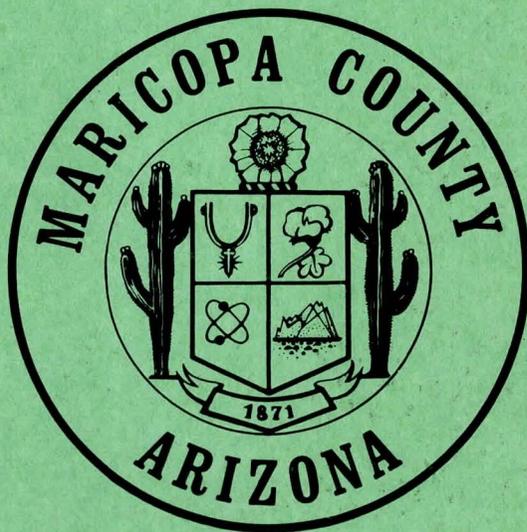


*Subdivision Regulations
for the
Unincorporated Area
of
Maricopa County*

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SUBDIVISION REGULATIONS
FOR THE UNINCORPORATED AREA OF
MARICOPA COUNTY, ARIZONA

Adopted by the Board of Supervisors
December 26, 1972, Effective March 1, 1973
Including Amendments through October 1, 1975

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PREFACE

The subdivision of land is the first step in the process of community building. The designer of a subdivision is in actuality planning an integral portion of the urban community, not an isolated residential entity. Therefore, land subdivision in harmony with public objectives is essential for sound community growth.

Poor subdivisions in the past, with their lack of coordination with each other, have created problems for communities that have sometimes been insurmountable. They have increased the cost of public and private improvements, have caused traffic congestion and created early blight and obsolescence.

Good subdivisions lead to the development of permanently stable neighborhoods offering to their residents safe, healthful and pleasant living conditions. To the developer these factors are essential to buyer appeal, increased sales, sustained profits and good reputation. From the public viewpoint, these are basic living needs and the elements of sound residential growth.

Subdivision of land is the method of transforming a community plan into a reality. The subdivider's layout of streets and blocks becomes a permanent part of the community of tomorrow, and a community plan is either realized or lost with the subdivision of land. Therefore, the control a community retains over land subdivision is one method by which the elements of a comprehensive plan are achieved.

Some individuals may regard subdivision review as unwarranted interference with their right to do as they please with their private property. However, if the health, safety, comfort, convenience and general welfare of the community are to be obtained and preserved, then community guidance and review of subdivisions is a necessity. Thus, land subdivision involves a grave responsibility that must be shared by the private developer and the governmental agencies concerned.

The procedures, principles and standards contained herein are intended to provide a common ground of understanding and a sound and equitable working relationship between public and private interests to the end that both independent and mutual objectives can be achieved.

ARTICLE I. TITLE, PURPOSE AND DEFINITIONS

Section 100.0 Short Title

This Ordinance shall be known and cited as the Maricopa County Subdivision Regulations.

*Section 101.0. Purpose and Intent

The purpose of this Ordinance is to provide for the orderly growth and harmonious development of the County; to insure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, drainage, protection against flood, storm water detention, sanitary sewerage and other health and safety requirements; to insure consideration for adequate sites for schools, recreation areas, and other public facilities; to promote the conveyance of land by accurate legal description; and to provide practical procedures for the achievement of this purpose.

Section 102.00. Definitions

For the purposes of these Regulations, certain words, terms and phrases are defined as follows:

1. Alley: A passage or way open to public travel, affording generally a secondary means of vehicular access to abutting lots or upon which service entrances of buildings abut, and not intended for general traffic circulation.

2. Approval, Conditional: An affirmative action by the Commission or the Board indicating that Approval will be forthcoming upon satisfaction of certain specified stipulations.
3. Approval, Preliminary: Unconditional approval of the Preliminary Plat by the Commission as evidenced in its meeting minutes and noted upon prints of the Plat; constitutes authorization to proceed with final Engineering Plans and Final Plat preparation.
4. Approval, Final: Unconditional approval of the Final Plat by the Board as evidenced by certification on the Plat by the Chairman and the Clerk of the Board; constitutes authorization to record a plat.
5. Board: The Board of Supervisors of Maricopa County.
- *6. Building Line: A line between which line and street right-of-way no building or structure or portion thereof, shall be erected, constructed and/or established other than steps, unenclosed balconies, unenclosed porches and roof overhangs.
7. Commission: The Maricopa County Planning and Zoning Commission.
8. Department: The Department of Planning of Maricopa County.
9. Easement: A grant by a property owner of the use of a strip of land for a specific purpose or purposes, by the general public, corporation, or a certain person or persons.

10. Easement, Aerial: A grant by a property owner for the use of a strip for the specific purpose of extending overhead utilities.
- *11. Lot: Any lot, parcel, tract of land, or combination thereof, shown on a plat or described by metes and bounds, having frontage on a public or private street or on a permanent roadway easement which adjoins a street, and intended for transfer of ownership or intended or used for building development.
12. Lot, Double Frontage: A lot which extends from one street to another street, existing or proposed.
13. Lots, Hillside: Any lots where the terrain has an average cross-slope exceeding 10%.
14. Owner: The person or persons holding title by deed to land, or holding title as vendees under land contract, or holding any other title of record.
15. Plan, County: A comprehensive plan, or parts thereof, providing for the future growth and improvement of Maricopa County and for the general location and coordination of streets and highways, schools and recreation areas, public building sites, flood control channels, and other physical development, which shall have been duly adopted by the Board (Sometimes referred to as a "master plan").
16. Plan, Development Master: 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 shall be subject to Commission and Board Approval.

17. Plan, Neighborhood: A plan designed by the Department to guide the planning of unsubdivided or vacant parcels of land in a partially built up neighborhood so as to make reasonable use of all land, correlate street patterns, and achieve the best possible land use relationships.
18. Plans, Engineering: Plans, profiles, cross-sections and other required details for the construction of public 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.
19. Plat: A map of a Subdivision.
 - a. Preliminary Plat: A preliminary map, including supporting data, indicating a proposed subdivision development, prepared in accordance with these Regulations.
 - b. Final (Record) 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 before recordation.

- c. Recorded Plat: A Final Plat bearing all of the certificates of approval required in Section 207 of these Regulations and duly recorded in the Maricopa County Recorder's Office.
20. Standards, Public Improvement: A set of regulations setting forth the details, specifications and instructions to be followed in the planning, design and construction of certain public improvements in Maricopa County, formulated by the County Engineer, County Flood Control District, the County Health Department, and other County departments.
21. Streets: That area, whether public or private, between right-of-way lines, dedicated, reserved or provided for roadway purposes and other uses not inconsistent therewith.
- a. Arterial Route: A general term including freeways, expressways and arterial streets; an interstate, state, or county highway having regional continuity; any urban street having considerable continuity and carrying a large volume of both passenger and commercial vehicles. These arterial routes are normally on the section lines.
 - b. Residential Streets:
 - (1) Collector Street: A neighborhood street with limited continuity and having the primary function of carrying residential traffic from minor streets to arterial routes; a secondary function being to provide access to abutting residential properties.

- (2) Frontage Street: A minor street parallel and adjacent to an arterial route which provides access to abutting property, intercepts minor residential streets and controls access to an arterial route.
- (3) Minor Street: A street used primarily for providing access to abutting property.
- (4) Cul-de-sac Street: A minor residential street having one end permanently terminated in a vehicular turnaround.
- (5) Loop Street: A minor residential street which forms a loop and returns to the same street from which it originated.

22. Subdivider: A subdivider shall be deemed to be the individual, firm, corporation, partnership, association, syndicate, trust or other legal entity that files the application and initiates proceedings for the subdivision of land in accordance with the provisions of this Ordinance; and said subdivider need not be the person or persons holding title by deed to land, or holding title as vendees under land contract or holding any other title of record.

23. Subdivision: Subdivision or subdivided lands means improved or unimproved land or lands divided or proposed to be divided for the purpose of sale, lease, or for cemetery purposes, whether immediate or future, into four or more lots, parcels or fractional interests. This paragraph shall not apply to the division or proposed division of land located in the State of Arizona into lots or parcels each of

which is, or will be, thirty-six acres or more in area including to the center line of dedicated roads or easements, if any, contiguous to the lot or parcel.

24. Utilities: Installations or facilities, underground or overhead, furnishing for the use of the public electricity, gas, steam, communications, water, drainage, sewage disposal or flood control, owned and operated by any person, firm, corporation, municipal department or board, duly authorized by State or municipal regulations.
25. Utility Committee: An individual or group of individuals designated by the several utility companies as their representative(s) in subdivision matters related to location of any or all private utilities.
26. Way, Pedestrian: A public walk provided entirely through a block from street to street and/or providing access to a school, park, recreation area, or a shopping center.
- *27. Floodplain: The relatively flat areas or low lands adjoining the channel of a watercourse, or areas where drainage is or may be restricted by man-made structures which have been or may be covered partially or wholly by flood water, but shall compose an area not less than that area confined by the Fifty-year Flood and shall not exceed that area confined by the One-hundred Year Flood.
- *28. Delineated Floodplain: Shall be that area delineated and mapped as a floodplain, as approved by the Board and as shown on the County Official Zoning District Maps.

*Added 2/4/74

- *29. Fifty-year Flood: A flood that has a 2% chance of occurring, based upon the criteria established by the Arizona Water Commission.
- *30. One Hundred-year Flood: A flood that has a 1% chance of occurring, based upon the criteria established by the Arizona Water Commission.
- **31. Drainage, Local: Water which accumulates as a result of local storms and flows over land not included in a delineated floodplain. This shall include sheetflow and such flow as may be concentrated in local drainage systems with or without defined channels, excluding delineated floodplains.
- **32. Drainage, One Hundred Year Storm: (Peak Discharge): Local drainage resulting from a storm which has a 1% chance of occurring annually, based upon the methods given in Hydrologic Design for Highway Drainage in Arizona, published by the Arizona Department of Transportation, Highway Division.
- **33. Person: Any firm, partnership, association, corporation, individual, or any agent of any of the foregoing, or the State or any agency or political subdivision thereof.
- **34. 100-year, 2-hour Storm (Detention): A storm which has 100-year rainfall values shown on the most current precipitation maps for the area, prepared by the National Weather Service (U.S. Weather Bureau) for the Soil Conservation Service. 2-hour values are extrapolated from 24-hour and 6-hour values by using the Rainfall Depth - Duration diagram given in Weather Bureau Technical Paper No. 40.

*Added 2/4/74

**Added 10/1/75

- *35. Off-site Drainage: The storm surface waters emanating from higher lands outside the limits of the proposed subdivision and draining through the site of the proposed subdivision.
- *36. Direct On-site Runoff: That portion of the rainfall which falls within the entire limits of the proposed subdivision and which flows across the land or enters streams promptly after the rainfall.

ARTICLE II. SUBDIVISION PROCEDURES AND REQUIREMENTS

Section 201. Step One - Pre-application Conference

The pre-application conference stage of subdivision planning comprises an investigatory period which precedes actual preparation of preliminary plans by the subdivider. During this stage, the subdivider makes known his intentions to the Department and is advised of specific public objectives related to the subject tract and other details regarding platting procedures and requirements.

During this stage, it may be determined that a change in zoning would be required for the subject tract or a part thereof, and in such case the subdivider shall initiate the necessary rezoning application.

In carrying out the purposes of the pre-application stage, the subdivider and the Department shall be responsible for the following actions.

Actions by the Subdivider:

The subdivider shall meet informally with the Department to present a general outline of his proposal, including but not limited to:

- a. Sketch plans and ideas regarding land use, street and lot arrangement, tentative lot sizes; and
- b. Make tentative proposals regarding water supply, sewage disposal, irrigation (if any), surface drainage, flood hazard, and street improvements.

Actions by the Department

The Department will discuss the proposal with the subdivider and advise him of procedural steps, design and improvement standards, and general plat requirements. Then, depending upon the scope of the proposed development, the Department will proceed with the following investigations:

- a. Check to determine if subdivision is in conformance with existing zoning regulations.
- b. Determine the relationship of existing or proposed school sites, parks, and other public spaces in the subdivision to any adopted or proposed general or master plan of schools, parks, and recreation areas.
- c. Determine relationship of the subdivision to any adopted or proposed County plan, development master plan, or neighborhood plan that embraces the subject subdivision.

*Development Master Plan

A development master plan shall be prepared and submitted by the owner or subdivider whenever in the decision of the Department:

1. The tract is sufficiently large to comprise an entire community;
2. The tract initially proposed for platting is a portion of a larger landholding of 640 acres or more of the owner or subdivider;
3. Or the tract is a part of a larger land area, the development of which is complicated by unusual topographic, utility, land use, land ownership or other conditions.

*Scope and Contents of the Development Master Plan

A report consisting of maps, tables, and explanatory text should be prepared for any proposed Development Master Plan.

- a. Preparation. The Development Master Plan shall be prepared to a scale and accuracy commensurate with its purpose and shall include the following information as a minimum:
1. Designation of the various categories of proposed land uses including designation of areas proposed for Residential and/or Neighborhood Unit Plans of Development.
 2. General arrangement of arterial streets and collector streets.
 3. General location and size of proposed school sites, parks and common areas.
 4. Methods proposed for water supply, sewage disposal, fire protection, drainage and protection from floods.
 5. Major geographical features including but not limited to mountains, valleys, rivers, major washes, major highways and railroads.
 6. Any additional information that may be needed in order to carry out the purpose and intent of the Development Master Plan.

*The owner or subdivider should also submit a report in narrative form in support of the proposed Development Master Plan.

- b. Hearings and Approval. The proposed Plan will be submitted to the appropriate reviewing agencies for comment. Upon receipt of the agencies' comments the Plan will be scheduled for hearing before the Commission. If recommended for approval by the Commission, the Plan shall be forwarded to the Board for hearing. Upon approval by the Board the owner or subdivider may proceed with submission of zoning requests and/or preliminary plats in accordance with the approved Plan. The Plan shall be considered as supporting documentation for each and every subsequent submittal within the planned area. The approved Plan shall be kept current by the owner or subdivider as modifications take place and a reproducible copy shall be given to the Department for its reference. Any proposed major modifications to the Plan shall be processed in the same manner as the initial Plan. It shall be the responsibility of the owner or subdivider to file with the Department within thirty days of each anniversary date of the Board's approval of the initial Plan, a written statement summarizing the current status of the Plan.

Planned Area Development

A Neighborhood Unit Plan of Development (N.U.P.D. - as provided in Article XXIV, Section 2402 of the 1969 Amended Zoning Ordinance for the Unincorporated Area of Maricopa County) or a Residential Unit Plan of

*Entire Page Amended 10/1/75

*Development (R.U.P.D. - as provided in Article XXIV, Section 2403 of the 1969 Amended Zoning Ordinance for the Unincorporated Area of Maricopa County) may be prepared and submitted by the owner or subdivider.

Procedure:

If the owner or subdivider plans to proceed under either of the foregoing unit plans he shall elect one of the following alternatives:

1. He may file a Schematic Plan and if this Plan is approved by the Commission he shall file a more detailed plan hereinafter described as a Plan of Development; or
2. He may elect to bypass the Schematic Plan step and file a Plan of Development.

The following is a description of the required minimum contents and conditions of a Schematic Plan and a Plan of Development.

Schematic Plan:

This shall contain the same general information as specified under Paragraph 3a Development Master Plan and it shall not include any requested zoning district changes or amendments. Upon approval by the Commission of the Schematic Plan and any agreed revisions thereof, the Schematic Plan will serve as a guide for subsequent zoning or preliminary plat filings. The Schematic Plan will not be shown on the Official Zoning Maps of Maricopa County and will be deemed abandoned if the owner or subdivider does not submit a Plan of Development as provided below within one year of approval of the Schematic Plan.

*Plan of Development:

A Plan of Development shall contain the following:

1. Boundaries of the plan, gross land area, area of streets and areas of each proposed type of land use, including schools, parks, playgrounds and common areas.
2. Areas proposed for residential use must show the type of dwellings (i.e. single-family detached, two family, multi-family) with the minimum lot size, average lot size and maximum lot size proposed for each dwelling type.
3. If buildings are to be clustered the general location must be indicated.
4. Major and collector street layout with proposed right-of-way widths. Indication of whether the streets are to be public or private must be included.
5. Proposed number of families and total projected population.
6. The building envelope of proposed commercial facilities.
7. Statements as to methods of fire protection, police protection, sewage and solid waste disposal, water supply and fire hydrants.
8. Proposed handling of site drainage and protection against storm waters. A drainage study must be included as specified in Article II, Section 203, 18. of these regulations.

- *9. Any additional information that may be needed in order to carry out the purpose and intent of the Plan of Development.

- *10. The Plan of Development submittal shall also include any zoning district changes or amendments needed to implement the proposed Plan. The proposed Plan will be submitted to the appropriate reviewing agencies for comment. Upon receipt of the agencies' comments the Plan will be scheduled for hearing before the Commission and then forwarded to the Board for hearing with the recommendation of the Commission. Upon approval by the Board, the Official Zoning Maps of Maricopa County will be amended accordingly and boundaries of Plans of Development will be shown on said maps.

Section 202. Step Two - Preliminary Plat Review

The preliminary plat stage of land subdivision includes detailed subdivision planning, submittal, review and approval of the preliminary plat by the Commission. Application for approval of the preliminary plat is made to the Planning Department. To avoid delay in processing his application, the subdivider should provide the Department and the Commission with all information requested herein.

The subdivision shall be designed to comply with the requirements of the specific zoning district within which it is located. In the event that a change of zoning is necessary, the zoning application and subdivision may be processed concurrently, but in no event will the preliminary plat be heard by the Commission until the change of zoning is adopted by the Board.

*Amended 10/1/75

The subdivider (or his engineer) shall submit sixteen (16) copies of the preliminary plat, one 8 1/2" x 11" clear film positive with no more than a 7 1/2" x 9 1/2" image and required supporting data (including application form and filing fee of \$25.00) to the Department at least twenty-five (25) working days prior to the regular Commission meeting at which the applicant desires to be heard. However, the plat will not be scheduled to be heard unless it contains all of the required information and responses have been received from all departments that the preliminary plat is in satisfactory form. (The Commission usually meets the first and third Thursday of each month.) Scheduling of a plat for a Commission hearing will be dependent upon adequacy of data presented and completion of review by all departments concerned. The subdivision files will be available for examination by the developer or his representative in the office of the Planning Department by prearranged appointment.

The information herein required as part of the preliminary plat submitted shall be shown graphically or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, said scale being not greater than 200 feet to an inch. Whenever practical, scales shall be adjusted to produce an overall drawing not exceeding 24" x 36" in size.

*The Department shall distribute copies of the plat to the following reviewing offices: 1) The County Engineer, 2) County Flood Control District, 3) County Health Department, 4) County Parks Department, 5) Superintendent of the appropriate school district, 6) State Highway Department where warranted,

7) Natural Resource Conservation District, 8) Irrigation District affected if lots are proposed to be irrigated, 9) Mountain Bell Telephone, 10) Salt River Project, 11) Arizona Public Service, 12) Rural Fire Department, 13) Postal District.

No subdivision shall be considered by the Commission unless there is assurance that public access to the subdivision will be provided satisfactory to the Maricopa County Highway Department prior to approval of the final plat.

*Before hearing by the Commission, the preliminary plat may be scheduled for review by the Technical Advisory Committee. The purpose of this Committee is to resolve, with all affected parties, technical problems with the proposed subdivision before hearing by the Commission. The developer and his representatives will be invited to attend together with representatives of the aforementioned reviewing offices.

Section 203. Information Required on Preliminary Plats

All preliminary plats shall contain the following information obtained from a field survey:

1. 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.
2. Name, address and phone number of land owner and the subdivider.
3. Name, address and phone number of engineer, surveyor, landscape architect or land planner preparing the plat, including registration number if registered.
4. North point, scale, and date of preparation, including dates of any subsequent revisions.
5. Name, book and page numbers of adjacent subdivisions or the names of record owners of adjoining parcels of unsubdivided land.
6. Existing and proposed contours established by field survey relating to USGS 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 bench mark used should also be shown on the plat. Acceptable contour interval; grades up to 5%, 2 feet; 5% to 10% grades, 5 feet; grades over 10%, 10 feet.

- *7. Location by survey of streams, washes, canals, irrigation laterals, private ditches, culverts, lakes or other water features, including direction of flow and water level elevations, and location and extent of areas subject to inundation and whether such inundation is frequent, periodic or occasional. If any portion of the land subdivided is below the elevation of the delineated Floodplain as defined in Section 102, the limit of such flood and/or of the floodplain shall be shown.
8. Whenever any stream or important surface drainage course is located in the area being subdivided, provision shall be made for an adequate easement along each side of the stream or drainage course for the purpose of widening, deepening, realigning, improving, or protecting the stream for drainage purposes.
9. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent buildings, railroad rights-of-way and other important features such as section lines, political subdivision, or corporation lines and school district boundaries.
10. Existing sewers, water mains, culverts, or other underground structures within the tract and immediately adjacent thereto with pipe sizes, grades and locations indicated. Where sewers or water mains are not immediately adjacent thereto give direction and distance to nearest such usable utility.

*Amended 2/4/74

11. Location, width and names of proposed streets, alleys, drainage ways, crosswalks and easements including all connections to adjoining platted or unplatted tracts. A statement as to the type and extent of proposed improvements should appear on the face of the plat.
- *12. Lot layout, including minimum building lines related to all streets; lot numbers, and approximate dimensions and area of proposed lots. A non-access easement shall be provided on all residential lots adjoining an arterial street.
13. Designation of all land to be dedicated, provided, or reserved for public or semi-public uses, with use indicated.
14. Reference by note to source of proposed electricity, gas and telephone service and whether or not such service will be underground.
15. If plat includes land for which multi-family, commercial or industrial use is proposed, such areas shall be clearly designated together with the existing zoning classification, present district boundary lines and status of any pending zoning change.
16. Sewage Disposal: It shall be the responsibility of the subdivider to furnish the County Health Department such evidence as that Department may require for its satisfaction as to design and operation of sanitary sewage facilities proposed. A statement as to the type of facilities proposed shall appear on the preliminary plat.

*Amended 10/1/75

In subdivisions which are proposed to be served by individual sewage disposal systems, every lot shall provide a clear unencumbered setback from the lot line to the nearest point in the foundation line of 35 feet, and a total unencumbered area of not less than 1,800 square feet to accommodate the system and provide for the replacement of defective units. Septic tank systems shall be planned and oriented with respect to abutting streets or alleys so as to minimize exterior plumbing changes needed to connect to a future central sewage collection system. No package sewage treatment system for multi-lot use will be permitted unless secure and lasting guarantees to the Maricopa County Health Department regarding its continued maintenance in approved working order can be provided by the developer.

17. Water Supply: It shall be the responsibility of the subdivider to furnish the County Health Department such evidence as that Department 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.

*18. Storm Water Disposal:

a. All existing drainage patterns affecting the land included in the proposed subdivision must be shown. Washes must indicate the following:

- 1) Size of contributing drainage area, in acres.
- 2) Approximate length and width of contributing drainage area.

- *b. Type and amount of peak flow at lower boundary of the proposed subdivision, indicating the effect on neighboring property: It is the owner's or subdivider's responsibility to provide for drainage across the proposed subdivision for water which enters the proposed subdivision and water which falls on the area of the proposed subdivision. The owner or subdivider must also properly dispose of this water in nearly as possible the same manner as before subdivision or development or by other approved means. Peak discharge at the lower boundary of the proposed subdivision shall not be increased as a result of development.
- c. If any part of the storm water flow is to be handled by an underground pipe system, the location of the inlets, tentative size and line of pipe and the outlet grade must be shown.
- d. All information and calculations as required in this Article must be prepared in report form by a registered professional civil engineer with six copies submitted at the time of filing the preliminary plat. This information may also be required to be submitted with any application filed under Sections 2402 or 2403 of the 1969 Amended Zoning Ordinance for the Unincorporated Area of Maricopa County.
- e. Requirements of this section are not applicable if a drainage plan for the area included in the subdivision has been previously approved provided the previously approved drainage

*plan was prepared to current County standards. This provision shall not be interpreted to require any changes in any portion of a drainage system that has been substantially constructed.

19. Irrigation: If lots are proposed to be irrigated, all easements, the preliminary location of valves, and the tentative line of the underground pipe should be shown.
20. Hillside Subdivisions: Special problems of hillside subdivisions are discussed in Section 308, Hillside Subdivisions.
21. The right is reserved to disapprove any subdivision which is subject to periodic flooding or which contains extremely poor drainage facilities. However, if the subdivider agrees to make improvements which will in the opinion of the Maricopa County Flood Control District and the County Highway Department make the area safe for residential occupancy, the subdivision may be considered for approval.
22. The subdivider should confer with the Commission regarding the type and character of development that will be permitted in the subdivision and may agree as to certain minimum deed restrictions to be placed upon the property to prevent the construction of sub-standard buildings, control the type of structure or the use of the lots, which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and adjoining property. These deed restrictions or covenants should include provision for the creation of a Property Owner's Association or Board of Trustees for the proper protection and maintenance of the subdivision in the future, provided, however, that such deed restrictions or

covenants should not contain reversionary clauses wherein any lot shall return to the subdivider because of a violation thereon of the terms of the restrictions or covenants.

23. The subdivider should provide the County Engineer with information as to the method whereby streets and their improvements are proposed to be financed.
- *24. Fire Hydrants: The type, number and location of fire hydrants shall be shown on the preliminary plat. Subsequently submitted domestic water distribution plans shall show connections of fire hydrants.

Section 204. Preliminary Plat Approval

1. If satisfied that all objectives of this Ordinance have been met, the Commission may approve the preliminary plat, and if approved a notation of approval shall be stamped on two copies of the plat, one being returned to the subdivider and one retained in the permanent file of the Department.
2. If the Commission finds that the plat requires revision, the plat shall be held over pending revision, resubmittal, processing, and rescheduling for hearing.
3. If a plat is rejected, the new filing of a plat for the same tract, or any part thereof, shall follow the aforementioned procedure and be subject to the required fee.

Section 205, Significance of Preliminary Approval

Preliminary approval constitutes authorization for the subdivider to proceed with preparation of the final plat and the engineering plans and specifications for public improvements. Preliminary approval is based upon the following terms:

1. The basic conditions under which preliminary approval of the preliminary plat is granted will not be changed prior to expiration date,
2. Approval is valid for a period of twelve months from date of Commission action.
3. Preliminary approval may, upon written application to the Commission by the subdivider, be extended for an additional twelve-month period if in the opinion of the Commission 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.

Section 206. Step Three - Final Plat

The final plat stage includes submittal, review and approval of the final plat and improvements required by the Board and recording of the plat with the County Recorder. Application for approval of the final plat is made to the Planning Department.

The subdivision engineer shall submit one sepia copy of the plat to the utility agency or agencies, including the irrigation district affected if lots are to be irrigated, concerned with the installation of utilities within the subdivision. The sepia shall be submitted to the aforementioned at least

15 working days prior to the submittal of the final plat to the Department. Also the Subdivision Engineer must state whether utility service is to be overhead or underground. One copy of the plat will be returned directly to the subdivision engineer and the Department with any required additions or corrections noted thereon from all utility companies and the irrigation district having jurisdiction.

The final plat shall conform to the approved preliminary plat and any stipulations attached thereto by the Commission. One (1) cloth print and eight (8) paper copies of the final plat shall be filed with the Department. The cloth copy shall bear the original signatures of the owner or owners and be duly acknowledged. The final plat application form, the final plat filing fee of \$1.00 per lot with a minimum charge of \$25.00 and a letter of application addressed to the Board and requesting their approval shall accompany the final plat. This letter shall indicate the name and address of the subdivider, the party responsible for preparing the plat, a statement of whether or not the proposed subdivision lies within three miles of the corporate limits of any city or town having subdivision regulations, and if so, certification that copies of the final plat have been filed with such city or town.

The fee for recording the final plat and accompanying deed restrictions shall also be submitted with the final plat. If the recording fee is submitted in the form of a check, it must be made payable to the County Recorder. (The recording fee for subdivision plats is \$10.00 per sheet; the fee for recording deed restrictions is \$2.00 for the first five pages and 50 cents for each additional page.)

*The final plat shall be filed with the Department at least twenty-five (25) working days prior to the regular meeting at which the applicant desires to be heard by the Board. Upon receipt of the final plat submittal, the department shall immediately check it for completeness and if it is complete obtain the signatures of the County Assessor and County Treasurer on the required certificate. If the final plat is not complete it will be immediately returned to the subdivider.

