



Town of **Thatcher**
Subdivision Ordinance

Acknowledgments

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CHAPTER 152, ARTICLE 1: Title, Authority and Purpose

Section 1.0 **Short Title.** These regulations shall be known and may be cited as the “Town of Thatcher Subdivision Ordinance” and will be referred to herein as “this Code”, or “this Ordinance”.

Section 1.1 **Authority.** This Ordinance is adopted pursuant to the authority contained in the Arizona Revised Statutes (A.R.S.) § 9-463.01, *et seq.* in order to conserve and promote the public health, safety, and general welfare of the present and future citizens of the Town of Thatcher.

Section 1.2 **Purpose and Intent.**

- A. The purpose of this Ordinance is to provide for the orderly growth and harmonious development of the Town of Thatcher; to ensure adequate vehicular and pedestrian 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, flood protection, storm water detention, sanitary sewerage, and other health and safety requirements; to ensure consideration for adequate sites for schools, open space, recreation areas, and other public facilities; to help ensure that emergency services such as fire, ambulance and police services can be provided to all developed land; to promote the conveyance of land by accurate legal description; and to provide practical procedures for the achievement of this purpose.
- B. In the interpretation and application of this Ordinance, it is intended that a common ground of understanding and a sound and equitable working relationship exist between the public and private interests and to this end, the independent and mutual objectives of the public and private interests can be achieved in the subdivision of land.

Section 1.3 **Adoption of Figures and Tables.** All figures and tables within this Ordinance are hereby adopted and shall be incorporated herein as a part of this Ordinance.

Section 1.4 **Adoption of Glossary, Appendices and Maps.** The Glossary of Terms along with any appendices and maps within this Ordinance are hereby adopted and shall be incorporated herein as a part of this Ordinance.

Section 1.5 **Conformance with the General Plan.** This Ordinance is intended to implement the goals, objectives and policies of the “Town of Thatcher General

Plan” and is hereby deemed to be in conformance with the adopted General Plan. Any amendments to or actions pursuant to this Ordinance shall be in conformance with the General Plan, as it may be amended from time to time.

(End of Article)

CHAPTER 152, ARTICLE 2: Administration

Section 2.0 Responsibility.

- A.** The Thatcher Planning and Zoning Commission is charged with the duty of reviewing the design and improvements of proposed subdivisions and to provide the Town Council with a recommendation to approve, conditionally approve or disapprove preliminary subdivision plats, final subdivision plats, subdivision regulation exceptions and protected development rights plans. The Commission's recommendation shall also include recommendations on the kinds, nature and extent of the improvements to be installed in the subdivisions.
- B.** The Town Council for the Town of Thatcher is hereby authorized to receive, process and otherwise act upon applications for preliminary subdivision plats, final subdivision plats, subdivision regulation exceptions and protected development rights plans in accordance with this Ordinance. Additionally the Town Council is hereby authorized to receive, process, and act upon an appeal of the Zoning Administrator's decision on a minor land/lot split application.
- C.** The Town Council shall have final jurisdiction over all matters pertaining to the implementation of this Ordinance.
- D.** All applications for action under this Ordinance shall be filed initially with the Zoning Administrator or his/her designee for processing in accordance with this Ordinance.
- E.** All applications shall be reviewed, from a technical aspect, by the Subdivision Technical Advisory Committee (TAC) which shall act in an advisory capacity to the Planning and Zoning Commission. The TAC shall, at a minimum, consist of the following Town Staff and agency members: Zoning Administrator, Town Engineer, Parks and Recreation Director, Public Works Director, Fire Chief, local Postmaster, representatives from the serving utility companies, Irrigation District, and the local School District. Additional members may be consulted when deemed necessary by the Zoning Administrator including the County Engineer and County Zoning Administrator if the proposed subdivision abuts property under Graham County jurisdiction.

Section 2.1 Application.

- A.** Where this Ordinance imposes a greater restriction upon land, land improvement, or development, and land use than is imposed by existing provisions of law, ordinance, contract or deed, this Ordinance shall control.
- B.** This Ordinance shall apply to all land, within the corporate limits of the Town of Thatcher, coming within the definition of subdivisions, land splits, and minor land divisions as defined in Appendix A of this Ordinance.

Section 2.2 Filing Fees. The Mayor and Town Council of the Town of Thatcher may from time to time establish and set by resolution, administrative fees considered necessary to process subdivision applications, and to review improvement plans and construction documents. The developer shall, at the time of filing, pay to the Town those established fees. These fees shall be non-refundable.

Section 2.3 Prohibition of Circumvention.

- A. No person, firm, corporation or legal entity shall sell, offer to sell, or divide any lot, piece, or parcel of land which constitutes a subdivision, as defined herein, or part thereof without first having recorded a final plat thereof in accordance with this Ordinance.
- B. No person, firm, corporation or legal entity shall sell, offer to sell, or divide any lot, piece, or parcel of land that is not within a subdivision but which constitutes a lot split or minor land division, as defined herein, without first obtaining approval by the Zoning Administrator in accordance with this Ordinance.
- C. The County Recorder shall not record a plat unless the plat has been approved and signed by the Town Council. The Town shall not issue any permits for work on any lot, piece or parcel of land in violation of this Ordinance.

Section 2.4 Modifications.

- A. Where, in the opinion of the Council, and after review by the Zoning Administrator and/or the Planning and Zoning Commission, there may exist extraordinary conditions of topography, land ownership or adjacent development, or other circumstances not provided for in this Ordinance, the Council may modify these provisions in such a manner and to such extent as it may deem appropriate to the public interest.
- B. In the case of a plan and program for an approved Traditional Neighborhood Development (TND), the Council may modify this Ordinance in such manner as appears necessary and desirable to provide adequate space and improvements for the circulation, recreation, light, air, and service needs of the development when fully developed and populated and may require conditions to assure conformance with the achievement of the TND's approved "Master Plan Map" and "Architectural Design Standards & Guidelines".
- C. In modifying the standards or requirements of this Ordinance, as outlined above, the Council may make such additional requirements as appear necessary, in its judgment, to secure substantially the objectives of the standards or requirements so modified.

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Section 2.5 Enforcement and Penalties.

- A. The Zoning Administrator shall be responsible for the enforcement of this Ordinance to further the promotion of the public health, safety, and general welfare.
- B. No building permit shall be issued for the erection or use of any structure or part thereof, to be located in a subdivision or lot created or established subsequent to this Ordinance becoming effective, that is not in accordance with the provisions of this Ordinance. Any such permit issued shall be void and of no effect.
- C. Any building or structure erected or maintained on a lot or parcel of land that is subject to this Ordinance, created or established subsequent to this Ordinance becoming effective, that is contrary to the provisions of this Ordinance shall be and the same is hereby declared to be unlawful and a public nuisance and the Town Attorney shall, upon order of the Town Council, immediately commence action or actions, proceeding or proceedings for the abatement, removal, and enjoinder thereof, in the manner provided by law; and shall take such other steps, and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such building or structure.
- D. Any subdivision, land split, minor land division or other use of property in violation of this Subdivision Ordinance shall be prevented or restrained through appropriate action instituted by the Town in accordance with ARS Section 9-463.01, 9-240.B28 and 9-240.B29.
- E. The Zoning Administrator may also request that the court issue an injunction against a violator to prevent further violations or irreparable harm to persons or property when the circumstances warrant it.
- F. Unless a specific penalty is set forth herein any person, firm, or corporation found guilty of violating any provision of this Ordinance, or any amendments thereto, shall be guilty of a class one misdemeanor punishable as set forth in the "Town Code" for the Town of Thatcher, and each day of continued violation shall be a separate offense, punishable as described.
- G. In addition to, or independent of the penalties provided above, the Town may bring a civil proceeding in a court of competent jurisdiction to enforce compliance with the terms of this Ordinance or to prevent, restrain, or abate any violation of the terms of this Ordinance.

Section 2.6 Conflicting Provisions.

- A. Where, in any specific case, different sections of this Ordinance or any other Town ordinance or code specify the use of different standards, different construction or other requirements, the most restrictive shall govern. Where there is conflict between a general requirement and a specific requirement, the specific requirement

shall apply.

- B.** This Ordinance also is not intended to interfere with, abrogate, or annul any private agreements between persons, such as easements, deeds or covenants, except that if this Ordinance imposes higher standards or a greater restriction on land, buildings or structures than an otherwise applicable provision of a law, ordinance, or a private agreement, the provisions of this Ordinance shall prevail.
- C.** Where other private agreements, covenants or restrictions are more restrictive, the Town cannot enforce the more restrictive private agreements, covenants or restrictions as a part of this Subdivision Ordinance.

Section 2.7 Severability.

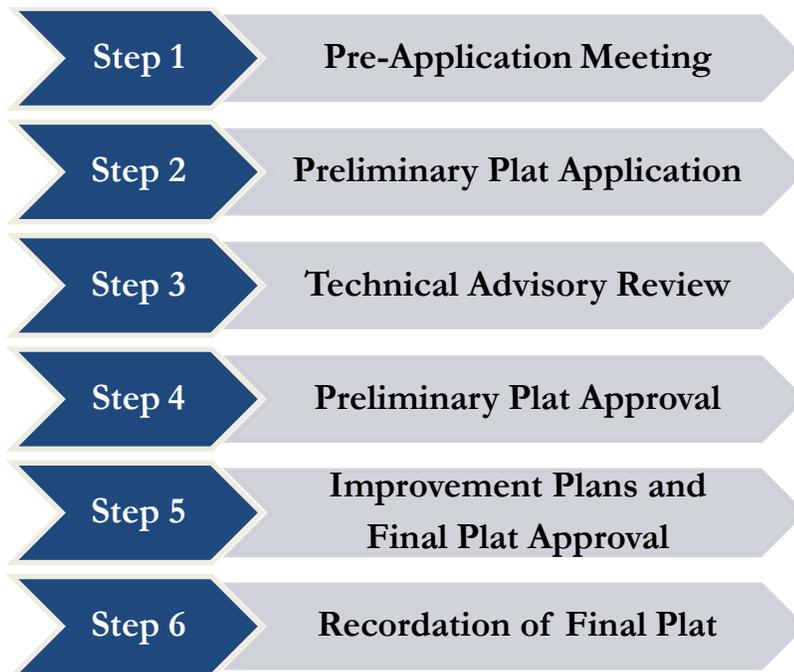
- A.** If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provisions of this Ordinance not specifically included in said judgment.
- B.** If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property, building, or other structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

(End of Article)

CHAPTER 152, ARTICLE 3: Platting Procedures and Requirements

Section 3.0 Outline of Procedures and Requirements

- A. The preparation, submittal, review, and approval of all subdivision plats located inside the jurisdictional boundaries of the Town of Thatcher shall proceed through the following progressive steps.



- B. If a submittal is determined to be incomplete or inaccurate at or during any of the different stages of the process, the developer shall be required to correct the inaccuracy and/or produce the omitted information before proceeding any further through the process.

Section 3.1 Step 1: Pre-Application Meeting.

- A. The pre-application meeting step is an investigatory meeting, to obtain advice and assistance from the Town that precedes the actual preparation of preliminary plans by the subdivider. During this meeting, the subdivider makes known its intentions and the town staff gives informal guidance at a time when potential points of conflict can most easily be resolved, advises 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 part thereof, and in such case the subdivider shall initiate the necessary rezoning application.

- B.** In carrying out the purposes of the pre-application step, the subdivider and the Town shall be responsible for the following actions.
1. Actions by the Subdivider: The subdivider shall schedule a pre-application meeting with the Town and submit copies of a “Sketch Plan” for staff to review prior to and in preparation for the meeting. The subdivider shall meet informally with the Zoning Administrator and Public Works Departments’ staff to present and discuss the general outline of its 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.
 - c. The subdivision shall be designed to comply with the requirements of the specific zoning district within which it is located.
 2. Actions by the Town: The Town 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 Town will proceed with the following investigations:
 - a. Check to determine if the subdivision is in conformance with existing zoning regulations and advise the subdivider if a zoning change or a General Plan Amendment is necessary or desirable.
 - b. Determine the relationship of existing or proposed school sites, parks, and other public spaces in the subdivision with the adopted Thatcher General Plan and any adopted or proposed general or master plan of schools, parks, and recreation areas to determine what space needs shall be reserved or set aside with any special requirements for such site.
 - c. Determine relationship of the subdivision to any adopted or proposed Town plan, development master plan, or neighborhood plan that embraces the subject subdivision.
- C.** If a General Plan Amendment is required that amendment must be obtained prior to additional processing of the application. 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 approved until the change of zoning is adopted by the Council.

Section 3.2 Step 2: Preliminary Plat Application. The preliminary plat stage of land subdivision includes detailed subdivision planning, submittal, review and approval of the preliminary plat by the Council. Application for approval of the preliminary plat is made to the Zoning Administrator. To avoid delay in processing the application, the subdivider should provide the Town with all information requested herein.

A. Submittal Requirements. All preliminary plat applications shall comply with the submittal requirements and submit the required documents as outlined herein and on the application:

1. 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 or required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, said scale being not less than 100 feet to an inch (1"=100'). Whenever practical, scales shall be adjusted to produce an overall drawing not exceeding 24" x 36" in size. The preliminary plat shall be prepared by a land surveyor registered to practice in the State of Arizona.
2. The subdivider (or its representative) shall file the proposed preliminary plat, electronic copy of the preliminary plat, one (1) 8 ½" x 11" copy of the plat and required supporting data (including application form and fees) with the Zoning Administrator at least twenty-five (25) working days prior to the regular Commission meeting at which the applicant desires to be heard. However, further processing of the plat shall be dependent upon the adequacy of the data presented, the completion of the technical review, and whether responses have been received from all the required departments demonstrating that the preliminary plat is compliance with this Ordinance. The subdivision files will be available for examination by the developer or ~~his~~ its representative in the office of the Zoning Administrator by prearranged appointment.
3. All subdivision submittals shall provide "Identification and Descriptive Data", "Existing Conditions Data", "Proposed Conditions Data", and "Proposed Utility Methods" information by graphic representation or note as further outlined in the following sub-sections B-E. The submittal shall be checked by the Town for completeness; if incomplete as to those requirements set forth in this section, the submittal shall be rejected and the developer notified within fifteen (15) days of the date the application was received.
4. A Title Report showing the current owner.
5. A letter from the property owner giving authorization to process the application for the subdivision if the owner is not the developer.

6. The subdivision closure calculations in both print and electronic format.
7. If the proposed preliminary plat is within an approved Traditional Neighborhood Development (“TND”), copies of the approved TND master plan and the zoning conditions shall also be submitted as supporting documentation
8. If the developer is planning to plat the proposed development in phases it must be so indicated on their preliminary plat when submitted for Technical Review. If the developer later decides to phase the development, it may be necessary to re-submit for a second review.
9. The Preliminary Drainage Report in a separate bound folder. See Article 4 for more specific details.
10. The Preliminary Geotechnical/Soils Report in a separate bound folder. See Article 4 for more specific details.
11. The Traffic Impact Analysis, if required, in a separate bound folder. See Article 4 for more specific details.
12. Submit a Lot Statistical Table.
13. The Preliminary Landscape and Open Space Plan for all open space, retention area, and required landscaping for both on-site and off-site. See Article 4 for more specific details.
14. The subdivision fencing detail, if applicable, depicting the type of fencing being proposed; including elevations, and general locations.
15. If the subdivision is a conventional subdivision that proposes to use standard plans then copies of the proposed elevations and floor plans should be submitted.
16. A draft copy of the Covenants, Conditions and Restrictions (CC&R’s) for the subdivision.

B. Identification and Descriptive Data. All preliminary plats shall contain the following information:

1. The proposed name of the subdivision and its location by section, township and range shall be clearly indicated; small scale vicinity map showing relative location of the plat to arterial or collector streets; reference by dimension and bearing to two (2) section corners and/or quarter section corners, and all subdivision boundaries shall be clearly identified on the plat.
2. Name, address and phone number of land owner and the subdivider.

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3. Name, address, phone number, and seal of Registered Land Surveyor preparing the preliminary plat and the Registered Civil Engineer preparing the improvements.
4. North point, scale, and date of preparation, including dates of any subsequent revisions.
5. A surveyed boundary, including distances, lengths and bearings and the total size of the proposed subdivision.

C. Existing Conditions Data. All preliminary plats shall contain the following information obtained from a field survey:

1. Existing and proposed contours established by field survey relating to USGS survey datum, or other datum approved in writing by the Town Engineering, 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 five percent (5%), two (2) feet; five percent (5%) to ten percent (10%) grades, five (5) feet; grades over ten percent (10%), ten (10) feet. Contours shall be shown extending a minimum of fifty (50) feet from the external boundaries of the proposed development so to adequately reflect the character and drainage of the land. For developments of five (5) acres or more the developer is required to submit black and white aerial photos of proposed area, including contiguous streets and drainage channels.
2. 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 of such flood the floodplain shall be shown.
3. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent building, railroad rights-of-way and other important features such as section lines, political subdivisions, or corporation lines and school district boundaries.
4. 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.
5. Name, book and page numbers of any recorded subdivision adjacent to or having common boundaries with the proposed development.

6. The gross acreage of the subject parcel(s). Do not include previously dedicated rights-of-way in this figure.
7. Boundaries and dimensions for the parcel(s) to be subdivided shall be fully dimensioned.

D. Proposed Conditions Data. All preliminary plats shall contain the following information:

1. Street layout, including design cross section, preliminary curve data, curve lengths, proposed street(s) names based on existing projected alignments wherever possible, alleys, drainage ways, pedestrian connections and crosswalks and easements including all connections to adjoining platted or un-platted tracts.
2. 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. Each lot shall be numbered individually and the total number of lots or dwelling units provided. Where plats will consist of a number of units/phases, utilizing the same subdivision name, the lot numbering shall be consecutive through the total number of lots or units.
3. Designation of all land to be dedicated, provided, or reserved for public or semi-public uses, with use indicated.
4. 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.
5. Storm water disposal system, preliminary calculations, and layout of proposed drainage system. The direction of proposed street drainage to be indicated by arrows on the plat; the 100-year flood plain delineation and a proposal to provide for the retention of storm water generated on the property. Retention and detention of storm water to comply with the Town of Thatcher Standards.
6. 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.
7. Irrigation: If lots are proposed to be irrigated, all easements, the preliminary location of valves, and the tentative line of the underground pipe shall be shown.

