



**NOTICE OF A SPECIAL MEETING OF THE PLANNING COMMISSION
OF THE TOWN OF CLARKDALE
TUESDAY, NOVEMBER 4, 2025 AT 4:30 PM**

In Person: Clark Memorial Clubhouse, 19 N. Ninth St., Clarkdale AZ

OR

Join Zoom Meeting

<https://zoom.us/j/9554994085>

Meeting ID:955 499 4085

Unless otherwise stated, the public will have physical access to the meeting place 15 minutes prior to the start of the meeting.

Town of Clarkdale Vision

The Town of Clarkdale connects our unique history, proximity to the Verde River, and small-town charm to a future with a vibrant economy.

We cultivate an environment where residents and businesses can thrive; providing services and jobs for our residents and capitalizing upon tourism.

We sustainably enhance our infrastructure, support the arts and education, and develop recreational opportunities to create a bright future for our entire community.

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN that the Planning Commission will hold a Special Meeting open to the public on Tuesday, November 4, 2025, at 4:30 PM at 19 N. Ninth Street, Clarkdale, Arizona, Clark Memorial Clubhouse, Men's Lounge. A quorum of Town Council members may be present at this meeting; however, they will not deliberate or take action on any items. All members of the public are welcome to attend.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

The Planning Commission invites the public to provide comments at this time. Members of the Planning Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01, action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Persons interested in making comments on a specific agenda item are asked to complete a brief form and submit it to the Clerk or liaison during the meeting. Each speaker is asked to limit their comments to three minutes unless a different amount of time is noted on the agenda or is determined by the Presiding Officer or by a majority

vote of the Council, Commission or Committee.

4. MINUTES

A. Approval of Minutes

Discuss, consider and act upon the draft minutes from the regular meeting held on Aug. 19, 2025.

5. NEW BUSINESS

A. PUBLIC HEARING: Ordinance #445 - Amending Chapters 11 - Design Review and Site Plan Review and 12 - Subdivision Regulations of the Town Zoning Code to Conform with House Bill 2447

Public hearing to take comments on Ordinance #445, amending Chapters 11 - Design Review and Site Plan Review and 12 - Subdivision Regulations of the Town Zoning Code, to conform to House Bill 2447, which amends Section 9-500.49 of the Arizona Revised Statutes relating to municipal administrative reviews.

B. Ordinance #445 - Amending Chapters 11 - Design Review and Site Plan Review and 12 - Subdivision Regulations of the Town Zoning Code to Conform with House Bill 2447

Discuss, consider and act upon Ordinance #445, amending Chapters 11 - Design Review and Site Plan Review and 12 - Subdivision Regulations of the Town Zoning Code, to conform to House Bill 2447, which amends Section 9-500.49 of the Arizona Revised Statutes relating to municipal administrative reviews.

6. FUTURE AGENDA ITEMS

Planning Commission may propose items to be placed on a future agenda. This item is for discussion only.

7. ADJOURNMENT

Values

Values are the guiding principles that provide an organization with purpose and direction. The Town of Clarkdale's organizational values are:

COPPER

Customer focused

Open, transparent and equitable

Preserving our history, charm, and environment

Planning for a sustainable future

Economic and social resiliency

Resourceful and innovative

Mission

The Town of Clarkdale serves the community by providing amenities, infrastructure, services, and public safety to enhance quality of life. We are stewards of our history while we

sustainably and resiliently plan for the future with an emphasis on community engagement and transparency.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at (928) 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.



Staff Report

Item Number: 4.A.

<u>Agenda Item:</u>	Approval of Minutes Discuss, consider and act upon the draft minutes from the regular meeting held on Aug. 19, 2025.
<u>Staff Contact:</u>	Ruth Mayday, Assistant Town Manager/Community Development Director
<u>Meeting Date:</u>	November 4, 2025
<u>Strategic Goal:</u>	Not applicable.
<u>Background:</u>	Review of the draft minutes from the regular meeting held on Aug. 19, 2025.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommends that the Planning Commission approve the draft minutes from the regular meeting held on Aug. 19, 2025.



**SUMMARIZED MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
OF THE TOWN OF CLARKDALE**

TUESDAY, AUGUST 19, 2025 AT 4:30 PM

(To listen to the full audio/video of the meeting,
please visit www.clarkdale.az.gov – agendas & minutes)

Members Present: *Chair de Blanc, Advisory member Johnson, Commissioner Spence, Commissioner Foutz.*

Members Absent: *Commissioner Conk, Commissioner Kelly.*

Other Municipal Officials Present: *Community Development Director & Assistant Town Manager, Ruth Mayday; Associate Planner, Britania Esparza; Community Development Technician, Guss Espolt.*

Audience: *Three members of the public were present.*

Zoom: *No members of the public were present.*

1. CALL TO ORDER - *Chair de Blanc called the meeting to order at 4:30 p.m.*

2. ROLL CALL – Present: *Chair de Blanc, Advisory member Johnson, Commissioner Spence, Commissioner Foutz. Absent:* *Commissioner Conk, Commissioner Kelly.*

3. PUBLIC COMMENT
No public comment.

4. MINUTES

A. Approval of Minutes

Discuss, consider and act upon the draft minutes from the regular meeting held on July 15, 2025.

Motion: Approve the draft minutes from the regular meeting held on July 15, 2025.

First motion: *Spence* **Second:** *Johnson*

Approved 4-0

Board Member	Ayes/Nays
Chair de Blanc	Aye
Advisory Johnson	Aye
Commissioner Foutz	Aye
Commissioner Spence	Aye
Commissioner Conk	Absent

Commissioner Kelly	Absent
--------------------	--------

5. NEW BUSINESS

A. Robert's Rules of Order

Town Attorney, Stephen Polk, provided a presentation and refresher update regarding Robert's Rules of Order.

B. Design Review Application - 924 Main Street

Discuss, consider and act upon application PC-250131 regarding design review for the property located at 924 Main Street.

Motion: *Approve the application PC-250131 regarding design review for the property located at 924 Main Street.*

First motion: *Spence* **Second:** *Foutz*

Approved 4-0

Board Member	Ayes/Nays
Chair de Blanc	Aye
Advisory Johnson	Aye
Commissioner Foutz	Aye
Commissioner Spence	Aye
Commissioner Conk	Absent
Commissioner Kelly	Absent

6. FUTURE AGENDA ITEMS

Planning Commission may propose items to be placed on a future agenda. This item is for discussion only. - Overview of Design Review legislature changes in September.

7. ADJOURNMENT 5:41 p.m.

Motion: *Motion to adjourn.*

First motion: *Foutz* **Second:** *Spence*

Approved 4-0

Board Member	Ayes/Nays
Chair de Blanc	Aye
Advisory Johnson	Aye
Commissioner Foutz	Aye
Commissioner Spence	Aye
Commissioner Conk	Absent
Commissioner Kelly	Absent

Chair de Blanc adjourned the meeting without objection at 5:41 p.m.

Ida Meri de Blanc, Chair

Ruth Mayday, Community Development Director



Staff Report

Item Number: 5.A.

<u>Agenda Item:</u>	<u>PUBLIC HEARING: Ordinance #445 - Amending Chapters 11 - Design Review and Site Plan Review and 12 - Subdivision Regulations of the Town Zoning Code to Conform with House Bill 2447</u> Public hearing to take comments on Ordinance #445, amending <u>Chapters 11 - Design Review and Site Plan Review and 12 - Subdivision Regulations of the Town Zoning Code</u> , to conform to House Bill 2447, which amends Section 9-500.49 of the Arizona Revised Statutes relating to municipal administrative reviews.
<u>Staff Contact:</u>	Ruth Mayday, Assistant Town Manager/Community Development Director
<u>Meeting Date:</u>	November 4, 2025
<u>Strategic Goal:</u>	This agenda item supports the following Clarkdale Strategic Goal Area: • Goal Area 1 - Enhance the quality of life for residents, businesses, and visitors to Clarkdale. • Goal Area 3 - Strengthen and diversify our economy through cultivating a business-friendly climate for business attraction and strategically capitalizing upon tourism.
<u>Background:</u>	On March 31, 2025, House Bill 2447 was signed into law, requiring that several zoning applications be reviewed and approved administratively. To comply with the effective date of Dec. 31, 2025, the Town of Clarkdale is updating Chapters 11 and 12 of the Town's zoning code. Under the new Arizona Revised Statutes, Title 9, Cities and Towns, Chapter 12, General Powers, Article 8, Miscellaneous, Section 9-500.49, Administrative review and approval; self-certification program; expedited approval; applicability; definitions, administrative personnel are directed to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments without a public hearing. The statute also directs administrative personnel to review and approve design review plans based on objective standards without a public hearing. The Planning Commission and Town Council met in a work session on Oct. 28 at 5 p.m. to discuss the statutory changes to Chapters 11 and 12 of the zoning

code. During the recent legislative session, significant changes were made to the way plats, replats, plat amendments, lot combinations and other administrative actions are approved. Previously, these procedures included public hearings and Town Council approval. Now, they will be reviewed and approved at the staff level because the decisions are non-discretionary—either they meet adopted standards, or they do not.

These amendments are tentatively scheduled for consideration by the Town Council at its regular meeting on Nov. 12, 2025, at 6 p.m.

Budget Impact: No budget impact.

Recommendation: Public hearing only. No recommendation.

ORDINANCE #445

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, AMENDING CHAPTER 11, DESIGN REVIEW AND SITE PLAN REVIEW, AND CHAPTER 12, SUBDIVISION REGULATIONS, OF THE TOWN ZONING CODE; DECLARING THE DOCUMENTS AS PUBLIC RECORDS; AND ESTABLISHING REGULATIONS FOR DESIGN REVIEW, SITE PLAN REVIEW, AND SUBDIVISION REGULATIONS.

WHEREAS, A.R.S. Title 9, Cities and Towns, Chapter 12, General Powers, Article 8, Miscellaneous, Section 500.49, Administrative review and approval; self-certification program; expedited approval; applicability; definitions authorize administrative personnel to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments without a public hearing, and authorizes administrative personnel to review and approve design review plans based on objective standards without a public hearing.

WHEREAS, the Town of Clarkdale desires to amend Chapter 11, Design Review and Site Plan Review and Chapter 12, Subdivision Requirements of the Town Zoning Code to ensure conformance with substantial changes enacted under House Bill 2447 and codified in Section 9-500.49, Arizona Revised Statutes; and

WHEREAS, said amendments are attached to this Ordinance as Exhibit A and Exhibit B and are fully incorporated into this Ordinance; and

WHEREAS, the Town of Clarkdale seeks to protect the public health, safety, and welfare by enacting said amendments within the Town limits.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Town of Clarkdale, Arizona, as follows:

SECTION 1. Incorporation of Recitals

The recitals set forth above are incorporated herein by this reference and made a part of this Ordinance as if fully set forth.

SECTION 2. Adoption of Amendments

That certain document entitled “**Ordinance #445, Amending Chapter 11, Design Review and Site Plan Review, and Chapter 12, Subdivision Regulations, of the Town Zoning Code**” is hereby adopted as an amendment to the Town Zoning Code.

One electronic copy of said document is on file in the office of the Town Clerk and are hereby declared public records, to remain on file for public inspection.

SECTION 3. Repeal of Conflicting Ordinances

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

SECTION 4. Preservation of Rights

This Ordinance does not affect any rights or duties that matured, penalties that were incurred, or proceedings that were begun before its effective date.

PASSED AND ADOPTED by the Common Council of the Town of Clarkdale, Arizona, this ____ day of _____, 2025.

ATTEST:

Robyn Prud'homme-Bauer, Mayor

Charity Brooks, Town Clerk

APPROVED AS TO FORM:

Stephen W. Polk, Town Attorney

CERTIFICATION:

I, Charity Brooks, Town Clerk, hereby certify that the foregoing is a true and correct copy of Ordinance #445, adopted by the Town of Clarkdale on the _____ day of _____, 2025, and posted in three public places on the ____ day of _____, 2025.

Town Clerk

EXHIBIT A

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

STRICK THROUGH VERSION

CHAPTER 11

DESIGN REVIEW AND SITE PLAN REVIEW

ArticlesSections:

- 11-010** Purpose and Applicability of Design Review
- 11-020** Application Procedure for Design Review
- 11-030** Filing Fee for Design Review
- 11-040** Review Criteria for Design Review
- 11-050** Expiration of Design Review Approval
- 11-060** Violations and Enforcement
- 11-070** Appeals for Design Review
- ~~**11-080** Repealed by Ordinance #438.~~
- 11-090** Purpose and Applicability for Site Plan Review
- 11-100** Review and Approval Authority
- 11-110** Site Plan Application Submission and Review Procedures
- 11-120** Site Plan Submission Requirements
- 11-130** Approval Standards and Criteria for Site Plan Review
- 11-140** Post Approval Activities
- 11-150** Appeals for Site Plan Review
- 11-160** Administration and Enforcement

- 11-170** Interpretation of the Code

11-180 — ~~Repealed by Ordinance #438.~~

11-190 — ~~Repealed by Ordinance #438.~~

Section 11-010 — Purpose and Applicability of Design Review

(Amended by Resolution 1261 & Ordinance #310 on 5/13/08; Effective 6/13/08)

The purpose of design review is to review the exterior design of proposed new buildings, proposed alterations to buildings and ~~major~~ development or redevelopment projects which do not include new buildings within the Town of Clarkdale, ~~in order to ensure that new development or redevelopment is compatible with the surrounding environment, and to preserve and protect the integrity and character of the Town of Clarkdale.~~

Commented [RM1]: How do we define major?

Commented [RM2]: I don't think we can even say this anymore....

A. — This ~~C~~chapter shall apply to new buildings and redevelopment as defined in this ~~C~~chapter or the Town of Clarkdale Zoning Ordinance, except single-family dwellings and accessory uses, and shall also apply to all public buildings and facilities. Structures (other than buildings), signs, landscaping, parking areas, public facilities and enclosures will be reviewed by the ~~Planning Commission~~Community Development Director or ~~d~~Designee if they are a part of new building development or building redevelopment.

B. — ~~Property owners within the Historic District are subject to Design Review. Projects for properties opted into the district shall be reviewed by the Historic Preservation Commission; projects not opted into the district shall be reviewed by the Planning and Zoning Commission. The Historic Preservation Commission shall serve as design review for historic properties listed subject to the Historic Preservation Ordinance. (Revised by Ordinance #438 on 12/10/24; effective 1/10/25; prior code 5-11-1)~~

Section 11-020 Application Procedure for Design Review

A. — Applications for Design Review shall be filed with the Community Development Department.

(Revised by Ordinance #364. Approved 8/12/14; Effective 9/12/14)

1. —The proposed sSite plan, including, but not limited to, a north arrow, name and address of owner, address of property and legal description, all property lines dimensioned and marked as property lines, existing structures, and enclosures, proposed parking areas, all improvements affecting the appearances, such as walls, walks, terraces, landscaping, accessory buildings and lightings.

2. Exterior elevations, drawn to scale, on one (1) or more sheets of paper with sufficient detail to show, as far as they are related to exterior appearances, the design, the proposed materials, textures and colors.

3. Building material and color samples.

2. 3. Landscaping Plan shall (can be on separate sheet).

3. —4. Any other information which the Community Development Director or designee Commission may find s necessary to establish compliance with this Ssection.

B. —An application for approval of demolition, partial demolition or removal of an existing building or structure shall be filed with the Community Development Director on a form prescribed by the Director. The application shall be accompanied by the following:

1. —Legible photograph showing all sides of the building or structure for which the application is made.

2. —Legible photograph showing the adjoining properties.

3. —Any other information which the Community Development Director or designee Planning Commission may find s necessary to establish compliance with this Ssection.

Commented [RM3]: Not clear or objective.

C. —An application for approval of a sign shall be accompanied by the following:

1. —Plans to scale with sufficient detail to show the size, design, lighting, materials, textures, colors and placement of the sign.

2. —If applicable, legible photograph showing the face of the building on which the sign is to be mounted or vicinity photograph for a free-standing sign.

3. —Any other information which the Community Development Director or designee Planning Commission may find necessary to establish compliance with this Ssection.

D. —Upon receipt of an application for Design Review, the Community Development Director or designee shall review the application for administrative completeness and return to applicant with corrections within 10 ten (10) business days of submittal.

1. —Upon a finding of administrative completeness approval, the Community Development Director or designee shall review the application for substantial conformance with adopted codes. day place the application to be reviewed on the agenda at a meeting of the Planning Commission within thirty (30) days of submitting the application.

2. —The Community Development Director shall notify the applicant of deficiencies within 15 business ten (10) days of administrative completeness approval.

3. —Upon a finding of substantive review approval by the Community Development Director or designee, the design shall be deemed approved, and a written notice will be sent to the applicant by email. of the time and place of the meeting and shall also provide the applicant with a copy of the staff report. (Revised by Ordinance #438 on 12/10/24; effective 1/10/25; prior code § 11-2)

Section 11-030 —Filing Fee for Design Review

The application for Design Review shall be accompanied by a non-refundable filing fee in an amount established by resolution of the Town Council. (Revised by Ordinance #438 on 12/10/24; effective 1/10/25; prior code § 11-3)

Section 11-040 Review Criteria for Design Review

A. The ~~Planning Commission~~Community Development Director or dDesignee shall review applications for design approval of new construction, alterations, additions, or renovations to existing buildings or structures and shall have the power to approve, conditionally approve, or disapprove all such requests. The decisions will be based on the following criteria:

~~1. 1.—The plan for the development must reflect the natural capabilities of the site to support development. Environmentally sensitive areas must be maintained and preserved~~
Architectural merit: The architecture and design shall be visually compatible with the buildings, structures and places to which it is related.

~~2. Natural drainage areas must also be preserved to maintain predevelopment and post development flows. 2.—Natural drainage areas must also be preserved to maintain predevelopment and post development flows.—~~ Proportion: The relationship of the width of the building or structure to its height shall be visually compatible with the buildings, structures and places to which it is related or shall be maintained as original whenever feasible.

~~3. 3.—All building, site, and roadway designs and layouts must be designed to preserve existing topography. —Filling, excavation and earth moving activity must be kept to a must meet all grading requirements and meet engineering standard.~~ Openings: The relationship of the width of the windows and doors, to the height of windows and doors in the building shall be visually compatible with buildings, structures and places to which it is related.

~~4. Parking shall be to the rear or side of the primary structure proposed on the site.—~~ Pattern: The relationships of solids to voids in a façade of a building or structure shall be visually compatible with buildings, structures and places to which they are related.

~~4. 5.—S—The main entrance to the building should be oriented to the street unless the parking layout, grouping of buildings, or size, shape, or topography of the lot requires orientation to the side and shall be clearly identified through building and site design, landscaping, and/or signage. —~~ Spacing: The relationship of the building to the open space between it and the adjoining buildings shall be visually compatible to the buildings, structures and places to which it is related.

~~5. 6.—To encourage reduced building heights for commercial and industrial structures, the area of reduced height can be used to increase lot coverage by an equivalent amount.~~

~~Required setbacks and other design standards must be maintained. —Entrances, porches and projections: The height, projection, supports and relationship to streets and sidewalks, of entrances, porches, awnings, canopies and balconies of a building shall be visually compatible to the buildings, structures and places to which it is related.~~

~~6. 7.—For the area of natural vegetation retained, the required landscaping area may be reduced by an equivalent amount. —Material, texture and color: The materials, textures and colors of the façade of a building shall be visually compatible with the predominant materials, textures and colors used in the buildings and structures to which they are related.~~

~~7. 8.—All construction for which site plan review is required shall also be required to submit a lighting plan with cut sheets for all fixtures. The lighting plan shall be developed in accordance with the requirements of Chapter 8 – ,Outdoor Lighting CodeLighting Requirements. Roofs: The roof shape and materials of a building shall be visually compatible with the buildings to which it is related~~

~~8. 9.—The development must provide for the buffering of adjacent uses where there is a transition from one (1) zoning district to another zoning district and for screening of mechanical equipment and service and storage areas. All setbacks, enclosures, walls and plantings shall comply with Chapter 9 – ,Landscape –Design StandardsRequirements, and Chapter 4 – ,General Provisions. —Architectural details: Doors, windows, eaves, cornices and other architectural details of a building or structure shall be visually compatible with buildings and structures to which they are related.~~

~~9. 10.—All new construction for which Design Review is required shall also be required to submit a comprehensive signage plan for review. The signage plan shall be developed in accordance with the requirements of Chapter 7 – ,Signages, and is subject to review and approval as part of Ddesign Rreview. Accessory features: Garages, carports, sheds, enclosures, walkways, stairways, and landings shall be visually compatible with buildings and structures to which they are related.~~

Commented [RM4]: Am I getting carried away here? Can we still use “use”?

Commented [DW5R4]: I think “use” can still be used, as this is an objective standard. You could change to Zoning District, but this would limit the provision’s applicability.

~~11.-10.-~~ **Landscaping:** Landscaping shall meet the requirements set forth in Chapter -9 - , Landscape- Design Standards ~~requirements~~. ~~be visually compatible with the landscaping around the buildings, structures and places to which it is related.~~

~~12.-11.-~~ **Lighting:** Any on-site illumination shall be in conformance with Chapter 8 - , Outdoor Lighting. ~~Fixtures shall be shielded to reflect downward, architecturally compatible to the overall project and not create a negative or visually detrimental effect on the building or neighboring properties.~~ (Revised by Ordinance #438 on 12/10/24; effective 1/10/25; prior code § 11-4)

Section 11-050 Expiration of Design Review Approval

Design approval automatically expires if a building permit has not been issued within ~~3 three (3)~~ years of the date of final approval. The Community Development Director or designee ~~Commission~~ may grant a total of three ~~(3)~~ sequential 1 one (1) year extensions of approval provided the applicant files the initial extension request within the ~~3 three (3)~~ year period immediately following the final approval. (Revised by Ordinance #438 on 12/10/24; effective 1/10/25; Revised by Ordinance #428 on 12/10/24; effective 1/20/25; prior code § 11-5)

Section 11-060 Violations and Enforcement

A. ~~___~~ Prior to the issuance of a building permit, the Community Development Director or designee ~~Building Official~~ shall determine that the plans presented with the building permit application conform with the approved design ~~design approved by the Board~~ and that approval has not expired.

B. ~~___~~ The Community Development Director or designee shall ~~e~~insure that development occurs in conformance with the conditions of design approval. In the event of a violation, the Community Development Director or designee ~~Building Official~~ shall notify the ~~permittee~~ applicant by the most expedient means possible ~~registered or certified mail~~ that ~~he/she/he or she~~ is in violation of the conditions of design approval. If the ~~permittee-applicant~~ does not comply with the conditions of design approval within 10 ten (10) days after receipt of

notification, the building permit may be ~~revoked~~revoked, and all construction activity shall cease. ~~(Prior code § 11-6)~~

Section 11-070 Appeals for Design Review

~~The applicant may appeal any decision with respect to design review, to the Town Council, by filing written notice of appeal and any applicable fees with the Town Clerk within fifteen (15) working days of the date of the decision. The Town Clerk shall set the date for hearing of the appeal within sixty (60) days of the appeal being filed. (Revised by Ordinance #438 on 12/10/24; effective 1/10/25; prior code § 11-7)~~

An appeal of any decision with respect to Design Review may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision.

~~Section 11-080 Severability~~

~~(Repealed by Ordinance #438)~~

Section 11-090 Purpose and Applicability for Site Plan Review

The site plan review procedures are intended to protect the public health and safety and promote the general welfare of the community. These processes are intended to facilitate the organization of development of commercial and industrial property. ~~They are also intended to insure that new development and redevelopment is compatible with the surrounding~~

~~environment, and to preserve and protect the integrity and character of the Town of Clarkdale, as applicable.~~

A. __—A person who has right, title, or interest in a parcel of land must obtain site plan review approval prior to commencing any of the following activities on the parcel:

1. __—The construction or placement of any new building or structure for ~~a commercial~~commercial or industrial use, including accessory buildings and structures, if such buildings or structures have a total area for all floors of ~~1000 one thousand (1,000)~~ square feet or more.
2. __—The expansion of an existing commercial or industrial building, structure, or uses including accessory buildings that ~~increases~~ the total floor area by ~~1000 one thousand (1,000)~~ square feet or more.
3. __—The conversion of an existing building in which ~~500 five hundred (500)~~ or more square feet of total floor area are converted from residential to commercial or industrial use, except in the case of home occupations.
4. __—The establishment of a new commercial or industrial use even if no buildings or structures are proposed, including uses such as gravel pits, cemeteries, golf courses, and other nonstructural commercial or industrial uses. The site plan review requirement shall be waived for wireless communication facilities.
5. __—The construction or expansion of paved areas or other impervious surfaces, including walkways, access drives, and parking lots involving an area of more than ~~2500 two thousand five hundred (2,500)~~ square feet.
6. __—Any other new, amended, modified or expanded use, including commercial/industrial planned area development (PAD) if so stipulated by other ~~s~~sections of the code.
7. __—Any new or modified public structure or facility.

