



Subdivision Code
of
The City Of Bisbee, Arizona

Adopted December 17, 1985
Ordinance 0-85-177

AN ORDINANCE OF THE CITY OF BISBEE, ARIZONA,
ADOPTING PUBLIC RECORD IDENTIFIED AS
"SUBDIVISION CODE OF THE CITY OF BISBEE, ARIZONA"
BY REFERENCE AND PROVIDING PENALTIES FOR THE
VIOLATION THEREOF; PROVIDING FOR REPEAL AND
SEVERANCE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE
CITY OF BISBEE, ARIZONA, as follows:

SECTION I

That certain document known as "Subdivision Code of the City of Bisbee, Arizona", three copies of which are on file in the Office of the City Clerk of the City of Bisbee, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

SECTION II

Any person found guilty of violating any provision of the Subdivision Code shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed ONE THOUSAND DOLLARS (\$1,000) or by imprisonment for a period not to exceed one year, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as above described.

SECTION III

All ordinances and parts of ordinances, resolutions, and parts of resolutions, and/or the City Code of the City of Bisbee, or any part thereof, in conflict with the provisions of this ordinance or any part of the Code adopted herein by reference, are hereby expressly repealed.

SECTION IV

If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

SECTION V

Whereas, it is necessary for the preservation of the peace, health and safety of the City of Bisbee, Arizona, that this ordinance No. 0-85-177

Ordinance become immediately effective, an emergency is declared to exist, and the Ordinance shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF BISBEE, ARIZONA, this 17th Day of December 1985

MAYOR FRANK N. PETERS

ATTEST:

NELLI HODGES, City Clerk/Treasurer

SUBDIVISION CODE

<u>CONTENTS</u>	<u>INDEX</u>	<u>PAGE</u>
ARTICLE 1. TITLE, PURPOSE, AND ADMINISTRATION		
Section1-1 Short Title		1
1-2 Purpose		1
1-3 Administration		1
1-4 Application		1
1-5 Prohibition of circumvention		2
ARTICLE 2. DEFINITIONS		
Section2-1 Pertaining to Grammatical Usage		2
2-2 For Brevity of Text		2
2-3 Pertaining to Persons		3
2-4 Pertaining to Subdivisions		3
2-5 Pertaining to Plats		4
2-6 Pertaining to Plans and Standards		4
2-7 Pertaining to Streets, Alleys and Easements		5
2-8 Pertaining to Lots, Blocks and Parcels		6
2-9 Pertaining to Measurement		6
2-10 Pertaining to Plat Approval		7
2-11 Pertaining to Utilities		8
ARTICLE 3. PLATTING PROCEDURES AND REQUIREMENTS		
		8
Section 3-1 Outline of Platting Procedures		8
3-2 Preapplication Stage		9
3-3 Preliminary Plat Stage		10
3-4 Final Plat Stage		16
ARTICLE 4. SUBDIVISION DESIGN PRINCIPLES AND STANDARDS		
		23
Section 4-1 General		23
4-2 Public Land		24
4-3 Drainage Planning		25
4-4 Street Planning		26
4-5 Easement Planning		31
4-6 Lot Planning		32

SUBDIVISION CODE

<u>CONTENTS</u>	<u>INDEX</u>	<u>PAGE</u>
ARTICLE 5. STREET AND UTILITY IMPROVEMENT REQUIREMENTS		33
Section 5-1 Purpose		33
5-2 Responsibility for Improvements		33
5-3 Drainage Improvement Standards		34
5-4 Street Improvement Standards		34
5-5 Utility Improvement Standards		39
5-6 Lot Improvement Standards		44
5-7 Submittal Review and Approval of Engineering Plans		44
5-8 Improvements Security		44
5-9 Final Inspection and Acceptance of Improvements		45
ARTICLE 6. RESERVED		46
ARTICLE 7. RESERVED		46
ARTICLE 8. MODIFICATIONS		46
Section 8-1 Extraordinary Conditions, Appeal for Modifications		46
8-2 Appeal to Council		47
8-3 Additional Requirements		47

SUBDIVISION CODE

Article 1: TITLE, PURPOSED AND ADMINISTRATION

- 1-1 Short Title
- 1-2 Purpose
- 1-3 Administration
- 1-4 Application
- 1-5 Prohibition of Circumvention

Section 1-1 SHORT TITLE

This Code shall be known as the 'Subdivision Code of the City of Bisbee'.

Section 1-2 PURPOSE

The purpose of this Code is to provide for the orderly growth and harmonious development of the City of Bisbee; to secure adequate traffic circulation through coordination street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots having optimum utility and livability; to secure adequate provisions for water supply and distribution, drainage and flood control, sanitary sewerage and other health requirements; to ensure and facilitate provisions of sites for schools, recreation and other public purposes; to promote conveyance of land by accurate legal description; and, to establish logical procedures for the achievement of this purpose.

Section 1-3 ADMINISTRATION

The Bisbee Planning and Zoning Commission is hereby authorized to receive, process and otherwise mot upon preliminary and final subdivision plats in accordance with this Code.

Section 1-4 APPLICATION

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

Section 1-5 PROHIBITION OF CIRCUMVENTION

As provided in Arizona Revised Statutes 9-463.03, it shall be unlawful for any person, firm, corporation, partnership, association, syndicate, trust, or other legal entity to offer to sell or lease, to contract to sell or lease, or to sell or lease any subdivision or part thereof until a final plat thereof, in full compliance with the provisions of this Ordinance, is recorded in the Office of the Cochise County Recorder; except that this shall not apply to any parcel or parcels of a subdivision offered for sale or lease, contracted for sale or lease, or sold or leased in compliance with any law or subdivision regulation regulating subdivision design and improvements of subdivisions in effect at the time the subdivision was established.

Article 2: **DEFINITIONS**

- 2-1 Pertaining to Grammatical Usage
- 2-2 For Brevity of Text
- 2-3 Pertaining to Persons
- 2-4 Pertaining to Subdivisions
- 2-5 Pertaining to Plats
- 2-6 Pertaining to Plans and Standards
- 2-7 Pertaining to Streets, Alleys and Easements
- 2-8 Pertaining to Lots, Blocks and Parcels
- 2-9 Pertaining to Lot Measurement
- 2-10 Pertaining to Plat Approval
- 2-11 Pertaining to Utilities

Section 2-1 PERTAINING TO GRAMMATICAL USAGE

- A. Words used in the present tense include the future tense; words in the singular include the plural and vice versa.
- B. The word “shall” is always mandatory; the word “may” is always permissive.
- C. Terms not herein defined shall have the meanings customarily assigned thereto.

State Law Reference. ARS Title 9, Chapter 4, Article 6

Section 2-2 FOR BREVITY OF TEXT

- A. Commission. The Bisbee Planning and Zoning Commission.
- B. Council. The Bisbee City Council.
- C. Committee a committee appointed by the Commission for the purpose of giving detailed consideration to subdivision proposals in accordance with provisions of this Code , and such other duties relating to land subdivision as may be so assigned.

Section 2-3 PERTAINING TO PERSONS

- A. Subdivider/Owner. The person, firm, corporation, partnership, association, syndicate, trust, or other legal entity holding title to land by deed or as vendees under land contract or holding other title record, that files application and initiates proceedings for the subdivision of land in accordance with this Code; except that an individual serving as agent for such a legal entity is not a subdivider.

- B. Agent. The person authorized, in compliance with Section 3-3 (B-8) of this Code, by the subdivider to act in his behalf for the purposes of subdividing land in accordance with this Code.

Section 2-4 PERTAINING TO SUBDIVISIONS

- A. Subdivision means improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts, or parcels of land, or if a new street is involved, any such property which is divided into two or more lots, tracts, or parcels of land, or any such property the boundaries of which have been fixed by recorded plat which is divided into more than two parts. Subdivision also includes any condominium, cooperative, community apartment, townhouse or similar project containing four or more parcels in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the building or the manner in which the buildings or air space above the property shown on the plat are to be divided.
- B. Subdivision does not include the following:
 - 1. The sale or exchange of parcels of land or between the joint property owners if such sale or exchange does not create additional lots.
 - 2. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
 - 3. The leasing of apartments, offices, stores or similar space within a building or trailer park nor to mineral, oil or gas leases.

Section 2-5 PERTAINING TO PLATS

- A. Plat . A map of a subdivision
- B. Preliminary Plat. A preliminary map including supporting data indicating a proposed subdivision design prepared in accordance with the provisions of section 3-3 (E) of this code.
- C. Final Plat. A map of all or part of a subdivision essentially conforming to an approved preliminary plat prepared in accordance with the provisions of Section 3-3 (E) of this Code.
- D. Recorded Plat. A final plat bearing all the certificates of approval required by this Code and filed in the Office of the County Recorder.

