SUBDIVISION REGULATIONS
FOR THE
UNINCORPORATED AREAS OF
YAVAPAI COUNTY,
ARIZONA

YAVAPAI COUNTY BOARD OF SUPERVISORS
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SECTION 1
INTRODUCTORY PROVISIONS

SECTION 100 SCOPE, PURPOSE

In order to preserve, protect and promote the public health, safety, convenience, peace, comfort and general welfare there is hereby adopted and established, as provided herein, the Subdivision Regulations for Yavapai County, Arizona, as amended, as provided for by A.R.S. §11-821. More specifically, these Regulations are adopted to achieve the following objectives:

1. To implement the Yavapai County General Plan and Zoning Ordinance.

2. To provide lots and parcels of sufficient size and appropriate design for the purposes for which they are to be used.

3. To provide streets of adequate capacity for the anticipated traffic, which would utilize them and to ensure that they are designed to promote a safe traffic circulation system.

4. To accommodate new development in a manner which will preserve and enhance the County's environment and create new beauty through skilled subdivision designs.

5. To provide for water supply, sewage disposal, storm drainage and other utilities and facilities to address the long-term sustainability of the development.

6. To ensure that the costs of providing rights-of-way, street improvements, utilities and public areas and facilities needed to serve new developments are borne fairly and equitably by the subdivider rather than by property owners of the County at large.

7. To protect and enhance real property values.

8. To coordinate subdivision policies and regulations with those of the municipalities in order to facilitate transition from County to municipal jurisdiction that land which is first developed in unincorporated territory and is subsequently annexed, and to ensure unimpeded development of such new urban expansion that is logical, desirable and in accordance with goals, objectives and policies of the General Plan.

9. To facilitate the transfer of lands having accurate legal descriptions and to establish and ensure the rights, duties and responsibilities of subdividers and developers with respect to land development.

10. To ensure conformance with the Arizona Pollutant Discharge Elimination System Program as set forth in A.R.S. Title 49 Chapter 2 Article 3.1.

SECTION 101 JURISDICTION

These Subdivision Regulations shall apply to all subdivisions of land, as defined herein, located within unincorporated areas of the County. No land shall be subdivided within the unincorporated area of the County until the subdivider or his agent complies with these Regulations. In addition, no land shall be subdivided until the approved plat is filed with and recorded by the County Recorder's Office.

SECTION 102 SHORT TITLE

These Regulations shall be known as the Yavapai County Subdivision Regulations.

SECTION 103 AUTHORITY AND APPLICABILITY

These Regulations as adopted and or amended by the Board under the authority of A.R.S. §11-821 shall be governed by Arizona State Laws governing the division and platting of land pursuant thereto. The Yavapai County Subdivision Regulations are a necessary and integral set of procedures and requirements developed in conjunction with the Zoning Ordinance, and necessary for the implementation of the General Plan. These three instruments of County Community Development constitute the regulations necessary to implement the intent and meaning of A.R.S. §11-804: County Plan.

All subdivision of land within the unincorporated territory of Yavapai County shall comply with the provisions of these Regulations. Until a final subdivision plat, engineering drawings and engineering plans have been approved or a specific development plan in association with an approved preliminary subdivision plat has been approved in accordance with these Regulations, no person shall subdivide a parcel of land as defined by the Arizona Department of Real Estate (ADRE) and A.R.S. §32-2101 or file a record of survey, map, or plat for record, and/or sell any part of said subdivision or proceed with grading, construction or site preparation without previous approval of the Board as set forth under these Regulations.

SECTION 104 PRIVATE AGREEMENTS

The provisions of these Regulations are not intended to abrogate any easements, covenants or other existing agreements, which are more restrictive than the provisions of these Regulations.

SECTION 105 VESTED RIGHTS

Any subdivision for which a Preliminary Plat has been approved by the Board prior to the adoption of these Regulations may be continued and completed in accordance with the plans, specifications and conditions upon which the plat was approved provided a Final Plat is signed and recorded within eighteen (18) months of the date of approval of the Preliminary Plat by said Board.

SECTION 106 REPEAL OF CONFLICTING ORDINANCES

All ordinances, resolutions, regulations or parts thereof, which are in conflict with the provisions of these Regulations are hereby repealed.

SECTION 107 SEVERABILITY

If any section, sub-section, sentence, clause or phrase of these Regulations 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 constitutionality of the remaining portions of these Regulations. The Board hereby declares that it would have passed each section, sub-section, sentence, clause and phrase of these Regulations irrespective of the fact that one (1) or more sections, sub-sections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.

SECTION 108 AMENDMENTS

For the purpose of promoting the public health, safety and general welfare, the Board may from time to time amend the provisions imposed by these Regulations in the manner prescribed by law.

SECTION 109 PROCESSING FEE SCHEDULE

The submission of a Master Plan, Sketch Plan, Preliminary Plat, Final Plat, Revised or Amended Plat or Application for Reversion to Acreage shall be accompanied by a filing fee according to the fee schedule as recommended by the Commission and approved by the Board. The public hearing fee shall be submitted to the Department simultaneously with submittal of a completed application for public hearing.

SECTION 110 EFFECTIVE DATE

The provisions of these Regulations shall be effective upon final approval and adoption by the Board, as provided in A.R.S. §11-821, as amended.

SECTION 111 SAVING PROVISION

These Regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing Subdivision Regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue or as affecting the liability of any person, firm or corporation or as waiving any right of the County under any section or provision existing at the time of adoption of these Regulations, or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the County, except as shall be expressly provided for in these Regulations.

SECTION 112 SUBDIVISION REVISIONS

No changes, erasures, modifications or revisions shall be made in the Final Plat after approval of the plat has been given by the Board.

SECTION 2
ADMINISTRATION
(Enforcement & Waivers)

ENFORCEMENT

SECTION 200 WITHHOLDING OF BUILDING PERMITS

Any parcel of land which has been the result of a subdivision that does not comply with these Regulations shall not be a legal building site. Hence, no Building Permits shall be issued until said subdivision is caused to comply with these Regulations.

SECTION 201 ENFORCEMENT AUTHORITIES

The Board, County Attorney, County Sheriff, Director, County Clerk, County Recorder, County Engineer and all officials charged with the issuance of licenses or permits shall enforce the provisions of these Regulations. Any permit, certificate or license issued in conflict with the provisions of these Regulations shall be void.

WAIVERS

SECTION 202 PURPOSE

In order to ensure that the strict application of design and improvement requirements provided for under Sections 4 & 5 do not unduly inhibit reasonable subdivision development, this Section provides waiver procedures in which the Board or staff may grant administrative relief to the subdivider.

SECTION 203 WRITTEN REQUEST REQUIRED

Whenever a Sketch Plan or Preliminary Plat proposes to deviate from the requirements specified under Sections 4 & 5, the applicant shall provide the Director with a written request for waiver citing specific Sections to be waived.

SECTION 204 ACTION OF THE DIRECTOR

Upon receipt of a request for waiver made concurrent with the filing of a subdivision plat, the Director shall investigate and analyze the request and present his findings to the Commission at the time the plat is considered at a public hearing.

SECTION 205 ACTION BY THE COMMISSION

The Commission shall recommend approval, approval in modified form, or denial of the request for waiver in a separate minute action prior to taking action on a Preliminary Plat itself. Any approval action shall be based upon all of the following findings:

1. That strict application of design and improvement regulations would preclude reasonable subdivision development of the subject property.

2. That there are special circumstances applicable to the property related to its topography, shape, and/or location that dictate the need for this waiver to ensure good subdivision design and development.

3. That the granting of this waiver will not be detrimental to the public health, safety, and general welfare or injurious to other property in the area in which said property is situated.

SECTION 206 ACTION BY THE BOARD

If approval of the waiver request or portion thereof is recommended by the Commission for a Preliminary Plat or by staff for a Final Plat, it shall be presented to the Board as part of the plat. Specific minute action by the Board regarding approved waivers shall be necessary.

SECTION 3
DEFINITIONS

SECTION 300 DEFINITIONS

For the purposes of these Regulations, certain words, phrases and terms used herein shall have the meaning assigned to them by this Section. When not inconsistent with the context, words used in the present tense include the future; words in the singular number include the plural and those in the plural include the singular. The word "shall" is mandatory; the word "may" is permissive.

ABANDONMENT OF SUBDIVISION
Said of lots, streets, public ways, easements, or rights-of-way when the Board by proper action and public hearings abrogates all rights to said lots, streets, public ways, easements, or rights-of-way.

ACCESS, ALL WEATHER
A safe vehicular route, which either ordinary or emergency vehicles require for the purpose of unimpeded access during floods. This standard applies to public or private streets, or to a designated route connecting a street and the development or building in question. Storm water run-off flowing either across or in the direction of an all weather access route shall not exceed one (1) foot depth during a one hundred (100) year flood.

ACCESS, EMERGENCY
Subordinate or alternate route, path or avenue whether under private or public ownership, designated for use by emergency service personnel and vehicles in crisis events to access a development or subdivision.

ACCESS, PRIMARY
Principal route, path or avenue whether under private or public ownership, used for ingress and egress to a development or subdivision.

ACCESS, SECONDARY
Subordinate or alternate route, path or avenue whether under private or public ownership, used for ingress and egress to a development or subdivision.

ACRE
A full acre shall mean a parcel of land containing 43,560 square feet of area within the property lines of said parcel or lot.

AIR SPACE CONDOMINIUM
A condominium in which each separate interest is in space and no separate interest in the real property underlying such space occurs.

AMENDMENT
A change in the wording, context, or substance of these Regulations or an addition, deletion, or a change in the zone boundaries or classifications upon the Zoning Map. Also a change in the wording, context, or substance of Preliminary Plats and Final Plats filed with the Commission.

APPLICANT
The owner of land proposed to be subdivided or his representative.

APPROVAL, CONDITIONAL
An affirmative action by the Commission or the Board indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.

APPROVAL, PRELIMINARY
Unconditional or conditional approval of the Preliminary Plat by the Commission or the Board as evidenced in their resolutions and constitutes authorization to proceed with final engineering plans and Final Plat preparation.

APPROVAL, FINAL
Unconditional or conditional approval of the Final Plat by the Board, as evidenced by certification on the plat by the Chairman of the Board, and other required signatures constituting authorization to record a plat.

AS-BUILT PLANS (RECORD DRAWINGS)
Construction plans prepared after the fact by the Engineer of Record and in such a manner as to accurately identify and depict the location of in-place improvements.

AVERAGE LOT SIZE
The total area of all lots divided by the total number of lots.

BLOCK
An area of land within a subdivision that is entirely bounded on all sides by streets, the exterior boundary or boundaries of a subdivision, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

BOARD
The Yavapai County Board of Supervisors, acting under the authority of the laws of the State of Arizona.

BUILDING
Includes the principal structure erected or to be erected upon the land described in the declaration provided for in A.R.S. §33-1211 which determines the use to be made of the improved land whether or not such improvement is composed of one (1) or more separate buildings of one (1) or more floors or stories.

BUILDING SETBACK
The minimum distance as prescribed by these Regulations and the Zoning Ordinance between any property line and the closest point of the foundation of any building or structure related thereto.

CERTIFICATE
A formal written statement intended as an authentication of the fact asserted and set forth, under seal of a notary or registered professional.

CERTIFICATE OF ASSURED WATER SUPPLY
Response from the Arizona Department of Water Resources (ADWR) in the form of a "certificate of assured water supply" within "an Active Management Area (AMA)" pursuant to A.R.S. §45-576.

CIRCULATION PLAN
That portion of the General Plan adopted by the Board designating and defining the physical street system for Yavapai County, Arizona.

COMMISSION
The Yavapai County Planning and Zoning Commission.

COMMON ELEMENT
All portions of a condominium other than the units.

COMMON PROMOTIONAL PLAN
A plan, undertaken by a person or a group of persons acting in concert, to offer lots for sale or lease. If the land is offered for sale by a person or group of persons acting in concert, and the land is contiguous or is known, designated or advertised as a common unit or by a common name, the land is presumed, without regard to the number of lots covered by each individual offering, as being offered for sale or lease as part of a common promotional plan. Separate subdividers selling lots or parcels in separately platted subdivisions within a master planned community shall not be deemed to be offering their combined lots for sale or lease as part of a common promotional plan.

CONDOMINIUM
Joint ownership, a multi-unit dwelling or complex, each of whose occupants known as unit owners, enjoys exclusive ownership of individual units, holding title thereto, while retaining an undivided interest as a tenant-in-common, in the common facilities and areas of the building and grounds which are used by all title holders. [For further information on condominiums as regulated by Arizona Revised Statutes, see A.R.S. Section 33, Title 33, Chapter 9.]

CONDOMINIUM CONVERSION
The development of land and existing structures as a condominium, regardless of the present or prior use of such land or structure, and regardless of whether substantial improvements have been made to such structures.

CONSTRUCTION PLAN
The maps or drawings showing the specific location and design of improvements to be installed in accordance with these Regulations.

CONTIGUOUS
Adjoining by physical contact.

COUNTY
The County of Yavapai, Arizona, and shall include the Commission and the Board.

COUNTY ATTORNEY
The County Attorney of Yavapai County or such attorney designated by the County Attorney to furnish legal assistance for the administration of these Regulations.

COUNTY ENGINEER
The County Engineer of Yavapai County, appointed by the Board as prescribed by law.

COVENANTS
A privately prepared recorded document designed to govern the use of parcels within a subdivision.

DEDICATION
The offering of land by its owner(s) for any general or public use, reserving to himself no special rights. The act of dedication in itself does not automatically convey such lands, rights-of-way, or easements into public ownership.

DEED RESTRICTIONS AND PROTECTIVE COVENANTS
A written contractual agreement between two (2) or more individuals or parties setting forth rules, regulations and expectations surrounding the use of subdivided or un-subdivided property.

DEPARTMENT
The Development Services Department of Yavapai County.

DESIGN
The conception, planning, execution, or creating of a scheme in which means are laid down for the construction or implementation of improvements, including location, alignment, grade, width, drainage, materials and all other criteria that lead to the preparation of the final improvement product.

DEVELOPER – (SEE SUBDIVIDER)

DEVELOPMENT AGREEMENT
Agreement between the Board and developer through which the Board agrees to vest development use or intensity or refrain from interfering with subsequent phases of development through new legislation in exchange for the provision of public facilities or amenities by the developer in excess of those required under current regulations. All agreements to conform to A.R.S. §11-1101.

DEVELOPMENT PERMIT
A permit issued by the Flood Control District authorizing construction of drainage improvements, including storm water management facilities, grading (drainage related), and for any work within or immediately adjacent to a watercourse or within a flood hazard area (one hundred (100) year floodplain).

DIRECTOR
Person appointed by the Board or person designated by the Development Services Director.

DRAINAGE
The system or facilities by which surface water run-off is removed from streets and property both within and outside a subdivision. Can also refer to the actual run-off of floodwater.
a. Drainage, Local
Water which accumulates as a result of local storms and flows overland not included in a delineated floodplain. This shall include sheet flow and such flow as may be concentrated in local drainage systems with or without defined channels, excluding delineated floodplains.
b. Drainage, One hundred (100) Year Storm (Peak Discharge)
Local drainage resulting from a storm which has a one percent (1%) chance of occurring annually, based upon a Design Storm within a defined area.
c. Drainage, Off-site
The storm surface waters emanating from lands outside the limits of the proposed subdivision and draining through the site of the proposed development. [See the Yavapai County Drainage Criteria Manual for additional drainage related definitions.]

EASEMENT
A grant by a property owner of the use of an area of land for a specific purpose or purposes, by the general public, corporation, or a certain person or persons.
a. Drainage Easement
An area designated and used for conveyance of storm run-off in which nothing can be placed which will impede, divert or cause the run-off to have an adverse effect on adjoining property.
b. Non-Vehicular Access Easement
An easement prohibiting vehicular access from a street or between adjoining parcels.

EGRESS
The movement of traffic from the abutting properties to the street and from minor streets to major streets.

ENGINEER
A person who, by reason of special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering as attested by his registration as a professional engineer.

ENGINEER OF RECORD
A professional engineer registered in the State of Arizona and employed by the owner or developer to design and/or inspect improvements.

ENGINEERED PLANS
Drawings, plans, plats, legal descriptions and specifications prepared by a professional licensed by the Arizona Board of Technical Registration. This does not imply that engineered plans may be prepared by professionals in categories other than those in which they hold a license.

ENVIRONMENTAL UNIT
County agency responsible for reviewing sanitary and water supply facilities or other public or private infrastructural improvements by delegation agreement with the Arizona Department of Environmental Quality (ADEQ).

FINAL PLAT
The final drawing of a property being subdivided as prepared by a land surveyor intended for recording with the County Recorder consisting of all or part of a subdivision conforming substantially to an approved Preliminary Plat and/or prepared in accordance with these Regulations depicting the actual or proposed legal boundaries of the subdivided lands to be approved by the Board.

FLOOD
A general and temporary overflow of water onto normally dry land areas.
a. Flood, Regulatory
The one hundred (100) year flood as determined by criteria established by ADWR as promulgated by the Arizona Revised Statutes.
b. One Hundred (100) Year Flood
A flood that has a one percent (1%) chance of occurring annually.

FLOODPLAIN
a. Floodplain, Delineated
That area delineated and mapped as a floodplain by FEMA and/or by the Board of Directors of the Flood Control District.

b. Floodplain, Regulatory
That portion of the natural watercourse that would be inundated by the regulatory flood and which land use is regulated by the Flood Control District floodplain regulations.
c. Floodway
A channel of a river or other watercourse and the adjacent land areas necessary in order to discharge the one hundred (100) year flood without cumulatively increasing the water surface elevation more than one (1) foot.
d. Flood Control District
Agency charged with administering the Yavapai County Flood Control District Ordinance and responsible for reviewing development plans and subdivision proposals in relation to floodway, floodplain and flood hazard areas.

FRACTIONAL INTEREST
An undivided interest in improved or unimproved land, lots or parcels of any size created for the purpose of sale or lease and evidenced by a receipt, certificate, deed, or other document conveying such interest. Undivided interests in land, lots or parcels created in the names of a husband and wife as community property, joint tenants or tenants in common, or in the names of other persons who, acting together as part of a single transaction, acquire such interests without a purpose to divide such interests for present or future sale or lease shall be deemed to constitute only one (1) fractional interest.

FRONTAGE
That part of a lot line which is also a public or private road right-of-way line.

GENERAL PLAN
A comprehensive plan of Yavapai County, Arizona prepared and recommended by the Commission and adopted by the Board for the purpose of guiding the general physical growth and development of the County, and includes any part of such plan separately adopted and any amendment to such plan, or parts thereof.

GOVERNMENT AGENCY
Any agency of a governing body created by a political division or subdivision such as Federal, State, County and City.

GRADE
The slope of a road, street, or other public way specified in percentage terms.

HILLSIDE
An area where the natural slope of the ground exceeds twenty percent (20%) grade.

HORIZONTAL PROPERTY REGIME – (SEE AIR SPACE CONDOMINIUM)

IMPROVEMENTS
Refers to such street work, flood and drainage work, utilities and other desirable facilities to be installed, or agreed to be installed by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs.
a. On-site Improvements
Any works or improvements as described above undertaken or installed at the location and within the parcel being developed.

b. Off-site Improvements
Any works or improvements as described above undertaken or installed beyond the location and not within the parcel being developed.

INGRESS
The movement of traffic from the street to the abutting property and from major streets to minor streets.

LAND
Any area suitable or usable for some purpose or being held in an undeveloped or unused state, which land is capable of being located, surveyed, staked and described by a legal description.

LAND DIVISION
Improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into five (5) or fewer lots, parcels or fractional interests.

LAND SURVEYOR
A person who, by reason of his knowledge of the mathematical and physical sciences, principles of land surveying and evidence gathering acquired by professional education or practical experience, or both, is qualified to practice land surveying as attested by his registration as a land surveyor.

LEGAL ACCESS
As defined in the Arizona Revised Statutes or by ADRE, or as insurable by a title company.

LEGAL DESCRIPTION
A description delineating the location of property in such a way as to distinguish it from all other pieces of property and may include description by tract, block and parcel number, or by subdivision and parcel number, or by metes and bounds.

LOT
A parcel of land to be used as a unit and having its principal frontage on a dedicated street or street easement. Where a half-street has been dedicated from such parcel, such shall be qualification for street frontage.

LOT AREA, NET
The total horizontal area within the property lines of a lot or parcel of land excluding all vehicular access ways except those private easements which serve as primary access to no more than four (4) individual lots or parcels.

LOT, DOUBLE FRONTAGE - (SEE ALSO - LOT, THROUGH)
A lot having street frontage on both the front and rear property lines.

LOT, CORNER
A lot located at the intersection or interception of two (2) or more streets at an angle of not more than one hundred thirty-five degrees (135°). If the angle is greater than one hundred thirty-five degrees (135°), the lot shall be considered an "Interior Lot."

LOT (SITE) COVERAGE
That portion of a lot or building site which is occupied by any building or structure, excepting paved areas, uncovered parking areas, driveways, walks, lanais, terraces, swimming pools and landscaped areas. Eaves (roof overhangs) no greater than three (3) feet from the vertical exterior face of a wall are not calculated in lot coverage.