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8. 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.
9. A statement as to the type and extent of proposed improvements should appear on the face of the plat. The subdivider shall provide Town Engineering with information as to the method whereby streets and their improvements are proposed to be financed

E. Proposed Utility Methods. All preliminary plats shall contain the following information:

1. **Sewage Disposal** - The plat shall show the preliminary sewer layout indicating line sizes, manholes, direction of flow, and cleanout locations. A statement as to the type of facilities proposed shall appear on the preliminary plat.
2. **Water Supply** - A statement as to the assured water supply for the development shall appear on the preliminary plat. The preliminary layout of the water system shall be shown, indicating fire hydrants, valves, meter vaults, water line sizes and locations. A statement as to the type of facilities proposed shall appear on the preliminary plat.
3. **Electric and Gas Supply, and Telecommunications Service** - A statement as to the electric and gas supply, and the telephone, cable and internet service for the development shall appear on the preliminary plat. Any necessary easements shall be shown on the preliminary plat.
4. **Refuse Service** - A statement as to the garbage service for the development shall appear on the preliminary plat.

Section 3.3 Step 3: Technical Advisory Review. .

A. The Town shall distribute copies of the plat to the following reviewing offices:

1. US Postmaster
2. City of Safford - Water Department
3. Town of Thatcher - Sanitary Sewer Department
4. Gila Valley Irrigation District
5. Thatcher School District
6. Graham County Coop - Electric Department, if appropriate
7. Town of Thatcher - Electric Department, if appropriate
8. Graham County Coop - Gas Department
9. Cable One

10. Century Link
11. Thatcher Fire Department
12. Graham County Flood Control District, if appropriate
13. Town of Thatcher - Engineer
14. Town of Thatcher - Recreation Dept. Staff Representative
15. Eastern Arizona College, if appropriate
16. ADOT, if appropriate

- B.** Before hearing by the Commission and if determined to be necessary because of the size or complexity of the development, 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 being scheduled for hearing by the Commission. The developer and its representatives will be invited to attend together with representatives of the aforementioned reviewing offices.
- C.** Extensive revisions caused by the comments received at this meeting or by voluntary action of the developer, may require additional review time or another meeting. Additionally, circumstances may exist where the project may experience delay due to the developer's time line in addressing agency comments.
- D.** The right is reserved to disapprove any subdivision that is subject to periodic flooding or that contains extremely poor drainage facilities. However, if the subdivider agrees to make improvements that will in the opinion of the Town of Thatcher make the area safe for residential occupancy, the subdivision may be considered for approval.

Section 3.4 Step 4 Preliminary Plat Approval. The preliminary plat approval step involves the re-submission of the preliminary plat to address all of the review comments from the Town, agencies and utilities. Included in this step is the review of the resubmitted plans, reports, and required studies and acceptance of the preliminary plat. The developer shall provide the Town with all information essential to determine the character and general acceptability of the proposed development.

A. Preliminary Plat Re-submission.

1. The developer shall resubmit full-sized copies/sets of the preliminary plat and 8½" x 11" photo mechanical transfer (PMT) of each sheet/exhibit and all other required or requested supporting data to the Town (see the Town of Thatcher Submittal Requirement Checklist for the specific number of sets or copies). Preliminary plats that correctly contain all of the information requested or required through the development review process, as determined by the Town, shall be scheduled for Planning and Zoning Commission hearing. Incomplete or incorrect re-submittals could cause

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delays in a preliminary plat being presented to the Planning and Zoning Commission. Scheduling of the case for Commission hearing shall be determined by the Zoning Administrator and shall be dependent upon adequacy of data presented, completion of processing, and other legalities that may be required if the subdivision involves rezoning and other land use exceptions.

2. Due to the size, location or complexity of a project the developer may be required to conduct a neighborhood meeting as a prerequisite to the Commission hearing on the preliminary plat. The purpose of the meeting would be to provide information to the adjacent property owners and to provide an opportunity for questions and concerns to be expressed. The Zoning Administrator shall determine the method of notice to the adjacent property owners and citizens. The developer shall submit documentation of the attendees and minutes of the meeting(s) to the Zoning Administrator. Meeting(s), when required, shall be held within the Town of Thatcher corporate limits.

B. Preliminary Plat Hearing(s).

1. The Commission shall consider the preliminary plat and the Zoning Administrator's staff report and recommendations.
2. The subdivider shall 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 may include provision for the creation of a Homeowner/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.
3. If satisfied that all objectives of this Ordinance have been met, the Commission may recommend to the Town Council approval of the preliminary plat.
4. If the Commission finds that the plat requires revision, the plat may be held over pending revision, resubmittal, processing, and rescheduling for hearing. Preliminary plats needing only minor revisions may be submitted to Town Council for consideration provided the revisions are noted both graphically and within the narrative of the Commission's written recommendation to the Council.

5. If approved by the Town Council a notation of approval shall be stamped on two (2) copies of the plat, one (1) being returned to the subdivider and one (1) retained in the permanent file of the Town.
6. 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 shall pay a new filing fee.

C. Significance of Preliminary Approval. Preliminary plat approval constitutes authorization for the subdivider to proceed with preparation of the final plat and the engineering plans and specifications for public improvements. Preliminary plat approval **does not** authorize the developer to cut roads or other easements, begin site preparation and grading, or any similar such work unless authorized in writing by the Town. Preliminary approval is based upon the following terms:

1. **Subject to the Basic Approval.** The basic conditions under which preliminary approval of the preliminary plat is granted will not be substantially changed prior to the expiration date.
2. **One (1) Year Approval.** Approval of the preliminary plat is valid for a period of twelve (12) months from the date of Council action. Preliminary approval may, upon written application to the Council by the subdivider, be extended for an additional twelve (12) month period if in the opinion of the Council 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.
3. **Multi-Phased or Traditional Neighborhood Development (TND) Approval.** Approval of the preliminary plat for a multi-phased development and/or for a TND, approved by the Town of Thatcher, is valid for a period of twelve (12) months; provided that the first phase/unit of the approved multi-phased development and/or TND is final platted within the initial twelve (12) month period. The remaining phases/units of the approved preliminary plat shall remain valid in accordance with the initially approved preliminary plat.
4. **No Authority to Record.** Preliminary approval, in and of itself, does not assure final acceptance of streets for dedication nor constitute authorization to record the plat.

Section 3.5 Step 5: Improvement Plans and Final Plat Approval. The final plat step includes submittal, review and approval of the final plat, engineering of public improvements, final reports, plans for all improvements required by the Council, and recording of the plat with the County Recorder. Application for approval of the final plat is made to the Zoning Administrator. Improvement plans

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prepared by the Subdivision Engineer for roads, drainage, utilities and other related improvements must be submitted for review with the final plat.

A. Document Submittal Requirements.

1. **Utility Documentation.** The Subdivision Engineer shall submit one (1) mylar copy of the plat to the utility agency or agencies, concerned with the installation of utilities within the subdivision. The mylar shall be submitted to the aforementioned at least fifteen (15) working days prior to the submittal of the final plat to the Town. The Subdivision Engineer must state that utility service is to be underground. One (1) copy of the plat will be returned directly to the Subdivision Engineer and the Town with any required additions or corrections noted thereon from all utility companies and the irrigation district having jurisdiction. A “will serve” letter from the respective utility companies proposed to serve the subdivision shall be submitted. This shall also include documentation from the City of Safford for water service and the Town of Thatcher for sewer services.
2. **Covenants, Conditions & Restrictions (Deed Restrictions).** The subdivision deed restrictions shall be submitted to the Town for review as part of the final plat and improvement plan submittal package.
3. **Title Report.** The developer shall, at the time of filing the application(s) for the final plat and improvement plans, submit a Title Report, certifying that the developer has title, acceptable to the Town Attorney, for all of the land being subdivided.
4. **Filing Fees.** The developer shall, at the time of filing the application(s) for the final plat and improvement plans, pay the Town the final plat application fee, improvement plan review fee, and the fee for recording the final plat and accompanying deed restrictions. If the recording fee is submitted in the form of a check, it must be made payable to the County Recorder.
5. **Engineers Cost Estimate & Financial Assurance Document.** Assurance in the form acceptable to the Town Attorney and in the amount required by the Town of Thatcher shall be deposited with the Zoning Administrator to guarantee construction of the required subdivision improvements.
6. **Commitment of Water Service.** The developer shall provide the documentation from the City of Safford that states the City of Safford will serve the subdivision, in accordance with Section 45-576 of the Arizona Revised Statutes (ARS).
7. The final plat and improvement plans prepared by the Developer and Subdivision Engineer shall comply with the special conditions of approval, the design standards of this Ordinance, and any zoning conditions imposed by the Zoning Ordinance and/or the Town Council.

B. Final Plat Submittal.

1. The final plat shall conform to the approved preliminary plat and any stipulations attached thereto by the Council. One (1) mylar print and eight (8) paper copies of the final plat shall be filed with the Town. The mylar copy shall bear the original signatures of the owner or owners and be duly acknowledged. A letter of application addressed to the Council and requesting their approval shall accompany the final plat. This letter shall indicate the name and address of the subdivider and the party responsible for preparing the plat.
2. The final plat shall be filed with the Town at least twenty-five (25) working days prior to the regular meeting at which the applicant desires to be heard by the Council. Upon receipt of the final plat submittal, the Town shall immediately check it for completeness and if the final plat is not complete it will be immediately returned to the subdivider. 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. If the final plat is complete and conforms to the approved preliminary plat and any stipulations attached thereto, it will be transmitted to all reviewing departments and/or agencies.
3. If additional information or changes are recommended by any of the reviewing departments and/or agencies, a revised final plat must be submitted to the Town. 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 Council will not be scheduled for a public hearing.

C. Improvement Plans & Reports. Infrastructure construction plans and reports will be submitted concurrently with the final plat submittal for review. The Final Plat will not be approved until the infrastructure plans are approved. Improvement plans and reports shall be submitted in accordance with the procedures and design standards established in Article(s) 4 and 5 of this Ordinance. Complete sets of improvement plans shall be submitted to the Town (see the Town of Thatcher Submittal Requirement Checklist for the specific number of sets or copies). If the submittal is complete, the Town shall distribute sets of the plans to the appropriate reviewing departments, agencies and utility companies who shall make known their recommendations in writing.

D. Information Required on the Final Plat.

1. The final plat shall be drawn in ink on mylar or other approved material on a sheet not exceeding 24" x 36" in size. Copies of the final plat shall be reproduced in the form of blue line or black line prints on a white background. The plat shall be drawn to an accurate scale of not less than 100 feet to an inch (1"=100'). If more than two (2) sheets are required, a key map shall be shown on the first sheet or on a separate sheet. The Town shall require the plat to be submitted digitized in an appropriate format.

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2. A title, which includes the name of the subdivision and its location by Section, Township, Range, and County.
3. Name, address, registration number and seal of the Arizona-Registered Land Surveyor responsible for preparing the plat.
4. Scale (written and graphic), north point and date of plat preparation.
5. Location and description of cardinal points to which all dimensions, angles, bearings, and similar data on the plat shall be referenced
6. Any excepted parcel(s) within or surrounded by the plat boundaries shall be noted as “Not a Part of This Subdivision” and 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
7. The corners of the plat shall be located on the monument lines of abutting streets; boundaries of the parcel(s) to be subdivided fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field. The surveyor of record shall also provide a copy of the computer closure, properly stamped and signed showing registration number. All dimensions shall be expressed in feet and decimals thereof.
8. Corners of the plat should be noted and monuments found or set should be indicated; each of two (2) separate corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter section corners. Portions of any contiguous 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. The certifying Land Surveyor shall submit subdivision boundary and lot closure and area calculations to the Town.
9. Total subdivision gross acreage. Total number of lots and parcels, and the size, in square feet, of each lot or parcel.
10. Names, centerlines, right-of-way lines, courses, lengths and widths of all public streets, alleys, crosswalks and utility easements; radii, points of tangency, curve lengths, and central angles of all curvilinear streets and alleys, and radii of all rounded street line intersections.
11. All drainage easements shall be shown on the plat and the limit of the Floodplain if any portion of the land being subdivided is within the Floodplain. No structure will be allowed in the easements to obstruct

drainage. The rights-of-way of all major drainage ways shall be dedicated drainage easements or right-of-way as determined by the Town Engineer.

12. The location, width and use of all public or private utility easements shall be noted.
13. Location and dimensions of all lots shall be shown. Lot dimensions shall be indicated on at least one side lot line and either the front or rear lot line. In areas subject to flooding, minimum finished first floor elevations shall be shown as may be recommended by the appropriate authority. All lots shall be numbered consecutively throughout the plat. Exceptions, “tracts”, “parcels” and private parks shall be so designated, lettered or named, and clearly dimensioned; parcels which are not part of the subdivision shall be so designated.
14. Typical Building Lines: A graphic depiction of the “typical” minimum building lines shall be shown on the plat. Such building lines shall not be less than required by any zoning ordinance or building line regulations applying to the property.
15. The accurate outline, with dimensions and bearings for all property that 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.
16. 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.
17. Any proposed private deed restrictions to be imposed upon the plat or any part or parts thereof pertaining to the intended use of the land, and to be recognized by the Town, shall be noted on the plat.
18. All existing private easements within, on or over the plat shall be indicated, dimensioned, and noted as to their use. The location and widths of all easements for right-of-way provided for public services, utilities, or drainage, and any limitations of the easements.
19. Dedications: There shall be a statement of dedication of all streets, alleys, drainage detention/retention basins and drainage ways, pedestrian/bicycle ways, equestrian trails and easements, and other easements for public use, including sanitation, utility, fire and other emergency related vehicles, executed by the person or persons holding title by deed to the lands, by persons holding any other title of record, by persons holding title as vendees under land contract, by spouses of said parties, lien holders and all other parties having an interest in the property. If land dedicated is mortgaged, the

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mortgagee shall also sign the plat. 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 drainageways. Easements shall be provided for purposes indicated, including refuse collection, fire and other emergency services.

- 20. Acknowledgment of Dedications: Execution of dedication, acknowledged and certified by a notary public.

E. Required Certifications, Signatures, and Notes. Multiple notations are required to appear on a final plat. The notations that are standard on every final plat include, but are not limited to, the following:

- 1. Notary Acknowledgment Statement as follows:

<p>Notary Acknowledgment: State of Arizona)</p> <p>On this, the ____ day of _____, (year), before me the undersigned (title) personally appeared _____ (Name) who acknowledges that he/she executed the foregoing instrument for the purposes contained therein.</p> <p>In witness whereof I hereunto set my hand and official seal.</p> <p>_____</p> <p>Notary Public</p>

- 2. Covenants, Conditions & Restrictions (Deed Restriction) information as follows:

<p>Covenants, Codes and Restrictions for (name of subdivision) Thatcher, Arizona are recorded in (document recording number), Graham County Records.</p>

- 3. Certificate of County Assessor as follows:

<p>CERTIFICATE OF COUNTY ASSESSOR: I, the undersigned as a Deputy County Assessor, Graham 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 number: _____.</p> <p>_____</p> <p>County Assessor Date _____</p>

4. Conveyance and Dedication Statements, as follows:

Conveyance and Dedication:
Know all men by these presents that (owner's name), as owner, have subdivided (or re-subdivided) under the name of (name of subdivision), (add Section, Township and Range) of the Gila and Salt River Base and Meridian, Graham County, Arizona as shown platted hereon, and hereby publishes this plat as and for the plat of said (subdivision name), and hereby declares that said plat sets forth the location and gives the dimensions of all lots, easements, tracts and streets constituting the same, and that each lot, tract and street be known by the number, letter and name given each respectively, and that (owner's name), as owner, hereby dedicates to the Town of Thatcher for use as such the streets and hereby grants to the public the drainage and public utility easements as shown on said plat. In witness (owner's name), as owner, has hereunto caused its name to be signed and the same to be attested by the signature of (owner or designated signatory and title).

By: _____ Date: _____
Owner's Name and Title

5. Town Approval Signature Blocks as follows:

Town Council Approval:
Approval by the Town Council of Thatcher, Arizona, this ___day of _____, (year)

By: _____ Attest: _____
Mayor Town Clerk

Town Department Approvals:
This plat was approved by the Zoning Administrator and the Town Engineer.

By: _____ date: _____
Zoning Administrator

By: _____ date: _____
Town Engineer

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6. Surveyors Certification as follows:

<u>Surveyors Certification:</u> This is to certify the survey and subdivision premises described and platted hereon were made under my direction during the month(s) of _____, (year) that the plat is correct and accurate, that the monuments shown hereon have been located or established as described and lot corners have been permanently set.	
_____	(stamp)
(Surveyor's name and registration number)	
(Surveyor's address)	

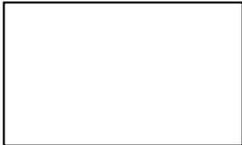
7. Easement Statements & Notes:

<u>Drainage Easement:</u> "No structure of any kind shall be constructed or any inappropriate vegetation be planted nor be allowed to grow within, on or over the drainage easement, which would obstruct or divert the flow of storm water. The Town may, if it so desires, construct and/or maintain drainage facilities on or under the land of the easement".

8. Typical Notes and List of Disclosures as follows:

<u>Notes:</u>
X (benchmark information).
X (basis of bearing information).
X Agricultural Disclosure Statement (for spraying activities).

9. Graham County Recorder Block (must be on first page as a 2" X 2" blank space) as follows:


This instrument was filed and recorded in Book ____ of Plats Page ____.