Section 2-6 PERTAINING TO PLANS AND STANDARDS

- A. Engineering Plans. Plans, profiles, cross-sections, specifications and other details of construction of the improvements required under the provisions of Section 5-5 of this Code, prepared by a registered engineer in accordance with the approved preliminary plat and in compliance with adopted City standards.
- B. General Plan. The City of Bisbee General Plan together with any supplements thereto.
- C. Traffic Circulation Plan. A supplement of the General Plan which provides for the development of major streets, highways and thoroughfares of the City.
- D. Development Master Plan. A preliminary map indicating tentative layout of streets and location of schools, recreation areas, and other community facilities for the entirety of a landholding of which a portion is to be submitted as a preliminary plat; a map meeting the needs of Section 3-2 (D) of this Code.

Section 2-7 PERTAINING TO STREETS, ALLEYS, AND EASEMENTS

- A. STREET. Any existing or proposed street, avenue, boulevard, road, lane, parkway, place bridge, viaduct, or easement for public vehicular access, or a street shown in a plat heretofore approved pursuant to law, or a street in a plat duly filed and recorded in the Cochise County Recorder's Office. A street includes all land within the street right-of-way, whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking spaces, bridges, and viaducts.
 - 1. Arterial Street. A street so designated on any adopted neighborhood or other specific plan whose primary function is to carry traffic between and through major traffic generators.
 - 2. Collector Street. A street so designated on any adopted neighborhood or other specific plan whose primary function is to carry traffic from local streets to arterial streets and whose secondary function is to provide access to abutting properties.
 - 3. Minor Street. A street serving the primary function of providing access to abutting property including:
 - A. Marginal Access Street. A local street parallel and adjacent to an arterial street which provides access to abutting property; intercepts other local streets and controls access to the arterial street (also called a "frontage street" or "frontage road").

B. Cul-de-sac Streets. A short local street with a maximum length of four hundred (400) feet having one end permanently terminated in and including a vehicular turning area.

B. Alley. A public way providing secondary vehicular access and service to properties which also abut upon a street.

C. Crosswalk. A public walk dedicated entirely through a block from street to street or to a school, park, recreation area, or other public facility.

D. Drainage way A right-of-way dedicated to the public for the purposes of constructing and maintaining drainage improvements as may be compatible therewith.

E. Easement. A grant by the owner of a use of a strip of land by the public, a corporation, or persons for specific and designated uses and purposes.

F. Street Line. A line describing the boundaries of a street right-of-way.

Section 2-8 PERTAINING TO LOTS, BLOCKS, AND PARCELS

A. Block. A piece or parcel of land, or group of lots, entirely surrounded by public streets, watercourses, railroads, parks or a combination thereof.

B. Lot. A piece or parcel of land separated from other pieces or parcels by description, as in a subdivision or on a record survey map or by metes and bounds, for purposes of lease, transfer of ownership or separate use.

1. Corner Lot. A lot abutting on two (2) or more intersecting streets having an interior angle of intersection not exceeding one hundred thirty five (35) degrees.

2. Double-Frontage Lot. A lot abutting on two (2) non-intersecting streets.

3. Key Lot. Any interior lot, one (1) side of which is contiguous with the rear line of a corner lot.

C. Exception Any parcel of land located within the boundaries of a subdivision which is not included in the plat.

Section 2-9 PERTAINING TO MEASUREMENT

A. Lot Line: A line bounding a lot.

1. Front Lot Line. A lot line coinciding with the street line or in the case of a corner lot, the shorter of two lot lines coinciding with street lines or in the case of a double frontage lot, the lot line coinciding with the street line which provides access to the lot.

2. Side Lot Line. Any Lot line other than a front or rear lot line. In the case of a corner lot, the lot line abutting the street side is termed an exterior side lot line; all other side lot lines are termed interior side lot lines.
 3. Rear Lot Line. The lot line opposite and farthest from the front lot line; for a pointed or irregular lot, the rear lot line shall be an imaginary line parallel to and farthest from the front lot line, not less than ten (10) feet long and wholly within the lot.
- B. Lot Width.
1. In the case of a rectangular lot or a lot abutting on the outside of a street curve, the distance between the side lot lines measured at the minimum front setback line parallel to the street or street chord.
 2. In the case if a lot abutting on the inside of a street curve, the distance between the side lot lines measured at the rear line of the dwelling or, when there is no dwelling thirty (30) feet behind the minimum front setback line parallel to the street or street chord.
- C. Lot Depth.
The distance measured on a line parallel to the axis of the lot between a point on the front lot line and a point on the rear lot line which is closest to the proposed or existing dwelling or principal building or any part thereof.
- D. Usable Lot Area.
That portion of a lot usable for or reasonably adaptable to the normal use for which the lot is intended and not including area which is covered by water, is excessively steep, or has its normal use restricted by certain types of easements.

Section 2-10 PERTAINING TO PLAT APPROVAL

- A. Preliminary Approval. Unconditional approval of a preliminary plat by the Commission as evidenced by meeting minutes and noted upon copies of the preliminary plat.
- B. Conditional Approval. An affirmative action by the Commission and Council indicating that approval of a preliminary plat will be forthcoming upon satisfaction of certain specified stipulations.
- C. Final Approval. Unconditional approval of a final plat by the Council as evidenced by certification thereon by the City Clerk.

Section 2-11 PERTAINING TO UTILITIES

Public Underground, above ground, or overhead furnishing to the public under State or municipal regulations, electricity, gas, steam, communications, water, drainage, flood control, irrigation, garbage or trash disposal, and sewage disposal; also, such person, firm, corporation, or municipal department or board, as the context indicates.

Article 3. PLATTING PROCEDURES AND REQUIREMENTS

- 3-1 Outline of Platting Procedures
- 3-2 Preapplication Stage
- 3-3 Preliminary Plat Stage
- 3-4 Final Plat Stage

Section 3-1 OUTLINE OF PLATTING PROCEDURES

A. The preparation, submission, review and official action concerning all subdivision plats, plats filed for the purpose of reverting to acreage of land previously subdivided, plats filed for the purpose of vacating streets or easements previously dedicated to the public and for plats filed for the purpose of vacating or re-describing lot or parcel boundaries previously recorded, within the City of Bisbee shall proceed through the following progressive stages, except as provided in Paragraph B, below:

1. Preapplication Stage.
2. Preliminary Plat Stage.
3. Final Plat Stage.

The Commission shall neither receive nor review preliminary or final plats until the plats have been reviewed by the staff and the Committee. The Council shall neither receive nor review preliminary or final plats until the plat has received recommendation of the Commission.

B. The formal Preapplication Stage and preliminary Plat Stages may be omitted when filing a plat for subdividing previously platted land, vacating or re-describing lot or parcel boundaries previously recorded and where no public improvements are affected. Provided, however, that such plats shall be reviewed and approved by the entire Commission prior to Council consideration.

Section 3-2 PREAPPLICATION STAGE

A. Purposes. This stage affords the subdivider the opportunity of obtaining the advise and assistance and of informally discussing the proposed subdivision with members of the Staff and the Subdivision Committee prior to the expense of a preliminary plat preparation. This

stage of processing also affords the Staff and Committee the opportunity to give informal guidance at a time when potential most easily resolved, subsequent relations improved, official action simplified and undue expense and delay save by the subdivider.

B. Development Master Plan Submittal. The subdivider shall confer with the Committee and present the graphic depiction of this proposal at a scale of 1 Inch = 400 feet (One inch equals four hundred) with supporting detailed information, at an appropriate scale, including but not limited to:

1. Proposed general street layout and classification giving special attention to neighborhoods circulation and access to arterial and collector street.
2. Proposed general location of schools, parks and other public areas, and information regarding tentative timing and method of acquisition by the public.
3. Proposed general location and general extent of all types of land uses including layout of lots, existing and proposed zoning in adjacent to parcel, major drainage courses and existing easements of record.
4. Proposed methods of sewage disposal, water supply and storm drainage including relationship to existing or planned public systems.
5. Location and type of existing developed land and designation of all land ownership within the limits of the development master plan.

C. Submission Review and Approval. The subdivider shall prepare and submit six (6) copies of a Development Master Plan not less than five (5) working days prior to the Committee meeting at which it is to be considered, the Committee shall review the Development Master Plan for its general approach to area planning and capability of satisfying public objectives as contained in the general plan and may request similar review and recommendation by school authorities and such other officials as it may consider appropriate. The Committee may find that the Development Master Plan provides an acceptable basis for preliminary platting or may require its modification prior to consideration of any preliminary plat by the Commission.

D. Updating of Development Master Plan. An approved Development Master Plan shall be kept up-to-date by the subdivider as plats are subsequently submitted and approved and an up-to-date copy submitted with each preliminary plat submittal. Whenever revision of an approved Development Master Plan is proposed, the subdivider shall discuss each revision with the Committee prior to preparation and submission of any subsequent plat in accordance with Section 3-2 (B) of this Code.

Section 3-3 PRELIMINARY PLAT STAGE

A. Purpose. This stage includes preparation, submission, review, and approval of the preliminary plat based on the approved Development Master Plan. Processing will

be expedited by submission of all information essential to determining the intended character and general acceptability of the proposal.