LOT, FLAG
An interior lot not having direct frontage to a public road or highway, except for a portion of said lot used for access purposes. That portion of a flag lot used for access purposes shall have a minimum width of twenty feet (20').

LOT, INTERIOR
A lot other than a corner or reverse corner lot.

LOT LINE
Any line bounding a lot as herein defined.

LOT, THROUGH - (SEE ALSO - LOT, DOUBLE FRONTAGE)
A lot having access frontage on two dedicated parallel or approximately parallel streets.

MASTER PLAN
A general development plan that may or may not be presented to the Commission or Board, identifying design features including but not limited to roads or rights-of-way, lot layout or configurations, topographical features, contemplated development phases/time schedules and relationships to surrounding properties submitted in support of a design concept in preparation of future development/subdivision activity.

MINOR STREET PLAN
A part of the street and traffic circulation plan that is complementary to and interrelated with the General Plan.

NON-RESIDENTIAL SUBDIVISION
The division of a tract of land into parcels for occupancy by non-residential uses and/or structures whether for sale or for building development for leasing and/or renting.

ON-SITE WASTEWATER TREATMENT FACILITY
A conventional septic tank system or alternative system that is installed at a site to treat and dispose of wastewater of predominantly human origin that is generated at that site. An on-site wastewater treatment facility does not include a prefabricated, manufactured treatment works that typically uses an activated sludge unit process and has a design flow of three thousand (3,000) gallons per day or more.

PARCEL
A separate or distinct part or portion of land other than a lot. For the purpose of these Regulations the term "parcel" shall refer to metes and bounds property and shall not have the same meaning as "assessor parcel" which is used for tax assessment purposes.

PERMIT
A document issued by a governmental agency granting permission to perform an act or service which is regulated by the County, a State agency or the Federal Government.

PLAN
a. Master Development Plan
A preliminary master plan for the development of a community or other large land area, the platting of which is expected to be undertaken in progressive stages. A development master plan may be subject to Commission and Board approval.
b. Community or Area Plans
A planning document adopted by the Board as a supplement to the General Plan involving a specific community or unincorporated area or region of the County.
c. Engineering Plans
Plans, profiles, cross-sections and other required details for the construction of public or private improvements, prepared by a Registered Professional Engineer in accordance with the approved Preliminary Plat and in compliance with standards of design and construction or policies approved by the Board.

PLAT
A map of a subdivision.
a. Preliminary Plat
A preliminary map, including supporting data, indicating a proposed subdivision development and inherent design, prepared in accordance with these Regulations.
b. Final Plat
A map of all or part of a subdivision providing substantial conformance to an approved Preliminary Plat, prepared in accordance with these Regulations and approved by the Board prior to recordation.
c. Recorded Plat
A Final Plat bearing all of the certificates of approval required in these Regulations and duly recorded in the County Recorder's Office.

PROPERTY LINES
Those lines outlining the boundaries of properties or lots for the purpose of description in sale, lease, building development, or other separate use of property.

PUBLIC IMPROVEMENT
Any drainage channel, roadway, parkway, sidewalk, pedestrian-way, water system, sewer system, tree, lawn, off-street parking area, lot improvement, or other facility for which the County or a Special District may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which County or Special District responsibility is established.

PUBLIC SITES
Any parcel, tract or lot set aside for schools, parks, playgrounds, fire stations, public buildings, or other public purpose.

PUBLIC UTILITY
Private or municipal facility for distribution to the public of various services such as power, heat, light, water, television, telephone, sewage removal, communications, etc.

RADIAL
A line forming right angles with the tangent of any given arc.

RECORD DRAWINGS – (SEE AS-BUILT PLANS)

REGISTERED PROFESSIONAL ENGINEER
An engineer registered in the State of Arizona.

REGULATIONS
Yavapai County Subdivision Regulations as contained herein.

RE-SUBDIVISION
The changing of design, subdivision name, lot lines, size of lots, or road alignment of any recorded or approved subdivision in the County.

REVIEWING AGENCIES
Federal, state, county, municipal, emergency or public service, or private agency consulted for specific comment or response regarding jurisdictional requirements that may affect a subdivision or development proposal as described herein.

RIGHT-OF-WAY
The entire dedicated tract, strip of land, or easement that is to be used by the public for circulation and service. (The length and width of a right-of-way shall be sufficient to provide adequate accommodations for all the physical features to be included in said right-of-way.)

ROAD (STREET)
That area, whether public or private, between right-of-way lines, dedicated, reserved or provided for roadway purposes and other uses not inconsistent herewith to include in the general sense streets, avenues, alleys, highways, crossings, lanes, roadway easements, intersections, courts, places, and grounds now open or dedicated or hereafter opened or dedicated to the public for use as public roadways.

ROAD (STREET) ABANDONED
Streets, roads or other public rights-of-way, which the Board by proper actions and public hearings abrogates all rights to said lands and rights-of-way.

ROAD, ALLEY
A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

ROAD, ARTERIAL
A general term including expressways and arterial streets; an interstate, state, or county highway having regional continuity; any street having considerable continuity and carrying a large volume of vehicles. These arterial routes often coincide with section lines with minimal interference to through movement to provide limited ingress and egress to and from collector and local streets.

ROAD, COLLECTOR
A street or road that serves local traffic movement within an area and traffic between major arterials and local streets and provides a means of ingress and egress to local streets and should be designed so that no residential properties face onto it; also serves to connect adjacent neighborhoods and includes the principal entrance street into residential neighborhoods. There may also be provisions for parking and loading or unloading on collector streets**.**

ROAD, CUL-DE-SAC
A street or road having a traffic outlet on one (1) end only and having at the other end facilities for the turning around of vehicular traffic not intended to be extended or continued to serve future subdivisions on adjacent lands.

ROAD, DEAD-END
A street or road having a traffic outlet on one (1) end only and terminated at the other end by undeveloped property. A dead-end street shall have temporary provisions for the turning around of vehicular traffic. Turn-around is temporary until future extension to adjoining property occurs.

ROAD, FRONTAGE
A minor street often paralleling and constructed in close proximity to an arterial route which provides access to abutting property, intercepts minor residential streets and controls access to an arterial route.

ROAD, HALF
A street having only a portion, usually one-half (1/2), of its required right-of-way width dedicated for public use.

ROAD, MINOR
A street or road used primarily for direct access and egress to residential, commercial, and industrial areas and having major service functions of loading, unloading, and direct access and egress to abutting property, and being controlled in such fashion as to discourage through traffic and to maintain relatively slow speeds. There may also be provisions for parking on minor streets.

ROAD, PRIVATE
A street which has not been dedicated for public use and reserved for the use of and maintained by the lot owners within the subdivision.

ROAD, PUBLIC
All road classifications dedicated and easements accepted by the County.

ROAD, RESIDENTIAL
A street used primarily for providing access to abutting residential property.

SEWAGE TREATMENT FACILITY
A plant or system for sewage treatment and disposal, except for an on-site wastewater treatment facility that consists of treatment works, disposal works, and appurtenant pipelines, conduits, pumping stations and related subsystems and devices.

SIDEWALK
An improvement designed and intended for the movement of and use of pedestrian traffic.

SITE PLAN
A plan, prepared to scale, showing accurately and with complete dimensioning, all of the buildings, structures and uses in relation to property lines and streets and the exact manner of development proposed for a specific parcel of land.

SKETCH PLAN
An informal plan indicating relevant existing features of a tract and its surroundings and the general layout of a proposed development.

STANDARD SPECIFICATIONS
The detailed precise written presentation of rules, principles, measures and particulars relating to improvement works as recommended by the County Engineer and adopted by the Board.

STATEMENT OF WATER ADEQUACY
A statement, certificate or designation from ADWR regarding water availability for proposed subdivisions within an AMA or outside an AMA.
a. Within an AMA –
The "Certificate of Assured Water Supply" or the report/statement designating the subdivision's water supply to be assured shall be provided to the Director prior to Board consideration (actual hearing day) of the Final Plat.
b. Outside an AMA-
Response from ADWR in the form of a designation ("letter") of water "adequacy" either for that subdivision or for the water company (private or public) which will serve the subdivision pursuant to A.R.S. §45-108.

STORM SEWER
A channel or conduit, open or closed, necessary, useful, or convenient for the collection and carrying of surface waters to a drainage course.

STREET – (SEE ROAD)

SUBDIVIDER
Any person or legal entity who causes land to be divided into a subdivision for himself or for others.

SUBDIVISION
Lands or property divided or proposed to be divided for the purpose of sale or lease as defined in the Arizona Revised Statutes. This definition shall not include the subdivision into or development of parcels, plots or fractional portions within the boundaries of a cemetery which has been formed and approved pursuant to A.R.S. Title 32, Chapter 20**.**

TOPOGRAPHY
The delineation of the vertical and horizontal positions, on the earth's surface, of the natural and artificial features of a given locality, and the configuration of the terrain.

TRACT
A piece of land which may be divided into parcels and lots, and/or is set apart as a separate and distinct parcel for a specific purpose in conjunction with an approved subdivision.

TRAFFIC IMPACT STUDY OR ANALYSIS
A report or study performed by a registered professional engineer or professionally qualified consultant evaluating the potential consequences of vehicular, pedestrian or other traffic volumes and movements and resulting consequences to infrastructure and/or public health, safety and welfare.

TRAIL, PRIVATE
Access pathway for recreational or alternate transportation purposes open only to members of a specified community.

TRAIL, PUBLIC
Access pathway for recreational or alternate transportation purposes open to all members of the community.

U.S.C. & G.S.
United States Coast and Geodetic Survey, now identified as N.G.S., National Geodetic Survey.

U.S.C.S.
United State Cadastral Survey.

U.S.G.S.
United States Geological Survey.

VACATED – (SEE ABANDONED)

VARIANCE
A proposed deviation or relaxation of Zoning Ordinances, Subdivision Regulations, Flood Control District Ordinances, or design standards set out by these or other Federal, State and County regulations.

VICINITY MAP
A map, chart or diagram showing the geographical location of a proposed development in relationship to the surrounding region as indicated by streets, highways, and other physical features.

WAIVER
A permitted deviation from the Subdivision Regulations, permitted only through hearings by the Commission and the Board.

WATER SYSTEM, COMMUNITY
A water system publicly or privately owned and operated which has appropriate approval and legal authorization, as authorized by ADEQ or the Arizona Corporation Commission.

ZONE
A specific use classification established by Zoning Ordinance, which limits or permits various and specific uses. Means the same as "District" in A.R.S. §11-801.

ZONING
To partition the unincorporated area of the County by ordinance into sections reserved for various uses.

ZONING ORDINANCE
The Yavapai County Planning and Zoning Ordinance as adopted by the Board.

SECTION 4
PLAT APPLICATION PROCEDURES AND APPROVAL PROCESSES

SECTION 400 INTRODUCTION

The provisions of this Section shall apply to all subdivisions, as defined by these Regulations, proposed for property located wholly or partially within the unincorporated territory of the County. The intent of this Section is to assist landowners/developers through the subdivision process via a number of avenues dependent on the scope of the proposed development. Various tiers have been developed for differing levels of improvements and scale of a project. On the following page is a flow chart illustrating the various tiers under which a development may proceed. Following the chart are explanations for the Sketch Plan, Preliminary Plat and Final Plat processes. A Final Plat is required of any subdivision development as set out by Arizona Revised Statute while the other two steps are intermediary and may not be necessary depending on the scope of the proposed subdivision as set out in the flow chart.

Note: All processing times illustrated in the following flow chart assume that the application is complete and needs no revisions, is filed on or before the deadline day as set out in the Department calendar, and there is adequate staff to process all applications at time of submittal.

Lot size within Tiers	*Number of lots within lot size range*	*Basic Road requirements* *Depending on topography and elevation*	*Road Improvements (Residential)*		*Pedestrian /bicycle*	*Drainage (Residential)*	*Processing*
			Local/Interior	*Collector*			
Less than 2 ACRES	6 or more lots	All subdivision regulations apply	Current Adopted Roads Standards	Current Adopted Roads Standards	Provide easements. Hard surfacing for lots under 18,000 sq ft	Phase III Drainage Report	Administrative review prior to Board approval
		All roads not meeting public roads standards to be classified as private					
2 to less than 10 ACRES	2 acre up to 20 lots 4 acre up to 10 lots	Some waivers for roads 20 ft wide low volume see current Roads Resolution	Public – Double Chip Seal, Private – allow lesser width/improvements	Double Chip Seal	Provide Trail Easements	A Phase III Drainage Report will be required, but the storm water detention requirements may be waived due to lower density	Administrative review prior to Board approval
	5 acre up to 10 lots	18 ft wide low volume AASHTO					
	Beyond above number of lots	Some waivers for roads with Traffic Study AASHTO	Public – Double Chip Seal, Private – allow lesser width/improvements	Double Chip Seal			Administrative review prior to Board approval
10 Acres or greater *36 acre or larger regulated by ARS*	10 acre up to 16 lots	Some waivers for roads AASHTO Low Volume	Public – Double Chip Seal, Private – allow lesser width/improvements	Easements for collector roads	Provide Trail Easements	A Phase III Drainage Report will be required, but the storm water detention requirements may be waived due to lower density. Also, the engineer has the option of doing approximate floodplain analyses for watercourses with drainage areas less than 1 square mile	Administrative and P&Z review prior to Board
	10 acre 17 or more lots	Some waivers for roads AASHTO Low Volume	Public – Double Chip Seal, Private – allow lesser width/improvements	Easements for collector roads			P&Z and Board hearings

ALTERNATE PROCESSING AVENUES

Existing Pre-plat required process		*Administrative Review*	*P&Z Commission*	*Bd of Supervisors*	*Min 90 Days*
1	Sketch Plan review	Administrative Review			Min. 25 Days
2	Concept Plan (Optional)	Administrative Review	P&Z Commission		Min. 50 Days
3	Expedited Pre-Plat (Optional)	Administrative Review	P&Z Commission		Min. 50 Days
4	Final Plat (Mandatory)	Administrative Review		Bd of Supervisors	Min. 45 Days

(ACTIONS TAKEN UNDER ADMINISTRATIVE REVIEW CAN BE APPEALED TO COMMISSION)

SECTION 401 PRE-APPLICATION PROCEDURES

A pre-application meeting with Department staff may be required as part of any application submittal for a subdivision. This meeting allows the applicant to discuss an application with members of the Floodplain Unit, Environmental Unit, Land Use Unit, and possibly for large projects, the Design Review Division. This meeting is intended to provide the appropriate information to an applicant regarding, but not limited to, location of floodplains and drainage areas, septic system size and requirements, and conformance of the site plan with Zoning Ordinance requirements. During the meeting staff will also provide advice and assistance regarding filing procedures, improvements required, and subdivision design considerations.

Concerns set forth in this pre-application meeting shall be addressed in the plat submittal. The developer should have "sketch" type drawings and documents showing the proposed street layout, topography, drainage issues, and proposed access. The purpose of the pre-application meeting is to provide preliminary identification of potential issues. It is not intended as a complete analysis. Attendance of the applicant's engineer and/or development team is strongly encouraged but not required. The applicant is required to contact a staff member to set up an appointment.

SECTION 402 SKETCH PLAN

A. The purpose of the Sketch Plan is to determine the feasibility of the proposed development and the capacity of the land to support such development.
B. To avoid unnecessary and costly revisions, the subdivider shall as specified by these Regulations submit a Sketch Plan of the proposed development after an informal discussion with Department staff. The Sketch Plan shall be circulated to and reviewed by County and related reviewing agencies to discover development opportunities or apparent constraints prior to accepting a subdivision plat submittal.
C. In accordance with A.R.S. §9-474 through §9-479 if the property is within three (3) miles of the corporate limits of a city or town having subdivision regulations, the Director shall submit a copy of the Sketch Plan to said community for review.
D. A Sketch Plan submittal shall be a precursor to any plat submittal under the following circumstances:

1. Area to be subdivided is greater than one hundred sixty (160) acres in size.
2. Development tract adjoins different zoning classification(s) with higher intensity/density designation(s).
3. Project development is to occur in multiple phases.
4. Difficult development constraints exist such as:
    a. Topography
    b. Limited or difficult access
    c. Limited existing or available utilities
    d. Within FEMA Floodplain or encumbered by numerous washes or arroyos exhibiting unique drainage constraints
    e. Sewer not available and effluent disposal opportunities are limited or constrained

SECTION 403 SKETCH PLAN CONTENTS

A. Vicinity Map
B. Name of development and Sketch Plan
C. Location by Section, Township and Range (G&SRB&M)
D. Reference by dimension and bearing to section corners and quarter-section corners
E. Boundaries of development clearly identified
F. North arrow

G. Scales (both graphic and equivalent inch to feet) using standard engineering intervals. Not to exceed 1" = 200', prefer 1" = 100'. Sheet size no smaller than 24" x 36"; no larger than 42" on a side.

H. Date of preparation plus date of any amendments since original submittal

I. Names, addresses, phone numbers and notation of relationship to development for landowners, subdivider/development agents, engineers, surveyors, land planners, landscape architects, architects, hydrologists or others responsible for design (include registration numbers)

J. Topography by contours relating to U.S.G.S. survey datum (shown on the same map as proposed development) including benchmark used. Base information must be sufficient in order to review. Topography shall be depicted 300' beyond project boundary.

K. Proposed land uses and densities by area as well as ownership patterns surrounding land uses and zoning within 300'

L. Proposed vehicular, pedestrian and recreational stock traffic circulation plan (access, continuity, traffic flow capacities, secondary emergency access threshold, etc.)

Traffic Concept Plan to include:

1. Overall area map where necessary showing existing and proposed roads and their classification (arterial, collector, residential street) within 1/2 mile of project boundaries. Scale not to exceed 1" = 2,000'.
2. Identify legal primary and secondary access opportunities, as well as existing or proposed street right-of-way widths.
3. In narrative form, identify general traffic impacts to adjacent property and existing roads, as well as high traffic generation points on site.
4. Identify existing or proposed trail networks and open space features affected by or intended to be implemented as part of future subdivision design.

(NOTE: The Plan may be graphic and/or narrative.)

M. Drainage Concept Plan

Illustrate and discuss in narrative form the proposed methods of handling storm drainage and floodplains that affect property:

1. Depict general pre- and post-development drainage patterns and flow direction(s).
2. Identify potential detention facilities, where necessary.

N. Identify in chart or note form on the Sketch Plan Map the following:

1. Total acreage, acreage for each use and each phase
2. Number units/lots for each type of use and phase
3. Average area per lot/unit proposed
4. Percent open space, if any, exclusive of rights-of-way, roadways, building envelopes, and parking areas
5. Water source (if new source indicate potential well field and storage tank)
6. Method of refuse removal
7. Sewer service provider and type, if available
8. Fire District
9. Proposed utilities available and provider
10. Identify unique site conditions, i.e., rock outcroppings, major drainage features, etc.

O. Requested Variances and Waivers or known deviations from design standards

(NOTE: Unique site conditions or apparent development constraints may necessitate submittal of additional information as required.)

SECTION 404 ADDITIONAL REQUIREMENTS

Eighteen (18) copies of the Sketch Plan shall be submitted to the Department. Within fifteen (15) working days from submittal, the Sketch Plan shall be evaluated and discussed in a formal meeting between the applicant(s),

reviewing agency representatives and Department staff. Upon receipt of reviewing agency comments, the Director shall compile agency comments and respond to the applicant or agent as the proposed project relates to the following:

A. General Plan or Specific Area (Community) Plan(s)

B. Suitability of the site for development, proposed/existing and potential development opportunities and constraints

C. The improvements, design and dedication required by County Improvement Standards

D. Zoning Requirements

E. Drainage Requirements: A Phase I drainage report in accordance with the requirements of the Yavapai County Drainage Criteria Manual shall be submitted as set forth herein in conjunction with a Sketch Plan. The purpose of a Phase I Drainage Report is to review at a conceptual level the feasibility and design characteristics of the proposed subdivision. The drainage study shall identify off-site contributing drainage areas on a 7-l/2' U.S.G.S. Quad Map; analyze existing hydrology conditions and approximate developed hydrologic conditions to make decisions relative to detention; illustrate location of proposed drainage facilities to convey run-off through the site (no sizing of facilities needed); and provide text generally describing the drainage aspects of the site, methods for handling run-off, hydrological methods, and floodplains that affect the property.

F. Citizen Participation: Every applicant who is proposing a subdivision shall include a Citizen Participation Plan. This process shall be started prior to submitting a Sketch Plan application for a proposed subdivision. This process should not occur until after the required pre-application meeting and consultation with Department staff. In the event a Sketch Plan is not required, this process shall be started prior to submittal of a subdivision plat. Additional public meetings will not be required prior to submittal of a Preliminary Subdivision Plat or Final Plat if and when there is no Zoning Map Change required or if the zoning has previously been approved. The applicant is, however, required to inform those individuals or entities who have asked to be kept informed of future subdivision plat submittals. In specific instances where there has been a significant period of time that has passed since the Sketch Plan was submitted or approved or where there are significant changes to the subdivision plat, staff may require additional community meetings or additional notice to individuals or interested members of the public.