B. __—The following activities shall not require SPR approval; however, building permits, plumbing permits, electrical permits or other State or local approvals are applicable as required by code or ordinance:

1. __—The construction, alteration, or enlargement of a single-family or two-~~(2)~~ family dwelling, including accessory buildings and structures.

2. __—The placement, alteration, or enlargement of a single manufactured house~~ing~~ or mobile home dwelling, including accessory buildings and structures on individually owned lots.
3. __—Agricultural activities, including agricultural buildings and structures.
4. __—The establishment and modification of home occupations that do not result in changes to the site or exterior of the building. (~~Revised by Resolution #1621 on 2/25/20; Revised by Ordinance #403 on 2/25/20; effective 3/26/20; Revised by Ordinance #352 on 7/9/13; effective 8/9/13; Revised by Resolution #1261 on 5/13/08; effective 6/13/08; Revised by Ordinance #310 on 5/13/08; effective 6/13/08; prior code § 11-9)~~

Section 11-100 Review and Approval Authority

The Site Plan Review Committee is established for the purpose of review and approval of site plans for all subdivisions; commercial or industrial development, or as deemed necessary by the ~~Development Services~~Community Development Director.

A. __—The following shall be members of the Site Plan Review Committee:

1. ~~Development Services~~Community Development Director; and
2. Public Works Director; and
3. Town Engineer; and
4. Water Resources Manager; and
5. Chief of Police (or ~~his/her~~ designee); and
6. Fire Chief (or ~~his/her~~ designee); and
7. Building Inspector; and
8. Flood Control.

B. __—Representatives from the following may be included at the discretion of the ~~Development Services~~Community Development Director:

1. School ~~D~~istricts; or
2. APS; or
3. Unisource; or

4. ADOT; or
5. As determined by the ~~Development Services~~Community Development Director. ~~(Revised by Resolution #1621 on 2/25/20; Revised by Ordinance #403 on 2/25/20; effective 3/26/20; prior code § 11-10)~~

Section 11-110 Site Plan Application Submission and Review Procedures

A. Preapplication: A preapplication conference is not ~~mandatory, but~~mandatory but can be helpful to the applicant in identifying potential issues that will need to be addressed.

The purposes of the preapplication conference are to:

1. Provide the Site Plan Review Committee with an opportunity to review and comment on proposals prior to submittal.
2. Discuss the development review process and required submissions with the applicant.
3. Identify issues that need to be resolved in future submissions.
4. Make the applicant aware of any opportunities for coordinating the development with community policies, programs, or facilities.
5. A The Department may schedule a site inspection may be scheduled if deemed necessary.
6. Applicants ~~for preapplication conference~~ will need to provide as much information indicated on Table 1 in Section 11-120 as possible, as completely as possible.

B. Persons applying for site plan review will be required to submit a site plan review application, and three ~~e (3) 24~~twenty-four (24) X ~~by 36~~ thirty-six (36) inch printed copies and one ~~(1)~~ electronic submittal of the site plan, including the development plan and supporting documentation that meet the minimum submission requirements set forth in Section 11-120. ~~These~~ These materials shall be submitted to the Community Development Director, who shall determine ~~if that~~ the application is complete. If the application is complete, the Community Development Director will ~~date-~~stamp the materials and notify the applicant that the application is administratively complete. A deposit toward potential outside consultant fees

incurred by the Town in the processing and review of an application shall be required per Article [3-4](#) of the Town Code.

1. —If the application is determined to be incomplete, the Community Development Director shall notify the applicant by letter that the application is incomplete, and specify the additional materials required to make the application complete.
2. —After the application has been accepted the Community Development Department will distribute copies of the site plan to the Community Development Department, Public Works and Engineering Departments, Town Manager, Fire Chief, ~~and~~ Police Chief, County Flood Control, and County Health for substantive review and comment.
3. —Site plans shall also be provided by the applicant to all other affected utility companies as well as to adjoining governmental entities as required by statute. Comments returned shall pertain to the agency's area of specific authority and shall contain specific requirements from these reviewing agencies.
4. —The Community Development Department may hold an on-site inspection of the site to review the existing ~~conditions, conditions,~~ field verify the information submitted and investigate the development proposal.
5. —Following receipt of the comments from the various departments and agencies, the Community Development Director shall forward one ~~(1)~~ complete copy to the applicant via electronic communication and first-class mail.

- ~~6. Applicants for site plan review shall hold a neighborhood meeting to inform the public of the proposals prior to formal submission of an application and plans.~~
- ~~a. Applicant shall notify all property owners within 300 feet of the subject property of the meeting by first-class mail at least fifteen (15) days prior to the meeting date. The Community Development Director may increase notification requirements at his/her discretion based on the impact of the project on the community.~~
- ~~b. Applicant shall post the property at least fifteen (15) days prior to the meeting date.~~
- ~~c. Applicant will publish a notice of the meeting including the time, date and location in a paper of general circulation at least fifteen (15) days prior to the meeting date.~~
- ~~C. Establishment of Fees. The Town Council may, from time to time and after consultation with the Community Development Department, establish the appropriate application fees following posting of the proposed schedule of fees and public hearing. (Revised by Ordinance #438 on 12/10/24; effective 1/10/25; Revised by Resolution #1621 on 2/25/20; Revised by Ordinance #403 on 2/25/20; effective 3/26/20; Revised by Ordinance #364 on 8/12/14; effective 9/12/14; Revised by Resolution #1261 on 5/13/08; effective 6/13/08; Revised by Ordinance #310 on 5/13/08; effective 6/13/08; prior code § 11-11)~~

Section 11-120 Site Plan Submission Requirements

All applications for site plan review must contain the information indicated as being required in Table 1 (below).

A. Submittal Requirements Checklist

Table 1

	Pre-app	SPR	
	3 hard copies, 1 electronic	3 hard copies, 1 electronic submittal	Required Materials:
1		X	Fully executed and signed copy of the application and fees paid in full.
2		X	A copy of the deed to the property, an option to purchase the property, letter of agency, or other documentation to demonstrate right, title or interest in the property on the part of the applicant.
3	X	X	Legal description and boundary survey to scale.
4		X	The parcel #(s) and lot # on which the project is located.

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

5		X	Vicinity map showing general location of the site within the Town.
6		X	The name, registration number, and seal of the person who prepared the plan, if applicable.
7		X	Boundaries of all contiguous property under the total or partial control of the owner or applicant regardless of whether all or part is being developed at this time.
8		X	Site photos/map from all directions at corners (standard prints).
9		X	The maps or drawing must be at a scale sufficient to allow review of the items listed under the approval standards and criteria, but in no case shall be more than 500 feet to the inch for that portion of the tract of land being proposed for development. Applicant must also provide copies of all drawings submitted on 11" x 17" sheets.
10		X	Digital copy of site plan materials (using control supplied by the Town Engineer).
11		X	Location of all required building setbacks, yards, and buffers.
12		X	Zoning classification(s) of property and surrounding property.
13		X	The bearings and length of all property lines of the property to be developed and the source of this information.
14		X	Location and size of any existing utility lines and easements.
15		X	Location, names, and present widths of existing public and/or private streets and rights-of-way within or adjacent to the proposed development.
16		X	The location and dimensions of existing driveways, parking and loading areas, walkways, and sidewalks on or immediately adjacent to the site.
17		X	Location of intersecting roads or driveways within 200 feet of the site.
18		X	Location and dimensions of any existing easements and copies of codes covenants or deed restrictions.
19		X	The location of the nearest fire hydrant, dry hydrant or other water supply for fire protection.
20		X	The location of open drainageways.
21		X	The direction of existing surface water drainage across the site.
22		X	The direction of proposed surface water drainage across the site and from the site, with an assessment of impacts on downstream properties.

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

2 3		X	A grading and drainage plan that includes existing contours, proposed contours, drainage channels and directions of flow, as well as stormwater calculations, erosion and sedimentation control measures and water quality, see Town Code Article 7-11.
2 4		X	A grading and drainage plan that includes existing contours, proposed contours, drainage channels and directions of flow, as well as stormwater calculations, erosion and sedimentation control measures and water quality, see Town Code Article 7-12.
2 5		X	The location, dimensions, and materials to be used in the construction of proposed driveways, parking and loading areas, and walkways and any changes in traffic flow onto or off site.
2 6		X	The location, dimensions and elevations of all existing buildings, proposed buildings and building expansion on the site.
2 7		X	The location, front view, dimensions, and lighting of existing signs and proposed signs.
2 8		X	A utility plan including estimated demand for water supply and sewage disposal together with the location and dimensions of all provisions for water supply and wastewater disposal.
2 9		X	Provisions for handling all solid wastes, including hazardous and special wastes and the location and proposed screening of any on- site collection or storage facilities.
3 0		X	Proposed landscaping and buffering plan including irrigation plan.
3 1		X	Include the percentage of total landscaping for the project.

(Revised by Resolution #1621 on 2/25/20; Revised by Ordinance #403 on 2/25/20; effective 3/26/20; prior code § 11-12)

Section 11-130 Approval Standards and Criteria for Site Plan Review

The following criteria shall be used by the Site Plan Review Committee in reviewing applications for Site Plan Review ~~Committee~~ and shall serve as minimum requirements for approval of the application. The application shall be approved unless the Site Plan Review Committee determines that the applicant has failed to meet minimum acceptable standards. In all

instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.

A. ~~Conformance with Development Standards~~ *Utilization of the Site.*

1. ~~All sSite pPlans must conform to the development standards set forth for the zoning district(s) assigned to the subject property. Uses shall conform to those identified as pPermitted uUses, or have been granted a Conditional Use Permit. Utilization of the Site.~~
The plan for the development must reflect the natural capabilities of the site to support development. Environmentally sensitive areas must be maintained and preserved.
2. ~~Uses must conform to the General Plan Designation assigned to the subject property. Natural drainage areas must also be preserved to the maximum extent. However, when requested, the applicant may choose to transfer density or intensity of the proposed use from these wash areas into areas more developable. The development must include appropriate measures for protecting these resources, including, but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.~~
3. ~~3.~~ ~~The applicant may choose to transfer density or intensity of the proposed use from unbuildable wash areas into areas that are more developable. Building Placement.~~ The site design should avoid creating a building surrounded by a parking lot. Buildings should be placed close to the street, consistent with existing, adjacent setbacks. Parking should be to the side or preferably in the back.
4. ~~To encourage lower building heights, applicants may transfer the area of floors not used to increase lot coverage. Building Entrances.~~ The main entrance to the building should be oriented to the street unless the parking layout or the grouping of the buildings justifies another approach, and should be clearly identified as such through building and site design, landscaping, and/or signage.
5. ~~Projects shall comply with all the requirements as set forth previously by the preliminary development review. Building Orientation.~~ New buildings within an existing built environment should be compatible with the neighborhood such that they reflect the overall bulk, square footage, dimensions, placement of the building on the lot, and rhythm.

~~of buildings and spaces along the street edge and minimize the visual impact on the neighborhood.~~

~~6. 6.—The proposal shall provide for safe and adequate vehicular and pedestrian ingress and egress in accordance with the Town's adopted Engineering Standards and designed to minimize congestion. The proposal shall adequately and safely provide for vehicular and pedestrian ingress and egress of that excessive traffic congestion will not be created.;~~

~~*Building Scale.* When large new buildings or structures are proposed in existing built environments where their scale (size) and other features may be significantly different from that which already exists in the immediate neighborhood, care must be taken to design the new building or structure so that it is compatible with its neighbors.~~

~~7. —Proposed lighting shall be so arranged as to not shine upon or reflect onto adjoining properties and proposed signs and their lighting shall be of such size, location and color as to not interfere with traffic or limit visibility of adjoining propertiesy. *View Protection.* When a proposed development is located within the viewshed of an identified view from a public street or facility, the development must be designated to minimize the encroachment of all buildings, structures, landscaping, and other site features on the identified view.~~

~~8. The proposal shall not be detrimental to or endanger the public peace, health, safety or general welfare of the surrounding properties, or unreasonably interfere with the use or enjoyment of property in the vicinity by occupants thereof for lawful purposes. —*Ridgeline Protection.* When a proposed development is located on a hillside that is visible from a public street, road, water body, or facility, the development must be designed so that buildings, structures, and other improvements do not extend above the existing ridgeline or alter the ridge profile significantly when viewed from the public streets, roads, water bodies, or facilities. This provision may be waived for communication towers, spotting towers, and similar facilities that must be located above the ridgeline for operational reasons.~~

~~8. 9.—The required landscaping shall be provided and maintained in accordance with Chapter 9 – Landscape Design Standards.d in an attractive manner and live condition.—~~
Hillside Development. When proposed development is located on a hillside that is visible from a public street, water body, or facility, the development must be designated so that it fits harmoniously into the visual environment when viewed by the public from public areas.

~~9. 10.—The drainage report and plan must meet the minimum requirements of Yavapai County Flood Control and not create an adverse effect on adjacent properties. In predominantly natural environments, site clearing must be minimized and vegetation must be retained or provided to minimize the visual intrusion of the development. In developed environments, the appearances of the new development, when viewed by the public from public areas, must be compatible with the existing visual character in terms of scale, massing, and height to the maximum extent reasonable.~~

~~10. 11.—The construction and civil improvement plans shall meet all adopted codes and regulations of the Town of Clarkdale.—~~

B. —Parking Layout and Design and Site Access

~~Off-street parking must conform to the standards set forth in Chapter 4 —General Provisions, Sections 4-120 —Off-Street Parking and Loading, and 4-121 —Traffic and Pedestrian Access. Site access must conform to adopted engineering standards.~~

C. —Stormwater Management

~~Adequate provisions must be made for T~~the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces ~~shall be managed~~ through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

~~1. —To the extent possible, the plan must retain stormwater on the site using the natural features of the site.~~

~~2.~~—The flow from the site after development must not exceed the predevelopment rate.

~~23.~~—The applicant must demonstrate that on- and off-site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to flooding and erosion of downstream or adjoining properties, or the developer will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.

~~34.~~—All natural drainage ways must be preserved at their natural gradients and must not be filled or converted ~~in~~ into a closed system unless approved as part of the SPR.

~~45.~~—The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.

~~56.~~—The design of the storm drainage systems must ~~be designed to accommodate be fully cognizant of~~ upstream runoff that must pass over or through the site to be developed and provide for this movement.

~~67.~~—The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source.

~~D.~~ ~~D.~~—Erosion Control:

~~1. All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and/or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.~~

~~12.~~—~~The following are required and must be stamped by an Arizona Registrant:~~

~~a. 1. A Drainage Report addressing drainage and erosion concerns and stormwater management.~~

b. ~~2. Cut/Fill plan.~~

c. ~~3. Stormwater Protection Plan (SWPPP).~~

~~Soil erosion and sedimentation of watercourses and water bodies must be minimized by the development of a sedimentation and erosion control plan that is submitted as part of the SPR package.~~

E. ~~Water Supply Provisions:~~

1. ~~—~~The development ~~shall must~~ be provided with a system of water supply that provides each use with an adequate supply of water.

2. ~~—~~If the project is to be served by a private water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

F. ~~Sewage Disposal Provisions:~~

1. ~~—~~The development ~~shall must~~ be provided with a method of disposing of sewage that is in compliance with the State Plumbing and Health Codes.

2. ~~—~~All sanitary sewage from new or expanded uses must be discharged into a public sewage collection and treatment system when such facilities are currently available or can reasonably be made available at the lot line and have adequate capacity to handle the projected waste generation. ~~All submittals must be in conformance with all adopted Codes.~~

a. ~~—~~It is mandatory that when a public sewer becomes available within 300 feet of any property served by a private sewage disposal system, a direct connection shall be made to the public sewer in accordance with the provisions of Chapter ~~11 - Design Review and Site Plan Review~~ of the Town Code.

Connections are mandatory when any one ~~(1)~~ of the conditions stipulated in Chapter ~~11 - Design Review and Site Plan Review~~ of the Town Code applies after the date specified for that condition.

This requirement may be waived if the use is already served by a properly functioning subsurface disposal system that is properly sized for the projected flows; ~~provided,~~ ~~that~~ connection to the public system ~~shall must~~ occur if and when the subsurface system needs to be replaced.

b. __—If the public system cannot serve or be extended to serve a new or expanded use, the sewage must be disposed of by an on-site sewage disposal system meeting the requirements of the Subsurface Wastewater Disposal Rules.

c. __—When two ~~(2)~~ or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to ~~assure~~ensure proper maintenance of the system.

d. __—Industrial or commercial wastewater may be discharged ~~into~~ public sewers in such quantities and/or of such quality as to be compatible with sewage treatment operations. Such wastes may require pretreatment at the industrial or commercial site in order to render them amenable to public treatment processes. Pretreatment includes, but is not limited to, screening, grinding, sedimentation, pH adjustment, surface skimming, chemical oxidation and reduction and dilution.

G. __—Utilities:

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from public view, ~~to the extent feasible~~. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

H. __—Natural Features:

The site shall be landscaped in compliance with the requirements of Chapter ~~9~~ 9 Landscape Design Standards.

I. __—Groundwater Protection

~~The~~ proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.

Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of ~~2000 two thousand (2,000)~~ gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Arizona.

J. ~~___~~—Water Quality Protection:

All aspects of the project must be designed so that:

1. ~~___~~—No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwater so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.
2. ~~___~~—All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials must meet the standards of the Arizona Department of Environmental Quality (ADEQ) and the State Fire Marshal's Office.
3. ~~___~~—If the project is located within the direct watershed of a "body of water most at risk from development" or a "sensitive or threatened region or watershed" as identified by the Arizona Department Environmental Quality (ADEQ), and ~~is of such magnitude as to require~~ a stormwater permit from the ADEQ, the project must comply with the standards of the ADEQ with respect to the export of total suspended solids and/or phosphorous.
4. ~~___~~—If the project does not require a stormwater permit from ~~the ADEQ~~~~ADEQ~~, it must be designed to ~~limit minimize~~ the export of phosphorous from the site ~~and conform to adopted codes regulating off-site phosphorous discharge. ___ to the extent reasonable with the proposed use and the characteristics of the site.~~

K. ~~___~~—Solid Waste Management:

The proposed development must provide for ~~adequate~~ disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having ~~adequate~~ capacity to accept the project's wastes.

L. ~~___~~—Historic and Archaeological Resources:

If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including, but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

M. ~~___~~—Flood Plain Management:

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with ~~the Town's~~ [The Town of Clarkdale and Yavapai County Flood Control flood plain management provisions](#)~~requirements~~.

N. ~~___~~—Exterior Lighting:

All new construction for which site plan review is required shall also be required to submit a comprehensive lighting plan for review. The lighting plan shall be developed in accordance with the requirements of Chapter [8 – Outdoor Lighting](#).

O. ~~___~~—Buffering:

The development must provide for the buffering of adjacent uses where there is a transition from one ~~(+)~~ type of use to another use and for screening of mechanical equipment and service and storage areas. All setbacks, enclosures, walls and plantings shall comply with Chapters [9](#) ~~–~~, Landscape Design Standards, and [4](#) ~~–~~, General Provisions, Section [4-080](#) ~~–~~, Fence Height.

P. ~~___~~—Landscaping:

Landscaping must be provided as part of site design. The landscape plan for the entire site must conform to Chapter [9 – Landscape Design Standards](#).

Q. Business Signs:

All new ~~construction~~[construction](#), for which SPR is required, shall ~~also be required to~~ submit a comprehensive sign plan for review. The sign plan shall be developed in accordance with the ~~requirements~~[requirements of Chapter 7 – Signage](#) ~~the Town of Clarkdale Sign Code~~ and is subject to review and approval as part of ~~D~~design ~~R~~review. ~~(Revised by Ordinance #438 on 12/10/24; effective 1/10/25; Revised by Resolution #1621 on 2/25/20; Revised by Ordinance #403 on 2/25/20; effective 3/26/20; Revised by Resolution #1432 on 7/10/13; effective 8/10/13; Revised by Ordinance #351 on 7/10/13; effective 8/10/13; prior code § 11-13)~~

Section 11-140 Post Approval Activities

A. ~~___~~—Incorporation of Approved Plan:

One ~~(1)~~ copy of the approved site plan must be included with the application for the building permit for the project and all construction activities must conform to the approved plan, including any conditions of approval and minor changes approved by the Community Development Director or designee to address field conditions.

B. ~~___~~—Improvement Guarantees:

1. ~~___~~—Application:

~~a. ___~~—Improvement Guarantee: ~~An~~ The Town Council may require the posting of an improvement guarantee shall be required in such ~~amount and~~ form as specified in sub-section 2 below as is reasonably necessary to ensure the proper installation of all on- and off-site improvements required as conditions of approval. The Developer shall submit an Engineer's Estimate of Probable Cost (EOPC) for review and approval by the Town, which shall determine the minimum assurance required. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the applicant.

~~b. ___~~—Upon substantial completion of all required improvements, the developer must notify the Town Engineer Council of the completion or substantial completion of improvements, and must send a copy of such notice to the appropriate municipal officials. The respective municipal officials shall inspect all improvements and shall file a report indicating either approval, partial approval, or rejection of such improvements with a statement of reasons for any rejection.

~~c. ___~~—The Town Engineer and/or Building Official ~~Town Council~~ shall either approve, partially approve, or reject the improvements based on their conformance to adopted codes and regulations, on the basis of the report of the municipal officials.

~~d. ___~~—If the improvements are approved, the guarantee shall be released. Where partial approval is granted, the developer shall be released from liability only for that portion of the improvements approved.

2. Form of Guarantee:

Performance guarantees may be provided by a variety of means including, but not limited to, the following which ~~shall must~~ be approved as to form and enforceability by the Town Attorney.

a. ~~___~~—Security Bond ~~-~~—The applicant may obtain a security bond from a surety bonding company authorized to do business in the state.

b. ~~___~~—Letter of Credit ~~-~~—The applicant may provide an irrevocable letter of credit from a bank or other reputable lending institution.

c. ~~___~~—Escrow Account ~~-~~—The applicant may deposit cash, or other instruments readily convertible into cash at face value, either with the Town, or in escrow with a bank. Any such account must require Town approval for withdrawal and must stipulate that the Town can withdraw the money upon ~~issuing a 48 forty-eight (48)~~ hour advance notice to the applicant to complete the guaranteed improvements.

d. ~~___~~—Letter from the financial institution providing funding for the project, indicating commitment to the completion of the project.

C. ~~___~~—Submission of As-Built Plans.

Any project subject to Site Plan Review must provide the Community Development Director with a set of construction plans showing the building(s) and site improvements as actually constructed on the site. These “as-built” plans must be submitted ~~prior to the within thirty (30) days of the~~ issuance of a ~~C~~ertificate of ~~O~~ccupancy for the project or occupancy of the building.

D. ~~___~~—Submission of Digital Copies of As-Built.

Where the applicant or their engineers utilize computer aided drafting (CAD) programs to develop the site plan, digital drawing files of the as-builts shall be submitted to the Community Development Director along with printed drawings.

E. ~~___~~—~~Minor~~ Changes to Approved Plans.

~~Minor~~ ~~C~~hanges in approved plans necessary to address field conditions may be approved by the Community Development Director provided that any such change does not ~~constitute a variance of greater than 10% of the approved plans, affect compliance with the standards or~~

~~alter the essential nature of the proposal. Changes that exceed 10% of building bulk, height, setback, or separation must be approved by the same process as for the initial site plan review.~~

F. ~~___~~—Updates/Phased Site Plans.

If all phases are not approved at site plan review, then each phase must be approved individually by the ~~S~~ite ~~P~~lan ~~R~~eview ~~C~~ommittee prior to issuance of a building permit. ~~(Revised by Ordinance #438 on 12/10/24; effective 1/10/25; Revised by Ordinance #428 on 12/10/24; effective 1/20/25; prior code § 11-14)~~

Section 11-150 Appeals

~~An a~~Appeal of any actions taken by the ~~Site Plan Review Committee Town Council~~ with respect to this ~~section Chapter~~ may ~~shall~~ be ~~taken~~ to the Board of Adjustments ~~by:— any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action.~~ Appeals must be filed within 30 days after the Community Development Director or designee renders a decision ~~by a person aggrieved by the decision of the Community Development Director or designee, a taxpayer who owns or leases the adjacent property or a property within three hundred feet from the boundary of the immediately adjacent property, or an officer or a department of the municipality affected by said at any time within thirty days after the Community Development Director or designee renders a decision~~ Pursuant to A.R.S. Section ~~9-462.06~~, any appeal taken with respect to this Section shall be in accordance with the provisions of said statute. ~~(Prior code § 11-15)~~

Section 11-160 Administration and Enforcement

This ~~C~~hapter shall be administered and enforced by the Community Development Director.