B. Information Required for Preliminary Plat Submission.

1. **Form and Scale.** Preliminary plat information shall be presented on one or more plan sheets with written data entered directly thereon or contained in letters attached thereto. All mapped data for the same plat shall be drawn at the same standard engineering scale of one hundred (100) feet to the inch. A larger scale may be utilized with written permission of the Public Works Director in situations which warrant its use as a result of a need to show detail which cannot be easily shown at a scale of one hundred (100) feet to the inch.

2. Identification Data.

A. Proposed subdivision name, location by section, township and range, referenced by dimension and bearing to a section corner of a $\sim/4$ section corner.

B. Name, address and telephone number of subdivider.

C. Name, address and telephone number of person preparing plat.

D. Name, address and telephone number of agent.

E. Scale, north point, and date of preparation, including any revision dates.

3. Existing Conditions Data.

A. Topography by the contours related to a U.S.G.S. Survey datum and shown on the same sheet as the subdivision layout. Contour interval shall be two (2) feet for grades up to five (5) percent, five (5) feet for grades five to ten percent, and ten (10) feet for grades over ten (10) percent.

B. Precise location of water wells, washes, and drainage ditches including direction of flow.

C. Location, widths, and names of all dedicated streets, alleys, utility right-of-way of public record, easements of record, public areas, and permanent structures to be retained within or adjacent to tract.

D. Name, book, and page numbers of recorded plats abutting the tract or across a boundary street.

E. Legal description, boundary dimensions, and acreage of tract.

4. Proposed Conditions Data.

A. Street layout including location and width of all streets, alleys, crosswalks, and easements; proposed names of streets.

B. Lot layout including scale dimension of typical lots; width and depth of all corner lots and lots on street curves; each lot numbered consecutively; total number of lots; key lots/corner lots will be identified by lot number in side legend.

C. Location, width, and proposed use of easements.

D. Location, extent, and proposed use of all land to be dedicated or reserved for public use.

E. Location and boundary of all existing and proposed zoning classifications.

F. Draft of proposed deed restrictions.

5. Proposed Utilities. All lots shall be provided public water supply and sanitary sewerage.

6. Preliminary Drainage Report. Shall indicate location and extent of areas subject to inundation as a result of contributory on and off-site drainage basins; data regarding estimated flow quantities and frequency of inundation and proposed modes of flow conveyance through and within the parcel being subdivided. Information submitted shall be sufficient to determine whether or not storm water drainage can be accommodated as proposed.

7. Proof of Ownership. Proof of ownership shall consist of a copy of a title report issued not more than thirty (30) days prior to the date of submittal by a title company authorized to conduct business in the State of Arizona.

8. Proof of Agency. If the land is owned by a corporation, proof of agency shall consist of a Corporate Resolution designating the individual to act as agent. The Corporate Resolution must be certified by the Secretary of the corporation, and authenticated by the form prescribed in A.R.S. 33-506.2.

If the land is owned by a partnership, proof of agency shall consist of a written document from the partner(s) designating an individual to act as agent. The document must be certified and acknowledged in the form prescribed by A.R.S. 33-506.3.

If the land is owned by an individual, proof of agency shall consist of a written document designating an individual to act as agent. The document must be certified and acknowledged in the form prescribed by A.R.S. 33-506.01.

C. Preliminary Plat Submission Procedures

1. Filing and Meeting Dates. An application for plat approval together with fifteen (15) copies of the preliminary plat and one copy of the required supporting data prepared in accordance with Section 3-3 (B) of this Code, proof of ownership and proof of agency, shall be filed with the City Clerk at least fifteen (15) working days prior to the regular Commission meeting at which the subdivider desires to be heard. The City Clerk shall record the date of filing and immediately transmit the plats and supporting data to the Director of Planning.

2. Filing Fees. Application for plat approval shall include payment to the City Clerk of a filing fee in the amount of twenty-five dollars (\$25.00) or two dollars (\$2.00) per lot, whichever is the greater amount. The filing fee shall also cover filing of an amended or revised preliminary plat when processed as the same case.

3. Zoning Amendment. The preliminary plat shall be designed to meet all requirements of the Zoning District in which it is located; however, in the event that an amendment of zoning is deemed necessary, such application shall accompany submission of the preliminary plat. An application for zoning amendment shall be heard by the Commission at the same meeting as the preliminary plat constitutes only one unit of a larger development intended for progressive platting, zoning amendment shall usually be limited to the area contained in the first plat.

4. Preliminary Plat Review. The Community Development Director shall receive, review, and process the preliminary plat in order to determine its compliance with the provisions of this Code the Community Development Director shall distribute copies of the plat to the following officials who shall prepare their recommendations in writing for consideration of the Commission:

- A. Public Works Director for review of existing and proposed conditions, data relating to streets, drainage, flood control, water supply, and sewage disposal facilities.
- B. Community Development Director for review of conformance to general plan and identification data.
- C. Director of Public Works for review of maintenance or operational considerations.
- D. Community Development Director for review of conformance to current and proposed zoning.
- E. Chief of Police for review of traffic circulation pattern and potential traffic hazards.
- F. Fire Chief for review of access routes and Fire Hydrants.
- G. Superintendent of the appropriate school district for his information.
- H. Postmaster of local district for his information.
- I. County Engineer and Director of Planning if proposed subdivision abuts Cochise County.

5. If the preliminary plat meets all requirements of Section 3-B(B) of this Code, the application shall be transmitted to the Subdivision Committee for their review and recommendation to the Commission. If the application does not meet the requirements of this Code, it shall be rejected, the filing date Voided, and the subdivider notified as to the deficiencies.

6. The Committee shall review the preliminary plat for compliance to provisions of this Code and make its written recommendation to the Commission

7. Commission Hearing and Action.

A. If all requirements of this section have been met, the commission shall consider the preliminary plat at a regular meeting or special meeting.

B. If satisfied that all requirements and objectives of this Ordinance have been met, the Commission shall find preliminary approval and the chairman shall note such approval on two (20 Copies of the plat, retaining one in commission files, and transmitting one to the City Council.

C. If the plat is generally acceptable, but requires minor revision before preparation of the final plat, the Commission shall find conditional approval and specify the minutes and thereafter any new filing of a plat for the same tract or part thereof, shall follow normal procedure and be subject to a new filing fee.

8. Council Hearing and Action Upon finding of preliminary or conditional approval, the Community Development Director shall transmit the plat, with Commission and Staff recommendations to the Council for their review and confirmation of the preliminary or conditional approval.

9. Significance of Approval. Approval of a preliminary Plat by the Council constitutes authorization for the subdivider to proceed with the preparation of the final plat and engineering plans. Preliminary or conditional approval is valid for a period of twelve 9120 months from the date and may be extended once at the discretion of the Commission for six 960 months from the expiration date of the original approval upon written request of the subdivider prior to expiration of the approval. If the approval expires prior to filing the final plat, improvement plans, and supporting data, the preliminary plat shall be resubmitted for approval as a new case and a new fee paid. If a Committee review of a resubmitted plat reveals no substantial changes from the previously approved preliminary plat, and that conditions under which previous approval was granted have not changed, the resubmitted plat shall be scheduled for a hearing by the Commission at its first regular meeting thereafter.

Section 3-4 Final Plat Stage

A. Purposes. This stage includes final design of the subdivision, engineering of public improvements, submittal of plat and plans by the subdivider, plat review by the staff and Committee, and final hearing by the Council.

B. Information required for final plat submission

1. Preparation of the final plat The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with the provisions of this code.

2. Medium of presentation.

A. The final plat shall be drawn in India Ink on clear polyester film or line tracing cloth on a sheet or sheets of twenty four inch by thirty six inch (24”x 36”) proportions. All stamped or written matter, including signatures, shall be made permanent opaque ink so that legible prints may be obtained therefrom. When the final plat consists of two or more sheets, one key map showing the relationship of the tract portions on the sheets shall be placed on the first sheet and each sheet shall clearly indicate the sheet number and total number of sheets.

B. The plat shall be drawn to an accurate scale of one hundred (100) feet to an inch. A larger may be utilized with the written permission of the public Works Director in situations which warrant its use as a result of a need to show detail which cannot be easily shown at a scale of one hundred (100) feet to an inch.

C. Copies of the final plat shall be reproduced in the form of blueline or blackline prints on a white background.

3. Identification Data

A. Name of subdivision and location by section, township, range and County.

B. Name, address and registration number or seal of the registered professional engineer or registered land surveyor preparing the plat.

C. Scale, north point, and date of plat preparation.

D. Legend identifying the symbols utilized in the plat preparation; corner lots abutting a key lot will be identified in a legend by lot number with the following notation: building setback exceeds standard side yard setback (see zoning requirements).

E. Precise legal description of tract boundaries.

4. Survey Data.

A. Boundaries of the tract fully balanced and closed, showing true point of beginning and all bearings and distances determined by an accurate survey in the field; all dimensions expressed in feet and decimals thereof.