F. Final Plat Approval.

1. Upon approval of the improvement plans, documents and final reports; letters from all involved utility companies approving the utility installation plans and confirming the availability of services; all required certifications from State and County agencies; and receipt of a request for Town Council action from the Town Engineer; the Zoning Administrator shall first place the final plat on the Planning and Zoning Commission agenda for review and recommendation.
2. The Town 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 Commission.
3. The Commission's recommendation shall be forwarded to the Mayor and Council. If the Town Council approves or conditionally approves the plat, the Mayor shall sign the plat and the Town Clerk shall attest the Mayor's signature.
4. When the certificate of approval by the Town Council has been transcribed on the plat, the Zoning Administrator shall retain the recording copies until the Town Engineer certifies that the subdivision has been staked; the improvement plans and final reports have been approved; a computer closure of the plat has been received; recording fees submitted; that the subdivision improvement construction assurances are in the form and amount to the satisfaction of the Town Engineer and the Town Attorney, along with the Engineer's estimated cost of said improvements has been received; and that any drainage or other restrictive covenants have been signed, notarized and received from the developer.
5. The final plat and the deed restrictions will be transmitted by the Zoning Administrator to the County Recorder's Office for recording.
6. Where the subdivision contains a park, school or other public area that is shown upon the Town General Plan or as recommended by the Commission such area shall be reserved for acquisition by the proper public agency within a period of one (1) year after recording the final subdivision plats
7. Approval of the final plat is valid for a period of one (1) year from the date of Town Council approval. If the developer fails to provide the required material or perform the necessary work, as indicated in Section 3.5 (F)(4), within this one (1) year period, the final plat approval by council shall become null and void; unless a time extension has been approved by the Town Council. Any further action on said plat, after the expiration of the approval, shall require a complete re-submittal of the plat.

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Section 3.6 Step 6: Recordation of Final Plat. .

- A. Upon receipt of the required material, documents, and fees, and performance of the necessary work as listed in Section 3.5, the Town shall then cause the final plat to be recorded in the Office of the County Recorder of Graham County.
- B. An electronic copy of the recorded plat shall be provided to the Town of Thatcher by the project Engineer.

Section 3.7 Replat.

- A. Any division of a lot in a recorded subdivision, or any change in lot lines in a recorded subdivision, shall be processed in accordance with Section 3.5 of these regulations, after a pre-application meeting with Town staff as provided in Step 1.
- B. 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 Zoning Administrator after a Pre-application Meeting, Step 2, the Preliminary Plat Step, is waived.
- C. If abandonment of a street, alley or public utility easement or other recorded easement in a previously recorded subdivision is necessary, either a replat of that area or a Certificate of Correction, as determined by the Zoning Administrator, shall be processed concurrently with the abandonment and recorded immediately subsequent to the recordation of the abandonment.

Section 3.8 Abandonment of Recorded Subdivision

- A. Pursuant to provisions of 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 Council, said petition to be signed by all owners of real property in said subdivision requesting abandonment of all streets, alleys and easements within said subdivision and giving the legal description and recording information thereof.
- B. Applications for abandonment of a recorded subdivision are filed with the Zoning Administrator and referred for recommendation to the appropriate Town Staff and utility companies concerned. After approval of the abandonment of the streets, alleys and easements by the Council and upon recordation of the abandonment Resolution and a subsequent Town road map in the Town Clerk's Office, the subdivision is removed from official maps.

Section 3.9 Condominium Developments

- A.** The application requirements, processing and approval regulations contained within this Ordinance shall apply to all condominium developments.
- B.** All condominium subdivisions shall comply with the provisions of this Ordinance and the *Town of Thatcher Zoning Ordinance*, and the location of building shown on the plat and the manner in which the airspace is to be divided in conveying the condominium shall be clearly defined and shall not violate any provision of this Ordinance.
- C.** In order for the condominium subdivision application to be considered complete, the developer shall provide to the Town any plans, specifications, and/or analysis needed to show that the proposed condominium subdivision is in compliance with this Ordinance and the *Town of Thatcher Zoning Ordinance*, including but not limited to grading plans, site plans, floor plans, elevations, and improvement plans.

Section 3.10 Minor Land Divisions and Lot Splits

- A.** The provisions in this section shall apply to any “minor land division” and/or “lot split” of improved or unimproved property, including a lot, parcel, tract, or combination thereof, for the purpose of financing, sale or lease, whether immediate or future, if one of the following conditions exists:
 - 1. The division of land whose area is two and one-half (2½) acres or less and is being divided into two (2) or three (3) tracts or parcels of land for the purpose of sale, lease or conveyance.
 - 2. The area of the property to be divided is greater than two and one-half (2½) acres and requires the creation of a public or private street or easement to provide legal access to one (1) or more additional lots.
 - 3. Any lot or parcel of land, not a part of a recorded subdivision plat, that has a tax parcel established by the county and is being divided into two (2) or three (3) lots.
 - 4. The division of land into more than two (2) parts, and when the boundaries of such property have been fixed by a recorded plat.
- B.** A minor land division and/or lot split does not include the adjustment of a property line, where land taken from one (1) lot is added to an adjacent lot, provided the proposed adjustment does not create a substandard lot. Administrative review by the Town is required. A certificate of correction, from an AZ Registered Land Surveyor, shall be required if the property line adjustment is for lots within a recorded subdivision plat.

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- C.** The City may approve minor land divisions and lot splits administratively. Prior to recording any deeds related to a minor land division and/or lot split with the Graham County Recorder's office, a property owner shall submit to the Zoning Administrator an application containing the following information.
1. A completed application form.
 2. A drawing or sketch showing the proposed land split. The drawing or sketch should be fully dimensioned and prepared at a scale that maintains legibility. The drawing or sketch shall show the following information.
 - a. The boundaries of the original parcel or lot prior to the land split.
 - b. The proposed lots.
 - c. The rights-of-way adjacent to or within the property, including streets and easements.
 - d. The locations and dimensions of any existing structures.
 - e. The setbacks of existing buildings from existing and proposed property lines.
 - f. The land area of each proposed lot in square feet or acreage.
 - g. Access to all proposed lots.
 - h. Whether there is any shared use of facilities between properties.
 3. Documentation of the land division history of the parcel. Documentation may consist of Assessor's maps and records, deeds, title history search, or any other information that would credibly show the number of land divisions that have occurred from the original parcel over the last twenty (20) years or from the date of annexation if the annexation occurred within the last twenty (20) years.
 4. If applicable, a copy of any easement agreement or other legal document that permits shared facilities.
- D.** The Zoning Administrator shall review the application and make a determination on the following.
1. Whether the proposed minor land division and/or lot split constitutes a subdivision as defined in the Glossary of this Ordinance, requiring compliance with platting requirements of this Ordinance.
 2. If the proposed minor land division and/or lot split does not constitute a

subdivision, whether:

- a. The lots resulting from the proposed minor land division and/or lot split conform to the minimum lot size requirements for the zoning classification of the property.
 - b. Access to the proposed lots is in compliance with this Ordinance.
 - c. The location of any existing building on any lot resulting from the proposed minor land division and/or lot split complies with building setbacks for the applicable zone.
- E.** If dedicated and/or public improvements are required for minor land divisions and/or lot splits, the developer shall be responsible for the preparation of a complete set of improvement plans, prepared by an Arizona registered civil engineer, satisfactory to the Town Engineer for the construction of the required improvements. The plans shall be prepared in conjunction with the minor land division and/or lot split map and the requirements outlined in Article 5 of this Ordinance
- F.** The Zoning Administrator shall notify the applicant, in writing, of the review decision and findings within ten (10) working days after the minor land division and/or lot split application is filed.
1. If the Zoning Administrator determines that the proposed minor land division and/or lot split constitutes a subdivision, compliance with this Article shall be required for the proposed minor land division and/or lot split.
 2. If the Zoning Administrator determines that the proposed minor land division and/or lot split complies with minimum requirements of this Article, a letter of approval shall be issued to the applicant together with an approved copy of the land split drawing.
 3. If the Zoning Administrator determines that the proposed minor land division and/or lot split does not comply with minimum requirements for this Article, a letter of denial shall be issued.
 4. If the Zoning Administrator does not issue a decision within the time required by this Section, the minor land division and/or lot split shall be deemed not to constitute a subdivision requiring approval of a subdivision plat.
 5. Compliance with Town ordinances and regulations not reviewed as part of the minor land division and/or lot split review process will be determined at the time of application for building permits when more detailed information is provided on the proposed development.

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- G.** No building permit or zoning compliance certificate shall be issued for development on any parcel that does not comply with the minor land division and/or lot split regulations of this Article.
- H.** The minor land division and/or lot split map shall not be recorded, nor shall any improvement work commence until the Town Engineer has approved the improvement plans.
- I.** No minor land division and/or lot split, which creates a substandard or nonconforming lot or structure, shall be approved except by council action.
- J.** If any improvements are required for the minor land division and/or lot split pursuant to regulations contained herein, no building permit for any lot created will be issued until such improvements are completed and the work accepted by the Town Engineer unless the developer provides construction assurance in a form acceptable to the Town Attorney.

(End of Article)

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CHAPTER 152, ARTICLE 4: Design Standards

Section 4.0 Purpose and Intent.

- A. The purpose of this Article of the Subdivision Ordinance is to provide the development community and the citizens of Thatcher with a minimum set of standards to guide the physical development and the visual quality of the subdivisions being developed throughout the community.
- B. The intent is to create functional developments, minimize adverse impacts on the community, and to insure that future subdivisions will conform to the community's expectations and implement the General Plan. All subdivision plats shall comply with the design standards in this Article which are designed to result in a well-planned community without adding unnecessarily to development costs yet encourage new development that is dynamic, creative and imaginative.

Section 4.1 General Requirements.

- A. Consideration should be given in the design and development of all Subdivisions to conserve natural features such as trees, watercourses, historical and archaeological sites and similar community assets which add value and beauty to the community.
- B. Every subdivision shall conform to the goals, objectives and policies of the General Plan. All improvements proposed shall conform to this Subdivision Ordinance, the Zoning Ordinance, and the Arizona Revised Statutes and shall be acceptable to the Town Engineer.
- C. All public improvements shown on the final plat and the improvement plans, and any additional improvements that may be required by the Town Council as a condition for approval of the final plat, shall be the responsibility of the developer; unless otherwise approved by the Town Council.
- D. Where the area proposed for development contains all or part of a park, a school, flood control facility, or other public site, as shown on the General Plan or as recommended by the Commission or Town Council, such site shall either be dedicated to the public or reserved for acquisition by the public or appropriate agency or land trust within a specified period of time as prescribed in A.R.S. 9-463.01 (D) and (E).
- E. Land which is subject to periodic flooding, land which cannot be properly drained, land which has unstable soils or slopes, or land which is otherwise unsuitable for residential, commercial, or industrial uses shall not be subdivided. The Town Council may approve the subdivision of such land upon receipt of evidence, including subdivision construction assurances satisfactory to the Town Engineer and Town Attorney, that the construction of specific improvements will render the land suitable. The construction of subdivision improvements shall not commence until

after final plat and improvement plan approval, and financial assurances have been secured to the satisfaction of the Town Engineer, Zoning Administrator, and Town Attorney.

- F. Any contiguous property owned by the subdivider shall not be excluded from the boundaries of a Subdivision when needed or required for traffic, drainage or flood control facility for the Subdivision.
- G. If the Subdivision is traversed by or is adjacent to streams or other bodies of water, the Subdivider shall provide a right-of-way for storm drainage conforming substantially with the line of the natural watercourse or provide an acceptable realignment of the watercourse.
- H. When the land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged to allow for future streets and Subdivisions that may develop.

Section 4.2 Site Design Standards.

- A. Residential. Regardless of the density of the individual developments, single family residential subdivisions and condominium or multi-family subdivisions shall be properly designed and shall be required to provide open space as well as landscaping. Depending upon site and location factors the subdivision may also be required to provide physical connections to adjacent neighborhoods and to the greater community.
- B. Commercial and Industrial. Commercial and industrial subdivisions shall be required to provide open space as well as landscaping. Further, the subdivisions shall be designed in a manner so that the surrounding land uses are considered; sufficient access is provided; and adverse impacts buffered. In addition, the following standards shall apply to commercial and industrial subdivisions:
 - 1. Commercial and industrial lots/developments that back up to an existing or designated residential land use shall be designed with extra depth to accommodate a landscaped buffer strip adjacent to the common property line to mitigate any adverse effects to the residential neighborhood from a permitted commercial or industrial use.
 - 2. Street right-of-way and pavement design shall be adequate to accommodate the type and volume of traffic anticipated to be generated by the development.
- C. Traditional Neighborhood Development (TND): A TND, as described in Article 12 of the Thatcher Zoning Ordinance, shall establish the minimum lot area and lot width, the associated development standards, mix of land uses, density, open space, amenities, and landscaping in effect for the various subdivision(s), provided that the

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TND is approved by the Town Council prior to or in conjunction with, the preliminary plat approval for the subdivision.

Section 4.3 Open Space and Landscape Standards.

A. General Requirements.

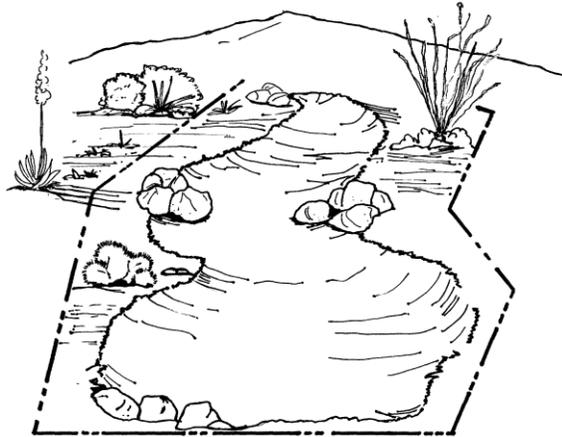
1. Required open space for all types of subdivisions shall be as prescribed in the Thatcher Zoning Ordinance.
2. Open space intended to fulfill the open space requirements shall be calculated upon the net acres of the subdivision whether residential, commercial, or industrial.
 - a. Net acres for a residential project are defined as: total acres exclusive of the area required for arterial or collector street right-of-way dedications, reserved school sites, and all commercial and/or industrial acreage.
 - b. Net acres for nonresidential projects are defined as: total acres exclusive of the area required for arterial or collector street right-of-way dedications.
3. Open space area shall mean any area of land that can be enjoyed by people. Any of the following may be calculated as part of the required open space:
 - a. Landscaped or hardscaped plazas,
 - b. Any parking area landscaping that exceeds that which is required by the Zoning Ordinance,
 - c. Fountains, and sitting areas all meant to provide an open park like atmosphere,
 - d. Playgrounds,
 - e. Golf courses,
 - f. Bicycle trails (but not bike lanes within the public right-of-way),
 - g. Pedestrian trails (but not residential sidewalks integrated with the curb),
 - h. Landscape buffers,
 - i. Landscaped medians, and

- j. Landscape strips associated with curb separated sidewalks.
- 4. Open space does not include retention and/or detention basins that are concrete lined or non-landscaped, vacant lots, or undeveloped lots.
- 5. Improvement of the open space, landscaping, and amenities shall be the responsibility of the developer and shall be part of the subdivision improvements. An improvement district shall be established by the developer to provide for the long-term maintenance responsibilities of these areas; unless otherwise accepted by the Town into the Town park system for such maintenance responsibilities.

B. Specific Open Space Design Standards.

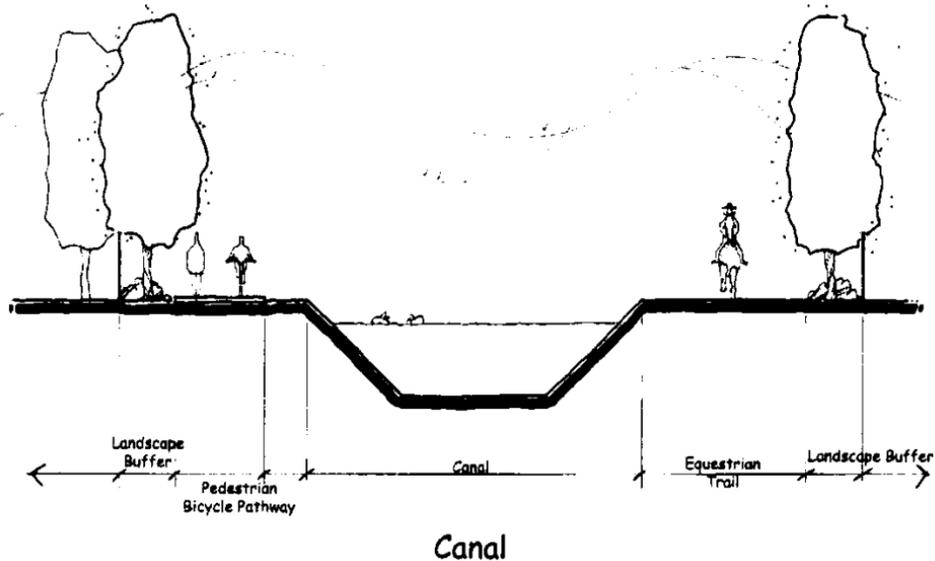
- 1. The open space areas should be designed in such a manner as to be easily accessible to all lots. Accessible means that there is no more than 1/6 of a mile or 880 feet of pedestrian travel between any one lot and an entrance area allowing people and bikes to enter into the open space area or view the open space area.
- 2. Residential subdivision retention or detention basins, that are required in accordance with the subdivision drainage report, shall qualify as open space only if they are landscaped, multi-tiered and designed to be used as an active multi-use area. Retention basins with a bottom area in excess of one-half (1/2) acre, shall be designed and turfed and encouraged to be equipped to accommodate a play/sport field. All play structures and restrooms within the basin shall be located at least one-half (1/2) foot above the 100-year storm level. All basins to be accepted by the Town for maintenance shall be constructed with a minimum of four to one (4:1) side slopes.
- 3. Commercial and industrial subdivision retention or detention basins, that are required in accordance with the subdivision drainage report, shall qualify as open space only if they are landscaped. Terracing, berming and contouring may be required to naturalize and enhance the aesthetics of the basin. Basin slopes shall not exceed a three to one (3:1) slope.
- 4. Existing watercourses and drainage ways shall qualify as open space if they are incorporated into the design of the subdivision in their historic unaltered location, given a “natural” character (not ditch-like in design), constructed with/of natural materials, and incorporated into the larger open space design (see Figure No. 1).

