

ORDINANCE NO. 82

AN ORDINANCE OF THE CITY OF SAN LUIS REGULATING SUBDIVISIONS

The Council of the City of San Luis,  
State of Arizona, do ordain as follows:

ARTICLE I

SCOPE

SECTION 1.1 AUTHORITY

- a) Provisions of this Ordinance are supplemental to those of the A.R.S. 11-801 thru 11-806, as Amended, of the State of Arizona, as the same now exists or may hereafter be amended.
- b) Any land or lands in the incorporated territory of City of San Luis coming within the definition of a subdivision as herein set forth shall be subject to all of the provisions of the Subdivision Ordinance.

SECTION 1.2 PLANNING COMMISSION

- a) The City of San Luis Planning Commission is hereby charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions, and is hereby authorized, subject to the provisions of this Ordinance, to designate the kinds, nature and extent of the improvements to be installed in subdivisions, and to report directly to the subdivider or owner, the action taken on tentative maps.

SECTION 1.3 SUBDIVISION COMMITTEE

- a) There is hereby created a Subdivision Committee to act in an advisory capacity to the said Commission, and such Committee shall consist of:

City Manager  
Director of Public Works  
City Engineer  
Chief, Fire Department  
Designated Representatives of the City

- b) The Director of Public Works shall be Chairman of the Committee.

## ARTICLE II

### DEFINITIONS

#### SECTION 2.1 GENERAL

The following words, terms and phrases, when used in these regulations or in plans and specifications and other rules and regulations promulgated and adopted by the Board of Supervisors, shall have the following meanings:

#### SECTION 2.2 ASPHALT

Asphalt means a material made from bituminous materials and aggregates.

#### SECTION 2.3 ATTORNEY

Attorney means City Attorney of the City of San Luis.

#### SECTION 2.4 BOARD

Board means the Board of Supervisors of Yuma County.

#### SECTION 2.5 COMMISSION

Commission means the Planning and Zoning Commission of Yuma County.

#### SECTION 2.6 CONCRETE

Concrete means a material made from Portland cement and natural or manufactured aggregate.

#### SECTION 2.7 DEPARTMENT OF PUBLIC WORKS

Department of Public Works means the Department of Public Works of City of San Luis.

#### SECTION 2.8 DIRECTOR OF PUBLIC WORKS

Director of Public Works means Director of Public Works of City of San Luis.

#### SECTION 2.9 DIVISION OF HIGHWAYS

Division of Highways means the Arizona Highway Department, State of Arizona.

#### SECTION 2.10 EASEMENT

Easement means a grant by the owner of the use of land for specific conditions, uses and purposes.

#### SECTION 2.11 HEALTH OFFICER

Health Officer means the Health Officer of Yuma County.

#### SECTION 2.12 HIGHWAY TERMS

- a) ALLEY means a secondary means of access to property and is located at the rear or side of the property.
- b) AREA SERVICE HIGHWAYS means rural routes of countywide importance, spaced at intervals consistent with population density, to collect traffic from local roads and bring all developed rural areas within a reasonable distance of a higher level of service than the local roads. Additional area service roads may provide direct service to the communities not directly served by the freeway and major highway systems, and to other locally important traffic generators.

- c) BELT HIGHWAY means an arterial highway for carrying traffic partially or entirely around an urban area or portion thereof for which the minimum right-of-way width shall be 110 feet.
- d) COLLECTOR STREEIS mean those streets which provide for traffic movement within neighborhoods of the City and between major streets and local streets and for direct access to abutting property. The spacing for collector streets is approximately one-half mile, and they may also serve secondary traffic generators, such as schools, parks, and apartment areas with high population density.
- e) CONTROL OF ACCESS means the condition where the right of owners or occupants of abutting land or other persons to access, light, air or view in connection with a highway is fully or partially controlled by public authority.  
FULL CONTROL of access means that the authority to control access is exercised to give preference to through traffic by providing hibiting crossings at grade or direct private driveway connections.  
PARTIAL CONTROL of access means that the authority to control access is exercised to give preference to through traffic to a degree that, in addition to access connections with selected public roads, there may be some crossing at grade and some private driveway connections.
- f) CUL-DE-SAC means a local street open at one end only without special provisions for turning around and the further extension of which is precluded by the subdivision design.
- g) DEAD END STREEI means a local street open at one end only without special provisions for turning around and which may be further extended into adjoining property.
- h) DIVIDED HIGHWAY means a highway with separated roadways for traffic in opposite directions.
- i) EXPRESSWAY means a divided arterial highway for through traffic with full or partial control of access and generally with grade separations at intersections.
- j) FREEWAY means those roads and streets with full control access and serve corridors of major traffic flow not already served by the interstate freeways.
- k) FRONTAGE STREET OR ROAD means a local street or road auxiliary to and located on the side of an Expressway, Freeway, Major Highway or Secondary Highway for service to abutting property and adjacent area and for control access.
- l) GOVERNING BODY means the city, town council, or other authority of a city, the Board of Supervisors of Yuma County, or the state Highway commission for the state.
- m) LOCAL ROADS means roads primarily for access to abutting lands, such as farms, rural subdivisions, or other low intensity purposes.

- n) LOCAL STREETS mean those streets providing direct access to commercial, industrial, or other abutting land and for local traffic service to collector and/or major streets.
- 1) COMMERCIAL STREETS mean access streets serving substantial traffic volumes on relatively short trips in areas where land use is primarily retail sales or offices. These streets will normally be constructed with highly developed illumination and drainage and provisions for parking and pedestrian movements.
  - 2) MAJOR COMMERCIAL STREETS mean streets serving property intended for commercial use and carrying through traffic.
  - 3) INDUSTRIAL STREETS mean access streets serving substantial traffic volumes and particularly high proportions of commercial vehicles on areas where land use is predominantly industrial, wholesale trade, and good movement.
  - 4) MAJOR INDUSTRIAL STREETS mean streets serving property intended for industrial use and carrying through traffic.
  - 5) PRIVATE STREETS mean streets serving only property within the subdivision, which is not dedicated to public use, and to which access by the public is controlled by the subdivision design and by either posting or gating.
  - 6) RESIDENTIAL STREETS mean other streets in municipalities. In general, these streets provide access to residential property.
  - 7) RESTRICTED STREETS mean short local streets where due to unusual conditions, as determined by the Commission and approved by the Department of Public Works, it is impractical to provide a wider right-of-way.
- o) MAJOR HIGHWAY means a highway so designated on the Master Plan for which the minimum right-of-way shall be 150 feet and full access control.
- p) ROADSIDE STRIP means the area adjoining the outer edge of the road way or street and extending to the right-of-way line, and in which sidewalks, approved plantings, approved utility structures and bank slopes may be located.
- q) ROADWAY means the portion of a street or highway, including shoulders and auxiliary lanes, for vehicular travel.
- r) RIGHT-OF-WAY means a general term denoting land, property, or interest therein, usually in a strip acquired for or devoted to a highway, road, street, alley, utility drainage.
- s) HIGHWAY means a right-of-way designated for vehicular traffic, including Expressway, Freeway, Road or street.

SECTION 2.14 IMPROVEMENT

Improvement refers to such street work, sidewalks, utilities and flood and drainage work 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 residents in the subdivision and local neighborhood traffic and drainage needs.

SECTION 2.15 MASTER PLAN

Master Plan means a Master or General Plan of the City of San Luis or any element thereof as described in A.R.S., Section 11-801 thru 11-806, as Amended, State of Arizona, as adopted by the City Council.