B. Any exceptions within the plat boundaries located by bearings and distances measured in feet and decimals thereof determined by an accurate survey.

C. Location and description of cardinal points to which all dimensions, angles, bearings, and similar data on the plat are referenced; two corners of the subdivision traverse shall be tied by course and distance to separate sections, corners or quarter-section corners. The directional datum for all bearings shall be indicated.

D. Location and description of all physical encroachments upon the boundaries of the tract.

5. Descriptive Data.

A. Name, right-of-way lines, courses, lengths, widths of all public streets, alleys, cross-walks, and utility easements; radii, points of tangency, and central angles of all curvilinear streets and alleys; radii of all rounded street line intersections.

B. Any drainage ways designated as such and dedicated to the public.

C. Any utility and public service easements including any limitations of easements (construction within such easements shall be limited to utilities, landscaping; and wood, wire, or removable section type fences).

D. Location and dimension of all lots. Any lots numbered consecutively throughout the plat; exceptions and tracts shall be dimensioned and identified by letter or number.

F. Tract boundary of the subdivision shall be clearly delineated.

G. Location, dimension, bearings, radii arcs, and central angles of all sites to be dedicated to the public and the use specified.

H. Location of all adjoining subdivisions with date, book, and page number.

I. Any private deed restrictions to be imposed upon the plat or any part(S) thereof, typewritten and attached to the plat and to each copy thereof.

6. Final Plat Certificates- The following certificates and acknowledgements shall appear on the final plat. Such certificates shall be lettered or printed legibly with permanent opaque ink and shall be signed and dated as prescribed hereafters
- A. A certificate signed and acknowledged by all persons holding title by deed to the lands or if lands dedicated or held in trust, the trustee shall sign the certificate, or if land is to be dedicated or mortgaged, the mortgagee shall also sign their certificate. Said certificate to indicate that it is the owner's intention to subdivide and plat the land shown and described hereon and that the public right-of-way shown hereon is hereby dedicated to the public for public use for ever and that the easements shown hereon, are not dedicated to the public but the right to use said easements for the purposes indicated is perpetually reserved to the public and no permanent building or structure shall be constructed upon said easements.
- B. A certificate executed by the professional engineer or land surveyor registered to practice in the State of Arizona under whose direction and survey, subdivision, and plat of the land described on the said plat was made; stating that the plat is a correct representation of all the exterior boundaries of land surveyed and the subdivision of it; stating that he has prepared the description of the land shown on the plat and that he certifies to its correctness; stating that the bearings shown on the plat are expressed in relation to the true meridian or previously established meridian or hearing and that all existing monuments shown on the plat are actually located in the ground and their locations, size and material are correctly shown. The certificate shall include the registration number, seal and signature of the registered professional engineer or land surveyor.
- C. A certificate executed by a professional engineer or land surveyor registered to practice in the State of Arizona that all lots are staked or will be staked and all monuments are set or will be set within one year after recordation in accordance with the provisions of this Code. The certificate shall include the registration number, seal, date, and signature of the registered professional engineer or land surveyor.
- D. A certificate for signature by the Public Works Director that the final plat has been checked for conformance to the requirements of the provisions of this Code and any other applicable ordinance and regulation and appears to comply with all requirements.
- E. A certificate for signature by the Chairman of the Planning and Zoning Commission that the final plat has been checked for conformance to the preliminary plat as approved by the Commission and appears to conform with all requirements.
- F. A certificate to be signed by the City Clerk that the City Council approved the final plat and showing the date of approval.
- G. A certificate to be executed by the Cochise County Recorder showing the date, time of day, fee number, book, and page number of recordation.

C. Plat Submittal Procedures.

1. Pre-submission Requirements. Zoning - The final plat shall meet all requirements of the zoning district in which it is located; any necessary zoning amendment shall have been adopted by the Council prior to filing of the final plat.

2. Submission Requirements· At least twenty-one (21) days prior to the-Council meeting at which the case is to be heard, the subdivider shall file with the City Clerk, who shall record the date of filing and immediately transmit the submittal to the Director of Planning for review by the Subdivision Committee, the following:

A. The final plat.

B. Ten (10) true copies of the final plat.

C. The recordation fee as established by the County Recorder.

D. Two (2) copies of the street improvement plans.

E. Two (2) copies of the sewer improvement plans.

F. The final drainage report and two (2) copies of associated drainage improvement plans.

G. Two (2) copies of the utility plan(s); said plan(s) shall show proposed line locations and proposed construction details to indicate the configuration and construction of any trenches, the location and outside dimensions of terminal boxes, transformers, vaults, closures, poles, telephone raisers, fire hydrants, valve boxes and similar appurtenances relating to all electrical, lighting, gas, telephone, and cable television improvements/facilities to be constructed within public rights-of-way or easements being granted for public use.

H. One (1) copy of the easement plan; said plan shall be a reproduced copy of the final plat reflecting all necessary utility easements thereon and authenticated by signatures of authorized representatives of all serving utilities. Said signatures shall be construed as evidence and satisfaction of utility easement requirements of the serving utilities.

I. One (1) original and three (3) copies of the project engineer's cost estimate of public improvements.

3. Final Plat Review

A. If the Subdivision Committee finds that the submittal is complete and if the final plat substantially conforms to the approved preliminary plat, a copy shall be transmitted to the Public Works Director for examination of survey computations and approval of street, utility, and drainage measures whereupon the Public Works Director and the Commission shall coordinate and summarize their recommendation for presentation to the Council. The final plat shall be returned to the subdivider who shall resubmit it prior to placement on the Council agenda together with a reproducible copy of the final plat which has been prepared using an archival photographic image process conforming to standards established by the American National Standards Institute, on a polyester material four thousandths (.004) of an inch thick with a matte finish.

B. If, in the opinion of the Committee, the final plat does not substantially conform to the approved preliminary plat, it shall be returned to the Clerk, the filing date shall be voided and the subdivider so informed.

4. Final Plat Approval and Recordation

A. Upon notification from the Director of Planning that the plat is in order, the City Clerk shall enter the case on the agenda of the regular Council meeting whereupon the Council shall approve or reject the plat.

B. If the Council rejects the plat for any reason whatsoever, the reasons therefore shall be recorded in the minutes. If the Council approves the plat, the City Clerk shall execute the appropriate certificate of approval upon the plat, first making sure that the other certificates required in Section 3-4(B-8) of this Code have been duly executed.

C. Upon notification by the Public Works Director that the improvement plans have been approved and the improvement security provided in accordance with the provisions of Section 5-8 of this Code, the City Clerk shall record the plat in the Office of the Cochise County Recorder and pay the recordation fee. One (1) copy of the recorded plat shall be retained in the Commission file and one (1) copy shall be retained by the Director of Planning.

Article 4. SUBDIVISION DESIGN PRINCIPLES AND STANDARDS

- 4-1 General
- 4-2 Public Land
- 4-3 Drainage Planning
- 4-4 Street Planning
- 4-5 Easement Planning
- 4-6 Lot Planning

Section 4-1 GENERAL

A. Conformance to Laws. Every subdivision shall conform to the requirements and objectives of the General Plan, specific plans, or any parts thereof as adopted by the City Council, to the City of Bisbee Zoning Ordinance, to other ordinances and regulations of the City, and to the Arizona Revised Statutes, as amended.

B. Unsuitable Land. Land which, in the opinion of the Commission, based on the written recommendation of the Public Works Director, is unsuitable for the proposed use reason of adverse topography, adverse soils, subsidence of the earth surface, high water table, periodic flooding, lack of water, or other natural or manmade hazards to life or property shall not be subdivided. However, the Commission may approve subdivision of such land upon receipt of evidence from the developer's engineer and recommendation of the Public Works Director that the construction of specific improvements can be expected to render the land usable, in which case, improvements have been acceptably planned and construction has been guaranteed.

C. Layout. Streets and easements shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility, a safe and convenient street and pedestrian system, and gradients to facilitate adequate drainage.

D. Subdivision and Street Names. Subdivision names and new street new street names shall not duplicate or be closely similar to any other existing subdivision or street name except that street names shall be consistent with the natural alignment and extension of existing named streets.

Section 4-2 PUBLIC LAND

A. Reservation of Public Land. When a tract contains all or any part of the site ox a park, recreational facility, school site, fire station, or other public site as shown in the General Plan or a specific plan, such site shall either be dedicated to the public or reserved for acquisition by the public subject to the following conditions:

1. The requirement may only be made upon preliminary plats filed at least thirty (30) days after adoption of the General Plan or specific plan affecting the land area to be reserved.
2. The required reservations are in accordance with definite principles and standards adopted by the City Council.