Figure No. 1
Natural Character Drainage Way



- Existing canal right-of-way, if within or adjacent to the proposed subdivision, may be calculated as open space if improved with a multi-use pathway, for bicycles, pedestrians, equestrians, and landscaping as part of the subdivision improvements (see Figure No.2). At least one-side of the canal should be designed to provide an access road for cleaning and dredging of the canal and depositing of the dredged material.

Figure No. 2
Flood Control Canal/Irrigation Canal Trail



- If the developer chooses to provide a median and/or a curb separated sidewalk with a tree-lined street cross section as the collector and/or local street cross section (see Figure 5A, 5B and 6A respectively), the landscaped

median and “boulevard strip” area, within the public right-of-way may be calculated as part of the required open space.

7. The location of neighborhood parks, mini parks, tot lots and similar recreation areas should wherever possible be internalized to the neighborhood and not adjacent to an arterial street.

C. Specific Landscape Standards.

1. Landscaping, as a major element of the streetscape and open space, shall be required as part of any subdivision development. All developments shall provide landscaping within, but not limited to, the required open space areas, retention or detention basins, the community trail system if applicable, and the public right-of-ways as required in Article 17 of the Thatcher Zoning Ordinance. Installation of the required landscaping shall be in accordance with the approved landscape plan for the development.
2. To insure plant materials are installed and properly maintained, a Preliminary Landscape and Open Space Plan will be required of all developments as part of the Preliminary Plat submittal package and a Final Landscape and Open Space Plan (including irrigation) as part of the Improvement Plan submittal package (see Article 5 for details). This plan shall show all required plant material locations and include a plant list/palette, indicating species, size, quantity, and spacing specifications.
3. Streetscape shall be required along the arterial and collector streets that are within or adjacent to a subdivision as part of the required improvements for that subdivision. Landscaping should be a major element of the streetscape.
4. Landscaping on parcels must gradually taper to meet the top of the sidewalk fronting the street at all points. Developers shall install curbing or retaining walls on the outside of the sidewalk for parcels graded such that landscaping lies above the sidewalk or where landscaping slopes more than 10% within 8 ft. of the sidewalk.

D. Walls and Fences.

1. In order to enhance the appearance of the community, neighborhoods rather than individual subdivisions are desired. Walled-in separated subdivisions do not create neighborhoods by themselves and are strongly discouraged. External orientation of the subdivision to the surrounding arterial, collector and local streets as well as adjacent residential development is strongly encouraged and should limit the need for solid view-obscuring perimeter walls.
2. Where a commercial or industrial development share a common property line with a residentially zoned property (including agricultural lands) or the

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community open space areas, a solid perimeter wall shall not enclose the developments required open space area.

3. Any solid view-obscuring perimeter wall along the boundary of the subdivision shall be specifically indicated on the final plat and approved by the Town Council.

Section 4.4 Access Requirements.

- A. Every subdivision (residential, commercial and industrial) shall have at least two (2) separate and distinct access points both of which shall provide fully-improved and accepted access from public, or approved private streets, developed to Town of Thatcher street standards.
- B. Every lot shall have frontage onto a fully-improved, publicly-dedicated and accepted right-of-way (street or alleyway) that meets all Town of Thatcher street standards. Private streets that meet all Town of Thatcher street standards may provide frontage to lots if the development is approved by the Town Council for private streets.

Section 4.5 Street Location and Arrangement.

- A. The road system shall be designed to permit the safe, efficient, and orderly movement of traffic and pedestrians; meet the needs of present and future population served; have a simple and logical pattern; respect natural features and topography, and; present an attractive streetscape.
- B. In residential subdivisions, the road system shall be designed to serve the needs of the greater neighborhood. Through vehicular traffic should be discouraged by means of traffic calming methods, as defined by the Institute of Traffic Engineers (I.T.E.).
- C. There shall be no development of roadways built to arterial or major collector standards unless and until that roadway and roadway alignment is shown in the Circulation Element of the Thatcher General Plan as a proposed roadway; unless an amendment to the General Plan is approved.
- D. Whenever a proposed subdivision embraces any part of an arterial or collector street designated in the General Plan, such street shall be platted in conformity thereto. Street layout shall provide for the continuation of such arterial and collector streets as the General Plan or Town Engineer may designate
- E. Certain proposed streets, as designated by the Town, shall be extended to the subdivision boundary to provide future connection with adjoining unsubdivided lands.

- F. Half width streets may be approved in a Subdivision where there is adjacent property that may be developed in the future which can provide the other half width to the street. The width of a half width street shall not be less than thirty (30) feet. A full width street shall be provided where it would be impractical for half width streets. A Subdivision that adjoins existing streets shall dedicate additional rights-of-way to meet the dimensional requirements established by the Town and this Ordinance.
- G. Local streets are encouraged to be designed with curb-separated sidewalks to meet the safety needs of the pedestrian and to enhance the streetscape. The landscaped “boulevard strip” created with this curb-separated sidewalk may be calculated as open space (see Section 4.3B.6. above for details).
- H. Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility, streets of reasonable gradient, and the facilitation of adequate drainage.
- I. Where private streets are approved, such streets shall be constructed to Town specifications and shall be placed into specific “street tracts” of land. Statements shall be contained on the plat and in the Deed Restrictions that those streets are declared private subject to an easement authorizing use by emergency and public service vehicles and utilities, and remain the permanent responsibility of that development’s improvement district. If at any time the streets are dedicated to, and accepted by the Town, the streets must first be improved by the developer to the current standards specified by the Town at the time of dedication.

Section 4.6 Street Design Standards.

- A. **Design of Streets.** The street construction shall be fully paved streets with curbs, gutters and sidewalks. The specific design of streets shall conform to the standards established by this Ordinance; see Figure 3 through Figure 8 for specifics. The use of the alternative cross sections for collector and local residential streets (Figure 5A, 5B and 6A respectively) is encouraged by the Town. The landscaped boulevard strip and center median created by these alternative cross sections may be calculated as open space (per Sec. 4.3B 6). When using these alternative cross sections the Town may permit flexibility to vary the number of drive lanes, include bicycle lanes, on-street parking, wider center medians, and wider shared-use paths in lieu of sidewalks.

Figure No. 3 - Principal Arterial (U.S. Hwy 70)

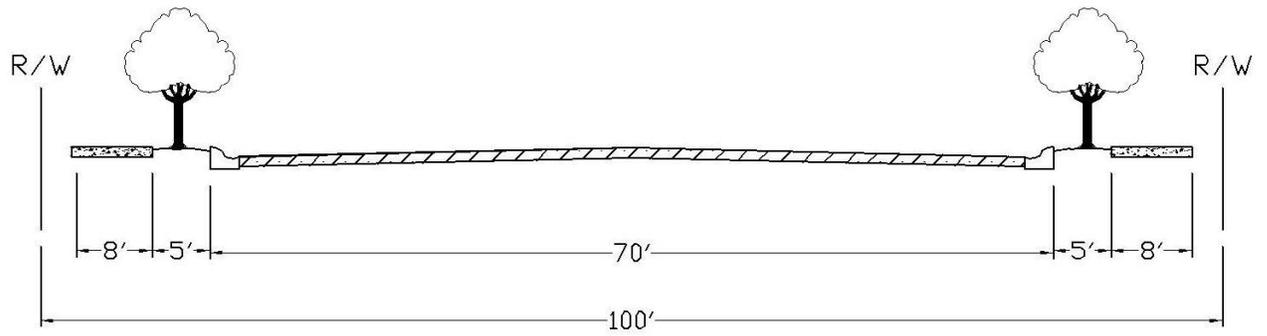


Figure No. 4 - Minor Arterial

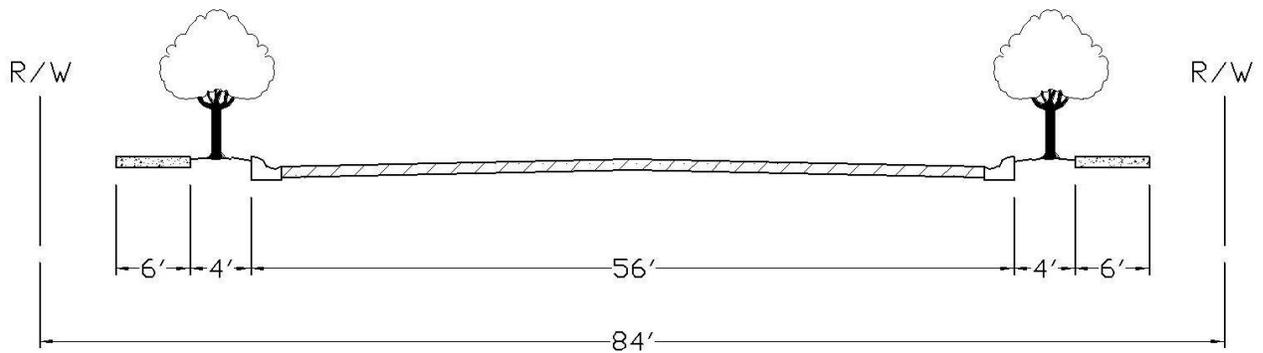


Figure No. 5 - Collector Street

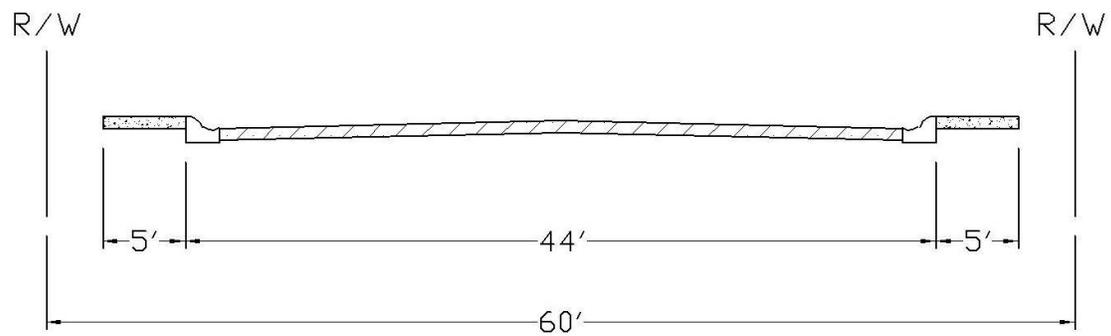


Figure No. 5A - Collector Street (Alternative Cross Section)

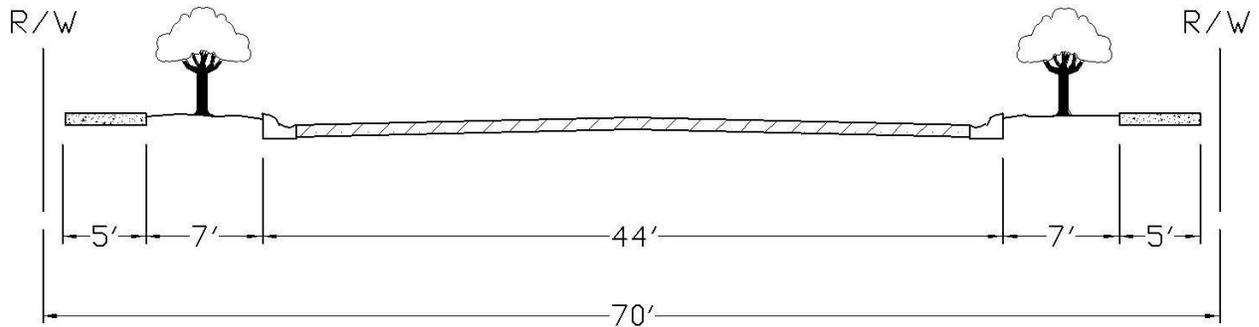


Figure No. 5B- Collector Street (Alternative Cross Section)

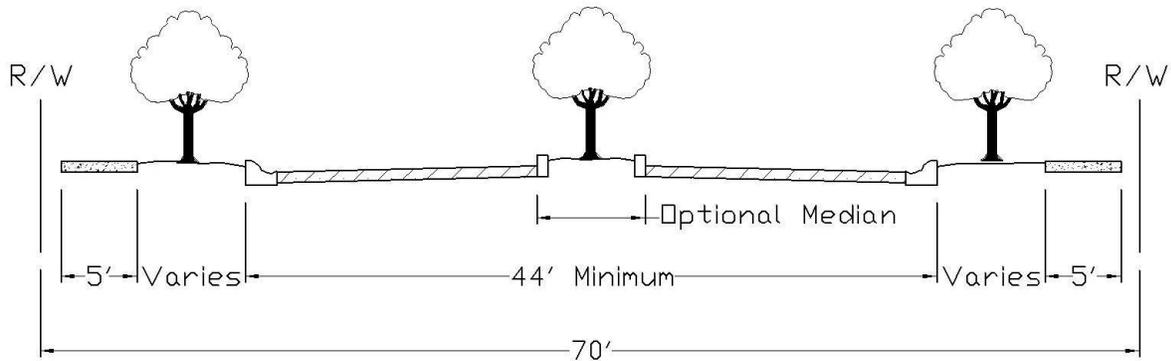


Figure No. 6 - Local Street (Standard Residential Cross Section)

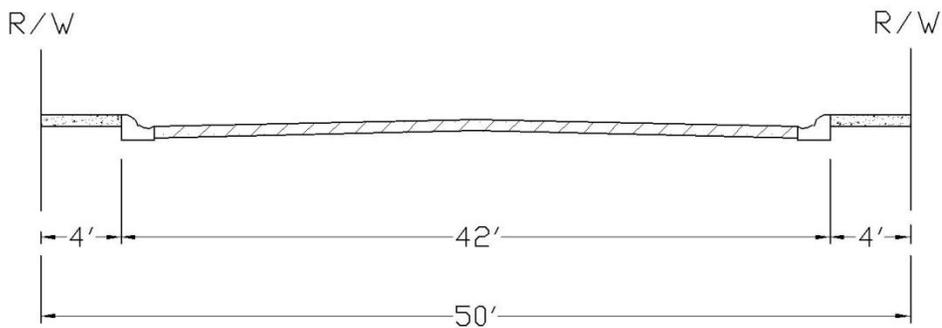


Figure No. 6A- Local Street (Alternative Residential Cross Section)

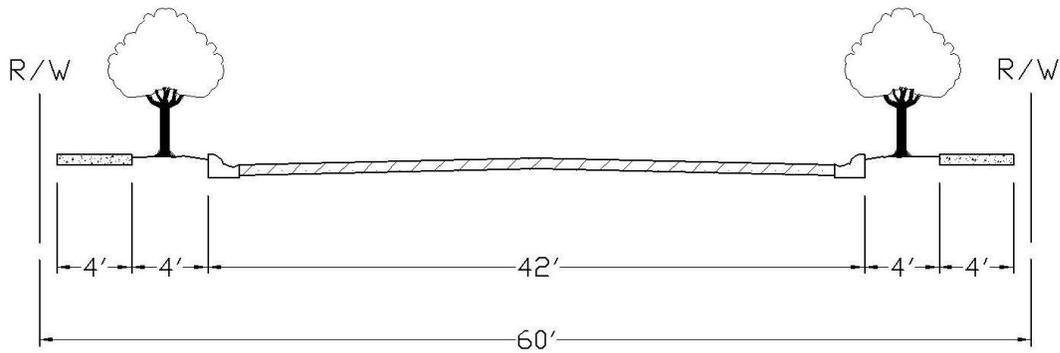


Figure No. 7 - Local Street (Standard Commercial and Industrial)

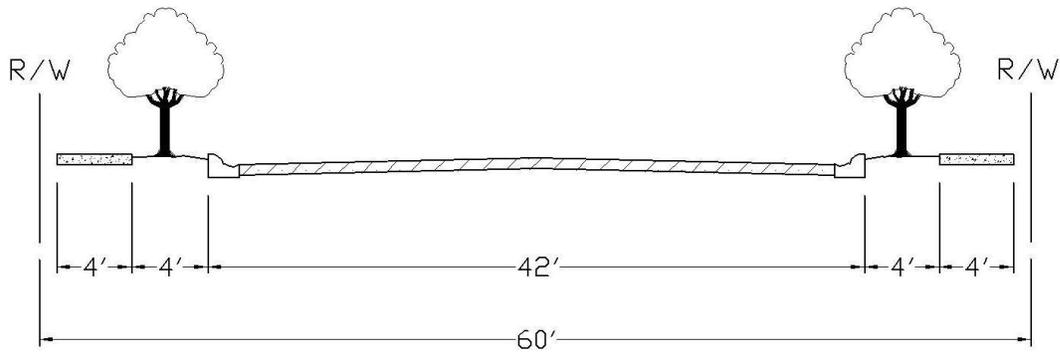
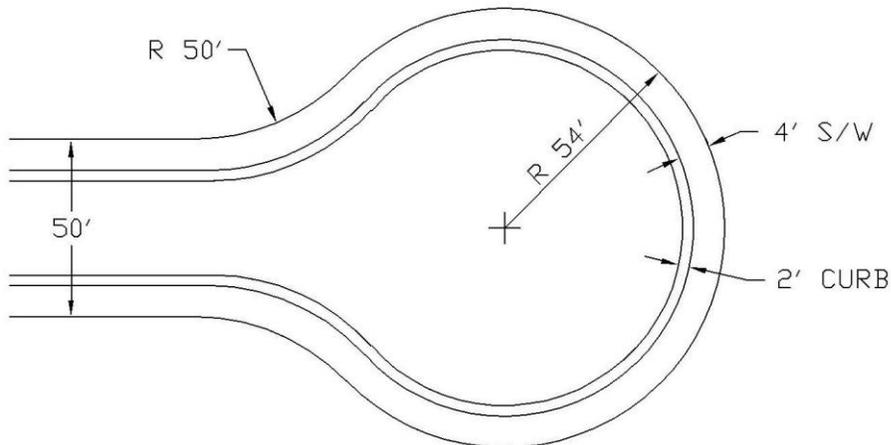