SECTION 2.16 PERSON

Person means any of the following either singly or combination, but shall not be limited to one or more of any of the, individual, firm, co-partnership, joint venture, association, club, social club, fraternal organization, corporation, estate, trust.

SECTION 2.17 PUBLIC SALE

Public Sale means that point in the transfer or exchange of property at which time title is transferred or upon close of escrow.

SECTION 2.18 RECORDER

Recorder means the Recorder of Yuma County.

SECTION 2.19 RESUBDIVISION

Resubdivision means the division of or the change in boundaries of a lot, lots, tracts or parcels, the boundaries of which have been fixed by a recorded subdivision map.

SECTION 2.20 SERVICE AREA

Service Area means an area provided for in the subdivision design at the rear of retail, commercial or multi-family dwelling use of sufficient size and accessibility to facilitate the provision of necessary services.

SECTION 2.21 SMOKE

Smoke means particulate matter resulting from incomplete combustion.

SECTION 2.22 STAFF

Staff means the officials, designated assistants or employees of the agencies comprising the Subdivision Committee.

SECTION 2.23 SUBDIVISION

Subdivision or Subdivided Lands means any real property, improved or unimproved, or in any portion thereof, which is divided or proposed to be divided for the purpose of sale or lease couple with the right of occupancy for a building site into four or more lots, tracts or parcels of land. Planned Unit Developments, Condominiums, Townhouses, Cooperatives, and other planned communities where the land is undivided, horizontally or vertically, shall be considered to by subdivisions insofar as this Ordinance is concerned.

The partitioning or division of land into tracts or parcels of land thirty six (36) acres or more and not involving the sale or exchange or parcels of land to or between adjoining property owners where such sales or exchange does not create additional lots or fractions thereof shall not be deemed a subdivision. The sale of property to be used as lots, plots, or building sites in recorded subdivisions only be meets and bounds description shall be presumed to be an attempt to evade the provisions of this Ordinance, and such an instrument shall not be eligible for filing and recording the office of the County Recorder.

SECTION 2.24 SUBDIVISION DEVELOPMENT PLAN

Subdivision Development Plan means a simple drawing of the proposed subdivision showing streets, alleys, utility and drainage easements. Subdivision will be shown in relation to existing and planned streets within 1000 feet of the subdivision prepared to a scale not smaller than one inch to three hundred feet.

SECTION 2.25 ONE HUNDRED YEAR FLOOD

One Hundred Year Flood means a flood that has a one percent chance of occurring during any one year, based upon criteria established by the Arizona Water Commission. All hydrologic design shall be in conformance with the current Arizona Highway Department hydrologic design procedures.

SECTION 2.26 SUPERINTENDENT OF STREETS

Superintendent of Streets means the Director of Pulic Works of the City of San Luis.

SECTION 2.27 UTILITIES

Utilities means the installation of facilities, furnishing for the use of the public: Electricity, Gas, Sewer, Water, Fire Hydrants, Steam, Telephone, Cable TV, or other facilities, owned and operated by any person, firm, Corporation, Municipal Department or Board Duty Authorized by State or Municipal Regualations.

SECTION 2.28 VICINITY MAP

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

## ARTICLE III

### STANDARDS OF SUBDIVISION SIGNS

#### SECTION 3.1 GENERAL PROVISIONS

- a) All subdivisions shall conform to the following standards of subdivision design, except in those case where the City Council has determined that a modification is justified due to unusual topographical conditions or other exceptional conditions.

#### SECTION 3.2 MASTER PLAN

- a) All subdivision plans shall conform to the requirements of any plan adopted by the County as a Master Plan, Land Use Plan or element thereof, and to all other requirements established by law or ordinance.

#### SECTION 3.3 GENERAL STREET DESIGN

- a) The street system in the proposed subdivision shall relate in alignment to the existing streets in the area adjoining the subdivision.
- b) The proposed street plan shall give consideration to the future subdivision of adjoining unsubdivided property.
- c) All streets shall be designed to serve the proposed use of land abutting them.
- d) If a subdivision borders on a street, the subdivider shall be required to improve the near half of all perimeter streets in accordance with the requirements of the Yuma County Highway Department and the guide for improvements of the Yuma County Highway Department and the guide for improvement of subdivision perimeter streets.

#### SECTION 3.4 SPECIAL STREET DESIGN

- a) Along Expressways and Major Highways, access to private property shall be provided by means of:
  - 1) A Frontage Road
  - 2) A Street separate from the Expressway or Major Highway by a tier of lots or by:
  - 3) Cul-de-sac streets entered from a street other than the Expressway or Major Highway.
- b) Design of streets shall make provision for railroads, parkways, expressways, grade separations, flood control channels, irrigation facilities and hillside property.

#### SECTION 3.5 PRIVATE STREETS

- a) Private streets and ways may be platted with the approval and consent of the Commission when the commission finds that:
  - 1) Adequate performance bonds, assurances or other securities as may be appropriate and necessary to assure the installation of required improvements meeting established minimum standards of design and construction have been posted.

- 2) Continued maintenance for said improvements have adequate provisions such as the establishments of an Improvement District or Declaration of Covenants to be recorded for maintenance assessments acceptable to the Commission.
- 3) The welfare of the occupants of the subdivision will be adequately served and
- 4) The public's welfare will not be impaired.

SECTION 3.6 CURB AND GUTTER REQUIREMENTS

- a) The requirement for schedule A Subdivision Improvement Standards for curbs and gutters within a proposed residential subdivision may be waived when the subdivision meets the following criteria:
  - 1) The subdivision will be developed on Hydrologic Soil Group A as specified in the Soil Conservation Service, engineering Field Manual, Chapter 2, Page 2-3, or the subdivision design shall provide for the retention of storm waters on each lot when approved by Flood Control Engineer.
  - 2) The subdivision surface grade shall not be more than two percent.
  - 3) The hydrologic design of the subdivision will preclude the flow of 100 year flood water from each block of the subdivision.
  - 4) A pavement border as per Standard 16 A, "Pavement Border" or such treatments as may be approved by the Department of Public Works, shall be installed on both edges of the pavement to prevent erosion of pavement edges.

SECTION 3.7 STREET AND HIGHWAY WIDTHS

- a) The minimum right-of-way for residential and secondary streets shall be as follows:
  - 1) Area Service Highway: A Highway so designed on the Master Plan for which the Minimum right-of-way width shall be 100 feet.
  - 2) Collector Street, High Volume: The minimum right-of-way width shall be 80 feet.
  - 3) Collector Street, Residential: The minimum right-of-way width shall be 60 or more feet as approved by the Department of Public Works.
  - 4) Cul-de-sac Streets: Shall not serve more than 20 lots, or be longer than 1300 feet.
  - 5) Expressways: The minimum right-of-ways where expressways are involved shall be 142 feet (not including frontage roads) except where a greater width is required to accommodate traffic in accordance with an approved design. Where abutters' access rights have not been relinquished to the State or County, access to the subdivision shall be provided from a frontage road, or as provided in Section 3.4.

- 6) Major Commercial Streets: Shall have a minimum right-of-way width of 100 feet to provide for four 12-foot traffic lanes, two 8-foot parking lanes, one 16-foot center separation for turning lanes and two 10-foot roadside strips.
- 7) Major Industrial Streets: Shall have a minimum right-of-way width of 100 feet to provide for four 12-foot traffic lanes, two 12-foot parking lanes, and two 14-foot roadside strips.
- 8) Secondary Industrial Streets: Shall have a minimum right-of-way width of 80 feet to provide for two 12-foot traffic lanes, two 12-foot parking lanes, and two 16-foot roadside strips.
- 9) Residential Streets: Shall have a minimum right-of-way of 50 feet when the utilities are to be installed within the street right-of-way or in separate utility easements provided in the subdivision design. Additional right-of-way widths shall be required if the utilities are to be installed in roadside strips.
- 10) Restricted Streets: Shall have a minimum right-of-way width of 40 feet. Two 10-foot traffic lanes and restricted parking.