3. The land area reserved shall be of such size and shape as to permit the remainder of the land area of the subdivision within which the reservation is located to develop in an orderly and efficient manner.
4. The land area reserved shall be in such multiples of streets and parcels as to permit an efficient division of the reserved land in the event that it is not acquired within the prescribed period.
5. The public agency for whose benefit an area has been reserved shall have a period of one (1) year after recordation of the final subdivision plat to enter into an agreement to acquire such reserved land area. The purchase price shall be the fair market value thereof at the time of filing of the preliminary subdivision plat plus the taxes against such reserved area from the date of the reservation, and any other costs incurred by the Subdivider in the maintenance of such reserved area including interest costs incurred on any loan covering such reserved area. If the public agency for whose benefit an area has been reserved does not exercise the reservation agreement set forth in Paragraph 5 of this Section within such one (1) year period or such extended period as may be mutually agreed upon by such public agency and the Subdivider, the reservation of such area shall terminate.

Section 4-3 DRAINAGE PLANNING

A. General. Storm water shall be conveyed through a subdivision in a manner that will not damage development within the subdivision nor create an undue nuisance to the inhabitants thereof. When improvements within a subdivision change the natural flow of storm drainage, they shall be designed in a manner that will not damage the land or change the flow characteristics of the natural drainage over the land upstream or downstream from the subdivision unless the Subdivider proves the City with a hold-harmless agreement from the affected upstream or downstream property owner(s).

B. Drainage Right-of-way. Any concentrated storm drainage that cannot be conveyed in a public street right-of-way shall be conveyed in a dedicated drainageway or in a drainage easement. Dedicated drainageways shall be vested in the Public for public use and not included in any lot. Drainage easements are dedicated for public use, but the right to use them to construct and maintain drainage facilities shall be granted to the Public and they may be included in a lot, but the use thereof shall be restricted to uses that will not interfere with the maintenance of the natural flow of storm drainage over and/or under the easement. A drainage easement shall be provided to accommodate the flow that is expected to occur at least once every one hundred (100) years. A dedicated drainageway shall be provided to accommodate the flow that is expected to occur at least once every 24-twenty-five (25) years; provided, however, that this requirement may be waived by the Commission when the resulting drainageway will be less than ten feet (10') in width and less than one foot (1') in depth. Any drainage easements shall be at least fifteen feet (15') in width.

Section 4-4 STREET PLANNING

A. General Layout Criteria.

1. Whenever the subdivision embraces any part of a street designated in any adopted neighborhood or specific plan, such street shall be platted in conformity therewith; provided, however, that the developer may request and the Public Works Director and the Commission may recommend and the Council may approve minor deviations in alignment whenever it is found to be impractical to conform to the exact alignment shown on any adopted neighborhood or other specific plan or other plan because of adverse topography, drainage problems, existing development or traffic safety. Such minor deviations may be made without adversely affecting the public purpose to be served by the street; provided, however, that the distance between an Arterial or Collector and a Marginal Access or Collector does not exceed fifteen hundred feet (1500').
2. Street layouts shall provide for the continuation of existing and proposed Arterial and Collector streets into adjacent areas and such other streets as the Commission may designate. Streets which the Commission should designate, include, but are not limited to, Collector and Minor streets required to provide future connection with adjoining unplatted lands. In general, these extensions should not be further apart than the fifteen hundred foot (1500') maximum permitted block length.
3. Half streets shall be discouraged except when necessary to provide right-of-way required by any adopted neighborhood or specific plan to complete a street pattern already begun or to insure reasonable development of the adjoining unplatted parcel. Where a half street exists abutting a tract, the remaining half street shall be platted within the tract. Where a half street furnishes the sole access to a lot, the Subdivider shall plat and develop a street of sufficient width to accommodate two-way traffic. Dead-end streets shall not be approved except where specifically designated by the Commission as necessary for connection to adjacent unplatted lands. In any case, a dead end street serving more than four (4) lots shall provide by easement a temporary cul-de-sac turnaround conforming to the provisions herein. Dead end alleys shall be prohibited.
4. Street access to a subdivision shall be provided as required by the Commission. In general, the subdivision shall have at least two (2) street accesses serving each forty (40) acre or smaller tract unless the Subdivider can show to the Satisfaction of the Commission that the number of lots in the subdivision makes this requirement an unjustified burden. Where access must be provided across land not owned by the Subdivider, the Subdivider shall, as a minimum, provide at least fifty (50) feet of right-of-way.

5. The maximum block length shall be fifteen hundred feet (1500') measured along the centerline of the street and between intersecting street centerlines, except that in subdivisions where lot areas average one-half (1/2) acre or more, this maximum may be exceeded by five hundred feet (500')

6. When a residential subdivision abuts the right-of-way of a railroad or limited access highway or abuts a commercial or industrial land use, the Commission may recommend location of a street approximately parallel to such right-of-way or use at a distance suitable for appropriate use of the intervening land, such distance being determined with due regard for approachways, drainage, bridges, or future grade separations.

7. Crosswalks are not considered a satisfactory substitute for a directional street layout and shall generally be avoided; however, where essential for circulation and access to schools, playgrounds, and other community facilities, crosswalks eight (8) feet wide may be required by the Commission. Such walks may be used for utility installations.

8. Unless otherwise noted, all width measurements are to property lines and all length measurements are along the centerline of the right-of-way and to the centerline of intersection streets.

B. Intersection Criteria.

1. Streets intersecting an Arterial or Collector street shall do so at a ninety degree (90) angle. Minor streets shall typically intersect at right angles but in no case less than seventy five degrees (75).

2. Minor streets intersecting a collector street or arterial street shall have a tangent section of centerline at least one hundred fifty (150) feet in length measured from the right-of-way line of the Major street, except that no such tangent is required when the Local street curve has a centerline radius greater than four hundred (400) feet.

3. Street Jogs with centerline offsets less than one hundred twenty-five (125) feet shall be avoided except where waived by the Commission based on the recommendation of the Public Works Director.

4. Street intersections with more than four (4) legs and Y-type intersections with legs meeting in acute angles shall be avoided.

C. Arterial Street Criteria.

1. Arterials are designed for maximum utilization by through traffic and minimal or very limited access from adjacent property. Arterials are intended to carry high volume, moderate speed traffic with limited access to property and minimal intersecting traffic.

Access directly onto any Arterial from residential property shall be prohibited by the construction of a frontage street or 'a one (1) foot no-access easement with a six (6) foot

masonry wall. Access directly onto an Arterial from any Minor street or Collector street or from any abutting property shall be prohibited. An internal circulation system must be developed to provide access from access from abutting properties to a Minor street or Collector street as designated on any adopted neighborhood or other specific plan and and thence to the Arterial. Access directly onto an Arterial from any commercial or industrial Property shall be prohibited by the construction of a frontage street. Access to an Arterial shall be limited to one (1) access every one thousand 1,000) feet.

Arterials are to be located at approximately one (1) mile intervals as designated on any adopted neighborhood or other specific plan, and based on projected traffic volumes as determined by the land use plans. The requirement for a frontage street or the prohibition of access to an Arterial Street may be waived by the Council upon request of the Subdivider and recommendation by the Commission providing the Subdivider can show that existing development of an adequate frontage street or that traffic volume accessing the property will be better served by an alternate plan and that the proposed alternate plan for access will preserve the traffic function of the Arterial street and protect residential properties from the nuisance and hazard of high-volume noisy traffic.

2. Right-of-way for Arterials shall be one hundred (100) feet. Corners shall be rounded with a twenty (20) foot radius curve. Council may approve reducing the required right-of-way for Arterials by twenty-five (25) feet along any frontage where a frontage street is not required or contemplated.
3. Horizontal curves for Arterials shall have a six hundred (600) foot minimum radius.
4. The length of tangent between reverse curves shall be one hundred (100) feet for Arterials.

D. Collector Street Criteria.

1. Collectors are designed for utilization by through traffic and limited direct access from adjacent property. Access directly onto a collector from residential property shall be discouraged. Collectors are located at approximately one quarter (1/4) to one-half (1/2) mile intervals as designed on any adopted neighborhood or other specific plan.
2. Right-of-way for Collectors shall be sixty (60) feet. Corners shall be rounded by a twenty (20) foot radius curve.
3. Horizontal curves shall have a four hundred (400) foot minimum radius.
4. Length of Tangent between reverse curves shall be one hundred (100) feet.

E. Minor Street Criteria.

1. Minor streets are designed to discourage their use by through traffic and to provide access to adjacent property. Minor streets in commercial and industrial areas shall be designed to conform to the criteria for Collector streets.
2. Right-of-way for Minor streets shall be fifty (50) feet. Corners shall be rounded with a ten (10) foot radius curve.
3. Horizontal curves shall have a two hundred (200) foot minimum radius where tangent centerlines deflect from each other more than ten degrees (10) and less than seventy-five degrees (75). Horizontal curves shall have a fifty (50) foot minimum radius where deflection between tangents is seventy-five degrees (75) or larger.
4. Length of tangent between reverse curves shall be one hundred (100) feet.

F. Cul-de-Sac Turn-Around Criteria.

1. Cul-de-Sac turn-arounds may be used at the end of Minor-type streets providing the length of the Minor street does not exceed four hundred (400) feet.
2. Right-of-way for a cul-de-sac in a residential area shall be a one hundred ten (110) foot diameter circle. Right-of-way for a cul-de-sac in commercial and industrial areas shall be a one hundred thirty (130) foot diameter circle. Corners shall be rounded with a twenty (20) foot radius curve.