The final plat shall be drawn in India ink on linen, plastic or other non-shrinking material on a sheet not exceeding 24"x36" in size. Copies of the final plat shall be reproduced in the form of blueline or blackline prints on a white background. The plat shall be drawn to an accurate scale of not more than 200 feet to an inch.

If the final plat is complete and conforms to the approved preliminary plat, it will be transmitted to all reviewing departments. Upon receipt of the letters of approval from all departments concerned, the final plat will be forwarded to the Board for approval provided the reviewing departments certify that improvement plans required under Article IV have been submitted and approved by their department. When the final plat has been approved by the Board the final plat and the deed restrictions will be transmitted by the Clerk of the Board to the County Recorder's Office for recording.

The subdivider will be notified later of the date, book and page number of the recording by the Clerk of the Board. The subdivider or his engineer shall then deliver two copies of the recorded plat to the County Health Department.

If the final plat is not in conformance with the preliminary plat or stipulations attached thereto, it will be returned to the subdivider for compliance.

In accordance with ARS 9-474 as amended 1974, if the plat is within three miles of the corporate limits of a city having subdivision regulations, the subdivider shall submit copies of the final plat to said city for its review, and the Board shall set the hearing date not less than fifteen days from the date of filing the final plat.

If additional information or changes are recommended by any of the reviewing departments, a revised final plat must be submitted to the Planning Department. Referral and scheduling of a revised final plat shall be the same as that required for the original final plat. Plats not in satisfactory form to be considered by the Board will not be scheduled for a public hearing.

The Planning Department shall refer copies of the final plat submittal to the following reviewing offices who shall make known their recommendations in writing addressed to the Department.

1. County Assessor's Office
2. Maricopa County Flood Control District.
3. County Health Department.
4. County Highway Department.
5. State Highway Department (when the plat abuts a State highway).

The Planning Department shall assemble the recommendations of the various reviewing offices, prepare a concise summary of these recommendations and submit said summary together with the reviewer's recommendations at the next regular meeting of the

Section 207. Information Required on the Final (Record) Plat

The final plat shall contain the following information:

1. A title, which includes the name of the subdivision and its location by section, township, range, and county.
- *2. Name, registration number and seal of the registered professional civil engineer or registered land surveyor preparing the plat.
- **2a. Name and registration number of the registered professional civil engineer responsible for the engineering that is necessary in preparation of the proposed subdivision.
3. Scale (written and graphic), north point and date of plat preparation.
4. Location and description of cardinal points to which all dimensions, angles, bearings, and similar data on the plat shall be referenced.
5. Any excepted parcel(s) within the plat boundary shall be accurately described by bearings and distances. Proper street and alley dedications adjacent to any proposed tracts or excepted parcels shall be provided by the subdivider by inclusion within the plat or by separate dedication noted on the plat, pursuant to Resolution of the Board adopted February 15, 1957.
6. Boundaries of the tract to be subdivided fully balanced and closed, showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof. Corners of the plat should be noted and monuments found or

*Amended 10/1/75

**Added 10/1/75

set should be indicated; each of two corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter section corners. Portions of any adjacent property between major road intersections shall not be excluded from within the boundaries of the subdivision when needed or required for dedication or improvement of any traffic, drainage, or flood control facility. Such areas may be indicated as excluded tracts after necessary dedications are shown.

7. Names, centerlines, right-of-way lines, courses, lengths and widths of all public streets, alleys, crosswalks and utility easements; radii, points of tangency and central angles of all curvilinear streets and alleys, and radii of all rounded street line intersections.
8. All drainage-ways shall be shown on the plat.
9. The location, width and use of all public or private utility easements shall be noted.
- *10. Location and dimensions of all lots shall be shown. Lot dimensions shall be indicated for at least one side lot line and either the front or rear lot line. All minimum building setback lines which adjoin all streets shall also be shown and dimensioned. In areas subject to flooding, minimum finished first floor elevations shall be shown as may be recommended by the appropriate authority.
11. All lots shall utilize a block and lot numbering system or be numbered consecutively throughout the plat. Exceptions, "tracts" and private parks shall be so designated, lettered or named, and clearly dimensioned.

12. The accurate outline of all property which is offered for dedication for public use and of all property that may be reserved by deed covenant for the common use of the property owners in the subdivision.
13. Name, Book and Page number of adjacent recorded subdivisions, with location of existing adjacent lots, easements and right-of-way shown, or notation "unsubdivided" where appropriate. All proposed conditions shall be graphically differentiated from existing conditions on adjacent properties and on excepted parcels within the plat.
14. Deed restrictions and/or trusteeships as approved by the Commission and their period of existence shall be shown on the plat or reference to them made thereon. If such restrictions are too long to be shown on the plat a copy of same shall be filed with the Commission together with the record plat. If said deed restrictions are to be recorded as a separate instrument, space for cross-referencing to the deed restrictions shall be provided on the plat, to be completed by the County Recorder, e.g. "See Restrictions Recorded in Docket ____, Page ____, M.C.R.".
- *15. The record plat is to be drawn at a scale of not more than 200 feet to an inch from an accurate survey. If more than two sheets are required, a key map shall be shown on the first sheet or on a separate sheet.
16. Dedications: Statement of dedication of all streets and alleys for public use by the persons holding title by deed to the lands, by persons holding any other title of record, by persons holding title as vendees under land contract, and by wives of said parties. If land dedicated is mortgaged, the mortgagee shall also sign the plat.

*Amended 10/1/75

Dedication shall include a written location by section, township and range. Signatures must be witnessed. If the plat contains private streets, provisions should be made for installation and maintenance of utilities and drainage-ways. Easements shall be provided for purposes indicated.

17. Acknowledgement of Dedications: Execution of dedication, acknowledged and certified by a notary public.
- *18. Certification by the registered professional civil engineer or registered land surveyor making the plat that the plat is correct and accurate, that the monuments described in it have been located or established as described and the lot corners permanently set.
19. Space for approval by the Board under the signature of the Chairman of the Board and attested by the Clerk of the Board.
- *20. Building Lines: Minimum building lines shall be shown on the street side of all lots intended for residential use of any character and on commercial or industrial lots immediately adjoining residential areas. Such building lines shall not be less than required by any zoning ordinance or building line regulations applying to the property.
- *21. Assurance Statement as follows:

Assurance in the form of a _____ has been deposited with the County Engineer to guarantee construction of the required subdivision improvements.

*Amended 10/1/75

*22. Where the subdivision contains a park, school or other public area which is shown upon the County Plan or as recommended by the Commission such area shall be reserved for acquisition by the proper public agency within a period of one year after recording the final subdivision plats.

**23. The limit of the Floodplain as defined in Section 102, if any portion of the land being subdivided is within the Floodplain.

***24. Certificate of County Assessor as follows:

CERTIFICATE OF COUNTY ASSESSOR: I, the undersigned as a Deputy County Assessor, Maricopa County, Arizona, do hereby certify that as of this date the records of this office reflect that _____ as designated on the plat is owner of the property as shown on the plat and more particularly described as Assessor's parcel numbers: _____

Deputy County Assessor

Date

***25. Certificate of County Treasurer as follows:

CERTIFICATE OF COUNTY TREASURER: I, the undersigned as a Deputy County Treasurer, Maricopa County, Arizona, do hereby certify that as of this date the records of this office reflect that there are no tax liens on any of the parcels comprising the plat, as listed in the Assessor's certification, with the following exceptions:

Deputy County Treasurer

Date

*Added 7/2/73

**Added 2/4/74

***Added 10/1/75

Section 208 Replats

*Any division of a lot in a recorded subdivision into four or more parcels, or any change in lot lines involving four or more adjoining lots in a recorded subdivision, but creating no new street, shall be processed in accordance with Section 206 of these regulations, after a pre-application conference with the staff of the Department as provided in Step 1.

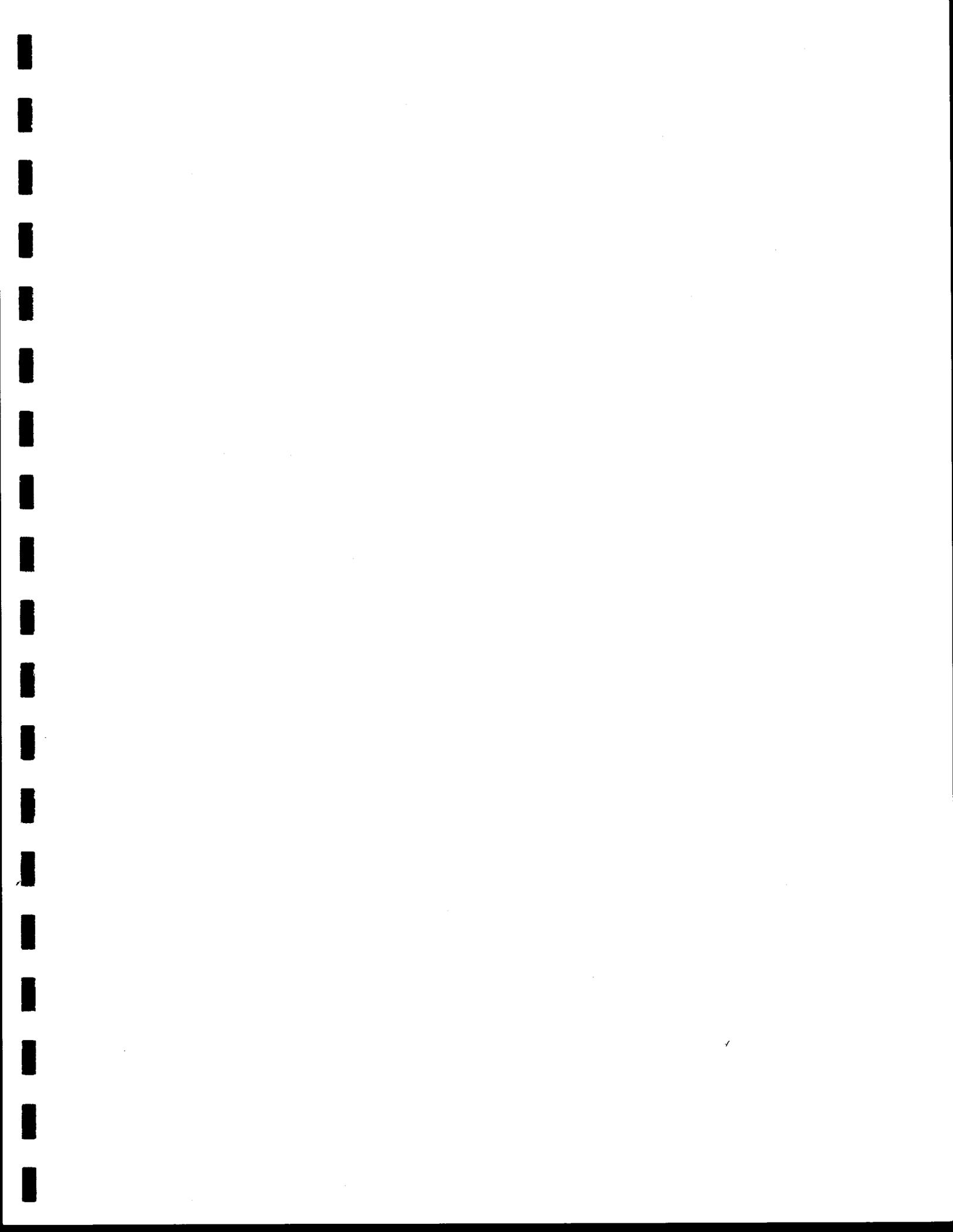
Any replat involving dedication of land for a public street shall comply with all procedures set forth in these requirements unless, at the discretion of the Planning Department Director after a Pre-application Conference, Step 2, the Preliminary Plat Stage, is waived.

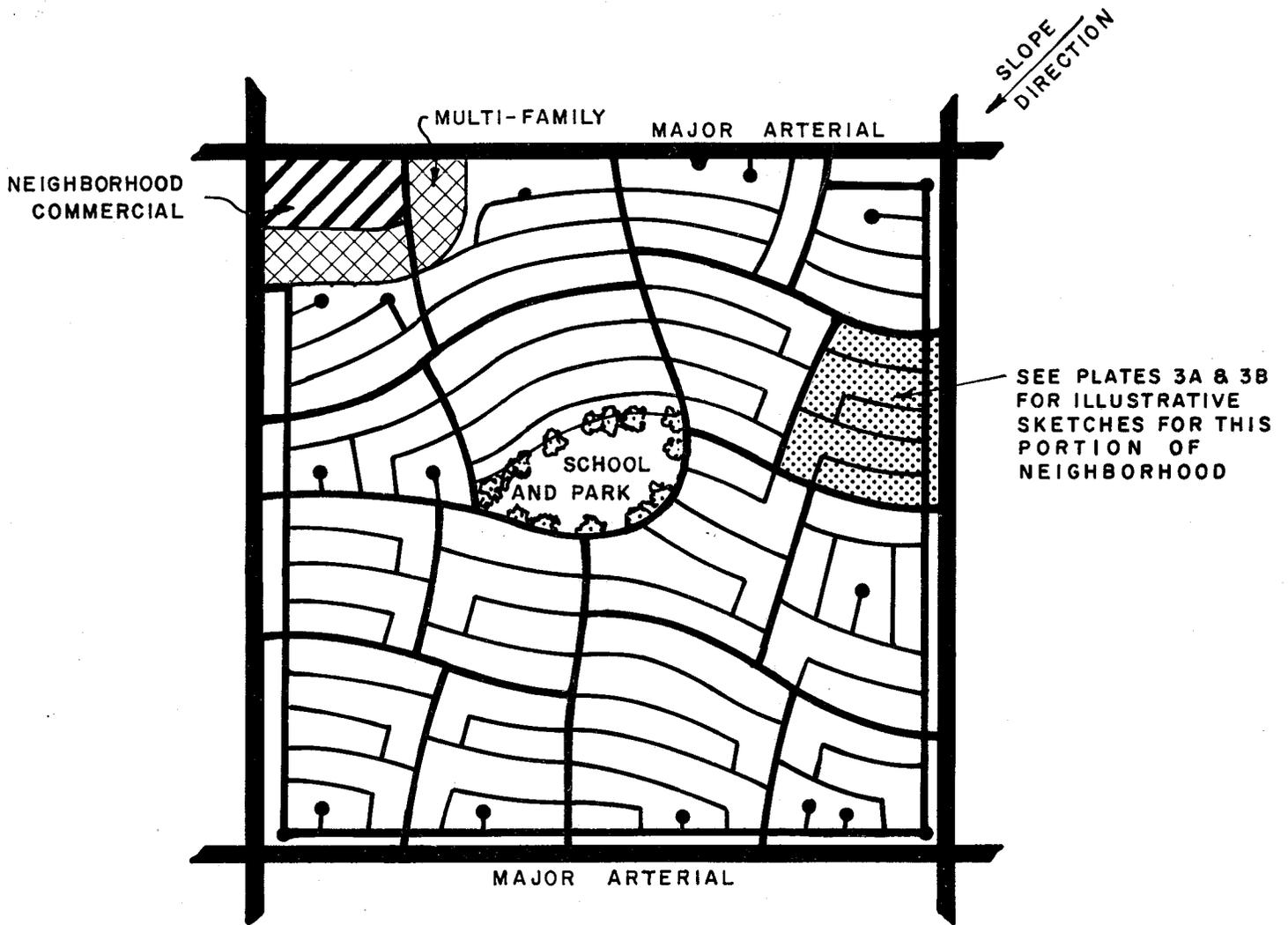
If abandonment of a street, alley or public utility easement in a previously recorded subdivision is necessary, the replat of that area shall be processed concurrently with the abandonment and recorded immediately subsequent to the recordation of the abandonment.

Section 209. Abandonment of a Recorded Subdivision

Pursuant to provisions of Title 18, Chapter 2, Article 1, Section 18-201, and Title 28, Chapter 14, Article 1, Subsections 28-1901 through 28-1908, ARS, the abandonment of all or part of a recorded subdivision may be initiated by written petition to the Board, said petition to be signed by ten or more owners of real property in Maricopa County, requesting abandonment of all streets, alleys and easements within said subdivision and giving the legal description and recording information thereof.

Applications for abandonment are filed with the Clerk of the Board and referred for recommendation to the County Highway Department and the utility companies concerned. After approval of the abandonment of the streets, alleys and easements by the Board and upon recordation of the Abandonment Resolution and a subsequent County road map in the office of the Maricopa County Recorder, the subdivision is removed from official maps and the land reverts to acreage as far as the Assessor's records are concerned.





SCHEMATIC NEIGHBORHOOD UNIT

(1 SQUARE MILE OR LESS DEPENDING UPON POPULATION
DENSITY AND SCHOOL REQUIREMENTS)

PLATE 1

ARTICLE III. SUBDIVISION DESIGN PRINCIPLES AND STANDARDS

The following design principles and standards are recommended as a guide in the layout and design of subdivisions.

Section 301. Neighborhood Planning

For purposes of physical planning, a neighborhood is considered to be that area tributary to an elementary school. The service area of an elementary school depends upon density of development and may vary from 1/4 mile radius to 1/2 mile radius in fully developed portions of the urban area. The neighborhood should be bounded by major streets or other topographical barriers so that elementary pupils are not required to cross a major street in walking to and from school, and this should be a major criterion for determination of the design capacity of a new school or service area of an existing school. See Appendix A, School and Park Principles and Standards.

Section 302. General

The arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining areas or their proper projection where adjoining land is not subdivided insofar as they may be deemed necessary for public requirements.

Wherever a subdivision adjoins a major thoroughfare, the Commission may require that access to all residential lots be provided for other than the major thoroughfare in conformance with good subdivision practice.

The street arrangement shall be such as not to cause a hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access thereto. Residential streets shall be so designed as to discourage through traffic, but off-set streets should be avoided.

The width of all major thoroughfares shall conform to the width designated on the adopted County Plan and in the absence of an adopted County plan minimum right-of-way widths shall be provided as determined by County Engineer and Planning Department.

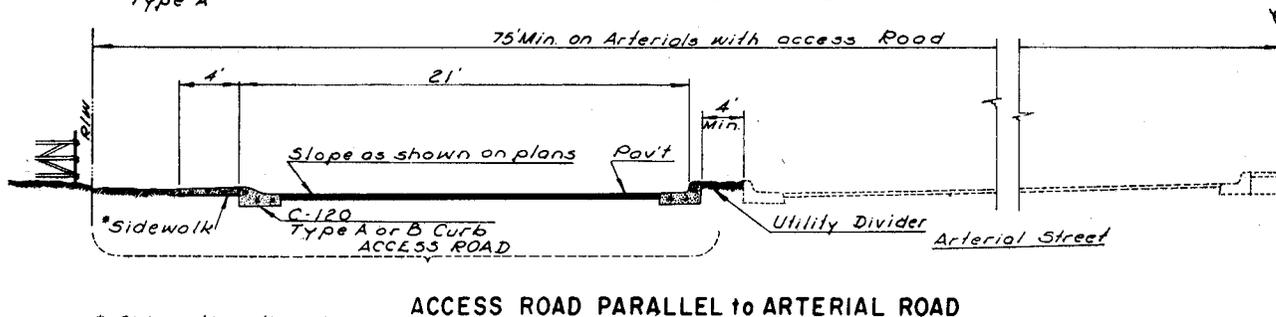
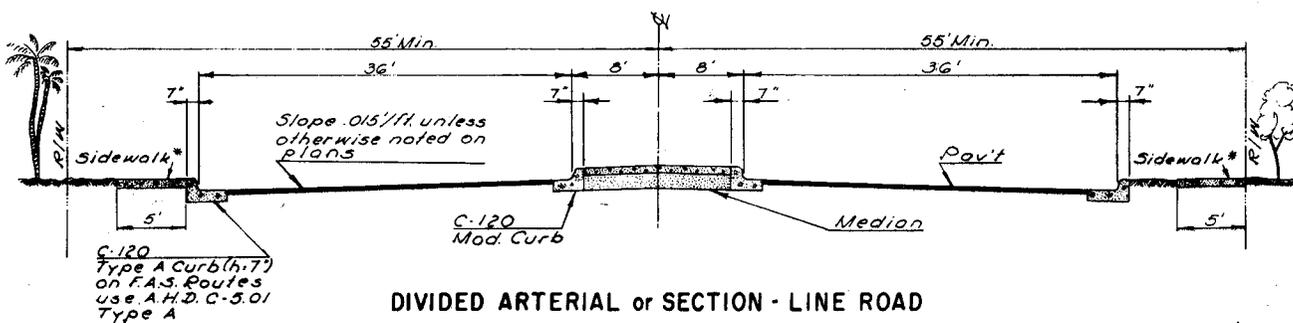
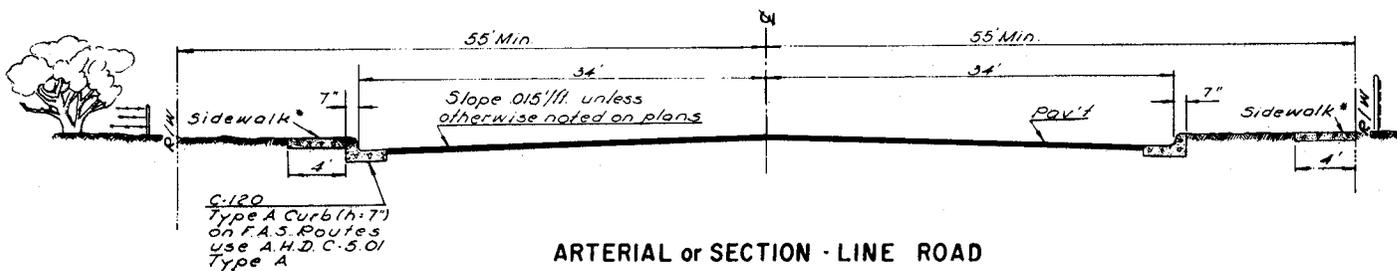
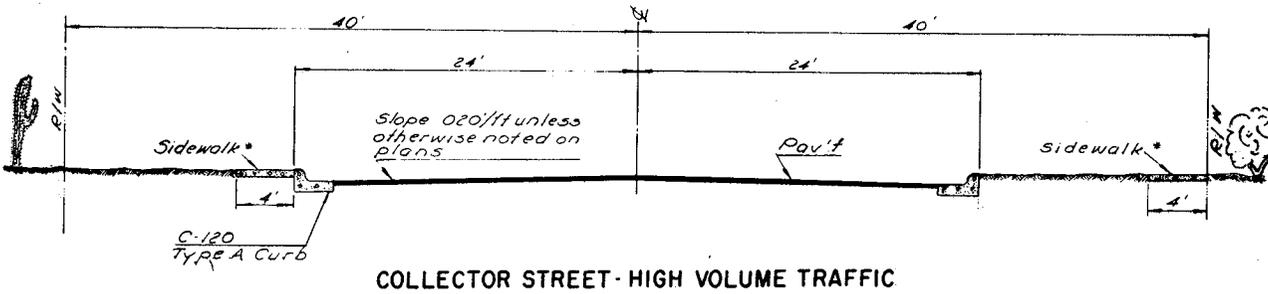
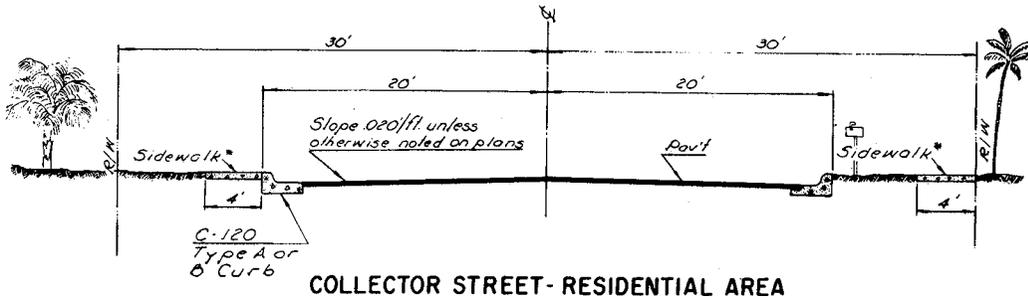
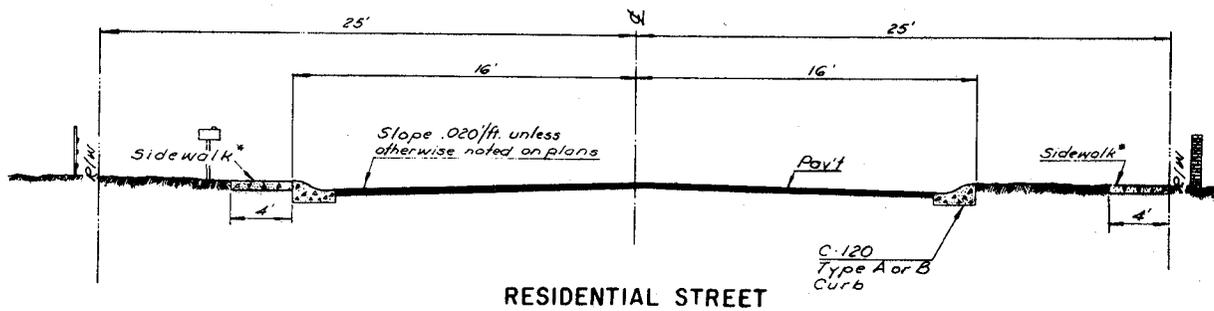
Section 303. Streets and Highways

Geometric Design Standards

Grades, curvatures, sight distances, alignment and profile are some of the various elements that are considered in roadway design. Detailed information on street and highway standards applicable to subdivisions and larger developments should be requested of the County Highway Department at an early stage in planning any specific project.

Other special design features may be necessary where surface drainage from local storms is excessive. If flooding or ponding is anticipated on any portion of a proposed project the developer should confer with the





* Sidewalk optional

SUGGESTED STREET CROSS SECTIONS

PLATE 2

Maricopa County Highway Department and the Maricopa County Flood Control Engineer prior to preliminary plat preparation in order to provide for storm drainage and to achieve the best internal street network possible under existing conditions.

Suggested Street Cross Sections

Design Standards for street construction have been established by the Maricopa County Highway Department and approved by the Board (Plate 2). For further details, refer to County Highway Department Design Standards. Generally speaking, the streets are to be designed to the width consistent with the dedicated right-of-way and the traffic function of the particular street. See Standards 17, 18, 19 and 20 in Appendix B for engineering details.

Residential streets serve residential areas of subdivisions and areas of low traffic generation. Curbs may be either M.C.H.D. Standard C-120-A, or - B, at the option of the developer. In subdivisions with lot sizes of one net acre or larger, 28' width of paving with a thickened edge will be required as a minimum. (See Plate 2). Sidewalks should be provided, preferably located one foot from the property line.

Residential collector streets act as traffic collectors in subdivisions, or streets with medium traffic generation and generally terminate at a section line or mid-section line road. Curbs may be either M.C.H.D. Standard C-120-A, or -B, at the option of the developer.

Major Collector Streets are usually found at the mid-section location and are designed to handle four moving lanes of traffic, if necessary. Curbs must be M.C.H.D. Standard C-120-A.

The Major County Highway or Section line road is used to handle through traffic of high volume and designed to accommodate four moving lanes and two parking or turning lanes. The curb on section line roads must be M.C.H.D. Standard C-120-A or Arizona Highway Department Standard C-5.01-A on all Federal Aid Secondary routes. In cases where the road is designed with a median island, that island is to be 16 feet face to face of curb with left turn lanes as required.

In the case of lots fronting on a Section Line, it is required that a frontage road be provided. This standard is shown as M.C.H.D. Standard 19-B.

Any questions or matters pertaining to the design and construction of streets should be referred to the Maricopa County Highway Department.

*Private streets may be platted with the concurrence of the Maricopa County Highway Department and the Planning Department under the following conditions:

1. That easements satisfactory to the County Engineer be platted for roadway and utility purposes;
2. That satisfactory assurance, adequate to guarantee construction of these streets to at least a standard commensurate with that required under County pavement standards for subdivisions with lots over 70,000 square feet each, will be deposited with the

County Engineer prior to recording of the final plat, or such street constructed and approved prior to recording of the final plat. The final plat must contain the certification called for in Article II, Section 207, Paragraph 22 of these Regulations;

- *3. That provision, satisfactory to the County Engineer and the Planning Department, is made for maintenance of the streets;
- *4. That adequate provision is made for access of emergency vehicles, utility vehicles, and vehicles providing services such as garbage and trash pickup;
- *5. That clear statements be contained in both deed restrictions and homeowners' association by-laws that those streets are declared private and remain the permanent responsibility of the homeowner's association;
- *6. That the health, safety and welfare of the occupants of the subdivision will be adequately served thereby; and
- *7. That the health, safety and welfare of the public will not be impaired thereby.