SECTION 405 APPROVAL OF SKETCH PLAN

On or before the twentieth day after the Sketch Plan submittal date, the Director shall determine whether or not the Sketch Plan meets the purposes of these Regulations and related County Ordinances and design specifications and shall, where the Director deems it necessary, make specific recommendations to be incorporated by the applicant into a revised Sketch Plan or appropriate subdivision plat submittal. No response from reviewing agencies within the prescribed review period shall be construed as having no objection to the continued processing of the application.

SECTION 406 DENIAL OF SKETCH PLAN

If the Director determines that the Sketch Plan submittal is not consistent with the General Plan or Specific Area (Community) Plan(s) and/or determines that the proposed development does not meet County improvement/design specifications, the Director may deny the Sketch Plan application or request modifications to be incorporated into a revised Sketch Plan prior to authorizing an appropriate subdivision plat submittal.

SECTION 407 APPEAL

If the project developer objects to a decision by the Director to deny a Sketch Plan or any administrative review process or recommended modification to same, the Director's decision may be appealed to the Commission. Upon receipt of a written statement of objection, the matter shall be placed on the agenda for the next available Commission meeting. If the developer objects to the recommendations of the Commission, the Commission's recommendation may be appealed to the Board.

SECTION 408 PRELIMINARY PLAT

No Final Plat for a subdivision shall be recorded unless an equivalent Preliminary Plat has been approved by the Board pursuant to this Section unless such proposal meets the guidelines for administrative review and may proceed directly to the Board for Final Plat action as set out in the flow chart and/or other portions of these Regulations.

SECTION 409 FILING OF PRELIMINARY PLAT

After the pre-application meeting and general approval of the Sketch Plan, if required, the subdivider shall cause to be prepared a Preliminary Plat of the proposed subdivision and other exhibits as hereinafter specified, and shall submit to the Department a Preliminary Plat application with thirty (30) copies of the Preliminary Plat and two (2) copies of all required supplementary materials as outlined under Section 412. Processing will not commence until all required documents are received including a processing fee of an amount established by resolution of the Board. One (1) legible copy of each sheet of the plat shall be provided on 11" x 17" or smaller paper.

If during processing deviations from the requirements of these Regulations are noted, the developer or his representative shall be notified in writing of the appropriate action necessary on his part for the continuation of said proceeding. Waivers to be applied for as set out under Section 205.

The Preliminary Plat shall at a minimum meet the standards for design and the requirements for the construction of public improvements as set forth by these Regulations, County Engineering/Public Works Department, Flood Control District, Environmental Unit, local fire districts and Community Health Services Department requirements and shall conform to the design, conditions, and authorized changes as set forth and approved in the Sketch Plan phase of subdivision application and these Regulations.

SECTION 410 FORM OF PRELIMINARY PLAT

Every Preliminary Plat filed with the Department shall be clearly and legibly drawn to a scale of l" = 200'; or l" = 100'; or l" = 50'. A scale of l" = 100' is preferred. The size of the sheet shall be 24" x 36" unless another size is found acceptable by staff.

SECTION 411 PRELIMINARY PLAT CONTENTS

A Preliminary Plat shall contain the following information and data:

A. Proposed name of subdivision and its location by Section, Township and Range; small scale vicinity map showing relative location of the plat; reference by dimension and bearing to section corners and quarter-section corners; and subdivision boundaries clearly identified
B. Total subdivision acreage and over-all dimensions
C. Name, address and phone number of landowner (and subdivider, if not the same)
D. Name, address and phone number of engineer, surveyor, landscape architect or land planner preparing the plat, including registration number(s)
E. Scale, North point and date of preparation, including dates of any subsequent revisions
F. Topography by contours relating to U.S.G.S. survey datum, or other datum approved in writing by the County Engineer, to be shown on the same map as the proposed subdivision layout. Location and elevation of the benchmark used should also be shown on the plat. Acceptable contour intervals: grades up to 5%, 2 feet; 5% to 15% grades, 5 feet; grades over 15%, 10 feet. Source and date of topography

shall be noted on the Preliminary Plat. Datum basis shall be noted. Whenever practical, elevations should be based on U.S.C.@G.S. or N.G.S. datum. At least one (1) permanent benchmark shall be included as part of the Preliminary Plat. Regular U.S.G.S. topographic maps, enlargements or similarities of same will not be acceptable as the source of topography. Topography shall extend at least 100' into all adjoining properties. This requirement may be waived on a case-by-case basis by staff.

G. Drainage related items: Flood hazard and one hundred (100) year floodplain areas, if any, shall be delineated on the Preliminary Plat and finished floor elevations for building pads shall be identified for all lots impacted by flood hazard areas. All lots impacted by flood hazard areas must have an established restrictive building envelope that is outside the delineated flood hazard area.

H. Location, widths, ownership status and names of all existing streets and improvements therein; railroads; recorded utility or other easements or rights-of-way, including any existing facilities therein; public areas; all existing structures, with an indication of whether or not they are to remain; and municipal corporation lines within or adjacent to the tract. Access road to the proposed subdivision shall be described to its intersection with a public road right-of-way.

I. Name, book and page numbers of any recorded subdivisions within or having a common boundary with the tract, or notation "unsubdivided" where appropriate

J. Location, width and names of proposed streets, alleys, drainage ways, cross-walks and easements including all connections to adjoining platted or un-platted tracts. A typical cross-section shall be depicted on the plat where applicable describing the aforementioned improvements.

K. Lot layout: including minimum building setback lines related to all streets; typical lot dimensions (scaled); minimum lot sizes; dimensions of all corner lots and lots on curvilinear sections of street; each lot numbered individually and total number of lots shown

L. Designation of all land to be dedicated or reserved for public or semi-public use, with use indicated. Existing use of property immediately surrounding the plat area.

M. Reference by note to source of proposed electricity, gas, telephone service, solid waste disposal, police and emergency service agencies

N. If plat includes land for which multi-family, commercial or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification, present district boundary lines and status of any pending zoning change

O. Sewage Disposal: It shall be the responsibility of the subdivider to furnish the Department such evidence as may be required for its satisfaction as to the design and operation of sanitary sewage facilities proposed. A statement as to the type of facilities proposed shall appear on the Preliminary Plat. Subdivisions Utilizing Individual On-site Wastewater Systems: Where the proposed sewage disposal system will be by individual on-site wastewater systems, the results of the testing in accordance with current ADEQ requirements and rules shall be submitted with the Preliminary Plat. Where alternative on-site wastewater systems are proposed, necessary supporting information shall be provided for review and approval in concert with Preliminary Plat evaluation.

P. Water Supply: It shall be the responsibility of the subdivider to furnish the Environmental Unit such evidence as that Unit may require for its satisfaction as to the facilities for supplying domestic water. A statement as to the type of facilities proposed shall appear on the Preliminary Plat.

Q. Solid Waste Disposal: Subdivider shall indicate distance and location of refuse disposal area. In addition, method of collection must be indicated.

R. Engineering plans submitted in support of the Preliminary Plat shall be prepared under the direction of and signed and sealed by a Registered Professional Engineer

SECTION 412 SUPPLEMENTARY CONTENTS OF PRELIMINARY PLAT

In addition to the contents required by Sections 408 through 411, the Director and/or County Engineer may require the following supplementary contents:

The following material shall accompany the submission of all Preliminary Plats. If this data is not included on the Preliminary Plat, then a minimum of two (2) copies are required unless more are required in specific instances by other agencies or regulations. Supplemental submittals at this stage, such as grading, drainage or road plans, should be preliminary plans, not construction plans. They are the type of plans needed to evaluate the sustainability of the Preliminary Plat and allow the reviewing agencies to make reasonable decisions. The plans may generally be prepared using scaled distances and elevations taken from the topographic map used for the Preliminary Plat. When possible, they should be at the same scale as the Preliminary Plat. All supplemental submittals must be consistent with each other and the Preliminary Plat.

A. Preliminary draft of proposed deed restrictions or protective covenants to be incorporated in the Final Plat submittal, including provisions for use and maintenance of commonly owned facilities, if any

B. A statement regarding availability of utilities and the direction and distance thereto and preliminary letters of serviceability shall be submitted in conjunction with the application

C. A list of the proposed street names

D. Preliminary Grading Plan: A preliminary grading plan shall be required when cuts or fills will exceed five feet (5') in height or will extend outside of the normal street right-of-way. The preliminary grading plan shall be in sufficient detail to convey the extent of grading activities such that their impact can be evaluated by the reviewing agencies. The plan shall include existing and finish grade contours and limits of cut and fill areas. Driveway and building locations shall be shown when topographic or other constraints will require specific locations or site grading. A geotechnical report shall accompany the grading plan to support the slope stability assumptions of the grading plan.

E. Preliminary Road Plans: Grades shall be given to the nearest whole percent grade. A profile sheet coinciding with the roads as shown on the Preliminary Plat or separate plan and profile sheets shall be prepared at a scale sufficient to allow evaluation of the proposed roads. Proposed drainage structures within the right-of-way shall be shown on the preliminary road plans. The Preliminary Grading Plan may be shown on the Preliminary Road Plans if all of the grading will be related directly to the roads. The reviewing agency's interest in these plans are: l) height, stability and slope of cut/fills, 2) affected drainage patterns, 3) potential roadway geometric problems, 4) impacts of the roads on adjacent lots, property and access, 5) relationship of drainage to roadways, 6) other items that may be specific to the roads in the specific subdivision.

F. Preliminary Utility Plans: A Preliminary Utility Plan shall be prepared to illustrate the proposed location of utilities and verify that the necessary easements and rights-of-way are proposed on the Preliminary Plat. It is recognized that final utility locations are decided by the individual utilities, but the objective of the Preliminary Utility Plan shall be to encourage cooperation in planning by the various utilities.

G. Preliminary Drainage Plans: The Preliminary Drainage Plan shall be part of a Phase II Drainage Report in accordance with the requirements of the Flood Control District and the Yavapai County Drainage Criteria Manual. The plan may include a drainage report, floodplain delineation and floodplain study depending on the size of the project and its location topographically as well as geographically.

H. Traffic Impact Analysis: Generally the following criteria are considered when determining if a traffic impact study is warranted:

1. Significant changes in land-uses are proposed or higher density zoning is sought
2. County arterial highway access is requested or the existing location of access to the property is changed
3. The proposed increased activity or intensity of development will significantly impact vehicular or pedestrian traffic on County roads
4. A total of one hundred (100) or more vehicular trips during an A.M. or P.M. peak hour will be generated by the proposed development

The subdivider shall be required to provide financial assurances or complete the installation of any improvements determined necessary to maintain or improve traffic operations and traffic safety functions in direct proportion to the impact caused by the proposed development. A traffic impact study when warranted shall be performed in accordance with "Traffic Impact Analysis for Proposed Development", Arizona Department of Transportation (ADOT), Highway Division, Traffic Engineering Section, 1991. The County Engineer may waive the requirements of ADOT analysis on a case-by-case basis. In cases where the proposed subdivision streets intersect a State or County highway the Traffic Impact Analysis shall be performed as outlined above. In instances where the interior subdivision streets do not intersect or adjoin a State or County highway the level of detail for the traffic study and its contents shall be at the discretion of the County Engineer. The County may direct the applicant to have an independent consultant do the Traffic Study with the applicant to pay all associated costs. Upon submittal to the Department, the study shall be transmitted to and reviewed by the County Engineer's office. Copies shall be made available to other governmental agencies, which may be affected by increased traffic.

I. Any waiver or variance from approved construction standards or these Regulations such as zoning, road design, flood control, etc. shall be in the form of an application specifying each requested waiver or variance and associated justification as set out in Section 205

J. The type or form of assurance that will be made for completion of improvements in a subdivision in accordance with A.R.S. §11-821 and Section 6

K. Two copies of a preliminary title report or a policy of title insurance issued by a title insurance company within the preceding thirty (30) working days to the owner of the land, covering the land within the subdivision and showing all record owners, liens, and encumbrances. The preliminary title report shall contain Schedule "B"" indicating the status of legal access to the proposed subdivision.

L. A letter detailing how the application is in compliance with any stipulations of conditional zoning of the property if applicable

M. Additional information as may be necessary to assure that the proposed Preliminary Plat conforms to the provisions of these Regulations

SECTION 413 ACCEPTANCE OF THE PRELIMINARY PLAT

Upon receipt of a Preliminary Plat application, Department staff shall review said plat for its consistency with these Regulations. Once staff has determined that such consistency does exist, the plat is then formally accepted for filing. If the plat does not meet the requirements of said Sections, Department staff shall inform the applicant of the corrections necessary and withhold acceptance until corrections are made.

Upon formal acceptance of the Preliminary Plat, Department staff shall assign a hearing number to the application and copies of the submittal may be transmitted to the following agencies: County Engineer; Flood Control District, Environmental Unit; ADOT if it contains or abuts a state or federal highway; utility companies; Soil Conservation District; State or Federal land management agencies if adjacent to public lands; affected fire district(s); ADWR, and other interested or affected agencies as deemed appropriate by Department staff.

In accordance with A.R.S. §9-474 through §9-479, if the plat is within three (3) miles of the corporate limits of a city or town having subdivision regulations, the Department shall submit a print of the Preliminary Plat to said community for review. Interested agencies shall have twenty (20) working days, from the date received by the Department, to complete their report. Agencies shall submit an evaluation report to the Department. No reply by an agency within the time limit specified shall be deemed as having no objections from that department to approval of the Preliminary Plat.

When all replies have been received or the specified date of reply reached, Department staff shall prepare a correlated report, including replies or comments from all County departments and other agencies; and, if the proposed plat is in conformance, shall put it on the agenda for the next scheduled Commission meeting.

SECTION 414 PUBLIC HEARING AND NOTICE

The Commission shall hold at least one (1) public hearing on each subdivision application requiring a Preliminary Plat. Said hearing shall be conducted within sixty (60) days of formal acceptance of the Plat. Notice of a public hearing shall be given not less than fifteen (15) days and not more than thirty (30) days prior to the date of the hearing by publication in a newspaper of general circulation, posting the subject property, and mailing notification to all persons whose names appear on the latest adopted tax roll of the County as owning property within three hundred feet (300') of the exterior boundaries of the subdivision that is the subject of the hearing.

SECTION 415 RESPONSIBILITIES OF THE COMMISSION

The Commission shall act as the advisory agency to the Board. After conducting a duly noticed public hearing, the Commission shall make a recommendation to the Board on the proposed Preliminary Plat. Said recommendation may be for conditional approval or denial of the plat.

If the Commission is to recommend conditional approval, said recommendation shall be based upon the Preliminary Plat's conformity to all of the following findings:

1. That the proposed subdivision conforms to the goals, objectives and policies of the General Plan and its amendments.
2. That the design of the proposed subdivision will not cause substantial environmental damage and will not present serious public health problems.
3. That the site of the proposed subdivision is physically suitable for the proposed type and density of development.
4. That the proposed subdivision is consistent with provisions and intent of zoning regulations applicable to the property.
5. That the proposed subdivision conforms with the improvement and design standards set forth in these Regulations or with approved design waivers.

If the Commission is unable to make a recommendation due to the lack of sufficient votes or because additional consideration is necessary, the Commission may continue the Preliminary Plat to its next regularly scheduled public hearing. If the Commission fails to gain a quorum, the Preliminary Plat shall be automatically continued to its next regularly scheduled meeting.

SECTION 416 REFERRAL TO THE BOARD

The Commission shall refer its recommendation for the Preliminary Plat to the Board within thirty (30) days of its approval. The Board shall then schedule the Preliminary Plat for public hearing pursuant to the same time and noticing requirements set forth under Section 414.

SECTION 417 RESPONSIBILITIES OF THE BOARD

On receipt of the report and recommendation by the Commission, the Board shall approve, conditionally approve or reject the Preliminary Plat application. If the Board determines that said Preliminary Plat is not in conformity with these Regulations or associated design criteria or, if other requirements are not approved by the

Board, it shall disapprove said plat specifying its reason or reasons therefore; and shall advise the subdivider in writing of such disapproval and of the reasons for such disapproval.

Preliminary Plat approval is a based upon the following terms:
A. The basic conditions under which the Preliminary Plat is granted will not be changed prior to the expiration date of the approval.
B. Approval is valid for a period of twenty-four (24) months from the date of Board action.
C. Preliminary approval may, upon written application to the Commission by the subdivider and subsequent Board approval, be extended in one (1) year increments if, in the opinion of the Commission and Board, there is no change in conditions within or adjoining the Preliminary Plat that would warrant a revision in the design of the original Preliminary Plat. NOTE: Conditional approval does not imply permission to begin construction until construction plans have been approved and a development permit issued.

The Board approval of the Preliminary Plat shall specify that minimum County standards for required improvements shall be completed prior to approval of the Final Plat; or an agreement shall be arrived at prior to said approval assuring construction of the above improvements, utilizing one or more of the methods described in Section 6. If any other improvements are required at this time by the Board, they shall be so specified. The action of the Board shall be taken at its next succeeding regular meeting after receipt of the Commission's report or at any special meeting at which the Board may desire to hear it.

If the Board is unable to make a recommendation due to the lack of sufficient votes or because additional consideration is necessary, the Board may continue the Preliminary Plat to its next regularly scheduled public hearing or other such hearing as agreed upon between the Board and the applicant. If the Board fails to gain a quorum, the Preliminary Plat shall be automatically continued to its next regularly scheduled meeting.

SECTION 418 REVISED PLATS

The conditional approval by the Commission and/or the Board of any revised Preliminary Plat shall annul all previous approvals thereof but shall not be construed as extending the time within which the Final Plat shall be filed. Any revised Preliminary Plat shall comply with the requirements in effect at the time such revised plat is considered by the Commission. Such revised plat shall show all of the information as required by this Section insofar as any changes that may have been made on the plat. NOTE: Conditional approval does not imply permission to begin construction until construction plans have been approved and a development permit issued.

SECTION 419 EXPIRATION OF APPROVAL; EXTENSION OF TIME

The conditional approval of a Preliminary Plat shall expire after twenty-four (24) months from the date approved by the Board unless within that period a Final Plat shall have been filed with the County Recorder's Office or unless, on timely written application from the subdivider, the Board shall have extended said period. The Board may grant an extension not exceeding two (2) years if the subdivider is actively processing the Final Plat. The Board may grant additional one (1) year extensions if conditions on the property or on surrounding properties have not materially changed and these Regulations and other development standards have not materially changed. The Board approval of the Preliminary Plat shall specify that minimum County Standards for required improvements that shall be completed prior to recordation of the Final Plat; or an agreement shall be arrived at prior to said approval assuring construction of the above improvements, utilizing one (1) or more of the methods described in Section 6. If any other improvements are required at this time by the Board, they shall be so specified. The action of the Board shall be taken at the next succeeding regular meeting after receipt of the Commission’s report (typically within thirty (30) days).

SECTION 420 RE-FILING FOLLOWING DISAPPROVAL

In the event that a Preliminary Plat is disapproved by the Board, a similar Preliminary Plat of the same area or portion thereof may not be re-filed for at least six (6) months from the date of disapproval by the Board. In the event a new plat is filed, all fees shall be paid.

SECTION 450 REQUIREMENTS & PROCEDURES FOR PROCESSING AND RECORDING OF FINAL PLATS

No division of land, either by recordation of a plat, conveyance or other similar action, which, by definition, constitutes a subdivision, shall be permitted unless the Board, pursuant to this Section, approves a Final Plat.

The Final Plat stage includes submittal, review and approval of the Final Plat and required supporting documents by the Board, and recording of the plat with the County Recorder's Office. This process also includes the approval of the construction plans, inspection(s) and release of assurances for the required site improvements.

SECTION 451 FINAL PLAT SUBMITTAL

Within two (2) years after approval or conditional approval of the Preliminary Plat or administrative review and approval, a Final Plat may be prepared in accordance with:

A. The Preliminary Plat as approved, with only minor authorized changes allowed and with any stipulations attached thereto.
B. These Regulations.
C. Administrative review and approval per guidelines illustrated in tiered flow chart.
D. Any applicable County Ordinance or Regulation and State or Federal Laws.

Upon application to the Commission and prior to the expiration of the two (2) year limit, if a Final Plat has not been submitted and approved for any part of an approved Preliminary Plat or administrative review approval, extensions of time may be granted by the Board in increments of up to two (2) years if the subdivider is actively pursuing and/or processing a Final Plat. If such action is not taken, then all proceedings relating to the plat shall be terminated and all accompanying materials shall be null and void. A new administrative review and/or a Preliminary Plat would be required to be submitted and approved prior to processing the Final Plat.