Figure No. 8 - Cul-de-Sac Street



- B. Private Streets.** Private streets shall conform to above stated design standards unless otherwise approved by the Town Council. Private streets shall be placed within their own parcel or tract of land. Where site conditions necessitate unique design solutions, modifications may be approved by the Town Council.
- C. Cul-de-Sac Streets.** Cul-de-sac streets shall be constructed with a minimum unobstructed turn-around radius of fifty (50) feet which shall be free from parked vehicles. The Town Engineer may recommend an equally convenient form of turning and backing areas where extreme conditions justify. The maximum length of Cul-de-sac streets shall be seven hundred fifty (750) feet or 20 homes, whichever is more restrictive, as measured from the curb line of the intersection street to the curb line at the end of the of the cul-de-sac, along the street centerline. An exception may be made where topography justifies but shall not be made merely because the tract has restrictive boundary dimensions, wherein provision should be made for extension of street pattern to the adjoining unplatted parcel and a temporary turnaround installed.
- D. Dead-end Streets.** Dead-end streets will not be approved except in locations recommended by the Zoning Administrator as necessary to future development of adjacent lands; with an acceptable all-weather access emergency turn around.
- E. Private Access and Driveways.** Access from private property to any dedicated street shall be constructed in accordance with permits issued by the Town. Width of driveway at the property line shall be a minimum of twelve (12) feet and a maximum of thirty (30) feet. The width will depend on the access to be served (i.e., residential or commercial) and approved by the Town.
- F. Bicycle Lanes.** Bicycle lanes are designated on-street facilities that shall be provided on arterial and collector streets. Within all new developments a bike lane no larger or smaller than six and one-half (6'-6") feet, as measured from back of curb, shall be constructed on main collector roads throughout the development and arterial and major collector streets adjacent to the development. All bike lanes shall be marked with a white stripe no wider than five (5") inches and clearly marked "bicycles only." Under some circumstances the Town Engineer may require a different section, such as a shared-use path on the shoulder in lieu of the bicycle lane, if necessary to accommodate on-street parking.
- G. Alleys.** Alleys are not required but may be permitted in commercial and industrial subdivisions or may be desired in residential developments to facilitate detached rear loading garages. Where needed, and approved by Town Council, they shall be a minimum of twenty (20) and a maximum of thirty (30) feet in width for commercial and industrial and a minimum of sixteen (16) and a maximum of twenty (20) foot in width for residential. Dead-end and "half" alleys shall be prohibited.
- H. Sidewalks.** Sidewalks are required and shall be constructed of portland cement concrete. The minimum width for sidewalks in residential areas shall be four (4) feet. The Town may require wider sidewalks in commercial areas, by schools or similar

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areas. The Town encourages curb separated sidewalks (see Sec.4.3 B.6 open space incentive).

I. Street Intersections.

1. Street intersections shall be as nearly at right angles as possible and no intersection shall be less than sixty degrees (60°). Exceptions to these requirements will be considered by the Town Engineer based on terrain and other conditions.
2. Street jogs with centerline offsets less than 135 feet shall be prohibited except when approved by the Town Engineer. Under special circumstances where local streets intersect collector or arterial streets, the Town Engineer may require minimum centerline offsets of 400 feet.
3. Local streets intersecting a collector street or arterial street shall have a tangent section of centerline at least 150 feet in length measured from the right of way line of the major street, except that no such tangent is required when local street curve has a centerline radius greater than 400 feet with the center located on the major street right-of-way line. Where topographic conditions make necessary other treatment to secure the best overall design, these standards may be varied by the Town Council upon the recommendation of the Town Engineer.
4. Street intersections with more than four legs and y-type intersections where legs meet at acute angles shall be prohibited unless specifically approved by the Town Engineer.
5. Property line radii at street intersections shall not be less than thirty (30) feet for all streets, and when the angle of the street intersection is less than seventy-five (75) degrees, the Town Engineer may require a greater curb radius.
6. Minimum intersection setbacks and spacing between driveways varies with street classification as follows:

Table No. 1 – Driveway Setbacks from Intersections

Street Classification	Spacing Requirement (feet)
Principal Arterial	250
Minor Arterial	200
Collector	100
Local	30

- J. Street Grades.** The minimum street grade shall not be less than two-tenths of one percent (0.2%). The maximum street grade shall not exceed a six (6%) percent grade. Street grades between six (6%) percent and ten (10%) percent may be

approved only for such distances as topographical conditions make lesser grades impractical.

K. Surface Treatment. The traveled way of all streets shall be surfaced with asphalt concrete. The placing of asphalt concrete shall be accomplished under generally accepted construction techniques provided in Section 321 of the MAG Standard Specifications.

L. Structural Section.

1. The thickness of base and surface treatment for all streets shall be based on geotechnical/soils report and pavement thickness design provided by the developer. In no case will the base be less than eight (8) inches of aggregate base course and the surface treatment less than three (3) inches compacted thickness of hot mix asphalt.
2. All streets shall be constructed with a minimum crown of two (2) percent from the centerline to the gutter. Warping of the cross-slope is allowed at intersections, driveways and other similar areas. However, transitions such as at driveway turnouts will be limited to a six (6) percent maximum change.
3. Length of vertical curves (measured in feet) will be a minimum of three times the design speed (measured in mph). Grade breaks may be used if the total change is less than 0.2% for any design speed. Longer curves may be required for larger grade differences at higher speeds.
4. The maximum degree of curvature for a horizontal curve shall be 8°00'. The Town may require milder curves or super elevation. Super elevation will vary with design speed but shall not exceed a 0.06 ft. per ft. transition rate.
5. Curb and drop inlets will be constructed in a manner safe for bicycles and pedestrians.

M. Roadway Design. The minimum right-of-way requirements and roadway design standards are summarized in the following Table No. 2 and Table No. 3. Pavement width includes curbs. The Town may require the construction of bicycle paths in lieu of or in addition to on-street bicycle lanes requiring wider sections.

Table No. 2 - Right-of-Way Dimensions

Street Classifications	Right-of-Way Width	Pavement Width
Principal Arterial (Figure 3)	100 ft.	70 ft.
Minor Arterial (Figure 4)	84 ft.	56 ft.
Collector (Figure 5)	60 ft.	44 ft.
Local Street (Figure 6)	50 ft.	42 ft.
Local Street (Figure 6A)	60 ft.	42 ft.
Local Street (Figure 7)	60 ft.	42 ft.
Cul-de-sac (Figure 8)	54 ft.	50 radius
Note: Pavement width measured back-of-curb to back-of-curb.		

Table No. 3 - Minimum Road Design Standards

Design Speed (mph)	50	45	40	35	30	25
Min. Radius of Horizontal Curves w/o Superelevations (ft)	1,800 ⁽²⁾	1,200 ⁽²⁾	800	500	300	200
Min. Length of Tangent between Reverse Curves (ft)	300 ⁽¹⁾	250 ⁽¹⁾	225 ⁽¹⁾	200 ⁽¹⁾	150 ⁽¹⁾	100 ⁽¹⁾
Min. Length of Tangent between Curves - Same Direction (ft)	1,000	800	600	500	400	300
Min. Vertical Curve (ft)	150 ⁽³⁾	140 ⁽³⁾	120 ⁽³⁾	110 ⁽³⁾	90 ⁽³⁾	75 ⁽³⁾
Passing Sight Distance (ft) (per AASHTO)	1,800	1,500	1,200	1,000	800	600
Right Angle Intersection Sight Distance (ft) (per AASHTO)	800	600	300	150	150	100
Min. Tangent Length Approaching Intersections (ft)	300	250	200	175	150	100
Key:						
(1) Equals the superelevation runoff length + tangent runout length.						
(2) Superelevation required at design speed 45mph and above.						
(3) Equals minimum length. May be greater based on AASHTO calculation.						

Section 4.7 Block Planning.

- A. A block shall not be more than one thousand three hundred twenty (1,320) feet in length unless the Council considers it necessary to increase it to secure efficient use of land.
 1. Blocks which are over six hundred sixty (660) feet in length may be required to have crosswalks.
 2. Longer blocks may be provided when fronting on major streets in order to reduce the number of intersections.

- B. A block shall be wide enough to allow two (2) tiers of lots of minimum depth. The Council may approve a single tier of lots of minimum depth if conditions justify it.

Section 4.8 Lot Planning.

- A. Single-family residential lots shall not have a depth to width ratio greater than three to one (3:1) for the usable area, except those lots located on a knuckle or end of a cul-de-sac street may have a four to one (4:1) ratio. Special lot designs that do not meet this requirement may be permitted through the TND process on a case-by-case basis.
- B. Each lot shall be accessible to the street which it fronts; including grading, when necessary, to ensure access. All proposed lots must be buildable without the need of a variance, waiver or further discretionary approvals from the Town. Prior to final plat approval the Town may require additional documentation, including but not limited to engineered concept plans, for lots with questionable development ability. The area of a lot shall be exclusive of any area designated for streets or easements.
- C. Corner lots shall generally be designed larger to accommodate the increased setback requirements of the Zoning Ordinance.
- D. Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines insofar as practical, except where other treatment may be justified in the opinion of the Town Engineer.
- E. Each irregular shaped lot shall have a minimum width at the front and rear setback lines of forty (40) feet. No lot shall be less than one hundred (100) feet in depth; except that smaller lots may be permitted through the TND process on a case-by-case basis.
- F. Residential lots extending through the block and having frontage on two parallel streets which are both local streets or one of which is a local street and the other is a collector street shall not be permitted; except where justified in the opinion of the Town Engineer.
- G. Lots shall be laid out in a manner to provide positive drainage away from all buildings.

Section 4.9 Easement Planning.

- A. If the utilities are to be located in the street right-of-way, then public utility easements shall be eight (8) feet along each side of the street and around a cul-de-sac, provided that said street right-of-way meets Town standards. The Town may stipulate grading and surface preparation of the easements.

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- B. Easements will be required for all private utilities outside of the street right-of-way and shall be placed along lot lines as required by the utility companies.
- C. Where a stream, wash or important surface drainage course abuts or crosses a development, dedication of a drainage easement of a width sufficient to permit widening, deepening, relocating, or protecting and maintaining said water course shall be required. All drainage easement widths shall be approved by the Town Engineer and the Graham County Flood Control District based upon the hydrological analysis of a 100 year frequency storm.
- D. All retention and detention areas shall be in tracts with drainage easements.
- E. Land within a drainageway or within an easement for major power transmission (tower) lines or pipelines shall not be considered a part of the useable lot area.

Section 4.10 Street Naming.

- A. The Zoning Administrator shall keep a record of the names of all streets within the corporate limits of the Town of Thatcher. Street names shall comply with the overall Town of Thatcher street naming system.
- B. Street names should be consistent with the natural alignment and extension of existing named streets.
- C. The developer shall propose the street names at the preliminary plat submittal stage and the names shall be recommended by the Commission and approved by Council.
- D. Street name signs shall be placed at all street intersections and be in place by the time the street pavement is ready for use. Specifications for design, construction, location, and installation shall conform to “Manual on Uniform Traffic Control Devices” (M.U.T.C.D.) standards.

Section 4.11 Drainage.

- A. Proper and adequate provisions shall be made for disposal of storm water; this shall apply equally to grading of private properties and to public streets. Existing major water courses shall be maintained as drainage ways. Drainage shall meet the requirements of the “Drainage Policy” of the Town of Thatcher. Streets may be used for drainage conveyance only.
- B. Post development flows cannot exceed pre-development flows in peak runoff, volume, or velocity and may not concentrate sheet flows without downstream off-site control.

- C. Drywells are discouraged. If drywells are necessary they shall be spaced as far a part as possible and only fifty (50%) percent of the percolation capacity can be used in calculating the required number of drywells to be utilized. In addition a maintenance plan shall be prepared that provides for routine inspection and maintenance to the approval of the Town Engineer. The Town will not accept sumps for maintenance.
- D. All retention basins shall be designed to drain within thirty-six (36) hours of a major storm event.
- E. Minimum side slope of a drainage retention or detention basin shall be 4:1 if basin is calculated as open space (see Sec 4.3 B). An acceptable method of transporting water from the street into the basin shall be provided so as to preserve the integrity of the basin walls and floor.
- F. Unless diversion of water is required to conform to a comprehensive drainage plan for a drainage district, off-site runoff shall be received and discharged at the locations which existed prior to development and as nearly as possible in the same manner which existed prior to development. Should diversion be required, sufficient work shall be done upstream and/or downstream to provide all affected properties at least the same level of flood protection that existed prior to the diversion. The developer's Engineer shall determine any changes in backwater that will be caused by the proposed developments and any effects the backwater might cause.

Section 4.12 Sanitary Sewage Disposal.

- A. All subdivisions within the Town of Thatcher's sewer service area shall install sewer collection lines and service lines to each lot within the subdivision, located in the street or within a separate sewer easement, prior to paving the street. All dwelling units shall be required to connect to the Town's sewer collection system. If there is no sewer main available, to the subdivision boundary, to serve the subdivision at the time of building permit issuance, an alternative sewage disposal system may be installed in addition to the sewer collection and service line.
- B. All subdivisions not in the Town's sewer service area shall submit a sewer service plan acceptable to the Town's Engineer, Graham County Health Department, and the Arizona Department of Environmental Quality (ADEQ).
- C. Septic tanks shall be approved by Graham County Health Department and A.D.E.Q.
- D. Public sanitary sewers shall be installed in accordance with plans, profiles and specifications approved by the Town Engineer, A.D.E.Q., and Graham County Health Department. The installation shall be accomplished under generally accepted construction techniques in accordance with the applicable Town of Thatcher and A.D.E.Q. Standards.

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- E. Service stubs to platted lots within the subdivision for underground utilities shall be placed to the right-of-way line or the public utility easement whichever is greater.
- F. Sanitary sewer lines shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.

Section 4.13 Water System.

- A. Each lot or building unit shall be supplied with potable water in sufficient volume and pressure for domestic use and fire protection purposes. Design and construction of any and all facilities relating to the supply, storage, transmission, treatment and distribution of potable water within or outside of any subdivision shall be accomplished under generally accepted construction techniques in accordance with the applicable Town of Thatcher Standard and meet with the written approval of the Town Engineer, Thatcher Fire Department and A.D.E.Q.
- B. All design and construction must meet all applicable Town and A.D.E.Q. specifications and requirements in force at the time of plan review and approval. If it is necessary for the Town to apply specifications or requirements not in force at the time of plan review, but necessary to achieve the orderly and proper development of any portion of the public water system, the Town reserves the right to enforce such specifications and requirements to insure and protect the public welfare.
- C. The developer of a subdivision may be required by the Town of Thatcher to supply to the public water system an amount of new water supply and/or storage facilities to offset the demand on the existing or planned water system imposed by owners of property or building units within the subdivision.
- D. Lots with water wells require a “RP” backflow valve at the connection to the public water system. A backflow valve maintenance program is also required. Water wells can only be connected to the public water system with the Town Engineer approval.
- E. Where it is necessary to extend a water main from an existing adequate main to the subdivision, the subdivider will be required to pay the full cost of the line extension.
- F. Water specifications and requirements relating to fire protection are established by the Town Engineer and Thatcher Fire Department. At a minimum fire protection must be provided in accordance with the International Fire Code as adopted by the Town of Thatcher.
- G. Line Sizing: Minimum size lines for water lines shall be six (6) inches without hydrants and eight (8”) inches with hydrants. Minimum eight (8) inch lines shall be required on dead-end hydrant lines longer than three hundred (300) feet.

- H.** Valves: There shall be a minimum of three (3) valves at crosses, two (2) valves at tees and one (1) valve at each fire hydrant tee. Shutdown valving shall be arranged such that no more than four (4) valves are required to make a shutdown in any section of waterline. No more than thirty (30) homes or two (2) fire hydrants shall be out of service during a water line shutdown.
- I.** Services:

 - 1. Minimum one (1) inch service tap and service pipe shall be permitted with a three-quarter ($\frac{3}{4}$) inch meter and shall serve only one (1) property. A minimum one (1) inch service tap, pipe and meter, servicing only one (1) property, shall be required on all long cul-de-sac runs, fire sprinkled residences, and all commercial and industrial developments.
 - 2. Service stubs to platted lots within the subdivision for underground utilities shall be placed to the right-of-way line or the public utility easement whichever is greater.
- J.** Fire Hydrants: Maximum spacing between fire hydrants shall be five hundred (500) feet in single residential areas and two hundred (200) feet in all other areas. Installation shall be accomplished under generally accepted construction techniques in accordance with the applicable Town of Thatcher Standard and the International Fire Code as designated by the Town Engineer and the Thatcher Fire Department.
- K.** Water distribution lines shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.
- L.** Water sampling points shall be provided at locations designated by the Town Engineer.
- M.** No vertical construction or structure shall be permitted within the subdivision until fire protection for the subdivision is operable.

Section 4.14 Public Utilities.

- A.** All electric lines, except those of greater than twelve thousand five hundred (12,500) KVA capacity, and all telephone lines, cable television lines, and other communication and utility lines necessary to serve the subdivision shall be installed underground; within a public utility easement (PUE). The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility.
- B.** When as a result of the subdivision development, it is necessary to relocate, renew or expand existing facilities within or adjacent to the platted area, the developer shall make the necessary arrangements with the serving utility for these installations to be

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placed underground at the time of development of the property as part of the required off-site and on-site improvements.