If the Community Development Director or ~~designee his/her agent shall~~ finds that any provision of this ~~C~~hapter is being violated, ~~he/she/he or she~~ shall notify ~~in writing~~ the person responsible for such violation ~~in writing~~, indicating the nature of the violation and ordering the action necessary to correct it.

He ~~or~~ /she shall order ~~that any discontinuance of~~ illegal use of buildings, structures, additions, or work being ~~performed be discontinued~~done, or shall take any other action authorized by this ~~C~~chapter to ~~e~~insure compliance with or to prevent violation of its provisions.

The Community Development Director is hereby authorized to institute or cause to be instituted, in the name of the Town, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of this ~~C~~chapter; provided, however, that this ~~S~~section shall not prevent any person entitled to equitable relief from enjoining any act contrary to the provisions of this ~~C~~chapter.

The Town ~~Manager Council~~, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Code and recovering fines without court action.

Such agreements shall not allow an illegal structure or use to continue unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use will result in a threat or hazard to public health and safety or will result in substantial environmental damage.

~~(Prior code § 11-16)~~

Section 11-170 Interpretation of the Code

The Community Development Director shall be responsible for administering the provisions of this ~~C~~chapter including interpreting the provisions hereof.

~~An appeal of any action taken by the Community Development Director or designee with respect to this Chapter may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision. Any person who believes that the Community Development Director has made an error in the interpretation or application of the provisions of this chapter, may appeal such determination to the Board of Adjustment as an administrative appeal. If the Board finds that the Community Development Director erred in his/her interpretation of the chapter, it shall modify or reverse the action accordingly. (Prior code § 11-17) Appeals of decisions of the Community Development Director or designee may be taken to the Board of Adjustment by a person aggrieved by the decision, a taxpayer who owns or leases the adjacent property or a~~

~~property within three hundred feet from the boundary of the immediately adjacent property, or an officer or a department of the municipality affected by said at any time within thirty days after the Community Development Director or designee renders a decision~~

~~Disclaimer: The Town Clerk has the official version of the Clarkdale Zoning Code. Users should contact the Town Clerk for ordinances passed subsequent to the ordinance cited above.~~

~~Town Website: www.clarkdale.az.gov~~

~~Town Telephone: (928) 639-2400~~

~~Hosted by General Code.~~

CLEAN VERSION ~~Section 11-180~~ ~~Amendments to the Code~~

CHAPTER 11

DESIGN REVIEW AND SITE PLAN REVIEW

Sections:

- 11-010 Purpose and Applicability of Design Review**
- 11-020 Application Procedure for Design Review**
- 11-030 Filing Fee for Design Review**
- 11-040 Review Criteria for Design Review**
- 11-050 Expiration of Design Review Approval**
- 11-060 Violations and Enforcement**
- 11-070 Appeals for Design Review**
- 11-090 Purpose and Applicability for Site Plan Review**
- 11-100 Review and Approval Authority**
- 11-110 Site Plan Application Submission and Review Procedures**
- 11-120 Site Plan Submission Requirements**
- 11-130 Approval Standards and Criteria for Site Plan Review**
- 11-140 Post Approval Activities**
- 11-150 Appeals for Site Plan Review**
- 11-160 Administration and Enforcement**

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

11-170 Interpretation of the Code**Section 11-010 Purpose and Applicability of Design Review**

The purpose of design review is to review the exterior design of proposed new buildings, proposed alterations to buildings and development or redevelopment projects which do not include new buildings within the Town of Clarkdale.

A. This Chapter shall apply to new buildings and redevelopment as defined in this Chapter or the Town of Clarkdale Zoning Ordinance, except single-family dwellings and accessory uses, and shall also apply to all public buildings and facilities. Structures (other than buildings), signs, landscaping, parking areas, public facilities and enclosures will be reviewed by the Community Development Director or designee if they are a part of new building development or building redevelopment.

B. Property owners within the Historic District are subject to Design Review. Projects for properties opted into the district shall be reviewed by the Historic Preservation Commission; projects not opted into the district shall be reviewed by the Planning and Zoning Commission.

Section 11-020 Application Procedure for Design Review

A. Applications for Design Review shall be filed with the Community Development Department.

1. The proposed site plan, including, but not limited to, a north arrow, name and address of owner, address of property and legal description, all property lines dimensioned and marked as property lines, existing structures, and enclosures, proposed parking areas, landscaping, accessory buildings and lighting.
2. Landscaping Plan shall be on separate sheet.
3. Any other information which the Community Development Director or designee finds necessary to establish compliance with this Section.

B. An application for approval of demolition, partial demolition or removal of an existing building or structure shall be filed with the Community Development Director on a form prescribed by the Director. The application shall be accompanied by the following:

1. Legible photograph showing all sides of the building or structure for which the application is made.
2. Legible photograph showing the adjoining properties.
3. Any other information which the Community Development Director or designee finds necessary to establish compliance with this Section.

C. An application for approval of a sign shall be accompanied by the following:

1. Plans to scale with sufficient detail to show the size, lighting, and placement of the sign.
2. If applicable, legible photograph showing the face of the building on which the sign is to be mounted or vicinity photograph for a free-standing sign.
3. Any other information which the Community Development Director or designee finds necessary to establish compliance with this Section.

D. Upon receipt of an application for Design Review, the Community Development Director or designee shall review the application for administrative completeness and return to applicant with corrections within 10 business days of submittal.

1. Upon a finding of administrative completeness approval, the Community Development Director or designee shall review the application for substantial conformance with adopted codes.
2. The Community Development Director shall notify the applicant of deficiencies within 15 business days of administrative completeness approval.
3. Upon a finding of substantive review approval by the Community Development Director or designee, the design shall be deemed approved, and a written notice will be sent to the applicant by email.

Section 11-030 Filing Fee for Design Review

The application for Design Review shall be accompanied by a non-refundable filing fee in an amount established by resolution of the Town Council.

Section 11-040 Review Criteria for Design Review

A. The Community Development Director or designee shall review applications for design approval of new construction, alterations, additions, or renovations to existing buildings or structures and shall have the power to approve, conditionally approve, or disapprove all such requests. The decisions will be based on the following criteria:

1. The plan for the development must reflect the natural capabilities of the site to support development. Environmentally sensitive areas must be maintained and preserved
2. Natural drainage areas must also be preserved to maintain predevelopment and post development flows.
3. All building, site, and roadway designs and layouts must be designed to preserve existing topography. Filling, excavation and earth moving activity must be kept to a must meet all grading requirements and meet engineering standard.
4. The main entrance to the building should be oriented to the street unless the parking layout , grouping of buildings, or size, shape, or topography of the lot requires orientation to the side and shall be clearly identified through building and site design, landscaping, and/or signage.

5. To encourage reduced building heights for commercial and industrial structures, the area of reduced height can be used to increase lot coverage by an equivalent amount. Required setbacks and other design standards must be maintained.
6. For the area of natural vegetation retained, the required landscaping area may be reduced by an equivalent amount.
7. All construction for which site plan review is required shall also be required to submit a lighting plan with cut sheets for all fixtures. The lighting plan shall be developed in accordance with the requirements of Chapter 8 – Outdoor Lighting Code.
8. The development must provide for the buffering of adjacent uses where there is a transition from one zoning district to another zoning district and for screening of mechanical equipment and service and storage areas. All setbacks, enclosures, walls and plantings shall comply with Chapter 9 – Landscape Design Standards, and Chapter 4 - General Provisions.
9. All new construction for which Design Review is required shall also be required to submit a comprehensive sign plan for review. The plan shall be developed in accordance with the requirements of Chapter 7 - Signage, and is subject to review and approval as part of Design Review.
10. Landscaping shall meet the requirements set forth in Chapter 9 - Landscape Design Standards.
11. Any on-site illumination shall be in conformance with Chapter 8 - Outdoor Lighting.

Commented [RM6]: Am I getting carried away here? Can we still use “use”?

Commented [DW7R6]: I think “use” can still be used, as this is an objective standard. You could change to Zoning District, but this would limit the provision’s applicability.

Section 11-050 Expiration of Design Review Approval

Design approval automatically expires if a building permit has not been issued within 3 years of the date of final approval. The Community Development Director or designee may grant a total of three sequential 1 year extensions of approval provided the applicant files the initial extension request within the 3 year period immediately following the final approval.

Section 11-060 Violations and Enforcement

- A. Prior to the issuance of a building permit, the Community Development Director or designee shall determine that the plans presented with the building permit application conform with the approved design and that approval has not expired.
- B. The Community Development Director or designee shall ensure that development occurs in conformance with the conditions of design approval. In the event of a violation, the Community Development Director or designee shall notify the applicant by the most expedient means possible that he or she is in violation of the conditions of design approval. If the applicant does not comply with the conditions of design approval within 10 days after receipt of notification, the building permit may be revoked, and all construction activity shall cease.

Section 11-070 Appeals for Design Review

An appeal of any decision with respect to Design Review may be taken to the Board of Adjustments by **any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision.**

Section 11-090 Purpose and Applicability for Site Plan Review

The site plan review procedures are intended to protect the public health and safety and promote the general welfare of the community. These processes are intended to facilitate the organization of development of commercial and industrial property.

- A. A person who has right, title, or interest in a parcel of land must obtain site plan review approval prior to commencing any of the following activities on the parcel:
1. The construction or placement of any new building or structure for commercial or industrial use, including accessory buildings and structures, if such buildings or structures have a total area for all floors of 1000 square feet or more.

2. The expansion of an existing commercial or industrial building, structure, or uses including accessory buildings that increase the total floor area by 1000 square feet or more.
3. The conversion of an existing building in which 500 or more square feet of total floor area are converted from residential to commercial or industrial use, except in the case of home occupations.
4. The establishment of a new commercial or industrial use even if no buildings or structures are proposed, including uses such as gravel pits, cemeteries, golf courses, and other nonstructural commercial or industrial uses. The site plan review requirement shall be waived for wireless communication facilities.
5. The construction or expansion of paved areas or other impervious surfaces, including walkways, access drives, and parking lots involving an area of more than 2500 square feet.
6. Any other new, amended, modified or expanded use, including commercial/industrial planned area development (PAD) if so stipulated by other sections of the code.
7. Any new or modified public structure or facility.

B. The following activities shall not require SPR approval; however, building permits, plumbing permits, electrical permits or other State or local approvals are applicable as required by code or ordinance:

1. The construction, alteration, or enlargement of a single-family or two-family dwelling, including accessory buildings and structures.
2. The placement, alteration, or enlargement of a single manufactured house or mobile home dwelling, including accessory buildings and structures on individually owned lots.
3. Agricultural activities, including agricultural buildings and structures.
4. The establishment and modification of home occupations that do not result in changes to the site or exterior of the building.

Section 11-100 Review and Approval Authority

The Site Plan Review Committee is established for the purpose of review and approval of site plans for all subdivisions; commercial or industrial development, or as deemed necessary by the Community Development Director.

A. The following shall be members of the Site Plan Review Committee:

1. Community Development Director; and
2. Public Works Director; and
3. Town Engineer; and
4. Water Resources Manager; and
5. Chief of Police (or designee); and
6. Fire Chief (or designee); and
7. Building Inspector; and
8. Flood Control.

B. Representatives from the following may be included at the discretion of the Community Development Director:

1. School Districts; or
2. APS; or
3. Unisource; or
4. ADOT; or
5. As determined by the Community Development Director.

Section 11-110 Site Plan Application Submission and Review Procedures

A. Preapplication: A preapplication conference is not mandatory but can be helpful to the applicant in identifying potential issues that will need to be addressed.

The purposes of the preapplication conference are to:

1. Provide the Site Plan Review Committee with an opportunity to review and comment on proposals prior to submittal.

2. Discuss the development review process and required submissions with the applicant.
3. Identify issues that need to be resolved in future submissions.
4. Make the applicant aware of any opportunities for coordinating the development with community policies, programs, or facilities.
5. A site inspection may be scheduled if deemed necessary.
6. Applicants will need to provide as much information indicated on Table 1 in Section [11-120](#) as possible, as completely as possible.

B. Persons applying for site plan review will be required to submit a site plan review application, three/24 X 36 inch printed copies and one electronic submittal of the site plan, including the development plan and supporting documentation that meet the minimum submission requirements set forth in Section [11-120](#). These materials shall be submitted to the Community Development Director, who shall determine if the application is complete. If the application is complete, the Community Development Director will date-stamp the materials and notify the applicant that the application is administratively complete. A deposit toward potential outside consultant fees incurred by the Town in the processing and review of an application shall be required per Article [3-4](#) of the Town Code.

1. If the application is determined to be incomplete, the Community Development Director shall notify the applicant by letter that the application is incomplete, and specify the additional materials required to make the application complete.
2. After the application has been accepted the Community Development Department will distribute copies of the site plan to the Community Development Department, Public Works and Engineering Department, Town Manager, Fire Chief, Police Chief, County Flood Control, and County Health for substantive review and comment.
3. Site plans shall also be provided by the applicant to all other affected utility companies as well as to adjoining governmental entities as required by statute. Comments returned shall pertain to the agency's area of specific authority and shall contain specific requirements from these reviewing agencies.

4. The Community Development Department may hold an on-site inspection of the site to review the existing conditions, field verify the information submitted and investigate the development proposal.

5. Following receipt of the comments from the various departments and agencies, the Community Development Director shall forward one complete copy to the applicant via electronic communication and first-class mail.

Section 11-120 Site Plan Submission Requirements

All applications for site plan review must contain the information indicated as being required in Table 1 (below).

A. Submittal Requirements Checklist

Table 1

	Pre-app	SPR	
	3 hard copies, 1 electronic	3 hard copies, 1 electronic submittal	Required Materials:
1		X	Fully executed and signed copy of the application and fees paid in full.
2		X	A copy of the deed to the property, an option to purchase the property, letter of agency, or other documentation to demonstrate right, title or interest in the property on the part of the applicant.
3	X	X	Legal description and boundary survey to scale.
4		X	The parcel #(s) and lot # on which the project is located.
5		X	Vicinity map showing general location of the site within the Town.
6		X	The name, registration number, and seal of the person who prepared the plan, if applicable.
7		X	Boundaries of all contiguous property under the total or partial control of the owner or applicant regardless of whether all or part is being developed at this time.
8		X	Site photos/map from all directions at corners (standard prints).

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

9		X	The maps or drawing must be at a scale sufficient to allow review of the items listed under the approval standards and criteria, but in no case shall be more than 500 feet to the inch for that portion of the tract of land being proposed for development. Applicant must also provide copies of all drawings submitted on 11" x 17" sheets.
10		X	Digital copy of site plan materials (using control supplied by the Town Engineer).
11		X	Location of all required building setbacks, yards, and buffers.
12		X	Zoning classification(s) of property and surrounding property.
13		X	The bearings and length of all property lines of the property to be developed and the source of this information.
14		X	Location and size of any existing utility lines and easements.
15		X	Location, names, and present widths of existing public and/or private streets and rights-of-way within or adjacent to the proposed development.
16		X	The location and dimensions of existing driveways, parking and loading areas, walkways, and sidewalks on or immediately adjacent to the site.
17		X	Location of intersecting roads or driveways within 200 feet of the site.
18		X	Location and dimensions of any existing easements and copies of codes covenants or deed restrictions.
19		X	The location of the nearest fire hydrant, dry hydrant or other water supply for fire protection.
20		X	The location of open drainageways.
21		X	The direction of existing surface water drainage across the site.
22		X	The direction of proposed surface water drainage across the site and from the site, with an assessment of impacts on downstream properties.
23		X	A grading and drainage plan that includes existing contours, proposed contours, drainage channels and directions of flow, as well as stormwater calculations, erosion and sedimentation control measures and water quality, see Town Code Article 7-11.
24		X	A grading and drainage plan that includes existing contours, proposed contours, drainage channels and directions of flow, as well as stormwater calculations, erosion and sedimentation control measures and water quality, see Town Code Article 7-12.

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

2 5		X	The location, dimensions, and materials to be used in the construction of proposed driveways, parking and loading areas, and walkways and any changes in traffic flow onto or off site.
2 6		X	The location, dimensions and elevations of all existing buildings, proposed buildings and building expansion on the site.
2 7		X	The location, front view, dimensions, and lighting of existing signs and proposed signs.
2 8		X	A utility plan including estimated demand for water supply and sewage disposal together with the location and dimensions of all provisions for water supply and wastewater disposal.
2 9		X	Provisions for handling all solid wastes, including hazardous and special wastes and the location and proposed screening of any on- site collection or storage facilities.
3 0		X	Proposed landscaping and buffering plan including irrigation plan.
3 1		X	Include the percentage of total landscaping for the project.

Section 11-130 Approval Standards and Criteria for Site Plan Review

The following criteria shall be used by the Site Plan Review Committee in reviewing applications for Site Plan Review and shall serve as minimum requirements for approval of the application. The application shall be approved unless the Site Plan Review Committee determines that the applicant has failed to meet minimum acceptable standards. In all instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.

A Conformance with Development Standards

1. All site plans must conform to the development standards set forth for the zoning district(s) assigned to the subject property. Uses shall conform to those identified as permitted uses, or have been granted a Conditional Use Permit.
2. Uses must conform to the General Plan Designation assigned to the subject property.
3. The applicant may choose to transfer density or intensity of the proposed use from unbuildable wash areas into areas that are more developable.

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

4. To encourage lower building heights, applicants may transfer the area of floors not used to increase lot coverage.
5. Projects shall comply with all the requirements as set forth previously by the preliminary development review.
6. The proposal shall provide for safe and adequate vehicular and pedestrian ingress and egress in accordance with the Town's adopted Engineering Standards and designed to minimize congestion.
7. Proposed lighting shall be so arranged as to not shine upon or reflect onto adjoining properties and proposed signs and their lighting shall be of such size, location and color as to not interfere with traffic or limit visibility of adjoining properties.
8. The required landscaping shall be provided and maintained in accordance with Chapter 9 – Landscape Design Standards.
9. The drainage report and plan must meet the minimum requirements of Yavapai County Flood Control and not create an adverse effect on adjacent properties.
10. The construction and civil improvement plans shall meet all adopted codes and regulations of the Town of Clarkdale.

B. Parking Layout and Design and Site Access

Off-street parking must conform to the standards set forth in Chapter [4](#) - General Provisions, Sections [4-120](#) - Off-Street Parking and Loading, and [4-121](#) - Traffic and Pedestrian Access. Site access must conform to adopted engineering standards.

C. Stormwater Management

The collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces shall be managed through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

1. The flow from the site after development must not exceed the predevelopment rate.
2. The applicant must demonstrate that on and off site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to flooding and erosion of downstream or adjoining properties, or the developer will be

responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.

3. All natural drainage ways must be preserved at their natural gradients and must not be filled or converted into a closed system unless approved as part of the SPR.
4. The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.
5. The design of the storm drainage systems must be designed to accommodate upstream runoff that must pass over or through the site to be developed and provide for this movement.
6. The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source.

D. Erosion Control

1. The following are required and must be stamped by an Arizona Registrant:
 - a. A Drainage Report addressing drainage and erosion concerns and stormwater management.
 - b. Cut/Fill plan.
 - c. Stormwater Protection Plan (SWPPP).

E. Water Supply Provisions

1. The development shall be provided with a system of water supply that provides each use with an adequate supply of water.
2. If the project is to be served by a private water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on

the source or distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

F. Sewage Disposal Provisions

1. The development shall be provided with a method of disposing of sewage that is in compliance with the State Plumbing and Health Codes.
2. All sanitary sewage from new or expanded uses must be discharged into a public sewage collection and treatment system when such facilities are currently available or can reasonably be made available at the lot line and have adequate capacity to handle the projected waste generation. All submittals must be in conformance with all adopted Codes.

a. It is mandatory that when a public sewer becomes available within 300 feet of any property served by a private sewage disposal system, a direct connection shall be made to the public sewer in accordance with the provisions of Chapter [11 – Design Review and Site Plan Review](#) of the Town Code.

Connections are mandatory when any one of the conditions stipulated in Chapter [11 - Design Review and Site Plan Review](#) of the Town Code applies after the date specified for that condition.

This requirement may be waived if the use is already served by a properly functioning subsurface disposal system that is properly sized for the projected flows; connection to the public system shall occur if and when the subsurface system needs to be replaced.

b. If the public system cannot serve or be extended to serve a new or expanded use, the sewage must be disposed of by an on-site sewage disposal system meeting the requirements of the Subsurface Wastewater Disposal Rules.

c. When two or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to ensure proper maintenance of the system.

d. Industrial or commercial wastewater may be discharged into public sewers in such quantities and/or of such quality as to be compatible with sewage treatment operations. Such wastes may require pretreatment at the industrial or commercial site in order to render them amenable to public treatment processes. Pretreatment includes, but is not limited to, screening, grinding, sedimentation, pH adjustment, surface skimming, chemical oxidation and reduction and dilution.

G. Utilities

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from public view. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

H. Natural Features

The site shall be landscaped in compliance with the requirements of Chapter 9 - Landscape Design Standards.

I. Groundwater Protection

The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.

Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of 2000 gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Arizona.

J. Water Quality Protection

All aspects of the project must be designed so that:

1. No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwater so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

2. All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials must meet the standards of the Arizona Department of Environmental Quality (ADEQ) and the State Fire Marshal's Office.
3. If the project is located within the direct watershed of a "body of water most at risk from development" or a "sensitive or threatened region or watershed" as identified by the Arizona Department Environmental Quality (ADEQ), and requires a stormwater permit from the ADEQ, the project must comply with the standards of the ADEQ with respect to the export of total suspended solids and/or phosphorous.
4. If the project does not require a stormwater permit from ADEQ, it must be designed to limit the export of phosphorous from the site and conform to adopted codes regulating off-site phosphorous discharge.

K. Solid Waste Management

The proposed development must provide for disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having capacity to accept the project's wastes.

L. Historic and Archaeological Resources

If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including, but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

M. Flood Plain Management

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town of Clarkdale and Yavapai County Flood Control flood plain management requirements.

N. Exterior Lighting

All new construction for which site plan review is required shall also be required to submit a comprehensive lighting plan for review. The lighting plan shall be developed in accordance with the requirements of Chapter [8 – Outdoor Lighting](#).

O. Buffering

The development must provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for screening of mechanical equipment and service and storage areas. All setbacks, enclosures, walls and plantings shall comply with Chapters [9](#) - Landscape Design Standards, and [4](#) - General Provisions, Section [4-080](#) - Fence Height.

P. Landscaping

Landscaping must be provided as part of site design. The landscape plan for the entire site must conform to Chapter [9 - Landscape Design Standards](#).

Q. Business Signs

All new construction, for which SPR is required, shall submit a comprehensive sign plan for review. The sign plan shall be developed in accordance with the requirements of Chapter 7 – Signage and is subject to review and approval as part of Design Review.

Section 11-140 Post Approval Activities

A. Incorporation of Approved Plan

One copy of the approved site plan must be included with the application for the building permit for the project and all construction activities must conform to the approved plan, including any conditions of approval and minor changes approved by the Community Development Director or designee to address field conditions.

B. Improvement Guarantees

1. Application

- a. Improvement Guarantee: An improvement guarantee shall be required in such form as specified in sub-section [2](#) below as is necessary to ensure the proper installation of all on and off site improvements required as conditions of approval. The Developer shall submit an Engineer's Estimate of Probable Cost (EOPC) for review and approval by the Town, which shall determine the minimum assurance required.
- b. Upon substantial completion of all required improvements, the developer must notify the Town Engineer of the completion or substantial completion of improvements

and must send a copy of such notice to the appropriate municipal officials. The respective municipal officials shall inspect all improvements and shall file a report indicating either approval, partial approval, or rejection of such improvements with a statement of reasons for any rejection.

c. The Town Engineer and/or Building Official shall either approve, partially approve, or reject the improvements based on their conformance to adopted codes and regulations.

d. If the improvements are approved, the guarantee shall be released. Where partial approval is granted, the developer shall be released from liability only for that portion of the improvements approved.

2. Form of Guarantee

Performance guarantees may be provided by a variety of means including, but not limited to, the following which shall be approved as to form and enforceability by the Town Attorney.

a. Security Bond - The applicant may obtain a security bond from a surety bonding company authorized to do business in the state.

b. Letter of Credit - The applicant may provide an irrevocable letter of credit from a bank or other reputable lending institution.

c. Escrow Account - The applicant may deposit cash, or other instruments readily convertible into cash at face value, either with the Town, or in escrow with a bank. Any such account must require Town approval for withdrawal and must stipulate that the Town can withdraw the money upon issuing a 48 hour advance notice to the applicant to complete the guaranteed improvements.

d. Letter from the financial institution providing funding for the project, indicating commitment to the completion of the project.