SECTION 452 PHASED OR INCREMENTAL PLAT DEVELOPMENT

For any approved Preliminary Plat, the Final Plat may be submitted for approval progressively in units, each processed as a separate Final Plat. Upon recording of a Final Plat for the first unit of an approved Preliminary Plat, subsequent Final Plats may be prepared for the remaining units in accordance with the approved Preliminary Plat where the subdivider is proceeding in accordance with the development schedule approved with the Preliminary Plat and/or where there have been no material changes to these Regulations, County Improvement Standards or adjoining land uses that warrant a review and possible redesign of the Preliminary Plat. The Director will conduct a status review with the subdivider at two (2) year intervals. If the owner is proceeding with the project as planned, the Preliminary Plat approval shall remain in force and effect. If there are delays in the development schedule, the matter will be presented to the Commission and the Board for review and consideration to approve a revised development schedule or revoke the Preliminary Plat approval.

SECTION 453 FORM OF FINAL PLAT

The Final Plat shall conform to all the following provisions or show the following:

A. Final Plats shall be prepared by a land surveyor registered in the State of Arizona and must bear the seal and signature of that professional. The Final Plat must meet the current minimum standards for surveying practice within the State of Arizona as established by the Arizona State Board of Technical Registration.
B. The Final Plat shall be submitted on a transparent reproducible polyester film and shall be the original map legibly drawn on polyester or linen or a copy reproduced on polyester by a photographic silver imaging process or other method that assures archival quality; and shall be on a sheet or sheets measuring 24" x 36", with a left margin of 2" and be drawn to an accurate scale not to exceed 1" = 200'. A scale of 1" = 100' is preferred. The Final Plat shall include dedications, affidavits, certificates and acknowledgments. All stamped or written matter, including signatures, shall be made with opaque ink so that legible blue line prints may be obtained there from. All Final Plats shall be drawn to reasonable accuracy standards, consistent with acceptable professional standards. The plat will need to be of a scale to ensure the size of letters will be legible when microfilmed, converted digitally or scanned.
C. All signatures shall be signed in black waterproof India ink or similar, with the ink surface coated with a suitable substance when used on polyester based film to assure permanent legibility.

SECTION 454 TITLE SHEET

Every sheet comprising the plat shall bear the title (but not subtitle on subsequent sheets), scale, North point, legend, date of plat preparation, sheet number, and the number of sheets comprising the plat. Its relation to each adjoining sheet shall be clearly shown. The basis of bearings shall also be noted in the legend.

The title of each plat shall consist of the subdivision name placed at the top of each sheet. Below the title on the first sheet shall appear the following items:
A. A subtitle consisting of a general description of all the property being subdivided by reference to governmental subdivisions or portions thereof; by Sections, Townships and Range; or by reference to a subdivision plat previously recorded in the County Recorder's Office
B. A small scale location or vicinity map, showing the relative location of the subdivision with respect to Township, Range, Section, and any access roads, shall be shown on the face sheet
C. Location and description of section corners or quarter-section corners, either found or set, and ties to such corners, all dimensions, angles, bearings, basis of bearings and similar data on the plat shall be referred, indicated and referenced
D. Boundaries of the tract to be subdivided shall be fully balanced and closed, showing all bearings and distances determined by an accurate survey in the field
E. Corners of the subdivision shall be noted, and monuments found or set shall be indicated and described; two (2) corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter-section corners or suitable monuments acceptable to the County Engineer
NOTE: The Final Plat shall indicate if the lot corner monuments have been or are to be set. If the lot corners are set, this should be included in the surveyor's certificate. If they are not set, an estimate and assurance must be provided.

SECTION 455 FINAL PLAT CONTENTS

Presentation of the plat shall be neat, clear, legible, and complete in all respects and shall be sufficiently detailed to include, but shall not be limited, to the following:

A. Tract boundary lines, lot and parcel lines, easement lines, street centerlines, and section lines, all showing accurate bearings and dimensions with dimensions expressed (rounded) in feet and decimals thereof to the hundredth

B. The total area of the subdivision, and, showing the area of each lot to the nearest hundredth of an acre if greater than one (1) acre; or showing the area in square feet if less than one (1) acre
C. Width of streets, width of easements and indication of their purpose, angle, radius, tangent, and length of all curves
D. The locations and widths of pedestrian ways
E. Location and description of existing or found monuments, such as section corners and subdivision boundary corners, elevation of benchmarks for a condominium development, existing rights-of-way and easements, if any. Easements shall be clearly dimensioned, labeled, and identified, and, if already of record, properly referenced to the record. If any easement is not definitely located of record, a statement of such easement shall appear on the title sheet.
F. Where there are contiguous developments, show name of the subdivision with reference of record, street right-of-way lines, street names, street width, easements clearly dimensioned, labeled, and identified, if any; and if unsubdivided, so note
G. The legend shall specify the type of monuments used
H. The boundary of the subdivision shall be indicated by a heavy line, recognizable as a border, clearly showing the boundary of the subdivision and all of the property being offered for dedication for public use and/or as easements. Such boundary shall not interfere with the legibility of figures or other data
I. Any excepted parcel(s) within the plat boundary shall be accurately depicted by bearings and distances on the plat;
J. Each lot shall be numbered as per the approved Preliminary Plat when applicable and each block may be numbered or lettered
K. Each street shall be named
L. All lots not intended for sale or resale for private purposes, and all parcels offered for dedication for any purpose, public or private, and any private streets permitted shall be so designated
M. Label and identify all lots, parcels, tracts, excepted parcels, etc. for ease of description and to ensure no misunderstanding about intended use, ownership, or maintenance

SECTION 456 ADDITIONAL REQUIREMENTS AND ACCOMPANYING STATEMENTS

At the time of submittal of the ten (10) prints of the Final Plat with Department staff, the subdivider shall also file therewith the following accompanying material:

A. Two (2) copies of an updated title report or a policy of title insurance issued by a title insurance company within the preceding thirty (30) working days to the owner of the land, covering the land within the subdivision and showing all record owners, liens, and encumbrances. The title report shall evidence that there is legal/permanent access to the proposed subdivision.
B. A copy of any covenants, conditions and restrictions (CC & R's) to be recorded
C. Five (5) copies of a memorandum showing the total area of the subdivision, and, showing the area of each lot to the nearest hundredth of an acre, if greater than one (1) acre; or showing the area in square feet if less than one (1) acre
D. Six (6) sets of prints of the construction plans of all improvements required and prepared in accordance with the current Roads Resolution adopted by the Board, Flood Control District regulations, ADEQ standards applicable to the County's delegation agreement, and any/all other construction standards or specifications as adopted by the Board and in force and effect. In addition to the construction plans, two (2) prints of the plans for all off-site improvements to be constructed will be required. The plans shall show such details as required by the County's Adopted Standards and Specifications, and, shall show land ownership, existing or proposed rights-of-way limits, and other features affecting the establishment and construction of such required off-site improvements.

E. A cost estimate for constructing the required site improvements signed and sealed by a Registered Professional Engineer. The cost estimate and method/type of assurance shall be approved by the County Engineer and/or County Attorney prior to approval of the Final Plat. The actual assurance must be executed and presented to the County before the subdivision plat is recorded. (See Section 6 regarding cost estimates and assurances.)

F. The fee(s) for processing and review of the Final Plat and supporting documents shall be submitted with the plans to initiate the review process

G. If private roadways are proposed in the development, then provisions for perpetual roadway maintenance acceptable to the County shall be provided for in the Property Owners Association (or other legal entities) organizational Articles of Incorporation, and shall be submitted with the Final Plat

H. A subdivision plat shall be submitted in a digitally compliant format to the County Assessor's Cartography Department. The format that will be accepted is the "Drawing Exchange File" (DXF) format. This file format is a Standard Drawing Exchange format between many major computer aided design software packages, i.e., AUTOCAD, Microstation and VERSACAD. The submittal shall be in compliance with standard data conversion that will be used by the County Management Information Systems Department.

I. The licensed surveyor who certifies the boundary survey on the plat shall also submit the mathematical calculations of each boundary, lot and tract closure. The calculations shall contain enough data in order to follow and recalculate the method used to determine closure. Calculations shall be bound and the cover stamped by the appropriate professional. These calculations will then become a permanent part of the subdivision records.

J. Five (5) copies of a final or Phase III Drainage Report shall be submitted in conjunction with final construction plans in accordance with the requirements of the Yavapai County Drainage Criteria Manual. The purpose of the Phase III Drainage Report is to update the concepts, provide all information not previously provided and to present the design details for the drainage facilities discussed in the Phase II Drainage Report. The limits of any one hundred (100) year floodplain identified using the standards set forth by the Director of the ADWR Requirement for Floodplain Delineation in Riverine Environments, together with the base flood elevation, shall be illustrated in the Final Plat. The regulatory elevation for the most critical location within each lot shall be shown on each lot that is impacted by the floodplain. All lots impacted by flood hazard areas must have an established restrictive building envelope that is outside the delineated flood hazard area. Lots completely within the one hundred (100) year flood hazard area will not be permitted, as this area should be reserved as open space for the conveyance of floodwaters. A note shall also be placed on the plat indicating that "Floodplain limits, base flood elevations and regulatory elevations may be revised by subsequent studies approved by the Flood Control District." Final Plats shall also show all drainage easements in conformance with the approved Preliminary Plat (if it had been required) with the associated dedication language. The actual dedication language should be related to the type of drainage facility and method of maintenance.

K. Submittal to include a report from ADWR in the form of either a "Certificate of Assured Water Supply" within "an AMA" pursuant to A.R.S. §45-576, or for areas outside of AMA's a statement of water "adequacy" either for that subdivision or for the water company (private or public) which will serve the subdivision pursuant to A.R.S. §45-108

L. A letter detailing how the application is in compliance with each stipulation of any conditional zoning or Preliminary Plat if applicable

M. The plat shall also show other data that is required by law

SECTION 457 FINAL PLAT AND ASSOCIATED MATERIAL SUBMITTALS

When a Final Plat consists of two (2) or more sheets, one (1) key map showing the relation of the sheets shall be placed on the first sheet.

The developer shall submit ten (10) copies of the Final Plat to the Department to be checked along with accompanying materials, application and fees as established by the Board. Department staff shall refer prints of the Final Plat and support documents to the Community Health Services Department and/or Environmental Unit, County Engineer, Flood Control District, County Assessor, County Treasurer, Special Districts Administrator, if applicable, and other official, reviewing or interested agencies for their evaluations as to conformance of this plat to the approved Preliminary Plat (if applicable) and these Regulations.

In accordance with A.R.S. §9-474 through §9-479, if the plat is within three (3) miles of the corporate limits of a city or town having subdivision regulations, the Director shall submit a print of the Final Plat to said community for review.

All plats, plans, fees and accompanying documents shall be received by the Department at least forty-five (45) calendar days prior to the regular Board meeting, at which the developer desires to be heard. The submittal will not be scheduled to be heard unless it contains all of the required information and is found to be in compliance with all applicable requirements in accordance with the procedures set forth herein.

SECTION 458 FINAL PLAT RATIFICATION AND DEDICATION CERTIFICATE

The following Certifications, Acknowledgements, Dedications, Acceptances, and all others now or hereafter required shall appear on the Final Plat. Such certificates may be combined when appropriate:

A. A certification or ratification signed and acknowledged by all parties having any record title interest in the land subdivided consenting to the preparation and recordation of said plat. Certain rights-of-way, easements, or other interests may be acknowledged by appropriate endorsements on the plat.
B. A certificate signed and acknowledged as above offering for dedication to the public all parcels intended for public use. [Preferred examples of Dedication and/or Owners Statements are provided in this Section. These examples will need to be tailored to the specific conditions and circumstances of individual Final Plats.]
C. An acknowledgement on the face of the plat if applicable "All private roads will only be taken over by the County for maintenance if the roads are brought up to the then current County design standards (including but not limited to surfacing and right-of-way width) for public roadways at owners expense."

SECTION 459 CERTIFICATE OF LAND SURVEYOR

A certificate for execution by the land surveyor and/or professional Engineer of Record as follows:

"This is to certify that the survey of the premises (property) described and platted hereon was made under my direction and supervision and are accurately represented on this Plat.

I also certify that the Plat is in substantial conformance to the approved Preliminary Plat and that this Plat is correct and accurate as shown."

_____ _____
Registered Land Surveyor Date

SECTION 460 ENGINEERS INFORMATION

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

A certificate for signature by the County Engineer, Director, Environmental Unit Manager and Flood Control District as follows:

"This Plat has been checked for conformance to the approved Preliminary Plat and any special conditions attached thereto, to the requirements of the Yavapai County Subdivision Regulations, and to any other applicable regulations, and appears to comply with all requirements within my jurisdiction to check and evaluate."

By (County Engineer) Date
By (Development Services Director) Date
By (Environmental Unit Manager) Date
By (Flood Control District) Date

SECTION 461 DEDICATION AND OTHER CERTIFICATE EXAMPLES

A certificate to be signed by the Clerk of the Board of Supervisors.

"I, _____, Clerk of the Board of Supervisors of Yavapai County, hereby certify that said Board approved the within Plat on the _____ day of _____, and accepted on behalf of the public all parcels or tracts of land offered for dedication for public use in conformity with the terms of the offer of dedication."

Clerk of the Board _____ (year)

A certificate to be signed by the Chairman of the Board of Supervisors:

"ASSURANCE:

Satisfactory Assurance in the form of _____from _____ in the amount of $_____ has been provided in the full amount necessary to guarantee the installation of (streets), (water), (sewer) and all required improvements in this subdivision. (Electric) (Phone) utility services have been assured by letter from the appropriate utility company."

By: _____ Date _____
Chairman
Attest: _____
Clerk of the Board

Certificate for Assured or Adequate Water Supply:

FINAL PLAT FOR A SUBDIVISION LYING WITHIN A DESIGNATED AMA SHALL INCLUDE THE FOLLOWING:

"A Certificate of Assured Water Supply has been received from the Arizona Department of Water Resources and filed pursuant to A.R.S. §45-576 Subsection "B"."

Date: _____ Development Services Director: _____

--OR--

"This Subdivision is located within an area designated as having an Assured Water Supply, pursuant to A.R.S. §45-576 Subsection "B"."

Date: _____ Development Services Director: _____

IF THE SUBDIVISION IS OUTSIDE A DESIGNATED AMA, THE FINAL PLAT SHALL INCLUDE THE FOLLOWING:

"This Subdivision is not within a designated Active Water Management Area. A statement concerning water adequacy has been received from the Arizona Department of Water Resources (pursuant to A.R.S. §45-108) stating the water resources are (adequate or inadequate) for this Subdivision."

Date: _____ Development Services Director: _____

SECTION 462 PROCEDURES FOR FINAL APPROVAL

The head of each County department who has received a copy of the Final Plat and applicable supporting plans and documents and has been requested to reply, will determine within twenty (20) working days from the date material is received by the Department as to whether or not the material is acceptable, and will transmit a statement thereon to the Director. Failure of any department to reply within the time specified will be interpreted as no objection by the department to the plat as submitted.

The Director shall inform the developer:

A. As to any changes or additions necessary; or
B. That he may submit the original tracing.

If significant changes or additions are necessary, such as design variation from the approved Preliminary Plat, two (2) sets of revised prints shall be submitted as a new Final Plat submittal. A determination will be made by the Director upon receipt of comments from reviewing County departments whether the changes are "minor authorized" changes and the Final Plat may be presented to the Board or if the change is material and a "revised" Preliminary Plat will be required for consideration by the Commission and the Board.

Minor Authorized Changes may include adjustment, variation, and reduction of lots, lot lines, easements or statements contained in Preliminary Plat if they are found by the Director to be consistent with the intent and design of the approved Preliminary Plat. Adding lots, streets or creating exceptions to the County's design standards are material changes which will require a "revised" Preliminary Plat.

When a Final Plat, construction plans and all required supporting documents are acceptable to the County Engineer, Flood Control District, Environmental Unit Manager and Director, the subdivider upon notice thereof shall submit to the Department two (2) reproducible sets of the Final Plat as per Form of Final Plat (Section 453) requirements completely executed by:

A. All parties required to sign or endorse the same for the purpose of passing a good and sufficient title to the public rights-of-way, easements, and parcels offered for dedication and to join in the subdivision of said property.
B. The Registered Professional Engineer and/or Land Surveyor [R.L.S.] preparing the plat and any and all other parties required to execute certificates thereon, other than the required County signatures.

In addition, all finalized and signed plats and accompanying data, agreements and other papers or documents necessary to the acceptance of the plat shall be submitted to the Department at least ten (10) working days prior to the regular Board meeting at which the applicant desires to be heard.

When all appropriate provisions of the State Laws and these Regulations have been met, all of the specified accompanying material shall be transmitted by the Department within five (5) working days to the Clerk of the Board for action by the Board, such date shall be the official date of filing with the Board.

SECTION 463 ACTION BY THE BOARD

At the next regular meeting following the filing of said plat with the Board, or at any other meeting they may so designate, the Board shall consider said tracing of the Final Plat, the plan of subdivision, the recommendations of the Commission and /or the Department, the offers of dedication, and the agreements and guarantees, if any, for deferred improvements.

If the Board determines that said plat is:

1. In conformity with the requirements of the law and of any requirements duly made relating thereto;
2. The agreement and guarantees for deferred improvements, if any, and unpaid taxes or assessments are in order;
3. Said plat conforms to the approved Preliminary Plat (if applicable); and,
4. Said plat is in conformance with any stipulations of any applicable conditional zoning or development agreement,

it shall approve said plat; and the Clerk of the Board shall so certify this action upon said tracing of the Final Plat.

SECTION 464 CONDITIONS OF APPROVAL

In granting waivers, variances, modifications, and additions to these Regulations, the Board, upon recommendations of the Commission or on its own initiative, may require such conditions as will, in its judgment, secure substantially the objectives of these Regulations.

If the Board determines that said plat is not in conformity with the Preliminary Plat (if applicable) or if the Board does not approve other requirements, it shall disapprove said plat specifying its reason or reasons therefore; and shall advise the subdivider in writing of such disapproval and of the reason for such disapproval.

All streets and parcels offered for dedication for public use by the plat may be accepted by the Board (under the terms and conditions under which the Preliminary Plat was approved) and on the plat upon approval of the Final Plat. (This does not imply acceptance of the street into the County Road System for maintenance. Formal acceptance for maintenance would be after the plat was recorded and the road was actually built to County standards.)

SECTION 465 RECORDING OF FINAL PLAT

Within one hundred eighty (180) days of approval by the Board, the owner/subdivider shall provide all required materials and demonstrate that all conditions of plat approval have been met and the properly examined plat is presented to the Director for recording. If this is not done, the developer shall present a written status report to the Director who may administratively grant extensions of time in six (6) month increments. At the end of two (2) years if the conditions of approval have not been satisfied and the plat is not presented or found acceptable for recording, the Final Plat shall be referred to the Board for action.

Within fifteen (15) working days of presenting the properly executed Final Plat for recording together with the materials evidencing that all of the stipulations of Board approval have been satisfied and necessary recording fees, the Director shall obtain necessary signatures from County representatives and cause the Final Plat to be recorded. No subdivision plat shall be recorded unless approved by the Board.

A. The fee for recording the Final Plat and accompanying deed restrictions and any ratification or pertinent documents will be required once the Final Plat is approved by the Board and the subdivider has addressed the stipulations of approval and the plat is ready for recording. All recording fees are paid directly to the County Recorder's Office at time of submittal for actual recordation.

B. A copy of the developer's Subdivision Questionnaire to ADRE shall be submitted upon recordation of the Final Plat and prior to approval for lot sales.

C. The "Certificate of Assured Water Supply" or the report finding the subdivision's water supply to be adequate shall be provided to the Director prior to Board consideration (actual hearing day) of the Final Plat. If the Certificate and/or adequacy statement is not obtained the Final Plat shall be referred back to the Board to consider the ADWR findings and reconsider their approval and possible revocation of the Final Plat.

D. If the Preliminary Plat is not located within an AMA and approval was based on the understanding that the subdivision's water supply was going to be found by ADWR to be inadequate the Final Plat may be recorded upon issuance of the report if all other subdivision requirements are met.

E. Assurances for all required site improvements in accordance with the requirements and provisions of Section 6.

F. Evidence from the County Assessor that the title to the property has been cleared with the property records of the County. The County Assessor shall certify and acknowledge that as of this date the records and/or information available to the officer reflect that _____ as designated on the plat is the owner of the property and more particularly described as Assessor's Parcel Numbers _____.

G. Evidence from the County Treasurer that the taxes on the property are paid up to the current year. The County Treasurer shall certify and acknowledge that there are no tax liens on any of the parcels comprising the subdivision plat as listed in the Assessor's certification.

H. Evidence shall be provided from the Special Districts Administrator that required annexations and fees (if any) of any special districts are current.

SECTION 468 AMENDING RECORDED FINAL PLAT

Any plat map of a subdivision that has been recorded may be amended to correct an error in any course or distance or other necessary item that was omitted there from, or to correct a drafting, graphic, technical, or similar type error, by the filing for record of an amended map for said subdivision. The Development Services Director shall examine such amended map, and if such examination discloses that the only changes on the amended map are the changes authorized above, he shall certify this to be a fact over his signature on the amended map. Thereafter, the amended map shall be entitled to be recorded in the office of the Recorder in which the original subdivision map was recorded. Such map shall be marked "AMENDED MAP OF _____" , and follow in numerical sequence. The use of the terminology of Amended Map shall not be used to add any lot lines, streets or easements, or statements that were not contained on the approved plat, since such actions necessitate reprocessing of the plat.

