final plats for each phase of the project. Project phases shall be consistent with the development phasing plans approved with the preliminary plat.
2. **Improvement Plans.** Improvement plans, reports and other documents, shall be prepared and submitted, both in hardcopy and electronic PDF format, in accordance with the procedures and standards outlined below and in compliance with the Somerton Adopted Standards for Construction.
 - a. **Grading and Drainage Plans and Report.** Original and four (4) prints and a narrative report that details the proposed street grades, proposed storm water retention system, street sectional details, and storm water calculations designed in compliance with this Ordinance and all applicable City, State, and County regulations.
 - b. **Paving Plans.** Original and four (4) prints of a map showing the plan view and profile of the proposed on- and off-site street improvements and pavement cross section designed in compliance with this Ordinance and all applicable City, State, and County regulations.
 - c. **Water and Sewer Plans and Report.** Original and four (4) prints of a map and a narrative report that details the proposed water and sewer distribution system designed in compliance with this Ordinance and all applicable City, State, and County regulations.
 - d. **Landscape plans.** Original and one (1) print of the Final Landscape Plans that detail the proposed landscape design in compliance with this Ordinance and all applicable City, State, and County regulations.
3. **Development Agreement.**
 - a. Following preliminary plat approval and prior to construction of any infrastructure within any development to which these regulations are applicable, the City Manager may require an applicant to enter into a Development Agreement with the City that shall govern the Subdivision if there are any public improvements, pro rata payments, escrow deposits or other future considerations, or if the City participates in the cost of any public improvements, there are nonstandard development regulations or for any other reason he considers applicable.

- b. The City Manager shall prescribe the application form, documents, notice and approval process required for the preparation and implementation of each development agreement.
 - 4. **Dedications.** All streets, highways, alleys and parcels of land shown on the final plat and intended for any public use, shall be offered for dedication. Such dedications shall be free of all and any encumbrances incurred subsequent to the date of filing of a final plat.
 - 5. **Deed Restrictions.** The subdivision covenants, conditions and restrictions (CC&R's) shall be submitted to the City for review as part of the final plat and improvement plan submittal package. Said covenants shall provide the method of assurance that the proposed streets, landscaping, storm drainage facilities and other assets of the subdivision will be maintained in perpetuity. This includes the raising and, expenditure of funds necessary for the maintenance of any private streets shown on the map. Said covenants shall also provide for the enforcement of yard and private land use regulations proposed to be established and for their amendment.
 - 6. **Title Report.** Evidence of title, which shall be in the form of a Certificate of title, a Preliminary Title Report or a Policy of Title Insurance issued by a Title Company authorized by, the laws of the State of Arizona to write the same, showing the names of persons having any interest and any record title interest in the land to be subdivided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on such final map of land, the said Certificates of title or Policy of Title Insurance shall be presently defined in A.R.S. § 20-1562, as amended.
 - 7. **Final Plat and Improvement Plan Filing Fee.** The sub-divider shall, at the time of filing the application(s) for the final plat and improvement plans, pay the City the final plat application fee and improvement plan review fee in accordance with a separate fee schedule adopted by the City Council.
- B. Final Plat Preparation**
- The following information shall be required as part of the final plat submittal.
- 1. **Identification Data**
 - a. A title which includes the name of the subdivision and its location by number of Section, Township, Range, and County.
 - b. Name, address and seal of the Arizona-Registered Land Surveyor preparing the final plat.
 - c. Scale, north arrow, and date of final plat preparation.
 - d. Sheet number in relation to total sheet count.
 - e. The name, address and telephone number of the property owner.
 - f. Name, address and seal of the Arizona registered civil engineer responsible for the engineering of the proposed subdivision.

2. Survey Data

- a. The corners of the plat shall be located on the monument lines of abutting streets; boundaries of the parcel(s) to be subdivided fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field. The surveyor of record shall also provide a copy of the computer closure, properly stamped and signed showing registration number. All dimensions shall be expressed in feet and decimals thereof.
- b. Any excepted parcel(s) within or surrounded by the plat boundaries shall be noted as "Not a Part of This Subdivision" and show all bearings and distances of the excepted parcel as determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.
- c. Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two separate corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter-section corners. All subdivision survey data including boundary bearings and distances and lot closure and area calculations shall be submitted to the City by an Arizona registered Land Surveyor.
- d. A statement labeled "Map Notes" shall be shown on one sheet of the final plat. Such statements shall include the basis of bearings, what monuments were found, what monuments and pints were set, a key to symbols and abbreviation and such other information deemed by the Public Works Director to be necessary.
- e. Location of all physical encroachments upon the boundaries of the tract.
- f. Total subdivision gross acres, benchmark information and basis of bearing information.
- g. Total number of lots, tracts and parcels, and the size, in square feet, of each lot, tract or parcel. The size of lots, tracts or parcels greater than ten acres in size may be expressed in acres.

3. Descriptive Data

- a. Names, centerlines, right of way lines, courses, length and width of all public streets, alleys, pedestrian ways, and utility easements; radii, point of tangency, curve lengths, and central angles of all curvilinear streets, and alleys, radii of all rounded street line intersections shall be shown on the plat.
- b. Centerline data, width, sidelines and purpose of all easements to which the subdivision is subject shall be noted. Distances and bearings on the sidelines of lots which are cut by an easement shall be so shown as to indicate clearly the actual lengths of the lot lines. The width of the easements and the lengths and bearings of the lines thereof and sufficient ties to locate the easements definitely with respect to the subdivision shall be shown. The easement shall be clearly labeled and identified, and if already of record, proper reference to the records given. Easements being dedicated shall be so indicated in the Certificate of Dedication. Easements shall be shown on the map by broken lines.
- c. All drainage easements and/or tracts shall be shown on all residential plats. No structure shall be allowed in these easements that will obstruct drainage. All major drainage ways shall be dedicated drainage easements, right-of-way or tracts as

determined by the Public Works Director. Commercial and industrial plats which provide self-contained and privately owned underground drainage systems and structures shall be required to provide private drainage easements within their sites. Public drainage easements shall be required for all retention basins which accept drainage from a public street. Any channel or wash within a residential or commercial project site that has a Q100 storm event flow of 100 CFS or greater shall be contained within a drainage easement designated as a tract.

- d. All lots shall be numbered by consecutive numbers throughout the plat with no omissions or duplications. Each lot shall be shown in its entirety on one sheet. All "tracts" and "parcels" shall be designated, lettered, or named and clearly dimensioned; parcels which are not part of the subdivision shall be so designated. Ownership and maintenance responsibility for common open space areas and tracts shall be indicated on the plat.
- e. Intersecting lot lines, parcel numbers and current zoning of all adjacent property. Location of all adjoining City and County boundaries as well as subdivisions with name, date, book, and page number of recordation noted, or if unrecorded, so noted.
- f. Any proposed private deed restrictions to be imposed upon the plat or any part or parts thereof pertaining to the intended use of the land, and to be recognized by the city, shall be noted on the plat

4. Dedication and Acknowledgment

- a. Dedication. There shall be required as part of the final plat submittal a statement of dedication of all streets, alleys, drainage ways and drainage detention/retention basins, pedestrian/bicycle ways, equestrian trails and easements, and other easements for public use, including sanitation, utility, fire and other emergency related vehicles, executed by the person or persons holding title of record, by persons holding titles as vendees under land contract, by the spouse(s) of said parties, lien holders and all other parties having an interest in the property . If lands dedicated are liened, the lien holder shall also sign the plat. Dedication shall include a written location by Section, Township and Range, of the tract. If the plat contains private streets, a public easement shall be reserved which shall include the right to install and maintain utilities in any approved private street, including refuse collection, fire and other emergency services.
- b. Acknowledgment of Dedication. Execution of dedication shall be acknowledged and certified by a Notary Public.

C. Final Plat Distribution

Upon receipt of a complete final plat application, the City shall forward one (1) copy and/or digital file of the final plat and Improvement Plans to each of the following, as applicable to obtain additional comments: each member of the DRC, any adjacent municipality, community services, school or other duly authorized district, and to any utility company serving the area within its facilities. The staff may change the reviewing agencies and number of copies required to be filed as may be necessary.

10.3.7. Stage 3A – Final Plat and Improvement Plan Review and Recommendation

A. Final Plat Review and Recommendation

After issuance of a receipt for the final plat, improvement plans, accompanying supplementary data, and filing fee, the Community Development Director shall review the plat for substantial conformity to the approved preliminary plat, Subdivision Ordinance and City of Somerton Standards. If the submittal is complete, the Director shall distribute sets of the plans to the appropriate reviewing departments, agencies and utility companies as follows:

1. The Public Works Director, Development Review Committee and any appropriate agency or utility company shall conduct a plan check, an internal review of the final plat and improvement plans and if necessary, examine and approve any revisions required of the developer before forwarding the final plat and improvement plans and any review comments to the Community Development Director. If additional questions about the plat or improvement plans are presented by any reviewing agency, staff may arrange a project review meeting with that agency to discuss said questions with the applicant or applicant representative.
2. When all comments have been received the Community Development Director shall prepare a correlated report (if necessary), including all comments from each reviewing agency and forward a copy to the sub-divider and/or authorized agent. The Department's comments shall identify areas in which the final plat submission, which includes the final plat, improvement plans and all required supporting documentation, requires revision in order to comply with applicable requirements.
3. The sub-divider shall be responsible for revising the final plat submission and all improvement plans in accordance with the comments provided by the Department. The response to the Department's comments shall be in writing and in the manner and format requested by the Department.
4. No final plat shall be forwarded to the Council for final approval until improvement plans and the sub-dividers cost estimate have been approved by the Public Works Director.

10.3.8. Stage 3B – Final Plat Approval

A. Final Plat Approval Procedures

1. Upon final submittal by the sub-divider, the Community Development director shall initiate either of the following approval procedures:
 - a. If any changes are proposed to the final plat, which constitute changes in the number of lots, an altered access or traffic way or create a significant impact that would affect the approved preliminary plat, the Director shall require the final plat to first be reviewed and acted upon by the Commission, prior to final council approval.
 - b. If the final plat is in conformance with the preliminary plat and all applicable regulations, the Community Development Director shall place the item on the agenda of the next scheduled meeting of the Council, for consideration and final approval.

B. Council Approval

1. The Council shall consider the final plat and the Department's recommendations and may take action to approve, approve with conditions, or deny the final plat.