- C. The developer shall arrange with the serving utility for, and be responsible for, the cost of underground service lines to approved street light locations.
- D. Service stubs to platted lots within the subdivision for underground utilities shall be placed to the right-of-way line or the public utility easement whichever is greater.
- E. Underground utilities shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.
- F. The above regulations shall be the minimum standards regardless of the utility company's standards. The developer will need to refer to the specific "Design Criteria & Specifications" established by the utility companies; the more restrictive regulation shall apply.
- G. The subdivider shall be responsible for compliance with the requirements of this section and shall make the necessary arrangements with each of the public utility companies involved for the installation of underground facilities. Letters from each of the public utility companies indicating that they "will serve" the subdivision and arrangements have been made shall be submitted to the Town at the time the final subdivision plat is filed.

Section 4.15 Outdoor Lighting

- A. Where required and/or permitted all outdoor light fixtures shall be fully shielded (full cut-off) and shall meet the requirements of Article 16 of the Town's Zoning Ordinance and the State of Arizona Light Pollution Ordinance contained in the Arizona Revised Statutes (A.R.S.) §49-1101 *et seq.* The term "fully shielded" means the fixture shall be shielded so that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted. Further, the light sources must be shielded in a manner that the bulb or light source from the fixture is not visible from an adjoining property or from the street view.
- B. Outdoor light fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement for: recreational areas, walkways within open space areas, parking lot lighting, and street lighting shall comply with these provisions and the Town of Thatcher Zoning Ordinance and shall be installed in conjunction with, and as part of, the subdivision improvements.
- C. Street lights shall be installed at all intersections along arterial streets, collector streets, and along all streets within the subdivision. Within the subdivision street lights should be installed and spaced in a manner that will light the street and

sidewalks along the street but should not be spaced more than five hundred (500) feet apart.

- D. Where street lights are required along State Highways the installation shall be limited to American Association of State Highway and Transportation Officials (A.A.S.H.T.O.) standards.
- E. Other areas where outdoor lighting should be installed include parks, open space areas, parking lots, walkway lighting and other public areas of the subdivision as approved by the Town. The Town encourages the use of solar to power the outdoor lighting fixtures for these areas within subdivisions. Motion sensor/detector light fixtures are encouraged to be mounted under and recessed into the parking shade canopy/structures.
- F. All utilities are to be underground, and underground conduit shall be provided by the subdivider.

Section 4.16 Small Subdivision Street Standards

- A. A small subdivision, as defined in the Glossary of this Ordinance, shall be processed in the same manner as any other subdivision (see Article 3 for processing details). The Town Engineer, on a case-by-case basis, may determine that some of the submittal requirements may not be necessary and could therefore be waived.
- B. **3 or Less Lots.** For a minor land division and/or lot split, as defined in the Glossary of this Ordinance, the Town may administratively approve in accordance with Section 3.10 of this Ordinance the minor land division and/or lot split with the following reduced access improvement standards:
 - 1. For one (1) or two (2) lots, the access should be a twenty-five (25) foot easement with a twenty-five (25) foot all-weather road.
 - 2. For three (3) lots, the access shall be a fifty (50) foot dedicated ingress/egress access and public utility easement with a twenty-eight (28) foot wide gravel all-weather access road.
 - 3. On-site drainage improvements.
- C. **4 - 5 Lots.** For small subdivisions with four (4) or five (5) lots the Town Council may approve the subdivision with the following alternative and/or reduced street improvement standards:
 - 1. The dedication of a fifty (50) foot ingress/egress access and public utility easement.

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2. The construction of a twenty-eight (28) foot wide paved access road with thickened edge. The required drainage report may determine the need for a different curb and gutter.
 3. On-site drainage improvements.
- D. 6 - 15 Lots.** For small subdivisions with six (6) or more lots the Town Council may approve the subdivision with the following alternative and/or reduced street improvement standards:
1. The dedication of a fifty (50) foot roadway and public utility easement.
 2. The construction of a twenty-six (26) foot wide paved access road with a two (2) foot wide modified ribbon curb. The required drainage report may determine the need for a different curb and gutter.
 3. Sidewalk on one (1) side of the street.
 4. On-site drainage improvements.

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CHAPTER 152, ARTICLE 5: Improvement Requirements

Section 5.0 General Requirements.

A. Developer Responsibilities. The developer shall be responsible for all costs, including review fees, for the installation of the improvements as a condition of zoning and/or preliminary plat which shall include, at least but not limited to, the following improvements:

1. Sanitary Sewer Systems
2. Water Supply Systems
3. Grading/Drainage/Storm Drains
4. Streets (public and private) and Access Ways
5. Alleys (where applicable and approved)
6. Utilities (electric, telephone, cable television, gas)
7. Traffic Signals, Street Lights (where applicable and approved)
8. Monuments and Signage
9. Landscaping and Streetscape
10. Sidewalks, Bicycle and Multi-use Pathways

B. Streets and Public Easements.

1. All streets and public easements within the boundary lines of the subdivision shall be improved to cross-sections, grades, and standards outlined in this Ordinance. If there are extenuating circumstances the Town may approve modifications.
2. Where there are existing Town streets adjacent to the subdivision, the subdivision streets shall be improved to the intercepting paving line of such existing streets; or to a matching line determined by the Town Engineer. Transition paving, including turn lanes, shall be installed as required by the Town Engineer.
3. In the case where there is an unimproved street or roadway easement between the subdivision and the improved Town street system, the developer shall at the time of, and as part of, the subdivision improvements be required to make “interim” street improvements as required by the Town to sufficiently and appropriately connect the proposed subdivision to the Town street system.
4. Any interim roadway shall have sufficient culverts and drainage facilities to allow a 25-year frequency storm to pass under the road section and a 100-year frequency storm to pass over the road section at a depth not to exceed six (6) inches of water. Dead-end streets extending two hundred (200) feet or more and dead-end interim roads shall be graded and have an asphalt surface with a temporary unobstructed minimum fifty (50) foot radius turning circle.

- C. Utilities.** The developer shall be responsible to make the necessary arrangements with each of the serving utility companies involved for the installation of the underground facilities, including payment of all deposits, fees and miscellaneous expenses. Letters from each of the serving utility companies indicating that said arrangements have been made shall be submitted to the Zoning Administrator at the time the Improvement Plans and Final Plat are submitted. Utility improvement plans shall be submitted to the Town of Thatcher as part of the improvement plan submittal. The Town will log in the submitted plans and forward them to the appropriate departments and utility companies for review.
- D. Monuments.** Monuments shall be a steel pin or pipe at least eighteen (18) inches in length and set in a reasonably permanent manner for all points of reference on the outside boundary at each lot corner or at all points of curvature or tangency of the Subdivision.

 - 1. Survey monuments shall be required at all street intersections and at the point of curvature and point of tangency of all curves as approved by the Town Engineer when streets are paved. Brass caps punched by a Registered Land Surveyor set inside cast-iron hand holes embedded in concrete with a lid indicating “SURVEY” will be set at intersections, section corners, and quarter section corners.
- E. Phased Development.** All public or private infrastructure, utilities and streets for each phase, of an approved multi-phased development, shall be designed, constructed and function independently (stand-alone) to avoid negative consequences in the event future phases are not built.

Section 5.1 Submittal Requirements.

- A. General.**

 - 1. It shall be the responsibility of the developer to have an Arizona Registered Professional Engineer, in the correct discipline, prepare a complete set of engineering plans and reports for construction of all required improvements and an Arizona Registered Landscape Architect an Arizona Certified Nurseryman or other approved professional prepare a complete set of landscape and open space plans. Survey information must be prepared by and stamped by an Arizona Registered Land Surveyor. All plans and reports submitted to the Town shall be dated, signed and stamped/sealed by the professional who prepared them. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat and in accordance, with all applicable Town, County, or State standards.
 - 2. All improvement plans submitted to the Town of Thatcher for approval must be submitted in duplicate as blue-lines on a standard 24”x 36” paper.

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The scales chosen for plans shall be such that existing features, proposed construction and any other information to be provided will be depicted in a clear, uncluttered, and concise manner.

3. Water and sewer improvement plans may be submitted shown on the same set of plans. The water and sewer improvement plans must also be shown on the paving plans. A signature block for Arizona Department of Environmental Quality (A.D.E.Q.) shall be provided on the front page of the sewer improvement plans and the Storm Water Pollution Prevention Plans (S.W.P.P.P.). The water improvement plans shall have in addition to the ADEQ signature block an additional signature block for the Water Provider. It shall be the developers responsibility to obtain approval signatures from A.D.E.Q and the Water Provider.
4. Separate grading and drainage plans shall be submitted.

B. Improvement Plan Submittal Requirements.

1. **Initial Submittal with Final Plat:** Two (2) hard copies plus one (1) electronic file of the following plans and reports, along with the required fees, shall be submitted to the Zoning Administrator:
 - a. Improvement plan review fees (paid to Town & utility companies)
 - b. Final Plat review fee (paid to Town)
 - c. Final Plat
 - d. Water and Sewer Improvement Plans
 - e. Paving, Grading, and Drainage Improvement Plans
 - f. Landscape and Open Space Improvement Plans
 - g. Dry Utility Improvement Plans – for Utility Design (submitted directly to utility companies serving the development)
 - h. Final Drainage Report
 - i. Final Geotechnical/Soils Report (only if revised from original)
 - j. Final Traffic Report (only if revised from original)
 - k. Boundary Closure
 - l. Subdivision Deed Restrictions or Covenants, Conditions and Restrictions (CC&R's), if any
2. The final plat shall be in recordable form showing all information including dedication statement, signature blocks, and other notations as necessary. The Graham County Recorder signature block shall be included on the first page of the Final Plat.
3. Subsequent submittals of improvement plans and reports will require that the redline comments be submitted in addition to the same number of sets as in the initial submittal requirements.
4. An approval signature block shall be included on the front page of all improvement plans.

5. **Final Submittal:** The following information, documents and material shall be submitted to the Zoning Administrator (*see Town of Thatcher Submittal Requirement Checklist for specific number of sets or copies*):

- a. Engineers Cost Estimate
- b. Improvement Plan mylar cover sheet
- c. Final Plat (paper prints)
- d. Electronic copy of the final plat
- e. Electronic copy of the final landscape and open space plan
- f. Most current Title Report showing current owner
- g. Assurance of construction (refer to Sec.5.3 for specifics)
- h. Electronic copy of the final plat and plat closure

6. **Town Recordation Submittal:** The following fees, documents and plans shall be submitted to the Zoning Administrator after the Town Engineer has approved the improvements plans and the Town Council has approved the Final Plat (*see Town of Thatcher Fee Schedule and Submittal Requirement Checklist for specific fees and number of sets or copies*):

- a. Recording fees (for Final Plat and CC&R's)
- b. Original, signed, Covenants, Conditions & Restrictions
- c. Mylar, (not ammonia process) for County Records
- d. Mylar, not less than 3 mil, for Town Records
- e. Approved Improvement Plans (paper prints)

C. Water Service Requirements.

1. Prior to the recordation of any final subdivision plat affecting all or any portion of the property, the developer shall obtain written commitment from the Water Provider stating that they will serve the subdivision.
2. In accordance with water service agreements to be entered into between the Water Provider and the developer prior to the delivery of water to the property, the developer, will construct, to all applicable standards, the necessary water infrastructure to serve the property, which shall include such water treatment, storage, recharge, pumping and delivery systems as may be necessary for the Water Provider to remain designated as having an Assured Water Supply for the property. Upon completion of the construction warranty period the developer will convey the completed and accepted water service infrastructure to the Water Provider for operation and maintenance. Upon conveyance by the developer, and acceptance by the Water Provider of the water service infrastructure, the Water Provider shall, at its own cost and expense, operate and maintain such infrastructure.

D. Landscape and Open Space Plan Submittal Requirements

1. **Preliminary Landscape Plan:** A preliminary landscape and open space plan, prepared by an Arizona Registered Landscape Architect, a Certified Nurseryman or other qualified professional, shall be submitted as part of the “**Step 2: Preliminary Plat Application**” as referenced in Article 3 of this Ordinance, and shall at a minimum contain the following:
 - a. Identify the location of proposed park(s) and open space areas, the proposed amenities and different types of uses (i.e. passive, active, landscaping, retention/detention etc).
 - b. Identify the location of all existing and proposed species and inorganic ground covers, sidewalks, paths, fencing, walls, benches, ramadas, fountains, and waterways. For fencing and walls, provide a preliminary graphic representation as to what is intended relative to the fencing and wall themes.
 - c. Right-of-way landscaping is required and shall be shown on the Landscape Plan. The entire area of the right-of-way, between street property line and back of curb (B.O.C.) and/or pavement except for approved driveways, sidewalks and pathways, shall be landscaped.
 - d. Include a plant palette, in list form, on the landscape plans that call out all proposed plant species and inorganic ground covers.
 - e. Identify existing and proposed lots, streets, fences, walls, wells, or other features as may be applicable.
 - f. Identify the line of sight requirements of the Town, County and State.
 - g. Identify the name of the developer, project engineer, and landscape architect/professional on the plan.

2. **Final Landscape Plan:** A final landscape plan shall be prepared by an Arizona Registered Landscape Architect, a Certified Nurseryman or other qualified professional, and shall be submitted as part of the “**Step 5: Improvement Plans and Final Plat Approval**” as referenced in Article 3 of this Ordinance, and shall at a minimum contain the following:
 - a. Final Irrigation Plan.
 - b. Identify the specific park and open space areas and include a list of all amenities (type and quantity). Provide cut-sheets or the manufactures information for all play equipment, furniture, lighting and signage and for each type of use (i.e. passive, active, landscaping etc).

- c. Plant Location: Identify the location of all retained and proposed species and inorganic ground covers, sidewalks, paths, fencing, walls, benches, ramadas, fountains, and waterways. For fencing and walls, provide a final graphic representation as to what is intended relative to the fencing and wall themes.
- d. Right-of-way landscaping is required and shall be shown on the Landscape Plan. The entire area of the right-of-way, between street property line and back of curb (B.O.C.) and/or pavement except for approved driveways, sidewalk and pathways, shall be landscaped.
- e. Plant Species: Include the approved preliminary landscape plan plant palette, in list form, on the landscape plans that call out all proposed plant species and inorganic ground covers.
- f. Plant Sizes: Identify the specific sizes of all proposed plant and inorganic ground covers. This information shall be included within the plant palette list on the landscape plan.
- g. Plant Quantities: Identify the exact quantities for each species of tree, shrub and ground cover per each size and species. This information shall be included within the plant palette list on the landscape plan.
- h. Paths, Trails, Sidewalks: Identify the material type, width and depth of the surfacing of all proposed paths, trails and walks.
- i. Walls, Fencing, Signage: Identify the type and location of any proposed perimeter subdivision walls/fencing and the entry signage. Indicate exact material types for all fencing and walls and entry signage proposed.
- j. Identify existing lots, streets, fences, walls, wells, or other features as may be applicable.
- k. Identify the line of sight requirements of the Town, County and State.
- l. Identify the name of the developer, project engineer, and landscape architect/professional on the plan.

E. Report Submittal Requirements

- 1. **Preliminary Drainage Report**: A preliminary drainage report shall be submitted as part of the “**Step 2: Preliminary Plat Application**”, as referenced in Article 3 of this Ordinance, and shall at a minimum contain the following information:

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- a. Delineation of the boundaries of on-site and off-site drainage areas. Information about adjacent property, such as significant differences in elevation, walls, drainage structures, buildings with their floor elevations etc. shall be provided.
 - b. Identify the drainage pattern for all existing and proposed streets and building sites. Label the different critical points and where inlets/outlets are to be located.
 - c. Justify the runoff factor (C-factor) used in the computations.
 - d. Describe offsite flows from adjacent properties onto the property to be developed. Drainage area, calculated peak flows, velocity and other pertinent runoff data must be presented. If the flow is in a defined channel, the channel must be improved. Special consideration for joint use of open channels as a recreational amenity is to be given on each individual project. The runoff from areas outside the development may be realigned through the new development.
 - e. Indicate the retention/detention volume required, and provided. Indicate the method for draining basins in thirty-six (36) hours, and who is responsible for maintenance.
 - f. Show location of all drainage easements.
2. **Final Drainage Report:** A final drainage report shall be submitted as a part of the “**Step 5: Improvement Plan and Final Plat Approval**” for all developments (see Town of Thatcher Submittal Requirement Checklist for number of copies). The report shall be a complete report and not an addendum to the preliminary drainage report. The format shall be as previously described and include the following additional information:
- a. Place inlets and/or scuppers wherever the flow exceeds the street capacity. The inlets and/or scuppers are to be analyzed separately and catch basin computations shall be submitted.
 - b. Size the storm drains and culverts and submit design computations.
 - c. Final retention/detention basins calculations including 36-hour percolation, or evaporation rates.
 - d. Final channel flow calculations considering the impacts of landscaping and other joint use impacts on the cross-section and Mannings coefficients.
 - e. Adjusted calculations for “pre” and “post” development conditions.