#### SECTION 3.8 FRONTAGE ROADS

- a) The minimum right-of-way where frontage roads are involved shall be as follows:
  - 1) Roads serving residential and agricultural uses: 40 feet.
  - 2) Roads serving all other uses: 60 feet.

#### SECTION 3.9 STREET GRADES

- a) Street grades between six percent and ten percent will be approved only for such distances as topographical conditions make lesser grades impractical. A grade exceeding ten percent will be approved only when conclusive evidence shows that a lesser grade is impractical.
- b) The minimum streets grade should be not less than two-tenths of one percent.
- c) Flat grades may be considered when adjacent lots or blocks are designed for ponding storm water.

#### SECTION 3.10 STREET ALIGNMENT

- a) Curves in residential streets in comparatively level locations shall have a preferred centerline radius of 300 feet, a minimum centerline radius of 200 feet, and in steep hillside locations, a minimum radius of 150 feet. All other streets and highways shall have a minimum centerline radius of 1000 feet.
- b) Street jogs of less than 200 feet shall not be permitted .

SECTION 3.11 INTERSECTIONS

- a) All street connections shall be at approximate right angles.
- b) Street corners shall provide for a minimum 25 foot curb radius with the property line corner radius designed so as not to reduce the widths of the roadside strips.

SECTION 3.12 ALLEYS

- a) Paved alleys 20 feet wide shall be provided at the rear of all lots intended for retail business or multi-family dwelling use.
- b) Where alleys are not required by Ordinance, but are provided for in the subdivision design at the rear of lots back to back, they shall be 20 feet wide and improved.
- c) Alley intersections shall have corner cut-backs of not less than 10 feet.
- d) Cul-de-sac alleys shall have a turn around at least 45 feet in diameter. Dead-end alleys are not permitted.
- e) Paved service areas may be substituted for alleys at the rear of lots intended for retail business or multi-family use. Service areas used for refuse collection shall be adequately concealed.

SECTION 3.13 PEDESTRIAN WAYS

- a) Paved pedestrian ways six feet wide shall be provided approximately mid-way across blocks over 1200 feet in length or where deemed by the Commission to be necessary for the public safety and convenience.

SECTION 3.14 BLOCKS

- a) Blocks shall not be more than 1300 feet in length unless deemed necessary for public safety and convenience.

SECTION 3.15 DOUBLE FRONTAGE

- a) Lots shall not have double frontage.

SECTION 3.16 LOT DIVIDED BY BOUNDARY LINE

- a) No lot shall be divided by a City, County, School District, or other taxing agency boundary line.
- b) Lot Depth to Width Ratio: The depth-to-width ratio of the useable area of lots of less than one acre should not be greater than three to one.

SECTION 3.17 PUBLIC SERVICE INSTALLATIONS

- a) Public Service lines, to include electrical, telephone and Cable TV facilities, shall be located in accordance with the provisions of the Arizona Corporation Commission General Order U-48, at rear of lots or side lines of lots as necessary, in alleys or easements provided for that purpose.
- b) Width of said easements should be as follows or as determined by the appropriate utility company.
  - 1) Eight feet on interior rear and three feet on side lot lines.

- 2) Ten feet on rear and side lot lines that are also the perimeter of the subdivision and adjoin subdivided lands.
  - 3) Six feet on lot lines contiguous to alleys.
  - 4) On key lots the side lot easement may be reduced.
- c) Lot lines shall be so designated that easements will be located.

SECTION 3.18 DANGEROUS AREAS

- a) Areas which by reasons of geological or topographical conditions, unstable surface conditions, ground water or sea level conditions, hazard of flood inundation, erosion or any other condition deemed by the Commission to be dangerous or to create unsatisfactory living conditions, shall not be subdivided except under restrictions as to the use of all or any part thereof as approved by the Commission.
- b) Design for the control of waters falling on a subdivision and foreign storm waters crossing a subdivision shall be based on a storm generating 100 year flood.

## ARTICLE IV

### TENTATIVE MAPS

#### SECTION 4.1 PRELIMINARY STEPS

- a) The initial action in the development of a subdivision located in the incorporated territory of the City of San Luis, shall be in the preparation of a tentative map.
  - 1) The size of the tentative maps shall be in multiple 8 inches by 12 inches and shall be drawn to a 50, 60, 100, 200 foot to the inch scale, whichever is most appropriate to clearly present necessary details.
  - 2) The subdivider shall comply with the provisions of Arizona Revised Statute 9-474 with respect to any adjacent city.
  - 3) The subdivider shall file 14 copies of the tentative map or maps in the office of the Planning Department.
  - 4) The tentative map or maps shall show or be accompanied by such data as are specified in Sections 4.2 thru 4.5.

#### SECTION 4.2 TRACT NUMBER

- a) Prior to filing a tentative map of a subdivision, a tract number or numbers shall be obtained from the Department of Public Works for which the Department of Public Works shall collect a fee, per Fee Schedule Attached. The fee collected shall be paid into the General Fund. Any such number not used within two years from the date issued shall become null and void.
- b) The Department of Public Works shall maintain a permanent record of all tract numbers.
- c) When a number or numbers shall have been assigned by the Department of Public Works for the subdivision of a particular parcel or contiguous parcels of land, the subdivider shall place same upon each tentative map of the subdivision. Neither the number or numbers was issued shall thereafter be changed or altered in any manner upon the tentative map of the subdivision.

#### SECTION 4.3 IDENTITY OF SUBDIVIDER

- a) When applying for a tract number the subdivier shall certify IN WRITING to one of the following:
  - 1) That he is the record owner of the property.
  - 2) That the record owner of the property consents to the filing of the map.

#### SECTION 4.4 INFORMATION REQUIRED

- a) The following information shall be delineated on the tentative map except those items determined by the Staff as not being pertinent to a particular tract.
  - 1) Tract number, title of map, and legal description of property.

- 2) Name and address of owner and subdivider.
- 3) Name and address of person preparing map.
- 4) Approximate acreage and overall dimensions.
- 5) North point, scale and date.
- 6) Subdivision boundary line and vicinity map.
- 7) Tract Numbers, Names, book and page number of adjoining subdivisions.
- 8) Names, locations and widths of adjacent streets.
- 9) Identifying landmarks and existing structures, both above and below ground.
- 10) Names, locations and widths of proposed streets.
- 11) Approximate grades of proposed and existing streets.
- 12) Streets and rights-of-way providing permanent access to the property.
- 13) Excavations, within 200 feet of the subdivision.
- 14) Approximate radius of curves.
- 15) Widths of alleys and easements.
- 16) Names of utility companies and locations of existing and proposed public utilities.
- 17) Elevations of sewer at proposed main connections.
- 18) Existing culverts and drain pipes.
- 19) Water courses and channels including proposed facilities for control of storm waters.
- 20) Land subject to overflow, inundations for flood hazard.
- 21) Railroads and other rights-of-way.
- 22) Lands and parks to be dedicated to public use.
- 23) Dimension of reservations.
- 24) Proposed lot lines and approximate dimensions.
- 25) Adjoining property and lot lines.
- 26) Contours with maximum interval as follows:

<u>Slope</u>	<u>Interval</u>
0-2%	2'
3-9%	5'
10% Plus	10'

Copies of U.S.G.S. Maps are not acceptable.