2. The decision of the Council to approve, approve with conditions or deny the final plat shall be final.

10.3.9. Stage 4 – Recordation of Plat

- A. Following City Council approval, the final plat shall not be recorded until all requirements of Subsection 10.4 Assurance for Completion and Maintenance of Improvements have been met to the satisfaction of the Public Works Director and the City Attorney.
- B. Prior to recordation, the sub-divider shall submit to the City the following fees and documents in a form acceptable to the City:
 1. A certification that a Development Agreement, if required, between the City and sub-divider has been executed.
 2. A letter of agreement between the serving utilities and the developer.
 3. Final plat recording fees.
 4. Three (3) identical copies of the Protective Covenants and Restrictions
 5. Proof of Boundary Closure
 6. One (1) original Mylar and two (2) Mylar copies of the Final Plat and all other easements, maps of dedication, warranty deeds and other legal documents that need to be recorded. The final plat shall measure exactly 24" x 36" with a left hand margin of 2 inches.
 7. The final plat should also be submitted as an electronic file. Maps should be submitted as PDF files and AutoCAD drawings files and conform to Yuma County Standards and Specifications for CAD drawings. All letters, figures, dedications, certificates, acknowledgements and signatures shall be made in black, waterproof India ink or equal. The net size of each sheet shall be 24 by 36 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one-half inch except the left margin which shall be two (2) inches.
 8. The final plat shall show all certificates and acknowledgements. They shall appear on the final plat or they may be combined on a separate Mylar of the same size as the final plat. Certificates and acknowledgements, which shall appear on final plats, may be prepared according to the format available from the Public Works Director. The notations that are standard on every final plat include, but are not limited to Assurance Statement, Conveyance and Dedication, Notary Acknowledgment, City Approval, Department Approval, and Surveyors Certification.
 9. If improvements are constructed, one (1) set of mylars and two (2) sets of black line copies of the as-built drawings along with a PDF format of the as-built drawings, a final engineering report, and a one-year construction assurance warranty to the City.
- C. Upon receipt of required recording fees and documents listed in subsection 10.3.9.A and B, the City shall then cause the final plat to be recorded in the office of the County Recorder.

- D. Certificate of recordation by the County Recorder is caused to be placed on the recording copies and filed in the office of the County Recorder. (Copies with book and page number can be requested by the subdivider for the County's standard fee).

10.3.10. Replats (Re-subdivision Final Plat)

- A. Any division of a lot in a recorded subdivision, or any change in lot lines in a recorded subdivision, shall be processed in accordance with Section 10.3.6 and 10.3.7 of this Ordinance, after a pre-application conference with City staff as provided in Section 10.3.2 of this Ordinance.
- B. Any replat involving the dedication of land for a public street or any off-site public improvements shall comply with all procedures set forth in Section 10.3.6 and 10.3.7 of this Ordinance. If the abandonment of a street, alley or public utility easement or other recorded easement in a previously recorded subdivision is necessary (Section 10.3.9), the replat of that area shall be processed concurrently with the abandonment and recorded immediately subsequent to the recordation of the abandonment.

10.3.11. Abandonment of Recorded Subdivision (Reversion to Acreage Map)

Pursuant to the provisions of Title 28, Article 14, Section 1, Sub-Sections 28-1901 through 28-1908, A.R.S., the abandonment of all or part of a recorded subdivision may be initiated by written petition to the City Council. All owners of real property in said subdivision requesting abandonment of all streets, alleys and easements within said subdivision and giving the legal description and recording information thereof shall sign the petition.

Applications for the abandonment of a recorded subdivision are filed with the Zoning Administrator and referred for recommendation to the appropriate City staff and utility companies. Procedures for approval of the abandonment are the same as for approval of final plats. After the City Council approval of the abandonment of any streets, alleys and easements within the subdivision, and after City Council approval of the abandonment resolution for the recorded subdivision, and after the abandonment resolutions are recorded with the County Recorder's Office, the subdivision is removed from the official maps.

10.3.12. Failure to Proceed

The sub-divider shall complete off-site improvements within one (1) year from the date of the final plat recording. Upon written application of the sub-divider the Public Works Director may consider a request for a one (1) year extension to complete improvements. In the event the Public Works Director denies the sub-divider's request for extension, the sub-divider may appeal within thirty (30) days of denial to the City Council. If sub-divider fails to complete construction of off-site improvements within one (1) year, or within two (2) years if an extension is granted, the City of Somerton may complete the construction of such off-site improvements by drawing upon the funds posted by the sub-divider for assurance.

10.3.13. Condominium Subdivisions

- A. The development of Condominiums shall be subject to the following requirements, unless as may be otherwise set forth in Title 33, Chapter 9 of the Arizona Revised Statutes.
- B. Application requirements, processing and approval regulations contained within this ordinance shall apply to all condominium subdivisions and/or conversion subdivisions. A preliminary site

plan shall be considered a Preliminary Plat and a final site plan, a Final Plat as specified under this subsection.

- C. In order for the condominium subdivision application to be considered complete, the applicant shall provide to the City any plans, specifications and/or analyses needed to show that the proposed condominium subdivision is in compliance with this Ordinance, the City of Somerton Zoning Ordinance, and any other applicable federal, state, and/or local law, ordinance, code, rule, regulation, policy and/or guideline.
- D. Condominium subdivision plats shall be certified by a registered architect or engineer and include the following:

1. Conversions of conventional apartment developments

- a. Preliminary Plats shall show, in addition to all information required by the Department checklist for site plans, the following:
 - i. location of all building shown on the plat and the manner in which the airspace is to be divided
 - ii. Firewall construction, if required by the Fire Code;
 - iii. Additional parking, if required;
 - iv. Retention basins, if required;
 - v. Additional open space, if required;
 - vi. Locations of individual utility lines and meters, if needed.
- b. Final Plats shall show:
 - i. location of all building shown on the plat and the manner in which the airspace is to be divided
 - ii. Private drives and parking areas;
 - iii. Required easements;
 - iv. Designation of commonly owned property;
 - v. Necessary dedication statement;
 - vi. Statement concerning the formation of a homeowner's association for the maintenance of the commonly owned property;
 - vii. Necessary certifications and approvals.
 - viii. As specified by the Public Works Director, but not limited to, grading plans, floor plans, elevations, and landscape plans

2. New developments

- a. Preliminary Plats shall show all of the information required by the Department site plan checklist;
 - b. Final Plats shall show all of the information required in subsection (1b) above;
- E. Upon final condominium subdivision approval and recordation, the owner of the condominium subdivision may build that condominium subdivision, including individual condominium units, using the exact dimensions and locations as shown on the final condominium subdivision plat map. However, if the owner proposes any changes to the dimensions or locations as shown on the final condominium subdivision plat map, including but not limited to the locations and dimensions of individual condominium units, the owner shall be required to re-subdivide the condominium subdivision, and the re-subdivision shall be required to be in conformance with the subdivision and zoning regulations in effect at the time of replat application.

10.4. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENT

10.4.1. Assurance for Completion of Improvements

- A. Upon submittal of the preliminary plat, the subdivider shall state the type of assurance that will be made for the completion of improvements in a subdivision.
- B. The subdivider or his agent shall furnish with the final plat an estimate of the cost of installing and/or constructing the required improvements, prepared by a Professional Engineer who is registered to practice in the State of Arizona. The Public Works Director shall review and approve the cost estimate before the subdivider's engineer's cost estimate is accepted as the basis for the amount of the surety required for completion of the subdivision improvements. All construction shall be inspected while in progress by the Public Works Department and must be approved in writing upon completion by the Public Works Director.
- C. No final subdivision plat shall be recorded by the City of Somerton unless one (1) or more of the following methods of assurance are submitted with the final plat. Said assurance shall be entered into in the form of a written agreement between the subdivider, the City of Somerton and the financial institution, title insurance escrow company, bonding agent or other third party. Said assurance shall cover water distribution system; sanitary sewer collection system; street grading, base course and asphaltic concrete paving; concrete curbs, gutters and sidewalks; drainage structures where required; street signs; survey monuments in streets including swing ties; lot corner monuments and other improvements required as a condition of approval.
 1. **Construction of Improvements Prior to Final Plat Recordation.** If the subdivider chooses to construct the required improvements prior to recording of the final plat, he shall submit the construction plans to the Public Works Director for approval, and a copy of a title report to the Community Development Director. Upon satisfaction by the Public Works Director that the improvements have been completed in accordance with the approved plans he shall schedule the improvements for acceptance into the City maintenance system by the Council. This shall be scheduled in conjunction with the approval of the final plat, in the case where the final plat has not already been approved. A final plat approval shall specify the time in which the subdivision improvements are to be completed.
 2. **Surety Performance and Payment Bonds.** The subdivider shall obtain an irrevocable security performance and payment bond from a surety bonding company authorized to do business in the State of Arizona. The bond shall be payable to the City of Somerton, and shall be in an amount sufficient to cover the entire cost (100%), as estimated by the engineer of record, and approved by the Public Works Director, of installing and/or constructing all required improvements for property covered by the final plat. A final plat approval shall specify the time in which the subdivision improvements are to be completed and the surety performance bond shall specify that the bond funds shall be provided to the City of Somerton if the improvements are not completed and accepted by the City Council by the specified completion date. All bonds must be in compliance with ARS § 34-222. Et seq.
 3. **Escrow Account.** The subdivider shall deposit cash, or other instrument readily convertible into cash at face value, either with the City of Somerton, or in escrow with a financial institution or title insurance escrow company. The use of any instrument other than cash, and the financial institution or title insurance escrow company with which the funds are to be deposited, shall both be subject to the approval of the Council.

The amount of the deposit shall be at least equal to the entire cost (100%), as estimated by the engineer of record and approved by the Public Works Director, of installing and/or constructing all required improvements for the property covered by the final plat.

In the case of an escrow account, the subdivider shall file with the Council an agreement between the financial institution or title insurance company and himself, guaranteeing that the funds of said escrow account shall be held in trust until released by the Somerton City Council and may not be used or pledged by the subdivider as security in any other matter during that period. A final plat approval shall specify the time in which the subdivision improvements are to be completed and the escrow monies shall be provided to the City of Somerton if the improvements are not completed and accepted by the City Council by the specified completion date.