3. **Geotechnical Report:** A geotechnical/soils report shall be submitted as part of the “**Step 2: Preliminary Plat Application**”, as referenced in Article 3 of this Ordinance, and shall at a minimum contain the following information:
 - a. Identifies any special geotechnical hazards, and develops recommendations regarding the hazards, grading, foundations and pavement.
 - b. The geotechnical hazards portion shall consider at a minimum expansive soils, soil creep, landsliding, and groundwater.
 - c. The grading and foundations portion of the report shall include data regarding the distribution and engineering characteristics of the various soil materials; data about groundwater levels; percolation test; an opinion regarding the geotechnical feasibility of the development as planned; recommendations about any needed mitigation measures for geotechnical hazards, grading criteria and foundation design criteria and any other pertinent information.
 - d. The pavement design portion shall include data regarding the distribution of various subgrade materials and for each, design test such as R-value. The design procedure and all assumptions used to determine the pavement section shall be presented. The selected design procedure per the traffic and geotechnical report shall not result in a lesser pavement section than the minimum allowed in Article 4 of this Ordinance.
4. **Preliminary Traffic Report:** All traffic analysis information shall be prepared by an Arizona Registered Professional Engineer with adequate experience in transportation engineering. A preliminary traffic report shall be submitted as part of the “**Step 2: Preliminary Plat Application**”, as referenced in Article 3 of this Ordinance, and shall at a minimum contain the following information:
 - a. A project trip generation report that provides an analysis of the number of trips generated by the development during a weekday in a one-hour A.M. and P.M. peak hour and daily traffic. Trip generation shall be developed utilizing the Institute of Transportation Engineers Trip Generation Manual.
 - b. An analysis of the non-vehicular modes of transportation (e.g. sidewalks, multi-use pathways and trails) proposed for the development and their impact on the trips generated by the development.
5. **Final Traffic Report:** If the number of peak hour trips generated by the

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development is greater than 100 trips, a final traffic study shall be provided. The Town Engineer may require a final traffic study to be provided for projects with a peak hour trip generation of less than 100 trips because of safe access concerns. The final traffic study shall include the following information:

- a. Introduction which outlines the land use, site and study boundaries, and existing and proposed site uses.
 - b. Project trip generation estimates (A.M., P.M., and A.D.T.).
 - c. Project access and internal circulation evaluation.
 - d. Trip distribution.
 - e. Trip assignment.
 - f. Existing and projected traffic volumes.
 - g. Capacity analysis of all impacted public/private street intersections and access points.
 - h. Level of service with a minimum service of Level 'C'.
 - i. Evaluation of existing and existing-plus project conditions, as well as cumulative and cumulative-plus project conditions.
 - j. Project impacts and mitigation measures (recommendations to include the proposed recommended improvements, volume/capacity analysis at critical points, traffic volume proportions for funding of improvements),
 - k. Other special requirements, as determined by the Town Engineer.
6. All of these reports shall be reviewed and approved by the Town Engineer or consultant experts designated by the Town Engineer.

Section 5.2 Improvement Plan Review Process.

- A. The project Engineer shall submit “dry utilities” improvement plans (i.e. gas, electric and telecommunications) to the Town Engineer as well as to the utility providers serving the development. Design and/or review fees, for all utilities, shall be paid to the respective utility companies (per utility company fees and policies). All fees for review of the improvement plan(s), reports, and other submittals shall be paid by the developer (see Town of Thatcher Fee Schedule for specific fees).

- B.** The Town staff will review the submittal for accuracy, completeness, compliance with conditions made by the Town Council and conformance with all Town Codes.
- C.** Redline comments, including “dry utilities” preliminary design plan, will be returned to the Developer’s Engineer and Landscape Architect of record for corrections, additions, revisions and in the case of the “dry utilities” plan for conflict checks.
- D.** Subsequent submittals of the improvement plans and reports shall also include the latest redline set of plans/comments. It shall be the developer’s responsibility to resubmit the “dry utilities” preliminary design plan after it has been checked by the developer’s Engineer for potential conflicts.
- E.** Within sixty (60) days from the date of Town Council approval, and prior to the recording of the Final Plat and Covenants, Conditions and Restrictions (CC&R’s), the following items must be submitted:
 - 1. A project approval letter, signed by the Town Engineer, stating that all of the subdivision improvement plans and reports have been approved by the Town.
 - 2. A project approval letter, signed by the Zoning Administrator, stating that any and all required agreements between the Town and developer have been executed.
 - 3. A letter of agreement from the serving utilities stating the availability of utilities and the approval of improvement plans for the subdivision.
 - 4. The required “Financial Assurance for Construction”.
- F.** If the engineering plans have not been approved within sixty (60) days, solely due to reasons on the part of the developer, the Council may require that the final plat be resubmitted.

Section 5.3 Assurances of Construction.

- A. Agreement by Developer**
 - 1. The subdivision improvements in an approved development may be constructed in practical increments in accordance with a Council approved Phasing Plan subject to provisions for satisfactory drainage, traffic, circulation, utilities, landscaping and other elements of the total development plan.
 - 2. The improvements shall be constructed in accordance with plans approved by the Town Engineer, State agencies, and utility providers and shall be completed within an agreed specific time period.

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3. The developer shall give adequate Financial Assurance for Construction for each phase in accordance with this Ordinance and to the satisfaction of the Town Engineer and Town Attorney.
4. Once a construction permit has been issued for improvements work shall proceed without interruption until the Town Engineer accepts the improvements.
5. Any work shown on approved plans that has been abandoned for a period of one hundred eighty (180) days, or not completed by the developer in accordance with an agreed upon time period, may be completed by the Town which may recover the construction costs from the developer.
6. When in the opinion of the Town and the developer it is in the best interest of both parties to delay installation of development required improvements to coincide with adjacent work the Town Council may elect to accept payment of the estimated cost of said improvements in-lieu of construction by the developer. The timing of this payment will be specified in a Council approved Phasing Plan.

B. Financial Assurances of Construction

1. The Town Council shall require that the developer provide cash, a performance bond, an irrevocable letter of credit, or funds in escrow at the time of application for final subdivision approval in the amount sufficient to secure to the Town the satisfactory construction, installation, and dedication of the required improvements. All assurances other than currency of the United States will be accepted only if made by or through a lending institution, insurance or surety company or title company regulated by the State of Arizona and made payable to the Town of Thatcher, Arizona. The amount of the financial guarantee shall be no less than one hundred (100%) percent of the cost of the installation and materials necessary to complete the subdivision, depending on conditions.
2. Such financial guarantee shall comply with all statutory requirements and shall be satisfactory to the Town Attorney as to form, sufficiency, and manner of execution, as set forth in this Ordinance. The periods within which required improvements must be completed shall be incorporated in the financial guarantee and shall not, in any event, exceed two (2) years from the date of final approval. The Town shall require that ten (10) percent of the gross total cost of public improvements be retained by the Town for the duration of the warranty period which begins from the "Date of Acceptance" of said improvements by the Town Engineer.
3. Whenever it is deemed appropriate or necessary by the Town Engineer and the Town Council to defer, for an additional two (2) year period, the construction of any required public improvements, because of incompatible

grades, future planning, inadequate or lack of connecting facilities, or for other suitable reasons, the developer shall provide renewed assurances based on updated costs as determined by the Town Engineer to secure completion of the required public improvements.

Section 5.4 Construction and Inspection.

- A.** All stormwater and street improvements whether public or private shall be constructed to the latest standards and specifications adopted by the Town, or standard specifications of the utility provider; whichever is greater. All other improvements whether public or private shall be constructed to the latest Town of Thatcher standards.
- B.** All improvements shall be constructed with the inspection and approval of the Town Engineer. All construction shall require a Town construction permit and a County dust control permit. Construction shall not begin until a permit has been issued by the Town for the construction and a dust control permit has been issued for the site by the Graham County Health Department.
- C.** A preconstruction meeting must be scheduled, by the developer, to include all dry utilities before any trenching or conduit installation is permitted.
- D.** Public utilities must be installed either in public dedicated rights-of-way or public utility easements (PUE's) or easements dedicated specifically by the landowner for such usage and maintenance.
- E.** All utility companies, public and private, must inspect all trenches, pipes, lines and conduit installation prior to backfill.
- F.** Shading material shall be per the individual utility company standards and all backfill shall be compacted to ninety-five (95) percent or better if required by the geotechnical/soils report.
- G.** All underground utilities to be installed in streets and private access ways, shall be constructed prior to the surfacing of such street or private access way.
- H.** The developer shall provide for an Arizona Registered Engineer to be present on the site to assess compliance with the plans and specifications for each element of construction.
- I.** The Town Engineer shall be notified forty-eight (48) hours prior to any construction on the project site.
- J.** The Town Engineer shall be notified upon completion of all underground utilities within the street right-of-ways and prior to any street preparation work. Interim as-built plans of the utilities and all passing tests results shall be submitted for review.

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Upon review and approval of the supplied information, the developer may proceed with the installation of street improvements.

- K.** The developer's engineer shall request the Town Engineer to perform inspections of the subgrade base prior to placement of the overlaying materials. In addition the Town Engineer will perform periodic inspections throughout the course of the construction. These inspections or approvals do not signify that the Town has accepted any of the improvements for maintenance.
- L.** The developer's engineer shall submit monthly progress reports to the Town Engineer throughout the construction. The monthly progress reports shall include the results of all tests taken during the month.
- M.** Testing during the construction phase of the project shall be performed as required by the Town Engineer and the involved utility companies' policies.

Section 5.5 Subdivision Improvement Acceptance.

- A. General:** Upon completion of all subdivision improvements and installation of monumentation the Town Engineer will perform a final inspection, a review of the final reports, and a review of the "as-built" drawings.
- B. Final Inspection:** At completion of the project a final inspection shall be requested with the Town Engineer. At the time of request for the final inspection the set of mylars and an electronic copy of the "as-built" drawings shall be submitted along with a final engineers' report and warranty statement to the Town Engineer. The "as-built" drawings shall be certified and contain the following statement:

"I certify that the construction of the public improvements and the "as-built" plan preparation were performed by me or under my direct control and supervision. The construction details as shown on the "as-builts" are accurate and complete to the best of my knowledge and belief."

Arizona Registered Engineer

Date & Registration Number

- C. Final Report:** A final report shall be submitted upon completion of the project. The final report shall be compiled by the developers' engineer and shall include the following:
 - 1. A brief statement of the testing on the project and a statement as to whether the observations and tests indicate that the various materials in place comply with the plans and specifications.

2. A summary of all field density test and compaction tests on trench backfill, on street subgrade and base material and on any fill material.
3. Asphalt and pavement mix design and all results of Marshall, gradation, asphalt content and compaction tests.
4. All concrete mix designs and all test results on air content, slump, unit weight, compressive strength at seven (7) and twenty-eight (28) days.
5. All line pressure, bacteria and manhole test information.
6. Any other tests or information that may be required as a part of the specifications or that may add to the integrity of the report.

D. Procedure: The following procedure will be followed for final acceptance of the improvements:

1. The Town Engineer shall make a final inspection of all public improvements in the project. The developer will be notified of any items that are not in conformance with the Town specifications, and shall bring the items into conformance.
2. The “as-built” plans and final report will be reviewed by the Town Engineer. Any additional information needed will be noted and the plans will be returned to the developer for revision and resubmittal as mylars.
3. When the public improvements have passed the final inspection, the “as-built” plans and final report have been stamped and approved and the warranty statement provided, the Town Engineer shall make a written recommendation to the Town Council to accept the public improvements for maintenance.

E. Warranty Period on Public Improvements: The warranty period begins on the day that the Town Council approves and accepts the public improvements. At a minimum a warranty period of two (2) year for all utilities, roadway pavement and structure, landscaping and other public improvements shall apply to all subdivision improvements; however the warranty period may extend beyond that time period as determined by the Town Engineer. During the warranty period the developer is responsible for repair work to any of the public improvements. The Town Engineer will periodically inspect the public improvements and will notify the developer of the necessary repair work. The developer is responsible for having the repair work completed prior to the end of the warranty period. Upon completion of the warranty period and acceptable repair of any necessary warranty items the remainder of the financial assurances retained by the Town will be released.

(End of Article)

Glossary

A. General Terms. For the purpose of carrying out the intent of this Subdivision Ordinance, certain terms or words used herein shall be interpreted or defined as follows:

1. Words used or defined in one tense or form shall include other tenses and derivative forms; words used in the singular include the plural; and words in the plural include the singular.
2. The word “shall” is mandatory.
3. The word “may” is permissive.
4. The word “person” includes an individual, tenant, lessee, firm, co-partnership, joint venture, corporations, associations, estate, trust, receiver, or and any other group or combination acting as a singular entity, including the federal government, another Town, county, or school district, except as exempt by law.
5. The following words or terms when applied in this Ordinance may be used interchangeably unless contrary to the circumstances: lot or parcel; and “building” applies to the word “structure”.

B. Specific Terms. The following additional words and phrases shall, for the purpose of this Ordinance, have the following meanings:

A

Abut. To physically touch or border upon or to share a common boundary, property line, or right-of-way. Parcels having only one common corner are not considered as abutting parcels.

Access or Access Way. The place, means, or ways by which pedestrians, vehicles, or both shall have safe, adequate, and usable ingress/egress to a property or use. A private access is an access not in public ownership and controlled by means of deed, dedication, or easement.

Accessory Use. A use of land or of a building or portion thereof ~~customarily~~ clearly incidental and subordinate to the principal use of the land or building and is conducted on the same lot with ~~such~~ the principal use or building.

Adjoining Lot or Land. A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.

Administrative Decision. Any decision on a development application made by the Zoning Administrator or his/her authorized representative pursuant to this Ordinance.

Administrator. The Zoning Administrator for the Town of Thatcher, Arizona.

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

A.L.T.A. American Land Title Association.

Applicant. A person submitting an application for development or other action.

Approval, Conditional. An affirmative action by the Council indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.

Approval, Preliminary. Unconditional approval of the Preliminary Plat by the Council 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.

Approval, Final. Unconditional approval of the Final Plat by the Council as evidenced by certification on the Plat by the Mayor and the Clerk of the Council; constitutes authorization to record a plat.

A.R.S. The abbreviation for the Arizona Revised Statutes.

B

Berm. An earthen mound, either natural or man-made.

Bicycle Lane. A paved area located within a street right-of-way and between the curbs that is designated for bicycle or other non-motorized traffic.

Bicycle Trail. A paved or improved surfaced trail, located outside of a street right-of-way, utilized for bicycle, pedestrian or other non-motorized traffic. Public utility maintenance vehicles may be permitted use if joint access is allowed.

Bicycle Path. A paved area located within a street right-of-way but not between curbs that is designated for bicycle or other non-motorized traffic.

Block. A piece or parcel of land or group of lots entirely surrounded by public or private streets or rights-of-way, railroad rights-of-way, streams, canals, washes, parks, or a combination thereof of creating a physical barrier of sufficient magnitude as to interrupt the continuity of development.

Buildable. A lot or parcel that has the area, shape, slope, street frontage, or other attribute in order for a permitted use, based on the lot or parcel's Zoning District, to be developed, without the need for any variance from the Town Zoning Ordinance.

Buildable Area. The portion of a lot that is within the envelope formed by the required setbacks.

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Building Setback Line. The required minimum distance, as prescribed by the Zoning Ordinance, between the property line and the closest point of any building or structure other than those projections allowed by the Zoning Ordinance.

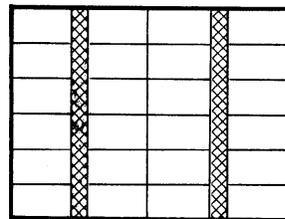
Bus Stops (School). Areas designated by the School District(s), serving the Town of Thatcher, as needed for the convenience and safety of the students and public per Arizona Administrative Code (A.A.C.) R17-9-104.

C

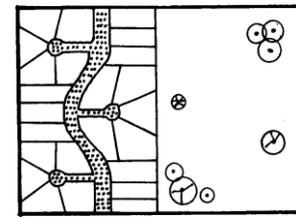
Chord. A straight line joining two points on a curve.

Cluster Development / Cluster Residential.

A development design technique that concentrates development/buildings in specific areas on a site, rather than distributing them evenly, thereby allowing the remaining land to be retained as natural open space for the preservation of sensitive lands, parks, and public open space areas.



24 Conventional Lots
No Open Space



24 Clustered Lots
50% Open Space

Commission. The Town of Thatcher Planning and Zoning Commission.

Common Ownership. Ownership by one or more individuals in any form of ownership.

Common Access. A commonly shared or used pedestrian or vehicular way that connects or serves two (2) or more properties.

Condominium. Real estate, portions of which are designated for separate ownership with the remainder designated for common ownership by the owners of the separate portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

Conservation Easement. A conservation easement is a permanent open space easement granted to the Town or to a public land trust to prohibit development of the property, including roads and utilities, and to protect archaeological sites, ecologically significant lands, scenic highways, hiking trails, biking trails, equestrian trails, and to preserve the land for the scenic enjoyment of the general public.

Conventional Development. Development other than a Traditional Neighborhood Development (TND) or a Cluster Development.

County. Graham County, Arizona.

Cut. The removal of soil, rock, or other materials from a location which shapes and lowers the grade at the location.

D

Dedication. The conveyance of land by its owner to the Town for any general or public use.

Density Transfer. Permitted unused allowable densities in one area to be used in another area of the same development. (Examples: within a subdivision clustering of homes on smaller lots to retain larger open space areas; within the floodplain area to cluster homes at a higher elevation to retain undisturbed floodplains.).

Developer (*See also Subdivider*). A person, firm, partnership, joint venture, association, corporation, or entity that desires to improve or otherwise engage in any development of property within the Town of Thatcher, including the owner of the property and any representatives acting on behalf of the owner.

Development. The utilization of land for public or private purposes.

Drainage (*terms specifically related to drainage*).

1. **10-year, Peak Discharge.** A storm based on the 10-year event, at a certain duration (6 or 24-hour rainfall values shown on the most current precipitation maps for the area, prepared by the ADOT method).
2. **Backwater.** The elevation profile of standing or flowing water upstream of a constriction, whether natural or man-made.
3. **Basin.** A man-made or improved natural low point on a site constructed to capture storm water for the purpose of retaining or detaining it.
4. **Basin, Detention.** A stormwater storage facility that temporarily stores surface runoff and releases it at a controlled rate through a positive outlet. A detention basin and park may be joined to serve both recreational needs and as a stormwater storage facility.
5. **Basin, Retention.** A stormwater storage facility that stores surface runoff. Stored water is infiltrated into the subsurface or released to the downstream drainage system or watercourse (via gravity outlet or pump), or evaporated after the storm event. A retention basin and park may be joined to serve both recreational needs and as a stormwater storage facility.
6. **Detention.** For the purposes of this Ordinance, detention is the act of capturing and slowing stormwater runoff in a basin then discharging the water at release rate that is less than or equal to pre-development flows. Only offsite drainage and pre-development onsite drainage are allowed to be detained for later release into a downstream channel or storm sewer.
7. **Direct Onsite Runoff.** That portion of the rainfall which falls within the entire

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limits of the proposed subdivision and which flows across the land or enters streams promptly after the rainfall.