- 27) Existing use of property immediately surrounding tract.
- 28) Source of water supply.
- 29) Method of sewage disposal

#### SECTION 4.5 SUPPLEMENTARY INFORMATION

- a) Reports and written statements on the following matters shall accompany the tentative map.
  - 1) Subdivision development plan when the subdivision is larger than 40 acres or is developed in phases.

- a) A water company under permit has agreed in writing to serve all lots in the subdivision, or
  - b) The subdivider has an acceptable application for a water company permit on file with the State Department of Public Health.
- 3) Type of street improvement.
  - 4) Utilities to be installed.
  - 5) Proposed method of control of storm waters, including data as to grade and dimension.
  - 6) Protective covenants proposed to be recorded.
  - 7) If private streets or other ways of necessity are proposed, the method by which their maintenance will be accomplished and financed.
  - 8) Proposed tree planting if within public rights-of-way.
  - 9) The name and address of the Professional Engineer who will provide the Certification of completed Improvements and Inspection pursuant to Section 7.6 and Section 8.11.

SECTION 4.6 INFORMATION FORM

- a) The Planning Director may prepare a Subdivision Information Form which shall be completed by the Subdivider and shall accompany each tentative map and which shall be for the purpose of:
  - 1) Providing and clarifying the information required to be shown on or to accompany the map.
  - 2) Determining whether the subdivision conforms to all standards of Subdivision Design as delineated in Article III.
  - 3) Expediting the processing of the map.

SECTION 4.7 MAP CHECKING FEE

- a) The tentative map shall be accompanied by a map checking fee. The map checking fee shall be shown on a separate Fee Schedule as determined by the City Council.

SECTION 4.8 FLOOD PROTECTION FEE AND DRAINAGE REPORT

- a) The tentative map shall be accompanied by a Flood Protection Study Fee.

The flood protection study fee shall be shown on the Fee Schedule as determined by the City Council.

AT THIS TIME TWO COPIES OF A DRAINAGE REPORT SHALL BE SUBMITTED TO THE PUBLIC WORKS DIRECTOR SHOWING PROPOSED RECOMMENDATIONS FOR HANDLING DRAINAGE AND STORM WATERS AND PROVIDING PROTECTION AGAINST FLOODS FOR BOTH EXISTING AND NEW IMPROVEMENT. A GUIDE FOR THE PREPARATION OF THE REPORT IS AVAILABLE FROM THE FLOOD CONTROL DISTRICT.

SECTION 4.9 DATE OF FILING

- a) The date of filing a tentative map shall be fixed as the date on which all of the maps and information required by the Subdivision Ordinance have been filed, as determined by the Staff, and the required fees have been paid.

SECTION 4.10 CORNER STAKES

- a) Upon filing a tentative map, the subdivider shall immediately place a conspicuous stake and flag at each corner, angle point to curve point of the property proposed to be subdivided. Said stake shall extend at least three feet above the ground except point where the corner is on a roadway.

SECTION 4.11 MAP DISTRIBUTION

- a) Upon filing with the Commission of the required number of copies of the tentative map, one copy thereof shall be immediately forwarded to each member of the Subdivision Committee and to each of the following as may be concerned: The Division of Highways; any municipal, utility, community services, school or other duly authorized district; and to any utility company serving the area with its facilities. The Staff may change the number of copies required to be filed as may be necessary.

SECTION 4.12 REPORTS

- a) The officials shall review the plat for matters within their jurisdiction and promptly report their recommendations in writing to the Planning Director who shall check the map for conformity to this Article.
  - 1) The failure of any officer, department, municipality, district, or agency to report to the Commission in writing within 30 days after transmittal of the tentative map shall be deemed as an approval, except that an additional five days shall be granted upon the written request of any duly authorized person or agency.
- b) The Public Works Director shall submit the recommendations to the Commission at a meeting thereof not later than sixty (60) days after the date of filing of the tentative plat.
  - 1) The subdivider or his agent, and his engineer shall be present at the meeting. The subdivider's engineer may act as agent.

SECTION 4.13 COMMISSION ACTION

a) Within sixty (60) days after the Date of Filing, the Commission shall APPROVE, CONDITIONALLY APPROVE, OR DISAPPROVE said map unless it has extended the time by agreement with the subdivider.

1) The action of the Planning Commission shall be noted on two (2) copies of the Tentative Plat. Conditions resulting in conditional approval or disapproval will be noted and referenced. One copy shall be returned to the subdivider and the other retained for the Planning Commission's Records.

SECTION 4.15 TIME LIMITS

a) The time limits for acting and reporting on tentative maps as specified in this Article may be extended by mutual consent of the Subdivider and the Board, Appeal Board or Commission as the case may be. If no action is taken within these time limits, the tentative map as filed shall be deemed to be approved and it shall be the duty of the City Manager to certify the approval.

SECTION 4.16 TENTATIVE MAP REQUIRED RESUBDIVISION

a) A tentative map showing data and information required by this Article shall be required when the resubdivision of a lot, lots, tracts or parcels previously recorded as a subdivision or portion of a subdivision resulting in three or more additional lots, tracts or parcels.

SECTION 4.17 REFILEING FOLLOWING DISAPPROVAL

a) In the event that a tentative map is disapproved by the Commission, a new tentative map of the same area of portion thereof may be filed within six months of the date of disapproval upon payment of one-half of the original fee.

ARTICLE V

BOUNDARY SURVEY

SECTION 5.1 BOUNDARY SURVEY

- a) Before the final map of a subdivision will be accepted by the Department of Public Works for checking, the subdivider shall submit and obtain approval by the Department of Public Works of a map showing:
- 1) A boundary survey of the subdivision, including all courses and distances necessary to compute a closure.
  - 2) Sufficient data to prove the method by which the boundary was determined, including a description of all corners found and/or set, adjoining maps or property lines and records.
  - 3) The map shall be legibly drawn and a reproducible copy furnished to the Department of Public Works.
  - 4) The administration of this section shall be by published policy of the Department of Public Works.
  - 5) The Department of Public Works may determine that a boundary survey is not required in all subdivision submittals. Variance from compliance with this article must be obtained in writing by the Department of Public works.

## ARTICLE VI

### FINAL MAPS

#### SECTION 6.1 FINAL MAP

- a) After approval of a tentative map by the Commission, the subdivider may, within one year, cause a final map of the subdivision or any part thereof to be prepared in accordance with a completed survey of the subdivision and in compliance with the approved tentative map within the provisions of this Ordinance.
- b) The survey and final map shall be made by a registered Civil Engineer or licensed Land Surveyor who shall set sufficient durable monuments to conform with the Construction Standards No. 25 thru 25-E, so that another Engineer or Surveyor may readily retrace the survey. He shall also set such additional monuments as may be required by the City Engineer.

#### SECTION 6.2 CONFORMANCE TO STANDARDS OF DESIGN

- a) The final map shall conform in all respects to the Standards of Design set forth in Article III of this Ordinance, unless any nonconformance has been specifically shown on the approved tentative map and approved in the conditions of approval attached

#### SECTION 6.3 STREET NAMES

- a) Streets shown on the final map shall be named as approved by the Planning Commission.