Section 304. Street and Block Design

In general the curvilinear street pattern is better suited to areas of irregular topography and provides greater aesthetic appeal than that afforded by the gridiron pattern. The recent tendency has been to avoid the gridiron

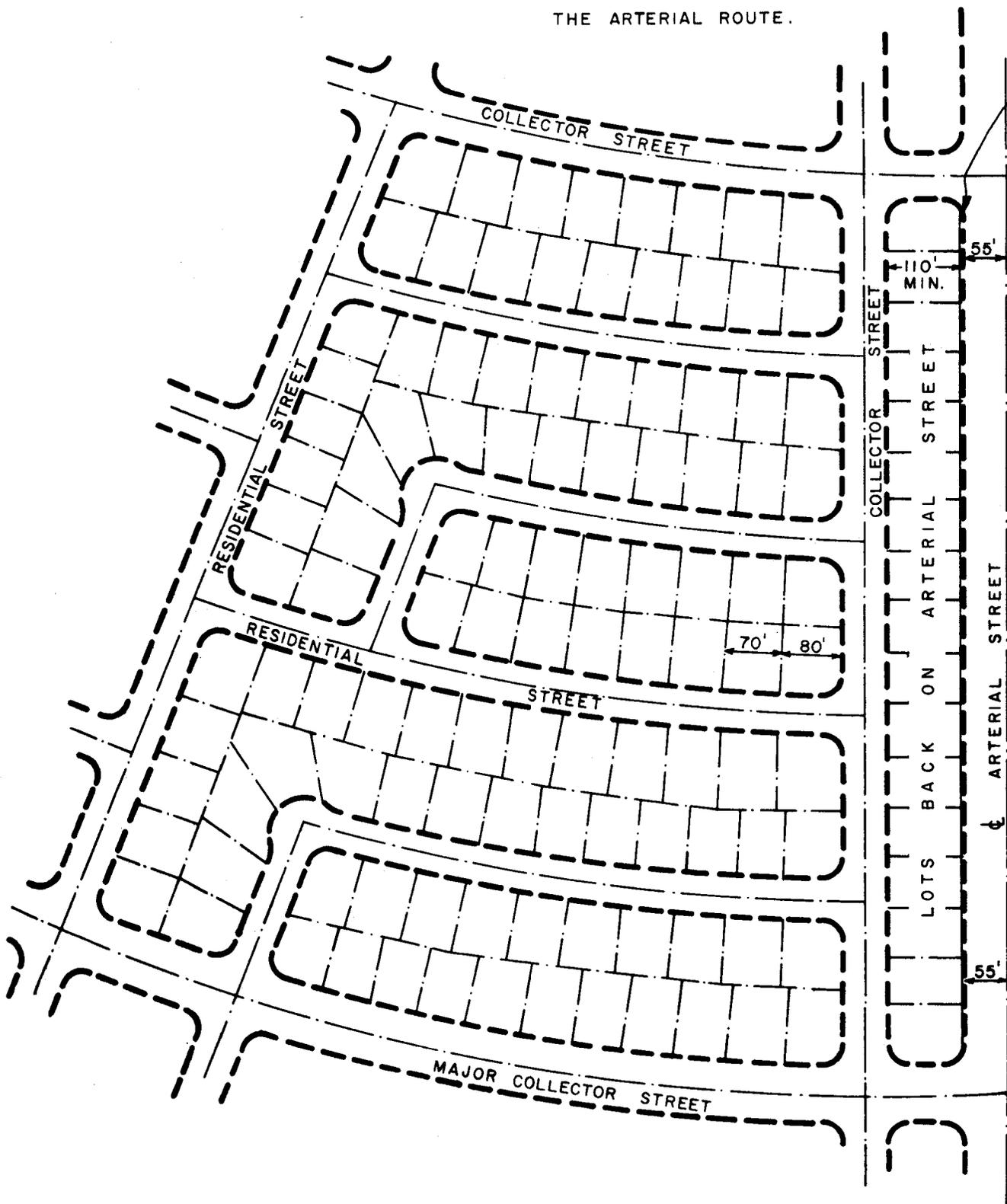
street pattern, partly to eliminate some of the excessive amount of street pavement and service costs resulting from the numerous cross streets in a gridiron design and partly for reasons of traffic control. Curving street patterns make it possible to divert the heavier traffic flow from small residential streets into main thoroughfares, thus avoiding the dangers to children and in general lessening the creation of noise and other disturbances.

Plates 3A and 3B illustrate different schematic arrangements of lots and streets in relation to arterial streets. In general long blocks should lie in the direction of the main local traffic flow and not cause long detours in reaching major objectives such as the school, commercial area or major highway.

Experience suggests that the maximum length of blocks, measured along the centerline of the street and between intersecting street centerlines, be 1500 feet; except that in development with lot areas averaging one-half acre or more this maximum may be exceeded by 500 feet. Blocks shall be as long as reasonably possible within these maximums in order to achieve the best possible street economy and to reduce the expense and safety hazard arising from excessive street intersections. Five hundred (500) feet is an acceptable minimum block length.

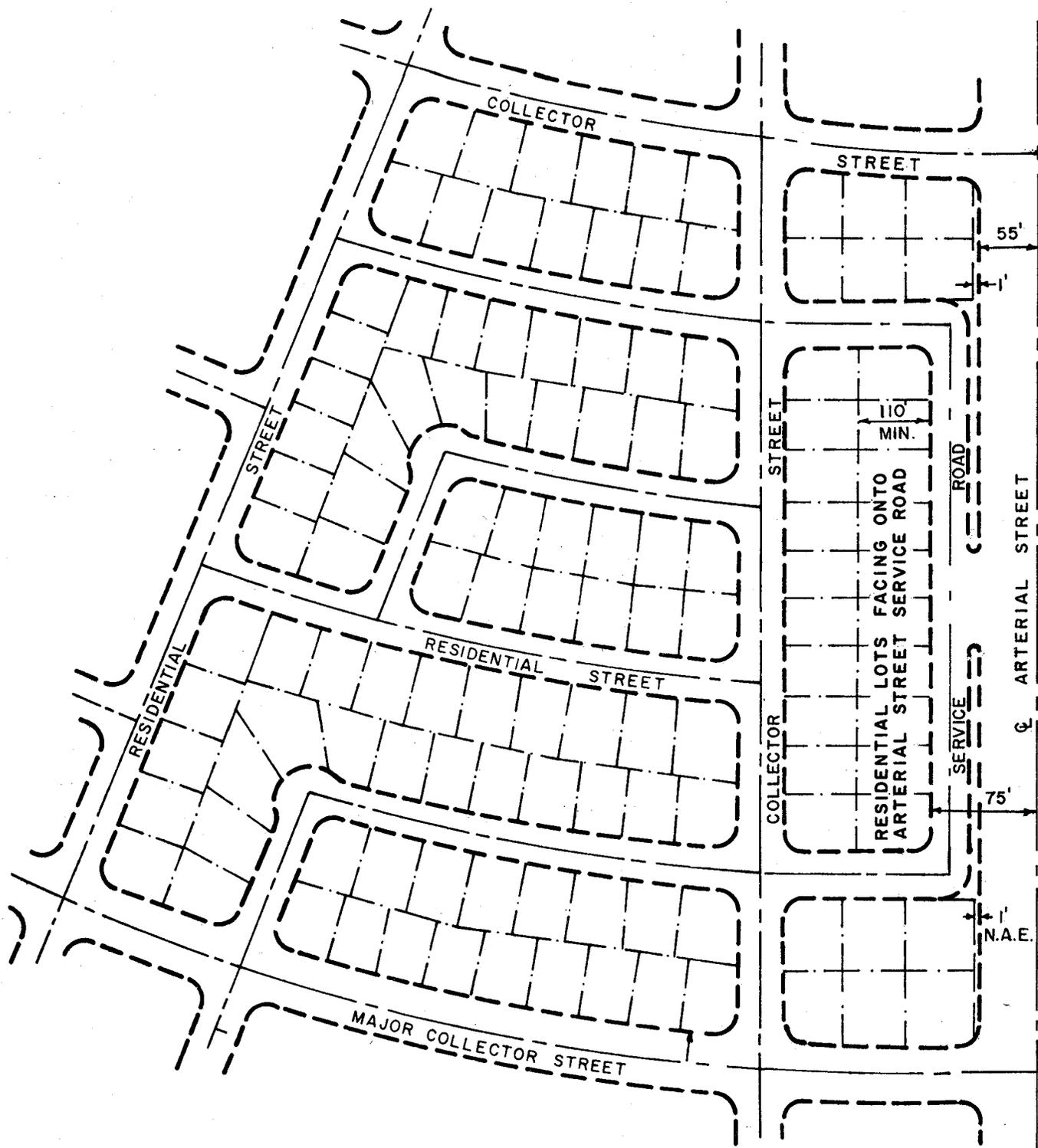
Where a proposed subdivision abuts or contains an existing or proposed arterial route, local service roads or reverse frontage with non-access easements and screening along the arterial route can be used to protect the residential properties from the nuisance and hazard of high volume traffic and to preserve the traffic function of the arterial route.

SCREEN PLANTING OR BLOCK WALL AND
NON-ACCESS EASEMENT PROTECT ADJACENT
LOTS FROM STREET NOISE AND DUST AND
PRESERVE THE TRAFFIC FUNCTION OF
THE ARTERIAL ROUTE.



SCHEMATIC SUBDIVISION

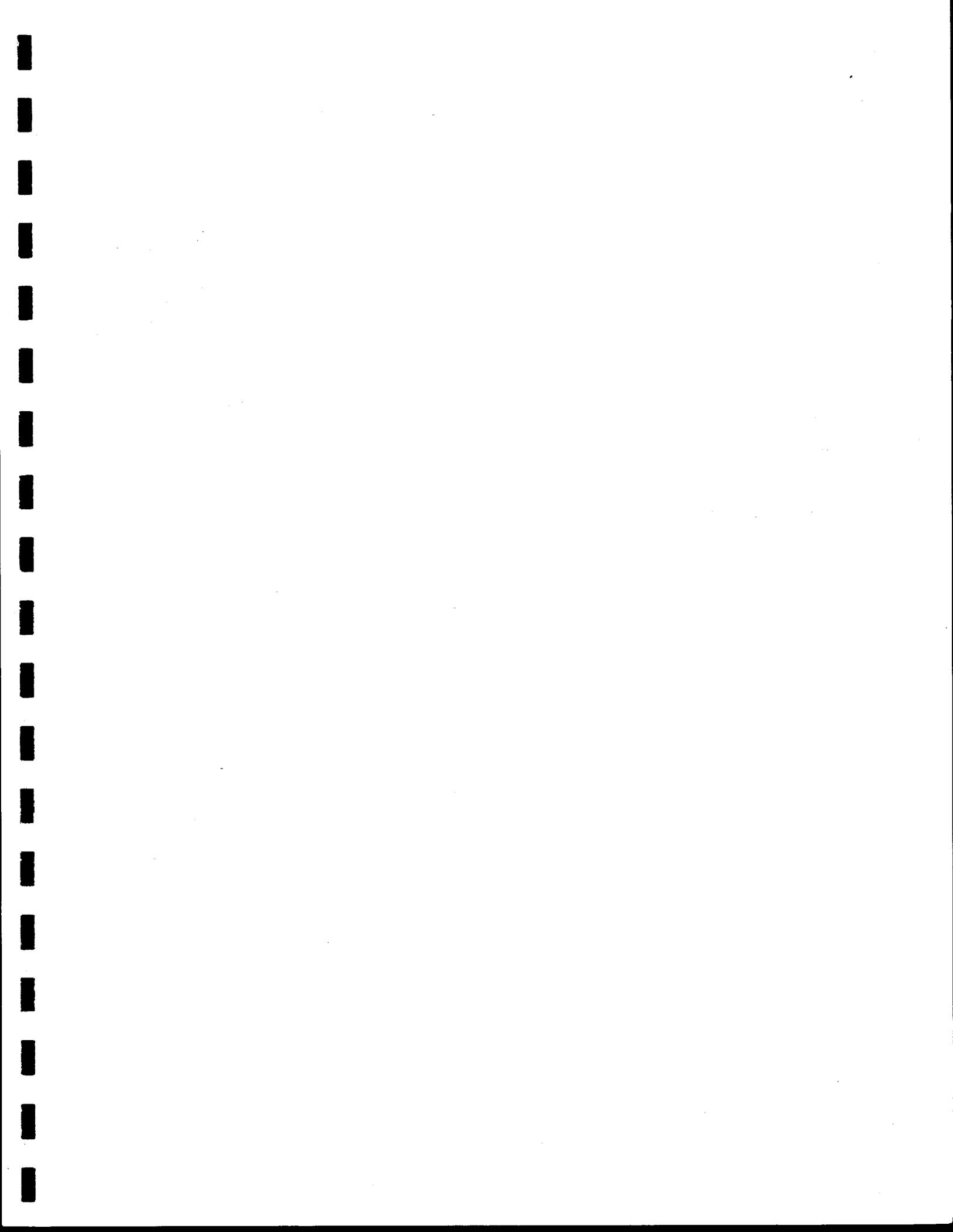
PLATE 3A



SCHEMATIC SUBDIVISION

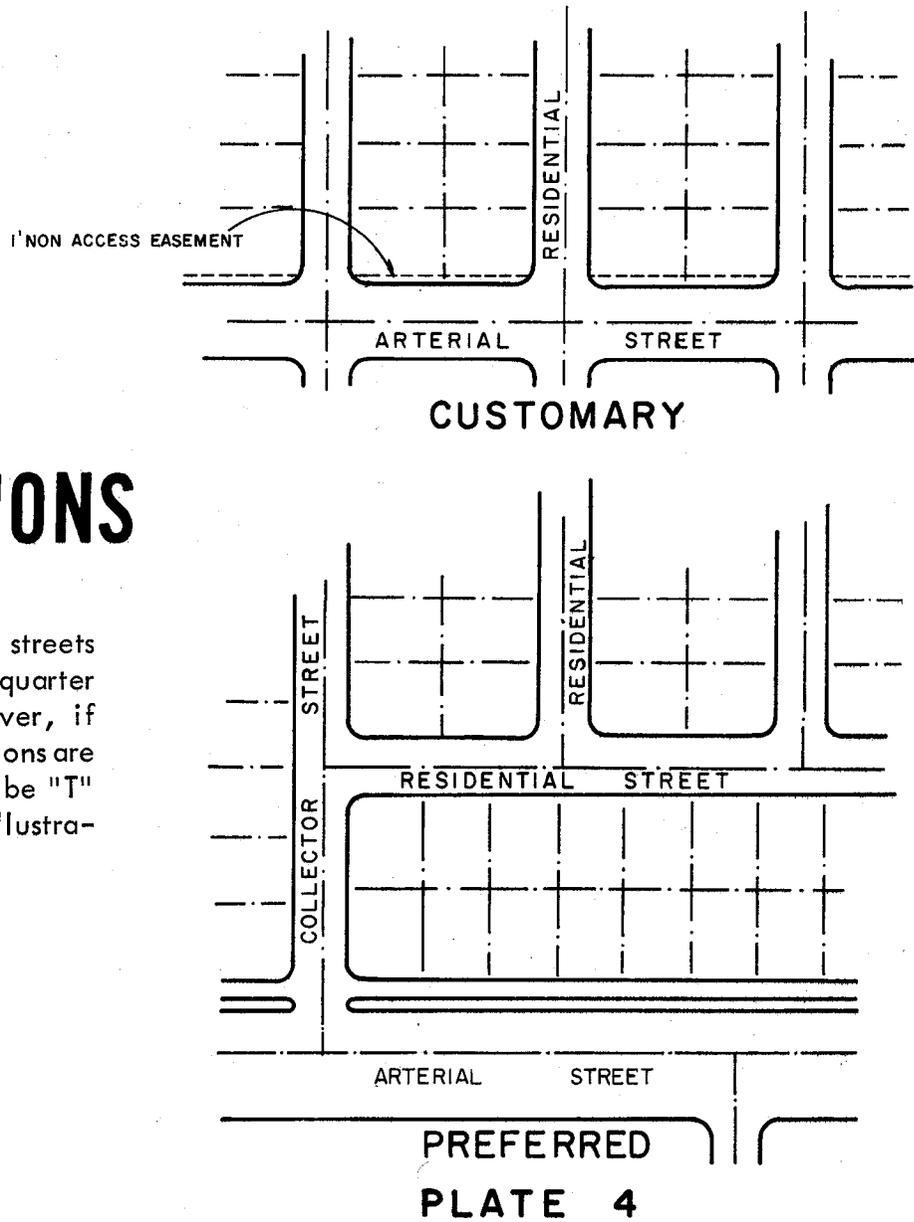
PLATE 3B

As Revised and Adopted by the Board of Supervisors October 1, 1975



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.



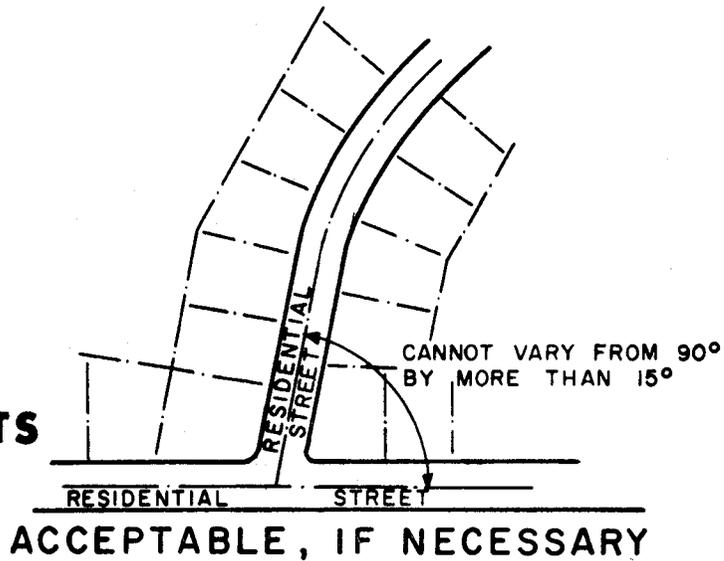
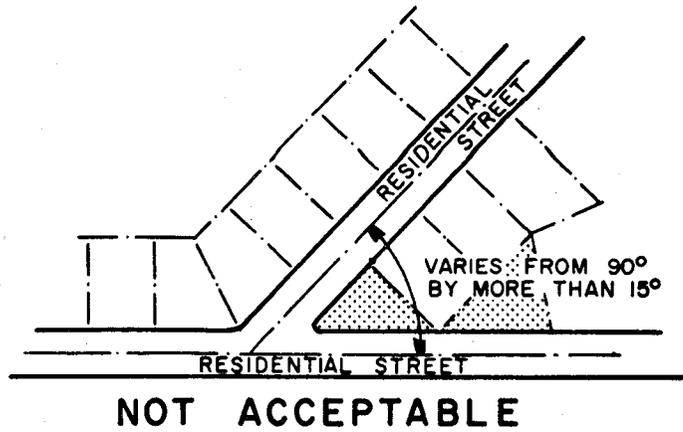
Some Rules for Designing Safe Residential Streets

1. Use three-way rather than four-way intersections whenever possible;
2. Use curved streets, if appropriate;
3. Minimize number of frontage roads;
4. Minimize continuous streets through neighborhoods, particularly those connecting two major arterials by a direct route;
5. Avoid irregular intersections such as multi-legged intersections and Y-type where two legs meet at acute angles;
6. Eliminate jogs in intersection alignment and hidden intersections where visibility is limited by structures, natural features or plant growth.

Street Intersections

The number of intersections, especially those involving arterial streets and railroads, should be kept to a minimum, but consistent with traffic needs. Intersection design is of extreme significance since a very heavy proportion of total accidents continues to occur where streets and other rights-of-way converge. A minimum number of 4-way intersections should be used in order to reduce traffic hazards. Plate 4 illustrates street arrangements that help to reduce traffic hazards.

**ANGLE
of
INTERSECTIONS
for
RESIDENTIAL STREETS**



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

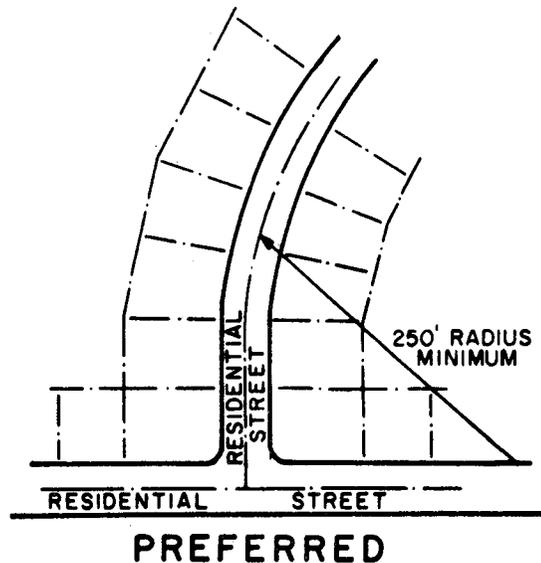
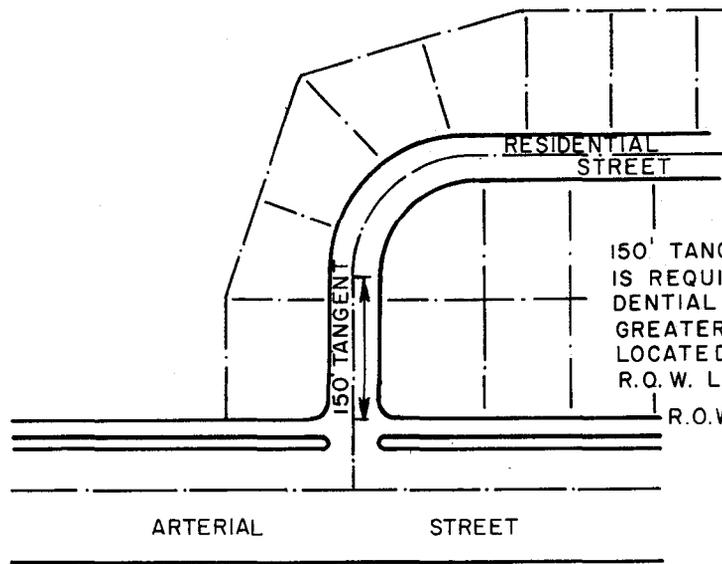


PLATE 5

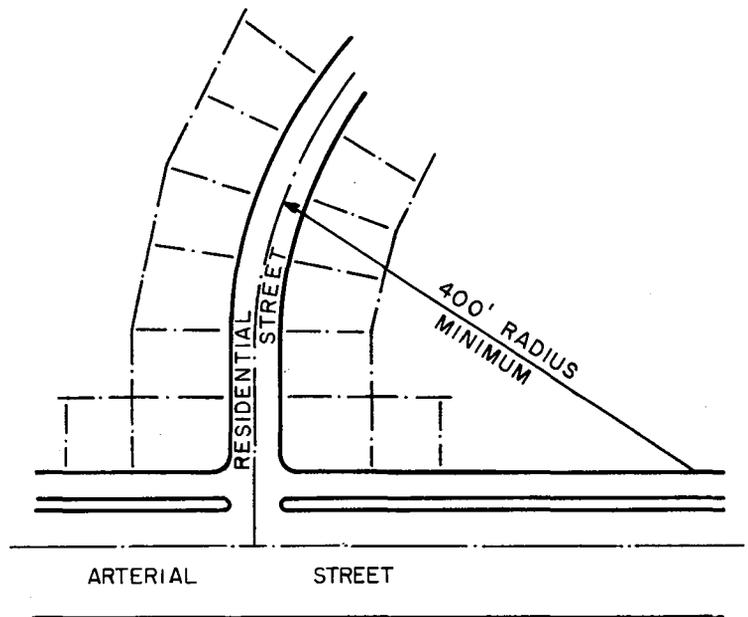


150' TANGENT SECTION OF CENTERLINE IS REQUIRED EXCEPT WHEN THE RESIDENTIAL STREET CURVE HAS $\frac{1}{2}$ RADIUS GREATER THAN 400' WITH THE CENTER LOCATED ON THE ARTERIAL STREET R.O.W. LINE. (SEE BELOW)

GOOD

ANGLE of INTERSECTIONS for ARTERIAL STREETS

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



GOOD

PLATE 6

CENTERLINE DEFLECTION

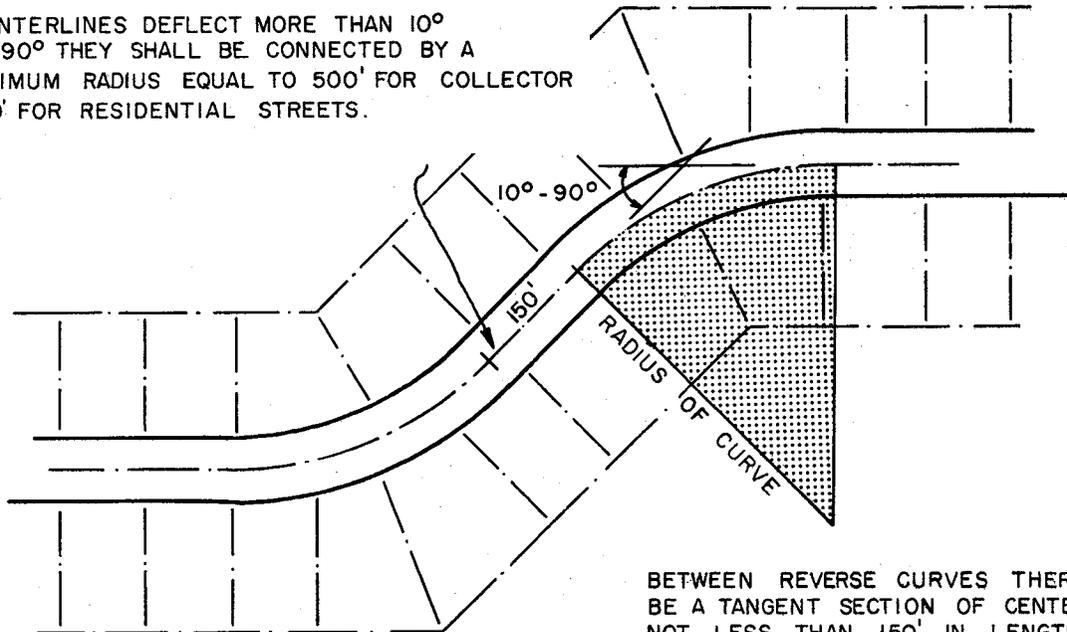
and

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.



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

NOTE :

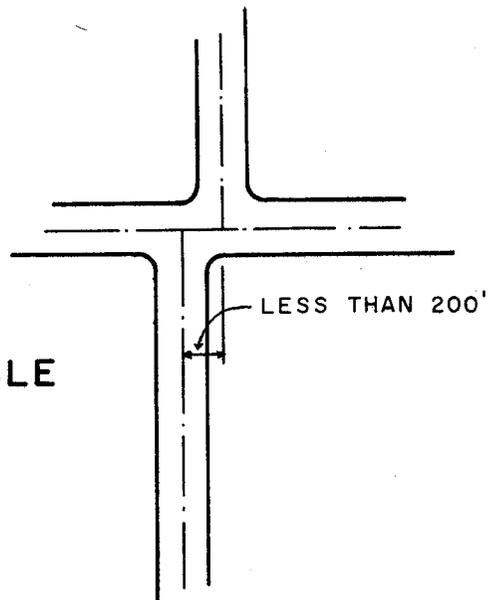
Horizontal Alignments on Arterial Routes shall be determined by the County Engineer.