4. **Letter of Credit.** The subdivider shall provide, from a financial institution subject to the approval of the City Council, an irrevocable letter of credit, in the amount at least equal to the entire cost (100%), as estimated by the engineer of record and approved by the Public Works Director, of installing and/or constructing all required improvements for the property covered by the final plat. A final plat approval shall specify the time in which the subdivision improvements are to be completed and the monies from the letter of credit shall be provided to the City of Somerton if the improvements are not completed and accepted by the City Council by the specified completion date.
5. **Property Escrow.** If the subdivider wishes to record a final plat prior to the completion of off-site improvements, (s)he may set up a property escrow account with a title insurance company, whereby the City will be granted a lien on all lots and no lots may be offered for sale until the off-site improvements have been completed affecting said property and the City Council has released said property for sale. The Public Works Director shall review the improvements and forward a report of the Council, recommending whether or not the lots should be released for sale. A final plat approved with a property escrow agreement shall specify a completion date. This subdivision is subject to the revocation provisions of section 10.2.7 of these regulations. The property escrow agreement shall state that if the improvements are not completed by the specified time and the City Council and subdivider do not agree on an amended property escrow agreement that will extend the subdivision improvement construction period then the subdivider agrees to abandon the subdivision.

10.4.2. Duration

The duration of the performance bond or other assurance shall be until acceptance of the improvements is made by the Somerton City Council. The assurance may be released by the City Council in phases as improvements are completed and accepted by the Council as being constructed to standards. In releasing assurance in phase, the City Council shall retain enough monies to insure completion of the remaining off-sites. In all cases an amount representing not less than ten percent (10%) of any assurance shall be retained for a period of one (1) year after the completion and inspection of all improvements to insure that all work and materials are adequate and in satisfactory condition.

10.4.3. Default

In the event that the subdivider defaults or fails or neglects to satisfactorily install and/or construct the required improvements within the time agreed upon for performance, the Somerton City Council may declare the bond, or other assurance forfeited, and the City may make or cause the required improvements to be made, using the trust funds, or proceeds of the collection of the bond

or other assurances to defray the expense thereof. In addition, the Community Development Director shall notify the Arizona State Real Estate Commission of the default.

10.4.4. Inspection of Improvement

The City of Somerton shall inspect the required improvements during construction and insure their satisfactory completion. If the City inspections reveal that any of the required improvements have not been constructed in accordance with the approved plans and the City of Somerton standards and specifications, the subdivider shall be responsible for correcting and completing the improvements according to the plans and specifications.

10.4.5. Acceptance of Improvements

- A. After completion of improvements, the subdivider shall furnish to the Public Works Department a set of the improvement plans that shall show the as-built horizontal and vertical location of the improvements. The plans shall be certified by an Arizona registered Civil Engineer and include approval in writing from all applicable utility companies and agencies certifying that all utilities, including but not limited to water, sewer, and electric have been completed to their satisfaction. This material shall then become a permanent part of the City file.
- B. The Public Works Director, upon completion of all required improvements and receipt of the as-built plans shall forward to the City Council a statement either certifying that the improvements have been completed in accordance with the city standards and approved plans or listing the defects in those improvements.
- C. Once the City Council is satisfied that the required improvements meet the City standards and the approved plans, they shall, by resolution, accept those improvements into the city maintenance program and will release any financial assurances to the subdivider, except 10% of the total assurance amount. This amount shall be kept by the city for one year from the date council accepts the public improvements.
- D. Improvements on existing perimeter streets and/or access road(s), which are required by this ordinance and/or the ordinance approving the Subdivision Plat and are integral with new subdivision improvements, shall be included on the plans, specifications and estimates prepared by the subdivider's engineer. Acceptance of these street improvements shall be governed by Section 10.4.5 of these regulations.

10.4.6. Warranty Period on Public Improvements

Warranty period shall be one year from the day the Council approves and accepts the public improvements. During the warranty period the developer is responsible for repair work of any of the public improvements. The City assigned personnel will periodically inspect the public improvements and will notify the developer of the necessary repair work. The developer is responsible for having the repair work completed prior to the end of the warranty period. Upon completion of the warranty period the remaining 10% of the assurances retained by the City will be released or used to do any needed repairs.

10.5. STANDARDS OF SUBDIVISION DESIGN

10.5.1. Purpose

The purpose of subdivision regulation is to create functional, attractive developments, minimize adverse impacts on the community, and to ensure that future subdivisions will conform to the community's expectations. To accommodate this purpose, all subdivision plats shall conform to the following standards, which are designed to result in a well-planned community without adding unnecessarily to development costs.

10.5.2. General Provisions

- A. All subdivisions shall conform to the following standards of subdivision design, except in those cases where the City Council has determined that a modification is justified due to unusual topographical conditions or other exceptional conditions. The layout and design of any, subdivision shall be in conformance with the provisions of the City of Somerton General Plan, the City of Somerton Zoning Ordinance and this Subdivision Ordinance.
- B. Land which is subject to periodic flooding, or land which cannot be properly drained or other land which, in the opinion of the Commission is unsuitable for the proposed use shall not be subdivided; however, the Commission may approve subdivisions of such land upon receipt of evidence from the Yuma County Flood Control District, County Health Department and the City Public Works Director that the construction of specific improvements can be expected to render the land usable, in which event construction, upon such land shall be prohibited until the specified improvements have been planned and construction guaranteed.
- C. Where the area proposed for development contains all or part of a park, a school, flood control facility, or other public site, as shown on the General Plan or as recommended by the City Council, such site shall be reserved for acquisition by the appropriate agency within a specific period of time as prescribed in A.R.S. 9-463.01 (D) and (E). An agreement should be reached between the subdivider and the appropriate public agency regarding time, method, and cost of such acquisition. Dedication of such sites by the developer may be considered by the City.
- D. Every subdivision shall conform to the goals, objectives, and policies of the General Plan, the Zoning Code, Subdivision Ordinance, other ordinances and regulations of the City, and to the Arizona Revised Statutes. In the event two or more requirements conflict, the most restrictive requirement shall apply. Development within the Airport Overlay District area shall provide the following:
 - 1. A public disclosure of potential noise impacts.
 - 2. Notification about airport zones on the plat and on the title.
 - 3. Aviation easements over the lots.
 - 4. Noise/sound attenuations measure to be included in the construction.
 - 5. Any other requirement specified by the MCAS-Yuma.

10.5.3. Street Location and Arrangement

- A. The Street system in the proposed subdivision shall relate in alignment to the existing streets in the area adjoining the subdivision. The arrangement of streets in the new subdivisions shall make provisions for the continuation of existing or designated streets as the City may designate.
- B. The development of roadways built to Arterial or Major Collector street standards shall follow the recommendations of the Circulation Element of the Somerton General Plan and match the provisions of the Somerton Transportation Plan, and shall also be required where needed as recommended by the Public Works Director and approved by the City Council.
- C. The proposed street plan shall give consideration to the future use and/or subdivision of adjoining unsubdivided property.
- D. Where a subdivision adjoins un-subdivided land, stub streets shall be provided at locations as recommended by the Public Works Director and determined by the Planning and Zoning Commission and/or City Council to insure access and traffic circulation.
- E. All streets shall be designed to serve the proposed use of land abutting the proposed subdivision.
- F. Local streets shall be so arranged as to discourage their use by through traffic.
- G. If a subdivision borders on a street, the sub-divider shall be required to improve the near half (or the equivalent thereof) of all perimeter streets.
- H. Names of streets shall be consistent with natural alignment and extensions of existing streets and new street names must be used which will not duplicate in whole or in part, or be subdivided with existing street names. All street names shall be consistent with the Somerton Roadway Naming and Addressing Policy in place and shall be approved by the Development Review Committee prior to final approval by the governing body.
- I. The Development Review Committee may require a sketch of the tentative future street system beyond the limits of the tract adjacent to the land area presently being subdivided.
- J. If a tract is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged to allow the opening of the future streets and logical further subdivision.
- K. There shall be no "reserved" strips controlling access to land dedicated or intended to be dedicated to public use.
- L. Where private streets are proposed, such streets shall be constructed to City of Somerton standards of construction and shall be placed into specific "street tracts" of land. Statements shall be contained on the plat and in the Deed Restrictions, the Homeowners Association By-laws and the Covenants, Conditions and restrictions (CCR's) that those streets are declared private subject to an easement authorizing use by emergency and public service vehicles, and remain the permanent responsibility of the Homeowners Association. If at any time the streets are proposed to be dedicated to, and accepted by the City, the streets must first have been designed and constructed to standards specified by the City for public streets, and demonstrate they have been maintained to the current public street maintenance standards, as determined by the Public Works Director.

- M. Alleys may be required in residential, commercial and industrial subdivisions where needed to provide access to development due to lot sizes or other circumstances.

10.5.4. Street Design

The design of streets shall conform to standards established by this Ordinance and the City of Somerton adopted standards for construction.

A. Street Access

1. To protect residential properties from the nuisance and hazard of high volume traffic and to preserve the traffic function of major streets in other types of developments, subdivisions shall, where possible, front onto and take access from collector and local streets.
2. Where a proposed subdivision abuts or contains an existing or proposed arterial street or major highway, the development shall be designed to either:
 - a. Provide lots that front to local streets with a non-access easement along the major street; or
 - b. Utilize a frontage/access road and provide lots that face and take access from the frontage road.

- B. Cul-de-sac Streets.** Cul-de-sac streets will serve no more than (20) dwelling units and shall be no longer than 600 feet measured from the intersection of the right-of-way lines to the center point of turning circle along the street center line. Cul-de-sac design must comply with Yuma County Standards or other standards adopted or amended by the City of Somerton.

- C. Private Streets.** Private streets shall conform to above stated design standards unless otherwise approved by the City Council.

- D. Dead-end Streets.** Dead-end streets will not be approved except in locations recommended by the Public Works Director as necessary to future development of adjacent lands.

- E. Private Access and Driveways.** Access from private property to any dedicated street shall be constructed in accordance with permits issued by the City. Width of driveway at the property line shall be a minimum of 12 feet and a maximum of 40 feet. The width will depend on the access to be served (i.e., residential or commercial/industrial uses). Minimum driveway spacing shall be as defined in the Somerton adopted standards for construction. Exceptions to this requirement may be approved by the Public Works Director based on unusual site constraints.

F. Alleys.

1. Alleys shall be designed with a minimum of twenty four feet (24') of pavement when there is residential property on both sides and thirty feet (30') when abutting commercial or industrial properties.
2. Alley intersections shall have corner cutbacks of not less than 10 feet.
3. Cul-de-sac alleys shall have a turnaround of at least 45 feet in diameter. Dead-end alleys are not, permitted. It must comply with Yuma County Standards or other standards adopted or amended by the City of Somerton.