C. Submission of As-Built Plans

Any project subject to Site Plan Review must provide the Community Development Director with a set of construction plans showing the building(s) and site improvements as actually constructed on the site. These "as-built" plans must be submitted prior to the issuance of a Certificate of Occupancy for the project or occupancy of the building.

D. Submission of Digital Copies of As-Builts

Where the applicant or their engineers utilize computer aided drafting (CAD) programs to develop the site plan, digital drawing files of the as-builts shall be submitted to the Community Development Director along with printed drawings.

E. Changes to Approved Plans

Changes in approved plans necessary to address field conditions may be approved by the Community Development Director provided that any such change does not constitute a variance of greater than 10% of the approved plans. Changes that exceed 10% of building bulk, height, setback, or separation must be approved by the same process as for the initial site plan review.

F. Updates/Phased Site Plans

If all phases are not approved at site plan review, then each phase must be approved individually by the Site Plan Review Committee prior to issuance of a building permit.

Section 11-150 Appeals

An appeal of any action taken by the Site Plan Review Committee with respect to this Chapter may be taken to the Board of Adjustments by **any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision.**

Section 11-160 Administration and Enforcement

This Chapter shall be administered and enforced by the Community Development Director.

If the Community Development Director or designee finds that any provision of this Chapter is being violated, he or she shall notify the person responsible for such violation in writing, indicating the nature of the violation and ordering the action necessary to correct it.

He or she shall order that any illegal use of buildings, structures, additions, or work being performed be discontinued, or shall take any other action authorized by this Chapter to ensure compliance with or to prevent violation of its provisions.

The Community Development Director is hereby authorized to institute or cause to be instituted, in the name of the Town, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of this Chapter; provided, however, that this Section shall not prevent any person entitled to equitable relief from enjoining any act contrary to the provisions of this Chapter.

The Town Manager or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Code and recovering fines without court action.

Such agreements shall not allow an illegal structure or use to continue unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use will result in a threat or hazard to public health and safety or will result in substantial environmental damage.

Section 11-170 Interpretation of the Code

The Community Development Director shall be responsible for administering the provisions of this Chapter including interpreting the provisions hereof.

An appeal of any action taken by the Community Development Director or designee with respect to this Chapter may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision.

Disclaimer: The Town Clerk has the official version of the Clarkdale Zoning Code. Users should contact the Town Clerk for ordinances passed subsequent to the ordinance cited above.

[Town Website: www.clarkdale.az.gov](http://www.clarkdale.az.gov)

[Town Telephone: \(928\) 639-2400](tel:(928)639-2400)

[Hosted by General Code.](#)

~~(Repealed by Ordinance #438)~~

~~**Section 11-190 Severability**~~

~~(Repealed by Ordinance #438)~~

~~**The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.**~~

~~Disclaimer: The Town Clerk has the official version of the Clarkdale Zoning Code. Users should contact the Town Clerk for ordinances passed subsequent to the ordinance cited above.~~

~~Town Website: www.clarkdale.az.gov~~

~~Town Telephone: (928) 639-2400~~

~~Hosted by General Code.~~

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

EXHIBIT B

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

STRICK THROUGH VERSION

**CHAPTER 12
SUBDIVISION REGULATIONS**

ArticlesSections:

- 12-1 General Provisions**
 - 12-1-010 Title**
 - 12-1-020 Town Development Policy**
 - 12-1-030 Purpose and Intent**
 - 12-1-040 Severability**
 - 12-1-050 Saving Provision**
 - ~~**12-1-060 Repealer**~~
 - 12-1-070 Amendments**
 - 12-1-080 Subdivision Amendments**
 - 12-1-090 Re-subdivision of Land**
 - 12-1-100 Abandonment (Reversion to Acreage)**
 - 12-1-110 Private Agreements**
 - 12-1-120 Authority and Applicability**
 - 12-1-130 Jurisdiction**
 - 12-1-140 Prohibition Against Circumvention of Regulations**
 - 12-1-150 Violations and Penalties**
 - 12-1-160 Subdivision Committee**
 - 12-1-170 Adoption of Figures**
 - 12-1-180 Processing Fee Schedule**
 - 12-1-190 Hardship**
 - 12-1-200 Waiver**
 - 12-1-210 Water Adequacy**
- 12-2 *Repealed by Ordinance #428.***
- 12-3 Subdivision Design Principles and Standards**
 - 12-3-010 General**

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

- 12-3-020 Reservation of Land for Public Use**
- 12-3-030 Landscape Requirements**
- 12-3-040 Street Location and Arrangement**
- 12-3-050 Dedicated Access**
- 12-3-060 Street Classification**
- 12-3-070 Block Design**
- 12-3-080 Lot Planning**
- 12-3-090 Street Naming**
- 12-3-100 Easement Planning**
- 12-3-110 Condominium Development-Air Rights Planning**
- 12-4 Subdivision Platting Procedures and Requirements**
 - 12-4-010 Outline of Subdivision Procedures**
 - 12-4-020 Stage I - Pre-Application Conference**
 - 12-4-030 Stage II - Preliminary Plat**
 - 12-4-040 Stage III - Subdivision Technical Review**
 - 12-4-050 Stage IV - Final Plat, Recording and Post Approval**
- 12-5 Minor Subdivision**
 - 12-5-010 Minor Subdivision**
 - 12-5-020 Outline of Minor Subdivision Procedures**
 - 12-5-030 Minor Subdivision Preliminary Plat Review**
 - 12-5-040 Responsibilities of the Subdivision Committee**
 - 12-5-050 Appeals**
 - 12-5-060 Significance of Minor Subdivision Plat Approval**
- 12-6 Minor Land Divisions and Lot Line Adjustments**
 - 12-6-010 Purpose of Minor Land Divisions**
 - 12-6-020 Applicability**
 - 12-6-030 General Standards**
 - 12-6-040 Application Requirements**
 - 12-6-050 Application Process**
 - 12-6-060 Conspiracy to Subdivide**
 - 12-6-070 Purpose of Lot Line Adjustment**
 - 12-6-080 General Standards**
 - 12-6-090 Application Requirements**
 - 12-6-100 Application Process**

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

12-6-110	Roadway Standards for Minor Subdivisions
12-7	Public Improvement Standards
12-7-010	Purpose
12-7-020	Improvement Plans
12-7-030	Construction and Inspection
12-7-040	Required Improvements

~~Created by Resolution 1414/Ordinance 344~~

~~Adopted 10/9/12; Effective 11/9/12~~

~~Section~~Article 12-1
GENERAL PROVISIONS

12-1-010	Title
12-1-020	Town Development Policy
12-1-030	Purpose and Intent
12-1-040	Severability
12-1-050	Saving Provision
12-1-060	Repealer
12-1-070	Amendments
12-1-080	Subdivision Amendments
12-1-090	Re-subdivision of Land
12-1-100	Abandonment (Reversion to Acreage)
12-1-110	Private Agreements
12-1-120	Authority and Applicability
12-1-130	Jurisdiction
12-1-140	Prohibition Against Circumvention of Regulations
12-1-150	Violations and Penalties
12-1-160	Subdivision Committee
12-1-170	Adoption of Figures
12-1-180	Processing Fee Schedule
12-1-190	Hardship
12-1-200	Waiver

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

12-1-210 Water Adequacy**Section 12-1-010 _____ Title**

This ordinance shall be known as the "Subdivision Regulations of the Town of Clarkdale." (Prior code § 12-1-1)

Section 12-1-020 _____ Authority, Applicability, and Jurisdiction

A. —These ~~RR~~Regulations shall be governed by the Arizona Revised Statutes, Title 9, governing the division and platting of land pursuant thereto.

B. —All subdivisions, minor subdivisions or minor land divisions within the Town shall comply with these ~~RR~~Regulations.

C. —These ~~RR~~Regulations apply to all subdivisions, minor subdivisions and minor land divisions within the incorporated limits of the Town of Clarkdale. (Prior code § 12-1-1)

_____ Town Development Policy

The Town of Clarkdale's development policy is reflected in the Town's General Plan, Goal 9-1 'GROWTH AREA', and is stated as follows:

GOAL 9.1

Direct and sustain growth and expansion in areas of the Town that can support concentration of a variety of uses and are particularly suitable for multimodal transportation and infrastructure expansion and improvements.

(Prior code § 12-1-2)

Section 12-1-030 Purpose and Intent

The purpose of these ~~RR~~Regulations is to provide for the orderly growth and ~~harmonious~~ development of the Town.

The provisions of these ~~r~~Regulations shall be held to be the minimum requirements for the promotion of the public's health, safety, and general welfare.

~~In its interpretation and application, the provisions of these Regulations are intended to provide a common ground of understanding and an equitable working relationship between public and private interests to the end that both independent and mutual objectives can be achieved in the subdivision of land.~~

The provisions of these ~~r~~Regulations shall be administered to ensure orderly growth and ~~development, and development and~~ shall supplement and facilitate the provisions in the General Plan, Zoning Code, Official Maps and the Capital Improvement Plan. ~~(Prior code § 12-1-3)~~

Section 12-1-040 _____ Severability

If any part or provision of these ~~RR~~Regulations or application thereof to any person or circumstances is adjudged invalid by any court or competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which judgment shall not affect or impair the validity of the remainder of these ~~RR~~Regulations or the application thereof to other persons or circumstances. ~~(Prior code § 12-1-4)~~

Section 12-1-050 _____ Saving Provision

These ~~RR~~Regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing Subdivision Regulations, or discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the Town under any section or provision existing at the time of adoption of these Regulations, or vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the Town, except as shall be expressly provided for in these Regulations. (Prior code § 12-1-5)

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

~~Section 12-1-060 Repealer~~

~~Upon the adoption of these Regulations according to law, any Subdivision Regulations adopted previously are hereby repealed in their entirety. Except that any and all subdivision plans, minor land divisions and improvement plans submitted to the Commission for evaluation prior to the adoption of these Regulations shall be evaluated under the guidelines of the then-existing regulations. (Prior code § 12-1-6)~~

Section 12-1-070 _____ Amendments

For the purpose of promoting the public's health, safety and general welfare, the Council may from time to time amend upon the recommendation of the Planning Commission the provisions imposed by these Subdivision Regulations in the manner prescribed by law. ~~(Prior code § 12-1-7)~~

Section 12-1-080 _____ Subdivision Amendments

~~Any No cc~~Changes, erasures, modifications or revisions ~~shall be made to in the f~~Final pPlat after ~~approval approval shall be processed in the same manner as initialthe original approval by the -~~ of the plat has been given by the CouncilCommunity Development Director or ~~Designeedesignee~~. (Prior code § 12-1-8)

Section 12-1-090 _____ Re-subdivision of Land

For any change in a map of an approved or recorded subdivision plat, if such change affects any name, street layout shown on such map, or area reserved thereon for public use, or any lot line, or any improvements, such change(s) shall be approved by ~~the Council by~~Community Development Director or ~~designeedesignee in accordance with~~ the same procedures and

regulations as for a new subdivision. The ~~Council~~[Community Development Director or dDesignee](#) may waive these procedures for minor revisions of lot lines between two ~~(2)~~ neighboring lots in a platted subdivision when no other change of the Final Plat is involved and the two ~~(2)~~ new lots conform to all Town Codes. If lots within an approved subdivision have been sold to individual property owners, the Town may require, at the Town's discretion, signatures from all property owners within the subdivision be obtained and placed on the revised plat to be recorded. ~~(Prior code § 12-1-9)~~

Section 12-1-100 _____ Abandonment (Reversion to Acreage)

A. __—If no lots in a subdivision, for which a final map has been approved and recorded, have been sold within ~~12 thirteen (13)~~ months from the date of recordation and if all of the improvements have not been made within ~~12 thirteen (13)~~ months of recordation, the ~~Council~~[Community Development Director or dDesignee](#) may, on its own motion, hold a public hearing after notice, to determine whether the approval and recording of such final map should be revoked. Such revocation shall be in accordance with the Arizona Revised Statutes.

B. __—If no lots in a subdivision for which a final plat has been approved and recorded have been sold, the property owner(s) of all lots within a subdivision may submit an application to the ~~Community Development Director~~ [or designee](#) for Reversion to Acreage. This application shall include a survey and legal description presenting the property as reverted from the platted subdivision. Upon ~~Town Council~~[Community Development Director or dDesignee](#) approval of the reversion and recording of the new property description, the Public Works Director will determine if any posted assurances (see Section ~~12-4-050-D~~) may be released. An application fee of an amount established by the Town Council shall be paid at the time of filing. An application for revocation of all or any part of a subdivision shall be evaluated by the Community Development Department prior to any consideration by ~~Town Council~~[the — Community Development Director or dDesignee](#).

1. ~~The acreage shall be c~~[Conformance Correlation with the](#) —General Plan of the Town.
2. ~~The acreage shall have a~~[Access to all remaining parcels. Correlation with proposed development in adjacent areas.](#)

~~3. Effect of such action on nearby existing development.~~

~~4. Access to all remaining parcels.~~

C. —Any other actions applicable to the above process and permitted by State laws are permissible.

D. —Applications to abandon streets or easements shall be made pursuant to Arizona Revised Statutes and shall be carried on separately and simultaneously with any procedure to abandon a subdivision or revert it to acreage.

E. —Upon submittal of an application to abandon a subdivision and cause same to revert to acreage, staff shall distribute the request to the following for review and comment: Town Engineer, the County Assessor, County Treasurer, the County Health Department, and any utility that has facilities on the property proposed to be abandoned.

~~F. Upon receipt of reviewing comment(s), if any, the Commission shall schedule the matter for public hearing before the Commission to formulate a recommendation to the Council. (Prior code § 12-1-1)~~

Section 12-1-110 _____ Private Agreements

The provisions of these Regulations are not intended to abrogate any easement, covenants or other existing agreements which are more restrictive than the provisions of these Regulations. (Prior code § 12-1-1)

Section 12-1-120 _____ Authority and Applicability

These Regulations shall be governed by the Arizona Revised Statutes, Title 9, governing the division and platting of land pursuant thereto.

All subdivisions, minor subdivisions or minor land divisions within the Town shall comply with these Regulations. (Prior code § 12-1-1)

Section 12-1-130 _____ Jurisdiction

These Regulations apply to all subdivisions, minor subdivisions and minor land divisions within the incorporated limits of the Town of Clarkdale. ~~(Prior code § 12-1-1)~~

Section 12-1-140 _____ Prohibition Against Circumvention of Regulations

No person, firm, corporation, or other legal entity shall hereafter sell or offer for sale any lot, piece, or parcel of land which is within a subdivision as defined in Section [2-010](#) of these Regulations without first having recorded a plat thereof in accordance with the provisions of these Regulations. ~~(Prior code § 12-1-1)~~

Section 12-1-150 _____ Violations and Penalties

~~(Revised 10/25/16; Resolution 1529; Ordinance 376; Effective 10/26/16)~~

A violation of this Chapter by ~~a~~Any person, firm, corporation, or other legal entity shall be punishable under ~~Section~~[Article](#) 1-8 of this code; any violation brought as a criminal misdemeanor offense shall be a class 1 misdemeanor. ~~(Prior code § 12-1-1)~~

Section 12-1-160 _____ Subdivision Committee

A.____The "Subdivision Committee" (as defined in Section [2-010](#)) is hereby established and shall consist of the following members or their duly authorized representatives:

- 1.____Director of Community Development
- 2.____Director of Public Works and/or Utilities Departments
- ~~3. Planning Commission Chair or designee~~
- ~~34.~~____Town Engineer

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

45. __—Police Department

B. __—Representatives of other public agencies may be requested to participate ~~on a cooperative basis~~ at the request of the ~~Director of Community Development~~ Director, but shall not be members.

C. __—It shall be the duty of the ~~“Subdivision Committee”~~ to review all Minor Subdivision Plat applications.

~~D. The “Subdivision Committee” shall meet as often as necessary, pursuant to the Arizona Attorney General Opinion 75-7 regarding Open Meeting Law. (Prior code § 12-1-1)~~

Section 12-1-170 ____ Adoption of Figures

All figures within these Regulations are hereby adopted and fully incorporated herein as a part of these Regulations. ~~(Prior code § 12-1-1)~~

Section 12-1-180 ____ Processing Fee Schedule

~~All submissions shall be accompanied by a filing fee according to the fee schedule as recommended by the Commission and approved by the Council.~~

In the event ~~the Town Manager or designee~~ designee staff, ~~the Commission or the Council~~ finds it necessary to use the professional services of any person, either in their regular employ or retained outside of their regular employ, in connection with their examination, approval, inspection or acceptance of any subdivision; said services shall be paid for by the subdivider applicant. ~~The Council may approve a fee schedule that incorporates standard professional costs and in such case a subdivider may only have to pay for excessive costs and the standard fee.~~

A late fee of ~~one and 1.5%~~ one-half percent (1 ½ %) per month will be charged on all past due fees. The Final Plat will not be recorded until all fees are paid. ~~(Prior code § 12-1-1)~~

Commented [CP1]: Applicant would be better



Section 12-1-190 _____ Hardship

The ~~Commission may recommend and the Council~~Community Development Director or dDesignee may authorize ~~variances from the~~variances in terms of these Regulations, where an exceptional or extraordinary situation or condition of a tract of land causes the strict application of any regulation enacted herein to result in peculiar and exceptional practical difficulties to, or undue hardship upon the subdividerapplicant. Such variance may be given, provided such relief may be granted without detriment to the public good and without impairing intent and purposes of these Regulations. ~~(Prior code § 12-1-1)~~

Section 12-1-200 _____ Waiver for Public Purpose

~~The Commission may recommend waiver, and the Council~~Community Development Director or dDesignee may waive, any provision of these Regulations insofar as they affect a public use or purpose. No waiver may be granted unless the ~~Council~~Community Development Director or dDesignee finds that it is in the best interest of the public, without impairing the intent and purpose of these Regulations. The extent and duration of the waiver shall be stated at the time of the waiver. ~~(Prior code § 12-1-2)~~

Section 12-1-210 _____ Water Adequacy

~~(created Ordinance #314 Effective 9/12/08)~~

A. __—The ~~Common Council~~Community Development Director or dDesignee shall not approve a final plat for a subdivision, as defined in A.R.S. § 32-2101, unless one of the following applies:

1. __—The Director of the Arizona Department of Water Resources has determined that there is an adequate water supply for the subdivision pursuant to A.R.S. § 45-108, and the subdividerapplicant has included the report with the plat.
2. __—The subdividerapplicant has obtained a written commitment of water service for the subdivision from a city, town, or private water company designated as having an adequate

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

water supply by the Director of the Arizona Department of Water Resources pursuant to A.R.S. § [45-108](#).

B. __—The requirements of ~~SS~~ubsection [12-1-210](#) (A) do not apply to:

1. __—A proposed subdivision that the Director of the Arizona Department of Water Resources has determined will have an inadequate water supply pursuant to A.R.S. § [45-108](#), if the Director grants an exemption for the subdivision pursuant to A.R.S. § [45-108.2](#) and the exemption has not expired, or the Director of the Arizona Department of Water Resources grants an exemption pursuant to A.R.S. § [45-108.3](#).

2. __—A proposed subdivisions that received final plat approval from the Town before the requirement for an adequate water supply became effective in the Town, if the plat has not been materially changed since it received the final plat approval.

a. __—If changes were made to the plat after the plat received the final plat approval, the Director of the Arizona Department of Water Resources shall determine whether the changes are material.

C. __—If the ~~Council~~[Community Development Director or Designee](#) approves a final plat for a subdivision pursuant to 12-1-21 (A), the ~~Council~~[Community Development Director or Designee](#) shall note on the face of the plat that the Director of the Arizona Department of Water Resources has reported the subdivision has an adequate water supply, or the ~~subdivider~~[applicant](#) has obtained a commitment of water services for the proposed subdivision from a city, town or private water company designated as having an adequate water supply pursuant to A.R.S. § [45-108](#).

D. __—If the ~~Council~~[Community Development Director or Designee](#) approves a final plat for a subdivision pursuant to an exemption authorized by 12-1-21 (B) (2) or granted by the Director of the Arizona Department of Water Resources pursuant to A.R.S. § [45-108.2](#) or to A.R.S. § [45-108.3](#), the ~~Council~~[Community Development Director or Designee](#) shall;

1. __—Give written notice of approval to the Director of the Arizona Department of Water Resources and the Director of Environmental Quality.

2. __—Include on the face of the plat a statement describing the exemption under which the plat was approved, including a statement that the ~~Council~~[Community Development Director or Designee](#) or the Director of the Arizona Department of Water

Resources, whichever applies, has determined that the specific conditions of the exemption were met.

3. —If the Director of the Arizona Department of Water Resources subsequently informs the ~~Council~~[Community Development Director or Designee](#) that the subdivision is being served by a water provider that has been designated by the Director as having an adequate water supply pursuant to A.R.S. to A.R.S. § [45-108](#), the ~~Council~~[Community Development Director or Designee](#) shall record in the County Recorder's office a statement disclosing the fact. ~~(Prior code § 12-1-2)~~

Article 12-2

DEFINITIONS

~~(Repealed by Ordinance #428)~~

~~Section~~Article 12-3

SUBDIVISION DESIGN PRINCIPLES AND STANDARDS

- 12-3-010 General**
- 12-3-020 Reservation of Land for Public Use**
- 12-3-030 Landscape Requirements**
- 12-3-040 Street Location and Arrangement**
- 12-3-050 Dedicated Access**
- 12-3-060 Street Classification**
- 12-3-070 Block Design**
- 12-3-080 Lot Planning**
- 12-3-090 Street Naming**
- 12-3-100 Easement Planning**
- 12-3-110 Condominium Development-Air Rights Planning**

Section 12-3-010 General

The provisions of this Section shall apply to all subdivisions which are located wholly or partially within the Town of Clarkdale. Every subdivision shall conform to the goals and objectives of the General Plan, the Zoning Code, the Town Code, and the Arizona Revised Statutes, and, to the greatest degree possible, the following goals:

A. ~~Ensure~~ ~~adequate traffic circulation in~~ ~~conformance with adopted transportation plans;~~ through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, and public facilities;

B. ~~to promote development that~~ ~~incorporate~~ ~~s~~ multimodal transportation options;

~~to protect significant, as determined by the Town, natural areas and scenic assets;~~

~~to achieve individual property lots of reasonable utility and livability;~~

C. ~~to~~ ~~Secure~~ adequate provisions for water supply, drainage, sanitary sewers, ~~that conform to adopted engineering and sanitation standards;~~ and other health requirements;

D. ~~to encourage projects that~~ ~~incorporate~~ ~~efficient uses of~~ renewable energy sources, including but not limited to, solar, geothermal and wind;

E. ~~to provide appropriate~~ ~~ensure consideration for adequate~~ sites for schools, recreation areas, and other public facilities;

F. ~~Require to promote the~~ conveyance of land by accurate legal description; ~~and to provide the logical procedures for the achievement of this purpose;~~

~~to minimize detrimental impacts to the environment by encouraging site designs that protect and enhance the natural features and environmental quality of a site;~~

~~to encourage landscaping that limits water and energy use and preserves existing natural vegetation;~~

G. ~~to encourage the~~ ~~preserve~~ ~~ation of~~ existing wildlife habitat; ~~and~~

H. ~~to encourage the~~ substitution of effluent for potable water when possible.

All construction and repair of public facilities and private roads shall be accomplished in accordance with the standards adopted by the Town of Clarkdale. Additionally, all traffic control devices shall be placed in accordance with the latest edition of the Manual of Uniform Traffic Control Devices as adopted by the Arizona Department of Transportation.