8. **Drainage, 100-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.
9. **Drainage, Local.** Water which accumulated as a result of local storms and flows over land not included in a floodplain. This shall include sheetflow and such flow as may be concentrated in local drainage systems with or without defined channels, excluding delineated floodplains.
10. **Drainage Way.** Any natural or artificial watercourse, trench, ditch, swale, or similar depression into which surface water flows.
11. **Dry Well.** An underground structure installed in the bottom of a basin to expedite the percolation of captured storm water into the soil.
12. **Freeboard.** The vertical clearance between the water surface and the soffit (underside of a bridge deck or the top point of the inside diameter of a pipe) for culverts carrying storm water.
13. **Offsite 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.
14. **Post-development Conditions.** The physical state of a site in terms of its ability to hold, shed, or channelize storm water after development – for quantity, quality, and flow rate.
15. **Pre-development Conditions.** The physical state of a site in terms of its ability to hold, shed, or channelize storm water prior to development--for quantity, quality, and flow rate.
16. **Retention.** The act of capturing and holding in a basin the additional direct onsite runoff caused by post-development conditions. This captured water may not be discharged into a downstream channel or storm sewer; instead, it must diminish by evaporation or soil percolation.
17. **Spillway.** An erosion-resistant structure installed at a low point on a basin's walls to provide controlled overflow during a storm event larger than the 100 year, 24 hour storm event.
18. **Sump.** A basin that only retains the storm water it captures. It does not have an outlet and loses water only through evaporation or soil percolation.

E

Easement. A grant by a property owner of the use of land, by the general public, a corporation, or a certain person or persons for the specific uses and purposes designated.

Exception. Any parcel of land that is not owned by the developer or not included in the recorded plat. All such exceptions must be noted on the final plat as “not a part of this subdivision”.

F

Figure. Any graphic representation noted as “Figure” within this Ordinance that is used to illustrate and exemplify certain standards and regulations contained within the language of this Ordinance. If a figure and text of the Ordinance conflict, the written text of the Ordinance shall control.

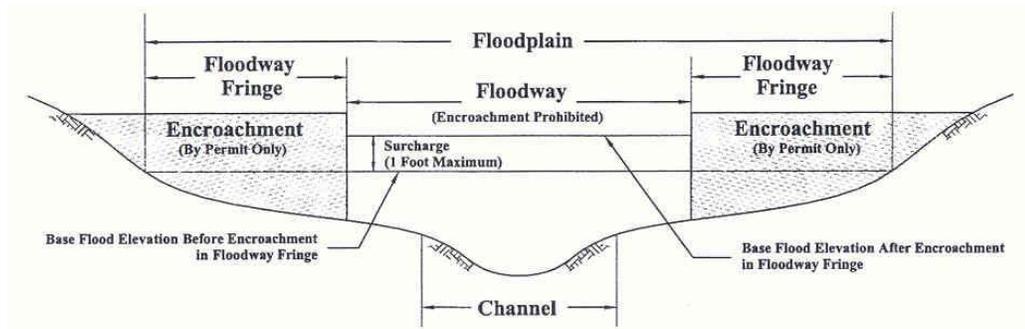
Fill. Soil, rock or other material, deposited at a location by man that raises the grade at that location.

Flood (*terms specifically related to floods/flooding*).

1. **50-year Flood.** A flood that has a 2% chance of occurring based upon the criteria established by the Arizona Department of Water Resources.
2. **100-year Flood.** A flood that has a 1% chance of occurring based upon the criteria established by the Arizona Department of Water Resources.
3. **Base Flood.** The flood having a one-percent (1%) chance of being equaled or exceeded in any given year.
4. **Delineated Floodplain.** Shall be that area delineated and mapped as a floodplain, as approved by the Council and as shown on the Town Official Zoning District Maps. At no time shall it be less than that delineated by the Federal Emergency Management Agency (FEMA).
5. **Flood or Flooding.** A temporary inundation of land not normally covered by water due to unusual and rapid accumulation or runoff of surface waters from any source, or a rise in flow or stage of any stream or watercourse that result in water overtopping its banks and adjacent areas that are not normally covered by water.
6. **Flood Hazard Zone.** Any land area partially or wholly within a delineated floodplain susceptible to flood related damage as designated on the Flood Management Maps. Such flood hazard zones may include, but not be limited to, areas highly susceptible to erosion, stream meander sensitivity, moveable bed, scour, wave action, and subsidence.

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7. **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 (50) Year Flood and shall not exceed that area confined by the One hundred (100) Year Flood.
8. **Floodplain Administrator.** The Graham County Floodplain Administrator.
9. **Floodway.** The channel of a river or other watercourse and the adjacent land areas necessary in order to discharge the one-hundred (100) year flood without cumulatively increasing the water surface elevation more than one (1) foot.
10. **Floodway Fringe.** The area of the floodplain on either side of the floodway where encroachment may be permitted.



G

General Plan. A comprehensive plan pursuant to A.R.S. 9-461.05, providing for the future growth and improvement of the Town of Thatcher and for the general location of streets, schools and recreation areas, public building sites, and other physical development, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

Grade, Finished. The final elevation of the ground surface after development in conformance with the approved grading plans.

Grade, Natural. The elevation of the ground surface in its natural state, before man-made alterations.

H

Health Department. Graham County Health Department.

I

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

Improvement Plans. A set of plans setting forth the profiles, cross-sections, details, specifications, and instructions and procedures to be followed in the construction of public or private improvements in the Town of Thatcher that are prepared and bear the seal of an Arizona - Registered Land Surveyor, Engineer, Architect or Landscape Architect in accordance with the approved preliminary plat, and zoning conditions, and in compliance with standards of design and construction that are to be approved by the Town Engineer, other Town Departments, the applicable County Departments, and all applicable utilities.

Improvement Standards. A set of regulations and figures setting forth the details, specifications and instructions to be followed in the planning, design and construction of public improvements in the Town of Thatcher, as required by the Town.

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

J

K

L

Landscaping. Shall consist of any of the following or combinations thereof: material such as, but not limited to, organic and inorganic ground covers, vegetation and irrigation, hardscape, walls or fences that may be calculated as open space but excluding paving (*refer to the definition of **Open Space***).

Lot. A single piece of property located in a recorded subdivision. A lot also includes a parcel of land, shown in the records of the Graham County Assessor's Office, divided to be used separately from other parcels of property by description, as on a recorded survey map, or by metes and bounds, for purposes of sale, lease, or separate use in a legal manner pursuant to all state, county, and Town requirements for the development and proposed use of that property.

Lot Area. The total area within the boundary lines of a lot.

Lot Depth. The horizontal length of a straight line connecting the midpoints of the front and rear lot lines; and for triangular shaped lots, the shortest horizontal distance between the front lot line

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and a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

Lots, Hillside. Any lots, or portions hereof which will have structures built upon, where the terrain has an average cross-slope of fifteen (15) percent or greater.

Lot Line. A line of record bounding a lot that divides one (1) lot from another lot or from a public or private street or any other public space.

Lot Line, Front. In the case of an interior lot: a line separating the lot from the street right-of-way. In the case of a corner lot: the narrowest of the two (2) lot lines adjoining a street right-of-way.

Lot Line, Rear. A lot line that is opposite to and most distant from the front lot line; except in the case of an irregular or triangular shaped lot, a lot line ten (10) feet in length within the lot parallel to and at the maximum distance from the front lot line.

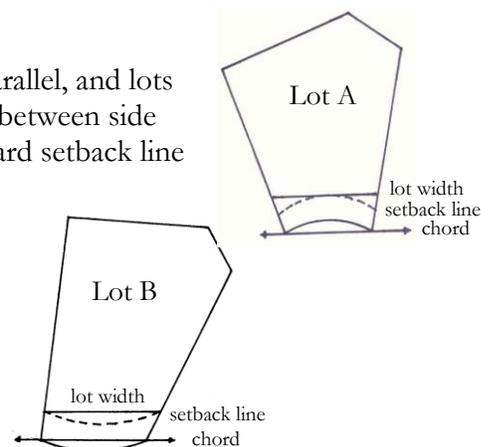
Lot Line, Side. Any lot line that is not a front or rear lot line.

Lot Split. The division or re-division of improved or unimproved land or established lots, the area of which is two and one-half ($2\frac{1}{2}$) acres or less in size, into two (2) or three (3) tracts, parcels of land or lots for the purpose, whether immediate or future, of sale, lease, or conveyance (*refer to the definition of **Minor Land Division** if greater than $2\frac{1}{2}$ acres in size*).

Lot, Through. A lot that fronts upon two (2) parallel streets, or that fronts upon two (2) streets that do not intersect at the boundaries of the lot (*also known as a "double frontage lot"*). On such lot, both lot lines are front, except that where a non-access easement has been established on such a lot, the front lot line shall be considered as that lot line most distant from the lot line containing the non-access easement.

Lot Width.

1. For rectangular lots, lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required minimum front yard setback line on a line parallel to the street or street chord.
2. For lots on the inside of the curve of a street, the distance between side lot lines measured at the required minimum front yard setback line on a line parallel to the street or street chord.



M

Master Plan Development. A 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, that provides

information and graphics meeting the requirements of this Ordinance for the purpose of implementing an integrated development scheme for all phases of the proposed development.

Minor Land Division. The division of improved or unimproved land, the area of which is greater than two and one-half (2½) acres and either requires creating a road and/or the land does not constitute a subdivision, as defined herein or by Arizona Revised Statutes, due to the size of the original parcel or number of lots being created for the purpose, whether immediate or future, of sale, lease, or conveyance (*refer to the definition of **Lot Split** if less than 2½ acres in size*).

N

Net Acres. The total acreage of a tract or parcel of land exclusive of the area existing or required for arterial or collector street right-of-way dedications and school/public site reservations. When calculating residential net acres within a Traditional Neighborhood Development (TND) any commercial and industrial zoned land must be excluded in addition to those uses listed above.

O

Open Space. Any parcel or area of land or water unimproved or improved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

Open Space, Common. Land within or related to a development, and such area is owned in common by all property owners in that development, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complimentary structures and improvements as are necessary and appropriate.

Open Space, Private. Common open space held in private ownership, the use of which is normally limited to the occupants of a single dwelling or building.

Open Space, Public. An open space area conveyed or otherwise dedicated to a municipality, municipal agency, school district, state or county agency, or other public body for recreational or conservational uses.

Open Space, Usable. Land that can be actively used by people. This could include landscaped or hardscaped plazas, paseos and promenades, fountains and sitting areas meant to provide an open park like atmosphere. Also playgrounds, golf courses, bicycle trails (but not bike lanes), pedestrian trails (not residential sidewalks), and trail heads. Usable open space does not include parking areas and vacant or undeveloped lots.

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.

P

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Pedestrian Way. 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.

Plat. A map that provides for changes in land use or ownership.

Plat, Final. A final map of all of a subdivision, including supporting data, in substantial conformance to an approved preliminary plat and all conditions placed upon it by the Commission or Council, prepared by a registered land surveyor, in accordance with this Ordinance and the Arizona Revised Statutes.

Plat, Preliminary. A preliminary map, including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer and a registered land surveyor, in accordance with this Ordinance and the Arizona Revised Statutes. A preliminary site plan for a condominium development shall be considered a preliminary plat.

Plat, Recorded. A Final Plat bearing all of the certificates of approval required by this Ordinance and the Arizona Revised Statutes and duly recorded in the Graham County Recorder's Office.

Preliminary Approval. Affirmative action on a preliminary plat, noted upon prints of the plat, indicating that approval of a final plat will be forthcoming upon satisfaction of specified conditions; and which constitutes authorization to submit final engineering plans and the final plat.

Private Access Way. A private way of access dedicated as a tract to one (1) or more lots or air spaces, which is owned and maintained by an individual or group of individuals and has been improved in accordance with Town standards and plans approved by the Town Engineer. A private access way is intended to apply where its use is logically consistent with a desire for neighborhood identification and control of access, and where special design concepts may be involved, such as within Traditional Neighborhood Developments and condominiums.

Protected Development Rights Plan. A final subdivision plat that meets all the requirements of this Ordinance and A.R.S. §9-463.01, and which has been recorded with the County Recorder shall constitute a Protected Development Rights Plan.

Q _____

R _____

Recorder. The Recorder of Graham County.

Replat.

1. A plat for the purpose of reverting previously subdivided acreage to unsubdivided acreage, or;

2. A plat for the purpose of vacating rights of way previously dedicated to the public and abandoned under procedures prescribed by the City Code, or:
3. A plat for the purpose of vacating or redescribing lot or parcel boundaries previously recorded.

Roadway. That portion of a road or alley right-of-way that is improved for vehicular traffic and is narrower in width than the right-of-way.

Roadway Easement. A recorded conveyance to the public over a described area for roadway related uses.

S

Sketch Plan. A preliminary presentation of a proposed subdivision or site plan showing, at a minimum, the proposed streets and alleys of sufficient accuracy to be used for discussion purposes and identification of any items of controversy or issues of concern. Sketch plans may be drawn on an aerial photo or satellite map and shall be drawn in relation to existing and planned development and the streets immediately adjacent to the proposed subdivision or site.

Small Subdivision. A subdivision of more than three (3) lots but less than or equal to fifteen (15) lots with none of the lots being less than ten thousand (10,000) square feet in size and where alternative street standards and/or public improvements may be approved by the Town.

Streets. 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 Graham County Recorder's Office. 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, bike lanes, pedestrian facilities, utility areas, and other such design features. A public street must be accepted for maintenance, after construction in accordance with approved plans, by the Town Council prior to acknowledgment that said street is a public street.

Street, Arterial. A street so designated on the Traffic Circulation Plan as a principal arterial street or minor arterial street as classified in the Thatcher General Plan whose primary function is to carry traffic between and through major traffic generators, have signalized intersections and restricted parking.

Street, Collector. A street so designated on the Traffic Circulation Plan in the Thatcher General Plan whose primary function is to carry traffic from local streets to arterial streets and whose secondary function is to provide access to abutting properties.

Street, Cul-de-sac Street. A local street having one end permanently terminated in a vehicular turnaround, or an equally convenient form of turning, and backing areas as may be recommended by the Town Engineer.

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Street, Frontage. A local street parallel and adjacent to an arterial street that provides access to abutting property, intercepts other local streets and controls access to the arterial street.

Street, Local. A local street permits direct access to abutting lands, traffic movements within neighborhoods, and connections to the collector and arterial street system.

Street, Major. A principal traffic route for contiguous streets that is also a means of access to arterial streets.

Street, Private. Any road or street that is not publicly owned and maintained providing access to lots or units over a common parcel, primarily by the owners or occupants of the common parcel, and necessary service and emergency vehicles, but from which the public may be excluded.

Streetscape. A design term referring to all the elements between the buildings on either side of the street that, as a group, define its character, including building frontage/façade, street paving, landscaping (including trees and other plantings), sidewalks, street furniture (benches, kiosks, trash receptacles, fountains etc.) signs, awnings and colonnades, and street lighting.

Subdivider (*see also Developer*). The individual, firm, corporation, or partnership, association, limited liability company, 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 statutes of the State of Arizona; except that an individual serving as representative for such legal entity is not a developer; and said developer need not be the owner of the property as defined by this Ordinance. The Town Council may itself prepare or have prepared a plat for the subdivision of land under municipal ownership.

Subdivision.

1. Improved or unimproved land or lands divided for the purpose of financing, sale, lease, or conveyance whether immediate or future, into four (4) or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into two (2) or more parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.
2. "Subdivision" does not include the following:
 - a. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
 - b. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.

- c. The leasing of apartment, offices, stores or similar space within a building or trailer park, nor mineral, oil, or gas leases.

T

Town. The Town of Thatcher.

Town Council. The Town of Thatcher Town Council.

Traditional Neighborhood Development (TND). A development in which flexibility can be permitted in the zoning standards, in order to encourage more creativity and sustainable design, thereby providing usable open spaces within and about the development and enhancing the residential character of the Town.

Trail, Multi-Use. A hard surfaced trail designed for all types of non-motorized use. These trails should be constructed of either concrete or an all-weather surface such as rubberized asphalt, or similar material.

Trail, Unpaved. A designated trail designed to accommodate primarily equestrians, off-road bicycles, and pedestrian users.

U

Utility Services. Service to the public of water, sewer, electric, gas, communications, cable television, drainage, flood control, or other facilities, owned and operated by any person, firm, corporation, municipal department or board, duly authorized by State or Municipal regulations. The foregoing shall be deemed to include facilities and appurtenances to the above uses but shall not include public utility treatment and generating plants or offices.

Utility, Public. Any agency under public franchise or ownership, or under certificate of convenience and necessity that provides the public with electric, gas, heat, communication, rail transportation, water, sewage collection, or other similar service.

V

W

Water Supply, Assurance (100 Years). A written statement from Arizona Department of Water Resources, that states the water supply and flows are adequate and in accordance with Town and State requirements and provide evidence that it meets the Arizona Department of Water Resources requirements for a one hundred (100) year assured supply.

X

Y _____

Z _____

Zoning. The dividing of the Town into districts or zones and the establishment of regulations of governing the use, placement, spacing, and size of land and buildings within each zone or district.

Zoning Administrator. The staff/official responsible for the processing of applications required by this Ordinance and for the administration and enforcement of this Ordinance.

Zoning Clearance. The approval by the Zoning Administrator of an application and/or plat that is in conformance with this Ordinance.

(End of Glossary)

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Appendix A:

(For Future Use)

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