#### SECTION 6.4 REQUIREMENTS

- a) The final map shall be clearly and legibly delineated upon tracing material of acceptable quality. All lines, letters, figures, dedications, certificates, acknowledgements, and signatures shall be made in black, water-proof India Ink or equal. The net size of each sheet shall be 24 by 36 inches. A marginal line shall be two inches. The scale of the map shall be large enough to show enough sheets shall be used to accomplish this end.
- b) Each final map shall bear the tract number as assigned by the Department of Public Works which shall be followed by a subtitle consisting of a general description of all the property being subdivided.
- c) If more than one sheet is required, each sheet shall be numbered, the relation of one sheet to another clearly shown and the number of sheets shall be set forth on each sheet.
- d) The tract number, scale, north point and sheet number shall be shown on each sheet of the final map. The scale shall be 50, 60, 100, 200, feet to the inch.

- e) A statement labeled "Map Notes" shall be shown on one sheet of the final map. such statements shall include the basis of bearings, what monuments were found, what monuments and points were set, a key to symbols and abbreviations and such other information deemed by the Department of Public Works to be necessary.
- f) The boundary line of a subdivision shall be indicated by a border of light blue ink approximately one-eighth (1/8) of an inch wide applied on the reverse side of the tracing and inside such boundary line. Such ink shall be of such density as to transfer to a blue line print of such map and not obliterate any line figures, or other data appearing on such map.
- g) Surveys made in preparation of final maps shall be made in accordance with standard practices and principles of surveying. A traverse of the boundaries of the subdivision and all lots and blocks shall close within a limit of error of one foot in 25,000 feet of perimeter.

SECTION 6.5 DATA REQUIRED

- a) the following additional data shall be shown on each final map.
  - 1) Dates of survey and preparation of map.
  - 2) Locations and names, without abbreviations, of all proposed streets and alleys; proposed public areas and easements; adjoining streets.
  - 3) Dimensions of all lots; lots containing one acre or more shall show net acreage to the nearest hundredth of an acre; marks shall not be used.
  - 4) Center lines of all streets and lengths, tangent radius and central angle or radial bearings of all curves; and the bearings of radial lines to each lot corner of a curve; the width of each street, the width of the portion being dedicated and the width of existing dedication.
  - 5) Sufficient data to determine readily the bearing and length of each line.
  - 6) Suitable primary survey control points.
  - 7) Ties to and recording references to adjacent subdivisions as appropriate.
  - 8) Centerline data, width and side lines of all easements to which the subdivision is subject. Distances and bearings on the side lines of lots which are cut by an easement shall be so shown as to indicate clearly the actual lengths of the lot lines.

The width of the easements and the length and bearings of the lines thereof and sufficient ties to locate the easements definitely with respect to the subdivisions shall be shown. The easement shall be clearly labeled and identified and, if already of record, proper reference to the records given. Easements being dedicated shall be so indicated in the certification of dedication. Easements shall be shown on the map by broken lines.

- 9) Clear indication of stakes, monuments or other evidence on the ground to determine the boundaries of the subdivision.
- 10) IN AREAS SUBJECT TO FLOODING AND IN AREAS WHERE ON SITE LOT RETENTION IS PROPOSED, MINIMUM FINISHED FLOOR ELEVATIONS AS MAY BE RECOMMENDED BY THE FLOOD CONTROL DISTRICT SHALL BE SHOWN ON THE PLATS.

#### SECTION 6.6 CENTERLINES AND BOUNDARIES

- a) Wherever the surveyor has established the centerline of a street or alley, that data shall be considered in making the surveys and in preparing the final map, and all monuments found shall be indicated and proper references made to field books or maps of public record relating to the monuments. If the points were reset by ties, that fact shall be stated. The final map shall show city and county boundaries adjoining the subdivision.

#### SECTION 6.7 LOT NUMBERS

- a) Lots shall be numbered consecutively on each final plat with no commissions or duplications. Each lot shall be shown in its entirety on one sheet. Lots used for streets, alleys or recreational purposes shall be lettered.

#### SECTION 6.8 SUPPLEMENTARY DATA

- a) The final map shall be filed for checking in the office of the Department of Public Works and shall be accompanied by the following:
  - 1) Three positive prints thereof, which shall be distributed as follows:
    - a) Two to the department of Public Works, on one of which shall be shown all structures above and below ground.
    - b) One to the Planning Commission.

- 2) Plans and specifications of the proposed improvements, together with the necessary guarantees such as posting of performance bonds, assurances or such other security as may be appropriate and necessary to assure the installation of required street, sewer, electric and water utilities, drainage, flood control and improvements meeting adopted County of Yuma Construction Standards & Specifications. (Section 8.13).
- 3) A copy of the protective covenants to be recorded. Said covenants shall provide for the raising and expenditure of funds necessary for the maintenance of any private streets shown on the map. Said Covenants shall also provide for the enforcement of yard and private land use regulations proposed to be established and for their amendment.
- 4) A copy of the "Subdivision Improvement Plan Check List" of which there is a prepared list available from the Department of Public Works.
- 5) Original and three positive prints of a map showing the proposed water distribution system, signed by an executive of the water company or companies which will supply and deliver the water. The distribution system shall comply with all applicable State and City regulations.
- 6) Written statements from the utility companies that they have examined the final map as appropriate.

#### SECTION 6.9 FEEES

- a) The Departments of Public Works shall charge a plan checking fee for the final map. Said fee shall be paid into the General Fund of the City. as per Fee Schedule.
- b) The fee shall be paid at the time the final map is first submitted to the Department of Public Works for checking.

#### SECTION 6.10 CHECKING

- a) After issuance of a receipt for the final map and accompanying supplementary data, the Department of Public Works shall examine it as to sufficiency of bonds or other assurances, affidavits and acknowledgements, correctness of surveying data, mathematical data and computations and such other matters as require checking to insure compliance with the provisions of the subdivision Ordinance.

SECTION 6.11 TAXES AND ASSESSMENTS

- a) Prior to the filing of the final map with the Department of Public Works, the subdivider shall file with the City Manager of the City of San Luis in which any part of the subdivision is located, a letter from the County Treasurer computing redemptions in the county or any municipal corporation in which any part of the subdivision is located, showing that, according to the records of that office, there are, or are no liens against the subdivision or any part thereof for unpaid State, County, Municipal or Local taxes or special assessments collected as taxes, except taxes or special assessments not yet due and payable.

SECTION 6.12 CERTIFICATES AND ACKNOWLEDGEMENTS ON FINAL MAPS

- a) The final map shall show all certificates and acknowledgements. They shall appear on the final map or they may be combined on a separate linen of the same size on the final map certificates and acknowledgements which shall appear on final maps of which there is a prepared format available from the Department of Public Works.

SECTION 6.13 EXTENSION OF TIME

- a) Upon application of the subdivider, an extension for submission of the final map of one year may be granted by the Commission. In the event the Commission denies a subdivider's application for extension, the subdivider may appeal to the Board.
- b) Failure to record a final map within one year from the approval, conditional approval, or any extension of approval of the tentative map, granted by the Board or Commission shall terminate all proceedings. The Board or Commission may approve an additional extension of time for recording the final map if circumstances exist beyond the control of the subdivider.

SECTION 6.14 EXTENSION OF MAP APPROVAL

- a) Any application of a Subdivider for such extension of time for the recording of a final tract map shall be made in writing to the Board not less than 30 days prior to the expiration of the one year allowed. All persons appearing as owners on the subdivision map shall execute the request for extension.

SECTION 6.15 RESUBDIVISION FINAL MAP

- a) Maps filed for the purpose of reverting subdivided lands to acreage shall be conspicuously marked under the number: "The Purpose of this Map is a Reversion to Acreage."
- b) Procedures and certificates for the purpose of Reversion to Acreage may be obtained from the Department of Public Works or the Planning Department.