~~Subdivision designs that promote the preservation of natural features, unique vegetation, historical sites and archeological sites are encouraged and may be required. (Prior code § 12-3-1)~~

Section 12-3-020 _____ Reservation of Land for Public Use

Where the tract of land to be subdivided contains all or any part of the site of a park, school, flood control facility, or other public area as shown on the General Plan, or as recommended by the ~~Commission~~Community Development Director or ~~Designee~~designee, such site shall be dedicated to the public or reserved for acquisition by the public within ~~one~~ ~~one~~ (1) year after recording the Final Plat unless a different timeline is agreed upon in the subdivision or development agreement. An agreement ~~shall~~ ~~should~~ be reached between the ~~subdivider~~applicant and the appropriate public agency regarding time, method and cost of such acquisition. If the public agency for whose benefit, an area has been reserved does not exercise the reservation agreement set forth in this Section by agreeing to a timetable for development and dedication of the reserved land within such ~~one~~ ~~one~~ (1) year period or such extended period as may be mutually agreed upon by such public agency and the ~~subdivider~~applicant, the reservation of such area shall terminate. (Prior code § 12-3-2)

Section 12-3-030 _____ Landscape Requirements

Subdivision ~~l~~Landscaping shall meet the requirements of Chapter ~~9~~ ~~Nine~~ Landscape Design Standards of the Town of Clarkdale Zoning Code. ~~Specifically, landscaping for subdivisions should include the following elements:~~

~~A. Use of site design that retains and directs rainwater to landscape areas.~~

~~B. Retention, to the greatest extent practical, of existing natural trees and shrubs on the site.~~

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

~~C. Transplanting of existing native vegetation that cannot be retained into new landscape area.~~

~~D. Use of an effective irrigation system that senses soil moisture.~~

~~E. Design of irrigation system that avoids overspray and overflow.~~

~~F. A target shut-off date for the irrigation system. (Prior code 5-12-3-3)~~

Section 12-3-040 _____ Street Location and Arrangement

A. _____ Whenever a tract to be subdivided embraces any part of a street designated in the adopted Town General Plan, Street Plan, Trail Plan, or Circulation Plan, such streets, bicycle ways, pedestrian ways and trails shall be platted in conformance therewith.

B. _____ Street layout shall provide for the continuation of such streets as the Subdivision Committee and/or the ~~Commission~~Community Development Director or Designee~~designee~~ may designate.

C. _____ The street patterns in the land development shall not landlock adjacent property nor prevent access to public land.

D. _____ Whenever a tract to be subdivided is located within an area for which a Neighborhood Plan has been approved, the street arrangement shall conform substantially to said plan.

E. _____ Proposed collector streets shall be extended to the tract boundary to provide future connection with adjoining un-platted lands, or existing collector streets.

F. _____ Residential streets, other than designated collector streets, shall be so arranged as to discourage through traffic.

G. _____ Where a subdivision abuts or contains the right-of-way of a drainage way, an irrigation ditch, a railroad right-of-way, or abuts a commercial or industrial land use, the ~~Director and Commission~~Community Development Director or Designee~~designee~~ may require the location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for appropriate use of intervening land. Such distance shall be determined in conformance with

~~regulations governing with due regard for~~ approach grades, drainage, bridges or future grade separations.

H. __—Streets shall be so arranged in relation to existing topography as to ~~produce desirable lots of maximum utility and streets of reasonable gradient, and to~~ facilitate adequate drainage.

I. __—Alleys shall be required in all commercial and industrial subdivisions unless the Subdivision Committee and the ~~Commission~~Community Development Director or Designee~~Designee~~ recommend waiving this requirement. Alleys may be required in residential subdivisions if the Subdivision Committee and the ~~Commission~~Community Development Director or Designee~~Designee~~ recommend that alleys be required to complete an existing pattern or to provide secondary access to adjacent properties or service.

J. __—Half-streets shall be discouraged, except where necessary, to provide right-of-way required by the adopted Town Circulation Plan, to complete a street pattern already begun, or to ensure reasonable development of ~~a number of several~~ adjoining parcels. Where there ~~existsexists~~, a platted half-street abutting the tract to be subdivided, the remaining half shall be platted within the tract.

K. __—Street patterns that provide multiple accesses to the subdivision are encouraged and may be required by the Committee, ~~Commission~~Community Development Director or Designee~~Designee~~ and/or the ~~Council~~Community Development Director or Designee~~Designee~~.
(Prior code § 12-3-4)

Section 12-3-050 ____ Dedicated Access

A. __—Each subdivision shall provide for adequate traffic circulation ~~using based on~~ the Average Daily Traffic (ADT) and classification system in Section 12-3-060 of these Regulations.

B. __—Where private streets are approved, the plat, the deed restrictions and the Homeowner's Association by-laws shall contain statements declaring these streets to be private and remaining the permanent responsibility of the Homeowner's Association. Such private streets are subject to an easement authorizing use by emergency and public service vehicles.

C. __—Cul-de-sac streets shall not be any longer than ~~600 six hundred feet (600)~~. The Director and the ~~Commission~~Community Development Director or Designee~~Designee~~ may recommend

Commented [CP2]: What director?

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

approval of a longer cul-de-sac if the topography, adjacent platting or other unusual conditions justify the exception.

D. —Cul-de-sac streets shall terminate in a circular right-of-way, ~~50 fifty feet (50')~~ in radius, with an improved traffic turning circle of a minimum ~~40 forty feet (40')~~ in radius.

E. —Acute angle intersections and intersections on the inside of a horizontal curve are prohibited, unless otherwise approved by the Town Engineer.

F. —Street designs shall meet the criteria of Chapter 12, Figure 2 ~~—(Street Classification and Minimum Design Standards)~~ and Figure 3 ~~—(Street Curve and Design Data)~~.

G. —Dead-end streets will not be approved except in locations designated by the Subdivision Committee and ~~Commission~~Community Development Director or Designee as necessary to future extension in development of adjacent lands. In any case, a dead-end street serving more than four ~~(4)~~ lots shall provide, by easement, a temporary turning circle with a ~~40 forty~~ foot ~~(40')~~ radius or other acceptable design to accomplish adequate access.

H. —At street intersections, property line corner shall be rounded by circular arc, said arc to be the corner cut-off minimum from figure 4.

I. —At the intersection of two ~~(2)~~ streets of different classification, the corner cut-off dimension and curb return radius of the wider street shall be used.

J. —Vertical curbs shall be required on the downhill side of streets having grades of ~~6% six percent (6%)~~ or greater.

K. —The maximum street grade is not to exceed ~~12% twelve percent (12%)~~

L. —No subdivision shall be approved without dedicated legal access to a collector street.
(Revised by Ordinance #428 on 12/10/24; effective 1/20/25; prior code § 12-3-5)

Section 12-3-060 Street Classification

~~A. Streets will be classified in a street hierarchy system with design tailored to function as shown in Chapter 12, Figure 2.~~

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

AB. __—The street hierarchy system shall be defined by use and Average Daily Traffic (ADT) rates calculated by average trip generation rates prepared by the Institute of Transportation Engineers, as indicated in Chapter 12, Figure 1. The ~~subdivider~~applicant may use another approved method if it can be demonstrated to better reflect local conditions.

CB. __—The ~~subdivider~~applicant will demonstrate to the ~~Commission~~Community Development Director or Designee that no street shall exceed the maximum ADT's of Figure 2.

CD. __—Rural street designs may be used only in residential areas developed with a minimum lot size of ~~20,000~~ twenty thousand (20,000) square feet.

E. __—See Exhibits A-G for street design standards (Prior code § 12-3-6)

Section 12-3-070 _____ Block Design

A. __—Maximum length of blocks measured along the centerline of the street, and between intersecting street center lines, is ~~twelve hundred feet (1,200'), 1200 feet~~, except ~~that~~ in a development with lot areas averaging ~~1.5 one-half (½) acres~~ or more, ~~or where conditions warrant~~, this maximum may be exceeded by ~~500 feet. five hundred feet (500')~~. Blocks ~~length~~ shall ~~be designed to meet~~ be as long as reasonably possible under the circumstances within the above maximums and adopted engineering standards. ~~in order to achieve depth and possible street economy and to reduce the expense and safety hazard arising from excessive street intersections.~~

B. __—Pedestrian ~~or~~ /bicycle ways with right-of-way widths ~~of a minimum of eight to twelve feet (8'-12') 8 feet~~ may be required where essential for circulation or access to schools, playgrounds, shopping centers, public land, transportation and other community facilities. Pedestrian ~~or~~ /bicycle ways may also be used for utility and drainage purposes if so noted on the plat and approved by the ~~Commission~~Community Development Director or Designee and the Town Engineer. ~~(Prior code § 12-3-7)~~

Section 12-3-080 _____ Lot Planning

A. ___—Lot width, depth, frontage, area, lot coverage, floor area ratio and building setbacks shall comply with the minimum requirements of the Zoning Code, ~~and shall be appropriate for the location and character of the development proposed, and for the type and extent of street and utility improvements being installed~~ shall comply with the minimum requirements of the Zoning Code. Where steep topography, unusual soil conditions, or drainage problems exist or prevail, ~~variances to adopted development special lot width, depth and area standards may be considered. Innovative development approaches such as clustered or planned development may be explored in the interest of producing unique, environmentally sensitive projects.~~

B. ___—Lands that are subject to periodic inundation, subsidence of the earth's surface, high water table, adverse topography, adverse soils, or other natural or manmade hazards to life or property shall be excluded from subdivision unless it can be substantiated by the ~~subdivider applicant~~ that proposed lot configurations and sizes, grading and drainage techniques, or other special development approaches ~~are provided as deemed reasonable and necessary to protect the public health, safety, or general welfare on any lands to be subdivided affected by such characteristics, are satisfactory.~~

C. ___—The ~~Council~~ Community Development Director or Designee may approve subdivision of such land upon receipt of written evidence from the Town Engineer, the County Flood Control District and State and County Health Authorities that the construction of specific improvements ~~can be expected to will~~ render the land suitable; thereafter, construction upon such land shall be prohibited until specified improvements have been planned and the construction guaranteed.

D. ___—Side lot lines shall be substantially at right angles or radial to street lines, except where ~~adverse terrain makes such design impractical, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the requirement to use of said lot lines will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district.~~

E. ___—All lots shall have frontage as required by the appropriate zoning district on a fully dedicated public or private street.

F. __—Single-family lots on curvilinear streets shall have rear lot lines consisting of a series of straight lines with points of deflection occurring only at the junction of side or rear lot lines unless otherwise approved.

G. __—Corner lots may ~~be required to be~~ wider than interior lots to provide for setback requirements.

H. __—Single-family residential lots extending through the block and having frontage on two ~~(2)~~ parallel local streets is prohibited.

I. __—Residential lots shall not be accessible from collector or arterial streets.

~~J. __—Lots with good solar orientation are encouraged. (Prior code § 12-3-8)~~

Section 12-3-090 _____ Street Naming

New street names shall not ~~duplicate be duplicated~~ or be similar to those already in existence ~~in, in~~ or within ~~3 three (3)~~ miles of the Town. Where streets are continuations of existing streets, the name of the existing street shall be used. Proposed street names will be reviewed ~~by the~~ Director and ~~must be~~ approved by the ~~Commission~~ Community Development Director or ~~Designee~~ designee and Yavapai County Addressing Division. ~~(Prior code § 12-3-9)~~

Section 12-3-100 Easement Planning

A. __—Easements for utilities shall be provided ~~as necessary to~~ ~~en~~ assure the provision of services to each lot.

1. __—The developer will provide ~~to~~ the Director written documentation of approval by the utilities with respect to easements.

B. __—Drainage easements shall be provided to the satisfaction of the Town Engineer and the County Flood Control District. In no case shall drainage easements be less than ~~20 feet twenty feet (20')~~ in width. ~~Such easements shall not necessarily prohibit construction over drainage ways as long as required flows are maintained.~~

C. __—Easements necessary to assure non-motorized access to adjacent public lands ~~are may be~~ required, ~~to the satisfaction of the Commission.~~ Such easement shall not exceed ~~10 feet ten-~~ ~~feet (10')~~ in width, ~~and shall be located so as to not preclude reasonable development.~~

D. __—Where alleys are provided, ~~a sufficiently sized refuse container an~~ easement ~~sized to the~~ ~~refuse container~~ may be required as determined by the ~~Community Development~~ Director ~~or~~ ~~designee.~~

E. __—~~Based on adopted engineering standards, i~~ Increased right-of-way widths and slope easements may be required by the Town Engineer, ~~if drainage calculations show the need.~~
(Prior code § 12-3-10)

Section 12-3-110 _____ Condominium Development-Air Rights Planning

A. __—The processing of subdivision plats for condominium developments shall follow procedures set forth in these Regulations for the processing of land subdivision plats.

B. __—In addition to the requirements of the above, all plats for condominium subdivisions shall include:

1. __—All building locations.
2. __—All private access ways, driveways and parking areas.
3. __—Designation of all commonly-owned property, including that within buildings.

C. __—Final Plats for condominiums shall be recorded prior to the issuance of a building permit.

D. __—Preliminary Plats for the conversion of conventional apartments to condominiums shall show:

1. __—Firewall construction ~~as, if~~ required by ~~adopted building and fire codes,~~ ~~the Director or the Commission.~~
2. __—Additional parking, if required by ~~the Chapter 4 - ,~~ ~~General Provisions,~~ ~~Director or the Commission.~~

3. —Additional open space ~~as, if~~ required by ~~the development standards of the applicable zoning district, the Director or the Commission.~~
4. —Location of individual utilities lines and meters, ~~if needed.~~ ~~(Prior code § 12-3-11)~~

Article ~~Section~~ 12-4

SUBDIVISION PLATTING PROCEDURES AND REQUIREMENTS

- 12-4-010 Outline of Subdivision Procedures**
- 12-4-020 Stage I - Pre-Application Conference**
- 12-4-030 Stage II - Preliminary Plat**
- 12-4-040 Stage III - Subdivision Technical Review**
- 12-4-050 Stage IV - Final Plat, Recording and Post Approval**

Section 12-4-010 —Outline of Subdivision Procedures

The preparation, submittal, review and approval of all subdivision plats located ~~in~~within the Town limits ~~shall conform~~shall conform to the following requirements and processes. s-
~~proceed through the following progressive stages.~~ A deposit toward potential outside consultant fees incurred by the Town in the processing and review of an application shall be required per Section 3-5 of the Town Code. ~~(Revised by Ordinance #364. Approved 8/12/14; Effective 9/12/14)~~

- A. —Stage I Pre-Application Conference
- B. —Stage II Preliminary Plat
- C. —Stage III Technical Review
- D. —Stage IV Final Plat, Recording and Post Approval

The process for completing these stages varies depending on the type of subdivision, determined by the number of new parcels being created.

Type	Subdivision 10 lots or more	Minor Subdivision 4 – 10 lots	Minor Land Division 2-3 lots
Stage I Preapplication Conference	Required Section 12-4-020	Required Section 12-5-020	Required Section 12-6-050
Stage II Preliminary Plat	Required- Public Hearing by Planning Commission and Town Council Community Development Director or Designee Section 12-4-030	Required- Reviewed by Subdivision Committee, Approved by Town Council Community Development Director or designee Section 12-5-030	Survey from a State of Arizona registered land surveyor. Section 12-6-040
Stage III Technical Review	Required Section 12-4-040	Required Section 12-5-040	Not required
Stage IV Final Plat, Recording and Post Approval	Required Section 12-4-050	Required Section 12-4-050	Required within 60 days of approval. Section 12-6-050-E

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

(Prior code § 12-4-1)

Section 12-4-020 _____ Stage I - Pre-Application Conference

A. ____—The “Pre-Application Conference” ~~stage of subdivision planning~~ comprises an investigatory period which precedes actual preparation of preliminary plans by the ~~subdividerapplicant~~. During this stage the ~~subdividerapplicant~~ makes intentions know to the Town and is advised of specific ~~requirements, public objectives~~ related to the subject tract and other details regarding platting procedures and requirements.

B. ____—Actions by the ~~subdividerApplicant~~

÷ The ~~subdividerapplicant~~ shall meet informally with the Community Development Department to present a general outline of the proposal, including but not limited to:

1. ____—Two ~~(2)~~ paper copies and one electronic copy of the sketch plans that includes: the name of the development, location by Section, Township and Range with reference to section corners and quarter corners, land use, street and lot arrangement, tentative lot sizes, existing improvements, major washes and drainage ways, known flood hazards, generalized land use in the vicinity, documented historical or archeological resources, and proposed bikeways, trails, open space, parks, and recreation facilities.
2. ____—Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.
3. ____—Information regarding legal problems which are associated with the property, if any.

C. ____—Actions by Community Development Department (CDD)

÷ The CDD will discuss the proposal with the ~~subdividerapplicant~~ and advise him ~~or /her~~ ~~of on~~ procedural steps, design and improvement standards, and general plat requirements. ~~Then~~ Then, depending on the scope of the proposed development, the CDD will proceed with the following investigations:

1. ____—Check existing zoning of the tract and make recommendations if a zoning change is necessary or desirable.

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

2. __—Determine the adequacy of existing or proposed schools, parks and other public places.

3. __—Inspect the site or otherwise determine the relationship to major streets, utility systems, and adjacent land uses and ~~to-determinedetermine~~ any unusual problems such as topography, utilities, flooding, etc.

D. __—Upon the conclusion of Stage I activities, the ~~subdividerapplicant~~ shall prepare a Memorandum of Understanding. It shall be formally acknowledged in writing by all parties. The Memorandum of Understanding shall include all items discussed. ~~(Prior code § 12-4-2)~~

Section 12-4-030 ~~_____~~ Stage II - Preliminary Plat

The Preliminary Plat stage of a subdivision includes detailed subdivision planning, submittal, review and approval of the Preliminary Plat. To avoid delay in processing this application, the ~~subdividerapplicant~~ shall provide the Town with all information ~~required to determine conformance with adopted codes and regulations. essential to determine the character and general acceptability of the proposed development.~~

Any furtherance of pre-development activity engaged in, by, or on behalf of the ~~applicant developer~~ while an application for zoning amendment or variance is pending, shall in no instance be construed as having been undertaken in reliance of a favorable determination of such application, notwithstanding the nature of the recommendation on the matter of the Director of Community Development.

A. __—ZoningONING:

The subdivision shall be designed to meet the specific requirements of the zoning district within which it is located. However, in the event that rezoning is deemed necessary, such as in the case of a Planned Area Development (PAD), the rezoning shall be initiated by the property owner or an authorized agent, and be heard and considered by the Commission and Council (see the Town of Clarkdale Zoning Code, Chapter 13, Section 13-020, for procedures regarding zoning changes). Any change in zoning or site plan approval required in relation to approval of the Preliminary Plat shall have been approved by the Council before the recommendation of approval of the Preliminary Plat by the ~~CommissionCommunity Development Director or Designeedesignee.~~

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

B. —Sanitary Sewage, Refuse Disposal ~~a~~And Water Supply:

As a prerequisite to Preliminary Plat review, the ~~subdivider~~applicant shall have informed all pertinent regulatory agencies of the tentative plans and the ~~subdivider~~applicant shall become informed of the general requirements for sewage disposal, water supply and refuse disposal which may apply to the property.

C. —Owner's Authorization:

If the applicant is not the legal owner of the property to be subdivided, said applicant shall, before filing the plat, obtain and submit notarized written consent to act ~~in on~~ behalf of the legal owner(s) as the ~~subdivider~~applicant.

D. —Preliminary Plat Submission:

1. —Two ~~(2)~~ 24 twenty-four inch by ~~36 thirty-six~~ inch ~~_(24" x 36")~~ copies of the Preliminary Plat and required supporting data, prepared in accordance with requirements set forth in Section 12-4-040-E of these Regulations, and one ~~(1)~~ digital copy of all materials shall be filed with the ~~Director of Community Development at least sixty (60) days prior to the Commission~~Community Development Director or Designee~~designee, meeting at which the subdivider desires to be reviewed. Copies of the Preliminary Plat shall be reproduced in the form of blue line or black line prints on a white background. Scheduling of the case for Commission Review of the Preliminary Plan by Community Development Director or Designee~~designee, ; and other departments and agencies having jurisdiction ~~review~~ shall be dependent upon adequacy of data presented and completion of processing. ~~The review, and~~ shall occur within ~~60 sixty~~ (60) days of date of submission.

2. —~~Fee~~: A Preliminary Plat fee, as adopted by the Council, shall be paid by the applicant prior to the acceptance of the Preliminary Plat. The filing fee shall also cover filing of an amended or revised Preliminary Plat handled as the same case. If preliminary approval expires prior to application for final approval, the plat shall be re-submitted for preliminary approval as a new case and the ~~subdivider~~applicant shall pay the required fees.

3. —The submittal shall ~~be reviewed be checked~~ by the ~~Director of~~ Community Development ~~Director or designee~~designee and all other departments and agencies having jurisdiction to determine conformance for content in accordance with requirements set forth in Section 12-4-040-E of these Regulations. If incomplete, the ~~subdivider~~applicant will

be notified within ~~one~~ week of receipt and given the opportunity to comply. Upon determination ~~that~~ the application is complete, a case number will be assigned and the applicant will be notified in writing of the acceptance, ~~and place the case on the Planning Commission agenda for review and public hearing no sooner than fifteen (15) days or no later than forty-six (46) days after acceptance of the Preliminary Plat application. Notice of a public hearing shall be given not less than fifteen (15) days nor more than thirty (30) days prior to the date of the hearing as specified in Section 12-4-030-D-4i, posting the subject property, and mailing notification to all persons whose names appear on the latest adopted county tax roll as owning property within three hundred feet (300') of the exterior boundaries of the subdivision that is the subject of the hearing.~~

4. ~~—~~ The Subdivision Committee shall meet within 15 business days of the approval of the complete application and provide review comments to the Community Development Director or designee. Written comments shall be provided to the applicant for correction. ~~Notice of the required public hearing shall be published in a newspaper of general circulation, in a "display ad" covering not less than one-eighth (1/8) of a page, and include a minimum of a four inch by four inch (4"x 4") copy of the Preliminary Plat and the statement "a copy of the staff recommendations regarding this proposed subdivision will be available on (date) for the public's review".~~

E. ~~—~~ Form Of Presentation ~~f~~For Preliminary Plat:

The information hereafter required as part of the Preliminary Plat submittal shall be shown graphically, or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale. The scale shall not be smaller than one inch equals ~~100 one-~~ hundred feet ~~(1" = 100')~~.

All Preliminary Plat submittals shall include the following:

1. ~~—~~ Letter of intent from the ~~applicant developer~~ describing the subdivision and proposed name of subdivision and its location by Section, Township and Range, reference by dimension and bearing to an acceptable government section or quarter-section corner. The proposed subdivision name shall not duplicate any other recorded plat in Clarkdale or adjacent communities.

2. __—Name, address, email address and telephone number of the owner of record of the property, and of the applicant, if not the owner of record.
3. __—A copy of the title paperwork for the property.
4. __—Name, title, address, email address and telephone number of engineering, land planning, surveying, architectural firm, or individual preparing the plat.
5. __—Name, book and page number of any recorded subdivision adjacent to or having common boundaries with this plat.
6. __—Scale (written and bar graph), north point and date of preparation including dates of any subsequent revision.
7. __—Total subdivision acreage and dimensions. Do not include previously dedicated rights-of-way in this figure.
8. __—Fully dimensioned boundary lines.
9. __—A vicinity map which shows the relationship of the proposed subdivision to dedicated ~~right-of-ways~~rights-of-way and any other facilities and developments which locate the subdivision. This map may be on the Preliminary Plat, but, if it is not practical, then a separate map showing title, scale, north point and date shall be provided.
10. __—Names, locations and widths of adjacent streets, highways, ways, railroads and utility easements including streets and rights-of-way providing legal dedicated right-of-way access to the property.
11. __—Location, names, areas, width, proposed grade curve, super elevations, sight distances, and radii for all streets, highways and ways in the proposed subdivision and off-site, if required, to provide adequate access to the subdivision. Include connections to adjoining platted tracts, public lands and streets contained therein.
12. __—The width and approximate locations of all existing or proposed public or private easements or rights-of-way for streets, ways, trails, drainage, sewers, public utilities, flood control purposes, access to adjacent public land, or other community facilities.

13. __—Typical lot dimensions (scaled); dimensions of all corner lots, all lots of more than four ~~(4)~~ sides and lots of curvilinear sections of streets; each lot numbered individually and consecutively; total number of lots or dwelling units.

14. __—Designations of all land to be dedicated or reserved for public use with use indicated, including land reserved for parks, recreational facilities, school sites, and fires stations pursuant to A.R.S. 9.463.01.0.

15. __—Area of all lots and parcels not for single-family residential use, in acres. The area of all single-family residential lots in square feet if under or equal to one ~~(1)~~ acre in size, or in acres, if the lots are over one ~~(1)~~ acre in size.

16. __—A report by a sanitary engineer describing proposed wastewater disposal.

17. Locations, elevations, and sizes of culverts, storm drains and detention facilities. This information shall be accompanied by a hydrologic and hydraulic analysis, which meets the criteria set forth in the most recent Yavapai County Flood Control District Storm Water Detention Material and Drainage Criteria Manual.

18. __—The locations of floodway and floodplain boundaries and base flood elevations as determined ~~only~~ Federal Emergency Management Agency (FEMA) Flood Maps and the location of other water courses and land subject to inundation or flood hazard.

19. __—Engineer's calculations and estimated values for each tributary of storm runoff for a ~~25~~ twenty-five (25) year and ~~100~~ one hundred (100) year frequency storms as specified in the Yavapai County Flood Control District Ordinance. The values shall be indicated along the boundary of the plat for all points of drainage entering and leaving the property.