G. Alley Criteria.

1. Alleys may be developed in residential subdivisions at the option of the Subdivider. When alleys are platted, the alley alignment and arrangement shall provide optimum convenience for truck service circulation and to avoid alley openings opposite fronts of residential lots. Alleys shall be required at the rear of multiple family residential, commercial, or industrial developments except where, in the opinion of the Commission, other provision is made for adequate permanent access for purposes of fire protection, parking and loading.
2. Right-of-way for alleys shall be twenty-five (25) feet in width for commercial and industrial zones and twenty (20) feet in width for all other areas. Corners shall be cut off to from a ten (10) foot triangle. Horizontal curves shall have a forty (40) foot minimum radius.

Section 4-5 EASEMENT PLANNING

A. Utility Easements. The Subdivider shall provide utility easements as required by the serving utilities and is responsible for coordinating such with the utilities concerned.

B. Curvilinear Alignments. For lots facing on curvilinear streets, utility easements, or alleys shall usually consist of a series of straight lines with points of deflection not less than one hundred twenty (120) feet apart, said points of deflection always occurring at the junction of side and rear lot lines on the side of the exterior angle. However, curvilinear easements or alleys may be employed providing that the minimum radii of centerlines are not less than eight hundred (800) feet.

C. Drainage. Dedicated drainageways or drainage easements shall be provided for surface drainage courses abutting or crossing the tract in accordance with Section 4-3 of this Code, Drainage Planning, and shall be of a width sufficient to permit widening, deepening, relocating, or protecting such drainage course as may be required by the Commission based on recommendation of the Public Works Director.

D. No-Access Easements. Lots arranged to back railroad rights-of-way or commercial or industrial districts or Arterial streets as provided in Section 4-4 (C) of this Code shall have a recorded no-access private easement one (1) foot wide along the rear lot line.

Section 4-6 LOT PLANNING

A. Code Compliance Lot width, depth, and area shall comply with the minimum requirements of this Code; however, where drainage problems exist or prevail, the Commission may require special lot width, depth, and/or area exceeding requirements of the zoning district.

Land within a public street, alley or drainageway, land within a utility easement for major power transmission lines or major pipelines, and such other land considered by the Commission to be unusable shall not be considered a part of the usable lot area.

B. Dimensions. The depth to width ratio of the usable area of lots shall generally be not greater than three (B) to one (1).

C. Side Lot Lines. Side lot lines shall be substantially at right angles or radius to street lines except where other treatment can be justified.

D. Access. Every lot shall abut a public street furnishing satisfactory access to another existing public street; provided, however, that a lot in a commercial area may

be considered as having satisfactory access if such lot abuts a joint-use private drive providing public access to the lot from a public street.

E. Double Frontage Lots. Single family residential lots extending through the block and having frontage on two non-intersecting street shall be prohibited except as may be required herein.

Article 5 PURPOSE STREET AND UTILITY IMPROVEMENT REQUIREMENTS

- 5-1 Purpose
- 5-2 Responsibility for Improvements
- 5-3 Drainage Improvement Standards
- 5-4 Street Improvement Standards
- 5-5 Utility Improvement Standards
- 5-6 Lot Improvement Standards
- 5-7 Submittal, Review and Approval of Engineering Plans
- 5-8 Improvement Security
- 5-9 Final Inspection and Acceptance of Improvements

Section 5-1 PURPOSE

It is the purpose of this Article to define the responsibility of the Subdivider and City in the planning, construction, and financing of public improvements, to establish in outline the minimum acceptable standards and required public improvements for subdivisions and to establish procedures for review and approval of engineering plans.

Section 5-2 RESPONSIBILITY FOR IMPROVEMENTS

A. Responsibility of Subdivider. It is the responsibility of the Subdivider to finance the planning, design, and construction of all streets and alleys, curbs and gutters, sidewalks, crosswalks, street name signs, drainage facilities, sewage disposal facilities, monuments, street lights, fire hydrants, water facilities, and all other public and semipublic improvements required by the Council, this Code, or the Arizona Revised Statutes to standards established herein.

B. Engineering Plans Required.

1. The subdivider shall be responsible for having a registered engineer prepare a complete set of engineering plans, satisfactory to the Public Works Director, for construction of required I improvements. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat. Engineering plans shall have been approved by the Public Works Director prior to recordation of the final plat.

2. Any required improvements shall be designed and constructed in accordance with the latest revision of the Uniform Standard Specifications for Public Works Construction as compiled by the Maricopa Association of Governments, and such other standards as may be adopted by the City Council.

C. Inspection and Testing of Improvements.

1. Any improvements in the public right-of-way shall be constructed under inspection and approval of the Public Works Director. Construction shall not be commenced until a permit has been issued for such construction and if work has been discontinued for any reason, it shall not be resumed until after notifying the Public Works Director in advance.

2. The Subdivider shall be responsible for having a person conduct the testing of all materials used in the construction of public improvements who is authorized under Article 32 of the Arizona Revised Statutes to perform materials testing.

Section 5-3 DRAINAGE IMPROVEMENT STANDARDS

A. Drainage Design and Construction

1. The design and construction of drainage facilities shall be in accordance with standards and procedures established by the Public Works Director. The standards and procedures so established shall not conflict with the provisions of this Code or State Statutes.

2. Any buildings shall be located so they have all weather access. All-weather access is defined as not having to traverse any storm drainage that has a depth greater than seven-tenths (0.7) feet during the storm that is expected to occur at least once every one hundred (100) years.

Section 5-4 STREET IMPROVEMENT STANDARDS

A. General. Measurements are to the back-of-curb unless otherwise noted.

B. Arterial Street Design.

1. The street width for arterials shall be sixty-six (66) feet. Frontage streets shall be twenty-four (24) feet and shall generally be located to create an eight (8) foot paved bike/pedestrian way between the frontage street curb/gutter and the property line. S street corners shall be rounded with a thirty (30) foot minimum radius curve.

2. Vertical curves shall be designed at all grade changes in excess of one percent (1%) and shall have a three hundred (300) foot minimum length but not less than

fifty (50) feet for each one percent (1%) of algebraic difference in grade. Street grades for Arterials shall be a maximum of five percent (5%) and minimum of five-tenths percent (0.5%). Sight distance for Arterials shall be four hundred (400) feet.

5. Design speeds for Arterials shall be forty miles per hour (40 mph).

6. Design of Arterials shall be in accordance with the American Association of State Highway Transportation Officials (A.A.S.H.T.O.) design standards found in a "Policy on Design of Urban Highways and Arterial Streets"; current edition, and M.A.G. Specifications.

C. Collector Street Design.

1. Street width for Collectors shall be forty-two (42) feet. Corners shall be rounded with a twenty-five (25) foot radius curve.

2. Vertical curves shall be designed at all grade changes in excess of one percent (1%) and shall have a two hundred (200) foot minimum length but not less than fifty (50) feet for each one percent (1%) of algebraic difference in grade.

3. Street grades shall be a maximum of seven percent (7%) and a minimum of five-tenths percent (0.5%).

4. Sight distance shall be two hundred (200) feet.

5. Design speed shall be thirty miles per hour (30 mph).

D. Minor Street Design.

1. Street width for Minor streets shall be thirty eight (38) feet. Corners shall be rounded with a twenty (20) foot radius curve.

2. Vertical curves shall be designed at all grade changes in excess of one percent (1%) and shall have a one hundred (100) foot minimum length but not less than fifty (50) feet for each one percent (1%) of algebraic difference in grade.

3. Street grades shall be a maximum of ten percent (10%) and a minimum of five-tenths percent (0.5%).

4. Sight distance shall be one hundred fifty (150) feet.

5. Design speed shall be twenty-five miles per hour (25 mph).

E. Cul-de-Sac Design.

1. Street width of a cul-de-sac in a residential area shall be a ninety (90) foot diameter circle. Street widths for a cul-de-sac in a commercial area or industrial area shall be a one hundred ten (110) foot diameter circle. Corners shall be rounded with a twenty (20) foot radius curve.

2. Curb grades shall be a maximum of five percent (5%) and a minimum of five-tenths percent (0.5%).

F. Alley Design

1. Street width of alleys shall be twenty (20) feet in commercial and industrial areas and twelve (12) feet in residential areas. Paving may be offset to accommodate utilities.

2. Alley grades shall be a maximum of ten percent (10%) and minimum of five-tenths percent (0.5%).

G. Street Design and Construction - General Standards

All streets shall be graded and paved with Asphaltic Concrete or Portland Cement Concrete to standards approved by the City Engineer. Streets and alleys within, adjacent to, or serving the subdivision shall be constructed to the full street width indicated in Section 5-4 of this Ordinance unless otherwise noted herein below.