SECTION 6.16 FAILURE TO PROCEED

- a) Failure of the subdivider to initiate and proceed with the Construction of off-site improvements within one year of recording of the final map shall CAUSE CITY OF SAN LUIS TO COMPLETE THE CONSTRUCTION OF THE IMPROVEMENTS BY DRAWING UPON THE FUNDS POSTED FOR ASSURANCES IN ACCORDANCE WITH SECTION 8.13 OF THESE REGULATIONS IF AN EXTENSION OF THE TIME LIMIT IS NOT GRANTED.

SECTION 6.18 APPROVAL

- a) When the final map is found to be in the correct form and the certificates, acknowledgements and the improvements assurances shown thereon are sufficient, the Department of Public Works shall endorse their approval thereon and transmit it, together with the plan for maintenance of any private streets, ways and easements, to the Secretary of the Commission, or return the final map to the Subdivider together with a statement setting forth the reasons for its return.

## ARTICLE VII

### DEDICATION AND IMPROVEMENTS

#### SECTION 7.1 DEDICATION

- a) All streets, highways, alleys, and parcels of land shown on the final map and intended for any public use shall be offered for dedication. Such dedications shall be free of all and any encumbrances incurred subsequent to the Date of Filing of the tentative map.
- b) The fact that any streets and ways are private shall be clearly indicated on the map.
- c) When in the opinion of the Commission the location of the proposed subdivision is such that a significant impact may develop between future residents of the subdivision and existing land uses in the vicinity, appropriate special easements dedicated to adjacent property owners may be required of the subdivider prior to recording of the final map. These easements may provide for the continued occasional generation of smoke, odors, noise, dust and the spraying of pesticides as necessary.

#### SECTION 7.2 IMPROVEMENTS STANDARDS

- a) All improvements shall be according to the Subdivision Improvement Standards of the County of Yuma as established in Article VIII except as provided herein.

#### SECTION 7.3 IMPROVEMENTS PLANS REQUIRED

- a) All improvements made, constructed or installed in subdivisions shall be according to full and detailed plans and specifications as approved in writing by the engineer prior to the commencement of said improvement work.
- b) Such plans and specifications as required by the Department of Public Works shall be submitted to and shall be approved by the Department of Public Works before submitting the final map to the Board.
- c) This section shall include all work done in subdivision whether such work is required by the City or is done at the option of the subdivider.
- d) Plans for improvements of streets which temporarily dead end at the subdivision boundary shall include data sufficient for the Commission to determine that the future extensions of such streets are feasible were necessary.

#### SECTION 7.4 CONTINGENT DEDICATION

- a) Where a subdivision street is so designed as to permit extension and completion of dedication into adjoining unsubdivided property, there shall be shown on the final map a one-foot wide parcel adjacent to and extending the full width and/or length of that portion of the street that adjoins the unsubdivided property.

- b) Said one-foot parcel shall be offered for dedication with the provision that its acceptance by the Board be contingent upon the extension of said Street.

SECTION 7.5 EVIDENCE OF TITLE

- a) At the time the final map is filed in the office of the Department of Public Works, as provided in Section 6.9 herein, it shall be accompanied by the Evidence of Title, which shall be in the form of a Certificate of Title, a Preliminary Title Report or a Policy of Title Insurance issued by a Title Company authorized by the \_\_\_\_\_ of the State of Arizona to write the same, showing the names of persons having any interest and any record title interest in the land to be subdivided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on such final map of land of the City of San Luis, the said Certificates of Title or Policy of Title Insurance, as presently defined in A.R.S., Section 20-1562, as Amended.

SECTION 7.6 CONSTRUCTION AND INSPECTION

- a) All improvements in the public right-of-way AND IN AREAS PROPOSED TO BE ACCEPTED BY CITY OF SAN LUIS FOR PUBLIC RIGHT-OF-WAY shall be constructed under general inspection, AND approval AND PERMIT of the Department of Public Works.

SECTION 7.7 SOILS AND MATERIALS TESTS

- a) The Department of Public Works shall have the right to enter upon the sites of improvements for the purpose of inspecting them and shall be furnished with soils and materials tests by a competent laboratory as may be required to determine the acceptability of such materials. The costs of these tests be born by the subdivider.

SECTION 7.8 APPLICATION FOR MODIFICATION OF REGULATIONS

- a) Whenever standards of Subdivision Design (Article III) or subdivision improvement standards (Article VIII) are requested to be modified or altered, application shall be made in writing on form provided by the Department of Public Works, stating fully the reasons for the application and the facts relied upon by the subdivider. The City Council may, after receiving a recommendation from the Planning Commission, allow a modification from the subdivision regulations providing the following facts are presented to the satisfaction of the Board:

- 1) That there are special circumstances or conditions affecting the property such as unusual topographical conditions or other exceptional conditions.

- 2) That the modification will not be detrimental to the public welfare or injurious to other property in the vicinity.

SECTION 7.9 PROTECTIVE COVENANTS AND RESTRICTIONS

- a) A copy of the recorded Protective Covenants and Restrictions will be provided for the City of San Luis Planning Department upon recordation of the final map.

ARTICLE VIII

SUBDIVISION IMPROVEMENT STANDARDS

SECTION 8.1 REQUIREMENTS

- a) The subdivider shall be responsible for having a registered engineer or registered land surveyor prepare the necessary subdivision plats for filing.
- b) Approval of Subdivision Required. Until a plat of a subdivision has been approved in accordance with these regulations no person proposing a subdivision within the corporate limits of the City of San Luis shall subdivide or file a record of survey, map or plat for record or sell any part of said subdivision.
- c) The plat of a subdivision outside and within three (3) miles of the corporate limits which conforms to these regulations shall be approved and so recommended for approval to the Board of Supervisors of Yuma County. Any plat which does not conform to these regulations or which is approved subject to changes, shall be so reported to the board of supervisors with the reasons therefor.
- d) Fee for plat review shall be as set by resolution by the mayor and council.

SECTION 8.2 SUBDIVISION IMPROVEMENT STANDARDS

- a) Improvements installed in subdivisions shall be constructed in full conformation to the Subdivision Improvements Standards of the County of Yuma.
- b) In the absence of a standard for an improvement proposed by the subdivider, the Department of Public Works may establish a standard in keeping with good construction and engineering practice.

SECTION 8.3 SCHEDULE "A" NET AREA OF LOTS-LESS THAN 1 ACRE (NET)

- a) STREETS: The minimum improvements for subdivision streets as required by Schedule "A" are hereby established when included in the proposed subdivision design.
  - 1) Area Service Highway with 100 feet of right-of-way Concrete curbs and gutters with 68 feet between curbs, (four 12-foot lanes, two 10-foot parking lanes), Asphalt pavement.
  - 2) Collector Street - High Volume Traffic with 80 feet of right-of-way: Concrete curbs and gutters with 48 feet between curbs (four 12-foot lanes) Asphalt pavement.
  - 3) Collector Street - Residential Area with 60 or 66 feet of right-of-way as approved by the Director of Public Works: Concrete curbs and gutters with 44 feet between curbs (two 12-foot lanes, two 10-foot lanes) 4-foot concrete sidewalks-adjacent to curbs, Asphalt Pavement.