PLATE 7

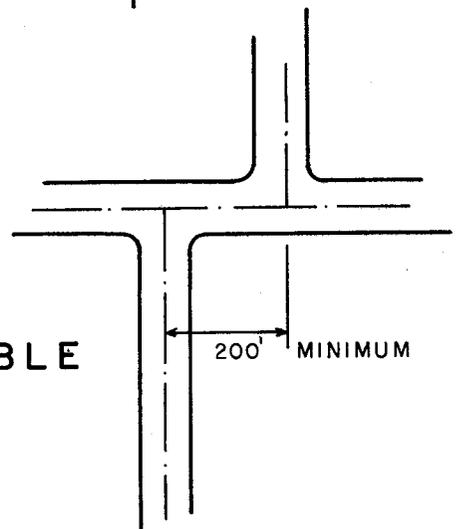
STREET JOGS

for
RESIDENTIAL STREETS

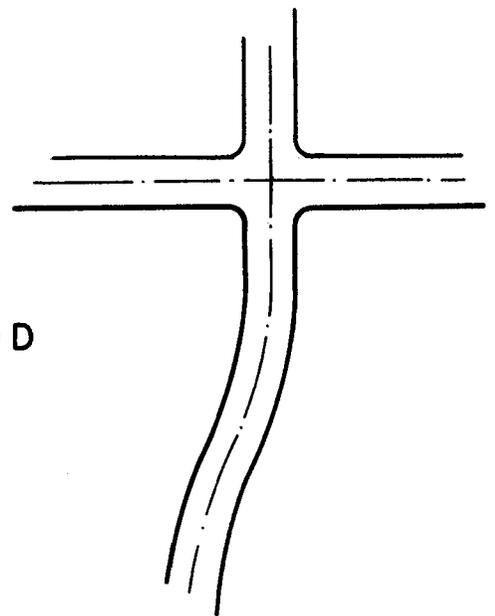
NOT ACCEPTABLE



ACCEPTABLE



GOOD

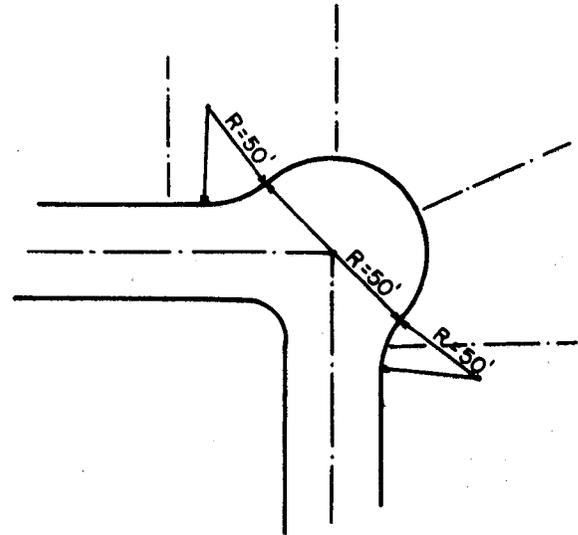


NOTE:

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

PLATE 8

Eyebrow design and lotting arrangement for right angle turns.



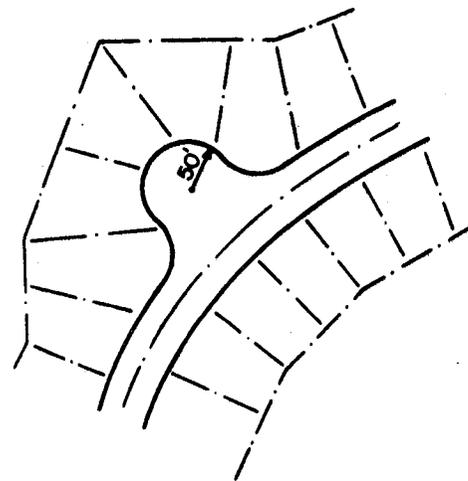
GOOD

EYEBROW DESIGNS

for

RESIDENTIAL STREETS

Eyebrow design provides frontage for additional lots in deeper portions of a block.



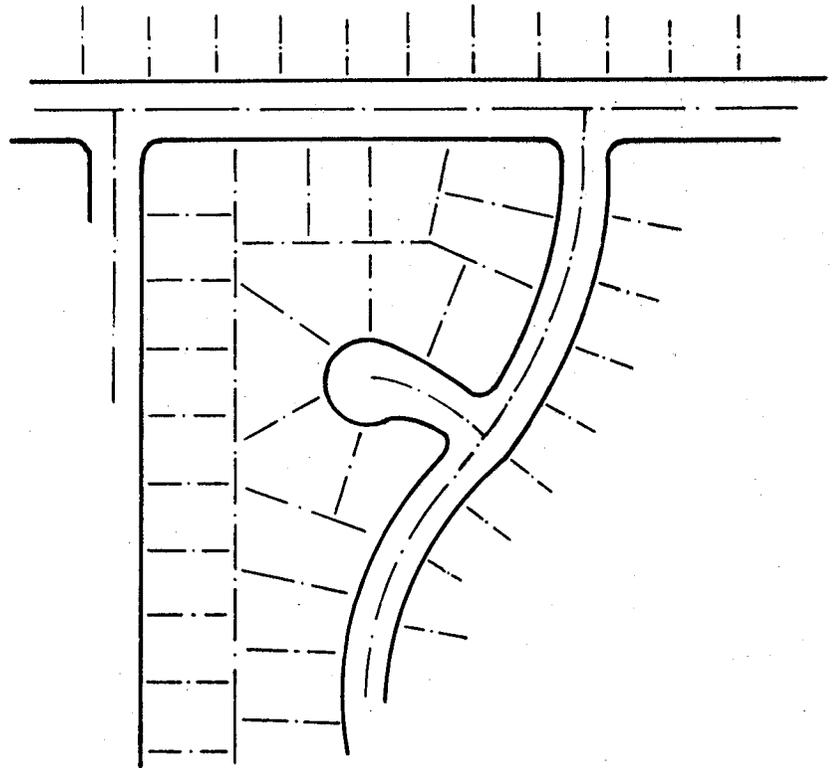
GOOD

NOTE:

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

PLATE 9

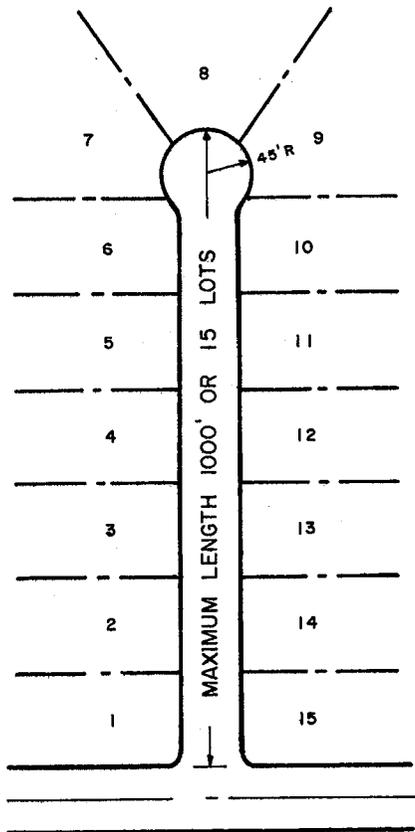
Culs-de-sac should be used to serve irregular areas of a tract that would otherwise be inaccessible. Culs-de-sac should not be used excessively nor as a primary design feature.



CULS - DE - SAC

for

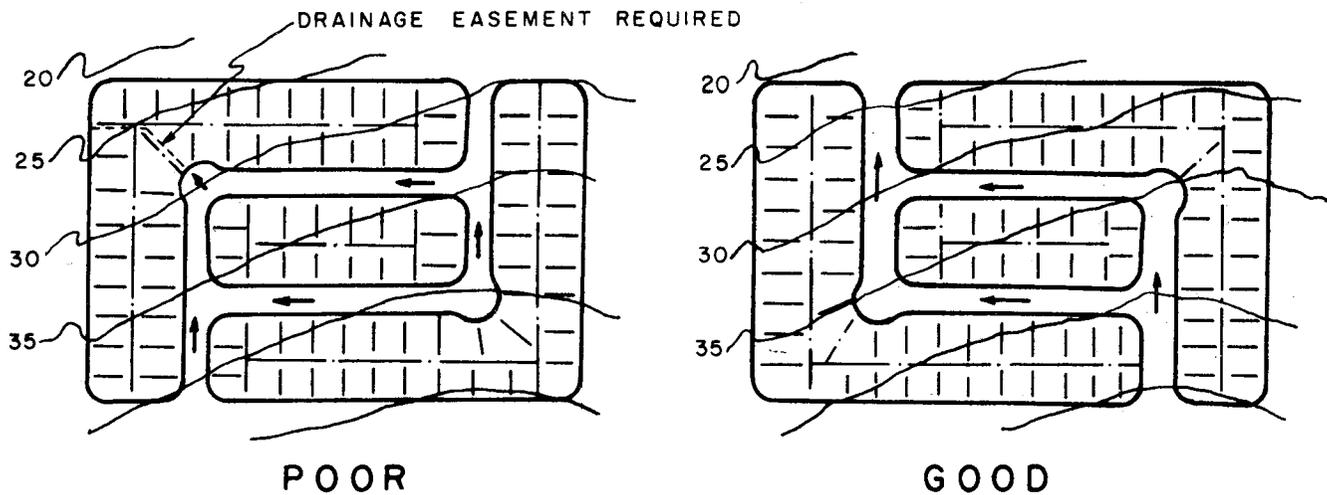
RESIDENTIAL STREETS



Culs-de-sac should preferably not be longer than 1,000 feet or provide frontage for more than 15 lots and should terminate in a turn-around at the closed end.

PLATE 10

As Revised and Adopted by the Board of Supervisors October 1, 1975



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.

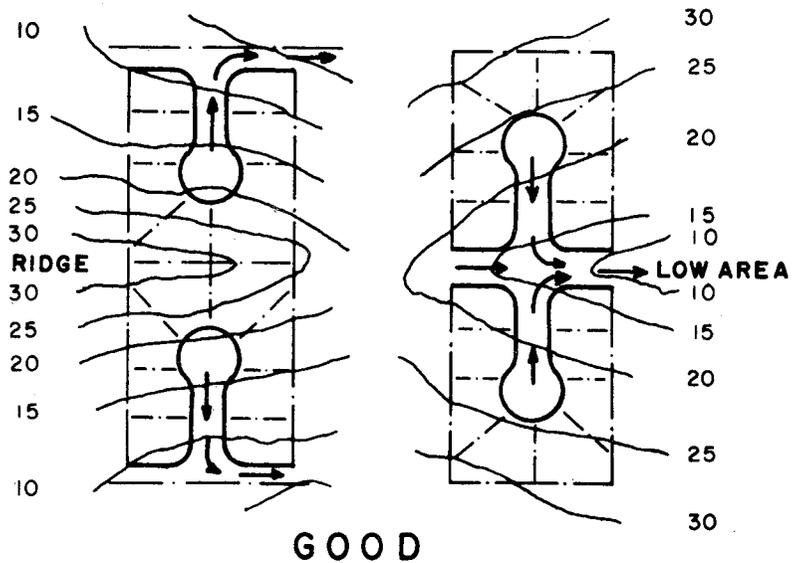


PLATE II

Section 305. Lot Design

*Residential lots should be designed in a manner appropriate to the use and density characteristics of the development. A better neighborhood appearance results if a variety of lot shapes and sizes can be provided and coordinated with the different styles of structures planned. Residential lots shall contain a building site elevation which is above the high water line of the One Hundred-Year Flood.

**In areas subject to flooding by the One-Hundred Year Flood, approval of the type and amount of development will be determined by the floodplain board, in accordance with the Floodplain Regulations for the Unincorporated areas of Maricopa County, Arizona.

In areas subject to flooding where no fill is proposed, the building line shall be located no closer to the stream, watercourse, drainage way, or channel than the edge of the area subject to flooding. In areas where fill is used to raise the elevation of the building site, no fill shall be placed in the floodway and the building line shall be located not less than twenty-five (25) feet landward from the edge of the fill.

It is inevitable that the street pattern will have the greatest effect on the ultimate size and shape of the lots. For example, a curvilinear street pattern will result in a greater number of non-rectangular or wedge shaped lots with a greater variety of lot sizes, whereas with a gridiron pattern the opposite would be the case.

*Amended 2/4/74

**Amended 10/1/75

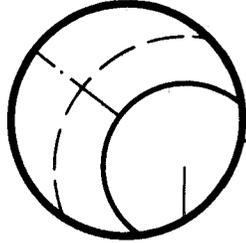
AVOID ACUTE
ANGLE INTERSECTION
WITH REAR LOT LINE :

SIDE LOT LINES SHOULD
BE PERPENDICULAR OR
RADIAL TO R/W LINES



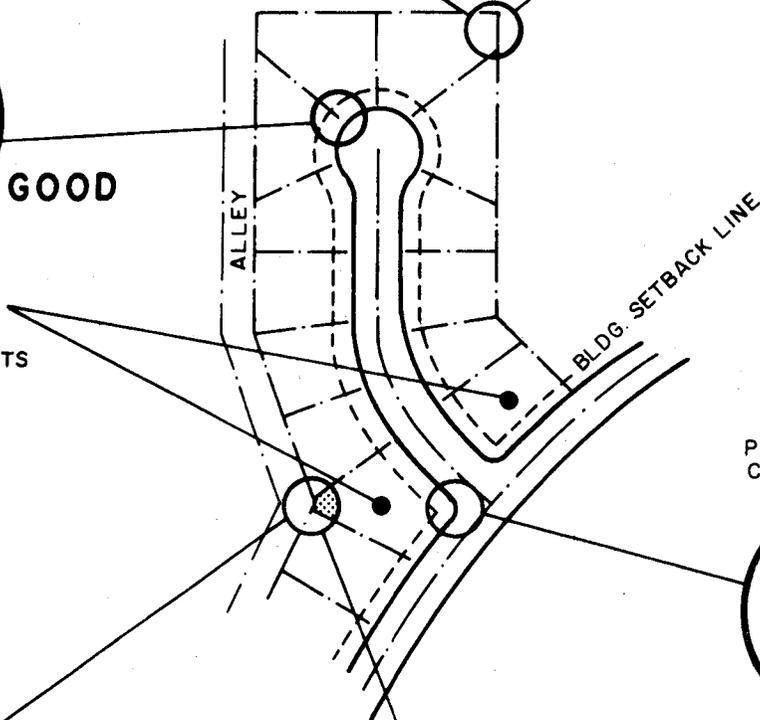
POOR

GOOD

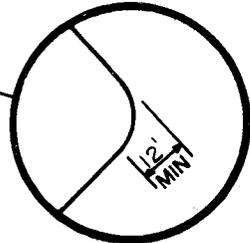


GOOD

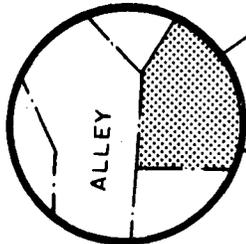
CORNER LOTS
10-20% WIDER
THAN INTERIOR LOTS



PROVIDE RADIUS ON
CORNER LOTS

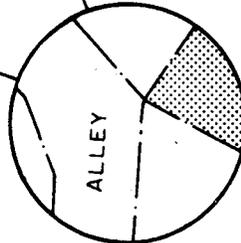


GOOD



GOOD

PROVIDE ADEQUATE
ACCESS TO ALLEY



POOR

LOT DESIGN

PLATE 12

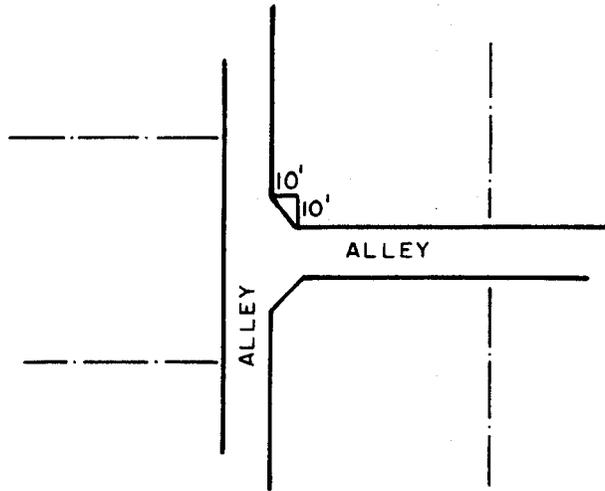
Discussed below are some acceptable lot design principles as illustrated on Plate 12:

Corner Lots: Corner lots for residential use should be wider than interior lots in order to provide adequate yard setbacks from both streets.

Property line corners at street intersections should be rounded by arcs having a minimum tangent length of 12 feet as shown.

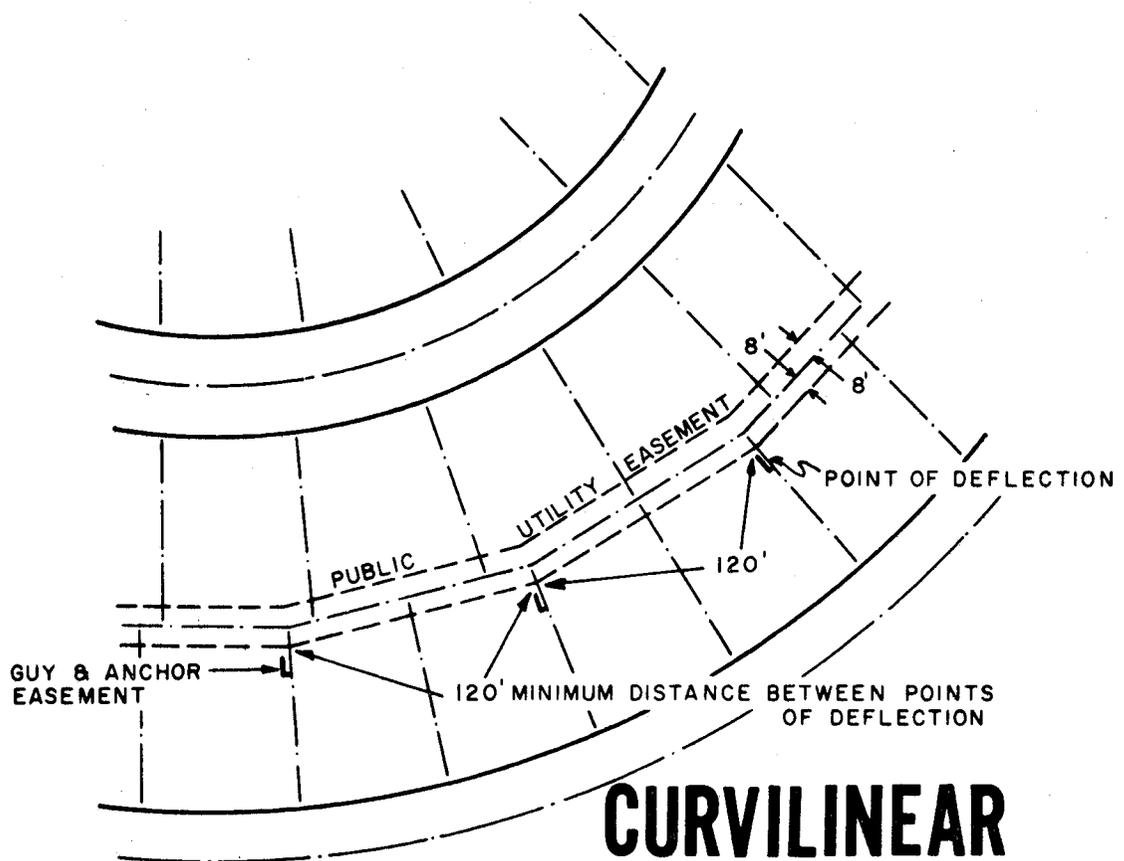
Lot Depth: Depth-to-width ratio of the usable area of the lot should not be greater than 3 to 1.

Side Lot Lines: Side lot lines should be substantially at right angles or radial to street lines, and should be straight unless dictated by topography or other physical reasons. Rear lot lines should avoid acute angles with side lot lines and should normally be straight.



ALLEY INTERSECTIONS

PLATE 13



CURVILINEAR LOT AND EASEMENT PLANNING

PLATE 14

Section 306. Alley and Easement Design

Alleys should be provided in multiple-family, commercial and industrial use areas. Easements are generally preferable in single-family residential areas.

Alleys: An alley width of 16 feet is required when a residential district is common to both sides. A 20-foot alley is required if the residential district abuts a commercial or industrial district. Alley intersections and acute changes in alignment should be cut back at least 10 feet along each side to permit safe vehicular movement, see Plate 13. All half-alleys should have a minimum width of 12 feet. Dead-end alleys are prohibited.

Easements: Utility easements along rear lot lines should be as straight and long as possible in order to avoid an excessive number of manholes, poles and guy wires at angle points. Easement widths of 16 feet are normally required for residential subdivisions, see Plate 14.

Non-Access Easement: An easement prohibiting vehicular access from the arterial street side of double frontage lots is required, see Plate 3A. The minimum suggested width for said easement is one (1) foot.

Curvilinear Easements and Alleys: For lots facing on curvilinear streets, utility easements or alleys may consist of a series of straight lines with points of deflection not less than 120 feet apart. Points of deflection should always occur at the junction of side and rear lot lines

on the side of the exterior angle as shown on Plate 14. Curvilinear easements or alleys may be used, provided the minimum radius for the alley or easement is not less than 800 feet.

Section 307. Street Names

Names of streets should be consistent with the natural alignments and extension of existing streets. If new street names must be used they should not duplicate in whole or in part existing names. The developer or subdivider as the case may be should confer with the Department on proposed street names prior to submission of a preliminary plat.

Section 308. Hillside Subdivisions

Planning, platting and development of hillside subdivisions involve special problems and require special handling by the subdivider and his engineer, and by the Commission, staff and reviewing officials. These problems are preservation of scenic beauty for the benefit of the general public, safe construction of public improvements commensurate with lower density and lesser public use, and safe construction of private improvements related to sewage disposal, water supply, storm drainage and foundation bearing.

Lot Width and Area: Lot width and area shall be closely related to the terrain, drainage, percolation factors or construction of sanitary sewers, with emphasis placed on selection of homesites and access to the homesites.

Special Design Standards:

- a. Street grades shall not exceed 15 percent.
- b. Portions of streets with grades exceeding 12 percent shall not exceed 600 feet in length.
- c. Street right-of-way width may vary depending upon conditions.
- d. "T" or "V" type turning-and-backing culs-de-sac may be substituted for circular turnarounds.
- e. "Panhandle", double frontage and other unorthodox lotting arrangements may be permitted so long as it can be adequately demonstrated that no lot will be adversely affected by any other lot so arranged.

Special Preliminary Plat Requirements:

Percolation tests and test boring logs in accordance with the requirements of the County Health Department should be taken at the proposed subdivision prior to the submittal of the preliminary plat.

Plat Processing Time:

Due to problems requiring special field and office review by the County Health Department, the County Engineer and the staff, subdividers should expect processing time for hillside plats to exceed that otherwise required for normal plats.

Section 309. Suitability of the Land

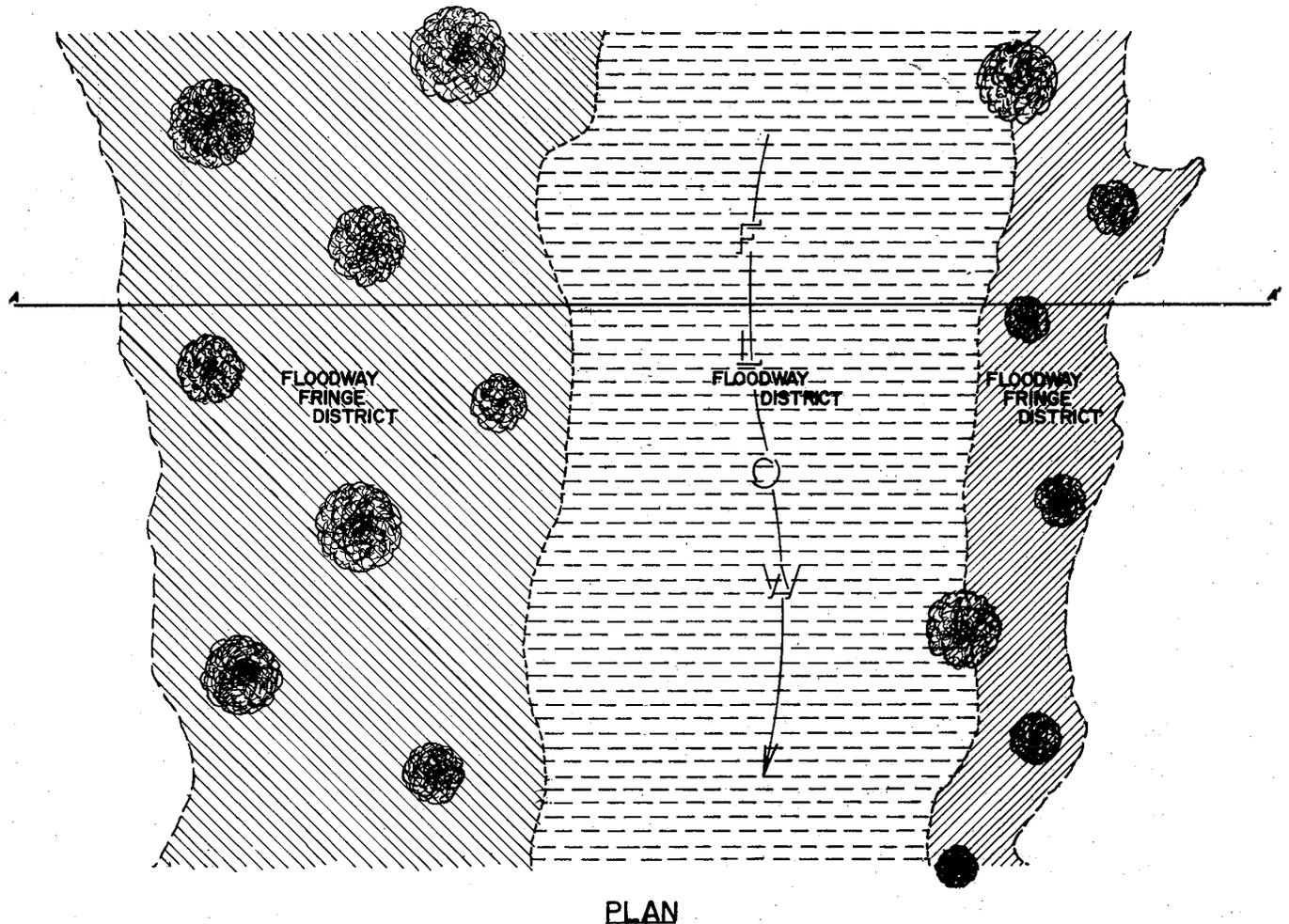
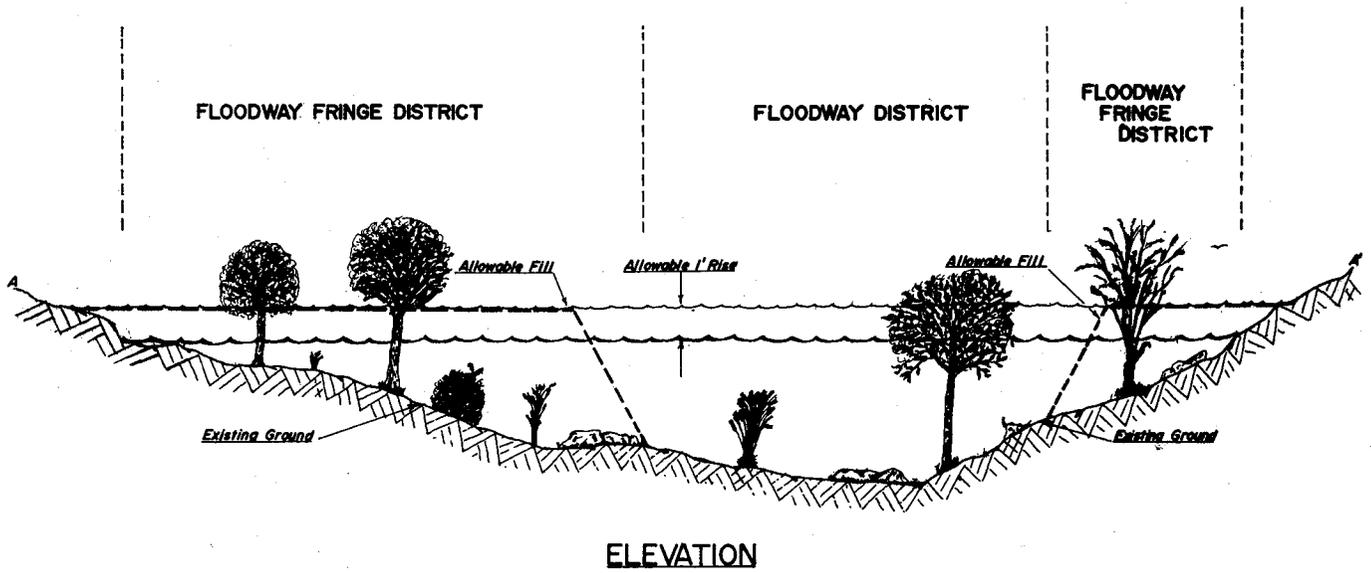
The Board may reject a plat that is determined to be physically unsuitable because of flooding, bad drainage, steep slopes, rock formations and other features which may endanger health, life or property, aggravate erosion, increase the flood hazard, necessitate unreasonable expenditure of public funds or which is found to be not in the best interest of the public.

Section 310. Zoning or Other Regulations

No final plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such ordinance.

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building code, or other official regulations, the highest standards shall apply.