SECTION 5
DESIGN STANDARDS

SECTION 500 DESIGN STANDARDS, GENERAL

A. The Commission shall insure that appropriate provisions are made for the harmonious development of the County by requiring:

1. The coordination of streets within subdivisions with existing or planned streets, roadways, highways and with the adopted General Plan.
2. A regulation of population density and traffic volume, which will create conditions favorable to public health, safety, and convenience.
3. Conformance with these Regulations and the County Public Works Department engineering standards and specifications or details and Section 440 PAD District and Section 441 Open Space and Sustainable Development Option and Section 442 Cluster and Open Space Option of the Zoning Ordinance.
4. Adequate spaces for public use (such as for parks, schools, recreational areas, etc.).

B. Adequate access shall be provided from an existing dedicated public road to land being subdivided. Approval of such access shall be a condition of the plat by the Commission or the Board depending on which tier/process is followed.

C. In all subdivisions, it is urged that due regard be demonstrated for all natural features such as vegetation, hillsides, ridge tops, watercourses, associated floodplains, wetlands, riparian areas, historical and archeological sites and similar community assets which, if preserved, will add attractiveness and value to the property and community.

D. Portions of any contiguous property within the ownership of the subdivider shall not be excluded from within the boundaries of a subdivision when needed or required for any traffic, drainage, or flood control facility pertinent to said subdivision.

E. The design of those elements of a subdivision involving structural matters, design and building of roads, drainage provisions, water supply and sewage disposal shall be made by a Registered Professional Engineer and qualified to specify the standards for such design.

F. A set of standards may be recommended by the Commission and approved by the Board on each item as described herein. These standards shall be separate from these Regulations and shall be developed by the County Engineer, the Flood Control District and the Director, in consultation with the Commission. These standards may be revised in response to changing circumstances, requirements or technological improvements justifying such changes.

G. It is the responsibility of the developer to comply with these Regulations. At any time in the processing of the subdivision plat or construction of improvements associated with the approved subdivision plat or construction drawings that non-compliance with these Regulations or the approved subdivision plat is determined, notification of same shall be transmitted to the developer. If compliance is determined, processing of the plat or construction of associated improvements may proceed from the date of compliance as authorized by the Director.

SECTION 501 SUITABILITY OF LAND

The Commission shall not recommend approval of the subdivision of land as submitted if, from adequate investigation, it has determined that said land is not suitable for the kind or type of development proposed. The Commission's investigation shall include but not be limited to such factors as flooding, fire hazards, surface drainage constraints, steep slopes, rock formations or design features determined to be harmful to the safety, welfare, and general health of the future residents, unless corrections acceptable to the Commission, the County Engineer and the Director are submitted by the developer. If a developer objects to the recommendations made

by the Director, he may appeal to the Commission. If the Commission upholds the Director's recommendations, the developer may appeal to the Board.

SECTION 502 WATERCOURSES

In the event that the subdivision is traversed by or is contiguous to lakes, streams, or other bodies of water, the subdivider shall provide an easement or right-of-way for storm drainage substantially conforming to the line or path of such natural watercourse, channel, stream or creek, or provide an acceptable realignment of said watercourse. [For more detail on this, refer to the Yavapai County Drainage Criteria Manual.]

SECTION 503 FLOOD CONTROL

Subdividers shall be required to comply with the rules and regulations of the Flood Damage Prevention Ordinance and the Yavapai County Drainage Criteria Manual. The Preliminary Plat and Final Plat submittals shall include information as specified by these Regulations and shall depict information including but not limited to floodway and flood fringe locations, finished floor elevations, erosion setbacks, etc. within the proposed subdivision. The Flood Control District shall review all subdivision plat materials and shall submit comments regarding flood information provided, as well as any appropriate professional recommendations, to the Commission and/or the Board.

SECTION 504 STORM WATER MANAGEMENT PLAN (SWMP)

Any development disturbing greater than one (1) acre of land will require the submittal of a storm water pollution prevention plan (SWPPP) as set out under the Arizona Pollution Discharge Elimination System (AZPDES) being part of the EPA/Clean Water Act Amendment and administered by ADEQ through the County's Storm Water Management Program.

SECTION 520 STREETS, GENERAL

A. The arrangement, character, extent, grade, width, and location of all roadways or streets shall conform to these Regulations, County Public Works Department standard specifications and details, any adopted transportation plan, the General Plan or specific Community Plan affecting said street locations and the preliminary plans as approved by the Commission pursuant to the Arizona Revised Statutes. Curvilinear street patterns are encouraged.

B. Where such is not shown on the General Plan, adopted transportation plan or preliminary plans, the arrangement of streets shall provide continuation or appropriate projection of existing major streets in surrounding areas. All centerlines shall be continuations of the centerlines of existing streets and highways in contiguous territory. In cases where straight continuations are not physically possible, such centerlines may be continued by curves.

C. Each subdivision design shall provide for adequate traffic circulation that incorporates the adopted County roadway functional classification system to handle the projected traffic volumes on the roadways.

D. The minimum width of rights-of-way, measured from lot line to lot line, shall be as prescribed by the County Engineer, any approved transportation plan, the General Plan and these Regulations. Proposed streets shall extend or project existing streets at their same or greater width, but never at a width less than prescribed by established standards.

E. All streets and highways shall be constructed and surfaced to meet specifications approved by the Board as recommended by the County Engineer and as may be established by these Regulations. The subdivider shall improve the extension of all subdivision streets and other public ways to the intercepting shoulder line of any County road, city street or State highway.

F. Structures or culverts shall be installed as deemed necessary by the County Engineer for drainage, access and public safety. Such structures and culverts are to be placed to grades and be of design and size approved or authorized by the County Engineer. Adequate drainage of the subdivision streets or roadways shall be provided by means of said structures or culverts and by other approved methods, in accordance with the engineering standards adopted by the County Engineer and the Flood Control District.

G. All roads and alleys developed or improved in conjunction with subdivision development shall either be:

1. Built to County standards, dedicated by the plat and accepted by the Board; or
2. Built to County standards, dedicated by the plat and approved by the Board in conjunction with an approved special maintenance district, completion bond, trust, improvement district or other appropriate security; or
3. Built to County standards and exist and be maintained as private roads within appropriate minimum rights-of-way in compliance with these Regulations or as recommended by the County Engineer.

H. Adequate provisions shall be made in the design of subdivisions for access to each lot or parcel and for access to adjacent properties.

I. Half roads or partial width rights-of-way will only be approved as partial arterial roads along a section line where no alternative design exists, or where said partial rights-of-way would require the dedication of additional contiguous rights-of-way to make it full width. The developer shall include evidence that the additional right-of-way necessary to accomplish full width dedication is permanently reserved for future road purposes. Half roads should only be accepted where they are a portion of the road system approved as part of an adopted transportation plan, the County roadway network plan, the General Plan or specific Community Plan.

J. When a tract fronts on an arterial road the Commission may require lots within the subdivision to have reverse frontage.

K. Provisions shall be made for railroad and other public or private utility crossings necessary to provide access to or circulation within the proposed subdivision, including the obtaining of all necessary permits from the public or private utilities involved and any regulatory agencies having jurisdiction. The County shall not assume the cost of such crossings.

L. Dead End Streets

1. Minor terminal streets designated to have one (1) end permanently closed, shall be no more than six (6) times the minimum lot width nor more than 1320 feet long unless authorized by the Board by an approved waiver. Dead end streets shall be designed at the closed end with an approved turnaround. Said turnaround shall be designed to meet the requirements or specifications of the applicable fire district.
2. Where, in the opinion of the Commission, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundary of such property. Such dead end streets shall be provided with a temporary turnaround having a roadway diameter of at least one hundred feet (100').

M. Intersections

1. Street intersections shall be as nearly at right angles as possible. No acute angle intersection shall be less than seventy-five degrees (75°).
2. Property line radii at street intersections shall not be less than twenty-five feet (25'), however, the County Engineer may require a greater curb radius where necessary.

N. Jogs in Minor Streets

Street jogs of less than one hundred thirty-five feet (135') in length shall not be approved.

O. Street Names

Proposed street names shall be assigned and administered in accordance with the provisions of Section 604 (Street Naming and Addressing Ordinance) of the Zoning Ordinance.

P. Alleys

Alleys shall be provided to the rear of all lots used for business purposes and as deemed necessary by the Commission. Alleys may be permitted where a subdivider can produce evidence satisfactory to the Commission of the desirability of such provisions.

Q. Blocks

The length, width and shape of blocks shall be determined with due regard to provisions for adequate building sites, the zoning requirements as to lot area and dimensions, limitations, and opportunities of topography and associated needs for convenient access, traffic circulation, control and safety to streets and pedestrian traffic.

1. Length

Blocks shall not be more than 1320 feet in length except as the Commission considers necessary to secure efficient use of the land or as a desired feature of street design. Pedestrian crosswalks may be required in blocks over 660 feet in length. Where fronting on major streets, lengthened blocks may be utilized in order to reduce the number of intersections along the major street or arterial.

a. Pedestrian Ways

Pedestrian ways (paths or sidewalks) six feet (6') wide shall be provided in blocks over 1320 feet in length or where deemed by the Board to be necessary for the public safety and convenience.

2. Width

Blocks should be wide enough to allow two (2) tiers of lots.

SECTION 530 LOTS

A. Arrangement

The lot area, width, depth, shape and orientation, as well as the minimum building setback lines shall be appropriate for the location of the subdivision, for the type of development and use contemplated, and shall conform to zoning requirements and these Regulations. Side lot lines shall be designed at right angles to straight street lines or radial to curved street lines. Each lot must front upon a public street or road or approved access. No lot shall be divided by a city, county, school district or other taxing agency boundary. All lots shall be laid out so as to provide positive drainage away from all buildings and building site areas. Easements are to be on common lot lines.

B. Accessibility

Each lot shall be accessible to the street on which it fronts. Where necessary, lots shall be graded as a condition of approval of a Final Plat to insure access to and adequate use of property. In all residential subdivisions, road layout shall be designed so as to encourage neighborhood connectivity but discourage through traffic on local streets. No lot shall gain direct access via arterial roads.

C. Minimum Size

Each lot shall be of a suitable size for the purpose for which it is intended and shall contain a usable building site meeting applicable zoning district requirements. The area of a lot shall be deemed the area shown, exclusive of any area designated for road purposes or any easement for access or road purposes shown on the map. A usable building site shall have slopes no greater than twenty percent (20%) (unless being developed as a hillside subdivision) and shall not be within the one hundred (100) year floodplain.

D. Large Tracts or Parcels

When the land is subdivided into large tracts or parcels, they shall be arranged to accommodate the location of future streets and logical extensions of existing streets . No subdivision shall be created with tracts or parcels contemplated for future re-subdivision without prior authorization by the Board.

E. Lot Numbering

1. Each lot shall be designated by an Arabic numeral.
2. If block designations are not used, numbering shall be in consecutive sequence within the block beginning with the number "l" wherever lots have common side boundaries within a subdivision or within a block along each street and contiguous consecutive numbers shall follow from one block to another.
3. When block designations are used, numbering shall be in consecutive sequence within each block area commencing with the corresponding number for each block.
4. Numbering sequences may follow in continuity from one tract to another when lying contiguous to one another, or when separate or contiguous if the same name is used for successive tracts.

5. Parcels and tracts shall be designated by capital letters and be designated in sequence starting with the letter "A".

SECTION 540 SANITARY SEWAGE AND WATER SYSTEMS

A. Where a public sanitary sewage system is reasonably accessible the subdivider shall connect with such sewer and provide a connection to each lot.

B. A sewage collection and treatment system may be required as a condition of approval for any subdivision pursuant to ADEQ Design Bulletins as recommended by the Environmental Unit.

C. When connection to a sanitary sewage system is not available, individual on-site wastewater systems or other disposal methods may be permitted provided that a statement is submitted to the Commission by the Environmental Unit certifying that field investigation has determined that ground slopes and soil conditions will allow for satisfactory disposal by this method with the lot arrangement and size as depicted on the subdivision plat.

D. Water mains connecting with existing city or public utility systems shall be installed to serve each lot when and if connection to such system is available. In such case, prior to the approval of the Final Plat, the subdivider shall submit a letter from the governing body of the water system showing the ability of the system to serve the proposed subdivision and evidence that a satisfactory agreement has been made for connection to the system.

1. Water mains and fire hydrants, if installed, shall be installed to grades, location, design and sizes on plans submitted by a Registered Professional Engineer and approved by the County Engineer and the engineer of the supplier.

E. When connection to a water system is not available, the subdivider may provide service by the establishment of a mutual water system in which case water mains and fire hydrants shall be installed to grades, location, design and sizes as submitted by a Registered Professional Engineer and approved by ADEQ. The source of supply shall be developed and improved to the satisfaction of ADEQ or its representatives so that the subdivision may be adequately supplied with water.

F. A water system shall be provided as a condition of approval for any subdivision containing lots or parcels less than two (2) acres in area.

G. In the case of a subdivision with lots equal to or over two (2) acres in area, water supply may be from other than a community system. In this case evidence shall be submitted showing that sufficient potable water is available and can be obtained for all lots in the subdivision.

H. Minimum lot size may be modified by requirements of the Environmental Unit pertinent to water and sanitary sewage systems.

I. Public Sanitary Sewage and Water Systems

The requirements for development of public water supplies and of community sewage disposal systems shall not be less than those outlined by ADEQ regulations and engineering criteria for such installations.

SECTION 550 REFUSE DISPOSAL

Subdividers shall indicate proposed refuse disposal areas. If none are available, the Board may require suitable sites to be furnished by the subdivider before the subdivision is approved.

SECTION 551 EASEMENTS AND UTILITIES

Except where alleys are provided for that purpose, easements at least sixteen feet (16') in total width, one-half (1/2) of which is provided from each adjoining lot, shall be provided where necessary along rear lot lines for poles, wires, conduits, sanitary sewers, gas mains, water mains, or for other utilities. Where necessary, additional easements shall be located along the side lot lines. Half or partial easements may only be approved

where written commitment of dedication of necessary additional easements are on record. All easements shall be in accordance with those approved by the utility companies concerned.

SECTION 552 MONUMENTS

Monuments shall be either a steel pin or pipe at least eighteen inches (18") in length and set in a reasonable permanent manner for all points of reference on the outside boundary, at each lot corner and at all points of curvature or tangency along lot lines and along the exterior boundary of the subdivision. Whenever streets are improved to the extent that paving is included, survey monuments will be required along their centerline at all street intersections and at the point of curvature and point of tangency of all curves and shall be set as approved by the County Engineer.

SECTION 553 PUBLIC REQUIREMENTS

Consideration shall be given to the requirements for public land and open spaces as specified in the General Plan during the design and layout of the subdivision. The Commission may require certain lands to be dedicated or reserved for public purposes in conformance with the General Plan as specified in these Regulations.

SECTION 554 AESTHETIC CONSIDERATIONS

The subdivider shall give consideration to preserving natural features such as large rock outcroppings, ridge lines, riparian areas and views of area landmarks in the design and layout of the subdivision. Landscaping in common areas or those areas landscaped by the developer are encouraged to utilize drought tolerant plants and utilize Xeriscape plans to minimize water usage. By definition, Xeriscape means some water applied in well-controlled amounts and locations in the landscape.

SECTION 555 SPECIAL DEVELOPMENT SUBDIVISION

Modified standards and requirements of these Regulations may be accepted by the Commission in the case of a Planned Area Development (see Section 440 PAD District and Section 441 Open Space and Sustainable Development Option and Section 442 Cluster and Open Space Option of the Zoning Ordinance), or a plan and program for a new town, a complete community, or a neighborhood unit, which, in the judgment of the Commission provides adequate public recreation, light, air and service needs for the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the General Plan or Zoning Ordinance.

A. When such a preliminary development plan is submitted for appraisal it shall be accompanied by a petition for variance, as outlined in these Regulations, setting out all deviations from standards as herein required and explaining reasons thereto.

B. Special development variations may include (but are not limited to):

1. Streets of less width than standard requirements, but with adequate provisions for off street parking;
2. Up to four (4) lots served by a common driveway where topographic conditions would justify such treatment;
3. Up to four (4) buildings per site in a cluster of less than minimum lot area if a corresponding contiguous area plus the building site areas brings the total combination of building sites and common areas to minimum area standards, and provisions are made that each lot owner has an undivided interest in the contiguous parcel and it is restricted to be used only for recreational purpose or to remain "open land"; or
4. Special common sanitation facilities.

C. Special development subdivisions shall be regulated as outlined in the Zoning Ordinance.

SECTION 560 HILLSIDE DEVELOPMENT STANDARDS

The principal purpose of these Hillside Development Standards is to allow the reasonable and beneficial use and development of private property within areas considered "hillside" while promoting the public health, safety, convenience and general welfare of the citizens of Yavapai County and maintaining the character, identity and image (i.e. preserving ridgelines) of hillside areas which are seen as valuable scenic resources. The regulations of this Section shall apply to all lots or parcels having a natural slope of twenty percent (20%) or greater. This slope is calculated using a minimum run of one hundred feet (100') with a rise greater than twenty feet (20') over that one hundred foot (100') run.

A. Lot Standards

1. Total disturbed area shall not exceed that of the zoning district maximum lot coverage, but in no case to exceed twenty-five percent (25%).
2. No lot containing hillside development areas shall be subdivided to provide less than 25,000 square feet nor to have a width of less than one hundred twenty feet (120').

B. Road Standards

1. Street grades shall not exceed twelve percent (12%).
2. Street grades of twelve percent (12%) shall have a maximum length of six hundred feet (600').
3. Minimum dedicated street rights-of-way, to be justified by extreme cross-slope cut and fill areas or similar conditions.
4. "T" or "Y" type turning and backing areas may be substituted for circular turnarounds.
5. "Panhandle", double frontage, and other unorthodox lots may be permitted so long as it can be adequately demonstrated that no such lot will adversely affect any other lot.
6. Private streets or drives serving not more than three (3) lots shall be permitted to a maximum length of three hundred feet (300').

C. Slope Category Determination

1. All applications for the Open Space and Sustainable Development Option pursuant to Section 441 shall include a Slope Category Determination Study when portions of the property contain slopes twenty percent (20%) or greater.
2. Applicants may prepare a Slope Category Determination Study utilizing a methodology differing from those outlined in this Section, if acceptable to the Development Services Director or designee. Applicants seeking to utilize an alternative methodology shall provide both a written explanation of the proposed alternative methodology and a graphical example of its use. If, upon review of the proposed alternative Slope Category Determination Study by the Development Services Director or designee, the slope analysis is not acceptable, the applicant shall utilize one of the adopted methodologies contained herein.

D. To determine the location and extent of slope categories, carry out one of the following procedures:

1. Manual Slope Determination Method:

a. Utilize a topographic map at a scale of two hundred feet (200’) or less to the inch and with contours shown at five foot (5’) intervals. All contour lines shall be extended onto adjacent properties to a distance that establishes the overall slope of the land but in no case shall they be extended less than fifty feet (50’) onto the adjacent properties.

b. The slope category shall commence at the midpoint of the one hundred foot (100’) horizontal dimensions used to determine the slope as illustrated by Figure 1, attached hereto and by this reference made a part hereof. The one hundred foot (100’) slope determination lines shall be located perpendicular to the site or property contour bands. Those properties containing multiple slope planes should provide slope information for all such planes.

c. To determine those locations where slopes of twenty percent (20%), twenty-five percent (25%), thirty percent (30%), and thirty-five percent (35%) begin by the application of one hundred foot (100’) straight lines that fall within each category. The one hundred foot (100’) slope determination lines shall be extended

onto adjacent properties to a distance that establishes the overall slope of the land but in no case shall they be extended less than fifty feet (50') onto the adjacent properties.

d. Connect the midpoints of each series of one hundred foot (100') lines of the same slope category to establish the limits of that slope category.

e. Measure the areas resulting between each series of straight lines to determine the areas in each slope category.

f. Figure 2, attached hereto and by this reference made a part hereof, illustrates the method used in calculating the slope categories.

2. Computer Generated Slope Determination Method:

a. Utilize digital topographic information with contours shown at a maximum of five foot (5') intervals.

b. Utilizing a slope generating software application, slope categories shall be determined utilizing the slope categories identified in Section 560.D.1.c.

c. Computer generated slope analyses shall be prepared utilizing the following modeling parameters:

(1) Maximum five foot (5') slope contour intervals for slopes more than twenty percent (20%);

(2) The slope analysis shall utilize the above noted slope contour intervals through the modeling basis of grid evaluation to determine slope facets or contours;

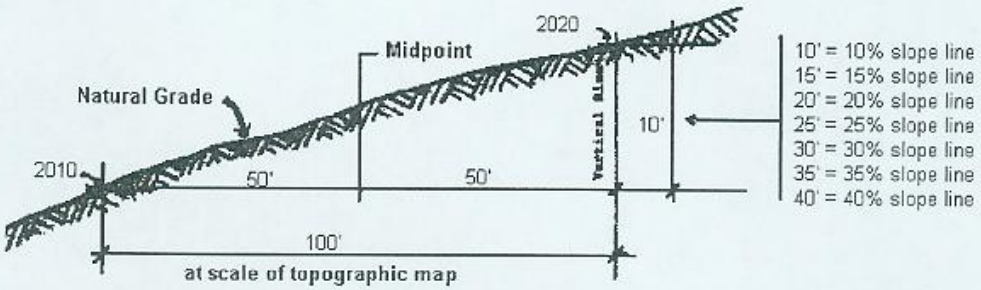
(3) The analysis shall utilize a twenty-five foot (25') grid system.