1. Roadway Excavation - Excavation for roadways shall be in compliance with Section 205 of the M.A.G. Specifications.

2. Fill Construction - Fill construction shall be in compliance with Section 211 of the M.A.G. Specification.

3. Sub grade - Sub grade preparation and compaction shall comply with Section 301 of the M.A.G. Specifications.

4. Crushed Gravel Base Course

A. Materials - Materials to be used for crushed gravel base course shall comply with Part 700, M.A.G. Specification.

B. Construction Methods - Placement of untreated crushed gravel base course shall be in compliance with Section 310 - untreated Base of the M.A.G. Specification.

5. Asphalt Treated Base Course - Materials and construction methods shall comply with Section 321 - Plant Mix Bituminous Treated Base (Asphalt Treated Base) of the M.A.G. Specification. A prime coat of CCS-1h shall be applied to the untreated base course prior to the installation of the asphalt treated base course.

6. Asphalt Concrete Surface Course - Refer to section 322 of the M.A.G. Specification.

A. Materials - All materials shall conform with Part 70~, M.A.G. Specification. Gradations for aggregate for asphalt concrete shall be in compliance with Part 700, M.A.G. Specifications.

H. Construction Methods – Construction shall be in compliance with Section 108.6 of the M.A.G. Specification.

7. Plant Mix Seal Coat - Materials and construction methods for the plant mix seal coat shall be in compliance with Section 322 of the M.A.G. Specification.
8. Concrete Curb and Gutter - Materials and construction methods for placement of concrete curb and gutter shall be in compliance With Section 340 of the M.A.G. Specification.
9. Turn Radii and Wheel Chair Ramps - The minimum radius for minor local streets shall be 20 feet. For Collector and Arterial Streets, the minimum radius shall be 25 feet and 30 feet respectfully. Fillets shall be constructed on all radii, and shall be 6 inches thick. Wheel Chair ramps shall be constructed on all new streets as per the typical section.
10. Streets and alleys adjacent to the subdivision need only to be improved for the half width adjacent to the subdivision providing the half width is sufficient for two-way traffic (twenty-two (22) feet of pavement) in the case of a street and for one-way traffic (ten (10) feet of pavement) in the case of an alley.
11. Where there are existing streets adjacent to the subdivision, proposed streets shall be improved to the intercepting paving line of such existing streets and shall include such paved transitions as the Public Works Director may require to provide a safe connection.
12. Where a minimum width twenty-eight (28) foot paved access road is allowed, it shall be designed and constructed so that it can easily be widened to the full width street without reconstructing the center twenty-eight (28) feet. Connections to existing and proposed streets shall be designed to safely accommodate traffic including any traffic control devices required by the Public Works Director-
13. The Subdivider is not required to pave more than one-half (1/2) the street width (as designated in Section 5-4) on each side of Interior streets, except at intersections, when the required street width is greater than fifty (50) feet. When traffic demands require additional width, the City is responsible, subject to funding availability, for paving the center islands created whenever the Subdivider elects to pave the minimum street width requirements.
14. The Construction of Arterial Streets is the responsibility of the City, The Subdivider is responsible for the construction of frontage roads or other public streets providing access to property adjacent to Arterials.

H. Intersection Design and Construction.

1. Intersections shall be designed and constructed in accordance with the improvement standards for streets.
2. The approach to an intersection shall have a relatively level area with a grade of not more than two percent (2%) for a distance of twenty-five (25) feet measured from the nearest right-of-way line of the intersecting streets.
3. All intersections shall have street name signs installed by the City, at the Subdividers expense, located and constructed to standards approved by the Public Works Director.

I. Curb -Gutter Design and Construction. Materials and construction methods for placement of concrete curb and gutter shall be in compliance with Section 340 of the M.A.G. Specifications except as noted herein below.

1. Combined six inch (6") high vertical curb and gutter is required on all streets except three and one-half inch (3 1/2") high rolled curb and gutter may be installed on streets in residential and industrial areas that are classified as Minor.
2. Temporary six inch (6") Portland Concrete. Curb placed on top of the street paving may be used in lieu of curb-gutter around any street center island or around the island between a frontage street and an Arterial.
3. A six inch (6") thickened edge of asphalt may be used in lieu of curb-gutter along the inside edge of a half (1/2) width street, around a temporary turn-around, at the end of a dead-end street, and along the edge of a minimum standard access road to a subdivision and along the edge of alleys.

J. Sidewalk Design and Construction.

1. Sidewalks shall be located behind the back-of-curb; provided that lighting standards, utility poles, traffic control devices, fire hydrants, mailboxes and similar obstructions can be located outside of the sidewalk area, in cases where such items cannot be located five (5) feet behind the back-of-curb. In all cases not otherwise governed by the provisions of the Manual of Uniform Traffic Control Devices, a minimum distance of two (2) feet shall be maintained between the face-of-curb and any obstruction. In cases of demonstrated necessity or existing unusual conditions, the Public Works Director may approve a reduction of minimum clearance to within one (1) foot of the face-of-curb.
2. When required streets shall have Portland Concrete sidewalks behind the curb-gutter where curb-gutter is required and all crosswalks shown on the subdivision plat shall have a Portland Cement Concrete sidewalk, and all constructed to standards approved by the Public Works Director. Sidewalks shall be four (4) inches thick and four (4) feet wide in residential areas and five (5) feet wide in commercial areas.

- K. Alley Design and Construction. All alleys shall be built in accordance with the following specifications and/or references to the M.A.G. Specification.

Specifications included herein are for: Roadway (alley excavation), fill construction, sub grade preparation, crushed gravel base course, asphaltic concrete surface course, header curb turn radii, and alley entrances.

1. Roadway Excavation - Excavation for alleys shall be in compliance with Section 205- Roadway Excavation of the M.A.G. Specification.

2. Fill Construction - Fill construction shall be in compliance with Section 211 - Fill Construction of the M.A.G. Specification.

3. Sub grade – Sub grade preparation and compaction shall comply with Section Sub grade Preparation of the M.A.G. Specification

4. Crushed Gravel Base Course

A. Materials - Materials to be used for crushed gravel base course shall comply with Section 702 - Base Material – of the M.A.G. Specifications.

B. Construction Methods - Placement of untreated crushed gravel base course shall be in compliance with Section 310 - Untreated Base of the M.A.G. Specification.

5. Asphalt Concrete Surface Course

A. Materials All materials shall conform with Section 710 - Asphalt Concrete of the M.A.G. Specification.

6. Header Curb - Materials and construction methods for the placement of header curb shall comply with Section Bd0 of the M.A.G. Specification.

7. Turn Radii and Alley Entrances - The minimum turn radius for alleys shall be 18'. (Smaller radii may be necessary in areas where the right of way does not allow enough room for a 15' radius. Smaller radii will have to be approved by the Public Works Director.) A drive entrance (drive pad) will be required at the entrance or exit of all alleys and shall conform to the typical sections as illustrated.

- L. Street Monument Construction. Permanent monuments consisting of a brass cap set in concrete, shall be installed to designate street center lines and subdivision boundary lines at all angle points and at points of curvature and at all street intersections. Concrete bases shall be not less than six inches (6") in diameter and twenty-four inches (24") deep with at least one (1) vertical steel reinforcing bar of minimum one-half inch (1/2") diameter placed

directly beneath the brass cap and extending the full length of the concrete. After all improvements have been installed, the Subdivider shall be responsible for having a registered land surveyor or engineer check the location prior to acceptance by the City of the public improvements for maintenance.

Section 5-5 UTILITY IMPROVEMENT STANDARDS

A. General.

1. Utilities, excepting municipal storm drains and sanitary sewers, shall not be located beneath the street pavement other than necessary crossings, which shall be made as close to perpendicular as possible. In cases of demonstrated necessity and upon presentation of a technically adequate plan insuring proper installation and maintainability, the Public Works Director may approve location beneath the street pavement of major primary transmission lines of electricity, water, sewer, gas or communications. Any utility installation that may be approve, for placement beneath the street pavement shall be completed prior to actual paving of said streets.
2. Reference is made to Section 5-4 (J-1) of this Code.

B. Sewerage Disposal Design and Construction. A public or community sanitary sewage system shall be installed and shall be constructed to plans, profiles, and specifications approved by the Public Works Director and in accordance with the State Health Department regulations.

C. Water Service Design and Constructions.

1. Fire hydrants shall be installed in all subdivisions and water service shall be provided to each lot within the subdivision. The Subdivider shall be responsible for coordinating fire hydrants and water service design and installation with the water company certified by the Arizona Corporation Commission to service the subdivision.
2. For purposes of this Section, a fire hydrant is defined as a mechanical device specifically manufactured for the purpose of supplying water from a water main to fire pumping apparatus. Within the corporate limits of the City of Bisbee, fire protection facilities, including fire hydrants and water mains, shall conform to the following minimum specifications and installation criteria:

A. Fire hydrants shall be spaced at distances no greater than five hundred (500) feet in residential zoning districts and at distances no greater than four hundred (400) feet in all other zoning districts. Cases where it is not feasible to construct hydrants to meet the spacing requirements stated above (as determined by the Fire Chief or his authorized representative) at least one hydrant shall be installed no greater than four hundred fifty (450) feet from the furthest point of any proposed new building in a commercial district, and no greater than six hundred twenty-five (625) feet from the furthest point of any proposed new building in a residential district. All distances shall be measured along

‘Streets, Public Ways or -Access Roadways", as defined in the Uniform Fire Code hereinafter lumped together and referred to as , ‘street(s)".