TWO-DISTRICT FLOODPLAIN REGULATION



ARTICLE IV. MINIMUM IMPROVEMENTS REQUIRED

*No final or record plat of any subdivision shall be approved unless:

1. The improvements listed in Article IV have been satisfactorily completed prior to such approval, or
2. The owner or subdivider shall have deposited with the office of the County Engineer assurance satisfactory to the County Engineer and County Attorney sufficient to guarantee said improvements at such time as required by the County Engineer. The record plat shall bear the certification of the County Engineer as required by Article II, Section 207, Paragraph 21 of these regulations. The owner or subdivider shall provide an engineer's cost estimate, including engineering and supervision, for the proposed improvements detailed as to quantity and installed unit price per item.

Section 401. Street Improvements

*All subdivisions with public streets shall have adequate dedicated public access satisfactory to the County Engineer. All subdivisions with private streets shall have adequate legal access satisfactory to the County Engineer.

*All streets within a subdivision or development, whether public or private, (reference Article III, Section 303, these regulations) shall have been improved, or adequate assurance shall have been deposited with the County Engineer to guarantee construction, in accordance with the latest edition of the "Uniform

*Amended 10/1/75

*Standard Specifications for Public Works Construction" - Maricopa Association of Governments together with Maricopa County Supplements, "Special Provisions for Construction of Street Improvements" and "Special Provisions for Installation of Underground Utilities".

If a subdivision or development borders on a street, the owner or subdivider shall also be required to improve the near half of all perimeter streets in accordance with the requirements of the Maricopa County Highway Department and the guide for improvement of subdivision perimeter streets as adopted by the Board.

The owner or subdivider is responsible for installation of surfacing between the nearest paved road and the subdivision in accordance with Standard 20 of the Maricopa County Highway Department for lots of 70,000 square feet and larger.

Approval of improvement plans will be valid for a period of one year. Any work not under permit within that period must have plans resubmitted for approval.

Attention is called to the provisions and requirements of the permit procedure of the Maricopa County Highway Department (Appendix G)

The assurance deposited to guarantee required street improvements will be released upon completion thereof conditioned however that there be deposited with the County Engineer a bond or other satisfactory assurance in an amount of 10% of the cost of said improvements. The latter bond or assurance shall be conditioned to guarantee against damage by on-site construction for a period of one year after approval or until completion of all construction by the developer, whichever first occurs.

Section 402. Water Lines

Every subdivision shall be provided with a complete water distribution system, which will adequately and safely serve the area platted in the opinion of the agency having jurisdiction. Fire hydrants shall be provided in accordance with the recommendations or requirements of water department or water company and fire department having jurisdiction.

The developer shall provide guarantees acceptable to the Board that the subdivision can and will receive an adequate supply of pure and wholesome water from a water system operated by a certificated water company or a municipality. The existence of such a water company or municipality at or adjacent to the development in itself shall not be considered an adequate basis for approval.

The developer may be required to post a performance bond as part of the aforesaid guarantee that connection to such a water system will be made available to a lot owner at the street or alley abutting his lot when building construction commences (or when the building is ready for occupancy).

*All service lines under proposed pavement must be installed prior to placement of the final course of pavement or installed without open cutting of the pavement.

Section 403. Sanitary Sewers

1. Where public sanitary sewers are within reasonable access of the subdivision in the opinion of the County Health Department each lot therein shall be provided with a connection to such sanitary sewer.

2. Whenever a public sanitary sewer is not accessible, in the opinion of the County Health Department, proper provision shall be made for the disposal of sanitary wastes in accordance with standards and requirements of said department.

3. In unsewered areas, sewerage of a subdivision will be required in cases in which a municipality provides assurance acceptable to the Board that within one year it will make available sewer service to the subdivision and that in the interim the municipality will service and maintain an approved terminal collection facility for the subdivision until it can be served by the sewer system.

*Section 404. Drainage and Detention of Stormwaters

All necessary facilities, as determined by Maricopa County and specified in Appendix J herein, including underground pipe, inlets, catch basin, open drainage ditches, lining or detention facilities, shall be installed to provide for the adequate detention and disposal of stormwater and other surface water and to maintain any natural drainage course. Where a subdivision is traversed by or abuts a stream, watercourse or drainageway, a drainage easement shall be provided. This easement shall be the same as the area designated as the floodplain as defined in Section 102.

Section 405. Reference Monuments

Permanent reference monuments shall be installed in accordance with County standards at all corners, angle points and points of curves and at all

street intersections. After all improvements have been installed, a registered surveyor or engineer employed by the subdivider shall punch the exact points on the monuments and certify their accuracy.

Lot corners: iron pipe shall be set at all corners, angle points, and points of curve for each lot within the subdivision prior to the recording of the plat.

Section 406. Street Name Signs

The developer is required to furnish and install one (1) street name sign for each intersection within the limits of the subdivision in accordance with the latest applicable Standards of the Maricopa County Highway Department. The Maricopa County Highway Department will furnish and install the street name signs at intersections of subdivision streets with section line and mid-section line roads.

Section 407. Miscellaneous

Utilities required to serve the area must be provided within each subdivision. The Commission may require the developer to arrange for location of utility lines underground.

Section 408. Plans, Specifications and Supervision

All of the improvements required in this Article shall be installed in accordance with the specifications and under the supervision of the appropriate public officials.

Section 409. Provisions for Maintenance and Operation

Where the developer proposes sewers, sewage treatment plants, park areas, landscaping such as lawns, trees, and shrubs, then provision shall be made by trust agreement, which is a part of the deed restrictions and which are acceptable to the proper agencies having jurisdiction over the location and improvement of such facilities, for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivision.

ARTICLE V. VARIANCES AND MODIFICATIONS

Section 501. Hardship

Where the Board finds upon recommendation of the Commission that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of the Master Plan or these regulations.

Section 502. Large Scale Development

The standards and requirements of these regulations may be modified by the Board in the case of a plan and program for a community plan (development master plan), or neighborhood plan, which, in the judgement and recommendation of the Commission provides adequate public spaces and improvements for the circulation, recreation, light, air, and service needs of 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 plan.

Section 503. Conditions

In granting variances and modifications, the Board upon recommendation of the Commission may require such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements so varied or modified.

*ARTICLE VI. Severability and Disclaimer

Section 601. Severability

Should any article, section or regulation of these regulations be judicially declared unconstitutional or invalid, such decision shall not affect the validity of these Regulations as a whole, or any portion thereof other than the article, section or regulations so declared to be unconstitutional or invalid.

Section 602. Disclaimer of Liability

No liability shall be created on the part of Maricopa County or any district, office, or department or employee thereof for any damages that may result from the application of these regulations or any administrative decision made thereunder.

APPENDIX

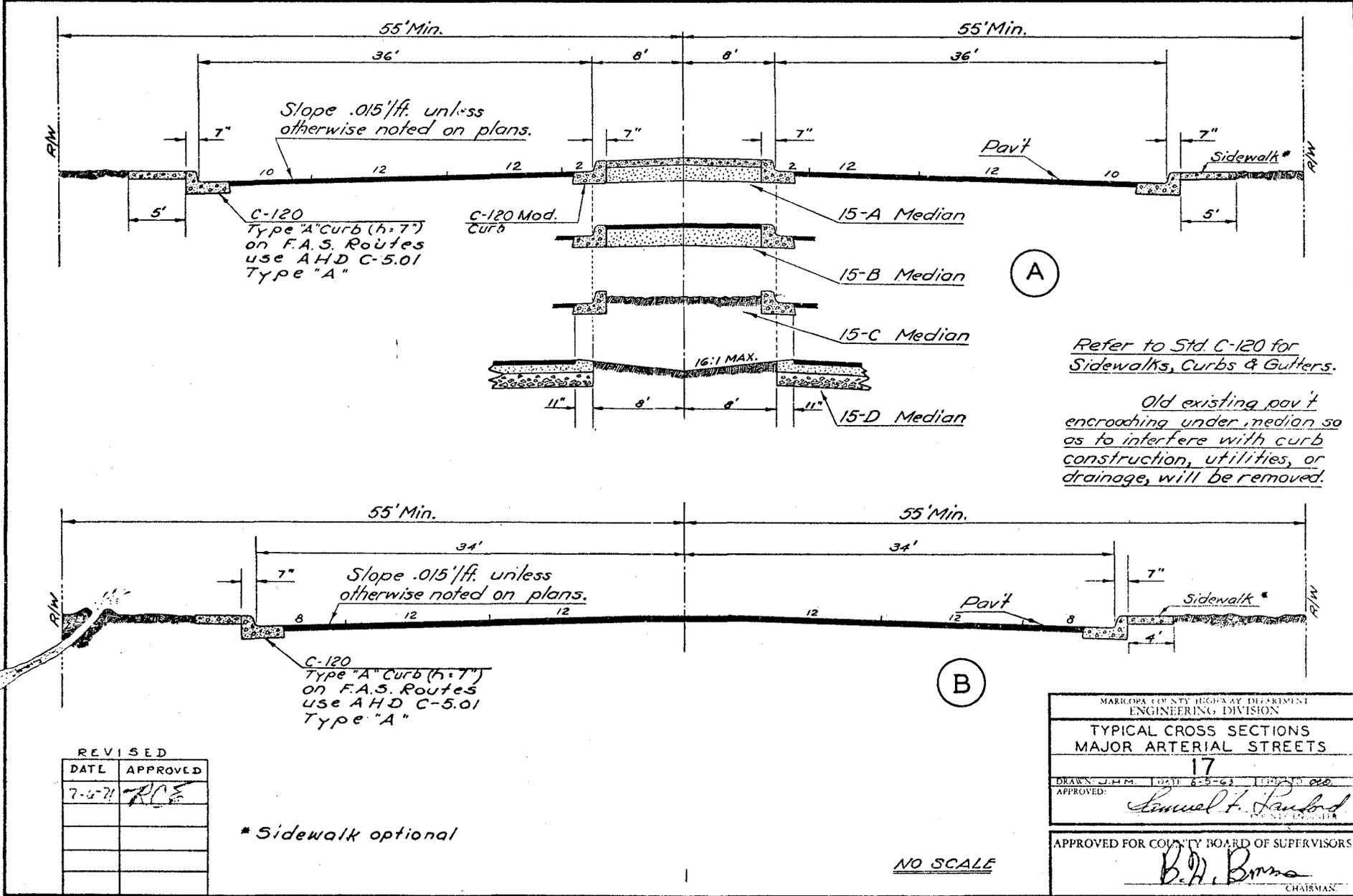
APPENDIX A

SCHOOL AND PARK PRINCIPLES AND STANDARDS

	Desirable Design Capacity	Size of Site	Service Area	Remarks
Elementary School Grades K-8	Variable (1) See local school district	10 acres plus an additional acre for each 100 pupils of ultimate enrollment (2)	1/4 to 1/2 mile with a density of 10 or more persons per acre	Site should not be located on major traffic artery.
Secondary School	Variable (1) See local school district	30 acres plus an additional acre for each 100 persons of ultimate enrollment (2)	1 mile or more	Site should be located on or close to a major street.
Neighborhood Park		5 acres minimum	1/4 to 1/2 mile with a density of 10 or more persons per acre	Site should be adjacent to or near an elementary school. It should provide passive recreation facilities for people of all ages residing in the neighborhood.
Playfield		10 to 12 acres minimum and 20 to 30 acres is desirable	Should be within 1/2 mile to 1 mile of every home. One playfield serves 4 or 5 neighborhoods or 20,000 persons maximum.	Site should be located at or adjoining a high school. It should provide for field games or sports, court games, areas for lawn games, swimming pool, parking areas, picnic areas.

1. Minimum, Maximum, Optimum pupil capacities vary with local school district practices or standards.
2. Source: 1964 National Council on Schoolhouse Construction, Guide for Planning School Plants.

7L



Refer to Std. C-120 for Sidewalks, Curbs & Gutters.

Old existing pav't encroaching under median so as to interfere with curb construction, utilities, or drainage, will be removed.

REVISED	
DATE	APPROVED
7-6-71	RCE

* Sidewalk optional

MARICOPA COUNTY HIGHWAY DEPARTMENT
ENGINEERING DIVISION

TYPICAL CROSS SECTIONS
MAJOR ARTERIAL STREETS

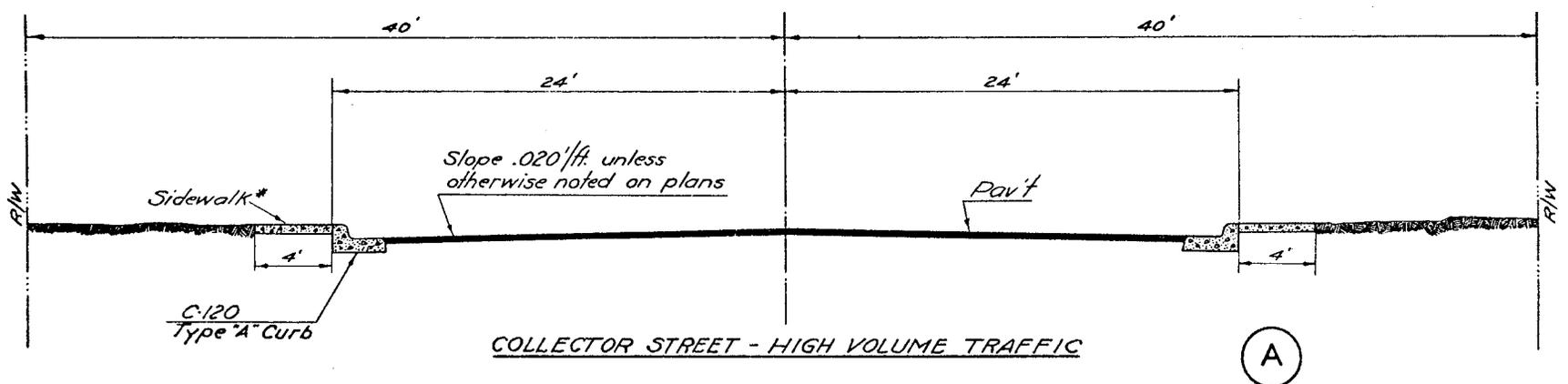
17

DRAWN: J.H.M. | DATE: 8-5-63 | PROJECT NO: 000

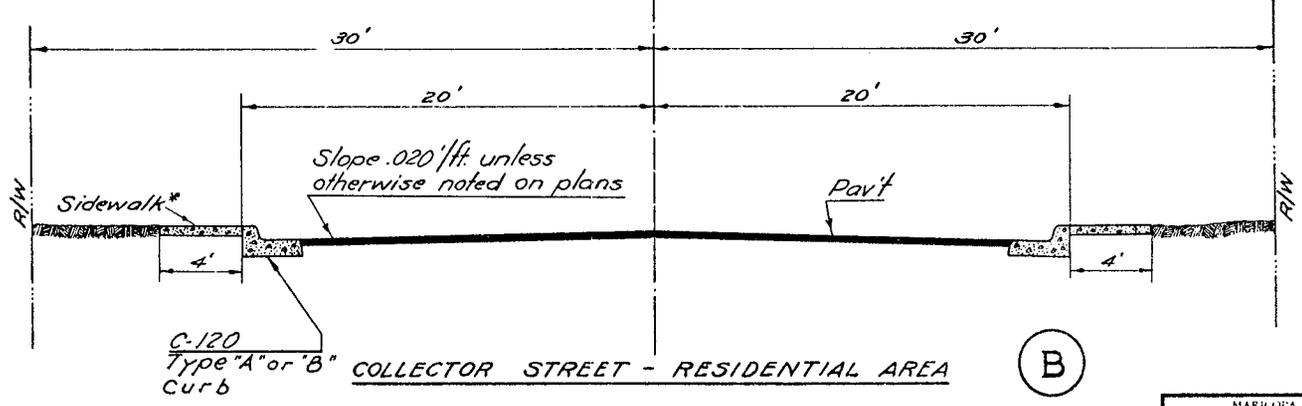
APPROVED: Samuel T. Sanford

APPROVED FOR COUNTY BOARD OF SUPERVISORS
B.H. Borna
CHAIRMAN

75



(A)



(B)

REVISED	
DATE	APPROVED
7-4-77	JCO

* Sidewalk optional

See Std. C-120 for details of Sidewalks, Curbs & Gutters.

NO SCALE

MARRIOPA COUNTY HIGHWAY DEPARTMENT
ENGINEERING DIVISION

TYPICAL CROSS SECTIONS
COLLECTOR STREETS

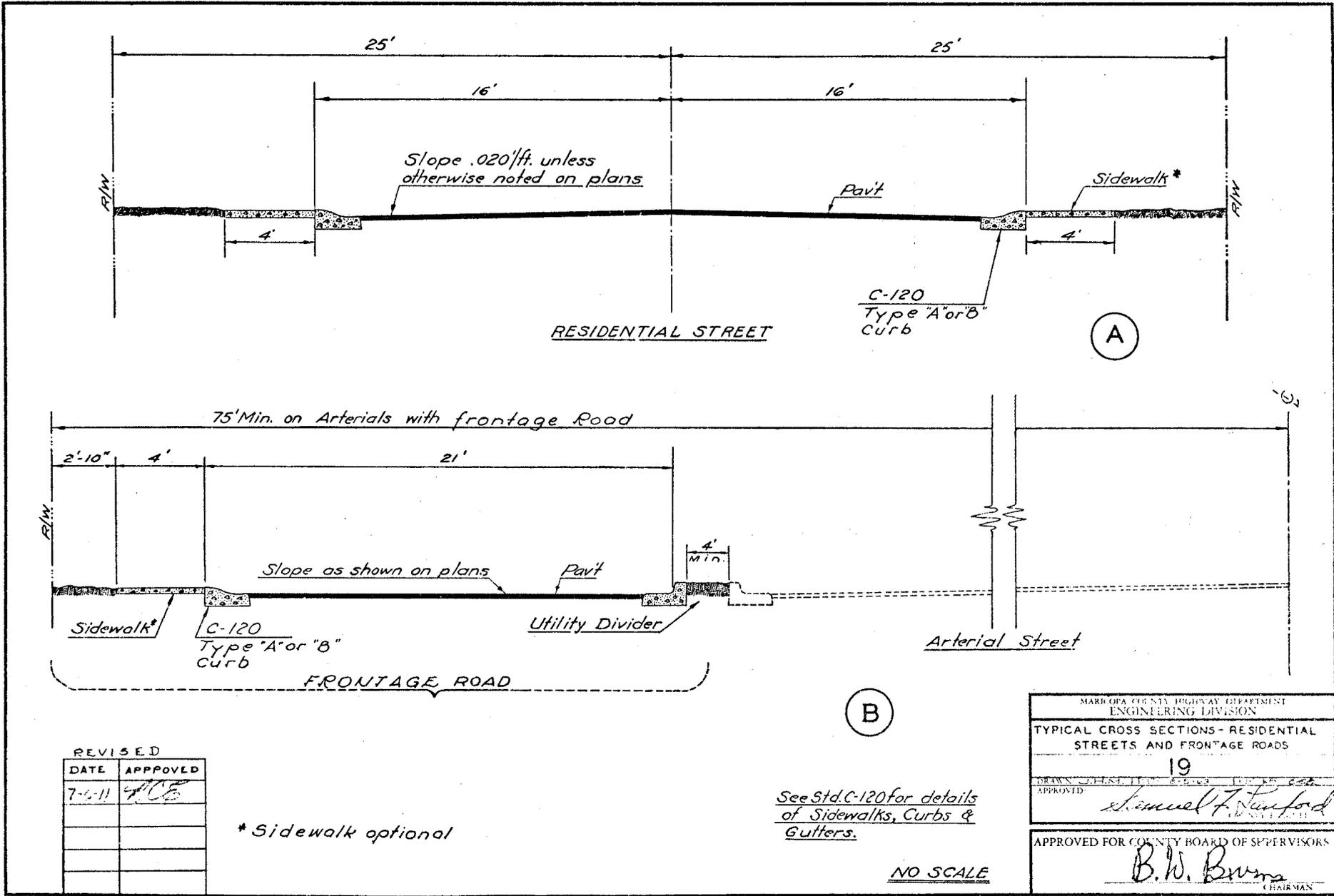
18

DRAWN: J.H.M. DATE: 8-8-73 JOB: VMS 022

APPROVED: Samuel J. Sanford

APPROVED FOR COUNTY BOARD OF SUPERVISORS

B. W. Burns CHAIRMAN



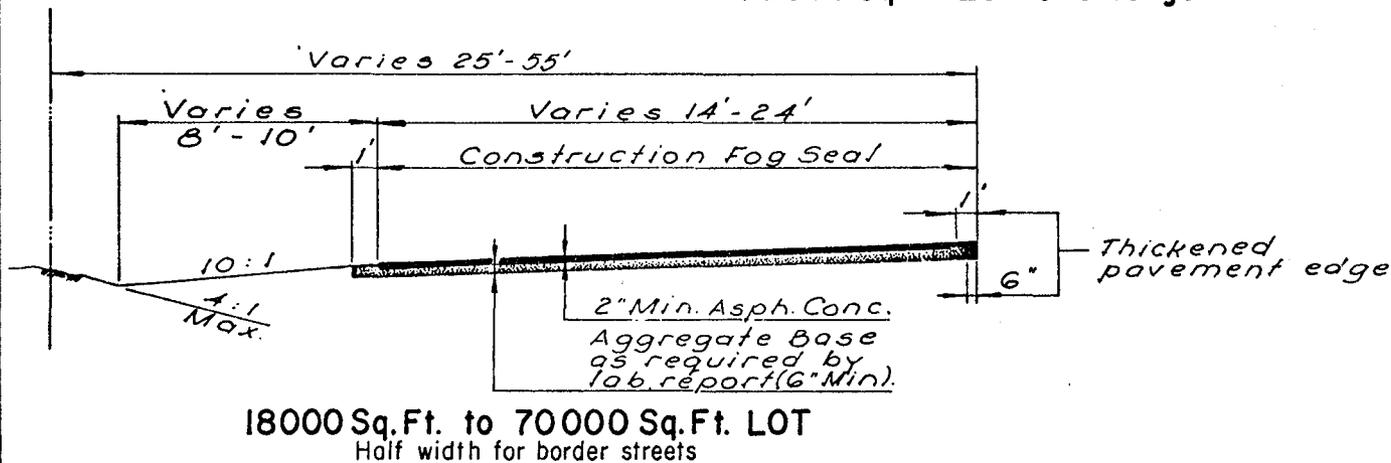
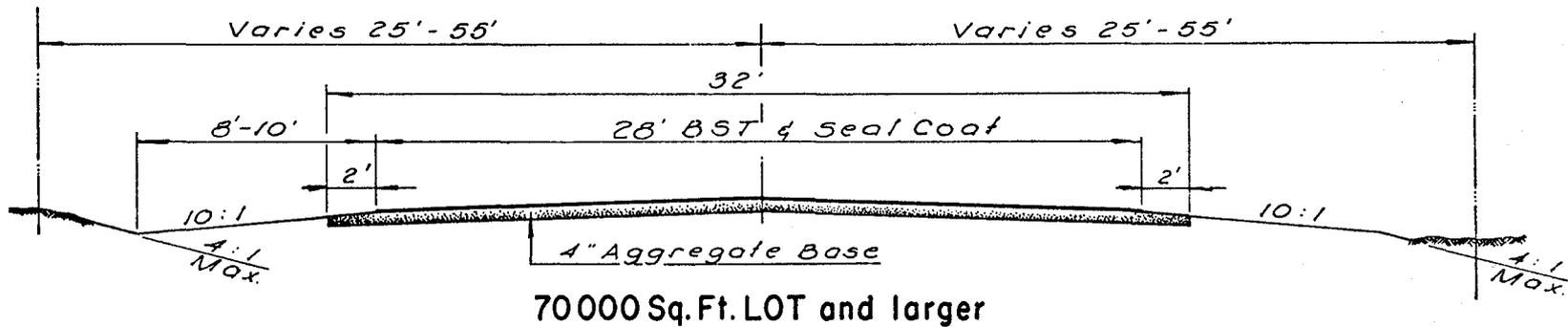
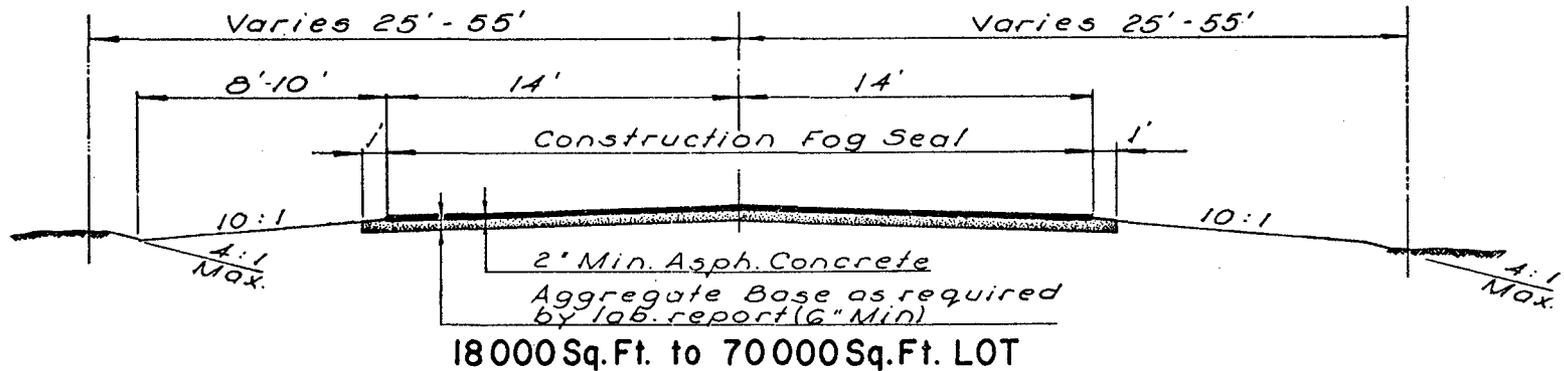
MARICOPA COUNTY HIGHWAY DEPARTMENT
ENGINEERING DIVISION

TYPICAL CROSS SECTIONS - RESIDENTIAL
STREETS AND FRONTAGE ROADS

19

APPROVED: *Samuel F. Stanford*

APPROVED FOR COUNTY BOARD OF SUPERVISORS
B.W. Burns
CHAIRMAN



MARICOPA COUNTY HIGHWAY DEPARTMENT ENGINEERING DIVISION	
TYPICAL CROSS SECTION RESIDENTIAL STREETS AND ACCESS ROADS	
20	
DRAWN: W. R.	DATE: 3 9 72 CHECKED:
<i>R.C. Edwards</i> COUNTY ENGINEER	

REVISED			
DATE	APPROVED	DATE	APPROVED
9.26.72	<i>[Signature]</i>		

APPENDIX C

ARIZONA REVISED STATUTES

Subdivision Platting Rules

11-806.01. Subdivision regulation; platting rules; penalty

- A. The county board of supervisors shall regulate the subdivision of all lands within its corporate limits, except subdivisions which are regulated by municipalities.
- B. No plat of a subdivision of land within the area of jurisdiction of such county shall be accepted for recording or recorded until it has been approved by the board. The approval of the board shall be endorsed in writing on the plat and shall also include specific identification of and approval of the assurances required by this section. Where a county planning and zoning commission exists, the plat shall first have been referred to such commission for its consideration and the board shall have received the recommendation of the commission.
- C. Any person causing a final plat to be recorded without first submitting the plat and obtaining approval of the board shall be guilty of a misdemeanor. No county recorder shall accept for recording or record any plat which has not been approved as provided by this article.
- D. The ground of refusal or approval of any plat submitted, including citation of or reference to the rule or regulation violated by the plat, shall be stated upon the record of the board.

E. The commission shall recommend to the board and the board shall adopt general rules and regulations of uniform application governing plats and subdivisions of land within its area of jurisdiction. The regulations adopted shall secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the official map for adequate and convenient open spaces for traffic, utilities, drainage, access of fire fighting apparatus, recreation, light and air. The general rules and regulations may provide for the modification thereof by the commission in planned area development or specific cases where unusual topographical or other exceptional conditions may require such action. The regulations shall include provisions as to the extent to which streets and other highways shall be graded and improved and to which water, sewer, or other utility mains, piping or other facilities shall be installed or provided for on the plat as a condition precedent to the approval of the final plat.

F. Boards of supervisors of counties shall prepare specifications and make orders, inspections, examinations and certificates as may be necessary to protect and complete the provisions and make them effective. The regulations shall require the 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 established minimum standards of design and construction.

G. Before adoption of rules and regulations by the board or any amendment thereof as provided in this article, a public hearing shall be held by the commission. A copy of the rules and regulations shall be certified by the commission to the county board of supervisors which shall hold a public hearing after notice of time and place has been given by one publication fifteen days prior to the public hearing in a newspaper of general circulation in the county.