- 4) Frontage Street or Road with 40 feet or right-of-way; Concrete curbs and gutters with 28 feet between curbs (two 14-foot lanes), Restricted parking or with 30 feet between curbs, (Two 11-foot lanes, one 8-foot lane), two feet separation from highway right-of-way: 4-foot concrete sidewalks-adjacent to curbs, Asphalt Pavement.
- 6) Major Commercial Street with 100 feet of right-of-way: Concrete curbs and gutters with 80 feet between curbs (four 12-foot lanes, two 8-foot lanes, one 8-foot lanes, one 16-foot left turn lane); 4-foot concrete sidewalks adjacent to curbs; Asphalt Pavement.
- 7) Major Industrial Street with 100 feet of right-of-way; Concrete curbs and gutters with 72 feet between curbs (six 12-foot lanes), 4-foot concrete sidewalks adjacent to curbs, Asphalt Pavement.
- 8) Secondary Industrial Street with 80 feet of right-of-way; Concrete Curbs and gutters with 48 feet between curbs (four 12-foot lanes). 4-foot concrete sidewalks adjacent to curbs, Asphalt Pavement.
- 9) Residential Street with 50 feet of right-of-way; Concrete curbs and gutters with 38 feet between curbs (two 11-foot laens, two 8-foot lanes), 4-foot concrete sidewalks adjacent to curbs, Asphalt Pavement.
- 10) Residential Local Streets with 50 feet of right-of-way; Concrete curbs and gutters with 38 feet between curbs (two 11-foot lanes, two 8-foot lanes), 4-foot concrete sidewalks adjacent to curbs, Asphalt Pavement.
- 11) Restricted Local Streets with 40 feet of right-of-way; Concrete curbs and gutters with 26 feet between curbs (two 10-foot lanes, Restricted parking); 4-foot concrete sidewalks adjacent to curbs, Asphalt Pavement.
- 12) Street Name Signs.
- 13) Barricade at end of dead-end street.
- 14) REGULATORY SIGNS, PAINT STRIPING, GUARD RAILS AND GUARD POSTS AS DEEMED NECESSARY BY THE DEPARTMENT OF PUBLIC WORKS.

SECTION 8.3 SCHEDULE "B" NET AREA OF LOTS-1 ARCE AND LESS THAN 2-1/2 ACRES

- a) STREETS: The minimum improvements for subdivision streets as required by Schedule "B" are hereby established when included in proposed subdivision design.
  - 1) Alley with 20 feet of righth-of-way: Grading and graveling full width. Ineligible for county maintenance.

- 2) Area Service Highway with 100 feet of right-of-way Concrete curbs and gutters with 68 feet between curbs, (four 12-foot lanes, two 10-foot parking lanes), Asphalt pavement.
- 3) Collector Street Highway 10 Volume Traffic with 80 feet of right-of-way; Concrete curbs and gutters with 49 feet between curbs (four 12-foot lanes): Asphalt pavement.
- 4) Collector Street Residential Area with 60 or 66 feet of right-of-way as approved by the Director of Public Works 36 feet of asphalt pavement plus shoulders.
- 5) Frontage Street or Road with 100 feet of right-of-way; 32 feet of Asphalt pavement; 2 feet separation from major highway right-of-way.
- 6) Major Commercial Street with 100 feet of right-of-way; concrete curbs and gutters with 80 feet between curbs (four 12-foot lanes, two 8-foot lanes, one 16-foot left turn lanes); 5 foot concrete sidewalks adjacent to curbs; Asphalt pavement.
- 7) Major Industrial Street with 100 feet of right-of-way; Concrete curbs and gutters with 72 feet between curbs (six 12-foot lanes); Asphalt pavement.
- 8) Secondary Industrial Street with 80 feet of right-of-way; Concrete curbs and gutters with 48 feet between curbs (four 12-foot lanes); Asphalt pavement.
- 10) Restricted Local Street with 40 feet of right-of-way; 24 feet of asphalt pavement plus shoulders.
- 11) Street Name Signs.
- 12) Sidewalks shall be located behind the back-of-curb, providing, however, that lighting standards, utility traffic control devices, Fire Hydrants and mail boxes as applicable can be located behind the sidewalk or in alleys, sidewalks may be located (5) feet behind the back-of-curb. In all cases not otherwise governed by the provisions of the Manuel of Uniform Traffic Control Devices.
- 13) All streets shall have Portland Cement Concrete sidewalks behind the curb-gutter where curb-gutters is required, constructed to stand and approved by the public works department sidewalks shall be four (4') inches thick and four (4') feet wide in residential areas, and five (5') feet wide in Commercial areas. All crosswalks shown on the subdivision plat shall have a portland cement concrete sidewalk down the Center sidewalks shall be four (4') thick and a minimum four (4') feet wide.

- 14) REGULATORY SIGNS, PAINT STRIPING, GUARD RAILS AND GUARD POST AS DEEMED NECESSARY BY THE DEPARTMENT OF PUBLIC WORKS.
- 15) STREET MONUMENTS CONSTRUCTION permanent monuments consisting of a brass cap with City of San Luis stamped on the Date set in concrete, shall be installed to designate street centerlines and subdivision boundary lines at all angle points of curvature and all street intersections. Concrete basis shall not be less than six (6') inches in diameter and twenty-four (24') inches deep with at least one (1) vertical street reinforcing bar of minimum one-half (1/2') inch diameter placed directly beneath the brass cap and extending the full length of the concrete. After all improvements have been installed the subdivider shall be responsible for having a registered land surveyor or engineer check the location of monuments and certify as to their accuracy prior to acceptance by the City for maintenance.

SECTION 8.4 SCHEDULE "C" NET AREA OF LOTS - 2-1/2 ACRES OR MORE

- a) Streets. The minimum improvements and rights-of-way for subdivision streets as required by Schedule "C" where the streets are to be accepted by the City are hereby established as follows:
  - 1) Area Service Highway with 100 feet of right-of-way; concrete curbs and gutters with 68 feet between curbs, (four 12-foot lanes, two 10-foot parking lanes); asphalt pavement.
  - 2) Collector Street Highway Volume Traffic with 80 feet of right-of-way: 44 feet of asphalt pavement plus shoulders.
  - 3) Collector Street Residential Area with 60 or 66 feet of right-of-way as approved by the Director of Public Works: 24 feet of asphalt pavement plus shoulders.
  - 4) Frontage Street or Road with 40 feet of right-of-way; 24 feet of asphalt pavement, 4 foot shoulders; 2 feet separation from Major Highway right-of-way.
  - 5) Major Commercial Street with 100 feet of right-of-way; Concrete curbs and gutters with 80 feet between curbs; (four 12-foot lanes, two 8-foot lanes, one 16-foot left turn lane); 5 foot concrete sidewalks adjacent to curbs; asphalt pavement.
  - 6) Major Industrial Street with 100 feet of right-of-way; 72 feet of asphalt pavement plus shoulders.
  - 7) Secondary Industrial Street with 80 feet of right-of-way; 48 feet of asphalt pavement plus shoulders.
  - 8) Residential Streets with 50 feet of right-of-way; 24 feet of asphalt pavement plus shoulders.

- 9) Restricted Local Street with 40 feet of right-of-way. 24 feet of asphalt pavement plus shoulders.
- 10) Street Name Signs
- 11) Barricade at end of dead-end street.
- 12) REGULATORY SIGNS, PAINT STRIPING, GUARD RAILS AND GUARD POSTS AS DEEMED NECESSARY BY THE DEPARTMENT OF PUBLIC WORKS

#### SECTION 8.5 ACCEPTANCE OF STREET AND ROADS

- a) Subdivision streets will be accepted for maintenance by City of San Luis only when they are constructed to meet the minimum Yuma County Construction Standards and the minimum standards as set forth in this article.