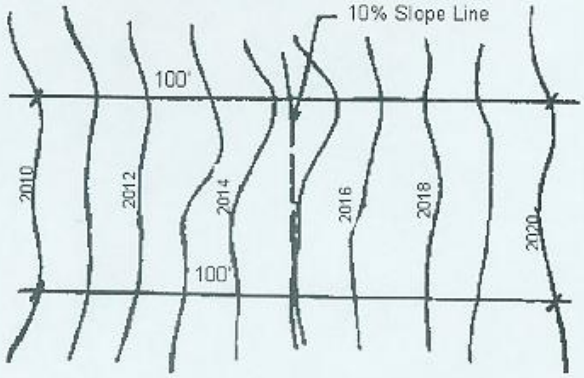
d. All data generated through the use of a computer generated slope determination shall be presented in both chart and graphical formats. The presentation of all graphical slope information shall be presented in a clear and easily understandable format.

e. The final map shall be plotted at 1" = 200' or other suitable scale and submitted to the Development Services Director or designee for review. If the Development Services Director or designee finds the analysis acceptable, the final slope determination map shall be approved. The Development Services Director or designee may reject the analysis and require correction(s) to the digitized slope category lines to more accurately reflect the generalized slope conditions of the property or other revisions necessary to ensure compliance with this Section.

3. The Final Slope Category Map resulting from this Section shall be utilized in determining allowable densities. Preliminary Plats shall contain tabular information necessary to determine compliance with this Section.

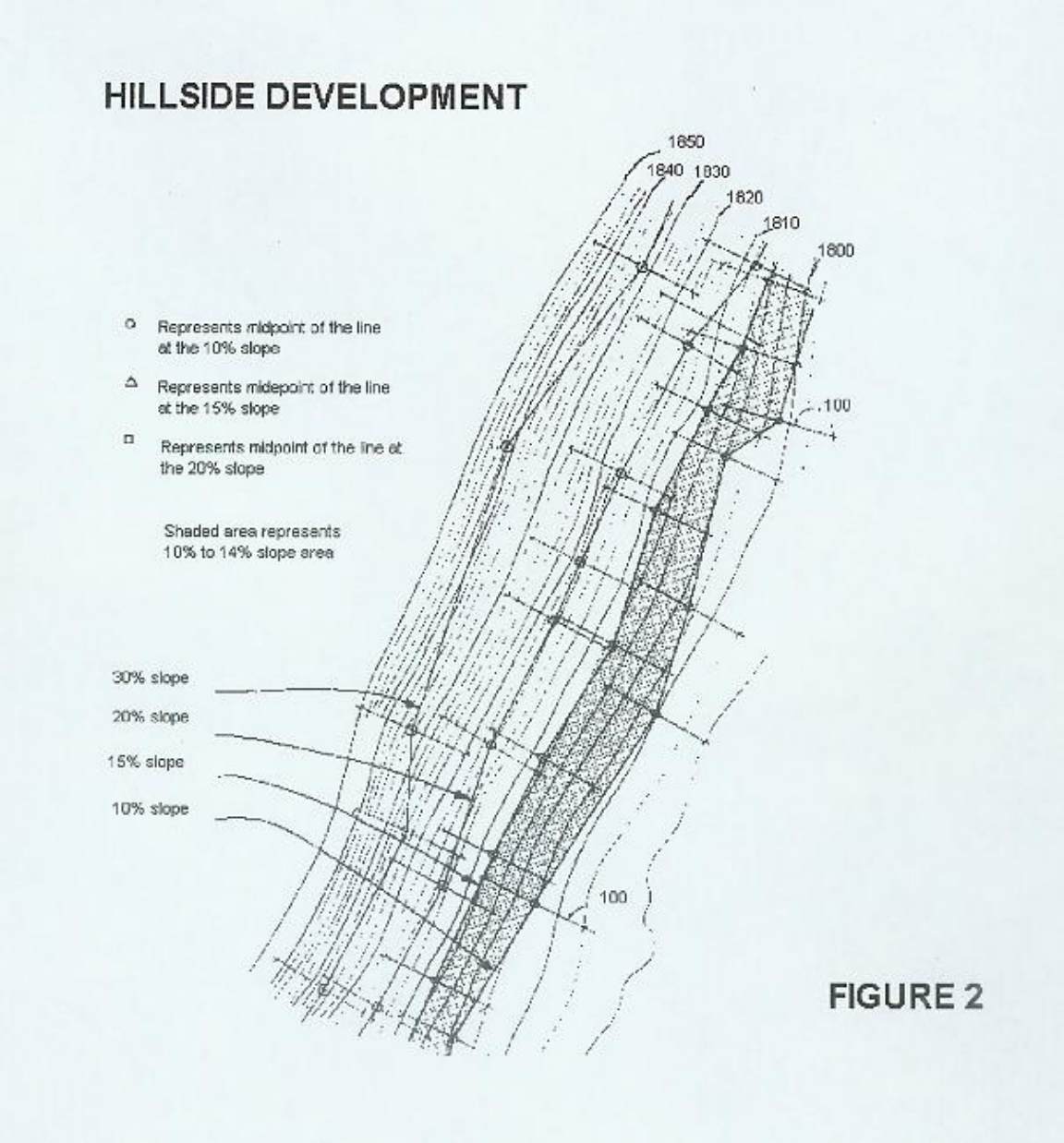
SLOPE CALCULATION





Typical Example for determining 10% slope line

FIGURE 1


HILLSIDE DEVELOPMENT
1850
1840
1830
1820
1810
1800
Represents midpoint of the line at the 10% slope
Represents midepoint of the line at the 15% slope
Represents midpoint of the line at the 20% slope
Shaded area represents 10% to 14% slope area
100
30% slope
20% slope
15% slope
10% slope
100
FIGURE 2

SECTION 570 SCHEDULE "A" SUBDIVISION

Any division of land into six (6) or more parcels, in which the average single-family lot size is less than two (2) acres in net area or in which such parcels are for the purpose of multiple-family, commercial or industrial uses, shall be defined as a Schedule "A" Subdivision.

The minimum improvements for a Schedule "A" Subdivision shall be as follows:

A. Roads and Streets

All roads and streets including access roads within and/or pertinent to the subdivision shall be paved with asphaltic concrete or equivalent and chip sealed according to the standards and specifications set out in the current Roads Resolution adopted by the Board. [See tiered flow chart for additional details and guidelines.]

B. Concrete sidewalks, paved or unpaved pedestrian paths, bike paths, equestrian trails, concrete curbs and gutters may be required, and when installed shall be placed in conformance with County standards.

C. Domestic Water

The minimum requirement for a domestic water supply and distribution system is a community piped water system, stubbed out to each lot.

D. Fire Protection

The minimum requirements for fire protection facilities in residential zones that do not allow multi-family residential uses shall be as follows:

1. No Schedule "A" Subdivision shall be established in any area except where fire protection services are provided by either a fire district or an association established pursuant to State law.
2. Type of fire hydrant, location and connection shall be as approved by the agency providing fire protection.

E. Sewage Disposal

The minimum requirements for sewage disposal shall be as follows:

1. Connection to an existing collection system; or
2. If an existing collection system is not available, then an engineered treatment and collection system shall be required. Operation of a treatment system, including collection, treatment and disposal system shall require either the formation of a legal entity, or connection to an existing system. If the Environmental Unit determines that satisfactory individual on-site wastewater systems can be provided, the Board may permit such systems in lieu of a treatment plant and collector system.

F. Drainage

The subdivider shall install such drainage structures, including storm sewers, drainage channels and drainage pumps, as may be necessary for adequate drainage of surface and storm waters, and further including means for the disposal of surface and storm waters generated by the subdivision. The determination of necessary drainage facilities is to be made in accordance with an approved Phase III Drainage Report. [See the Yavapai County Drainage Criteria Manual for specific Drainage Report requirements.]

G. Electrical and Communication Facilities

Minimum requirements for electrical and communication facilities shall be as follows:

1. Electrical and communication facilities shall be installed underground.
2. All service shall be in conformity with the provisions of Administrative Rules and Regulations of the Arizona Corporation Commission.

H. Solid Waste

Subdividers shall provide a letter of serviceability for solid waste removal.

SECTION 580 SCHEDULE "B" SUBDIVISION

Any division of land into six (6) or more parcels, in which the average single-family lot size is two (2) acres or greater in net area and less than ten (10) acres in net area, shall be defined as a Schedule "B" Subdivision.

The minimum improvements for a Schedule "B" Subdivision shall be as follows:

A. Roads and Streets

All streets including access roads within and/or pertinent to the subdivision shall be paved with double chip seal or equivalent according to the standards and specifications of the County Engineer. However, if roads and streets are proposed to be privately owned and maintained, then a waiver from the surfacing requirement and/or width of improvements can be requested providing that the roads are still improved to the other applicable standards and specifications of the County Engineer. If roads are to be private, each map sheet of the recorded Final Plat shall state: "ALL ROADS AND STREETS ARE PRIVATELY OWNED AND ARE TO BE MAINTAINED BY THE PROPERTY OWNERS." Similarly, signs noting the private status of interior roads shall be posted at the entrance(s) to the subdivision. Said signing shall be subject to the approval of the Director. [See tiered flow chart for additional details and guidelines.]

B. Asphalt or decomposed granite sidewalks, paved or unpaved pedestrian paths, bike paths, and equestrian trails may be required, and, when installed, shall conform to County standards.

C. Domestic Water

If the subdivision is composed of subdivided lands as defined in A.R.S. §32-2101 outside of an Active Management Area and the Board has not adopted Subsection F. of A.R.S. §11-823 A. (which would require a letter of water adequacy from ADWR for Final Plat consideration/approval):

1. If the Director of Water Resources has determined that there is an adequate water supply for the subdivision pursuant to A.R.S. §45-108 or if the subdivider has obtained a written commitment of water service for the subdivision from a city, town or private water company designated as having an adequate water supply by the Director of Water Resources pursuant to A.R.S. §45-108, the Board shall note this on the face of the Plat if the Plat is approved.

2. If the Director of Water Resources has determined that there is an inadequate water supply for the subdivision pursuant to A.R.S. §45-108, the Board shall note this on the face of the Plat if the Plat is approved.

D. Fire Protection

Fire protection facilities including hydrants and water storage shall be provided in accordance with the fire authority having jurisdiction. Specific fire improvements shall be those deemed by the Board as necessary to adequately serve the subdivision.

E. Sewage Disposal

Every lot must be of sufficient size to accommodate an individual on-site wastewater system according to the standards and specifications of the Environmental Unit.

F. Drainage

The subdivider shall install such drainage structures, including storm sewers, drainage channels and drainage pumps, as may be necessary for adequate drainage of surface and storm waters, and further including means for the disposal of surface and storm waters generated by the subdivision. The determination of necessary drainage facilities is to be made in accordance with an approved Phase III Drainage Report. Where facilities for the disposal of surface and storm waters are not available immediately adjacent to the proposed subdivision, the County Engineer and/or the Flood Control District may require the construction of off-site and on-site drainage facilities as may be necessary. Storm water detention requirements may be waived due to lower density. [See the Yavapai County Drainage Criteria Manual for specific Drainage Report requirements.]

G. Electrical and Communication Facilities

Electrical and communication facilities shall be installed per the conditions governing line extension on file with the Arizona Corporation Commission.

H. Solid Waste
Subdividers shall provide a letter of serviceability for solid waste removal.

SECTION 590 SCHEDULE "C" SUBDIVISION

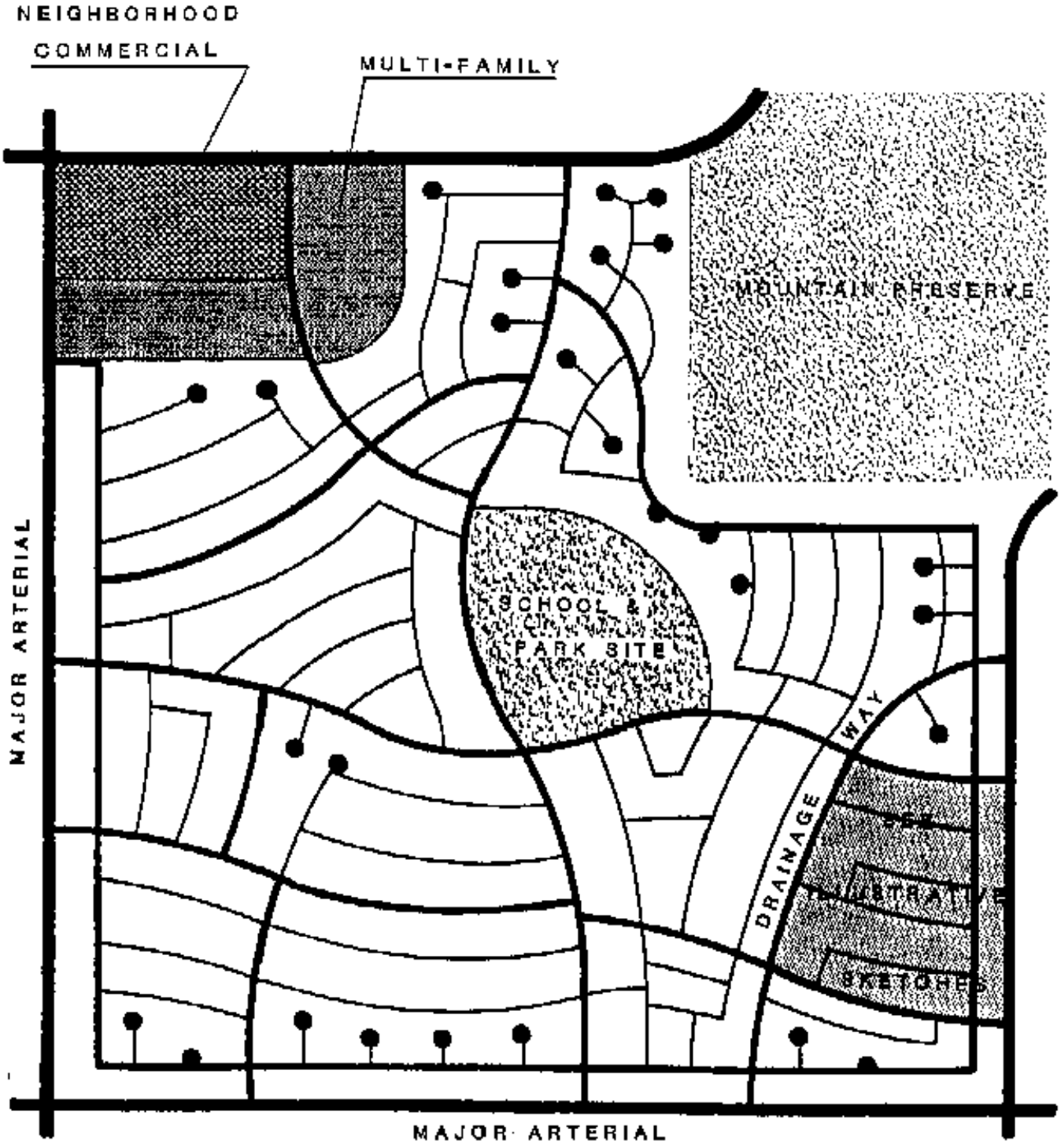
Any division of land into six (6) or more parcels, in which the average single-family lot size is ten (10) acres or greater in net area and less than or equal to thirty-six (36) acres in gross area, shall be defined as a Schedule "C" Subdivision.

The minimum improvements for a Schedule "C" Subdivision shall be as follows:
A. Roads and Streets
All roads and streets including access roads within and/or pertinent to the subdivision shall be paved with double chip seal or equivalent according to the standards and specifications of the County Engineer. However, if roads and streets are to be privately owned and maintained then a waiver from the surfacing and width requirements can be requested providing that the roads are still improved to the other applicable standards and specifications of the County Engineer. If roads are to be private, each map sheet of the recorded Final Plat shall state: "ALL ROADS AND STREETS ARE PRIVATELY OWNED AND ARE TO BE MAINTAINED BY THE PROPERTY OWNERS." Similarly, signs noting the private status of interior roads shall be posted at the entrance(s) to the subdivision. Said signing shall be subject to the approval of the Director. [See tiered flow chart for additional details and guidelines.]
B. Domestic Water
The minimum requirements for a domestic water supply and distribution system are as follows:
1. No community water system required.
2. When no community water system is installed, the following statement shall be placed on each map sheet of the subdivision plat map, in letters not less than one-quarter inch (1/4") high: "NO COMMUNITY WATER SYSTEM IS PROVIDED FOR THIS SUBDIVISION AS OF THE DATE OF RECORDATION OF THIS MAP."
C. Sewage Disposal
Every lot must be of sufficient size to accommodate an individual on-site wastewater system according to the standards and specifications of the Environmental Unit.
D. Drainage
The subdivider shall install such drainage structures, including storm sewers, drainage channels and drainage pumps, as may be necessary for adequate drainage of surface and storm waters, and further including means for the disposal of surface and storm waters generated by the subdivision. The determination of necessary drainage facilities is to be made in accordance with an approved Phase III Drainage Report. Storm water detention requirements may be waived due to lower density. Also the project engineer has the option of doing approximate floodplain analyses for watercourses with drainage areas less than one (1) mile square. Where facilities for the disposal of surface and storm waters are not available immediately adjacent to the proposed subdivision, the County Engineer and/or the Flood Control District may require the construction of off-site and/or on-site drainage facilities as may be necessary. [See the Yavapai County Drainage Criteria Manual for specific Drainage Report requirements.]
E. Electrical and Communication Facilities
Electrical and communication facilities shall be installed per the conditions governing line extension on file with the Arizona Corporation Commission.
F. Solid Waste
Subdividers shall provide a letter of serviceability for solid waste removal.

G. Fire Protection

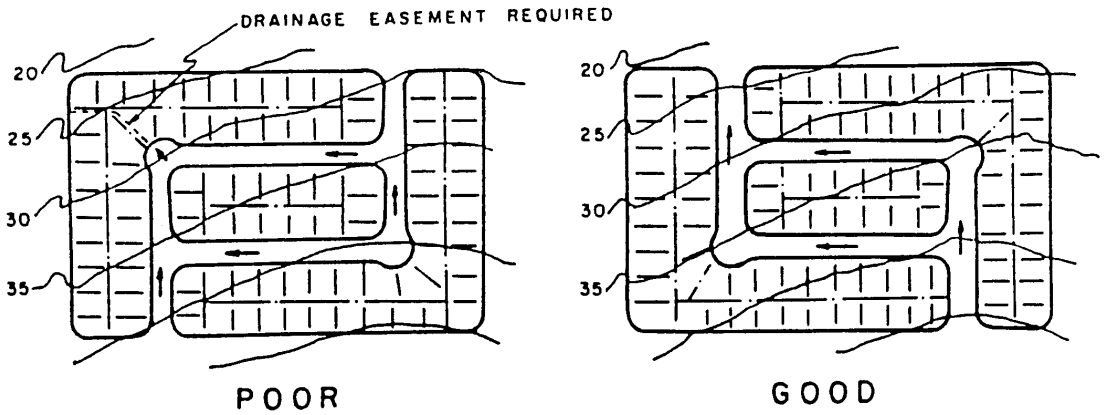
Fire protection facilities including hydrants and water storage shall be provided in accordance with the fire authority having jurisdiction. Specific fire improvements shall be those deemed by the Board as necessary to adequately serve the subdivision.