B. Fire hydrants shall have two (2) two and one-half inch (2 1/2") outlets and one (1) four and one-half (4 1/2") outlet. The four and one-half inch (4 1/2") outlet shall be installed so that the outlet faces the street and the bottom of the outlet shall be no less than one (1) foot above the surface of existing or proposed streets or sidewalks. Threads on all outlets shall be for iron pipe hose threads.

C. Fire Chief shall color code hydrants in accordance with the flow capabilities of the particular hydrant.

Final plats will be approved by the City Council only when improvement plans submitted by the developer have been certified by the Director of Public Safety or his authorized representative as conforming to the foregoing standards or approved deviations. The current edition of the Uniform Fire Code should be consulted (and the provisions thereof adhered to) for other applicable requirements and conditions relating to the use or occupancy of buildings or premises prior to, during, and/or after construction.

D. Electrical Service Design and Construction.

1. Street lighting design practices shall be in conformance with the current edition of the Illuminating Engineering Society Lighting Handbook and calculated luminosity shall meet the following criteria for average horizontal footcandles (maintained) light-level range, for each street classification:

	*Light-Level Range
Arterial Type	
Major	1.20 - 1.60
Minor	.90 - 1.20
Collector Type	
Major	.70 .90
Minor	.60 .90
Local Type	
Major	.40 - .60
Minor	.20 - .60
Cul-de-Sac	
Commercial &	
Industrial	.60 - .90
Residential	.20 - .60

*Horizontal footcandle (maintained) values are based upon average pavement reflection of

approximately ten percent (10%). For reflectance less than ten percent (10~), increase values fifty percent (50%). For reflectance more than ten percent (10%), decrease value by twenty-five percent (25%).

Additionally, the following criteria shall be applied:

- A. Lights shall be place at all intersections
- B. Midblock lights should be located at lot corners.
- C. Separation between standards should be no less than three (3) nor more than six (6) lots apart.

2. Street lights on metal standards and electrical service to each lot shall be installed on all streets within the subdivision and on all streets developed in conjunction with the subdivision. The Commission may approve, based on recommendation of the Public Works Director and request of the Subdivider, the use of wooden standards when considered more advantageous in subdivisions in commercial and industrial areas. The Subdivider shall be responsible for coordinating street lighting and electrical service design and installation with the Arizona Public Service.

Section 5-6 LOT IMPROVEMENT STANDARDS

A. Lot Design and Construction.

- 1. All lots shall be graded to drain toward a street, alley or drainage easement and the finished floor elevation of any building shall be at least one (1) foot above the elevation of the water surface that is created during a storm that is expected to occur at least once every one hundred (100) years.
- 2. Corner lots shall be graded such that they do not create a traffic hazard by limiting visibility.

B. Lot Monument Construction. Iron or steel bars or iron pipes at least fifteen inches (15") long and one-half inch (1/2") in diameter shall be set at all corners, angle points, and points of curvature for each lot and block within a subdivision within one (1) year of recordation of the final plat. Identifying data shall be affixed to each point set in accordance with current rules and by-laws of the State Board of Technical Registration.

Section 5-7 SUBMITTAL, REVIEW, AND APPROVAL OF ENGINEERING PLANS

- A. Plans submitted in accordance with the provisions to Section 3-4(C-2) of this Code shall be reviewed and approved by the Public Works Director. In addition, a set of water improvement plans shall be supplied to the Fire Chief, who, in turn, will review the plans and make his written recommendations to the Public Works Director and Building Inspector.
- B. The improvement plan originals shall be stamped by the Public Works Director as, "approved for construction" and a certificate of approval filed with the City Clerk prior to recordation of the final plat. Two (2) sets of final, approved improvement plans shall be supplied to the Public Works Director prior to commencing construction.

Section 5-8 IMPROVEMENT SECURITY

Prior to approval of the final plat by the Council, the Subdivider shall provide security by either: (1) posting of a performance bond by a qualified surety, (2) establishing a cash trust, said funds to be deposited with the City to the credit of the Subdivider, (3) depositing with the City a certificate of deposit issued by a banking institution authorized to issue same, or (4) filing with the City an executed contract of guaranty between the City and a trust company, banking institution, or other financial institution authorized to enter into such contracts. The amount of said security is to be based upon the cost estimate prepared by a registered professional civil engineer in an amount to cover and complete installation of the improvements and requires approval by the Public Works Director. A completion date for the improvements shall be declared by the Subdivider and the security shall provide for its forfeiture to the City in the event that said improvements have not been completed or not accepted by the City by the declared completion date due to the default of the Subdivider. Where applicable, a concurrent agreement may be executed between the City and the Subdivider providing for incremental improvements in planned unit developments; provided, however, that each approved increment shall commensurately conform to the security requirements therein above specified. The Council may require of the Subdivider such further assurance of the completion of improvements as they may deem necessary to the interest of the public.

Section 5-9 FINAL INSPECTION AND ACCEPTANCE OF IMPROVEMENTS

Upon due notice from the Subdivider of presumptive completion of all improvements as called for on the approved improvement plans and required under the provisions of this Ordinance, the Public Works Director will make an inspection. If all construction is found to be completed to his satisfaction, then that inspection shall constitute the final inspection the Public Works Director will recommend final acceptance of the public improvements to the City Council upon receipt of the following items:

- A. Final Plans. The subdivider shall submit final plans drawn in India ink, or a reproducible copy thereof, showing all street, drainage, and sewer improvements constructed, and copies of the final plans showing all electrical, lighting, gas, telephone, cable television, and water

improvements and fire hydrants constructed within public right-of way or public easements for inclusion in the City's permanent files. Final plans shall show the approved design conditions and reflect any field changes approved by the Public Works Director, and the developer's engineer shall certify that the final plans represent as nearly as possible the actual field conditions as constructed. Reproducible copies shall be defined as a copy prepared using an archival photographic image process conforming to standards established by the American National Standards Institute on a polyester material four thousandths (.004) of an inch thick with a matte finish.

B. Affidavit Regarding Settlement of Claims. The Subdivider shall certify that all bills for labor and materials incorporated in the work have been paid and agree to indemnify and save harmless the City against any and all liens, claims of liens, suits, actions, damages, charges, and expenses whatsoever, which the City may suffer arising out of the failure of the Subdivider to pay for all labor performed and materials furnished in the construction of the required improvements. Guarantee. The Subdivider and contractor shall guarantee all work against defective workmanship or materials for a period of one (1) year from the date of its final acceptance by the Mayor and City Council. Upon final acceptance of the public improvements by the Mayor and City Council, the Public Works Director will notify the Subdivider in writing of this acceptance as of the date of approval by the Council.

Article 6. RESERVED

Article 7. RESERVED

Article 8. MODIFICATIONS

8-1	Extraordinary Conditions, Appeal for Modifications
8-2	Appeal to Council
8-3	Additional Requirements

Section 8-1 EXTRAORDINARY CONDITIONS, APPEAL FOR MODIFICATION

Where there exists extraordinary conditions of topography, land ownership, or adjacent development, not provided for in this code, the commission may upon appeal of the Subdivider modify the enforcement of this Code in such manner and to such extent as it deems appropriate to the public interest. Such appeal shall be submitted to the Commission in conjunction with the filing of the preliminary plat. Every decision of the Commission for modification shall be based upon findings of fact and every finding of fact shall be supported in the record of its proceedings. A mere finding or recitation of the enumerated conditions unaccompanied by the finding of

specific fact, shall not be deemed finding of fact and shall not be deemed in compliance with this Ordinance.

Section 8-2 APPEAL TO COUNCIL

Appeals to the City Council concerning the approval or disapproval of any request for modification may be taken by person aggrieved or by any officer of the City affected by the decision of the Commission. Such appeals shall be filed within seven (7) days of the Commission's decision with the City Clerk and shall specify the grounds thereof. The City Clerk shall forthwith transmit the appeal and all papers constituting the record upon which the appeal was taken to the City Council for consideration. The City Council shall reach its decision on. Approval or disapproval of the request for modification within a reasonable time. The Commission shall be represented at such hearing and make known to the Council its recommendations and reasons for approving or denying the request.

Section 8-3 ADDITIONAL REQUIREMENTS

In modifying the standards or requirements set forth in this Code, as provided above, the Commission and the Council may make take such additional requirements as are deemed necessary to secure substantially the objectives of the standards or requirements so modified.

In the event an agency of the State of Arizona, for whatever reason, exempts a subdivider from a particular provision of this code, that exemption shall be in force and effect, and shall take precedence.