20. __—Proposed cut and fill areas showing original and proposed grade levels with elevations and contours.

21. __—Proposed use of all lots, tracts or parcels within the subdivision.

22. __—Location and dimensions of all existing or proposed structures, walls, fences, irrigation ditches, water wells, pipelines, utilities, and other physical features. Plat shall indicate which improvements are to remain, be altered or removed.

23. __—Letters of serviceability for all utilities proposed to service the subdivision.

24. __—Contour intervals shall be such as to adequately reflect the character and drainage of the land.

25. __—School or park sites that may be required.

26. __—The zoning of all adjacent land.

27. __—Any deed restrictions or covenants and property owners association agreements to be or presently imposed upon the plat or any part thereof.

28. __—A Phase II County Flood Control Report.

F. __—PRELIMINARY PLAT REVIEW:

1. __—The ~~Director of~~ Community Development Director shall distribute copies of the plat to the following:

a. __—The Town Manager, Town Engineer, Police Chief, Director of Public Works and/or Utilities Departments, Fire District Chief and Building Official for ~~the~~ overall review and recommendations.

b. __—The Yavapai County Flood Control District for review of flood control and drainage measures.

c. __—The Yavapai County Environmental Services Department for review of sewage disposal proposal.

d. __—Representatives of local utilities for review.

e. __—When ~~re~~ the land abuts a ~~s~~State ~~h~~Highway, to the Arizona Department of Transportation for recommendations regarding right-of-way and intersection design.

2. __—The reviewers may transmit their recommendations to the Director in writing or verbally. The ~~Director of~~ Community Development Director will then summarize the recommendations, prepare a report and present it to the Subdivision Committee.
Commission.

G. __—Responsibilities ~~o~~Of ~~t~~The COMMISSIONCommunity Development Director ~~o~~Or
DESIGNEEDesignee:

The ~~Commission~~Community Development Director or Designee shall recommend for approval, conditional approval or denial of the Preliminary Plat as proposed after considering the recommendations and findings of the ~~Subdivision Committee~~ Director of Community Development and all other appropriate agencies having jurisdiction, and testimony of the applicant, interested individuals and the public present during at least one (1) public meeting.

1. ~~Recommendation for Approval~~ by the ~~Commission~~Community Development Director or Designee shall be based on the following findings:

- a. ~~The proposed subdivision conforms to the adopted General Plan goals, objectives and policies of the Town.~~
- b. ~~The proposed subdivision, as reviewed and approved, will not be detrimental to the public's health, safety, and general welfare.~~
- c. ~~Environmental concerns conform to adopted standards.~~
- d. ~~The design of the proposed subdivision conforms to adopted engineering standards. is sensitive to the physical characteristics of the site.~~
- e. ~~The proposed subdivision is consistent with provisions and intents of the~~ Zoning Code requirements applicable to the property.
- f. ~~The proposed subdivision conforms to the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.~~

2. ~~After recommending approval, the Commission will notify the Town Clerk to schedule a public hearing on the matter before the Council, no sooner than twenty-one (21) days nor later than forty-six (46) days after the date of the Commission's action.~~

3. ~~If the Preliminary Plat is generally acceptable but requires minor revision(s), the Commission shall recommend for conditional approval with the required revisions being noted in the meeting minutes. The Commission will forward a copy of the minutes with the copies of the Preliminary Plat to the Council.~~

4. ~~If the Commission finds that the Preliminary Plat requires major revision, the case shall be held over pending revision, re-submittal, processing and rescheduling for review.~~

H. ~~___~~—Appeals:

If the ~~Commission~~Community Development Director or ~~Designee~~designee finds that the Preliminary Plat does not meet the requirements of these Subdivision Regulations, the ~~subdivider~~applicant may appeal this decision to the ~~Board of Adjustment with the following stipulation~~se ~~Town Manager or designee~~ Council.

1. ~~___~~—All appeals shall be made in writing and filed with the ~~Town Clerk, Manager's office~~ Council with a copy also filed with the ~~Commission~~, setting forth the particulars and the reasons for the appeal.
2. ~~___~~—Appeals must be made within ~~30~~thirty (30) days from the date of the findings of the ~~Commission~~Community Development Director or ~~Designee~~designee.
3. ~~___~~—The ~~Board of Adjustment~~ ~~Town Manager or designee~~ Council will hear such cases for appeal shall render a decision no later than ~~30~~thirty (30) days after ~~the~~ appeal is taken.
4. ~~___~~—The ~~Board of Adjustment~~ ~~Town Manager or designee~~ Council shall decide appeals wherein it is alleged by the ~~subdivider~~applicant that there is error in any order, requirement, decision, grant or refusal made by the ~~Commission~~Community Development Director or ~~Designee~~designee, Subdivision Committee, ~~___~~ or any official in the administration of these Regulations.
5. ~~___~~—The ~~Town Manager or designee~~Board of Adjustment Council shall approve, disapprove or approve with modifications ~~the appeal, upon appeal or recommendation of the Commission in specific cases, such variations as will not be contrary to the public interest, where according to special conditions a literal enforcement of these Regulations will result in unnecessary hardship, so that the spirit of these Regulations shall be observed and substantial justice done.~~

I. ~~___~~—PUBLIC HEARING BEFORE THE COUNCIL AND NOTICE:

The Council shall hold at least one (1) public hearing on each Preliminary Plat. Said hearing shall commence within forty-six (46) days of the date that the Commission made a recommendation to the Council on the Preliminary Plat. Notice of a public hearing shall be given not less than fifteen (15) days nor more than thirty (30) days prior to the date of the hearing, by publication in a newspaper of general circulation, posting the subject property, and mailing notification to all persons whose names appear on the latest adopted county tax roll as owning property within

three hundred feet (300') of the exterior boundaries of the subdivision that is the subject of the hearing.

J. —Responsibilities ~~oOf t~~The ~~COUNCIL~~Community Development Director ~~oOr~~ ~~DESIGNEE~~Designee:

The ~~Council~~Community Development Director or ~~Designee~~designee shall approve, conditionally approve or deny the Preliminary Plat as proposed after considering the recommendations and findings of ~~the Commission, the Subdivision Committee, the Director of Community Development~~ and all other ~~appropriate~~ agencies ~~having jurisdiction,~~ and testimony of the applicant, interested individuals and the public. ~~Council~~The ~~Community Development Director~~ or ~~Designee~~designee's action shall be based on its findings of fact and conclusion. ~~The application, the Commission's recommendation, the subdivider's presentation, staff reports, public testimony and other information provided at the Council's public hearing may all be part of the Council's findings of fact and conclusion. If the Council is unable to make a determination because additional consideration is necessary, the Council may continue the Preliminary Plat application to its next regularly scheduled public meeting or such other properly noticed public meeting as agreed between the Council and the applicant. At the discretion of the Council, the plat may be given preliminary approval by the Director of Community Development when the Preliminary Plat has been satisfactorily revised in accordance with the stated conditions and reviewed by the Director of Community Development. If the Council requires major changes including, but not limited to changes in street layout, lot size, access to the subdivision, easements or public improvements, then the Preliminary Plat will be returned to the Commission for recommendation at their next regularly scheduled meeting, prior to approval by the Council.~~

K. —~~COUNCIL~~Community Development Director ~~oOr~~ ~~DESIGNEE~~Designee Rejection:

If the Preliminary Plat is rejected, the new filing of a plat for the same tract, or any part thereof, shall follow the aforementioned procedure and be subject to the required fee.

L. —Significance ~~oOf~~ Preliminary Plat Approval:

~~Preliminary a~~Approval ~~of the Preliminary Plat~~ constitutes authorization for the ~~subdivider~~applicant to proceed with preparation of the engineering plans and specifications for public improvements ~~,~~ and ~~Preliminary approval~~ is based upon the following terms:

1. __—The basic considerations under which approval of the Preliminary Plat is granted will not be changed prior to the expiration date of Preliminary Plat approval.

2. __—Approval is valid for a period of two ~~(2)~~ years from the date of ~~the Council~~Community Development Director or Designee~~designee's~~ ~~action~~approval. Requests can be made for one ~~(1)~~-year extensions up to a total of not more than three ~~(3)~~ years from the original date of approval. Extensions of the Preliminary Plat approval may be granted by the Community Development Director or designee~~designee~~ upon receipt of a letter from the subdivider~~applicant~~ before the expiration date.

3. __—Preliminary Plat approval, in itself does not assure final acceptance of streets for dedication or continuation of existing zoning requirements for the tract or its environs. It does not constitute authorization to record the plat. ~~(Revised by Ordinance #428 on 12/10/24; effective 1/20/25; prior code § 12-4-3)~~

Section 12-4-040 ____ Stage III - Subdivision Technical Review

The “Technical Review” stage is designed for the Town Engineer to approve all details of the engineering plans and specifications for public improvements before recommending the subdivider~~applicant~~ proceed with Final Plat procedures.

A. __—Submittal for Technical Review shall be made to the Town Engineer with one copy to the Director of Community Development. The submittal shall be checked by the Town Engineer for content in accordance with requirements set forth in Section 12-4-050-B of these Regulations and for substantial conformity with the approved Preliminary Plat. Whether complete, incomplete or non-conforming with the approved Preliminary Plat the subdivider~~applicant~~ will be notified within 15 ~~fifteen (15)~~ days of receipt of submittal and given the opportunity to comply.

B. __—Submittal requirements: The following information is required for Technical Review submittal and shall be shown graphically, by note, or by letter, and may consist of several sheets showing various elements of the required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, adjusted to produce an overall drawing of — 24 inches by 36 inch~~twenty-four inch by thirty-six inch (24" x 36")~~. The applicant may use more than one ~~(1)~~ sheet if necessary, using one ~~(1)~~ of the standard engineering scales. The scale

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

shall ~~not be~~ ~~be not~~ less than one inch equals one hundred feet (~~1" = 100'~~) providing sufficient detail to illustrate the ~~subdivider~~applicant's intent.

1. —Two ~~(2)~~ sets of the approved Preliminary Plat~~;~~ Planned Area Developments (PADs) shall submit two ~~(2)~~ copies of typical floor plans and elevations. A digital copy of all submitted materials is required.

2. —Identification and descriptive data:

a. —All information required ~~for~~of the Preliminary Plat.

b. —Building setbacks for a typical lot. Where there are lots with more than four ~~(4)~~ sides or whose shape may be considered atypical, show all setbacks.

c. —Construction plans of all improvements required by these Regulations, on-site and off-site, including but not limited to sewers, all utilities, roads, parks, sidewalks, drains, culverts, and grading. A Phase III County Flood Control Report.

3. —Review Fee: At the time of filing of the plat for Technical Review, the ~~subdivider~~applicant shall pay a fee as fixed by the Council. If revisions are made and further review is required, additional fees may be required.

C. —The Town Engineer will review the technical details of the plat and note any changes necessary for the plat to be in compliance with all Town, County, State and Federal Engineering Standards. The Town Engineer will approve, sign and stamp the plat, or reject the plat, and notify the ~~Director of~~ Community Development Director or designee in writing of findings. The ~~Director of~~ Community Development Director or designee will notify the ~~subdivider~~applicant of the findings in writing. If the plat is approved, the Director will advise the ~~subdivider~~applicant to proceed with final platting procedures. If the plat ~~is was~~ rejected, the Director or Town Engineer will review with the ~~subdivider~~applicant the changes needed to receive approval. (~~Prior code § 12-4-4~~)

Section 12-4-050 Stage IV - Final Plat, Recording and Post Approval

This stage includes the approval of the final design of the subdivision, and the approval of the public improvement plans, including the submittal of the Final Plat for review and action by the ~~Council~~Community Development Director or Designee. Also, this stage includes

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

assurances that shall be required and approved by the ~~Council~~Community Development Director or Designee before recording of the plat and the terms for the release of assurances and acceptance of improvements.

A. —Filing of Final Plat:

1. —To initiate Final Plat procedures, the ~~subdivider~~applicant shall file two ~~(2)~~ copies, and one ~~(1)~~ digital copy of the Final Plat, and an application with the Community Development Director or designee. A digital copy of all submitted materials is required.

2. —Filing Fee: At the time of filing for Final Plat approval, the ~~subdivider~~applicant shall pay a fee as fixed by the Council. If revisions are made and further review is required, additional fees may be required.

3. —The Final Plat shall be presented in accordance with the requirements set forth below and shall conform to the approved Preliminary Plat or the Revised Preliminary Plat and the approved Technical Review.

B. —Form of Presentation for the Final Plat:

The following information is required as part of the Final Plat submittal. All mapped data for the same plat shall be drawn at the same standard engineering scale of at least one inch equals 100 feet ~~(1" = 100')~~. A digital copy of the Final Plat and all supporting documents is ~~also~~ required ~~in a digital format~~.

1. —The Final Plat shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black ink on polyester film ("mylar"), that when filed, results in legible prints and negatives produced from the original.

2. —Sheet size shall be 24 inches by 36 inches ~~twenty-four inch by thirty-six inch (24" x 36")~~ with a border line drawn completely around each sheet leaving an entirely blank margin of 1.5 f one-half one-half inches (1/2") except that the binding edge shall be two inches ~~(2")~~.

3. —Certificates, affidavits, and acknowledgments shall be legibly stamped or printed upon the plat with black opaque ink. All signatures shall be in black ~~water proof~~waterproof ink, with the ink surface coated with a suitable substance when used on polyester film to

assure permanent legibility. Names and titles of signers shall be lettered legibly under their signatures.

4. __—Scale shall be shown with a bar scale and a written scale.

5. __—The exterior boundary of the subdivision shall be indicated by a heavy line.

6. __—Each sheet shall be numbered, the relation of one ~~(+)~~ sheet to another clearly shown, and the total number of sheets shown on each sheet.

7. __—The case number, subdivision name, date, scale and north point shall be shown on each sheet.

8. __—Every Final Plat shall have a title sheet either as a separate page or where the size of the subdivision permits as part of the Final Plat. Said title shall contain the following:

a. __—The subdivision name shall comprise the title.

b. __—Below the title shall be a sub-title consisting of a general description of all the property being subdivided, by reference to subdivisions or to sectional surveys.

c. __—References to adjacent subdivisions shall be worded identically with original records, with references to the books and pages of the subdivision.

d. __—Name, address, ~~and~~ registration number, ~~and signature included with the~~ seal of the registered civil engineer and/or registered land surveyor preparing the plat.

e. __—Affidavits, certificates, acknowledgments, endorsements, acceptances of dedication and notary seals required by law and by these Regulations shall appear on the title sheet.

f. __—The title sheet shall show the basis of bearings.

g. __—A vicinity map showing the proposed subdivision and the surrounding subdivisions, dedicated right-of-way access to the subdivision, and parcels and streets located within a 300 foot three hundred foot (300) radius of the boundaries of the proposed subdivision.

9. __—The following survey data shall be required as a part of Final Plat submittal:

- a. __—The corners of the subdivision shall be located on the monument lines of abutting streets; boundaries of the tract to be subdivided shall be fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field. All distances shall be shown in feet and one ~~hundredth~~~~hundredth~~ of feet.
- b. __—Any excluded parcels within or surrounded by the plat boundaries shall be noted as “not a part of this subdivision” and shall show all bearings and distances of the expected parcel as determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals.
- c. __—Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two ~~(2)~~ separate corners of the subdivision transverse shall be tied by course and distances to separate section corners or quarter-section corners.
- d. __—Location of all physical encroachments upon the boundaries of the tract.
- e. __—Ties to any Federal, State, County and Town boundary lines, section corners and quarter corners involved.
- f. __—Name, right-of-way lines, courses, lengths, and widths of all public streets, alleys, pedestrian or bicycle ways and utility easements; radii, points of tangency, curve lengths, and central angles of all curvilinear streets, alleys and intersection corners.
- g. __—All drainage ways shall be shown on the plat. The rights-of-way of all major drainage ways shall be dedicated drainage ways or right-of-way as determined by the Town Engineer or County Flood Control District.
- h. __—All easements for right-of-way provided for public services or utilities and any limitations of the easements. The following notations shall be placed on all Final Plats: “Construction within easements, except by public agencies and utility companies, shall be limited to utilities, and wood, wire, or removable section type fencing.”
- i. __—Location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the Town with the use clearly indicated.
- j. __—The limits of any ~~100 one hundred (100)~~-year flood plain identified using the standards set forth by the Director of the Arizona Department of Water Resources,

together with the base flood elevation, shall be illustrated on the Final Plat. The regulatory elevation for the most critical location within each lot shall be shown on each lot that is impacted by the flood plain. A note shall also be placed on the plat indicating that "Flood Plain limits, base flood elevations and regulatory elevations may be revised by subsequent studies approved by the Yavapai County Flood Control District."

~~10.~~ ~~10.~~ The following description data shall be required as a part of Final Plat submittal:

- a. ~~10.~~ All residential lots shall be numbered by consecutive numbers throughout the plat.
- b. ~~10.~~ Dimensions and square footage of all lots.
- c. ~~10.~~ "Tracts", "parcels", "exceptions" and "common open space" shall be so designated, lettered, or named, and clearly dimensioned.
- d. ~~10.~~ Location of all adjoining subdivisions and developments with date, name, book and page number of recordation noted. If adjoining land is unrecorded or undivided, so shall it be marked on the plat.
- e. ~~10.~~ Any existing or 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.
- f. ~~10.~~ Limitations on rights of access to and from streets, lots and other parcels of land.
- g. ~~10.~~ Locations and names of streets and pedestrian or bicycle ways adjacent to the proposed subdivision.
- h. ~~10.~~ Typical section of proposed roadways to indicate thickness and type of surfacing, thickness of base courses as determined by soil analysis; design shall be by a Soils Engineer.
- i. ~~10.~~ Detailed construction plans of all improvements on-site and off-site, prepared in accordance with all State, County and Town standards in effect at the time.

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

j. __—Locations and types of all traffic control devices in accordance with the latest manual of uniform traffic control devices by Arizona Department of Transportation (ADOT).

k. __—Provisions for the perpetual maintenance of private roads, recreation facilities, and/or open spaces that are part of the subdivision shall be provided for in the Property Owners Association (or other legal entities) organizational Sections of ~~Incorporation, and~~Incorporation and must be acceptable to the Town.

l. __—Letters from each utility company indicating serviceability of the subdivision.

~~11. __~~ 11.—The following dedication and acknowledgment information is required for Final Plat submittal:

a. __—Dedication: There shall be required as part of the Final Plat submittal an irrevocable offer of dedication of any streets, crosswalks, drainage ways, pedestrian or bicycle ways, trails, and other easements for public use by the parties holding title of record, by parties holding titles as vendees under land contract, by spouse of said parties, lienholders and all other parties having an interest in the property. If lands dedicated are mortgaged, the mortgagee shall also sign the plat. ~~It may also be necessary to Dedication of~~ drainage easements ~~shall be required to the Yavapai County Flood Control district.~~ Dedication shall include a written location by Section, Township and Range of the tract. If the plat contains private access ways, the right to install and maintain utilities, including refuse collection, in these access ways, shall be reserved.

b. __—Acknowledgment of Dedication: Acknowledgment of the offer of dedication shall be certified by a notary public. All parties having any record title or interest in the land being subdivided shall be included in such acknowledgments.

c. __—An offer of dedication to the Town or County Flood Control District for any streets, pedestrian or bicycle ways, trails, areas, drainage ways, easements and other rights-of-way for public use either immediate or in the future shall not constitute public ownership or responsibility, until the Council formally accepts said offer of a dedication by separate instrument.

12. __—The following certifications shall be required as a part of the Final Plat submittal:

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

a. __—Certification by the civil engineer or land surveyor preparing the plat, that the plat is correct and accurate and that the monuments described in it have either been set or located as described. All maps shall contain the seal of a civil engineer or land surveyor, whichever is applicable. Closure calculations may be required if deemed necessary by the Town Engineer.

b. __—Certification of plat approval by the Yavapai County Health Department.

c. __—A certificate signed and acknowledged by all parties having any record of title or interest in the land being subdivided offering for dedication rights of access to and from prescribed streets, lots and parcels of land.

d. __—A statement of adequate water supply from the Arizona Department of Water Resources, or, if served by a water company, a statement of water serviceability from the serving water company (private or public).

13. __—A cost estimate for constructing the required public or private improvements signed and sealed by a professional engineer who is registered to practice in the State of Arizona. The cost estimate and method/type of assurance shall be approved by the Town Engineer and/or Town Attorney prior to approval of the Final Plat.

C. __C. Final Plat Review:

1. __—The Director, upon receipt of the Final Plat submittal, shall immediately record receipt and date of filing, and check it for completeness. If complete, the Director shall review the plat for substantial conformity to the approved Preliminary Plat, or revised Preliminary Plat, and forward copies of the submittal to the following reviewing parties who shall make known their recommendations in writing: the Yavapai County Flood Control District, Yavapai County Health Department, the Arizona Department of Transportation, if plat abuts a State Highway, the Clarkdale Fire District and the Town of Clarkdale Public Works/Utilities Department.

2. __—The Director shall assemble the recommendations of the various reviewers, prepare a concise summary of their recommendations and submit, together with the reviewer's recommendations, to the [Council-applicant](#). If the Director finds that the Final Plat does not conform to the Preliminary Plat, as approved by the [CommissionCommunity Development](#).

~~Director or Designee~~ or the approved Technical Review, as approved by the Town Engineer, the Final Plat shall be submitted to the ~~Commission~~Community Development Director or ~~Designee~~ for review and recommendation prior to submittal to ~~final approval, the Council.~~

D. ~~12.~~—Final Plat Approval, Recording and Post Approval:

~~1. Upon receipt of a request for Council action from the Director, the Town Clerk shall place the case on the agenda of the next regular Council meeting, whereupon the Council shall approve or deny the plat.~~

~~12.~~—When the certificate of approval by the ~~Council~~Community Development Director or ~~Designee~~ has been transcribed on the ~~plat, plat,~~ the Town Clerk shall retain the plat until the following is met:

a. ~~1.~~—The Town Engineer certifies that the subdivision has been staked and that the engineering plans, for the subdivision improvements, have been approved.

b. ~~2.~~—The required letters of assurance of improvements from each serving utility company are attached.

c. ~~3.~~—An agreement executed by the ~~Subdivider~~applicant, in a form acceptable to the Town and approved ~~by the Town Council~~Town Manager, covering the following:

~~1) 3.~~—The subdivision improvements in a recorded development unit may be constructed in practical increments of lots, as specified by the ~~subdivider~~applicant, subject to provisions for ~~satisfactory~~ drainage, traffic movements, and other services as determined by the Town Engineer.

~~2) 4.~~—The improvements, except those utility facilities ~~—not directly governed by the Town, as specified in this Chapter,~~ shall be constructed in accordance with plans approved by the Town Engineer and the appropriate Town department for water and public sanitary sewer facilities, and by the Town Engineer for all other improvements. If the location of the development ~~so requires~~is so required, water and sanitary sewer facilities shall also be constructed in accordance with plans approved by the appropriate State and County departments.

~~3) 5.~~—The improvements, except those utility facilities specified in this Chapter, shall be completed within a specified time period, for each increment, as determined by the Town. An extension of time may be granted under conditions specified ~~in the agreement. therein.~~

~~4) 6.~~—The ~~subdividerapplicant~~ shall give adequate assurance of the construction of each increment in accordance with this Chapter.

~~5) 7.~~—Progress payments may be made to the ~~subdividerapplicant~~ on order from any cash deposit made. ~~Such progress~~Such payments shall be made in accordance with standards established by the Town Engineer.

~~6) 8.~~—Any work abandoned or not completed by the ~~subdividerapplicant~~ may be completed by the Town, and the Town shall be entitled to recover the construction costs from the ~~subdividerapplicant's~~ financial assurances posted with the Town, and if insufficient, from the ~~subdividerapplicant.~~

~~7) 9.~~—Construction of all improvements within streets and easements, except those utility facilities specified in this Chapter, shall be subject to inspection by the Town Engineer.

~~18) 0.~~—No lots shall be released from the approved increment of lots until either the agreement or an assurance of construction has been posted and accepted by the Town Engineer.

~~9) 11.~~—With regard to on-site and off-site street and utility improvements accepted for maintenance by the Town of Clarkdale, the ~~subdividerapplicant~~ shall warrant all workmanship and materials involved in such improvements for a period of one ~~(1)~~ calendar year after the date of written acceptance.