II. Approval of a plat shall not be deemed to constitute or effect an acceptance by the county for designation of any street, highway or other way or open space shown upon the plat into the county maintenance system. However, at such time as the streets, highways or other ways are fully completed in accordance with the approved plat and written specifications made by the county board, the county shall accept such streets, highways and other ways into the county maintenance system within one year of completion. Added Laws 1971, Ch. 129, ss 7, eff. May 6, 1971. As amended Laws 1975, Ch. 151, ss 34, eff. June 13, 1975.

APPENDIX D

A.R.S. Sections 9-474 Through 479

SUBDIVIDING WITHIN THREE MILES OF CITIES AND TOWNS

Section 9-474. Subdivision plats; projection of street and alley lines; approval; survey

- A. When the owner of land, the whole or part of which is in an unincorporated area within three miles from the corporate limits of a city or town having an ordinance establishing minimum subdivision standards and controls, desires to subdivide the land into lots for the purpose of selling it by reference to a map or plat, he shall first give written notice to the city or town of his intention to subdivide the land, naming and describing the land so that it may be identified upon the ground, and shall submit to the city or town a tentative plat of the land showing the manner in which he desires to subdivide the land.
- B. If the city or town desires that the streets or alleys of the tract conform with the projected streets or alleys of the city or town, or of an adopted plan of the city or town, then the city or town may, at its cost, project the lines of its streets and alleys to the nearest outer boundary lines of the subdivision and thereon mark the same, and shall supply the owner with the courses of lines.
- C. The city or town may also submit to the owner a written report recommending changes in the submitted plat of the location or dimension of streets,

alleys, parks, easement for rights-of-way or property intended to be devoted to the use of the public. One copy of the report shall be delivered to the board of supervisors of the county.

- D. If the report is given to the owner or the lines are so marked and the courses given the owner within thirty days from the date of service of notice of intention to the city or town, then the owner shall cause the land to be subdivided into blocks, lots, streets, alleys, parks and parkways, so as reasonably to conform to the report and the projected lines and the courses thereof, and shall prepare in duplicate an accurate map or plat thereof on cloth, drawn and attested by a registered civil engineer or registered land surveyor from his survey of the ground.

The engineer or registered land surveyor shall, in making the surveys, leave sufficient permanent monuments so that another surveyor or engineer may retrace his work. The nature and location of the monuments shall be plainly shown on the plat.

- E. The plat shall particularly set forth and describe:

1. Parcels of ground within the tract or subdivision to be used for public purposes or offered for dedication for public uses, and their dimensions, boundaries and courses.
2. Either by number or letter, lots intended for sale, or reserved for private use, and their dimensions, boundaries and courses.

3. The location of the subdivision into lots with reference to adjacent subdivisions, the maps or plats of which have been previously recorded, or if none, then with reference to corners of a United States survey, or if on land unsurveyed by the United States, then to some prominent artificial monument established for such purpose. As amended Laws 1958, Ch 81, Subsection 1; Laws 1974, Ch 130, Subsection 1.

Section 9-475 Filing of map; hearing; approval; recording

- A. One copy of the plat or map shall be filed with the city or town and the other copy with the board of supervisors of the county in which the subdivision is situated, to which shall be attached the petition of the owner praying for approval of the plat or map.
- B. The board of supervisors shall set the petition for hearing not less than fifteen and not more than thirty days from the date of the filing of the plat or map and petition with the board, and shall cause written notice thereof to be given to the governing body of the city or town. The city or town may appear at the hearing and show cause why the petition should not be granted. Upon the hearing, if it appears to the board that the plat or map reasonably conforms to legal requirements it shall approve and endorse the approval upon the plat or map and transmit it to the county recorder of the county for filing.

Section 9-476 Amendments to plat; nonacceptance by owner; projection expenses

If on the hearing it is determined by the board that corrections, additions or amendments in any respect shall be made to the plat or map then a plat or map shall be prepared by the owner in accordance with the amendments, corrections or additions, and the consent of the owner and the board shall be endorsed thereon and filed with the county recorder. If the owner declines to accept the amendments, additions or corrections he shall pay to the city or town the actual engineering expenses incurred in the preparation of the projections.

Section 9-477 Subdivision name; limitation; title to streets

- A. Upon the plat or map shall be endorsed a name, title or designation of the subdivision and the acknowledgement by the owner or some person for him duly authorized thereunto by deed.
- B. No title, name or designation shall be given that is the same as that of a subdivision in a city or town in the same county of which a plat or map has been recorded.
- C. Upon the filing of the plat or map, the fee of all streets, alleys, parks and other parcels of ground reserved therein to the use of the public, shall vest in the public.

Section 9-478 Acceptance of plat by recorder

No plat or map shall be accepted by the county recorder for filing unless it complies with the provisions of this article, but if an owner has given to a city or town written notice of intention to subdivide and the city or town has failed or refused within the time specified in this article to project the lines of its streets and alleys and to supply the courses thereof, then the owner may file with the county recorder the plat or map of the subdivision in conformity with law, attaching thereto the sworn statement of the owner of the proceedings.

Section 9-479 Conveyance by reference to plat; restriction; violation; penalty

- A. No property shall be sold or described in a conveyance or other instrument by reference to any map or plat of a subdivision comprehended within the provisions of this article unless the map or plat has been prepared and filed under the provisions of this article.
- B. Every person who sells or offers for sale a lot or parcel of land by reference to a map or plat not prepared in accordance with the provisions of this article is guilty of a misdemeanor, and every sale or offer of sale of such lot or parcel of land constitutes a separate offense.

APPENDIX E

A.R.S. ARTICLE 4. SALE OF SUBDIVISION LANDS

Section 32-2181. Notice to commissioner of intention to subdivide lands;
fractional interests; exceptions

A. Before offering subdivided lands for sale or lease, the owner, agent or subdivider shall notify the commissioner in writing of his intention.

The notice shall contain:

1. Name and address of owner.
2. Name and address of subdivider.
3. Legal description and area of land.
4. A true statement of the condition of the title to the land, including all encumbrances thereon.
5. The terms and conditions on which it is intended to dispose of the land, together with copies of any real estate sales contract, conveyance, lease, assignment or other instrument intended to be used, and such other information the owner, his agent or subdivider desires to present.
6. A map of the subdivision which has been filed in the office of the county recorder in the county in which the subdivision is located.

7. A brief but comprehensive statement describing the land on and the locality in which the subdivision is located.
8. A statement of the provisions that have been made for permanent access and provisions, if any, for health department approved sewage and solid waste collection and disposal and public utilities in the proposed subdivision, including water, electricity, gas and telephone facilities.
9. A statement as to the location of the nearest public common and high schools available for the attendance of school age pupils residing on the subdivision property.
10. A statement of the use or uses for which the proposed subdivision will be offered.
11. A statement of the provisions, if any, limiting the use or occupancy of the parcels in the subdivision, together with copies of any restrictive covenants affecting all or part of the subdivision.
12. The name and business address of the principal broker selling or leasing, within this State, lots or parcels in the subdivision.
13. A true statement of the approximate amount of indebtedness which is a lien on the subdivision or any part thereof and which was incurred to pay for the construction of any on-site or off-site improvements, or any community or recreational facility.

14. A true statement or reasonable estimate, if applicable, of the amount of any indebtedness which has been or is proposed to be incurred by an existing or proposed special district, entity, taxing area or assessment district, within the boundaries of which, the subdivision, or any part thereof is located, and which is to pay for the construction or installation of any improvement or to furnish community or recreational facilities to such subdivision, and which amounts are to be obtained by ad valorem tax or assessment, or by a special assessment or tax upon the subdivision or any part thereof.
15. A true statement as to the approximate amount of annual taxes, special assessment or fees to be paid by the buyer for the proposed annual maintenance of common facilities in the subdivision.
16. A statement of the provisions for easements for permanent access for irrigation water where applicable.
17. A true statement of assurances for the installation of off-site improvements, such as roads and utilities, and approval thereof by the political subdivision having such authority.
18. A true statement of provisions made for financing any community, recreational or other facilities to be included in the offering or represented as being in the offering. Such statement shall include a trust agreement or other evidence of assurances for delivery of such facilities and a statement of the provisions, if any, for the continued maintenance of such facilities.

B. It shall be unlawful for a person or group of persons acting in concert to attempt to avoid the provisions of this article by acting in concert to divide a parcel of land by using a series of owners or conveyances or by any other method which ultimately results in the division of such lands into a subdivision. Such a plan or offering is subject to the provision of this article.

C. A creation of four or more fractional interests in improved or unimproved land, lots or parcels of any size shall subject such lands to the provisions of this article except when:

1. Each of the fractional interests represents, on a partition basis, thirty-six acres or more in area of land located in this State including to the center line of dedicated roads or easements, if any, contiguous to the land in which such interests are held.
2. The fractional interests are the result of a foreclosure sale, the exercise by a trustee under a deed of trust of a power of sale or the grant of a deed in lieu of foreclosure.
3. The fractional interests are created by a valid order or decree of a court or by operation of law.
4. The fractional interests consist of interests in any oil, gas or mineral lease, permit, claim or right therein and such interests are regulated as securities by the United States or by this State.

5. The fractional interests are registered as securities under the laws of the United States or the laws of this State or are exempt transactions under the provisions of ss 44-1844, 44-1845, or 44-1846.
 6. The commissioner by special order exempts offerings or dispositions of any fractional interests from compliance with the provisions of this article upon written petition and upon a showing satisfactory to the commissioner that compliance is not essential to the public interest or for the protection of buyers.
- D. If the Arizona water commission, pursuant to ss 45-513, reports an inadequate on-site supply of water to meet the needs projected by the developer or if no water is available the State real estate commissioner shall require that all promotional material and contracts for sale of lots in subdivisions approved by the commissioner adequately display the Arizona water commissioner's report or the developer's brief summary thereof as approved by the commissioner on the proposed water supply for the subdivision.
- E. The commissioner may require any additional information which is reasonably necessary to determine the good moral character of anyone directly involved in subdividing land within the State. The information may include, but shall not be limited to:
1. Prior criminal records.

2. Fingerprints or background information, pursuant to subsection G. of ss 41-1750. Each applicant requiring a fingerprint or background investigation will be charged a fee of not more than two dollars. For such purpose, the real estate department and the department of public safety may enter into an intergovernmental agreement pursuant to title 11 chapter 7, article 3. Such fees shall be credited pursuant to section 35-148.

3. An affidavit setting out whether the applicant has participated in, operated or held an interest in any land development company which has filed, or is subject to, a petition under any chapter of the federal bankruptcy act, or the names of any persons who have been indicted for fraud or against whom an information for fraud has been filed. As amended Laws 1972, Ch. 110, ss 30; Laws 1973, Ch. 94, ss 2; Laws 1973, Ch. 129, ss 2; Laws 1975, Ch. 151, ss 20, eff. June 13, 1975.

Section 32-2181.01. Power of commissioner to exempt certain subdivisions or fractional interests by special order

- A. The commissioner may in his discretion by special order exempt from the provisions of this article certain subdivided lands or fractional interests therein upon written petition and upon a showing by the petitioner, satisfactory to the commissioner, that compliance with the provisions of this article is not essential to the public interest or for the protection of buyers by reason of the special characteristics of the subdivided lands or fractional

interests therein or the limited character and duration of the offer for sale, lease or financing or the special characteristics or limited number of fractional interests.

- B. Special orders issued pursuant to this section shall relate to specific lands or specific fractional interests.
- C. A petition filed under this section shall be accompanied by an initial fee of seventy-five dollars. No fees shall be returnable irrespective of the nature of the action upon the petition. Added Laws 1972, Ch. 110, ss 31.

Section 32-2182. Examination of subdivision by commissioner; fee

The commissioner shall examine any subdivision offered for sale or lease, and shall make public his findings. The total cost of travel and subsistence expenses incurred by the department in the examination, in addition to the initial filing fee provided for in this section, shall be borne by the owner of the subdivision or his agent, or the subdivider of the project, on the basis of actual cost to the department. An initial filing fee of one hundred dollars shall accompany the written notification required in ss 32-2181. As amended Laws 1961, Ch. 9, ss 3; Laws 1972, Ch. 110, ss 32; Laws 1975, Ch. 35, ss 2, eff. May 12, 1975.

Section 32-2183. Report of commissioner on subdivision; order prohibiting sale or lease; Investigations by commissioner; public hearings; summary orders

- A. Upon examination of a subdivision, the commissioner within a reasonable time shall prepare a report thereon. It is unlawful for subdivided lands to be offered for sale or lease by the owner, agent or subdivider thereof until the public report has been prepared and the owner, agent or subdivider has been given notice by the commissioner that the subdivided lands may be offered for sale or lease. Any sale or lease of subdivided lands prior to issuance of such notice shall be voidable by the purchaser. An action by the purchaser to void such transaction shall be brought within three years of the date of execution of the purchase agreement by the purchaser. In any such action, the prevailing party shall be entitled to reasonable attorney's fees as determined by the court. The commissioner may require the owner, agent or subdivider to reproduce the report and furnish each prospective customer with a copy, taking a receipt therefor. An order prohibiting the sale or lease of the property may be issued by the commissioner if the examination discloses that sale or lease would constitute misrepresentation, deceit or fraud, or that the owner, agent, subdivider, officer or partner, subdivider trust beneficiary or, if a corporation, any stockholder owning ten percent or more of the stock in such corporation has participated in, operated or held an interest in any land development company which is bankrupt or has been indicted for fraud or against whom an information for fraud has been filed or has been con-

victed of a felony. Except as provided in ss 32-2157, before an order of prohibition shall issue, the commissioner shall hold a hearing as provided in this chapter.

- B. The commissioner, on his own motion, or when he has received a complaint and he has satisfactory evidence that the owner, agent or subdivider is violating any provision set forth in this article or the rules and regulations of the commissioner or deviated from the provisions of the public report, may investigate the subdivision project and examine the books and records of the owner, agent or subdivider. For the purpose of examination, the owner, agent or subdivider shall keep and maintain records of all sales transactions and funds received by him pursuant thereto, and make them accessible to the commissioner upon reasonable notice and demand.
- C. The commissioner, on his own motion, or when he has received a complaint and he has satisfactory evidence that any person has violated any of the provisions of this article or the rules and regulations of the commissioner, or deviated from the provisions of the public report, or that the owner, agent, subdivider, officer or partner, subdivider trust beneficiary or, if a corporation, any stockholder owning ten percent or more of the stock in such corporation has participated in, operated or held an interest in any land development company which is bankrupt or has been indicted for fraud or against whom an information for fraud has been filed or has been convicted of a felony, before or after the commissioner prepares the public report as provided in subsection A, may conduct an investigation of such

matter, issue a summary order as provided in ss 32-2157, or hold a public hearing and, after the hearing, may issue such order or orders as he may deem necessary to protect the public interest and insure compliance with the law, or rules and regulations or public report or the commissioner may bring action in any court of competent jurisdiction against such person to enjoin such person from continuing such violation or engaging therein or doing any act or acts in furtherance thereof. Such court may make such orders or judgments, including the appointment of a receiver as may be necessary to prevent the use or employment by a person of any unlawful practices, or which may be necessary to restore to any person in interest any monies or property, real or personal, which may have been acquired by means of any practice in this article declared to be unlawful.

- D. When it appears to the commissioner that a person has engaged in or is engaging in a practice declared to be unlawful by this article and that such person is concealing assets or self or has made arrangements to conceal assets or is about to leave the State, the commissioner may apply to the superior court, ex parte, for an order appointing a receiver of the assets of such person, for a writ of ne exeat or both.

- E. The court upon receipt of an application for the appointment of a receiver, for a writ ne exeat or both shall examine the verified application of the commissioner and such other evidence that the commissioner may present the court. If satisfied that the interests of the public

require the appointment of a receiver or the issuance of a writ ne exeat without notice, the court shall issue an order appointing the receiver or issue the writ or both. If the court determines that the interests of the public will not be harmed by the giving of notice, the court shall set a time for a hearing and require such notice be given as the court deems satisfactory.

- F. If the court appoints a receiver without notice, the court shall further direct that a copy of the order appointing a receiver be served upon the person engaged in or engaging in a practice declared to be unlawful under this article by delivering such order to the last address of such person which is on file with the real estate department. The order shall inform such person that he has the right to request a hearing within ten days of the date of the order and if requested, the hearing shall be held within thirty days from the date of the order. As amended Laws 1961, Ch. 9, ss 4; Laws 1967, Ch. 61, ss 7; Laws 1971, Ch. 181, ss4, Laws 1972, Ch. 110, ss 33; Laws 1974, Ch. 135, ss 5; Laws 1975, Ch. 151, ss 21, eff. June 13, 1975.

Section 32-2183.01. Advertising material; costs of investigation

- A. The subdivider shall file with the commissioner a copy of any original promotional and advertising material used in connection with sales of the subdivided lands and copies of any material changes therein.
- B. For any subdivision investigation made under ss 32-2183 of an out-of-State subdivision or any in-State subdivision to which the commissioner

issues any order necessary to protect the public interest and insure compliance with the law, rules and regulations or public report the subdivider shall reimburse travel and subsistence expenses incurred by the department. Added Laws 1972, Ch. 110, ss 34.

Section 32-2183.02. Recording of actions

- A. Whenever the commissioner issues a cease and desist order, obtains a court order enjoining further sales, issues an order of prohibition or suspends approval of a subdivision, the action shall be recorded in the book of deeds in the office of the county recorder in any county in which the subdivision property is located.
 - B. In the event of revocation of any of the orders which require recording in subsection A, an order of release shall be recorded in the same manner.
- Added Laws 1972, Ch. 110, ss 34.

Section 32-2184. Change of subdivision plan after approval by commissioner; notice

It is unlawful for any owner, agent or subdivider, after submitting to the commissioner the plan under which a subdivision is to be offered for sale or lease, and securing his approval, to change the plan materially without first notifying the commissioner in writing of the intended change. Material changes covered by this section shall be prescribed in the rules and regulations of

the commissioner. Upon receipt of any notice of a material change, the commissioner may, if he determines such action to be necessary for the protection of purchasers, suspend his approval of sale or lease pending amendment of the public report. As amended Laws 1967, Ch. 61, ss 8; Laws 1972, Ch. 110, ss 35; Laws 1975, Ch. 151, ss 22, eff. June 13, 1975.

Section 32-2185. Delivery of clear title by vendor upon performance of contract by vendee

It is unlawful to sell any lot or parcel of a subdivision which is subject to a lien or encumbrance other than taxes or assessments levied by public authority, or when the interest of the owner, his agent or subdivider of the land is held under option or contract of purchase or in trust, unless there is a provision in the instrument evidencing the lien, encumbrance, option, contract or trust agreement, or in a valid supplementary agreement, enabling the vendor to deliver title to each parcel sold free of the lien, encumbrance, option, contract or trust agreement, upon completion of all payments and performances of all the terms and provisions required to be made or performed by the vendee under the real estate sales contract. Certified or verified copies of documents containing such provisions shall be filed with the commissioner prior to the sale of any part of any such subdivision. As amended Laws 1972, Ch. 110, ss 36.

Section 32-2185.01. Sale of unimproved lots or parcels; conditions precedent; methods

A. It is unlawful for the owner, agent or subdivider of subdivided lands to sell or offer to sell unimproved lots or parcels within a subdivision unless the sale complies with one of the following:

1. Execution, delivery, and recording of a deed in good and sufficient form conveying to the purchaser merchantable and marketable title to the property subject only to such exceptions as may be agreed to in writing by the purchaser. Any balance remaining unpaid by the purchaser may be evidenced by a note and mortgage or deed of trust. The deed and mortgage or deed of trust shall be recorded by the owner, agent or subdivider within sixty days of execution thereof by the purchaser.

2. Execution, delivery, recording and depositing in escrow, not later than sixty days after execution by the purchaser, with a person or firm authorized to receive escrows under the laws of this State or the State in which the subdivision is located, of a real estate sales contract pertaining to the property, which contract sets forth the full and correct legal description of the property being sold and the precise terms and conditions under which the property is being sold together with:
 - (a) A copy of a preliminary title report showing the conditions of title to the property on the date of the real estate sales contract or a preliminary title report showing the condition of title on an earlier date together with a copy of any document, recorded subsequent to the date of the preliminary title report, which affects the title to the property.

 - (b) An executed deed in good and sufficient form conveying to the purchaser merchantable and marketable title, subject only to such exceptions as may be agreed to in writing by the purchaser which deed, under the terms of the real estate sales contract, is to be delivered to the escrow agent

provided for under the contract and is to be recorded within sixty days after purchaser's compliance with the obligations imposed on him under the contract together with any release or partial release of any blanket encumbrance pertaining to said lot.

- (c) Any and all documents necessary to release or extinguish any blanket encumbrance to the extent it applies to the real property being sold, or a partial release of the lot or parcel being sold from the terms and provisions of such blanket encumbrance.
3. Execution, delivery and recording of a deed to the real property to a trustee together with a trust agreement and any and all documents necessary to release or extinguish any blanket encumbrance to the extent it applies to property being sold, or a partial release of the lot or parcel being sold from the terms and provisions of such blanket encumbrance. The trust agreement shall provide for conveyance by the trustee to a purchaser, upon purchaser's compliance with the obligations imposed on him under his real estate sales contract, by a deed in good and sufficient form conveying to the purchaser merchantable and marketable title, subject only to such exceptions as may be agreed to in writing by the purchaser. The real estate sales contract of the lot being sold shall be recorded by the owner, agent or subdivider within sixty days of execution of the real estate sales contract by the purchaser. The trustee shall execute, record and deliver the deed and record the release or partial release required by this subsection within sixty days of the purchaser's fulfillment of the terms of his real estate sales contract.

- B. All documents required to be recorded under the provisions of this section shall be recorded in the county and state wherein the subdivision is located.
- C. Any sale or assignment of a mortgage, deed of trust or real estate sales contract by an owner, agent, subdivider or trustee shall be recorded in the county and state where the subdivision is located and a notice of such sale or assignment provided to the commissioner, the recording and notice thereof to be effected not later than sixty days after the execution of such assignment.
- D. If a buyer of an unimproved lot or parcel has not inspected the lot or parcel prior to the execution of the purchase agreement, the buyer shall have a six-month period after the execution of the purchase agreement to inspect the lot or parcel and at the time of the inspection have the right to unilaterally rescind the purchase agreement. At the time of inspection the buyer must sign an affidavit stating that he has inspected the lot, and at the request of the commissioner, such affidavit may be required to be filed with the department.
- E. Only a bank, savings and loan association, or title insurance company doing business under the laws of this State or the United States or the state in which the subdivision is located, or a title insurance company wholly owned subsidiary or underwriting agent qualified under ss 20-1580, or persons or firms authorized to receive escrows under the laws of this State or the state in which the subdivision is located may act as trustee under paragraph 3 of Subsection A of this Section. Nothing in this subsection extends to a firm or individual authority to act as a trustee unless such authority is otherwise provided by law.

- F. The provisions of this section shall not apply to the sale of improved lots as defined by paragraph 13, of ss 32-2101. Added Laws 1971, Ch. 181, ss 5. As amended Laws 1972, Ch. 110, ss 37; Laws 1974, Ch. 135, ss 6; Laws 1975, Ch. 151, ss 23, eff. June 13, 1975.

Section 32-2185.02. Permanent access to subdivided land

- A. No subdivided land may be sold without provision for permanent access to the land.
- B. Any sale of subdivided land which is without permanent access is voidable by the purchaser. Added Laws 1972, Ch. 110, ss 38, as amended Laws 1973, Ch. 129, ss 3.

Section 32-2185.03 Deposit of fees

All fees and earned expense collected under this chapter shall be deposited in the State general fund unless otherwise prescribed by law. Added Laws 1972, Ch. 110, ss 38. As amended Laws 1975, Ch. 151, ss 24, eff. June 13, 1975.

Section 32-2185.04. Violation of article; penalties

Any person who knowingly violates any of the provisions of this article or the rules and regulations prescribed pursuant thereto, or any person who willfully, in a statement of record filed under, or in a property report

issued pursuant to this article, makes any untrue statement of a material fact or omits to state any material fact required to be stated therein shall upon conviction be fined not more than five thousand dollars or imprisoned not more than five years, or both. Added Laws 1974, Ch. 135, ss 7.

Section 32-2185.05. Surety bond requirements; cancellation; exemption

- A. As a condition precedent to the sale of any subdivided lands, the commissioner shall require of the subdivider a surety bond to assure that the subdivider shall comply faithfully with all the provisions of this chapter. All bonds shall be in favor of the State, for the use, benefit and protection of any person who as the purchaser of a lot is injured by fraud or misrepresentation of the subdivider in his capacity as such. Any person who suffers loss may bring suit upon the bond in his own name except that the total aggregate liability of the surety for all claims shall be limited to the principal amount of the bond irrespective of the number of years the bond is in force. The principal sum of the bond shall be in such amount as the commissioner shall deem necessary to protect purchasers when the volume of business of the subdivider and other relevant factors are taken into consideration, but in no event less than five thousand dollars.
- B. The surety bond shall continue in effect until all sales of the subdivider have been substantially completed as determined by the commissioner and until the commissioner may determine that such bond is no

longer necessary, unless cancelled earlier by the surety as herein provided. Upon receipt by the commissioner of notice to cancel a bond by any surety, the commissioner shall immediately notify the subdivider on the bond of the effective date of cancellation of the bond and that subdivider must furnish a like bond within thirty days after mailing of notice by the commissioner or the subdivider's right to sell lots in any subdivision shall be suspended. Notice to the subdivider shall be by certified mail in a sealed envelope with postage fully prepaid thereon, addressed to the subdivider's latest address of record in the commissioner's office. The subdivider's right to sell lots shall be suspended by operation of law on the date the bond is cancelled unless a replacement bond is filed with the commissioner.

- C. The commissioner may exempt a subdivider of fifty or fewer lots, parcels, units or interests from the bonding provisions of subsection A and B of this section, if the commissioner determines that the plan of promotion and disposition is primarily directed to persons in the local community in which the subdivision is located. Added Laws 1975, Ch. 151, ss 25, eff. June 13, 1975.

APPENDIX F

Section 45-513. Evaluation of subdivision water supply

- A. The developer of a proposed subdivision including dry lot subdivisions, regardless of subdivided lot size, prior to recordation of the plat, shall submit plans for the water supply for the subdivision and demonstrate the adequacy thereof to meet the needs projected by the developer to the Arizona water commission. The Arizona water commission shall evaluate the plans and issue a report thereon. The Arizona water commission may designate service areas where an adequate water supply exists by reporting such designation to the water department of the city or town or private water company and the State real estate commissioner. A developer shall not be required to submit plans for the water supply in such service areas. The Arizona water commission may revoke such designation when it finds that the water supply may become inadequate.
- B. The Arizona water commission shall evaluate the proposed source of water for the subdivision to determine its ability to meet proposed uses for a period of years commensurate with normal practices in other areas of the State and forward a copy of such evaluation to the State real estate commissioner.
- C. The State of Arizona and the Arizona water commission shall not be liable for any report, designation or evaluation prepared in good faith pursuant to this section. Added Laws 1973, Ch. 94, ss 3.

MARICOPA COUNTY
HIGHWAY DEPT
1975 OCT 22 PM 3:34

County of Maricopa

State of Arizona

Office of the Clerk

State of Arizona }
County of Maricopa } SS.

I, Rhea Woodall, Clerk of the Board of Supervisors do hereby Certify That the following is a true and correct extract from the minutes of the Board of Supervisors' meeting held October 20, 1975:

ADOPTION OF RESOLUTION RE: PERMITS TO WORK IN DEDICATED MARICOPA COUNTY RIGHTS-OF-WAY

(Resolution attached)

In Witness Whereof, I have hereunto set my hand and affixed the Official Seal of the Board of Supervisors. Done at Phoenix, the County Seat this 20th day of October A.D. 1975

Highway Department ✓
File

Rhea Woodall
Clerk of the Board of Supervisors

MARICOPA COUNTY RESOLUTION

WHEREAS, it is necessary in the public interest that all uses for the right-of-way for public roads, streets, and alleys by individuals, corporations and political subdivisions be regulated and controlled so that said public roads, streets, alleys may be effectively utilized and maintained for their primary purpose as public ways, and

WHEREAS, the laws of the State of Arizona authorize the Board of Supervisors of Maricopa County to control and manage said public roads, streets and alleys within Maricopa County.