4. Cul-de-sac alleys shall not be longer than 300 feet, measured from the intersection of the right-of-way lines to the center point of the turning circle along the street center line, nor serve more than 10 lots.
5. Paved service areas may be substituted for alleys at the rear of lots intended for retail business or multi-family use. Service areas used for refuse collections shall be adequately concealed according to Section 4.4.4.E of the Zoning Ordinance.
6. Alleys are not required in residential subdivisions, except that the commission may require that they be dedicated in certain situations to complete existing patterns or to serve as secondary access to adjacent properties. Alleys may be required in commercial and industrial subdivisions as approved by the Commission.

G. Street Intersections.

1. Streets intersecting a major street shall do so at a ninety degree (90°) angle; intersection of local streets shall not vary from ninety degrees (90°) by more than fifteen degrees (15°). The Public Works Director, based on terrain and other conditions, will consider exceptions to these requirements.
2. A thirty three (33) foot by thirty three (33) foot triangle shall be provided at each property line corner of the intersection involving two collector streets, two arterial streets or arterial and collector streets. A twenty (20) foot by twenty (20) foot triangle shall be provided at each property line corner of the intersection of two local streets and local streets to collector or arterial street.
3. All street intersections shall be designed to meet the minimum sight distance visibility requirement standards for horizontal curvature, vertical curvature and other obstructions as defined by Yuma County Standards or other standards adopted or amended by the City of Somerton.
4. Minor collector and local roadway street intersections shall have a minimum separation of 150 feet offset from centerline to centerline.
5. Street intersections other than those of minor collectors and local roadway streets shall have a minimum of 200 feet offset from centerline to centerline.
6. Street intersections with more than four legs are not allowed.

H. Street Widths

The following chart summarizes the functional classification designations for the City of Somerton and their corresponding cross-section characteristics. All street functional classification and cross-section characteristics must comply with Somerton Transportation Plan, City of Yuma and Yuma County standards as adopted or amended by the City of Somerton. City accepted cross-section details are available at the City of Somerton.

Table 10.5-1: Street Widths					
Type of Street	Minimum ROW	Travel Lane	Median Width	Bike Lane	Sidewalks
Arterial w/ Median	100 feet	23'/23' (2 lanes)	16' (raised)	6.5' both sides	5' Both Sides
Arterial	100 feet	24'/24' (2 lanes)	14' (left turn lane)	6.5' both sides	5' Both Sides

Table 10.5-1: Street Widths					
Type of Street	Minimum ROW	Travel Lane	Median Width	Bike Lane	Sidewalks
Collector w/ Curb	80 feet	12'/12' (1 lane)	12' (left turn lane)	6.5' both sides	5' Both Sides
Collector w/o Curb	70 feet	12'/12' (1 Lane)	12' (left turn lane)	8' shoulder	n/a
Local Roadway	50 feet	11'/11' (1 Lane)	n/a	8' shoulder	Both Sides
Cul-de-sac, Residential	50 feet radius	42' radius	None	None	Both Sides
Cul-de-sac, Non-Residential	60 feet radius	50' radius	None	None	Both Sides

- Local roadways in subdivisions having a minimum lot size of one (1) acre or more may be allowed to reduce paving to 21' -0" travel path with 18" ribbon curb.

I. Street Pavement and Structural Design

All street pavement and structural design must comply with the City of Somerton Standards for Construction.

J. Curb and Gutter Requirements

- All roads and streets shall have curb and gutters installed. Design must comply with the City of Somerton Standards for Construction.
- Curbs and Gutters may be waived and street paving may be waived to a minimum of twenty-one (21) feet in width by the Public Works Director in subdivisions having a minimum lot size of one (1) acre or more providing an 18" ribbon concrete curb.
- The Public Works Director may waive paving in subdivisions having an agriculture zoning classification of AG-20, AG-10, or AG-5 in the current City of Somerton Zoning Ordinance.
- For subdivisions where the average minimum lot size meets or exceeds one (1) acre and promotes the rural theme in design of subdivisions, the following standards would be permitted:
 - Drainage: low density residential sites may contain on-site retention areas
 - Street Specifications: ribbon curbs
 - Lighting: modified street lighting style spacing and levels of illumination may be permitted

K. Street Grades

- Street grades between six percent and ten percent will be approved only for such distances as topographical conditions make lesser grades impractical. A grade exceeding ten percent will be approved only when conclusive evidence shows the lesser grade is impractical.

2. The minimum street grades shall be not less than two-tenths of one percent.
3. Flat grades may be considered when adjacent lots or blocks are designed for ponding storm water.

L. Street Landscaping

Landscaping shall be installed as specified in the City of Somerton Zoning Ordinance. The placement of landscape materials and street design shall be coordinated to ensure placement of landscaping, berms, walls and other features do not obstruct sight line distances as defined in other sections of this code, and do not obstruct visibility of traffic control devices.

10.5.5. Pedestrian Circulation Systems

- A. Pedestrian ways and multipath may be required where essential for circulation or access to schools, playgrounds, shopping centers, parks, transportation, and other community facilities.
- B. Pedestrian ways and multi-use paths shall also be provided in accordance with the Somerton Pathway Master Plan.
- C. The owner/developer shall be responsible for the design and development of all pathway improvements within the limits of their subdivision per the Somerton Standards of Construction and the Somerton Pathway Master Plan.
- D. Pedestrian ways and multipath may be used for utility purposes.

10.5.6. Blocks

- A. Blocks shall not be more than 1,200 feet in length unless deemed necessary for public safety and convenience.
- B. Irregular shaped blocks indented by cul-de-sacs containing interior parks or playgrounds and adequate parking space, will be acceptable when properly designed and covered by agreements as to maintenance of such park areas.
- C. If frontage on an arterial street is involved, the long dimension of the block shall preferably front thereon by means of a collector road or above, in order to create as few intersections as possible.
- D. Blocks intended for business or industrial uses shall be of such length and depth as may be considered most suitable for their prospective use by the Planning and Zoning Commission; including adequate provision for parking, on-site loading and unloading and buffer, as required by the Zoning Ordinance.

10.5.7. Lots

- A. No lot shall have less area or width than required by the Zoning Ordinance applying to the area in which it is located.
- B. Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for all types of use permitted. Lot dimensions shall not include part of the existing or proposed streets. All lots shall be buildable, except as a public utility lot. Depth and width of

utility lots shall be adequate to provide for standard setbacks for service structures, and to furnish off-street parking facilities required by the kind of use contemplated. In no other case shall the width or area be less than that prescribed for the zone in which a lot is proposed.

- C. Corner lots shall be a minimum of ten (10) feet wider than interior lots.

10.5.8. Lot Improvements

- A. Lot Arrangement. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning Ordinance, and Health Regulations and in providing driveway access to buildings ,on such lots from an approved street.
- B. Driveways for each corner subdivision lot must be clearly shown on subdivision improvement plans subject to approval of the Public Works Director. Site plans submitted to the Community Development Department must also show the location of proposed and existing driveways and must comply with that shown on the improvement plans. Driveway location and construction must be in accordance with the Somerton Adopted Standards of Construction.
- C. Only one (1) driveway with access to a public street, private drive, or alley is allowed per lot in the R1-10, R1-8, R1-6, MH/RV, and R-2 (single-family residential uses) zoning districts.
- D. All residential lots shall have frontage into a fully approved, publicly dedicated and accepted right-of-way or private streets that have been approved by the City Council and meet City of Somerton Street Standards.

10.5.9. Lot Dimensions

- A. Lot dimensions shall comply with the minimum standards of the Zoning Ordinance.
- B. Where lots are more than double the minimum required area for the zoning district, the Planning and Zoning commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Ordinance and these regulations.
- C. In general side lot lines should be at right angles to street lines (or radial to curving street lines) unless a variation from this guideline will give a better street or lot plan.
- D. Dimensions of corner lots shall be large enough to allow for the safe placement of driveway access as required by the Somerton Adopted Standards of Construction, and erection of buildings, observing the minimum setback from both streets.
- E. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, such as established in the Zoning Ordinance.

10.5.10. Lot Drainage

- A. Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot

to the adjacent lots. If a retention basin or retention basins are used, an improvement district will be established to provide maintenance of said basin or basins.

- B. On site storm water retention will not be allowed on lots less than one (1) acre in area.

10.5.11. Double Frontage Lots

A. Residential

1. Double frontage and reserved frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation.
2. Lots shall not derive access exclusively from an arterial street. Where driveway access from an arterial street may be necessary for several adjoining lots, the City shall require that such lots be served by a combined frontage/access drive in order to limit possible traffic hazards on such street. Driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on arterial or collector streets.

B. Non-Residential

1. Double frontage lots in commercial and industrial areas should be considered where advantages to provide for required parking facilities and for essential activities of the contemplated use, e.g., loading, unloading, and drive-in or drive-through services.

10.5.12. Lot Divided by Boundary Line

No lot shall be divided by a city, county, school district or other taxing agency boundary line.

10.5.13. Public Service Installation

Public service lines to include electrical, telephone, natural gas and cable TV facilities, shall be located in alleys, rights-of-way, or easements provided for that purpose. Easements shall be set at a width as negotiated with utility companies serving the property.

10.5.14. Fire Protection

Fire hydrants and a fire distribution system shall be provided in accordance with the recommendations or requirements of the City of Somerton Department of Public Works, and the City of Somerton Fire Department. In no case are requirements to be less restrictive than the Uniform Fire Code as adopted by either the City of Somerton or the Office of the Arizona State Marshall, which ever code is most restrictive.

10.5.15. Utilities

- A. **Sewer:** Subdivisions shall be provided with sanitary sewer connections to each lot. Sewer lines shall be installed to serve all lots within the subdivision in accordance with the minimum standards of the City. Plans for disposal systems and sanitary sewer shall be approved by Arizona Department of Environmental Quality.
- B. **Water:** Water mains and services shall be installed to serve all lots within the subdivision. Lots with water wells require a reduced pressure backflow valve at the connection to the City water system. A backflow valve maintenance program is also required. Water wells can only be connected to the City water system with approval of the Public Works Director.