~~2. 12.~~—Assurance of Construction:

a. ~~—~~To ensure construction of the required improvements as set forth above in this Section, ~~(except those utility facilities specified in this Chapter),~~ the ~~subdividerapplicant~~ shall deposit with the Town an amount in cash or a letter of credit equal to the amount of the cost of the work of each recorded increment, ~~(as determined by the Town Engineer.)~~ guaranteeing that the work will be completed in accordance with Town details and specifications. The letter of credit shall be executed

by the ~~subdividerapplicant~~, as principal, with a corporation duly authorized to transact business in the State of Arizona, as surety. The letter of credit or cash shall be released upon satisfactory performance of the work and its acceptance by the Town Engineer. The letter of credit may be canceled or the cash withdrawn by the ~~subdividerapplicant~~, provided that other security satisfactory to the Town has been deposited which will cover the remaining obligations of the ~~subdividerapplicant~~. The Town shall provide written acceptance of the other security prior to the ~~subdividerapplicant~~ canceling the letter or requesting release of security held as an assurance of construction.

b. ~~___~~—Any alternative forms of assurance, such as a surety bond, must be approved by ~~Town Council~~ Town Manager during the final plat approval process.

c. ~~___~~—The duration of financial assurances shall be for ~~12 thirteen (13)~~ months, from the date of recording. Extension of time in one ~~(1)~~ year increments may be granted by the ~~Council~~ Community Development Director or Designee upon good cause. The assurance shall remain in force and effect until it is released by the ~~Council~~ Community Development Director or Designee or has been authorized for partial release as provided herein.

d. ~~___~~—The Town Engineer, upon receipt of a certification from the Engineer of Record, may authorize a reduction of the financial assurance for the work completed in accordance with the approved cost estimate and construction plans. Ten percent ~~(10%)~~ of the estimated cost of completed improvements shall be retained to insure sufficient funds remain to insure completion of the improvements, final inspections and preparation of final “as-built” plans.

e. ~~___~~—In the event the ~~subdividerapplicant~~ defaults or fails or neglects to satisfactorily install the required improvements within three ~~(3)~~ years from the date of recording, the ~~Town Council~~ Town Manager may declare the assurance forfeited, and the Town may make or cause the required improvements to be made, using the funds from the financial assurance to pay the full expense thereof. In addition, the Director shall notify the State Real Estate Commissioner of the default.

f. If good cause is shown by the ~~subdividerapplicant~~, the ~~Council~~ Community Development Director or Designee may extend the term of the assurance and the time limit for completion of subdivision improvements.

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

~~3. 13.~~ Upon receiving certification from the Town Engineer and the assurances required by these Regulations, the Town Clerk shall cause the Final Plat to be recorded in the Office of the Yavapai County Recorder.

~~4. 14.~~ Inspection: The ~~subdividerapplicant~~, using the services of an Arizona registered Professional Engineer and plans as approved by the Town Engineer, shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than ~~30-thirty (30)~~ days prior to the release date of the assurance, the Engineer of Record shall make an inspection of the improvements and shall submit a set of "as-built" construction plans, if complete, or a report on the status of improvements, if only partially complete, to the Town Engineer.

~~5. 15.~~ A fee may be imposed by the Council for the inspection by the Town Engineer.

~~6. 16.~~ Report to ~~CouncilCommunity Development Director or DesigneeDesignee~~: The Town Engineer will review the "as-built" plans and/or report, with the ~~subdividerapplicant's~~ Engineer of Record and notify the ~~subdividerapplicant~~ of any noncompliance with the approved construction plans or with these Regulations. If the Town Engineer determines that compliance has been made, he will then submit a report to the ~~CouncilCommunity Development Director or DesigneeDesignee~~, setting forth the conditions of such facilities.

~~7. 17.~~ Release: A certificate sealed by the Engineer of Record on the "as-built" plans stating that the construction has been completed in substantial conformance to the specifications and standards contained in or referred to herein, must be approved by the Town Engineer and presented to the ~~CouncilCommunity Development Director or DesigneeDesignee~~ prior to the final release of assurances, ~~who shall forward said plans to the Public Work Director or Desginee~~. If all of the improvements comply with Town Standards, the ~~CouncilTown Manager~~ shall release the guarantee. If the condition of materials or workmanship show unusual depreciation or does not comply with Town Standards, the Town Engineer may present this information to the ~~CouncilCommunity Development Director or DesigneeDesignee~~ who may declare the ~~subdividerapplicant~~ in default.

~~8. 18.~~ Once the improvements are approved and the assurances ~~releasedare released~~, the ~~CouncilPublicPublic Works Director or desgineedesiginee~~ shall review the improvements for acceptance into the Town system for maintenance.

~~9.19.~~ If the ~~Council~~Public Works Director or ~~designedesignee~~ approves the plat, the Town Clerk shall transcribe a certificate of approval upon the plat, first making certain that the other certifications required by these ~~Regulations,Regulations~~ have been duly signed.
(Revised by Ordinance #428 on 12/10/24; effective 1/20/25; prior code § 12-4-5)

~~Section Article~~ 12-5

MINOR SUBDIVISION

- 12-5-010 Minor Subdivision**
- 12-5-020 Outline of Minor Subdivision Procedures**
- 12-5-030 Minor Subdivision Preliminary Plat Review**
- 12-5-040 Responsibilities of the Subdivision Committee**
- 12-5-050 Appeals**
- 12-5-060 Significance of Minor Subdivision Plat Approval**

Section 12-5-010 _____ Minor Subdivision

The Minor Subdivision is a process developed to respond to the needs of property owners who are proposing subdivisions of ~~10 ten (10)~~ lots or fewer. The Preliminary Plat process is replaced by an administrative review by the Subdivision Committee. The Final Plat approval process is still required for Minor Subdivisions, as is compliance with all requirements of Arizona Revised Statutes and compliance with all requirements of the Arizona Department of Real Estate. (~~Prior code § 12-5-1~~)

Section 12-5-020 _____ Outline of Minor Subdivision Procedures

The preparation, submittal, review, and approval of all Minor Subdivision Plats located in the Town limits shall proceed through the following progressive stages:

A. ~~_____~~ Stage I ~~_-~~ Pre-Application Conference. Refer to Section [12-4-020](#) of these regulations for submittal requirements and process.

B. __—Stage II __—Minor Subdivision Plat. Refer to Section [12-4-030](#) of this regulation for submittal requirements and process.

The Minor Subdivision Plat shall be reviewed by the Subdivision Committee.

C. __—Stage III __—Technical Review. Review to Section [12-4-040](#) of these regulations for submittal requirements and process.

D. __—Stage IV Final Plat, Recording and Post Approval. Refer to Section [12-4-050](#) of these regulations for submittal requirements and process. ~~(Prior code § 12-5-2)~~

Section 12-5-030 _____ Minor Subdivision Preliminary Plat Review

A. __—The ~~Community Development~~ Director ~~or designee~~ shall distribute copies of the plat to the following:

1. __—Subdivision Committee:

a. __—~~Director of~~ Community Development ~~Director or designee~~

b. __—~~Director of~~ Public Works __—and/or Utilities ~~Director~~ ~~Departments~~

~~c. —Planning Commission~~ ~~Community Development Director or Designee Chair or designee.~~

~~cd. __—~~ Town Engineer

~~de. __—~~ Police Department

~~e.~~ Committee Chair or designee

2. __—The Yavapai County Flood Control District ~~for review of flood control and drainage measures.~~

3. __—The Yavapai County Environmental Services ~~for review of sewage disposal proposal.~~

4. __—Representatives of local utilities ~~for review.~~

5. ~~Where the land abuts a State Highway, to the~~ Arizona Department of Transportation for recommendations regarding right-of-way and intersection design when the land abuts a state highway.

6. ~~Clarkdale Fire District~~

B. ~~The reviewers may be requested to transmit their recommendations to the~~ Community Development Director in writing. The Director will then summarize the recommendations, prepare a report and present it to the Committee. ~~(Prior code § 12-5-3)~~

Section 12-5-040 Responsibilities of the Subdivision Committee

The Subdivision Committee shall recommend for approval, conditional approval, or denial of the proposed Minor Subdivision Plat, as proposed, after considering the recommendations and findings of the Director and all other appropriate agencies, ~~and testimony of the applicant.~~

A. ~~Recommendation for approval by the Subdivision Committee shall be based on the following findings:~~

1. ~~The proposed subdivision conforms to the adopted~~ standards goals, objectives and policies of the Town.

2. ~~The proposed subdivision, as reviewed and approved, will not be detrimental to the public's~~ health, safety, and general welfare.

3. ~~Environmental concerns conform to adopted standards.~~

~~4. The design of the proposed subdivision is sensitive to the physical characteristics of the site.~~

~~4. 5.~~ The proposed subdivision is consistent with provisions and intents of Zoning Code requirements applicable to the property.

6. ~~The proposed subdivision conforms to the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.~~

B. __—If satisfied all objectives of these Regulations have been met, the Subdivision Committee shall recommend approval of the Minor Subdivision Plat. The ~~Planning Commission~~Community Development Director or Designee Chair or ~~designee~~designee shall sign one ~~(1)~~ copy of the Minor Subdivision Plat as recognition of approval, and return to the ~~subdivider~~applicant. ~~After recommending approval, the staff will notify the Town Clerk to schedule a public hearing on the matter before the Council, no sooner than twenty-one (21) days nor later than forty-six (46) days after the date of the Subdivision Committee's action.~~

C. __—If the Minor Subdivision Plat is generally acceptable but requires minor revision(s), the Subdivision Committee shall recommend for conditional approval, with the required revisions being noted in the meeting minutes. The staff will forward a copy of the minutes with the copies of the Minor Subdivision Plat to the ~~Council~~Community Development Director or Designee.

D. __—If the Subdivision Committee finds the Minor Subdivision Plat ~~is not in conformance with five or more requirements, requires major revision, the case the plat~~ shall be held ~~for over-~~pending revision, re-submittal, processing and rescheduled for review. ~~(Prior code § 12-5-4)~~

Section 12-5-050 ____ Appeals

If the Subdivision Committee finds that the Minor Subdivision Plat does not meet the requirements of these Subdivision Regulations, the ~~subdivider~~applicant may appeal this decision to the ~~Council~~ Town Manager or designee Board of Adjustment with the following stipulations:-

A. __—All appeals shall be made in writing ~~setting forth the particulars and the reasons for the appeal~~ and filed with the ~~Council-Town Manager or designee~~Clerk; with a copy ~~shall also be also~~ filed with the Community Development Director, ~~setting forth the particulars and the reasons for the appeal.~~

B. __—Appeals must be made within ~~30~~thirty (30) days from the date of the findings of the Subdivision Committee.

C. __—The ~~Council~~ Town Manager or designee Board of Adjustment ~~—~~will hear ~~and~~ decides~~decide~~ such cases for appeal no later than ~~30~~thirty (30) days after appeal is taken.

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

D. __—The ~~Council~~~~Town Manager or Designee~~Board of Adjustment shall ~~decided~~decide on appeals wherein it is alleged by the ~~subdivider~~applicant that there is error in any order, requirement, decision, grant or refusal made by the Subdivision Committee or any official in the administration of these Regulations.

E. __—The ~~Council~~~~Town Manager or Designee~~Board of Adjustment may approve, disapprove or approve with modifications, upon appeal or recommendation of the Subdivision Committee in specific cases, such variations as will not be contrary to the public interest, where, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district. according to special conditions, a literal enforcement of these Regulations will result in unnecessary hardship, so the spirit of these Regulations shall be observed and substantial justice done. (Prior code § 12-5-5)

Section 12-5-060 ____ Significance of Minor Subdivision Plat Approval

Minor Subdivision Plat approval constitutes authorization for the ~~subdivider~~applicant to proceed with preparation of the engineering plans and specifications for public improvements. Minor Subdivision approval is subject to the following:

A. __—The basic considerations under which approval of the Minor Subdivision Plat is granted will not be changed prior to the expiration date of Minor Subdivision Plat approval.

B. __—Approval is valid for a period of three ~~(3)~~ years from the date of ~~Council~~Community Development Director or Designee action. Requests can be made for two, ~~(2)~~ one ~~(1)~~ year extensions up to a total of not more than five ~~(5)~~ years from the original date of approval. Extensions of the Minor Subdivision Plat approval may be granted by the ~~Council~~Community Development Director or Designee upon receipt of a letter from the ~~subdivider~~applicant before the expiration date.

C. __—Minor Subdivision Plat approval, in and of itself, does not ~~assure~~ensure final acceptance of streets for dedication or continuation of existing zoning requirements for the tract or its environs. It does not constitute authorization to record the plat.

D. __—Compliance with all requirements of the Arizona Revised Statutes and compliance with all requirements of the Arizona Department of Real Estate. (~~Revised by Ordinance #428 on 12/10/24; effective 1/20/25; prior code § 12-5-6~~)

Section Article 12-6

MINOR LAND DIVISIONS AND LOT LINE ADJUSTMENTS

12-6-010	Purpose of Minor Land Divisions
12-6-020	Applicability
12-6-030	General Standards
12-6-040	Application Requirements
12-6-050	Application Process
12-6-060	Conspiracy to Subdivide
12-6-070	Purpose of Lot Line Adjustment
12-6-080	General Standards
12-6-090	Application Requirements
12-6-100	Application Process
12-6-110	Roadway Standards for Minor Subdivisions

Section 12-6-010 _____ Purpose of Minor Land Divisions

A. __—Provide for the division of land into parcels or lots of two ~~(2)~~ or three ~~(3)~~ parts through a process that is more expeditious than the subdivision process.

B. Maintain accurate records of surveys created to divide existing parcels or lots.

C. __—Assure the proposed land division conforms to the standards established by the Town of Clarkdale.

D. __—Ensure adequate legal access to lots or parcels.

E. __—Ensure adequate emergency vehicle access to lots or parcels.

F. __—Ensure that Minor Land Division does not constitute a subdivision as defined in Zoning Code Section [12-2](#) or Arizona Revised Statutes Title [9](#). (~~Prior code § 12-6-1~~)

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

Section 12-6-020 Applicability

A. __—The regulations contained in this Section shall apply to all divisions of land made within the corporate limits of the Town of Clarkdale since December 12, 1986, the effective date of revisions to the Town Code, whereby the division of any property into four ~~(4)~~ or more parcels shall proceed through the subdivision process and be subject to all of the provisions of Chapter 12 - Subdivision Regulations of the Zoning Code of the Town of Clarkdale.

1. __—The division of improved or unimproved land or lands into two ~~(2)~~ or three ~~(3)~~ lots, tracts, or parcels, and which does not involve a new street, shall be subject to the provisions of this Section.

2. __—All other divisions or changes shall proceed through the Subdivision process. ~~(Prior code § 12-6-2)~~

Section 12-6-030 _____ General Standards

A. __—All Minor Land Divisions shall be developed to comply with all requirements for the specific zoning district in which the divisions are located. At a minimum, these will include meeting the following, if applicable:

1. __—Minimum lot size

2. __—Minimum lot width

3. __—Minimum setbacks

4. __—Minimum yard or frontage requirements

5. __—Lot coverage and floor area ratio

B. __—No lot or parcel shall be divided so that any division of the lot contains more dwelling units than are permitted by the zoning district for which the lot or parcel is located.

C. __—No lot or parcel shall be divided so that any division of the lot results in a split zoning classification on a single lot or parcel.

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

D. __—No lot or parcel shall be divided so that any division of the lot or parcel results in the creation of a non-conforming structure or use.

E. __—No lot or parcel shall be divided so that any division of the lot results in a lack of legal access to any lots or parcels created by the division. ~~(Prior code § 12-6-3)~~

Section 12-6-040 ____ Application Requirements

This section outlines the minimum information needed to enable the Town to make informed and expeditious decisions regarding applications for Minor Land Divisions. Unless exempted by the Director, the information contained in this Section shall be provided by each applicant. All mapped data shall be drawn to a scale of not greater than ~~1one~~ inch equals ~~100 feetone hundred feet (1" = 100')~~. Unless otherwise directed, the map data will be drawn on a sheet not to exceed ~~24twenty-four~~ inches by ~~36thirty-six~~ inches ~~(24" x 36")~~.

A. __—Minor Land Divisions:

1. __—Completed Minor Land Divisions Application

2. __—Two ~~(2)~~ paper copies and one ~~(1)~~ digital copy of a Minor Land Divisions Survey from a land surveyor registered in the State of Arizona) containing the following information:

- a. __—Title, which shall read "Minor Land Division Map for "(name of applicant)".
- b. __—Location by section, township, and range.
- c. __—Legal description of land involved.
- d. __—Name, address, email address and phone number of applicant and/or owner.
- e. __—Scale, north point, and dates of preparation and revisions.
- f. __—Existing streets (public or private), utility easements, and lot or parcel lines.
- g. Name, address, registration number, and seal of the registered land surveyor preparing the map.

- h. __—Boundaries of the tract to be divided fully balanced and closed showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be shown in feet and decimals.
 - i. __—Location and dimensions of all lots within the Minor Land Division Map. All sides of the proposed lots shall be identified by bearing and distances.
 - j. __—All lots shall be identified by number or letter.
 - k. __—Proposed street dedications or private access easements, as well as public utility easements, shall be identified by course, length and width.
 - l. __—If questions pertaining to property boundaries develop, the Community Development Department may require location of all existing physical and natural features, including, but not limited to, buildings, structures, bridges, culverts, within the Minor Land Division boundaries. The applicant shall also identify any of those features which are to be removed.
 - m. __—The map shall include provisions for signatures by the Director and the Town Engineer and the date of approval.
 - n. __—Identify any public utility extensions or upgrades, when required, to serve proposed land division.
 - o. __—Any ingress or street improvements necessary to ensure compliance with emergency vehicle access, dust abatement, and drainage improvements necessary to mitigate any negative effects on current public infrastructure adjacent to and/or fronting the proposed land division.
 - p. __—Other information as deemed applicable by the Director to enable the Town to determine the compliance of the Minor Land Division with applicable ordinances and regulations.
3. __—Payment of a fee for review of the application.
4. __—Documentation of the land division history of the parcel proposed to be divided in the form of a chain of title or a history of the ownership of the parcel proposed to be split, dating back to December 12, 1986, the effective date of the Code; the chain of title or history of ownership shall be provided so as to determine whether or not the proposed

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

land split constitutes a subdivision. Such documentation shall be presented by a recognized title company doing business in the state of Arizona in the form of a title history search, copies of deeds, or County Assessor's records and maps. ~~(Prior code § 12-6-4)~~

Section 12-6-050 ~~_____~~ Application Process

A. ~~___~~—Pre-Application Process:

~~1.~~—The applicant shall meet with the Director to discuss the proposed Minor Land Division. The Director shall advise the applicant of the specific objectives of this Section and the specific procedures, standards, and approval process regarding the review of the application.

B. ~~___~~—Submittal of Application to the Community Development Department:

1. ~~___~~—The Director ~~or their designee~~~~designee~~, shall check all submittals to ensure the application ~~is in compliance~~ ~~complies~~ with the objectives and standards of this Ordinance and the General Plan. It shall be the responsibility of the Community Development Department to ensure all relevant departments, utilities, and other agencies receive copies for review. ~~—~~The following information is required at the time of application:

- a. ~~___~~—Completed application form.
- b. ~~___~~—Application fee.
- c. ~~___~~—Completed land division survey as noted in Section ~~12-5-040~~ 4-A.2 above.
- d. ~~___~~—The chain of title or history of the ownership of the parcel proposed to be split.

C. ~~___~~—Decision of Director:

1. ~~___~~—Upon receipt of a completed application, the Director, or their ~~designee~~~~designee~~, shall approve or deny the Permit within ~~30~~~~thirty~~ (30) days. A denial may be based only upon one ~~(1)~~ or more, of the following findings:

- a. ~~___~~—Parcels resulting from the division do not conform to applicable zoning regulations.

b. —The division of land results in a subdivision as defined in the Subdivision Regulations.

c. —One ~~(1)~~, or more of the resulting parcels are landlocked.

D. —Appeals:

~~4.—An appeal may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision. Appeals to the Board of Adjustment may be taken by a person aggrieved by the decision of the Community Development Director or designee, a taxpayer who owns or leases the adjacent property or a property within three hundred feet from the boundary of the immediately adjacent property, or an officer or a department of the municipality affected by said at any time within thirty days after the Community Development Director or designee renders a decision, any applicant aggrieved by a decision of any administrative office made in the enforcement of these regulations.~~

E. —Actions after Approval:

If approved, the applicant shall submit the following:

1. —Two copies, plus one digital copy, of a final, recordable, reproducible, mylar map ~~24twenty-four~~ inches by ~~36thirty-six~~ inches (~~24" x 36"~~) consistent with the approved plan showing all lot, tract or parcel corners, dimensions, a complete legal description of the site and of each lot, track or parcel, and signature block for the Community Development Director.

2. —Upon written approval by the Director, applicant shall record the Minor Land Division map with the Yavapai County Recorder's Office. Said recording shall occur within ~~60sixty-~~ (~~60~~) days of approval, or the Minor Land Division shall automatically become null and void. A copy of the recorded land division shall be provided to the Community Development Department after being recorded. ~~(Prior code § 12-6-5)~~

Section 12-6-060 _____ Conspiracy to Subdivide

Any Minor Land Division or sequence of divisions which are the result of two ~~(2)~~ or more individuals, firms, partnerships or corporations conspiring together to create four ~~(4)~~ or more parcels of land shall be deemed a subdivision and subject to all provisions of the Town of Clarkdale Subdivision Ordinance. ~~(Prior code § 12-6-6)~~

Section 12-6-070 _____ Purpose of Lot Line Adjustment

The Lot Line Adjustment is an agreement between adjoining property owners to adjust a common boundary line. No new lots or parcels are created. For purposes of this Section, a Lot Line Adjustment shall include the following acts:

A. ___—The Lot Line Adjustment between owners of adjoining properties solely for the purpose of revisions to common boundary lines; and,

B. ___—Additional lots are not being created; and,

C. ___—Any lot remaining after the Lot Line Adjustment shall contain at least the minimum lot size, setback, frontage as required by the Zoning Code, and shall meet all other lot standards of the Town of Clarkdale's Zoning Code. ~~(Prior code § 12-6-7)~~

Section 12-6-080 _____ General Standards

A. ___—All Lot Line Adjustments shall be developed to comply with all requirements for the specific zoning district in which the divisions are located. At a minimum, these will include meeting the following, if applicable:

1. ___—Minimum lot size.
2. ___—Minimum lot width.
3. ___—Minimum setbacks.
4. ___—Minimum yard or frontage requirements.

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

5. —Lot coverage and floor area ratio.

B. —No Lot Line Adjustment shall result in more dwelling units than are permitted by the zoning district for which the lot or parcel is located.

C. —No Lot Line Adjustment shall result 5 in a split zoning classification on a single lot or parcel.

D. —No Lot Line Adjustment shall result in the creation of a non-conforming structure or use.

E. —No Lot Line Adjustment shall result in a lack of legal access to any lots or parcels created by the division. (Prior code § 12-6-8)

Section 12-6-090 Application Requirements

This section outlines the minimum information needed to enable the Town to make informed and expeditious decisions regarding applications for Lot Line Adjustments. Unless exempted by the Community Development Director, the information contained in this Section shall be provided by each applicant. All mapped data shall be drawn to a scale of not greater than one inch equals one hundred feet (1" = 100'). Unless otherwise directed, the map data will be drawn on a sheet not to exceed 24 twenty-four inches by 36 thirty-six inches (24" x 36").

A. —Lot Line Adjustments:

1. —Completed Lot Line Adjustment Application.

2. —Lot Line Adjustment Survey, two paper (2) copies plus one digital copy, completed by a registered land surveyor in the State of Arizona); and

3. —Payment of the Application Fee. (Prior code § 12-6-9)

Section 12-6-100 Application Process

An application for a Lot Line Adjustment shall be submitted to the Director-Community Development Department with the required copies of the lot line adjustment survey and the application fee. The Community Development Director shall have 30thirty (30) working days to

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

approve or reject the application. If approved by the Director, the land survey shall be recorded by the applicant in the office of the Yavapai County Recorder within ~~10ten (10)~~ calendar days. A copy of the recorded Lot Line Adjustment shall be provided to the Community Development Department after recording. If rejected, written notice shall be provided to the applicant via first class mail, postmarked within ~~10ten (10)~~ days after the expiration of the ~~30thirty (30)~~ day review period. The written notice shall specify the reasons for denial.