SECTION 591 EXAMPLE DESIGNS



NEIGHBORHOOD SCHEMATIC

(TYPICAL ONE SQUARE MILE DEPENDING ON DENSITY)



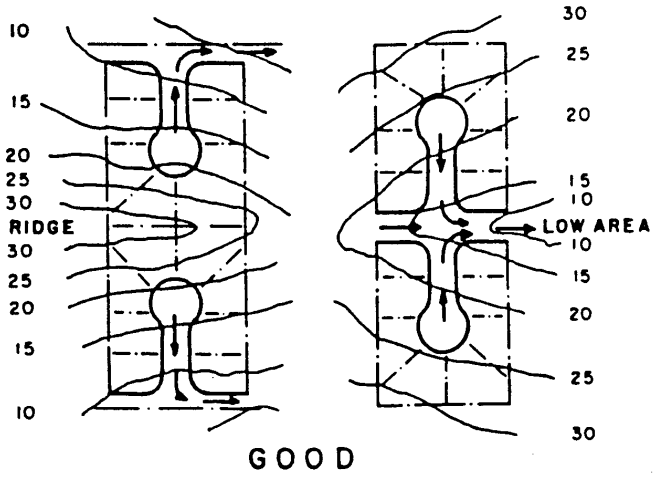
STREET DRAINAGE

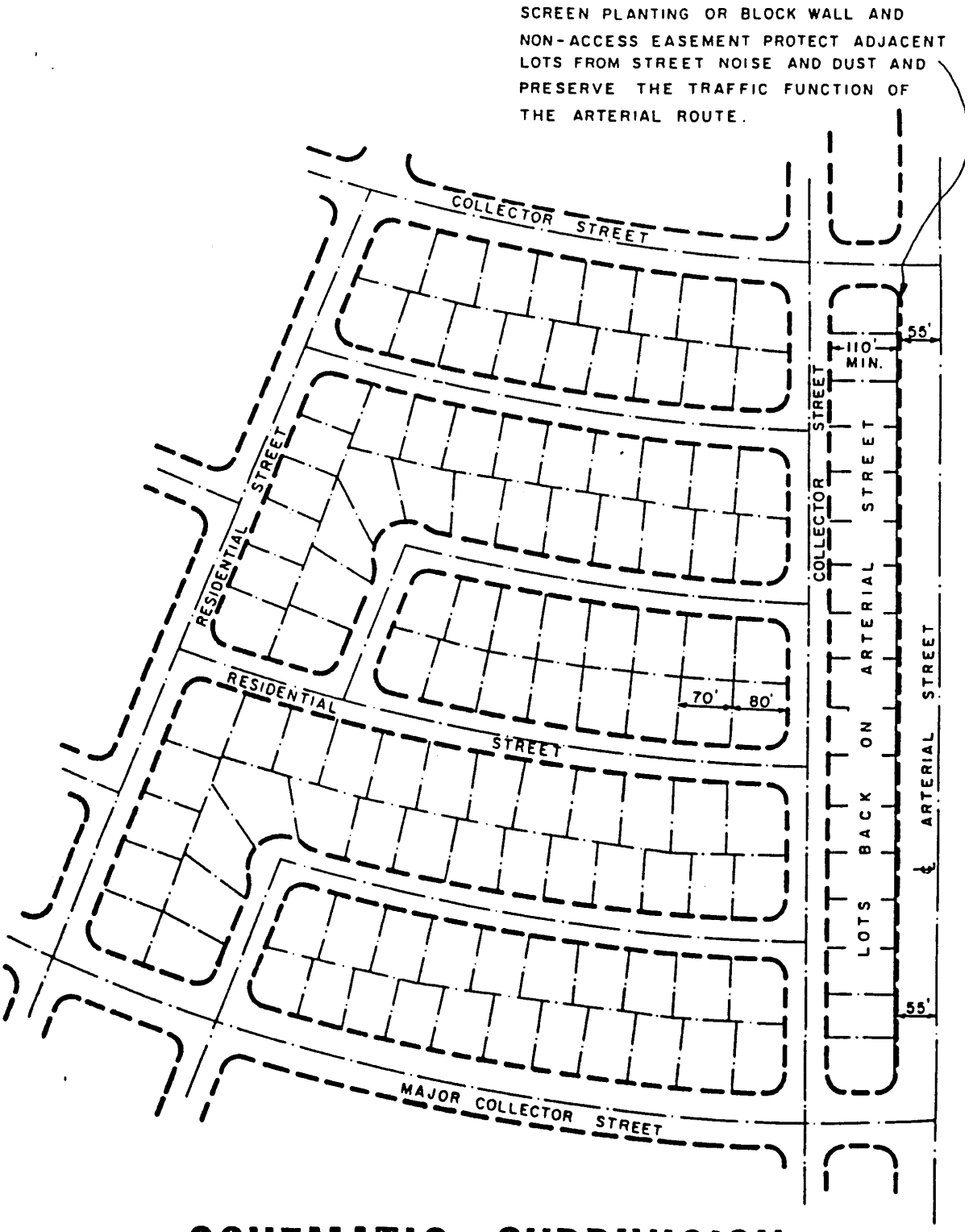
for

RESIDENTIAL STREETS

Streets should be so designed and arranged in relation to existing topography as to facilitate drainage. Proper design will eliminate excessive cuts and fills and unnecessary drainageways between lots.

Streets should not be used as primary drainage, unless curb & gutter is installed.

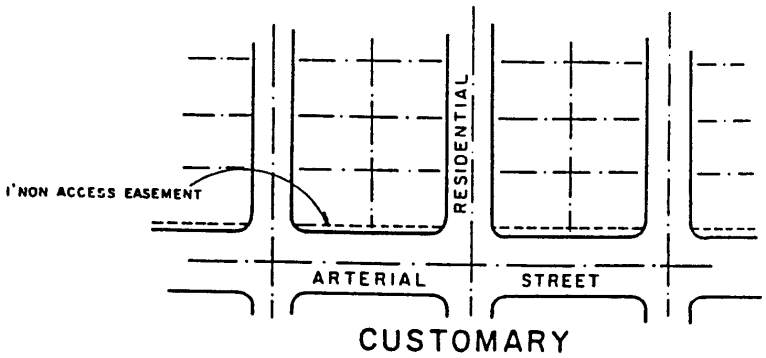




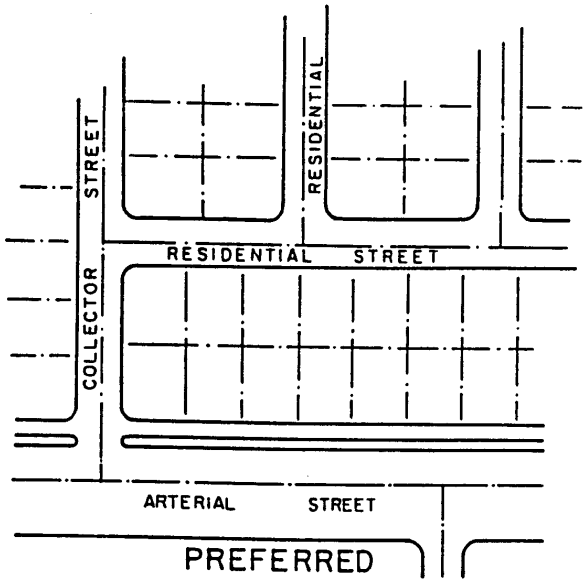
SCHEMATIC SUBDIVISION

STREET INTERSECTIONS

Openings onto arterial streets should be limited to quarter mile intervals. However, if more frequent intersections are necessary, they should be "T" type intersections as illustrated.

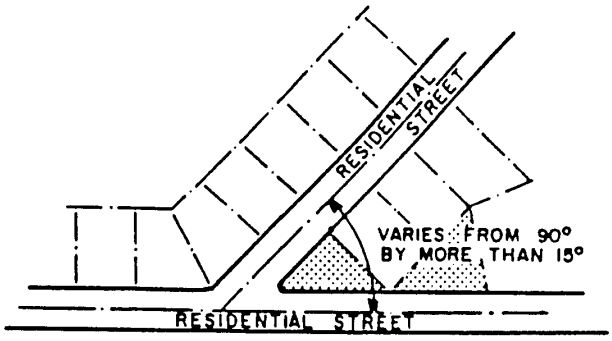


CUSTOMARY

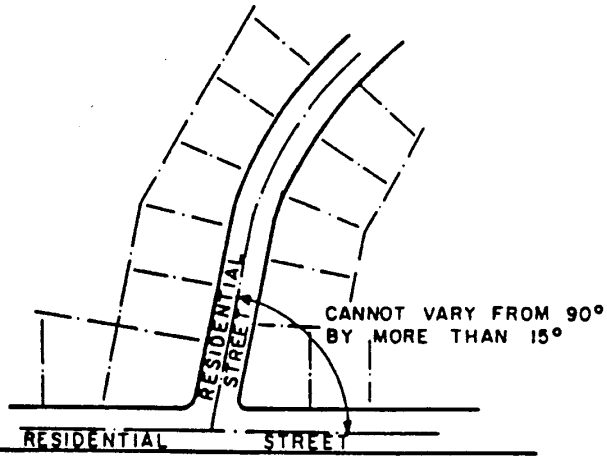


PREFERRED

ANGLE of INTERSECTIONS for RESIDENTIAL STREETS

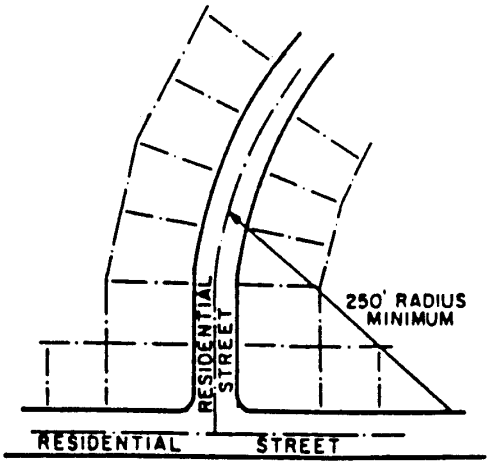


NOT ACCEPTABLE

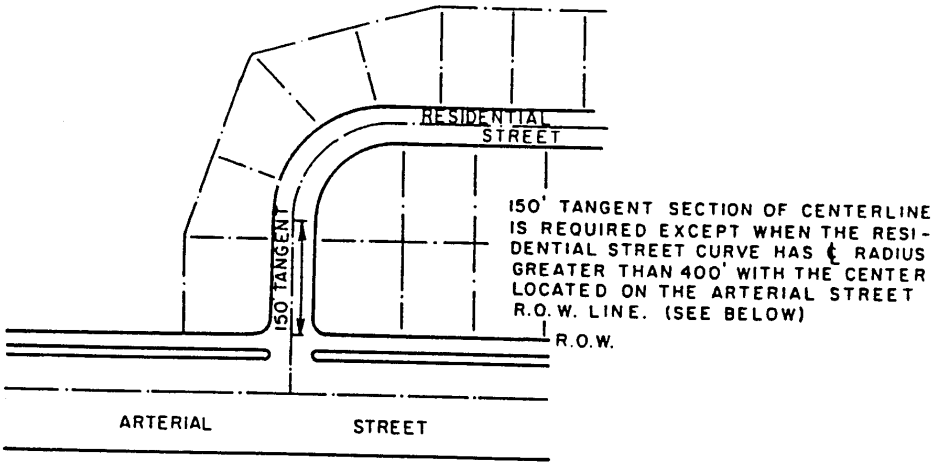


ACCEPTABLE, IF NECESSARY

Street intersections should be carefully designed so as to eliminate dangerous traffic movements and odd shaped lots.



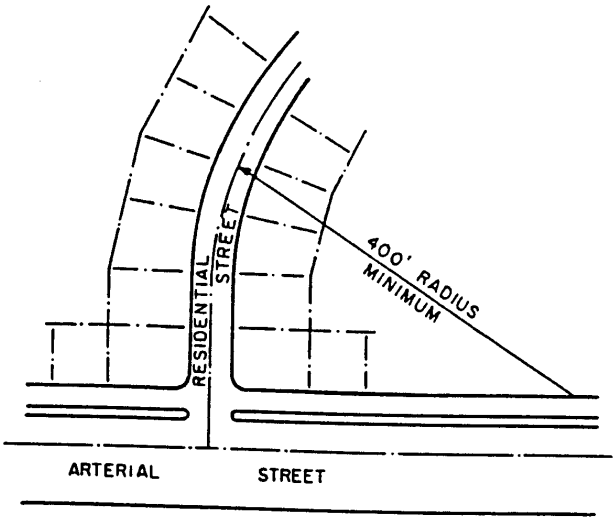
PREFERRED



GOOD

ANGLE of INTERSECTIONS for ARTERIAL STREETS

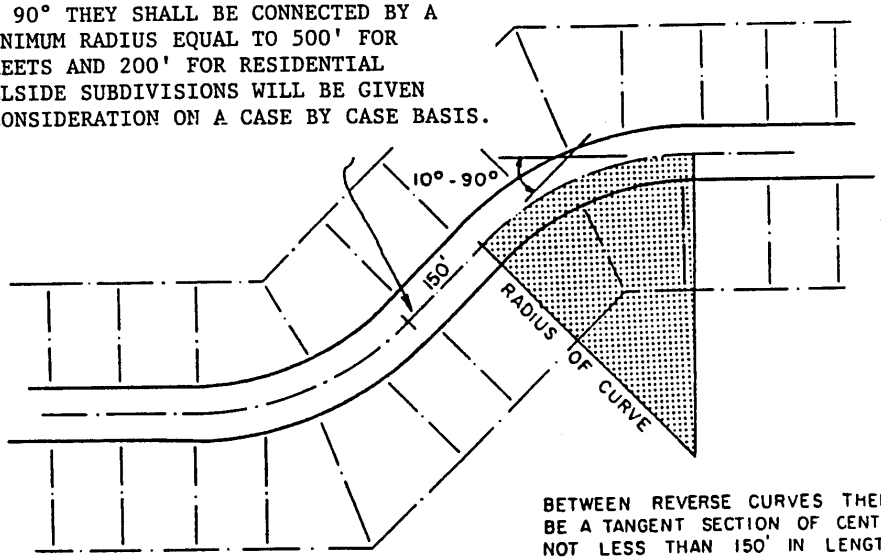
All intersections of arterial streets and collector streets should be at right angles.



GOOD

CENTERLINE DEFLECTION
and
REVERSE CURVES
for
COLLECTOR and RESIDENTIAL STREETS

WHEN TANGENT CENTERLINES DEFLECT MORE THAN 10% AND LESS THAN 90° THEY SHALL BE CONNECTED BY A CURVE WITH MINIMUM RADIUS EQUAL TO 500' FOR COLLECTOR STREETS AND 200' FOR RESIDENTIAL STREETS. HILLSIDE SUBDIVISIONS WILL BE GIVEN APPROPRIATE CONSIDERATION ON A CASE BY CASE BASIS.



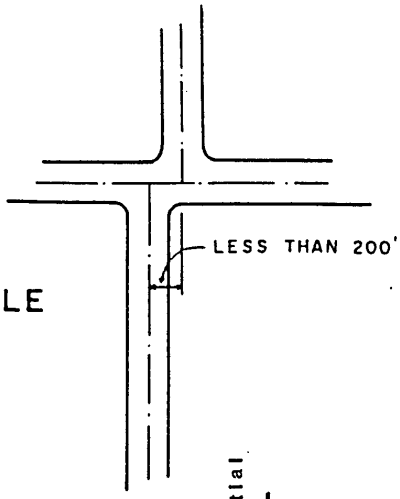
BETWEEN REVERSE CURVES THERE SHA
BE A TANGENT SECTION OF CENTERLINE
NOT LESS THAN 150' IN LENGTH

NOTE :

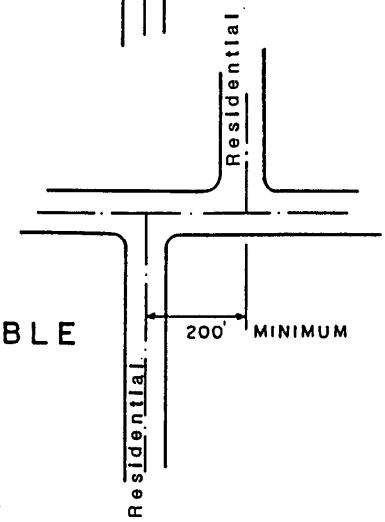
Horizontal Alignments on Arterial Routes shall be determined by the County Engineer.

STREET JOGS
for
RESIDENTIAL STREETS

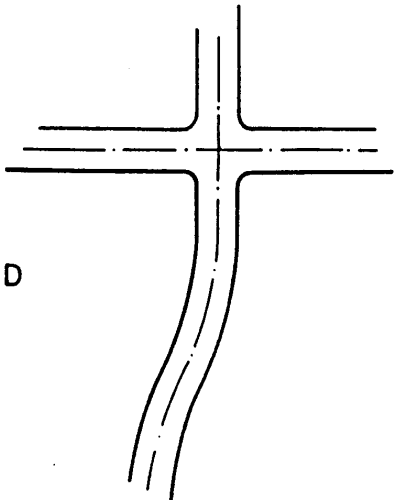
NOT ACCEPTABLE



ACCEPTABLE



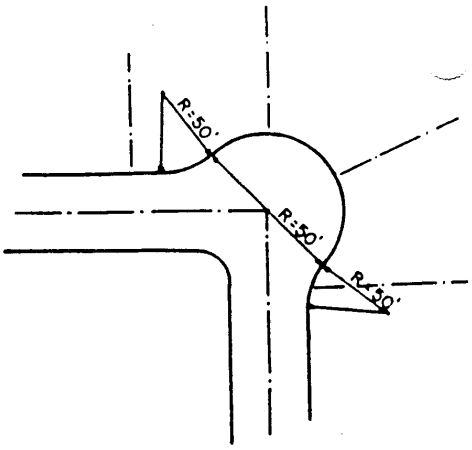
GOOD



NOTE:

Horizontal Alignments on Arterial Routes shall be determined by the County Engineer.

Knuckle design and lotting arrangement for right angle turns.



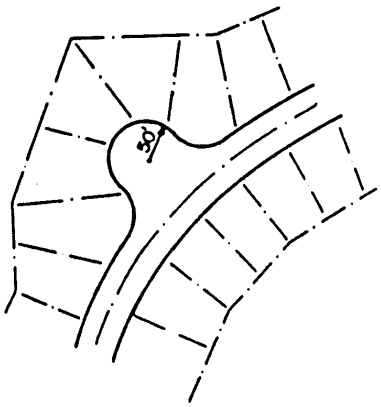
GOOD

KNUCKLE DESIGNS

for

RESIDENTIAL STREETS

Knuckle design provides frontage for addition lots in deeper portions of a block.

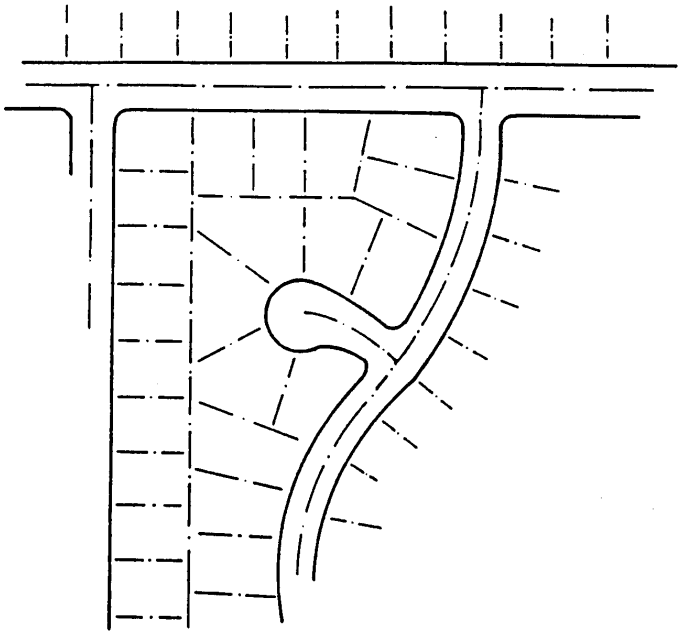


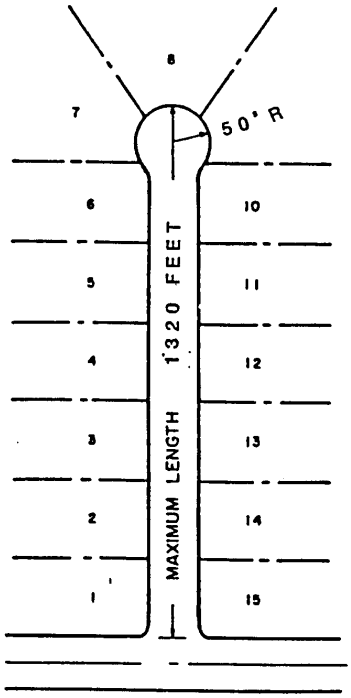
GOOD

NOTE:

Knuckle designs should not be used on collector or arterial streets.

Cul-de-sacs should be used to serve irregular areas of a tract that would otherwise be inaccessible. Cul-se-sacs should not be used excessively nor as a primary design feature.