#### SECTION 8.6 DOMESTIC WATER SUPPLY

- a) Subdivisions having lots of less than one net acre in area shall be provided with a complete water distribution system which will adequately serve the subdivision in the opinion of the political entity and agencies having jurisdiction.
- b) In subdivisions having lots of more than one net acre, the subdivider shall provide a statement as to the availability of a water source and the anticipated costs to the buyer of obtaining such water.

#### SECTION 8.7 FIRE PROTECTION

- a) Fire Hydrants and a fire distribution system shall be provided in accordance with the recommendations of requirements of the water department or water company, and the fire department having jurisdiction, or as deemed necessary by the Commission, but no less than 600 (feet) apart.

#### SECTION 8.8 SEWAGE DISPOSAL

- a) Subdivisions shall be provided with a sanitary sewer connection.

#### SECTION 8.9 UTILITY IMPROVEMENTS STANDARDS

- a) Utilities, excepting municipal Sanitary Sewers, shall not be located beneath the street pavement other than necessary crossings, which shall be made as close as perpendicular as possible. In cases of demonstrated necessity and upon presentation of technically adequate plan insuring proper installation and maintainability, the public works department may approve location beneath the street pavement of Major primary transmission lines of electrical, water, sewer, gas, or communications. Any utility installations that may be approved for placement beneath the street pavements shall be completed prior to actual paving streets.

b) STREET LIGHTS street lights on metal standards shall be installed on all streets within the subdivision and on streets developed in conjunction with the subdivision. The City Council may approve use of wooden standards when considered more advantageous in commercial subdivisions. The subdivider shall be responsible for coordinating street lighting design and installation with Arizona Public Service Co. and shall cause the street lighting design plan to be submitted for approval of the City concurrently with other required improvement plans, Street lighting design practices shall be in conformance with current edition of the design practices shall be in conformance with the current edition of the Illuminating Engineering Society Lighting Handbook.

- a) Lights shall be placed to all intersections.
- b) Midblock lights should be located at lot corner.
- c) Separation between Standards should be no less than (3) nor more than (6) lots apart.
- d) Street lights on metal or concrete standards and electrical service to each lot shall be installed on all streets with in the subdivision and on all streets developed in conjunction with the subdivision. The commission may approve, based on recommendation of the Public Works Department and request of the subdivider, the use of wooden standards when considered more advantageous in subdivisions and Commercial areas. The subdivider shall be reponsible for coordinating street lighting and electrical service design and installation with the Arizona Public Service.

#### SECTION 8.10 FLOOD PROTECIION AND TRACT DRAINAGE

- a) The minimum facilities for the control of flood waters crossing, flowing into, or falling upon a subdivision shall be designed on the basis os a 100 year storm.
- b) The County Flood Control Engineer shall approve flood control facilities design.
- c) Streets and highways shall not be used as flood channels without prior approval of the Department of Public Works.
- d) The use of streets and highways for tract drainage purposes may be prohibited by the Department of Public Works if, in their opinion, said use is impractical or not in the interests of public health and safety.

#### SECTION 8.11 PROTECTIVE FENCE

- a) Protective fence requirements for subdivisions are established as a five foot masonry, wood, or other acceptable material for fencing, along any canal, drain, expressway, or other feature deemed by the Commission or the Department of Public Works to be hazardous.

SECTION 8.12 SUBDIVISION IMPROVEMENTS

- a) All streets, improvements, stakes and monuments shall be completed and in place prior to the public sale of any land or lots appurtenant to such streets and improvements, unless satisfactory assurances have been provided (Section 8.13).
- b) Following the completion of all required improvements, including but not limited to, lot staking, survey monuments, streets, drainageways, and public water supply, water distribution, sanitary sewer, sewage disposal, and solid waste disposal facilities, a Certificate shall be executed by a Professional Engineer registered to practice in the State of Arizona, certifying that said improvements have been made under his direction (Section 7.6) in accordance with the provisions of these Subdivision Regulations and in accordance with the plans of such as approved by the Department of Public Works upon which approval of the final plat was based; and shall be submitted to the Department of Public Works.

SECTION 8.13 LOTS IMPROVEMENTS STANDARDS

- a) All lots shall be graded to drain toward the street or drainage easement and the finished floor elevation of any building shall be at least one foot above the elevation of the water surface that is created during a storm that is expected to occur at least once every one hundred (100) years.
- b) Corner lots shall be graded such that they do not create a traffic hazard by limiting visibility.
- c) Iron on steel bars or Iron pipes at least twenty four (24') inches long and one-half (1/2') inch in diameter shall be set at all corners, angle points of curvature for each lot and block within a subdivisions with in one (1) year of recordation of the final plat. Identifying data shall be affixed to each point set in accordance with current rules and by laws of state board of technical registration.

SECTION 8.14 CONSTRUCTION STANDARDS

- a) The minimum improvements for streets as shown in this Article evolve from the County of Yuma, Arizona Construction Standards and Specifications adopted January 3, 1972, changes, modification, or revisions of the Construction Standards shall cause the Subdivision Improvement Standards to change accordingly.

SECTION 8.15 BONDS OR ASSURANCES

- a) Bonds, irrevocable letters of credit or other assurances submitted will be reviewed by the City Attorney's Office, who will advise the Public Works Department as to their adequacy. Bonds submitted shall be of a Surety Company authorized to do business in the State of Arizona, represented by an agent doing business in the State of Arizona and made payable to Yuma County as follows:

A BOND OR OTHER ASSURANCES in an amount equal to one hundred per cent (100%) of the cost of ALL Improvements as estimated by the DEVELOPERS ENGINEER AND APPROVED BY THE Department of Public Works.

Bond will be released upon the Subdivider furnishing proof in affidavit form, bearing the authorization of his Surety showing that all claims, liens or other obligations incurred by the subdividers and all of his subcontractors, in connection with the performance of the work, have been properly paid and settled, and when the subdivider has complied with the provisions of 8.11 (b).

Lien releases from contractors and subcontractors involved in the construction of off-site improvements will be required prior to the releasing of assurances not submitted by a surety company.

ARTICLE IX

ENFORCEMENT AND PENALTIES

SECTION 9.1 BUILDING PERMIT NOT TO BE ISSUED

- a) No building permit shall be issued for the erection or use of any structure or part thereof, to be located in a subdivision created or established subsequent to this Ordinance becoming effective, that is not in accordance with the provisions of this Ordinance. Any such permit issued shall be void and of no effect.

SECTION 9.2 LEGAL PROCEDURE

- a) Any building or structure erected or maintained on a lot or parcel of land that is subject to this Ordinance, created or established subsequent to this Ordinance becoming effective, that is contrary to the provisions of this Ordinance shall be and same is hereby declared to be unlawful and a public nuisance and the City Attorney shall, upon order of the Board of Supervisors, immediately commence action or actions, proceeding or proceeding for the abatement, removal and enjoinder thereof, in the manner provided by law; and shall take such other steps, and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such building or structure.

SECTION 9.3 REMEDIES

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

SECTION 9.4 PENALTIES

- a) Violation of this ordinance or any other State Statute is a misdemeanor and any person, upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars (\$500.00), or imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

ARTICLE X

VALIDITY

SECTION 10.1 VALIDITY

- a) If any section, sub-section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of the Ordinance. The City Council of the City of San Luis, Hereby declares that it would have passed each section, sub-section, sentence, clause and phrase of this Ordinance irrespective of the fact that one or more sections, sub-sections, sentences, clauses or phrases hereof be declared invalid or unconstitutional. No liability shall be created on the part of the City of San Luis, or any district, office, or department or employees thereof for any damages that may result from the application of these regulations or any administrative decision made thereunder.