- C. **Electricity:** The sub-divider shall submit certification from the local electric power company, that electrical service is available and will be provided. Location of the power distribution poles and street lighting standards shall be indicated on the preliminary plat. All electrical telecommunications lines shall be underground within the subdivision.
- D. **Fire Hydrants:** Fire hydrants shall be installed in accordance with requirements of the Public Works Director and City of Somerton Fire Department.
- E. **Street Lighting:**
 - 1. Street lighting shall be installed in accordance with the City standards along all streets within the subdivision and along perimeter streets developed in conjunction with the subdivision. All utilities to be underground, and underground street light circuits shall be provided by developer. The developer shall provide the pole, lamp, luminaries and bracket and underground circuits.
 - 2. The sub-divider will take such actions as may be necessary to form, establish and include the subdivision in an improvement district to purchase electricity for the lighting of public streets and parks of the subdivision.
 - 3. Upon acceptance of the street lighting improvements by the City, the street lighting improvements shall be maintained by the City, through such improvement or assessment districts as may be established.
- F. **Community Facility District:** The sub-divider shall take such actions as may be necessary to form, establish and include the subdivision in a community Facilities District pursuant to the provisions on Title 48, Article 4, Section 6 of the Arizona Revised Statutes for the purpose of providing enhanced municipal services and/or public infrastructure and/or public infrastructure purposes to the subdivision.
- G. **Improvement District:** The sub-divider will take such action as may be necessary to form, establish and include the subdivision in an improvement district for the purpose of providing enhanced municipal services and/or maintain any retention basins as may be established for said subdivision.
- H. **Street Name Signs:** Developer shall provide street signs and required traffic control signs. Specifications for design, construction, location and installation shall be in accordance with the Yuma County Standards or other standards adopted or amended by the City of Somerton.
- I. **Utility Connections:** Where practicable, no utilities shall be installed under any streets except where access lines are required from one area to another.
- J. **Water Rights:** When property has rights to receive irrigation water from the Yuma County Water Users association:
 - 1. Developer shall provide to the City, prior to final approval of any subdivision plat by the City of any subdivision being developed, receipts or other documentary proof indicating that assessments levied by the Yuma County Water Users association for water services to the parcel have been paid to date and/or that there are no delinquent assessments that were levied by the Yuma County Water users Association.
 - 2. At the time of subdivision plat approval, developer agrees to take such acts or actions in cooperation with the City, to cause the irrevocable assignment of the right to delivery

agent for purpose of accepting, treating and delivering potable water to the future occupants of the parcel within the approved subdivision.

3. After treatment the potable water will be delivered to the residents/occupants of same parcels. No independent or private organizations shall be formed by the developer to contract with or otherwise provide for any water delivery to the resident/occupants of the parcel.

10.5.16. Dangerous Areas

Areas within the subdivision boundaries which by reason of geological or topographical conditions, unstable surface conditions, ground water or seepage conditions, hazard of flood inundation, or erosion shall not be subdivided except under restrictions as to the use of all or any part thereof as approved by the Commission and Council.

10.5.17. Exclusions

- A. Portions of an adjacent property within the ownership of the sub-divider shall not be excluded from within the boundaries of a subdivision when needed or required for dedication or improvement of any traffic, drainage or flood control facility, utility or other access use.
- B. Portions of property within the ownership of the sub-divider, but not included within the boundaries of a subdivision, shall be of such size and shape as to conform to the provisions of this Ordinance or any element of the General Plan or Zoning Ordinance.

10.5.18. Permanent Access to Subdivision

- A. No subdivision shall be recorded unless permanent public access is provided from the subdivision to a City, State or Federal maintained road. Public access means dedication to the City or a permanent written easement from County, State or Federal Governments.
- B. The Public Works Director prior to recording shall approve roads dedicated to the City for the purpose of providing access.

10.5.19. Flood Control Facilities

- A. The minimum facilities for the control of floodwaters crossing, flowing into, or falling upon a subdivision shall be designed on a basis of a 100-year storm of 2 hours duration.
- B. The County Flood Control District engineer shall approve flood control facilities design.
- C. Streets and highways shall not be used as flood channels without approval of the City Engineer.
- D. The use of streets and highways for tract drainage purposes may be prohibited by the Public Works Director if, in his opinion, said use is impractical or not in the interests of public health and safety.

10.5.20. Subdivision Perimeter Wall Standards

- A. A protective fence shall be placed around the perimeter of a subdivision and along any canal, drain, retention basins, highway or other feature deemed by the review committee or Public Works Director to be hazardous to the residents of the subdivision.

- B. Subdivision perimeter walls shall be six (6) feet in height, measured from the lowest grade, and constructed per the City of Somerton adopted standards of construction of an impervious masonry material.
- C. Modifications to the requirements of this subsection shall require written request and approval of the Community Development Department.

10.5.21. Protective Fence

- A. A protective fence of an impervious masonry material around the sides and rear property lines of each lot is required before the issuance of a Certificate of Occupancy.
- B. This fence shall be six (6) feet in height on the rear and sides, except for the distance between the front yard building setback where it shall be optional and no higher than four (4) feet, measured from the lowest grade.
- C. All protective fences shall also comply with the requirements of Sections 4.4.4 and 4.4.5 of the Somerton Zoning Ordinance.
- D. Modifications to the requirements of this subsection shall require written request and approval of the Community Development Department.

10.5.22. Subdivision Monuments

All subdivision monuments and lot corners shall be in place at the conclusion of subdivision improvement work.

10.5.23. Flood Plains

This regulation and amendments hereto shall be consistent with the provisions of the flood plain regulations of Yuma County.

10.5.24. Sidewalks

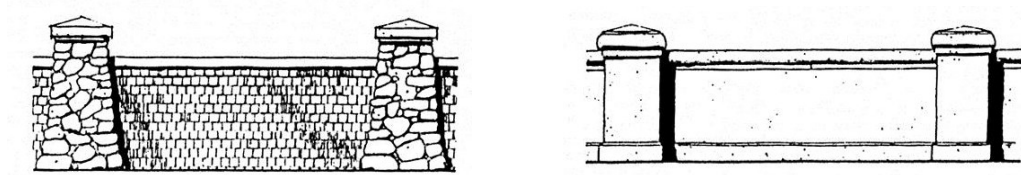
- A. In residential subdivisions 4' minimum sidewalks shall be required with a 5' minimum sidewalk along collector and arterial streets unless otherwise specified within the Somerton Pathway Master Plan.
- B. In commercial subdivisions with parcels of 20,000 square feet or more, 6' minimum sidewalks shall be required.
- C. All sidewalks shall be constructed according to the Yuma County Standards specifications or such specifications as may be adopted or amended by the City of Somerton.
- D. Sidewalks shall be constructed on both sides of all streets within the subdivision and in all open space areas unless otherwise specified within the Somerton Pathway Master Plan.

10.5.25. Signage

- A. Every Subdivision shall provide an entry monument sign integrated into the design of the perimeter wall through use of materials, colors, texture and form. When walls are not used,

highlight the character of the development by displaying artifacts appropriate to the development theme to act as a focal point

- B. Subdivision signage shall be installed only at the main subdivision entryway. Lettering size and type shall be approved by the Community Development Department prior to installation.
- C. Required subdivision walls shall be interesting and unique. All walls shall be articulated to create visual interest by means such as but not limited to a change in plane, curves, material accents, regularly spaced pillars or sculptural insets. Block walls with open fencing, partial masonry/wrought iron or the addition of texture and/or other form modifications may be submitted to the community development department for consideration.



10.6. RESIDENTIAL DESIGN GUIDELINES

10.6.1. Purpose and Intent

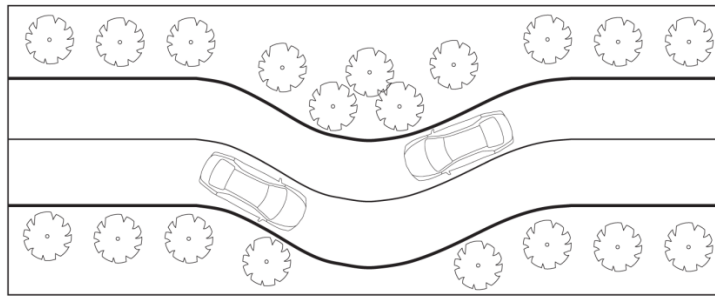
The residential Subdivision Design and Development Guidelines were prepared to assist land planners and developers in producing creative designs for new residential communities. The intent is not to limit or restrain the designer's creativity, but rather provide innovative design, style and alternatives for new subdivisions.

10.6.2. Goals

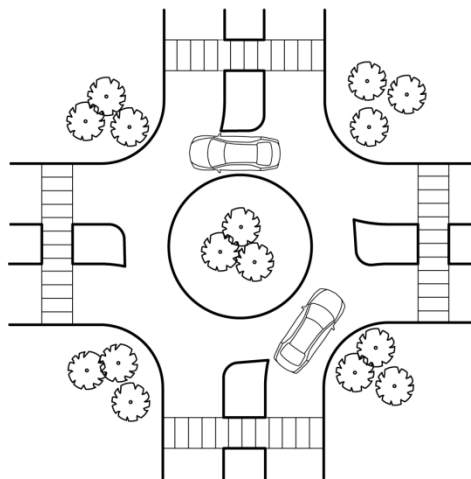
- A. Create residential neighborhoods that are cohesive, safe and have a human scale that promotes opportunities to socialize with neighbors.
- B. Encourage a mix of land uses and diverse housing types enhancing the physical, social and economic value of the area.
- C. Create neighborhoods with street patterns to enhance the neighborhood atmosphere. The developer/land planner should pay special attention to the design of streets as a major factor in the safety and environment of a neighborhood.
- D. Design open spaces to provide functional and recreational areas for the neighborhood and City. Provide adequate open space in the form of local parks or neighborhood parks that are accessible to all residents.
- E. Combine proposed open space of new residential development with existing open space and recreational facilities. Design open space to provide visual and functional links with parks, school sites (where possible), and other neighborhoods.
- F. Envision the creation of communities, not just dwelling units.

10.6.3. Lots and Street Design Alternatives

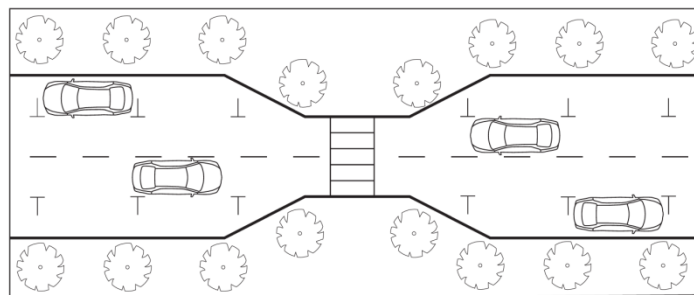
- A. Consider the use of various residential traffic control schemes that encourage lower vehicle speed. Among the schemes to consider are; chokers, traffic circles and chicanes.