NOW, THEREFORE, BE IT RESOLVED that no person, corporation, association or other political subdivision shall without obtaining a permit therefore, enter upon any public road, street, alley or way or upon the right-of-way of any public road, street, alley or way, not a State Highway, outside the corporate limits of any city or town for the purpose of performing any construction, reconstruction, removal, repair, maintenance or any other work, including, but not limited to the following:

1. Pavement, curbs, gutters, driveways, sidewalks;
2. Drainage or flood control facilities;
3. Grading, oiling, graveling or any surfacing of any road, street, alley or way;
4. Water, gas, sewer or other types of pipelines;
5. Irrigation and waste water facilities;
6. Utility lines such as electric, television, telephones, other power service and communication facilities;
7. Structures, signs (whether temporary or permanent);
8. Plantings, landscaping, watering and/or drainage systems, and decorative placements;
9. Any of the above which may overhang the public road, street, alley or way.

BE IT FURTHER RESOLVED that the Board of Supervisors of Maricopa County hereby authorize the County Engineer of Maricopa County to issue such permits.

BE IT FURTHER RESOLVED that all applications for such permits shall be in writing on such form as required by the County Engineer, unless waived in writing, by the County Engineer. The application shall be submitted at least three working days prior to start of construction and shall be accompanied by a drawing, map, blueprint, diagram, or similar exhibit of a size and in the quantity prescribed by the County Engineer, sufficient to clearly illustrate the location, dimension, motive, method and purpose of the proposed work. Applicants for such permits may be either an owner or a contractor; however, the work may be performed only by (1) a licensed contractor, (2) utility company, (3) governmental agency, or (4) resident owner of residential property, where the property owner proposes to do the work. If the improvement to be constructed under the permit is not to become the property of the County of Maricopa, and if the applicant is someone

other than the owner, the owner shall also sign the permit form indicating that he agrees to the conditions of the permit. Permits shall be issued only to the person, corporation or political subdivision making application therefor and may not be assigned to another person, corporation or political subdivision by the permittee. If a permittee assigns his permit to another, the permit shall become void. A permit shall be valid for one year from date of issue, unless sooner cancelled. If work is not completed within one year, a new permit must be obtained for such uncompleted work. If no work is performed after a permit is obtained, the permittee may apply for cancellation of the permit. If approved, the fee, less processing charge, shall be refunded to the permittee.

BE IT FURTHER RESOLVED that if any work is undertaken prior to securing a permit therefor, the County Engineer may require the County road to be restored to its original condition prior to granting a permit, or may charge a reasonable fee not to exceed \$500 in addition to the normal fee schedule for inspection and examination of the work done prior to issuance of a permit. All work shall cease until the County Engineer determines whether the public road should be restored to its original condition or grant a permit in accordance with this resolution.

BE IT FURTHER RESOLVED that this resolution shall not prevent any person, corporation or political subdivision from maintaining any pipe or conduit lawfully on or under any public street, or from making excavation as may be necessary for the preservation of life or property when an urgent necessity therefor arises during the hours the offices of the County Engineer are closed, except that those making emergency use shall apply for a permit within one (1) calendar day after the offices are again opened.

BE IT FURTHER RESOLVED that all work done in said public roads, streets, alleys or ways shall be done in accordance with the permit and specifications of Maricopa County for such installation. The County Engineer may require, in the public interest, such structures as designated by him to properly control traffic, provide access to adjoining property and maintain other facilities in the area.

BE IT FURTHER RESOLVED that the County Engineer shall furnish to the applicants such engineering and inspection services as will determine if the improvements constructed are in accordance with permits granted and the specifications and details mentioned in this resolution. Any persons or corporation, association, or political subdivision, doing work under any permit as set forth in this resolution shall notify the County Engineer at least one full working day in advance of the time and place the work will begin.

BE IT FURTHER RESOLVED that the applicant shall, before any permit shall be issued, deposit with the County Engineer a permit fee to cover the County's cost of inspection and clerical services. The schedule of fees set forth herein is established to offset the County's expenses incurred in connection with processing permit applications and inspecting work performed under the permits and the fee shall be computed on the basis of such fee schedules. If the work is not performed after a permit is obtained, the permit shall be cancelled and the portion of the fee relating to inspection costs refunded at the request of the applicant.

FEE SCHEDULE: Application or processing charge is \$5.00, plus the following:

<u>ITEM</u>	<u>UNIT</u>	<u>COST</u>
Paving	Square Yard	\$.04
Concrete Sidewalks	Square Foot	.01
Concrete Driveway Slab	Each	5.00
Curb and Gutter	Lineal Foot	.05
Combination Curb, Gutter & Sidewalk	Lineal Foot	.06
Cable & Conduit (exposed or buried)	Lineal Foot	.02
Drop Inlets, Manholes, Pull Boxes, Junction Boxes	Each	8.00
Water, Sewer, Gas & Irrigation Lines, 6" Diameter or Less	Lineal Foot	.06
Utility Pole (first 12 poles) (each pole thereafter)	Each	1.25
Water, Sewer, Gas & Irrigation Pipe greater than 6" in Diameter	Each	.75
Test Holes	Lineal Foot	.11
	Each	2.00

All others shall be computed at 3% of the cost as estimated by the County Engineer.

SUBDIVISION

All subdivisions under single permits shall be charged as follows:

0 - 5	\$25.00 per lot
6 - 25	16.00 per lot
26 - 60	14.00 per lot
60+	12.00 per lot

These charges include the fees for utility trenching within subdivision limits.

BE IT FURTHER RESOLVED that the County Engineer shall require each applicant referred to in this resolution, before granting the permit, to deposit with his office an amount in cash or a performance bond of a sum equal to one-half of the amount of the cost of work proposed in the application, as determined by the County Engineer, as a guarantee that the work will be completed in accordance with the permit and the County's details and specifications. He shall give the applicant his receipt for such a deposit. Work bonded to Maricopa County under the provisions of the Subdivision Regulations is not required to be bonded under the provisions of this paragraph.

The bond shall be joint and several in form and made payable to Maricopa County. The bond shall be signed by the applicant or the property owner if he is not the applicant, and a qualified surety company authorized to transact business in the State of Arizona. The condition shall be that the applicant will faithfully complete the work described in the application in accordance with the plans, specifications and conditions thereof.

The bond shall be released upon satisfactory completion and acceptance of the work, or may be cancelled after the applicant has provided other security satisfactory to the County which will cover obligations that remain.

No deposit shall be less than Ten Dollars (\$10.00) on work done under this article.

In instances where an applicant is issued numerous small permits throughout the year, he may post a continuing bond to cover work under more than one permit; however, this continuing bond provision is not intended for use on new subdivision type work. The continuing bond shall be of value sufficient to cover all work under construction by the permittee at any time and shall be satisfactory to the County Engineer.

The bond is subject to cancellation as noted above, or may be terminated after all obligations are fulfilled which were "permitted" prior to the County Engineer receiving cancellation notice from Surety. Surety shall not cancel, change or amend any bond without ten days prior written notice having been served on the County Engineer.

BE IT FURTHER RESOLVED that in addition to any liability imposed upon the permittee by law, the permittee shall indemnify and agree to save harmless the County and its elected or appointed officers, agents, boards, commissions, employees and representatives against and from any cost, expense, claim, demand or liability, arising out of, or in connection with any negligent act of omission by the permittee, his agents and employees, in the course of the performance of the work under permit which results directly or indirectly in the injury to or death of any person or persons or the damage of any property of any person or persons.

The permittee shall take out and maintain during the life of the permit, Workmen's Compensation Insurance for all his employees, employed at the site of the project, and in the case any work is sublet, the permittee shall require the subcontractor similarly to provide Workmen's Compensation Insurance for all of the latter's employees unless such employees are covered by protection afforded by the permittee. In case any class of employee who is engaged in hazardous work under this contract at the site of the project is not protected by Workmen's Compensation statute, the permittee shall provide and shall cause each subcontractor to provide protection equal to that required by law for protection of his employees not otherwise protected.

Except as hereafter provided, any applicant for a permit shall, prior to issuance of such permit, procure and deliver to the County Engineer a certificate of insurance covering Public Liability and Property Damage issued by an insurance company authorized by the Insurance Department of Arizona to transact business in the State of Arizona, as shall protect the applicant or contractor and any subcontractor performing any work covered by the permit from claims for damage, for personal injury, including death as well as from claims for property damages which may arise from the operations under this permit, or by anyone directly or indirectly employed by any of the foregoing. Such certificate shall contain coverage for explosions, collapse, and underground operations.

The certificate may be placed on file for each individual permit, or a blanket certificate may be filed for an extended period of time.

The policy limits of such liability insurance shall contain not less than the following limits of coverage:

Three hundred thousand (\$300,000) for death or bodily injury, or loss sustained by any one person per occurrence;
Seven hundred fifty thousand (\$750,000) for death or bodily injury or loss sustained by more than one person per occurrence;
Two hundred thousand dollars (\$200,000) for loss sustained by damage, or loss of property occasioned per occurrence.

This insurance policy shall not be cancelled or changed until ten days written notice of cancellation or change has been served on the County Engineer.

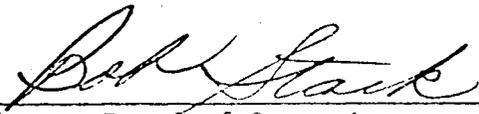
The permittee shall maintain said insurance in full force and effect until all work is complete and the permit has been released.

No evidence of liability insurance or surety bond shall be required as a condition precedent to the issuance of a permit to: (1) a resident owner of a residential property where he proposes to perform construction in front of his own property; (2) a federal, state, county or municipal agency or political subdivision; or (3) any public service corporation with a net worth of more than \$1,000,000 as reflected by its most current balance sheet.

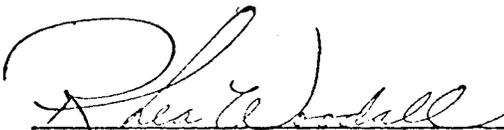
BE IT FURTHER RESOLVED that this Resolution is not intended to cancel the Resolution of the Board of Supervisors dated October 5, 1970, but to amend said Resolution.

BE IT FURTHER RESOLVED that the effective date of the revised provisions of this resolution shall be October 20, 1975.
Dated this 20th day of October, 1975.

ATTEST:



Chairman, Board of Supervisors



Clerk

APPENDIX H
BOARD OF SUPERVISORS RESOLUTION

DEVELOPMENT AND MAINTENANCE OF ROADWAY IMPROVEMENTS

RESOLUTION

WHEREAS, development and maintenance of roadway improvements essential for safe, dependable and swift movement of vehicles throughout the County is a recognized urgent need; and

WHEREAS, the magnitude of this need precludes consideration by the County of developing or maintaining ancillary amenities such as landscaped medians and parkways; and

WHEREAS, the Board of Supervisors recognizes the value of roadway beautification and wishes to encourage voluntary contributions from community developers who desire a higher standard of arterial street improvements within their communities; and

WHEREAS, the Board notes that benefits from such roadway beautification efforts accrue both to the individual community developer as well as to the entire County; and

WHEREAS, ultimate responsibility and liability for all improvements within public rights-of-way rests with County government; landscaping improvements must comply with traffic safety requirements; and all improvements within public rights-of-way must be coordinated through the County Engineer in order to avoid conflicts with utility installation, traffic signs, future widening, etc., and provision for the continuous maintenance of the landscaping must be made,

NOW THEREFORE, BE IT RESOLVED, that the following policy guidelines are hereby adopted to assist the County Engineer in negotiating with community developers who desire to supplement County arterial street improvements by installation of landscape materials within public rights-of-way:

1. Prior to installation of any landscape materials within a public right-of-way, the approval of the County Engineer shall be obtained and the County Engineer shall require the applicant to make any necessary changes in the "Landscape and Planting" plan in order to insure the furtherance of the policies established in this resolution.

2. The agreement entitled "Agreement for Maintenance of Landscaping on Highway Right-of-Way", a copy attached hereto, shall be entered into as a condition for allowing any landscaping to be done on a highway right-of-way.

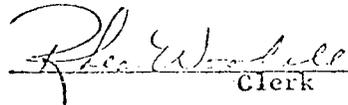
3. Upon incorporation or annexation by an adjoining city or town, the aforementioned improvements will be treated the same as any other street improvement and this County's responsibility for same shall terminate.

Dated this 2nd day of March, 1970.

BOARD OF SUPERVISORS OF
MARICOPA COUNTY, ARIZONA


Chairman

ATTEST:


Clerk

AGREEMENT FOR MAINTENANCE OF LANDSCAPING
ON HIGHWAY RIGHT-OF-WAY

THIS AGREEMENT made this ____ day of _____, 19____,
by and between MARICOPA COUNTY hereinafter called "COUNTY" AND
owner of property
located at

hereinafter called the "OWNER". Highway Right-of-Way is defined as that portion of a divided highway that separates the traveled roadway for traffic flowing in opposite directions and any other portion of the right-of-way lying outside of the traveled roadway, hereinafter called "RIGHT-OF-WAY".

In consideration of the mutual promises and covenants herein contained the parties agree as follows:

- (1) County will allow the owner to landscape the right-of-way (Give specific description and location) in the following manner:
(Set out exact type of landscape)
- (2) Owner will maintain the said landscaped right-of-way by (Set out type of work to be done) and perform all other necessary maintenance.
- (3) Owner will post and maintain a cash bond in the amount of \$_____ in order to insure the performance of the provisions of this agreement.
- (4) The County Engineer of County shall determine whether the right-of-way is being maintained in a proper and satisfactory manner. If it is determined by County that the right-of-way is being unsatisfactorily maintained, County shall notify the owner by regular mail at his last known address of this fact. Owner will have

fifteen (15) days from date of mailing in which to make provisions for the satisfactory compliance with this agreement.

- (5) If the owner fails to perform the provisions of this agreement or if the assignees, conveyees, transferees, trustees, grantees, lessees, legatees or devisees of the owner fail to perform the provisions of this agreement, the bond shall be automatically forfeited to the County.
- (6) At the time the bond is forfeited the County shall have the option to continue to maintain the right-of-way in the manner described in this agreement or to remove the landscaping herein described and replace it with a concrete covering or with any other material the County decides is appropriate.
- (7) The bond will be exonerated and returned to the Owner when the succeeding assignees, conveyees, transferees, trustees, grantees, lessees, legatees or devisees of the owner agree to perform the provisions of this agreement and post an appropriate bond.

MARICOPA COUNTY BOARD OF SUPERVISORS

By _____
Chairman

ATTEST:

Clerk, Board of Supervisors

Owner

Owner

STATE OF ARIZONA }
County of Maricopa } ss.

On this the ____ day of _____, 19____, before me,
_____, the undersigned officer, personally
appeared _____ and _____

satisfactorily proven to be the persons who names are subscribed to
the within instrument and acknowledged that they executed the same
for the purpose therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official
seal.

Notary Public

My Commission expires:

MARICOPA COUNTY
HIGHWAY DEPARTMENT

1975 OCT 20 PM 3:31

County of Maricopa

State of Arizona

Office of the Clerk

State of Arizona }
County of Maricopa } ss.

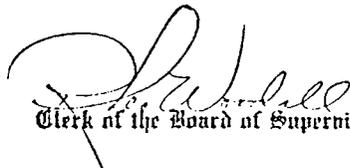
I, Rhea Woodall, Clerk of the Board of Supervisors do hereby Certify That the following is a true and correct extract from the minutes of the Board of Supervisors' meeting held October 20, 1975:

ADOPTION OF RESOLUTION RE: SPECIAL PROVISIONS FOR CONSTRUCTION OF STREET IMPROVEMENTS AND SPECIAL PROVISIONS FOR INSTALLATION OF UNDERGROUND UTILITIES

(Resolution attached)

In Witness Whereof, I have hereunto set my hand and affixed the Official Seal of the Board of Supervisors. Done at Phoenix, the County Seat this 20th day of October A.D. 1975

Highway Department
File


Clerk of the Board of Supervisors

RESOLUTION

MARICOPA COUNTY BOARD OF SUPERVISORS

WHEREAS, it is necessary in the interest of public health, safety, welfare and convenience that standards and specifications be adopted for the construction and improvement of streets and utilities in areas under the jurisdiction of the Maricopa County Board of Supervisors, and

WHEREAS, the laws of the State of Arizona authorize the Board of Supervisors to regulate the extent and conditions of these improvements.

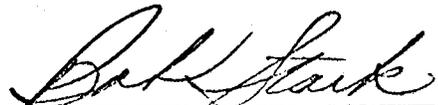
NOW THEREFORE BE IT RESOLVED that the "Special Provisions for Construction of Street Improvements" and "Special Provisions for Installation of Underground Utilities" attached hereto and made part hereof as though recited in their entirety, are hereby declared adopted.

BE IT FURTHER RESOLVED that adoption of these aforementioned Special Provisions in no way voids the requirements of the Special Provisions originally adopted by the Board of Supervisors on February 7, 1972, and subsequently revised in July 17, 1972, but merely revises those Special Provisions.

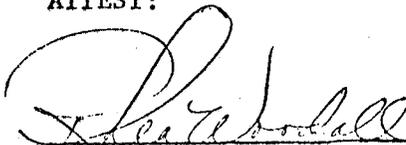
BE IT FURTHER RESOLVED that these Special Provisions are intended to complement the Subdivision Regulations for Maricopa County as well as the Uniform Standard Specifications for Public Works Construction and Maricopa County Highway Department Supplements as currently in effect.

BE IT FURTHER RESOLVED that these Special Provisions shall be effective immediately upon adoption.

ADOPTED by the Maricopa County Board of Supervisors in public session this 20th day of October, 1975.


Chairman, Maricopa County
Board of Supervisors

ATTEST:


Clerk of the Board
of Supervisors

MARICOPA COUNTY
SPECIAL PROVISIONS FOR CONSTRUCTION OF
STREET IMPROVEMENTS

I. STREET IMPROVEMENTS.

A. Subdivisions.

1. Streets in subdivisions with net lot areas smaller than 18,000 square feet shall be improved to cross sections as shown on Maricopa County Highway Department Standards 17, 18 and 19, including curb and gutter. Streets in subdivisions with net lot areas of 18,000 square feet or larger but smaller than 70,000 square feet shall be improved with a 28' wide pavement without curbs and gutters. Streets in subdivisions with net lot areas of 70,000 square feet or larger shall be improved to a 28' wide pavement of penetration macadam with a seal coat over a 32-foot width of 4-inch compacted thickness of aggregate base course.
2. Access to subdivisions shall be improved as required by the Subdivision Regulations.
3. All utility services in new subdivisions shall be installed prior to placement of pavement, or have provision made to eliminate later pavement cuts.
4. Concrete curbs and gutters are required in subdivisions with net lot sizes smaller than eighteen thousand square feet (18,000 sq. ft.). Residential and residential collector streets may have roll curb. Others shall have vertical curb.
5. Perimeter streets shall be improved as required by the County Engineer.

B. General.

1. Unless covered under paragraph I.A. of these Special Provisions, improvements within County right-of-way shall conform to applicable Standards and Specifications of the Maricopa County Highway Department.
2. Street pavement shall consist of a minimum of 2 inches compacted depth of asphalt concrete over aggregate base course (ABC) as determined from laboratory soil test results per Maricopa County Highway Department Standards 6 and 7, with a minimum depth of ABC of 9 inches on arterial type roads and 6 inches on all other roads. The streets shall conform to cross sections as shown on Maricopa County Highway Department Standards 17, 18, and 19. Maximum pavement cross slope shall be 2%. Before placing ABC material, all vegetation must be removed. If required by the County Engineer, the soil shall be sterilized. Applicable uses of the penetration and chip seal specification shall conform to Maricopa County Highway Department Standard 20.
3. Channels used for surface drainage onto a paved street shall be lined with a non-erosive material or improved as required by the County Engineer.
4. All asphalt concrete shall receive a preservative seal in accordance with Sections 334 and 718 of the MAG Specifications.
5. Drainage must be provided as per the approved plans.
6. Irrigation and Utilities.
 - a. All private irrigation facilities and other private utilities must be relocated onto private easements at no cost to the County. Unused facilities in the right-of-way must be removed to the satisfaction of the County Engineer.

- b. Public utility facilities existing at the time of the improvements shall be relocated to non-conflicting locations at no cost to the County, if required by the County Engineer.
- c. Attention is called to the requirements for notification to utilities before the start of excavation operations.

II. SPECIFICATIONS.

All work and materials shall conform to the current "Uniform Standard Specifications for Public Works Construction - Maricopa Association of Governments", with Maricopa County supplements, EXCEPT as noted in these Special Provisions. In case of conflict between the Uniform Standard Specifications and these Special Provisions, the Special Provisions shall govern.

It is not the intention of the Maricopa County Highway Department to prohibit use of other materials, methods or designs for street improvements. Other agency specifications will be considered as satisfactory alternates upon written approval of the County Engineer, based on prior submission of structural designs, tests and other supporting data.

III. ENGINEERING.

- A. All preparation of plans, stakeout, construction and inspection within County right-of-way shall be performed under the supervision of a Civil Engineer registered in the State of Arizona.
- B. Plans shall be submitted on a sheet size of 24" x 36" and must be neat, clear, legible and complete in all respects to a plan scale not smaller than 1" = 50'.

Street Improvement plans shall be submitted on plan profile sheets with a horizontal scale no smaller than 1" = 50' and a vertical scale no smaller than 1" = 5'. The scale must be adequate to clearly show all grade breaks and details.

Pre-development and final grades must be shown either as contours or spot elevations.

Plans should be submitted at least ten (10) working days prior to any submission of an application for a construction permit.

- C. Continuous field inspection shall be required during construction operations involving placement of road wearing course, Portland Cement concrete and seal coating operations and shall be performed under the supervision of a Civil Engineer registered in the State of Arizona.
- D. Upon completion of all work, the Engineer shall certify in writing to the Maricopa County Highway Department, that such work was done in accordance with the approved plans and specifications. He shall also furnish one sealed set of prints reflecting "as-built" conditions.

IV. PERMITS.

All work performed within County right-of-way must be under permit from the Maricopa County Highway Department. Three (3) sets of approved plans must be submitted with the application at least three (3) working days before work is scheduled to begin. If plans not previously approved are submitted with the permit application additional review time is required.

V. PUBLIC UTILITIES.

It shall be the owner's responsibility to arrange for all necessary installation, relocation or removal of conflicting Public Utilities.

Satisfactory test reports as required by the Special Provisions for Installation of Underground Utilities must be received by the Maricopa County Highway Department prior to issuance of approval for paving or curb operations. The County Engineer will give approval for paving operations only after compliance with all requirements for utility installation, grading and subgrade compaction. The latest edition of "Special Provisions for Installation of Underground Utilities" is incorporated herein and made a part hereof.

VI. DUST CONTROL.

Existing regulations, namely Regulation II, Rule 20, Sub-paragraph C, of the Maricopa County Health Department shall be rigidly observed and enforced. Water or other approved dust palliative in sufficient quantities shall be applied during all phases of construction involving open earth work to prevent the unnecessary discharge of dust and dirt into the air.

VII. COMPACTION.

- A. Subgrade - Top six inches (6") of pavement subgrade shall be compacted to a minimum of ninety-five percent (95%) of the maximum density of the material. Sidewalk and curb subgrade shall be compacted to a minimum of ninety percent (90%) of the maximum density of the material. Uncurbed sections shall be compacted as required above between centerlines of roadside drainage ditches.
- B. Base Material - The base course shall not be placed on subgrade until compaction tests of the subgrade have been completed and found to meet the specifications contained herein. Base material shall be compacted, full depth, to a minimum of one hundred percent (100%) of the maximum density of the material being used.
- C. Asphalt concrete pavement shall be compacted to 95% of the specific gravity of test specimens compacted by the 75 blow method of ASTM D-1559. A rolling pattern may be established for this required density only with the approval of the County Engineer.
- D. Requests for variances from A and B above will require certified material tests and designs.

VIII. CONTRACTION AND EXPANSION JOINTS FOR CURBS, GUTTER & SIDEWALKS.

Expansion joints shall conform to Section 729 of the Uniform Standard Specifications and placed only at driveways and at ends of curb returns. Contraction joints shall conform to Maricopa County Standard C-120 and be placed at twelve-foot (12') intervals on straight runs and within curb returns.

IX. TESTING.

- A. All requirements of this section shall be performed under the supervision of a Civil Engineer registered in the State of Arizona. All test reports are to be submitted to the Maricopa County Highway Department. Each report shall indicate the location at which the test was made, the date of the test, type and source of material tested, test designation being used and the name of the person performing the test.
- B. The following soil tests are the minimum required for pavement design purposes:
 - 1. Samples shall be taken to a minimum depth of eight (8) inches below proposed subgrade elevation.
 - 2. One (1) test per eight hundred (800) lineal feet with at least one test per proposed street. An additional test may be ordered by the County Engineer at apparent visible changes in soil type.

3. Each sample shall have a sieve analysis per AASHO T27 with results reported as percent passing #200 sieve, plus a plasticity index per AASHO T91.
4. Test results shall be forwarded to the Maricopa County Highway Department together with the paving plans.
5. Additional tests may be ordered by the County Engineer for purposes of assurance of design information in cases of submittal of pavement designs other than the Standard.

The following compaction tests shall be performed:

1. Pavement subgrade - 1 test per 800 lineal feet of roadway with at least 1 test per street, minimum.
2. Curb subgrade - 1 test per 500 lineal feet of curb with at least 1 test per street, minimum.
3. Base material - 1 test per 800 lineal feet of roadway with at least 1 test per street, minimum.

Maximum densities for the materials being compacted shall be determined in the laboratory on the same materials in accordance with AASHO Designation T-99, Method A. Field density tests shall be performed in accordance with AASHTO Designation T-147.

Test locations must be staggered within the limits of the improvements.

- D. See MAG Specifications 725.10 for required concrete tests.
- E. The following tests shall be taken for asphaltic concrete:
 1. Gradation - Expressed as % by weight passing, using AASHO T-30.
 2. Asphalt content - Expressed as % by weight of total mixed material, sampled and tested per AASHTO T-164 and T-168.
 3. Compaction - As previously specified in paragraph VII - C above.

A minimum of one (1) sample per 1200 tons of material, but no less than one (1) sample from each source is required for each day's paving. Additional samples may be ordered by the County Engineer or Inspection Engineer whenever obvious visual changes occur in the mix.

MATERIALS.

- A. Base Material - Material shall meet Uniform Standard Specification, Section 702.2. If "Select" material is used, the upper 3" of base must be Aggregate Base. The total thickness shall be determined by laboratory tests of the subgrade materials, with a minimum of 6".
- B. Asphaltic Concrete - Material shall meet Uniform Standard Specification Section 710, Mix C-3/4 for single course construction. Minimum asphalt content shall be 5% unless otherwise approved in writing by the County Engineer.
- C. Preservative Seal Coat - Material shall meet Uniform Standard Specification 718.
- D. Concrete - Concrete for all structures, curb, gutter, sidewalks, driveway entrances, wash crossings and street related concrete construction shall be Class B, conforming to the applicable requirements of Section 725 of the Uniform Standard Specifications.
- E. Reinforced Concrete Pipe - Shall meet Uniform Standard Specifications, Section 735.

- F. Corrugated Metal Pipe - Shall meet Uniform Standard Specifications, Section 621.
- G. Miscellaneous - Any other items shall conform to the applicable section of the Uniform Standard Specifications.

XI. CONSTRUCTION.

All construction shall conform to the applicable section of the Uniform Standard Specifications unless modified in writing by the County Engineer.

XII. STREET SIGNS AND SURVEY MONUMENTS.

- A. The Developer of a subdivision shall be responsible for purchase and erection of street name signs at all intersections within a subdivision, including intersections with perimeter streets. All street name signs shall conform to the applicable Maricopa County Highway Department Standard and shall be furnished and installed at no cost to the County at locations as shown on the approved plans.
- B. Survey monuments shall conform to the applicable Maricopa County Highway Department Standard and shall be furnished and set by the owner at no cost to the County at locations as shown on the approved plans or as required by the Maricopa County Highway Department. All monuments shall be properly punched by the Engineer.
- C. No approval or acceptance of a project will be given until these items are complete in place.

XIII. TRAFFIC CONTROL DEVICES.

The existence of any traffic control device within the limits of the construction area shall be shown on the plans and detailed as to legend or purpose. Under no circumstances shall the owner, his agent, or contractor be allowed to disturb any device so shown on the plans except with approval of the County Engineer. The owner or his agent shall make known to the Maricopa County Highway Department his desire for removal or relocation of any such device by telephone or other suitable means and it shall be so noted on the plans.

XIV. MAIL BOXES.

Individual mail boxes are permitted to be placed only in such locations that will not interfere with traffic, either vehicular or pedestrian, or create a hazard of any nature. If a sidewalk is constructed adjacent to the curb, the box shall be located behind the sidewalk and clear of the vertical projection of the back edge of the sidewalk by a minimum one-foot (1'). If no sidewalk is constructed, the box must clear the vertical projection of the back edge of the curb by a minimum of one foot (1'). If no curb is constructed, the box must clear the vertical projection of the edge of the pavement by a minimum of three feet (3'). Installation of individual mail boxes in the County right-of-way shall be done under permit from the Maricopa County Highway Department.