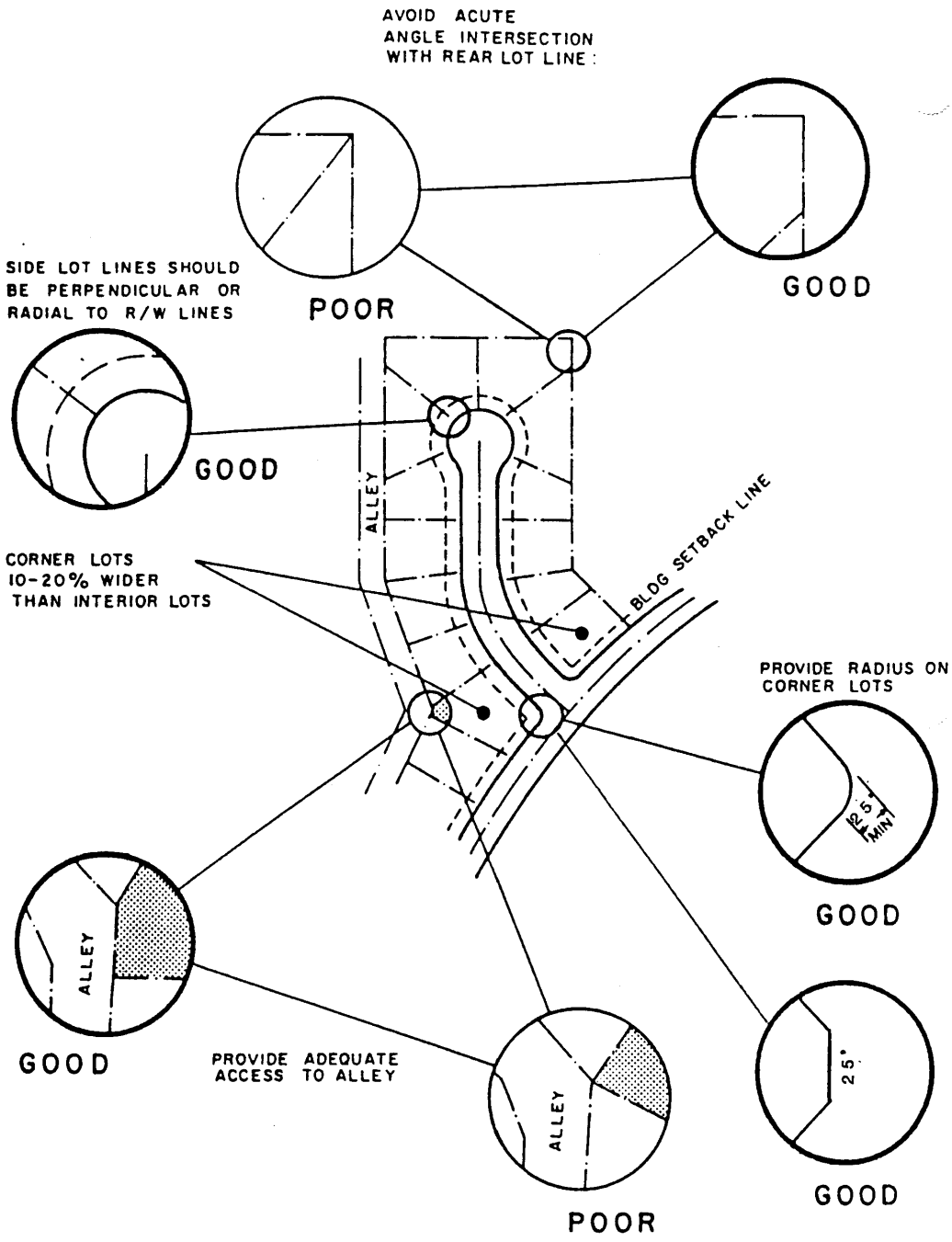


CUL-DE-SACS

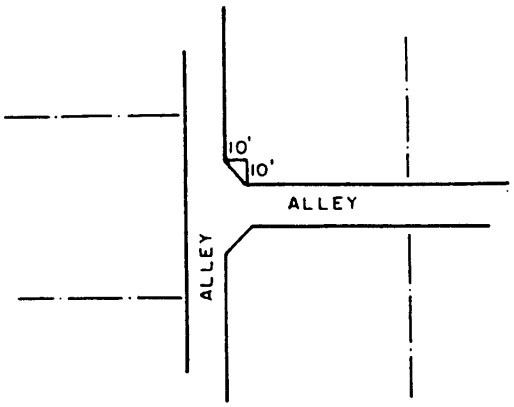
for

RESIDENTIAL STREETS

Cul-de-sacs should preferably not be longer than 1320 feet and should terminate in a turn-around at the closed end.

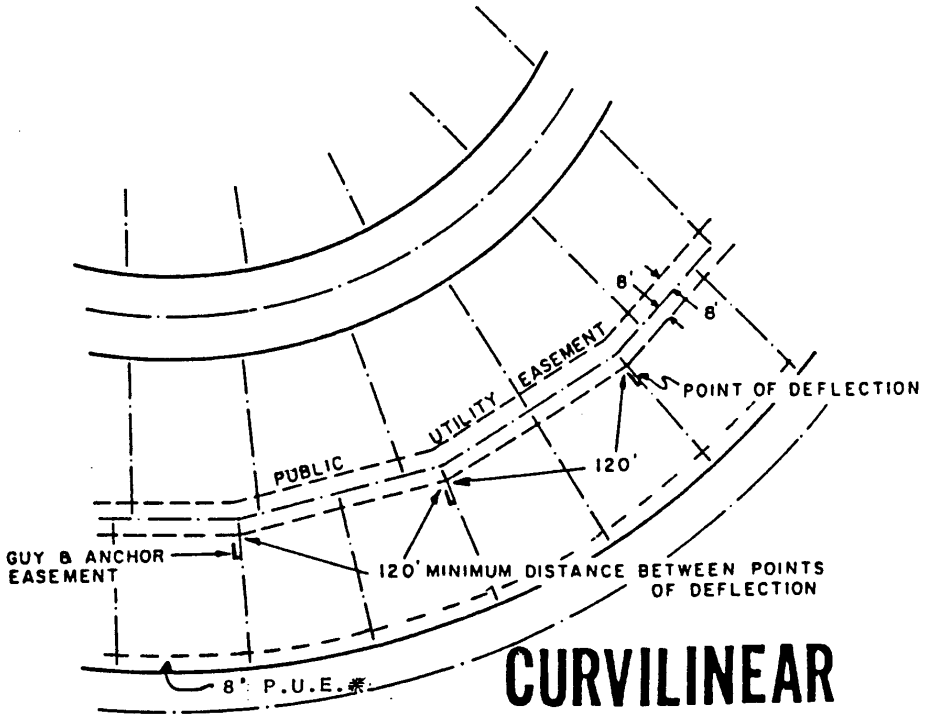

AVOID ACUTE ANGLE INTERSECTION WITH REAR LOT LINE:
POOR
GOOD
SIDE LOT LINES SHOULD BE PERPENDICULAR OR RADIAL TO R/W LINES
GOOD
ALLEY
BLDG SETBACK LINE
CORNER LOTS 10-20% WIDER THAN INTERIOR LOTS
PROVIDE RADIUS ON CORNER LOTS
25' MIN
GOOD
ALLEY
GOOD
PROVIDE ADEQUATE ACCESS TO ALLEY
ALLEY
POOR
25'
GOOD

LOT DESIGN



ALLEY INTERSECTIONS

PLATE 12



CURVILINEAR LOT AND EASEMENT PLANNING

13

* UNLESS ALL UTILITIES ARE PLACED

SECTION 6
ASSURANCE FOR COMPLETION OF IMPROVEMENTS AND PROCEDURE FOR VERIFYING COMPLETION OF REQUIRED IMPROVEMENTS AND RELEASE OF ASSURANCES

SECTION 600 DISCLOSURE OF FINANCIAL ASSURANCES

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 in accordance with A.R.S. §11-821.

B. No Final Plat will be recorded by the County unless one (1) or more of the methods of assurance listed in Section 620 is approved and provided to Staff or an alternative method of assurance may be approved by the Board of Supervisors with the Final Plat approval.

C. No subdivision site work shall be initiated unless or until the Preliminary Plat has been approved by the Board and the site work authorized by the County Engineer or there are approved construction plans.

D. The subdivider shall furnish with the Final Plat a cost estimate for construction of the required on- and off-site improvements, signed and sealed by a Registered Professional Engineer. The amount of the assurance shall be based on the engineer's cost estimate for all required and remaining site improvements as approved by the County Engineer. Utility service assurances may be provided by letter from water, sewer, electric and other appropriate utility companies to guarantee improvements. The Final Plat shall indicate the assurances provided by the subdivider to insure completion of the required site improvements.

SECTION 610 CONSTRUCTION OF REQUIRED PUBLIC OR PRIVATE IMPROVEMENTS PRIOR TO FINAL PLAT APPROVAL AND OR RECORDATION

If the subdivider chooses to construct the required improvements prior to Final Plat approval or recordation, he shall submit the construction plans prepared by a Registered Professional Engineer, inspection reports, test reports and material certifications to the County Engineer and the Director for approval. Once all approvals are obtained and a Development Permit from the Flood Control District for drainage work has been issued, then site construction can be initiated. This with the understanding that the developer is doing so at his own risk should something be changed on the plat design prior to approval/recordation that may warrant modifications to site improvements.

SECTION 620 FINANCIAL ASSURANCES FOR REQUIRED PUBLIC OR PRIVATE IMPROVEMENTS

A. Performance Bond

The subdivider shall file with the County a bond executed by a surety company holding a license to do business in the State of Arizona, and acceptable to the County, in an amount equal to the cost of the improvements required by these Regulations and within the time for completion of improvements as estimated by the Engineer of Record and approved by the County Engineer. The performance bond shall be approved as to form and legality by the County Attorney.

B. Trust Agreement

The subdivider shall place on deposit in a bank or trust company in the name of the County, and approved by the County Attorney, in a trust account a sum of money equal to the estimated cost of all site improvements required by these Regulations. The cost and time of completion shall be approved by the County Engineer. The trust shall be approved as to form and legality by the County Attorney. Periodic withdrawals may be made from the trust account for a progressive payment of installation costs. The amounts of such withdrawals shall be based upon progress work estimates and approved by the County Engineer and County Attorney. All such withdrawals shall be approved by the Trustee.

SECTION 630 DURATION OF PERFORMANCE BONDS FOR FINANCIAL ASSURANCES

The duration of the performance bond or other assurance shall be for two (2) years, from the date of recording. Extensions of time in one (1) year increments may be granted by the Department by showing just cause. The assurance (surety) shall remain in force and effect until it is released by the Board or has been authorized for partial release as provided for herein.

SECTION 631 PARTIAL ASSURANCE REDUCTION

The County Engineer, upon receipt of a certification from the Engineer of Record, may authorize a reduction of the assurance for the work completed in accordance with the approved cost estimate and construction plans. A percentage (10%) of the estimated cost of completed improvements will be retained to insure sufficient funds remain to insure completion of the site improvements, final inspections and preparation of final "as-built" plans.

SECTION 632 DEFAULT

In the event that the subdivider defaults or fails or neglects to satisfactorily install the required improvements within the time agreed upon for performance, the Board may declare the bond, or other assurance forfeited, and the County may make or cause the required improvements to be made, using the trust funds or proceeds of the collection of the bond or other assurance to defray the expense thereof. In addition, the Director shall notify ADRE of the default.

SECTION 640 INSPECTION AND RELEASE

A. The subdivider, using the services of a Registered Professional Engineer and plans as approved by the County Engineer, shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than thirty (30) days prior to the release date of the bond or other assurance, the Engineer of Record shall make an inspection of the improvements and shall submit a set of "as-built" construction plans if complete or a report on the status of improvements if only partially complete to the County Engineer. The County Engineer will review the "as-built" plans and/or report and notify the developer of any noncompliance with the approved construction plans or with these Regulations. If the County Engineer determines that compliance has been made, he will then submit a report to the Board, setting forth the conditions of such facilities.

B. A certificate sealed by the Engineer of Record on the "as-built" plans stating that the construction has been completed in substantial conformance to the specifications and standards contained in or referred to herein must by approved by the County Engineer and presented to the Board prior to the surety release. If all conditions are found to be satisfactory and the improvements comply with County Improvement Standards, the Board shall release the guarantee. If the condition of materials or workmanship shows unusual depreciation or does not comply with County Improvement Standards, the County Engineer may present this information to the Board who may declare the subdivider in default.

C. Engineer of Record’s Certification Statement

"In my professional opinion, the construction of [the specific site improvements required for approval] has been completed in substantial conformance with the construction plans and specifications including changes and addendums. My professional opinion is based, in part, upon the completion of certain tests and measurements and/or the review of the results of such tests and measurements completed by others. The rendering of this opinion in no way relieves any other party from meeting requirements imposed by contract, plans, specifications or commonly accepted industry standards."

SECTION 650 SUBDIVISION ROAD MAINTENANCE

Once the improvements are approved and the surety released, the Board will review the public roadways for acceptance into the County System for Maintenance as per A.R.S. §11-822 C. and the current Roads Resolution adopted by the Board.

SECTION 7
ABANDONMENTS

SECTION 700 ABANDONMENTS

Streets, alleys, rights-of-way, easements, reserve strips, or other public use ways or facilities may be abandoned by the Board pursuant to the provisions of this Section. If no lots in a subdivision for which a Final Plat has been approved and recorded have been sold to the public within three (3) years from the date of recordation or if all of the improvements have not been made within three (3) years from the date of recordation or pursuant to the date referred to in Section 632, the Board may: 1. on its own motion hold a public hearing, after notice, to determine whether the approval and recording of such Final Plat should be revoked and reverted to acreage. (Such revocation/reversion shall be in accordance with the Arizona Revised Statutes.), or 2. consider a lot sale prohibition agreement, in lieu of financial assurances, between the County and the Developer which prohibits the sale of any platted lots until either the improvements are complete or valid financial assurances are posted and a new timeframe for completion approved. In addition, the Director shall notify ADRE of the agreement.

SECTION 701 ABANDONMENT APPLICATION REQUIRED

In order to initiate an abandonment proceeding for all or a portion of a recorded subdivision proceeding before the Board, an Application for Abandonment must be filed with the Director. If the abandonment is proposed by a private citizen, a preliminary title report shall be submitted by the property owner(s) for the property proposed to be abandoned or reverted to acreage. Applications for the disposition of a public road within the County must be filed with the County Engineer in accordance with the current adopted Roads Resolution. An application fee of an amount established by resolution of the Board shall be paid by the applicant at the time of filing. Upon receipt of said application, the Director shall conduct an investigation and shall distribute the request to reviewing agencies for comment including but not limited to the County Public Works Department, County Assessor, local fire district, emergency service agencies and municipalities within three (3) miles of the subdivision, County Treasurer or other agencies as deemed appropriate by the Director. Upon receipt of the reviewing agency comment(s), if any, the Director shall prepare a report for presentation to the Commission for consideration of a recommendation to the Board at a duly noticed public hearing. Such application may necessitate consideration for rezoning if the Commission deems it necessary or desirable.

SECTION 702 ACTION BY THE COMMISSION

Within sixty (60) days upon receipt of an Abandonment Application, the Commission shall conduct a duly noticed public hearing pursuant to the same noticing procedures as set forth under Section 414**.** Upon completion of said hearing, the Commission shall recommend that the Board approve, approve in modified form, or deny said application. Any action to recommend approval shall be based upon the following findings:

1. That said abandonment is in the interests of the general welfare of the County and is in correlation with the General Plan.
2. That said abandonment would not prohibit or unduly inhibit access by the public-at-large, nearby property owners and public utilities with proposed development in adjacent areas.
3. That said abandonment would not eliminate public access ways, which may be presently in use or desirable for future use.
4. As to whether or not zoning changes should accompany such abandonment/reversion action.

SECTION 703 ACTION BY THE BOARD

Within sixty (60) days of a recommendation action by the Commission, the Board shall conduct a duly noticed public hearing as described by Section 414. Upon completion of the public hearing, the Board shall approve, approve in modified form, or deny said application. Any action to approve shall be based upon the findings set forth under Section 702.

SECTION 704 RECORDING OF ABANDONMENT

Upon Board approval of an Abandonment Application, the applicant shall prepare the proper abandonment documents/plat including any required deeds of conveyance and submit to the Department for recording. The abandonment shall be effective when recorded along with an abandonment resolution in compliance with A.R.S. §28-7213.

SECTION 705 CONVEYANCE TO ADJACENT PROPERTIES

Whenever an abandonment is approved for publicly owned rights-of-way, the rights-of-way shall vest in the abutting property according to A.R.S. §28-7205. Zoning for abandoned rights-of-way shall be the same as the properties to which they are conveyed. Rights-of-way or easements of existing sewer, gas, water or similar pipelines and appurtenances and for canals, laterals or ditches and appurtenances, and for electric, telephone, and similar lines and appurtenances shall continue as they existed prior to the abandonment per A.R.S. §28-7210.

SECTION 706 VALUE RECEIVED

If all or a portion of any public roadway is abandoned, the persons petitioning for abandonment shall pay to the County the value of the roadway as determined by the County Assessor, or in the alternative, at the petitioner's request value may be determined by an appraiser acceptable to the County without cost to the County. The value to be paid is limited to any amount exceeding the application fee previously paid. No resolution of abandonment or plat shall be recorded until all amounts due are paid in full.

SECTION 8
AMENDMENTS

SECTION 800 AMENDMENTS

ADOPTED BY BOARD OF SUPERVISORS APRIL 19, 1982
EFFECTIVE MAY 19, 1982
HA 3638

ARTICLE 7 Add Section 701.00 Waiver.

ADOPTED BY BOARD OF SUPERVISORS JUNE 20, 1983
EFFECTIVE JULY 20, 1983
HA 4008

ARTICLE 5 Add Section 502.02 Water Courses.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 12, 1983
EFFECTIVE JANUARY 12, 1984
HA 4112

ARTICLE 5 Amend/add Sections 503.04, 503.06c, 503.06d and 503.12b detailing the responsibility for future right-of-way access to adjacent properties and bonding requirements concerning such improvements.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 12, 1983
EFFECTIVE JANUARY 12, 1984
HA 4115

ARTICLE 4,6 Amend/add Sections 400.01, 402.01, 405.02, 405.07 and 600.01a regarding updates of ARS citations and administrative requirements on numbers of copies of plats and expiration period of preliminary plats.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 24, 1988
EFFECTIVE NOVEMBER 23, 1988
HA 5439

ARTICLE 4 Amend Section 401.03 5. as regards topographical information required for the purpose of providing consistency with the Yavapai County Flood Control District requirements for preparation of drainage reports.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 28, 1992
EFFECTIVE JANUARY 27, 1993
HA 5935

Approval of revised 1993 Subdivision Regulations replacing the 1973 Subdivision Regulations and all amendments, the last amendment being #5 approved by the Board of Supervisors October 24, 1988.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 2, 1996
EFFECTIVE FEBRUARY 1, 1996
HA 6372

ARTICLE 5 Amend Sections 501.01 and 501.02 to require Flood Control Development Permit prior to authorization of on-site construction.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 19, 1999
EFFECTIVE FEBRUARY 18, 1999
HA 6832

ARTICLE 6 Amend Section 602.02 pertaining to compliance with the recently adopted Drainage Criteria Manual when submitting Preliminary and Final Plats for approval.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 18, 2000
EFFECTIVE OCTOBER 18, 2000
HA7091

ARTICLE 3 Add Section 303.03 adopting language relating to a Citizen Participation process.

ADOPTED BY BOARD OF SUPERVISORS MAY 3, 2004
EFFECTIVE JULY 1, 2004
H4015

Updated and reformatted Subdivision Regulations.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 6, 2006
EFFECTIVE MARCH 6, 2006
H5219

SECTION 468 Add Section 468 Amending Recorded Final Plat.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 5, 2007
EFFECTIVE MARCH 7, 2007
H6198

SECTION 540 Amend E. to reflect who reviews new water system installations per the County's delegation agreement with the Arizona Department of Environmental Quality (ADEQ).

ADOPTED BY BOARD OF SUPERVISORS JANUARY 22, 2008
EFFECTIVE FEBRUARY 21, 2008
H7183

SECTION 580 Amend C. to bring Subdivision Regulations into conformance with A.R.S. §11-806.01.I.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 8, 2009
EFFECTIVE OCTOBER 8, 2009
H7117

SECTION 500 Amend A.3. to include conformance with Yavapai County Planning and Zoning Ordinance Section 440 PAD District, Section 441 Open Space and Sustainable Development Option and Section 442 Cluster and Open Space Option.

SECTION 555 Amend 1st sentence, 1st paragraph as follows: "…in the case of a Planned Area Development (see Section 440 PAD District and Section 441 Open Space and Sustainable Development Option and Section 442 Cluster and Open Space Option)…"

SECTION 560 Amend by addition of C., D. and associated Figures 1 and 2 to include Slope Category Determination and Slope Determination Methods.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 6, 2012
EFFECTIVE SEPTEMBER 5, 2012
H12043

SECTIONS AS LISTED Amend Sections 600 Disclosure of Financial Assurances and Section 620 Financial Assurances for Required Public or Private Improvements in regards to what will be allowed for financial assurances and Section 700 Abandonments to allow for a lot sale prohibition agreement

ADOPTED BY BOARD OF SUPERVISORS AUGUST 6, 2012
EFFECTIVE SEPTEMBER 5, 2012
H12049

SECTIONS AS LISTED Amendment to update statutory references to bring Regulations into conformance with recent changes in State legislation: Section 100 Scope, Purpose; Section 103 Authority and Applicability; Section 110 Effective Date; Section 300 Definitions (Building, Certificate of Assured Water Supply and Condominium); Section 412 J. Supplementary Contents of Preliminary Plat; Section 580 Schedule "B" Subdivision; Section 600 Disclosure of Financial Assurances; Section 650 Subdivision Road Maintenance; and Section 705 Conveyance to Adjacent Properties.