Chicane

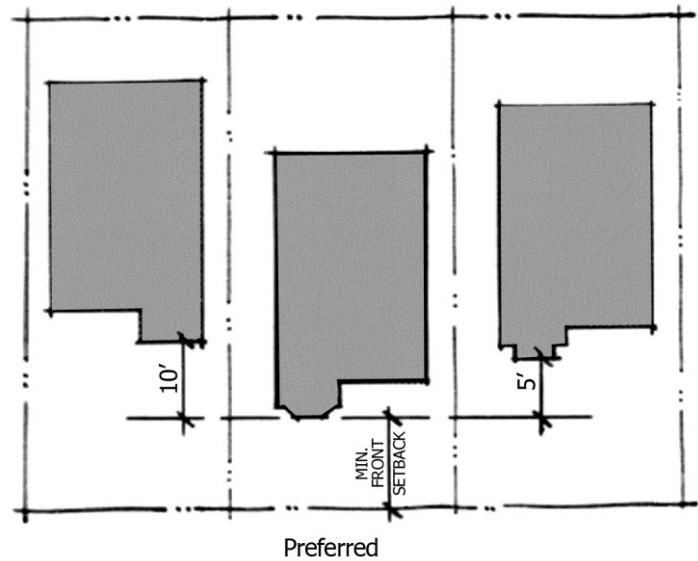


Traffic Circle



Chokers

- B. Residential collector or local streets should not exceed eight hundred (800) feet in length without some form of traffic calming or traffic control device.
- C. Consider using front yard setback variation of five (5) feet, staggered so that no more than two adjacent units (houses) have the same setback.



- D. Consider the use of curvilinear sidewalks.

10.6.4. Open Space and Landscaping Design Alternatives

- A. Landscape along perimeter walkways or areas adjacent to linear trail to produce an interesting pedestrian experience.
- B. Design residential developments using creative land planning concepts, which propose a specific design theme or a unique environmental character. The City of Somerton encourages developments which reflect the City's historical agricultural roots.
- C. Use landscape to separate sidewalk from property lines or to separate sidewalk from streets

10.6.5. Residential Appearance Requirements

- A. To ensure the development of a balanced and architecturally diverse streetscape, single-family developments shall provide a minimum housing mix as follows:

Table 10.6-1: Housing Mix Alternatives			
Architectural Requirement	Number of Single-Family Units Per Development		
	10-40	41-100	101 +
Number of Different Floor Plans	2	3	4
Number of Elevation Types per Floor Plan	3	3	3
Number of Color Schemes per Elevation Type	2	3	3

- B. Single-family homes using identical floor plans and elevations shall be separated by at least two (2) single family homes (neighboring, side by side lots) with different elevations. Identical floor plans and elevations may not be repeated directly across the street from one another.

10.6.6. Residential Appearance Alternatives

This section addresses the most common issues involved in designing dwellings so as to build distinctive communities.

- A. Side entrance garages, where appropriate.
- B. Garages that are sited at angles to the street or placed further back on the lot.
- C. Recessed garage doors, creating shadows to reduce obstructive appearance.
- D. A front elevation plan devoted primarily to living space, not more than forty (40%) percent shall be used for garage.
- E. Consideration of alleys when designing subdivisions to access garages from the rear or locating attached/detached garages to the rear of the housing units.

10.6.7. Standards for Small-Lot Single-Family Detached Residential Subdivisions

Lots of less than 6,000 square feet intended for development of single-family detached houses shall be known as "small lots."

These Guidelines are intended to ensure that new small lot development is compatible with existing neighborhoods. Therefore, the following small lot guidelines shall be adhered to in their application (unless otherwise permitted by the Zoning Administrator and/or Public Works Director) and approved by Council through the PD Overlay approval process.

A. Streetscape Design Elements

1. The design of small lot residential subdivisions shall incorporate at least two of the following features that provide enhanced streetscape design:
 - a. Provide a planter strip on each side of the street, located between the curb and the required sidewalk. Planter strips shall be a minimum width of 4 feet and shall be planted, irrigated and maintained with live plant materials. The resulting planting strips shall be maintained per The Zoning Ordinance, Section 4.4.2.D Open Space Administration.
 - b. Incorporate streetscape elements such as, but not limited to, roundabouts, neck downs, or curb bulbs into the design of the development. The resulting planting areas shall be maintained per The Zoning Ordinance, Section 4.4.2.D Open Space Administration
 - c. Decorative paving materials that may include pavers, colored asphalt or stamped or textured concrete are utilized for pedestrian areas, street crossings, and entries into the development.

B. Building Design Elements

- a. The design of small lot residential homes shall incorporate at least two of the following features that provide enhanced building design:
 - i. For front loaded home designs, all garages will be set back at least 3 feet behind the primary front façade of the dwelling and the dwelling(s) shall have entry, window and/or roofline design treatment which emphasizes the house more than the garage.

- ii. For front loaded home designs, the development plan includes provisions for variable location of garage entries, with at least 35 percent of the lots having garages that are side-loaded, or set entirely in the rear half of the lot.
- iii. Individual homes shall be accessed from the rear of the lots via a paved alley.
- iv. At least 50 percent of the homes include entries and covered porches extending along a minimum of 50 percent of the width of the homes' front facades, excluding the width of garages. Porches meeting this requirement shall have a minimum width of 8 feet and a minimum depth of 4 feet.

C. Site Design Elements

1. The design of small lot residential homes or subdivisions shall incorporate at least one of the following features that provide enhanced site design:
 - a. Garage access for at least 50 percent of lots in the development is accessed from the rear of the lots via a paved alley or alleys. These alleys shall be privately owned/maintained.
 - b. Driveways are paired so that there is a single curb-cut providing access to 2 houses, and the total width for the paired driveway is not more than 18 feet. Alternatively, driveways may be clustered (but need not share the same curb cut) so that there is at least 36 feet of uninterrupted curb between the clustered driveways.
 - c. No more than 50 percent of homes will be set back the same distance or in the same manner from the front lot line.
 - d. At least 30 percent of the lots vary from the predominant lot width in the development by at least 20 percent.

D. Open Space Elements

1. The development includes privately maintained park or common open space at least 15 percent greater in area than the minimum open space required. The resulting open space areas shall be developed and maintained per The Zoning Ordinance, Section 4.4.2 Open Space.
2. A minimum of 400 square feet of private open space shall be provided on each lot. It is preferred that the private open space is contained in one large area, but may be comprised of multiple areas.
3. To count toward the required private open space, no single space shall be smaller than 80 square feet and must have a minimum depth of 8 feet as a porch or patio and 10-feet as a courtyard or lawn area. Balconies in upper stories with a minimum dimension of 6' may also be counted towards private open space. Areas dedicated to driveways shall not be considered open space.

10.7. STORM WATER RUNOFF

10.7.1. Purpose

The purpose of this ordinance is to require the owner/developer of each lot, plot or parcel of land within the City limits of the City of Somerton to provide storage of sufficient volume to hold the total

runoff from the design storm falling on that lot, plot or parcel of land. An exception to this requirement will be granted by the Public Works Director only when runoff can be directed into a storm sewer, channel or natural drainage-way with sufficient capacity to transport storm water to an approved ultimate disposal site. The owner/developer shall not be required to provide storage for runoff from land other than his own except where it can be proven that flow from adjacent land has historically crossed or inundated the land of the owner/developer.

10.7.2. Methods of Handling Storm Water

Storm water shall be contained within each lot, plot or parcel of land by any of the following methods:

- A. On-site Retention
- B. Retention Basin
- C. Combination Storage

10.7.3. Design Standards for Handling Water

- A. When a retention basin is utilized to handle storm water runoff in a residential subdivision, the following design standards shall be applicable:
 - 1. The minimum storage volume shall be computed by estimating the area under a hydro graph of a 100 year storm of two (2) hours duration (1.22 inches per hour). In addition, the greater of one (1) foot of freeboard or 25% additional basin capacity shall be provided in the facility.
 - 2. Maximum basin depth shall not exceed 3.5 feet unless otherwise approved by the Public Works Director. If a basin is approved to exceed the maximum depth, the facility shall be enclosed with a six (6) foot high masonry block fence and a 12 foot wide gate with lock.
 - 3. Maximum side slope shall be 4:1 unless otherwise approved by the Public Works Director.
 - 4. An acceptable method of transporting water from the street into the basin shall be provided so as to preserve the integrity of the basin walls and floor.
 - 5. All residential streets shall be designed to carry the runoff from a ten (10) year two (2) hour storm between the curbs. In cases where peak flows from the design storm exceed the street capacity, storm sewers of sufficient size to carry the excess must be installed. The minimum pipe size for underground storm drainage shall be 12 inches. The peak flow from a 50 year storm must be carried within the cross-section between buildings (front yards and streets) for subdivisions served by retention basins. The floor elevations of all habitable space shall be above flood levels equivalent to a 100 year storm.
 - 6. All streets with curb shall have a minimum longitudinal slope as shown in the table below, designed in accordance with the City of Somerton Public Works Director approval.