XV. SIDEWALKS, BICYCLE PATHS, RIDING AND HIKING TRAILS AND SPECIAL USES.

Sidewalks are not required by Maricopa County but may be installed at the option of the developer to the Maricopa County Highway Department standards. Maricopa County does not maintain and does not assume any responsibility concerning the sidewalks.

Sidewalks may be located either adjacent to the curb or one foot clear of the property line. Either installation must be consistent within the area and existing adjacent developments. Monolithic curb, gutter and sidewalk is permitted in accordance with the appropriate Maricopa County Highway Department Standard.

Bicycle paths, riding and hiking trails are not required by Maricopa County. If constructed in County right-of-way, such construction must be approved by the County Engineer and under permit from the County Highway Department.

XVI. PROJECT APPROVAL.

The project will not be considered ready for final inspection until all drainage items, grading, and backfill are complete and pavement, curbs, and sidewalks are swept clean of all dirt and debris. The area behind curbs shall be totally backfilled, compacted and neatly dressed to a maximum 4:1 slope. The contractor shall furnish a water truck at the time of final inspection for the purpose of testing street drainage. Any ponding in excess of ten square feet in surface area or 1/2 inch in depth shall require corrective action by the contractor. The "as-built" plans as called for in Item III above must be submitted before final project approval.

XVII. DECLARATION.

Within one year after approval of the improvements in a subdivision, an inspection will be made by the Maricopa County Highway Department to determine if any, and to what extent damage may have been caused by construction operations. Any such damaged sections must be repaired or replaced at no cost to the County prior to being eligible for declaration into the County Highway System.

A petition addressed to the Board of Supervisors signed by ten (10) or more resident taxpayers must be presented requesting declaration of the roads or streets into the County Highway System. Petition forms are available from the Real Estate Division of the Maricopa County Highway Department.

XVIII. CHANGES.

No variation from these Special Provisions or approved plans and specifications will be permitted unless submitted to and approved in advance by the County Engineer.

XIX. GUARANTEES.

The contractor shall guarantee all work against defective workmanship or materials for a period of one (1) year from the date of acceptance, as evidenced by release of the permit, except for ordinary wear and tear or unusual abuse or neglect.

Revised *Deletors*, 1975.

MARICOPA COUNTY HIGHWAY DEPARTMENT

SPECIAL PROVISIONS

FOR

INSTALLATION OF UNDERGROUND UTILITIES

I. SPECIFICATIONS AND DETAILS.

All work and materials shall conform to the current "Uniform Standard Specifications for Public Works Construction - Maricopa Association of Governments", with Maricopa County supplement, as these Uniform Standard Specifications apply to trench backfill material, backfill compaction and roadway surface restoration, except as noted in these Special Provisions. In case of conflict between the Uniform Standard Specifications and these Special Provisions, the Special Provisions shall govern.

Other agency specifications for construction material or methods which are equal to the Uniform Standard Specifications, may be substituted as satisfactory alternates, only with prior written approval of the County Engineer.

Engineering reports and laboratory tests may be required by the County Engineer at no cost to Maricopa County.

II. PLANS, SPECIFICATIONS, ENGINEERING.

A. Preparation of plans, specifications, construction and inspection shall be performed under the supervision of a Civil Engineer, registered in the State of Arizona and employed by the owner, except that plans prepared by utility companies for distribution of gas, electric power or for communication service need not be prepared by a registered Civil Engineer.

B. Plans shall be submitted on a maximum size sheet of 24" x 36" and must be neat, clear, legible and complete in all respects. The scale shall be commensurate with the detail and in no case smaller than 1" = 200' plan, and 1" = 5' profile. Profiles will be required on projects involving installation of sewer and underground irrigation lines in dedicated right-of-way. Power facilities must also be submitted in profile where the trade size of a single conduit exceeds six inches (6") in diameter or where multiple conduits including the concrete encasements are sixty (60) square inches or greater in cross-sectional area. In addition, profiles may be required by the County Engineer in cases of possible alignment or grade conflicts, cover problems or crossing conflicts. Plans may be submitted concurrently with the application for construction permit but at least seven (7) working days will be required for review.

The County Engineer may require submission of a set of "as-built" plans if any field changes were effected.

III. EXCAVATION, BACKFILL AND COMPACTION.

A. Excavation - All excavation shall conform to the requirements of Section 601 of the Uniform Standard Specifications, except as modified in the Special Provisions. Attention is called to necessary notification of all utilities.

B. Backfill and Compaction.

1. Materials: Backfill shall consist of sound earth material (other than open graded rock) free from concrete, timber, asphalt pavement, organic material or other debris. When "select" material or "aggregate base course (A.B.C.)" is substituted or specified, it shall conform to the applicable specification of the Uniform Standard Specification.

2. Compaction.

- a. That portion of the backfill from the bottom of the trench to twelve inches (12") compacted depth, over the top of the pipe or conduit shall be back-filled with ABC. This material shall be uniformly jettted to insure proper bedding of pipe. Backfill around underground electric and communication lines must meet the specification of the responsible utility owner.
- b. For a trench under any existing or proposed pavement, curb or gutter, or when the distance from the edge of pavement or back of curb to the centerline of the trench is one-half the depth of trench or less, the backfill shall consist of ABC or select material. The material from twelve inches (12") above the top of the pipe to two feet (2') below finished grade shall be mechanically compacted to not less than eighty-five percent (85%) of the maximum density of the material. The upper two feet (2') of the material shall be mechanically compacted to not less than ninety-five percent (95%) of the maximum density of the material, with the upper minimum ABC requirement for roadway pavement compacted to not less than 100% of the maximum density of the material. Sufficient water may be added to raise the moisture content to optimum only.
- c. For a trench in an unpaved road where the distance from the edge of the traveled way to the centerline of the trench is one-half the depth of the trench or less, the backfill shall consist of ABC or select material. The material from twelve inches (12") above the top of the pipe to two feet (2') below finished grade shall be mechanically compacted to not less than 85% of the maximum density of the material. The upper two feet (2') of the material shall be mechanically compacted to not less than 95% of the maximum density of the material. Sufficient water may be added to raise the moisture content to optimum only.
- d. For a trench where the centerline is more than one-half the depth of the trench from the edge of existing pavement, back of curb, or edge of the traveled way on an unpaved road, the material from twelve inches (12") above the top of the pipe to finished grade shall consist of sound earth material as previously specified, compacted to not less than 85% of the maximum density of the material. Water settling as defined herein is permissible.
- e. For trenches in alleys and other miscellaneous traveled ways, the backfill and compaction as per paragraph III. B.2.d. shall be followed.
- f. For trenches in utility easements the backfill may consist of sound earth material. Water settling as defined herein is permissible.
- g. Water settling as permitted herein shall be performed with lifts not exceeding eight feet (8') in depth. The backfill shall be leveled, the trench flooded and the material jettted to:
 - (1) Within one foot (1') of the pipe if the lift is eight feet (8') or less from the top of the pipe, or

- (2) at least one foot (1') into the previous lift if multiple lifts are necessary.

Sufficient water must be used with a pressure of at least 30 p.s.i. to insure filling of all voids with backfill material. Intervals of jetting shall be not more than six feet (6') along the trench and transversely across the trench. The water shall not be shut off until the jet has been completely withdrawn from the material.

- h. Water settling is permitted in new subdivisions but no paving will be permitted over water settled trenches until compaction test results have been approved by the County Engineer.
- C. The minimum cover for utility lines shall be thirty-six inches (36"), other than direct burial cable which shall be twenty-four inches (24"). The minimum cover for storm drainage or irrigation pipe shall be eighteen inches (18"). Cover is defined as the difference in elevation between the top of the line or pipe and the ultimate gutter grade of the roadway. If paving is not completed within thirty (30) days after installation of the underground facilities, a temporary earth cover sufficient to meet the above requirements must be placed and maintained.

For facilities outside the limits as defined in paragraph 111.B.2.d. above, cover is defined as the difference in elevation between the top of the line or pipe and the natural or regraded ground surface whichever is lesser.

D. TESTING.

1. Procedures.

- a. AASHTO T99 - Maximum density.
- b. AASHTO T147 - Field density.
- c. AASHTO T27 - Sieve analysis.

2. Frequency.

The tests shall be made at the locations and depths specified by the County Engineer or his representative. A minimum of one set of tests will be required for each four feet (4') of trench depth for trenches within a paved road or within one half the trench depth measured from back of curb or edge of pavement to centerline of the trench. Otherwise, one set of tests will be required for each eight feet (8') of trench depth. The minimum number of passing tests per set anticipated for specification compliance may be estimated as follows:

- a. Pavement cut crossing - one (1) set of tests per crossing.
 - b. Longitudinal pavement cuts or the centerline of the trench within one-half the trench depth as previously explained - one set of tests per three hundred feet (300') with one set of tests minimum.
 - c. All other locations - one set of tests per four hundred feet (400') with one set of tests minimum.
3. Tests may be taken at four foot (4') vertical increments in the same vertical plane at the option of the inspection engineer.

Copies of all test reports shall be identified as to project and location by the testing laboratory and forwarded to the inspection engineer who shall forward one set of all test results to the Maricopa County Highway Department.

4. At his discretion, the County Engineer may order load tests performed to determine the suitability and adequacy of backfill before placement of pavement. Such tests shall be performed with vehicle loaded to approximately eighteen thousand pound (18,000#) axle load. Excessive movement or settlement of backfill shall be cause for rejection of the work by the County. Initial load tests shall be at the expense of the County. If the work is rejected, load retests shall be at the expense of the owner or contractor.

IV. PAVEMENT CUTTING AND RESTORATION.

- A. All cuts in asphalt or concrete pavement shall have saw cut or neat and straight edges. All transverse or diagonal pavement shall extend at least one foot beyond either side of the trench. Excavated pavement material shall be removed from the site.
- B. Pavement cut replacement: The asphaltic material used for replacement of pavement cuts shall conform to the applicable Uniform Standard Specification for mix C-3/4, Section 710. The thickness of the pavement and aggregate base replaced shall be consistent with the thickness of the existing asphalt pavement and base but shall not be less than 2 inches (2") of asphaltic pavement over nine inches (9") compacted depth, of aggregate base compacted to 100% of maximum density for the material.

For portland cement concrete paving cut replacement, this same specification will apply. The existing pavement shall be trimmed to a neat edge and the edge shall be treated with a proper emulsion to insure a bond between the existing pavement and the patch.

It is required that all roadway crossing of lines 4" in diameter or less be bored or pushed under pavement which is less than two years old.

V. SURFACE RESTORATION OF GRAVELED OR EARTH SURFACE ROADS.

The surface replacement for gravel surfaced roads shall be consistent with the existing surface material in place, and may consist of Select Material or A.B.C. as directed by the County Engineer.

Fill placed on existing gravel surfaced roads or earth surfaced roads to obtain minimum allowable cover over the pipe or utility lines shall be placed to proper grade for the full widths of the existing roadway and shall be compacted and graded to the satisfaction of the County Engineer.

VI. MISCELLANEOUS.

The Contractor shall secure a County Highway Use Permit prior to start of any construction operations within County right-of-way. Three (3) sets of approved plans must be submitted with the application at least three (3) working days before work is scheduled to begin.

The permittee shall notify the property owner or resident of adjoining occupied property at least two (2) working days prior to disruption of access to the property, and at no time deny access to the property longer than one (1) normal working day, and shall provide plank for crossings, if necessary.

The permittee shall maintain all existing traffic control signs within the construction area, and shall reset all signs in their original locations as soon as construction operations will permit. The permittee

shall place and maintain traffic warning devices during the course of work, as required by the County Engineer.

Only rubber-tired equipment shall be used on pavement except that crawler equipment using street pads may be used.

Existing regulations, namely Regulation II, Rule 20, Sub-paragraph C, of the Maricopa County Health Department as applicable, shall be rigidly observed and enforced. Water or approved dust palliative in sufficient quantities shall be applied during all phases of construction involving open earth work to prevent the unnecessary discharge of dust and dirt into the air.

During the course of work, the permittee shall maintain the work area in a clean and orderly condition. Excess excavation, debris, etc., will not be permitted to accumulate on the road surface or shoulders. Work shall progress in such a manner that no condition such as soft trenches, dropoffs from the edge of pavement, etc., will exist. Upon completion of installation, the permittee shall clean the pavement surface, pull and dress shoulders, and otherwise put in order the entire work area to the satisfaction of the County Engineer.

Revised October 20, 1975

APPENDIX J

DRAINAGE AND DETENTION OF STORMWATER

A. Drainage. Subdivisions shall be designed to comply with current flood-plain regulations for Maricopa County. Further, all residential finished floors shall be at or above the elevation from storm drainage of the 100 year storm.

B. Detention of Storm Drainage.

1. The basis of subdivision design for detention facilities shall be the one hundred (100) year, two (2) hour storm. The design shall provide that the calculated peak discharge after development does not exceed the peak discharge prior to development. That is, adequate storage volume shall be provided for such runoff and the design shall show how the runoff reaches the storage areas. Detention need not be provided for that portion of the runoff generated by streets and sidewalks.

a. Detention facilities may consist of the following or other approved methods:

1. Depressed or bermed areas for individual lots to detain the runoff for each lot.
2. Depressed areas or ponds to detain the runoff from streets, or from entire subdivisions.

3. Depressed areas used for parking, to collect and detain the runoff in commercial and industrial areas.
- b. Disposal of detained runoff may be accomplished by the following or other approved methods providing water is not ponded longer than 60 hours:
1. Percolation or infiltration directly into the ground.
 2. Pumping or controlled bleeding of the collected runoff into water courses or drainageways in a judicious manner, after peak flows in those watercourses have passed.
 3. Pumping or controlled bleeding of the collected runoff into dry wells for infiltration into subsurface zones provided that no free water surface shall remain longer than 60 hours.
- c. Computations. Each owner or subdivider shall submit computations, showing the quantity of direct onsite runoff which must be detained, and the designed capacities of the detention facilities proposed. Computations shall also show that peak discharge after development does not exceed the peak discharge prior to development.
- d. Off-site Drainage is not required to be detained on the subdivision. Drainage from defined washes may be conducted through the subdivision by easements following a natural drainage pattern. Streets shall not be designed for carrying off-site drainage from defined washes.

- e. Sanitation Ponding, to detain runoff, shall not be created above sewage disposal beds or leach lines.
2. Interpretation. The provisions of this Article shall be so interpreted and applied as to be held to be the minimum requirements for the promotion of the public health, safety and general welfare. It is not intended by this Article to interfere with or abrogate or annul any ordinances, rules, regulations or permits previously adopted or issued, and not in conflict with this Article, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict with this Article, nor is it intended by this Article to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, except that if this Article imposes a greater restriction, this Article shall control.
3. Maintenance and Operations. Provisions for maintenance and operation of detention systems shall be approved by the Board prior to recordation of the subdivision plat.
4. Exemptions. In a specific subdivision, when the developer can show that detention of storm water is not required to protect the public health, safety and welfare, the Board may elect to exempt that subdivision from part or all of this section. The burden of proof for such an exemption shall lie with the owner or subdivider and supporting data and calculations may be required prior to granting such an exemption.

APPENDIX K

Guidelines for Submission
of
Horizontal Property Regimes

The following information shall be provided for Horizontal Property Regimes in addition to requirements of Article II of the Maricopa County Subdivision Regulations:

Preliminary Plat Stage:

1. The required preliminary plat should be accompanied by a preliminary site plan for the area that constitutes a horizontal property regime.
2. The preliminary site plan should show the location of all buildings, streets, walks, parking and recreational facilities. It should include a tabulation of the type, number, square footage and height of each dwelling, the minimum required yards and the minimum distance between adjacent buildings (20 copies).
3. One copy of the floor plan(s) for each type of dwelling.

Final Plat Stage:

1. The required final plat should be accompanied by a horizontal property regime plan.

2. The horizontal property regime plan (1 reproducible, 3 copies) should include:
 - a. A description of the land.
 - b. A description of the cubic content space of the building with reference to its location on the land.
 - c. A description of the cubic content space of each apartment located within the building, and a description of the cubic content space of each carport or garage or any other area to be subject to individual ownership and exclusive control.
 - d. A description of the common elements which may be the description provided in Paragraph b less the descriptions provided in Paragraph c and less the descriptions provided in Paragraph e, if applicable.
 - e. A description of the cubic content space of the limited common elements, if any.
 - f. The fractional or percentage interest which each apartment bears to the entire horizontal property regime. The sum of such shall be one if expressed in fractions and one hundred if expressed in percentage.

g. "Apartment" as used above means one or more rooms occupying all or part of a floor or floors in a building of one or more floors or stories, but not the entire building, and notwithstanding whether the apartment be intended for use or used as a residence, office, or the operation of any industry or business or for any other use not prohibited by law. "Limited Common elements" as used above includes those elements designed for use by the owners of more than one but less than all of the apartments included in the building.

*From Title 33, Chapter 4.1, A.R.S., Horizontal Property Regimes.

APPENDIX L

This is to certify that this is a true and correct copy of the "Subdivision Regulations for the Unincorporated Area of Maricopa County, Arizona" adopted by the Board of Supervisors on December 26, 1972, effective March 1, 1973 and as amended through 10/1/75.

ATTEST:


Rhea Woodall, Clerk of the Board

OFFICE OF THE BOARD OF SUPERVISORS



MARICOPA COUNTY

602 County Administration Bldg. 111 S. 3rd Avenue, Phoenix, Arizona 85003

HENRY H. HAWS
District 1

ELDON RUDD
District 2

BOB CORBIN
District 3

BOB STARK
District 4

JOE GONZALEZ
District 5

April 24, 1973

Mr. R. C. Esterbrooks
County Engineer
Maricopa County
Phoenix, Arizona

Dear Mr. Esterbrooks:

The Board of Supervisors in formal session April 23 adopted a Resolution for the Improvement of Perimeter Streets in Subdivision Developments. Enclosed is an executed copy of the resolution for your files.

Sincerely yours,

BOARD OF SUPERVISORS

By *Rhea Woodall*
Rhea Woodall, Clerk

cc: Planning & Zoning Dept.

RECEIVED D

APR 25 1973

MARICOPA COUNTY PLANNING
AND ZONING COMMISSION

BY _____

RESOLUTION

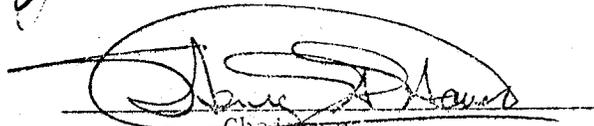
WHEREAS, the Board of Supervisors of Maricopa County, Arizona adopted Subdivision Regulations on December 26, 1972, effective March 1, 1973, and

WHEREAS, it is found necessary to further define the level of improvements intended and required on subdivision perimeter streets; now therefore

BE IT RESOLVED, that the attached specification entitled "Maricopa County Highway Department Guide for Improvement of Perimeter Streets" is hereby adopted as a guide to assist the County Engineer in establishing requirements for improvement of subdivision perimeter streets.

BE IT FURTHER RESOLVED, that the attached specifications shall also apply for the improvement of all multiple family developments.

ADOPTED by the Maricopa County Board of Supervisors this 13th day of April, 1973.


Chairman
Board of Supervisors

ATTEST:


Clerk
Board of Supervisors

MARICOPA COUNTY HIGHWAY DEPARTMENT

IMPROVEMENT OF PERIMETER STREETS

Present Improvements:

None: Unopened; graded and drained; no stabilized wearing course.

BST: Bituminous Surface Treatment, usually asphalt penetration with chip seal or equivalent.

Strip: Strip pavement, usually asphalt concrete, generally 28' wide over full aggregate base.

Full: Asphalt concrete pavement with curbs, to full ultimate width.

Ultimate Section: As per Maricopa County Highway Department Standards 17, 18 and 19.

Three Year Program: Approved three year road improvement program of the Maricopa County Highway Department.

Penetration Type Pavement: 4" compacted depth of aggregate base; asphalt penetration; chip seal; all in accordance with applicable specifications and Standard 20 of Maricopa County Highway Department.

SECTION LINE OR ARTERIAL TYPE ROADS.

General right of way width is 55' half-width or 75' half-width with a frontage road (not recommended but required if lots face section line road). The frontage road, if required, shall be improved to the same specification as the interior streets of the subdivision. The section line roadway shall be improved as follows:

Present Improvements				3 Year Program		Improvement of Section Line Road Required
None	BST	Strip	Full	Yes	No	
X					X	24' Half-width penetration type pavement with seal coat.
X				X		24' Half-width adequate dustproofing such as penetration and chip seal over graded native material, or alternate as approved by the County Engineer.
	X				X	Widen and improve as necessary to 24' half-width penetration type pavement with seal coat from the edge of the existing improvement to the 24' width. Seal coat shall cover full 24' half-width.
	X			X		Grade unimproved portion to 24' half-width, penetrate and apply chip seal wearing course to 24' half-width, or alternate as approved by the County Engineer.
		X			X	Widen pavement to 32' width on side of subdivision in accordance with specification of the Maricopa County Highway Department, complete with concrete curb and gutter. If on an F.A.S. Route, the applicable curb section of the Arizona Highway Department shall be used.
		X		X		Same as above, except the developer may be required to post bond for the improvement until such time as the plans for the improvement are fully approved.

SECTION LINE OR ARTERIAL TYPE ROADS (Continued)

PRESENT IMPROVEMENTS				THREE-YEAR PROGRAM		IMPROVEMENT OF SECTION LINE ROAD REQUIRED
None	BST	Strip	Full	Yes	No	
		X			X	Widen pavement to 32-foot width on subdivision side in accordance with specifications of the Maricopa County Highway Department, complete with concrete curb and gutter. If on an FAS Route, the applicable curb section of the Arizona Highway Department must be used.
		X		X		Same as above, except the developer may be allowed to post bond until such time as the plans for the improvement are fully approved.
			X	N/A	N/A	No further improvements to section line road required.

MIDSECTION LINE OR MAJOR COLLECTOR TYPE ROADS

General right-of-way width is 40-foot half width. The ultimate fully improved section consists of 44 feet of pavement, plus two feet (2') wide vertical concrete curbs and gutters both sides. If the subdivision borders on a midsection line or major collector type road, the improvements required are as follows:

PRESENT IMPROVEMENTS				IMPROVEMENT TO PERIMETER ROAD REQUIRED	
None	BST	Strip	Full		
X					22-foot half width pavement to full specification, plus vertical concrete curbs and gutters for subdivisions with lot sizes less than 18,000 square feet; 24-foot half width strip pavement in subdivisions with lot sizes of 18,000 square feet or greater, but smaller than 70,000 square feet; 24-foot half width strip pavement of penetration type surfacing with seal coat in subdivisions with lot sizes of 70,000 square feet or greater.
	X				Remove existing BST for half width and improve as specification above for all subdivisions with lot sizes less than 70,000 square feet. For subdivisions with lot sizes of 70,000 square feet or greater, the BST is to be widened to 28 feet, if applicable, and the entire 28-foot width penetrated and chip sealed.
		X			Regardless of lot size in the subdivision, the road is to be improved to the ultimate section of 22-foot half width pavement, plus vertical concrete curb and gutter.
			X		No further improvements required.

QUARTER MILE OR RESIDENTIAL COLLECTOR TYPE STREETS

General right-of-way width is 30-foot half width. The ultimate fully improved section consists of 36 feet of pavement, plus two feet (2') wide roll curbs both sides. If the subdivision borders on a quarter mile or residential collector type road, the improvements required are as follows:

PRESENT IMPROVEMENTS				IMPROVEMENT TO PERIMETER ROAD REQUIRED
None	BST	Strip	Full	
X				If lot size is less than 18,000 square feet, improve with 18-foot half width full pavement, plus two feet (2') wide concrete roll curb; lot size of 18,000 square feet or greater, but smaller than 70,000 square feet, improve with 18 feet of strip pavement; lot size of 70,000 square feet or greater, improve with 18-foot width of penetration type pavement with seal coat.
	X			Remove existing BST for half width and improve as specification above for all subdivisions with lot sizes less than 70,000 square feet. For subdivisions with lot sizes of 70,000 square feet or greater, the BST is to be widened, if necessary, on the subdivision side to a half width of 14 feet.
		X		If subdivision lot size is smaller than 18,000 square feet, the road shall be widened to 18-foot half width pavement, if applicable, plus two-feet (2') wide concrete roll curb on subdivision side. Lot sizes of 18,000 square feet or larger, no further improvements required.
			X	No further improvements required.

RESIDENTIAL STREETS

General right-of-way width is 25-foot half width. The ultimate fully improved section consists of 28 feet of pavement, plus two feet (2') wide roll curbs both sides. If the subdivision borders on a residential street, the improvements required are as follows:

X				If lot size is less than 18,000 square feet, improve with 14-foot half width of full pavement, plus two feet (2') wide concrete roll curb; lot size of 18,000 square feet or greater, but smaller than 70,000 square feet, improve with 14-foot half width of strip pavement; lot size of 70,000 square feet or greater, improve with 14-foot half width of penetration type pavement with seal coat.
	X			Remove existing BST for half width and improve as specification above for all subdivisions with lot sizes less than 70,000 square feet. For subdivisions with lot sizes of 70,000 square feet or greater, the BST is to be widened, if applicable, on the subdivision side to a half width of 14 feet.
		X		If subdivision lot size is smaller than 18,000 square feet, the road shall be widened to 14-foot half width, if applicable, plus two feet (2') wide concrete roll curb on subdivision side. Lot sizes of 18,000 square feet or greater, no further improvements required.
			X	No further improvements required.


R. C. ESTERBROOKS, County Engineer

GEORGE E. LEONARD
CHAIRMAN
JOHN S. HOOPES
VICE-CHAIRMAN
WESLEY E. STEINER
EXECUTIVE DIRECTOR
AND
STATE WATER ENGINEER



Arizona Water Commission

222 NORTH CENTRAL AVENUE, SUITE 800

Phoenix, Arizona 85004

TELEPHONE (602) 258-8175

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DAVID R. GIPE
DOUGLAS J. WALL
WILLIAM H. WHEELER

EXOFFICIO MEMBERS
ANDREW L. BETTWY
MARSHALL HUMPHREY

November 29, 1973

NOTICE CONCERNING SUBDIVISION WATER SUPPLIES

ARS 45-513, enacted May 2, 1973, by House Bill 2100, requires the developer of a subdivision to submit plans for its water supply to the Arizona Water Commission and demonstrate that the supply is adequate to meet the future needs of the subdivision. This must be done prior to recordation of the plat. The burden of proof of adequacy is upon the developer. The Water Commission is required to issue a report on the adequacy of the developer's supply. If the Commission reports the subdivision's water supply is inadequate, or if no water is available, a companion statute, ARS 32-2181D requires the State Real Estate Commissioner to require that all promotional material (including bill boards, radio, and television advertisements) and contracts for the subdivision contain a summary of the Commission's report.

In general, demonstration of adequacy consists of the following three basic elements: determination of the subdivision's demand for water, description of the source of water available to the subdivision, and calculation of the impact of the demand on the source of supply. Mining of groundwater is considered an adequate means of supplying water—if the calculated lifetime of the supply is commensurate with normal practices in Arizona.

Generally the scope of the report can be tailored to the size of the subdivision and the associated demand. However, in some cases, especially where little or no data is available or where the supply is obviously limited, the demonstration may have to be more rigorous than would normally be the case.

The only subdivisions exempted from the required demonstration of adequacy are those within areas where the Commission has found an adequate water supply exists. Developers can determine if their subdivision lies within an area so designated by contacting the municipality or water company providing service, the local county planning department, or the Water Commission.

Regulations to establish for developers and their technical consultants what constitutes a satisfactory demonstration of adequacy for subdivisions are now being drafted by the Commission. In the interim, the developer is urged to contact the Commission at the earliest possible stage in the development and arrange for a preliminary discussion of the water supply plans for the individual subdivision, and the proposed means of demonstrating the adequacy of its water supply.

The attached data sheet should be completed and submitted with the request for a preliminary meeting.

SUBDIVISION WATER SUPPLY INFORMATION

Name of Subdivision _____

Location _____
Township Range Sections

Number of Lots _____ Size of Lots _____

Type of Subdivision: Residential Recreational Industrial
Minifarm Other _____

Additional uses of water: Golf Courses Lakes Parks
Other _____

Method of providing water: Water Company Municipal System
Individual Well Other _____

Location of wells, or surface water diversion: _____

Name, Address, Phone of Municipality or Water Company

Name Address Phone

Name, Address, Phone of developer or other person to contact

Name Address Phone

Name, Address, Phone of technical consultant

Name Address Phone

Description of how to reach subdivision by automobile