Table 10.7-1: Street Slope	
Minimum Slope	
Straight (400' radius & over) Curb	0.20%
Curved (less than 400' radius) Curb	0.25%
Valley Gutter Flow-line	0.30%

7. Construction of the retention basin should follow the Yuma Valley Master Drainage Plan.
8. Each retention basin shall be constructed so that storm water will not stand longer than five (5) days after termination of the storm. Basin drainage shall be accomplished by infiltration or by controlled flow into an existing facility suitable to receive, transport and dispose of storm water. When controlled flow is proposed, the owner/developer and the City of Somerton shall obtain approval from the owner of the existing facility, prior to formulating final drainage for the retention basin. Final drainage plans shall be subject to the review and approval of the Public Works Director.
9. Subdivisions with more than one retention basin should interconnect all basins.
10. The owner/developer shall maintain the portion of drainage improvements that fall within their subdivision following the Yuma County Flood Control District Master Drainage Plan.
11. The owner of the property on which the retention basin is to be located shall grant a right to use said property for drainage purposes. Such grant shall be made by means of document which shall be approved by the City Attorney and recorded in the office of the Yuma Recorder and shall contain the following provisions:
 - a. Legal description of the property to be used for storage purposes
 - b. Legal description of the property which is permitted to drain the basin
 - c. A statement that the owner is responsible for construction and maintenance of the basin in accordance with standards established by the Public Works Director.
 - d. A statement that no habitable structure may be constructed within the basin. Statement that the property shall be used for storm water storage so long as required in the opinion of the Public Works Director.
 - e. Such other provisions as are deemed by the City Attorney to be necessary to effectuate the provisions of this ordinance.
- B. In lieu of the requirements contained in Section 10.7.3.A, the owner may dedicate the property to be used for storm water retention to the city for drainage and for public use. Such dedication shall become effective only upon acceptance of the basin by the City Council. Conditions of acceptance by the City may include but are not limited to:
 1. The owner/developer shall include desert landscaping, rocks, decomposed granite, a drip irrigation system, and lighting as approved by the Public Works Director.
 2. Shall be located adjacent to arterial streets (mile and half-mile streets) and the geometrics of the basin shall be coordinated with the Public Works Director.
 3. With the approval of the Public Works Director, a retention basin may be located on other streets, which allow a direct storm sewer route to an arterial street. Additionally properly designed and sized inlets, manholes, storm sewer lines and all other appurtenances shall be constructed to a point where the storm sewer may be connected to a future storm main on an arterial street.
- C. When on-site retention is utilized in residential subdivisions, the following criteria shall be applicable:

1. Minimum lot size for an on-site retention shall be one (1) acre.
 2. A deed covenant prohibiting alteration of the final site ground elevations shall be required.
 3. The maximum design depth of storm water storage on any lot shall not exceed eight (8) inches except as approved by the Public Works Director.
 4. The lot depth below the back edge of the sidewalk shall be computed using a 100 year storm of 24 hour duration with 3.05 inches of total rainfall. An allowance for evaporation and/or percolation shall not be incorporated into the computation for minimum lot depth. Storage volume shall also be provided for adjacent streets and alleys except for arterial streets.
 5. Each lot shall be provided with an earthen berm around the back and sides of each lot. The earthen berm shall be one (1) foot higher than the adjacent final ground elevation of the lot.
 6. All residential streets shall have curb and gutter designed in accordance with the City of Somerton Public Works Director approval. An appropriate means of transporting water into the storage area shall be provided.
 7. Slope away from building shall not exceed 21:1 for a distance of five (5) feet out from foundation.
 8. Construction of the retention basin should follow the Yuma Valley Master Drainage Plan.
 9. Owner shall maintain the portion of drainage improvements that fall within their parcel following the Yuma County Flood Control District master drainage plan.
- D. When on-site retention is utilized in commercial and industrial developments, the following criteria shall be applicable:
1. All storm water from a 100 year storm of two (2) hour duration (2.44 inches) must be retained on site.
 2. Dry wells will be permitted to drain surface retention areas. However, the infiltration cannot be considered to reduce the size of retention areas.
 3. The owner shall be responsible for the design, performance, operation or maintenance of dry wells or retention basins in commercial or industrial developments.
 4. Dry wells shall not be located within 20 feet of any building.
 5. Construction of the retention basin should follow the Yuma Valley Master Drainage Plan.
 6. Owner shall maintain the portion of drainage improvements that fall within their parcel following the Yuma County Flood Control District master drainage plan.
- E. Combination storage shall consist of providing adequate storage volume for the appropriate design storm by a combination of on-site retention and a retention basin. All requirements and conditions outlined in the previous paragraphs of this section shall apply.

10.7.4. Building Floor Elevations

- A. A minimum Building Floor elevation shall be eight (8) inches above the design high water elevation in the case of on-site retention or combination storage. In the case of retention basins, the minimum Building Floor elevation shall be eight (8) inches above the back of the curb fronting the lot.
- B. The provisions of this section shall not apply to any existing building or structure, nor to an expansion of less than 25% in floor area or any alteration to an existing building or structure, but in no case shall the floor elevation of the extension be below the existing floor of habitable space.

10.7.5. Approval

- A. The surface of any lot, plot or parcel of land may not be filled or substantially altered without first obtaining written approval from the Public Works Director.
- B. Prior to issuing written approval, the Public Works Director shall require the owner/developer to submit for review a drainage plan showing existing and proposed grades together with the calculations showing the volume of storage required and provided. Such plan and calculations shall be prepared under the direction of a professional engineer, registered in the State of Arizona.
- C. When the alteration is proposed for a platted residential lot and where the work is to be done only on said lot, plans and calculations prepared by a professional engineer will not be required. The property owner shall submit a sketch to the Department of Building Inspection showing the proposed work.
- D. The Community Development Department shall not issue a Building permit until receipt of notification from the Public Works Director that a drainage plan has been approved in accordance with this ordinance.
- E. The Community Development Department shall not issue a Certificate of Occupancy until receipt of notification from the Public Works Director that construction has been completed in substantial compliance with approved drainage plan or that subsequent completion has been guaranteed by other means acceptable to the City.

10.7.6. Drainage Report

- A. The preliminary plat shall be accompanied by a Drainage Report.
- B. The Drainage Report review fee shall be shown on the Fee Schedule as determined by the City Council
- C. At this time two (2) copies of a drainage report shall be submitted to the Public Works Director' showing the proposed recommendations for handling drainage and storm waters and providing protection against floods for both existing and new improvement. A guide for the preparation of the report is available from the Yuma County Flood Control District.

10.7.7. Definitions

Building Floor elevation: Shall mean the finished floor elevation in feet above mean sea level of the lowest floor of a building. Building floor elevations shall be related to the City of Somerton datum.

Building Pad Elevation: Shall mean the elevation in feet above mean sea level of the material on which the floor slab directly rests.

Drainage Plan: Shall mean that certain plan on which are shown the location, dimensions and elevations of proposed storm water areas.

Ten-year Storm: Shall mean a storm that has a 10% chance of occurring each year in accordance with criteria established by the U.S. National Weather Service, as shown in below.

Fifty-year Storm: Shall mean a storm that has a 2% chance of occurring each year in accordance with the criteria established by the U.S. National Weather service, as shown here:

Table 10.7-2: Location Criteria	
Estimated Return Periods for Short Duration Precipitation in Arizona (inches)	
Station:	Yuma W B O
Latitude	32 40"
Longitude	114 36'
Elevation (feet)	194'

Table 10.7-3: Storm Criteria							
Duration	1	2	5	10	25	50	100
5 Min	0.10*	0.18	0.31	0.39	0.48	0.57	0.65
10 Min	0.16	0.28	0.49	0.61	0.75	0.88	1.01
15 Min	0.21	0.35	0.62	0.77	0.95	1.12	1.28
30 Min	0.28	0.49	0.85	1.07	1.32	1.55	1.78
1 hr.	0.36	0.62	1.08	1.35	1.67	1.96	2.25
2 hr.	0.38	0.66	1.15	1.45	1.81	2.12	2.43
3 hr.	0.40	0.70	1.22	1.54	1.94	2.28	2.61
6 hr.	0.44	0.80	1.40	1.78	2.26	2.66	3.05
12 hr.	0.48	0.89	1.56	1.99	2.55	3.00	3.44
24 hr.	0.52	0.98	1.72	2.21	2.85	3.36	3.85

**Note: All values shown are in inches of rain fall.*

Hundred-year Storm: Shall mean a storm that has a 1% chance of occurring each year in accordance with the criteria established by the U.S. National Weather Service, as shown above

On-site Retention: Shall mean storage on public or private property or any combination thereof, but not on a public street or alley right-of-way.

Retention Basin: Means a designated area for total storage, without overland relief of flows generated during a design storm

Combination Storage: Shall mean handling of storm water by utilizing both on-site retention and retention basins.

Freeboard: Shall mean the distance between the design high water surface and the top of the wall of a retention basin.

10.8. MINOR LAND DIVISIONS

10.8.1. Applicability

- A. For the purpose of this Ordinance, a minor land division shall constitute the following acts, and shall be subject to the provisions of this section:
 - 1. Land splits, as defined in this ordinance.
 - 2. The division of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future, into two or three lots, tracts, or parcels of land when a new street is not involved.
 - 3. The further division of improved or unimproved land or lands for the purpose of financing, sale, or lease, whether immediate or future, when the boundaries of such property have been fixed by a recorded subdivision plat, and when a new street is not involved.
 - 4. Lot line adjustments and lot consolidations in a platted subdivision.

10.8.2. General Provisions and Exceptions

- A. Any lot or parcel of land recorded in the Yuma County Recorder's Office and lawfully created prior to April 2nd 2015 and having an area, width, depth or street frontage less than that required by the zoning district regulations of the zoning district in which such lot or parcel is situated, shall be deemed to be a lot of record and may be used as a building site, provided that all other regulations for the zoning district in which that lot is situated shall be applicable.
- B. The lots, tracts, and parcels resulting after the minor land division shall meet the requirements of the underlying zoning district. Including but not limited to the following:
 - 1. No lot shall be reduced in area so as to cause any open space or yard required by this Ordinance to be less in dimension than is required for the zoning district and lot in question.
 - 2. No lot shall be divided in such a way that any division of such lot shall contain more dwelling units than are permitted by the zoning district in which such lot is situated.
- C. A large lot or parcel of land may be subdivided into smaller lots provided such smaller lots conform to the lot size limitations of the zoning district in which the lots are situated; however, a parcel shall not be divided into more than three (3) lots, or two (2) or more lots if a new street is involved, without approval of a subdivision plat in compliance with the Subdivision Regulations of the City of Somerton.
- D. The division of land into two (2) or three (3) parcels and not involving any new streets or access easements shall require approval of a minor land division in compliance with Section 10.8.3 below.

10.8.3. Procedure for Approval of Minor Land Divisions

- A. An application for a minor land division shall be submitted to the Community Development Department of the City of Somerton prior to any deeds related to a minor land division are submitted to the Yuma County recorder's office. Any deed being recorded for such minor land

division shall bare the signature of the Community Development Director as the reviewing authority.

- B. The city may approve minor land divisions administratively subject to approval by the Community Development Department of the City of Somerton and the Public Works Director.
- C. **Information required.** All information required as part of the minor land division submittal shall be shown graphically, or by note on plans, or by letter, or by combination thereof, and may comprise several sheets showing various elements of the required data.
- D. **Submittal requirements.** The applicant shall submit the following materials to the Community Development Department for a minor land division application:
 - 1. A completed minor land division application form.
 - 2. A non-refundable minor land division application filing fee to compensate the city for the costs of examining and processing the minor land division application and subsequent field inspections, if applicable. The required fee for minor land division applications shall be adopted by resolution of the City Council.
 - 3. An ALTA survey, preliminary title report and deed or other instrument showing proper title to the land to be divided.
 - 4. Digital file of the minor land division map.
 - 5. All minor land division maps shall include the items specified in Sections 10.3.3.B1-B2 of this Subdivision Ordinance, unless otherwise specified by the Community Development Director or Public Works Director.
 - 6. The Community Development Director or Public Works Director may require submittal of any additional information as is pertinent to make a final determination.
- E. Except where expressly modified or permitted by staff all minor land divisions shall be in general conformity with the design standards and principles outlined for subdivisions in this section. All lots created by a minor land division shall be designed to conform to existing zoning and the general plan.
- F. If dedicated and/or public improvements are required for minor land divisions, the applicant shall be responsible for the preparation of a complete set of improvement plans, prepared by an Arizona registered civil engineer, satisfactory to the Public Works Director for the construction of the required improvements. The plans shall be prepared in conjunction with the minor land division map and the City of Somerton adopted standards for construction.
- G. The minor land division map shall not be recorded, nor shall any improvement work commence until the Public Works Director has approved the improvement plans.
- H. No minor land division, which creates a substandard or nonconforming lot or structure, shall be approved except by council action in association with a formal variance process.
- I. If any improvements are required for the minor land division pursuant to regulations contained herein, no building permit for any lot created will be issued until such improvements are completed and the work accepted by the Public Works Director.

10.9. LANGUAGE AND DEFINITIONS

10.9.1. Rules of Language

For the purpose of these regulations, and when not inconsistent with the context;

1. Words used in the present tense include the future
2. Words used in the singular include the plural
3. Words in the plural include the singular
4. The masculine includes the feminine
5. The word "shall" is mandatory and not directory
6. The word "may" is permissive
7. The particular controls the general

10.9.2. Definitions

For the purpose of this document, certain words, terms and phrases are defined as follows:

Alley: A public dedicated right-of-way used primarily as a service or secondary means of ingress and egress to the service side of abutting property.

Access Street or Service Road: A Street, or road which is parallel to, and adjacent to a major arterial street and provides a means of direct ingress and egress to abutting property.

Block: Means a piece or parcel of land, or group of lots entirely surrounded by public rights-of-way, streams, railroads or parks, or a combination thereof.

Commission: Means the City of Somerton Planning and Zoning Commission, as defined in Article 2, Section 2-6 of the City Code.

Conditional approval: Means an affirmative action by the Commission or the Council indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.

Council: Means the, "City Council" of the City of Somerton, Arizona.

Cul-de-sac: A street or road having a traffic outlet on one end, and only having at the other end, facilities for the turning around of vehicular traffic.

Dead-end Street: A Street or road having a traffic outlet on one end only, and terminated on the other end by undeveloped property.

Detention Basin: A storage facility for temporary storage of storm water runoff with metered discharge.

Detention System: A type of flood control system which delays the downstream progress of flood water in a controlled manner, generally through the combined use of a temporary storage area and a metered outlet device which causes a lengthening of the duration of flow, and thereby reduces downstream flood peaks.

Development Review Committee: The selected group of technically qualified individuals made up of City Staff and other public or private agencies and utilities responsible to insure compliance with ordinances, codes, regulations, etc. as they relate to the subdivision process.

Improvements: Required installations, pursuant to this Ordinance and Zoning stipulations, including but not limited to: grading, sewer, water, utilities, street curbs, gutters, sidewalks, trails, alleys, street lights, control devices and landscaping; as a condition to the approval and signing of the final plat, precedent to recordation.

Improvement Plans: A set of plans setting forth the profiles, cross-sections, details, specifications, and instructions and procedures to be followed in the construction of public or private improvements in the City of Somerton, that are prepared and bear the seal of an Arizona registered Land surveyor, engineer, Architect or Landscape Architect in accordance with the approved preliminary plat and zoning stipulations, and in compliance with Standards of Design and Construction that are to be approved by the Public Works Director, other Departments, the County Departments and all applicable utilities.

Exception: Means any parcel of land which is within the boundaries of the subdivision, but which is not owned by the sub-divider.

Final Approval: Means approval of the final plat by the Council, as evidenced by certification on the plat by the Mayor of the City, constitutes authorization to record a plat.

General Plan: Means a comprehensive plan, or parts thereof, providing for the future growth and improvement of the City of Somerton and for the general location and coordination of streets and highways, schools and recreation areas, public building sites, and other physical development, which shall have been duly adopted by the City Council.

Grade: The lowest point of elevation of the finished surfaces of the ground, paving or sidewalks within the area between the building and the property line, or when the property line is more than five (5) feet from the building between the building and a line five (5) feet from the building.

Grade Finished: The final elevation of the ground surface after development.

Irrigation Facilities: Includes canals, laterals, ditches, conduits, gates, pumps, and allied equipment necessary for the supply, delivery and drainage of irrigation water and the construction, operation and maintenance of such.

Land splits: Means the division of improved or unimproved land whose area is two and a half (2 ½) acres or less into two (2) or three (3) tracts or parcels of land for the purpose of sale or lease or as defined in A.R.S. §9-463.

Lot: A single piece of property located in a recorded subdivision, having frontage on a publicly dedicated and accepted street or a private road approved by the City, which is described and denoted as such.

Corner Lot: Means a lot abutting on two (2) or more intersecting streets where the interior angle of intersection does not exceed one hundred and thirty-five degrees (135°).

Interior Lot: Means a lot having but one side abutting a street.

Through Lot: Means a lot abutting two (2) parallel or approximately parallel streets.

Lot Width: Means the width a lot shall be:

- A. If the side lines are parallel, the shortest distance between these sidelines.
- B. If the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the required front or rear building setback line; whichever is the lesser, for the district in which the lot is located. The axis of a lot shall be a line joining the midpoints of the front and rear property lines.

Major Arterial: The principal arterial is capable of carrying large traffic volumes and for the primary roadway network within and throughout the region. They provide a continuous road system that distributes traffic between neighborhoods and central business districts. They also handle significant levels of urban travel between central business districts, outlying residential area and major inner-city communities and major suburban centers.

Minor Arterial: The Minor Arterial System connects with the major arterials and provides trips of moderate length that distribute vehicular collectors. Traffic movements are at high speeds and the arterials do not penetrate residential neighborhoods. Minor Arterials are typically spaced at one (1) mile intervals and should provide adequate connection to Major Arterial.

Major Collector: The Major Collector provides traffic circulation within lower density areas and can provide direct access to arterials. Major collectors carry a higher traffic volume than minor collectors, minor collectors usually experience low volume traffic and are striped for one lane in each direction. Developments may front directly on a Major collector.

Minor Collector: Minor Collectors are usually located on a quarter section lines and are intended to carry high-volume traffic through a residential neighborhood. On-street parking is usually prohibited and homes do not front on the collector

Multi-use Path: Means a paved concrete pathway physically separated from on-street motorized vehicular traffic by an open space or barrier (e.g. landscaping) and designated for the exclusive use by non-motorized traffic.

Local Roadways: The Local roadways consist of traffic movement between collectors and adjacent lands involving relatively short distances.

Open space: Any parcel or area of land unimproved or improved and set aside, dedicated, designated or reserved for the public or private use and enjoyment.

Pedestrian Way: Means a public walk dedicated entirely through a block from street to street or providing access to school, park, transit stop, multi-use path, recreation area or shopping center.

Plat: Means a map of a subdivision.

- A. Preliminary plat means a preliminary map, including supporting data, indicating a proposed subdivision development.
- B. Final plat means a map of all or part of a subdivision providing substantial conformance to an approved preliminary plat, prepared by a registered land surveyor.

- C. Recorded plat means a final plat bearing all of the certificates of approval required and duly recorded in the Yuma County Recorder's Office.

Pre-Application Conference: An initial meeting between the sub-divider and municipal representative, which affords the sub-divider the opportunity to present their proposals informally and discuss the project and address any items of controversy or requirements before the preliminary plat is submitted.

Preliminary Approval: Means approval of the preliminary plat by the Commission or Council and constitutes authorization to proceed with the final engineering plans and a final plat preparation.

Public Improvement Standards: Means a set of regulations setting forth the details, specifications and instructions to be followed in the planning, design, and construction of certain public improvements in the City, formulated by the Public Works Director, the County Health department and other City departments and as approved by the Council.

Retention Basin: A drainage basin which contains floodwater channels, natural or man-made and/or flood control structure that are adequate to contain existing runoff from the base storm produced by the basin; but in which additional runoff cannot be safely contained by said channels or structures.

Street Arterial: Street designated on the Traffic Circulation Plan whose primary function is to carry traffic between and through major traffic generators.

Street Collector: Street designated on the Traffic Circulation Plan whose primary function is to carry traffic from local streets to arterial streets and whose secondary function is to provide access to abutting properties. Street, Cul-de-Sac Street with only one (1) outlet for purposes of ingress and egress and having a turnaround at the other end for the reversal of traffic movement.

Street Local: Street serving the primary function of providing access to abutting property and intercepts collector streets.

Sub-divider: Means those persons or entities as defined by A.R.S § 9-463, as it may be amended from time to time.

Subdivision: Means improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts. "Subdivision" also includes any condominium, cooperative, community apartment 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 plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat, are going to be divided or as defined in A.R.S. § 9-463.02, as it may be amended from time to time.

Tentative Plat: That portion of a preliminary plan or any separate drawing of a parcel of land that conforms with the requirements of the subdivision regulations.

Transit Facilities: Means bus bays, transit stops, transit shelters and furniture, transit dedicated lanes, railroad tracks, right-of-ways, easement and other allied equipment necessary for the safe operation of the transit system and well-being of passengers.

Utilities: Means installations or facilities, W1derground or overhead, furnishing for the use of the public: electricity, gas, steam, communications, water, drainage, sewage disposal, or flood control, owned and operated by any person, firm, corporation, municipal department, or board, duly authorized by State or Municipal Regulations.

Vicinity Map: Means a simple drawing of the subdivision showing its location in relation to established City County, State of interstate Highways drawn to a legible scale.

Water Supply Assurance (100 Years): Subdivision proposal must include evidence of meeting Arizona Department of Water Resources requirements for 100 years supply.

Zone: A district classification established by The Zoning Ordinance for the City of Somerton, which limits or permits various and specific uses.

Zoning Clearance: The approval by the Community Development Director; or the Zoning Administrator of a plan that is in conformance with The Zoning Ordinance for the City of Somerton.

Zoning District: A zone area in which the same zoning regulations apply throughout the district.

Zoning Ordinance: The Zoning Ordinance for the City of Somerton.