A. —Appeals:

An appeal may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision. ~~Appeals to the Board of Adjustment may be taken by a person aggrieved by the decision of the Community Development Director or designee, a taxpayer who owns or leases the adjacent property or a property within three hundred feet from the boundary of the immediately adjacent property, or an officer or a department of the municipality affected by said at any time within thirty days after the Community Development Director or designee renders a decision, any applicant aggrieved by a decision of any administrative office made in the enforcement of these regulations (see Section 17-2-3 of the Town Code for the appeal procedure).~~

B. —Actions after Approval:

If application is approved the applicant shall submit the following:

1. —A final, recordable, reproducible, mylar map ~~24 twenty-four~~ inches by ~~36 thirty-six~~ inches (~~24" x 36"~~) consistent with the approved plan showing all lot, tract or parcel corners, dimensions, a complete legal description of the site and of each lot, track, or parcel, and signature block for the Community Development Director.
2. —Upon written approval by the Director, the applicant shall record the Lot Line Adjustment map with the Yavapai County Recorder's Office. Said recording shall occur within ~~60 sixty (60)~~ days of approval or the Lot Line Adjustment shall automatically become null and void. A copy of the recorded land division shall be provided to the Community Development Department after being recorded. ~~(Prior code § 12-6-10)~~

Section 12-6-110 Roadway Standards for Minor Subdivisions

A. The following roadway standards shall be used in the consideration of Minor Subdivisions. In all other respects the Design Principles will be the same as for any other roadway within a subdivision.

1. Between 2 and 3 lots: Private Street Standard expanded to include a 25 foot right-of-way.
2. From 4 to 6 lots: Rural Lane Standard.
3. From 7 to 10 lots: Rural Local Standard.

Between 2 and 3 lots- Private Street Standard expanded to include a twenty-five foot (25') right-of-way.

From 4 to 6 lots- Rural Lane Standard

From 7 to 10 lots- Rural Local Standard

B. Roadways required as outlined above shall be provided along the entire frontage of the lots being created and must be provided with required right-of-waysrights-of-way that are dedicated and constructed in accordance with the provisions of the Subdivision Regulations following the approval of CounciltheCommunitythe Community Development Director or Designeedesignee of the Final Plat and prior to the issuance of any building permits for the lots. Each of the deeds created for the resulting lots must carry a notation pointing out the responsibility of the property owner to improve the roadway to the required standard prior to issuance of building permits. All new roadways to be dedicated to the Town must be constructed to the minimum requirements as approved by the Town Engineer and the Directorof Public Works and/or Utilities DepartmentsDirector.

C. Any lots created that would have their frontage on what is indicated in the General Plan of the Town of Clarkdale (as it may be amended) as existing or proposed cCollector or aArterial streets shall provide the minimum right-of-way for that street type.

D. All street right-of-waysrights-of-way shall also include an adjacent minimum 8 foot eight-foot (8') Public Utility Easement, on one (1) side for the entire length of the street segment. (Prior-code § 12-6-11)

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

Section Article 12-7**PUBLIC IMPROVEMENT STANDARDS**

- 12-7-010 Purpose**
- 12-7-020 Improvement Plans**
- 12-7-030 Construction and Inspection**
- 12-7-040 Required Improvements**

Section 12-7-010 Purpose

A. —It is the purpose of this Section to establish in outline the minimum acceptable standards for improvement of streets and utilities, to define the responsibility of the subdividerapplicant in planning, constructing and financing improvements and to establish procedures for review and approval of engineering plans.

B. —All improvements in streets or easements which are required as a condition to plat approval shall be the responsibility of the subdividerapplicant. ~~(Prior code § 12-7-1)~~

Section 12-7-020 Improvement Plans

A. —A complete set of engineering plans for construction of all required improvements shall be prepared by an engineer registered in Arizona. Such plans shall be based on those approved during the Preliminary Plat and the Technical Review stages.

B. —Final construction plans for all improvements shall be approved and signed by the Town Engineer prior to the approval of the Final Plat. ~~(Prior code § 12-7-2)~~

Section 12-7-030 Construction and Inspection

A. —All improvements, whether public or private, shall be constructed to the latest standards and specifications adopted by the Town.

B. __—All improvements in ~~a the~~ public right-of-way shall be constructed under the inspection and approval of the Town Engineer and/or the ~~Director of~~ Public Works and/or Utilities ~~Director-~~ ~~Departments~~. Construction shall not commence until a permit has been issued for such construction. Work shall not be discontinued or suspended unless first approved by the Town and work shall not resume prior to notification and approval of the Town.

C. __—All underground utilities to be installed in the street shall be constructed prior to the surfacing of such street.

D. __—All relocations and reconstruction of irrigation facilities shall be done to standards of the owning utility and the Town Engineer.

E. __—Improvements proposed or required on County or State highway right-of-way shall be included in the improvement plans and designed to the applicable County or State standards. Prior to approval by the Town Engineer, the ~~subdivider~~ ~~applicant~~ shall acquire the approval of such improvements by the applicable County or State authorities, as directed by the Town Engineer.

F. Underground utilities may be extended and easements shall be required to the boundaries of the plat to provide service connections to abutting unsubdivided land. (Prior code § 12-7-3)

Section 12-7-040 ____ Required Improvements

A. __—Streets:

1. __—All streets and alleys, both public and private, within the subdivision, including perimeter streets or half-streets, shall be improved in accordance with Section [12-3](#) of these Regulations.

2. __—Where there are existing streets adjacent to the subdivision, subdivision streets shall be improved to the intercepting paving line of existing streets.

3. __—Dead-end streets serving more than four (4) lots shall be provided with an improved temporary turning circle.

4. __—When a major collector or arterial street is included, or is a perimeter street, the Town may pay for such extra width paving as deemed appropriate by the Town.

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

5. B.—Where curbs and/or sidewalks are required, they shall be paved with portland cement to the latest MAG standards or the latest standards and specifications of the Town Code, if the Town Code is more restrictive.

C. —Water:

1. All lots will be supplied with public or private piped water unless the lots are larger than seventy thousand (70,000) square feet in area. Supplied water shall be of sufficient volume and at a minimum pressure of twenty pounds per square inch (20 PSI) for domestic use and fire protection. All lines shall be designed to the standards of Arizona Department of Environmental Quality (ADEQ).

2. —If water is supplied by a public or private water company, the minimum service connection shall be three-quarter inch ~~(3/4")~~ to each lot.

3. —If water is supplied by a public or private water company, then fire hydrants shall be installed in the subdivision at locations and to grades approved by the Water Company, Town Engineer and the Fire District, and in conformance with Town and Uniform Fire Code Standards.

4. —If water service is not available from a public or private water company then a statement of water adequacy from the Arizona Department of Water Resources will be required.

D. —Sewers:

1. —If the subdivision is within ~~25 feet twenty-five feet (25')~~ per lot (i.e. 250 feet for 10 lots, 1,250 feet for 50 lots) of an available sanitary sewer then, each lot shall be supplied with connection to such sewer with lines designed to Town, County, and State standards.

2. —If connection to a public sewer system is not required, the Town shall require the installation of capped sewer mains, if the average subdivision lot is less than two ~~(2)~~ acres in area.

3. —When connection to a sanitary sewer system is not available, septic tanks or other disposal systems may be permitted provided a statement is submitted from the County Health Department certifying that field investigation has determined ground slopes and

soil conditions will allow for satisfactory disposal by this method with the lot arrangement and size as depicted on the subdivision plan.

E. __—Gas service may be furnished according to current supplies as determined by the franchise supplier.

F. __—Utilities:

1. __—New utilities including, but not limited to electric, internet fiber optics, communication and television cable shall be installed underground.

2. __—When overhead utility lines exist within the property being platted, including boundary easements, said existing overhead utility lines and the new installations within the platted area shall be placed underground.

3. __—When overhead utility lines exist on the boundary of the property being platted, said existing overhead utility lines, and any additions or replacements needed to increase capacity or improve service reliability, may remain overhead, provided however, that any service drops into the platted area from said peripheral overhead lines shall be underground.

4. __—Electric lines greater than three thousand Kilovolt Amps (3,000 KVA) capacity shall be exempt from being placed underground.

5. __—Exception may be granted if the ~~Commission~~Community Development Director or Designee recommends that due to soil or other natural features is impractical to place the utility underground.

6. __—Design of all underground utilities shall be coordinated to prevent ~~issues and/or~~ conflicts. All utilities shall be installed in a manner consistent with separations required by local county and state agencies.

7. __—The ~~subdivider~~applicant shall make the necessary arrangements with each of the serving utility companies involved for the installation of the underground facilities. Letters from each utility company indicating such arrangements have been made shall be submitted to the Director prior to submittal of the Final Plat.

G. __—Storm Drainage and Detention:

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

1. ~~__~~—The ~~subdivider~~~~applicant~~ shall make provisions for the disposal of storm water entering, as well as initiated in the subdivision, in accordance with plans approved by the Yavapai County Flood Control District and the Town Engineer.

2. ~~__~~—The hydrologic function of existing major water courses shall be protected.

3. ~~__~~—Complete hydrology and hydrological design computations and a Phase III County Flood Control Report shall accompany the plans and shall be approved by the Town Engineer before recordation of the Final Plat.

4. ~~__~~—Increases in on-site storm runoff due to development shall be addressed in the hydrologic/hydrological analysis and shall meet the criteria set forth in the most recent Yavapai County Flood Control District Reference Storm Water Detention Material.

5. ~~__~~—Once constructed and approved by the Town, the drainage and detention facilities shall not be modified unless such modification is approved by the Town Engineer.

H. ~~__~~—~~Street lights~~~~Streetlights~~ shall be required and installed in accordance with Town Standards. Installation, or partial installation in residential and industrial subdivisions, may be waived by the ~~Council~~~~Community Development Director or Designee~~~~designee~~. ~~Solar street light designs are encouraged and may be required.~~

I. ~~__~~—Street Name and Traffic Control Signs:

1. ~~__~~—All streets in a subdivision shall be named and identified by signs installed at every street intersection.

2. ~~__~~—Traffic control devices shall be installed as recommended by the Town Police Department and Public Works Department.

3. ~~__~~—All signs and devices shall be standard as indicated by Town policy and as approved by the ~~Director of~~ Public Works and/or Utilities ~~Director~~~~departments~~.

J. ~~__~~—Monuments:

1. ~~__~~—Permanent monuments shall be installed as approved by the Town Engineer, at all corners, angle points, points of curve and at all street intersections for streets within and around the perimeter of the subdivision and at such other locations as determined by the Town Engineer.

2. __—A permanent marker acceptable to the Town Engineer shall be set at all corners, angle points and points of curve for each lot within the subdivision prior to the recording of the plat.

3. __—After all monuments have been installed, a registered land surveyor shall check the location of the monuments and certify their accuracy.

K. __—~~Appropriate~~ ~~b~~Buffering requirements set forth in Chapter 9 - Landscape Design Standards, shall be implemented to ~~may be required to~~ separate residential lots from arterial and collector streets if said residential lots back to such streets.

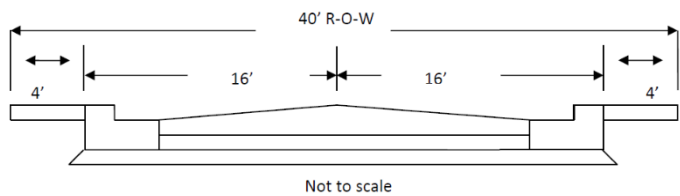
L. __—Landscaping or retaining walls may be required by the Town Engineer to prevent erosion on areas of cut or fill.

M. __—As a condition of Final Plat approval, the ~~Commission~~ Community Development Director or Designee ~~and Council~~ Community Development Director or Designee may require an subdivider applicant to pay a pro rata share of the cost, or agree to install the necessary street, sewerage, drainage and other improvements, including land and easements, located off-site of the property limits of the subdivision but necessitated or required by the development. "Necessary" improvements are those for which there is nexus reasonably related to the proposed subdivision. The ~~Commission~~ Community Development Director or Designee and ~~Council~~ shall provide in its ~~resolution of~~ Preliminary Plat approval the basis of the required improvements. The capacity and design of proposed improvements shall be based upon the recommendations of the Town Engineer, the Yavapai County Flood Control District, the Arizona Department of Transportation (ADOT), and the adopted Town Circulation Plan, Sewer Plan, Drainage Plan, General Plan or other adopted improvement plans. At the discretion of the ~~Council~~ Community Development Director or Designee, pro rata funds may be deposited into an escrow account for future construction if it is deemed by the ~~Council~~ Community Development Director or Designee that it is in the interest of the Town to delay construction of said improvements. In no case shall the delay be more than six-~~(6)~~ years and in the case that the Town elects to not construct the improvements within six ~~(6)~~ years, the funds will be returned to the subdivider applicant with interest paid at the same rate of interest that the Town received on the funds.

N. __—Upon completion of development, the subdivider applicant's Engineer of Record shall provide and certify a set of "as-built" construction plans to the Town Engineer, stating that all

required improvements have been completed in substantial conformance to the specifications and standards contained in or referred to herein. ~~(Prior code 5-12-7-4)~~

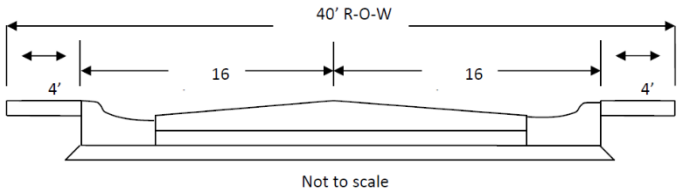
**Exhibit A -
Residential Collector**



R-O-W Width	40 feet
Improved Roadway	28 feet Back of Curb/Back of Curb
Surface	2 inches asphalt with 6 inches Base or 3 inches asphalt with 4 inches Base
Base	ABC (Aggregate Base Course)
Subgrade	6 inches minimum
Curb/gutter	6 inches vertical – 2 foot horizontal
Shoulders	None
Ditches	None

Maximum ADT	3,000
Sidewalk	4 feet Minimum
Crown	2% Minimum
Grade	7% Maximum

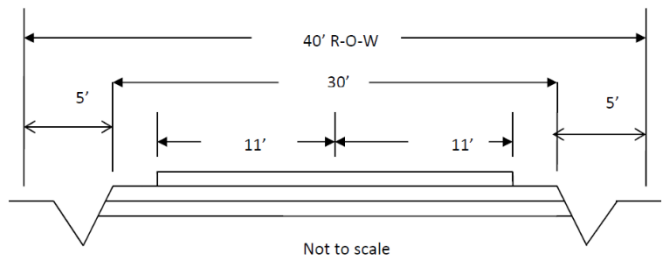
**Exhibit B -
Residential Local**



R-O-W Width	40 feet
Improved Roadway	28 feet Back of Curb/Back of Curb
Surface	2 inches asphalt with 6 inches Base or 3 inches asphalt with 4 inches Base
Base	ABC
Subgrade	6 inches minimum

Curb/gutter	Rolled Curb
Shoulders	None
Ditches	None
Maximum ADT	500
Sidewalk	4 feet Minimum
Crown	2% Minimum
Grade	10% Maximum

Exhibit C -
Rural Collector



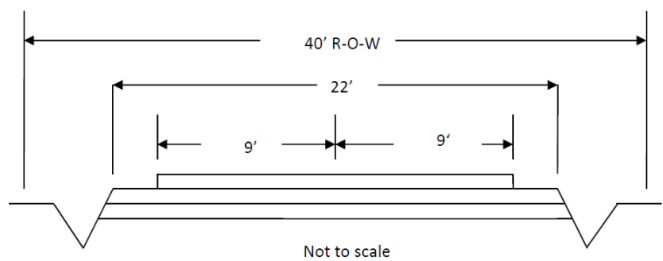
R-O-W Width	40 feet
Improved Roadway	22 feet from edge of pavement to edge of pavement

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

Surface	2 inches asphalt with 6 inches Base or 3 inches asphalt with 4 inches Base
Base	ABC
Subgrade	6 inches minimum
Curb/gutter	None
Shoulders	4 inches graded
Ditches	1.5:1 Maximum Slope, Minimum depth to be determined by grading plan and approved by the Town Engineer
Maximum ADT	3,000
Sidewalk	None
Crown	2% Minimum (not indicated on example)
Grade	7% Maximum

The Clarksdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

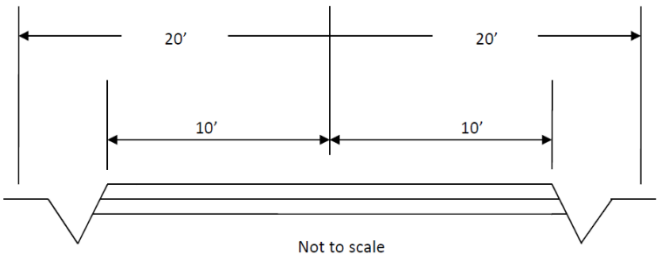
**Exhibit D -
Rural Local**



R-O-W Width	40 feet
Improved Roadway	18 feet Edge of pavement/Edge of pavement
Surface	2 inches asphalt with 6 inches Base or 3 inches asphalt with 4 inches Base
Base	ABC
Subgrade	6 inches minimum
Curb/gutter	No
Shoulders	2 feet graded
Ditches	1.5:1 Maximum Slope, Minimum depth to be determined by grading plan and approved by the Town Engineer
Maximum ADT	500

Sidewalk	No
Crown	2% Minimum (not indicated on example)
Grade	10% Maximum

**Exhibit E -
Rural Lane**

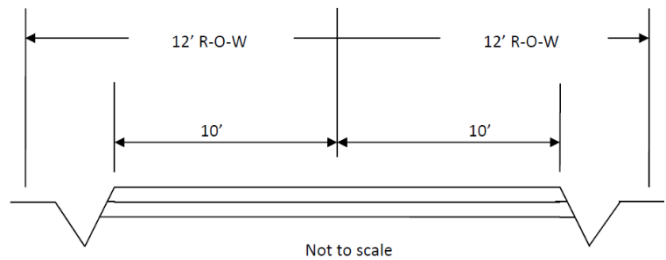


R-O-W Width	40 feet
Improved Roadway	20 feet from edge of ABC to edge of ABC
Surface	4 inches ABC
Subgrade	6 inches minimum
Curb/gutter	No
Shoulders	None

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

Ditches	Yes - 1.5:1 Maximum Slope, Minimum depth to be determined by grading plan and approved by the Town Engineer
Maximum ADT	250
Sidewalk	None
Crown	2% Minimum (not indicated on example)
Grade	12% Maximum

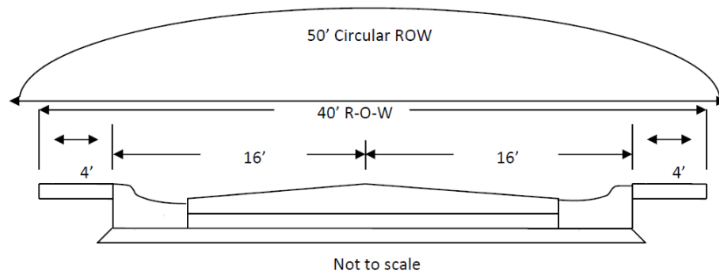
**Exhibit F -
Private Street**



Easement Width	24 feet unless the street is designated on the general plan as requiring additional width
Improved Roadway	20 feet minimum between ditches
Surface	4 inches compacted ABC

Subgrade	6 inches. Town Engineer may amend the requirement for new subgrade if the grading report substantiates that adequate subgrade currently exists
Curb/gutter	No
Shoulders	None
Ditches	Yes - 1.5:1 Maximum slope, minimum depth to be determined by grading plan and approved by the Town Engineer
Maximum ADT	N/A
Sidewalk	None
Crown	2% Minimum (not indicated on example)
Grade	12% Maximum
Utility Easement	8 feet minimum on at least one side unless 8 feet on both sides is required by utility companies

**Exhibit G -
Cul-de-sac**



R-O-W Width	50 feet
Improved Roadway	40 foot, with a 40-foot radius turning circle at termination
Surface	2 inches asphalt with 6 inches base/ or 3 inches asphalt with 4 inches base
Base	ABC
Subgrade	6 inches minimum
Curb/gutter	Rolled Curb
Shoulders	None
Ditches	None
Maximum ADT	500

Sidewalk	4 feet Minimum
Crown	2% Minimum
Grade	10% Maximum
Maximum Length	600 feet

Figure 1
Trip Generation Rates by Land Use Categories

Land Use Type	Average Weekday Trip Generation Rates
Residential	Per dwelling unit
Single-Family Detached	10.1
Condominium	5.9
Apartment	6.6
Mobile Home Park	4.8
Office Building	Per 1,000 square foot of Building
General Office Building:	
10 M square feet	24.4

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

50 M square feet	16.3
100 M square feet	13.7
200 M square feet	11.5
500 M square feet	9.2
Medical Office Building	34.2
Office Park	11.4
Research Center	6.1
Retail	Per 1,000 square foot of Building
Specialty Retail	40.7
Discount Store	71.2
Shopping Center:	
10 M square feet	166.4
50 M square feet	94.7
100 M square feet	74.3
200 M square feet	58.9
500 M square feet	39.9

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

1000 M square feet	33.4
Industrial	Per 1,000 square feet of Building
Light Industrial	7.0
Heavy Industrial	1.5
Industrial Park	7.0
Manufacturing	3.9
Warehouse	4.9
Mini-Warehouse	2.6
Lodging	Per Room
Motel	10.2

Trip rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.

Figure 2
Street Classification and Minimum Design Standards

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

Street Class	Street Category	Travel Lane Width	Parking Lane Width	Total Improved Width	Curb or Shoulder	Graded Areas or Sidewalk	Surface	ROW/Easement Width	Maximum Avg. Daily Traffic (ADT)	Design Speed MPH
I	Arterial	12'	None	60'	Vertical	Sidewalk		76'	3,000+	55
II	Industrial	12'	12'	48'	Rolled	Graded		64'	3,000	40
III	Commercial	12'	8'	40'	Vertical	Sidewalk		60'	3,000	40
IV	Residential Collector	16'	None	28'	Vertical	Sidewalk	2" w/6" base or 3"w/4" base	40'	3,000	40
V	Residential Local	16'	One side only	28'	Rolled	Sidewalk	2" w/6" base or 3"w/4" base	40'	500	25
VI	Rural Collector*	11'	None	22'	4' Shoulder Ditch****	Graded	2" w/6" base or 3"w/4" base	40'	3,000	40

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

Street Class	Street Category	Travel Lane Width	Parking Lane Width	Total Improved Width	Curb or Shoulder	Graded Areas or Sidewalk	Surface	ROW/Easement Width	Maximum Avg. Daily Traffic (ADT)	Design Speed MPH
VII	Rural Local*	9'	None	18'	2' Shoulder Ditch****	Graded	2" w/6" base or 3" w/4" base	40'	500	25
VIII	Rural Lane	10'	None	20'	None/Ditch****	Graded	4" ABC w/6" Subgrade	40'	250	25
IX	Alley	10'	None	20'	None	None	4" ABC	20'	500	10
X	Private Street	12'	None	20'	None/Ditch****	None	4" ABC w/6" Subgrade**	24'***		

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

* Rural street standards may be used only in residential areas developed with minimum lot sizes of 20,000 square feet.

** Town Engineer may waive the requirement for improved subgrade if adequate subgrade exists

*** A minimum 8' utility easement is required along only one side of a private street unless the utility companies request an 8' easement along both sides

**** Depth of the required ditch shall be determined by the Town Engineer upon review and approval of the required grading plans.

Figure 3

Street Curve and Design Data

Street Class	Improved Surface	R-O-W	Radius	Length	Reverse Curb Tangent*	Intersection Tangent**	Minimum Corner Radius	Maximum Grade	Minimum Sight Distance
I	60 feet	76 feet	1,400 feet	500 feet	500 feet	475 feet	30 feet	***	770 feet
II	48 feet	64 feet	800 feet	300 feet	200 feet	300 feet	25 feet	7%	560 feet
III	40 feet	60 feet	800 feet	300 feet	200 feet	300 feet	25 feet	7%	560 feet
IV	24 feet	40 feet	800 feet	300 feet	200 feet	300 feet	25 feet	7%	560 feet
V	24 feet	40 feet	300 feet	100 feet	0 feet	200 feet	25 feet	10%	420 feet
VI	22 feet	40 feet	800 feet	300 feet	200 feet	300 feet	25 feet	7%	560 feet

Street Class	Improved Surface	R-O-W	Radius	Length	Reverse Curb Tangent*	Intersection Tangent**	Minimum Corner Radius	Maximum Grade	Minimum Sight Distance
VII	18 feet	40 feet	300 feet	100 feet	0 feet	200 feet	25 feet	10%	420 feet
VIII	20 feet	40 feet	300 feet	100 feet	0 feet	200 feet	25 feet	12%	350 feet

* Minimum length of tangent between curves in opposite directions (reverse curves). Reverse curves without tangent sections between curves are not permitted, except on local streets.

** Minimum length of tangent at intersections is measured from the Right-Of Way line of the intersecting street. Tangents approaching an intersection may vary in length with increased design speed.

*** As determined by the Town Engineer.

Figure 4 ROADWAY STANDARDS FOR MINOR SUBDIVISIONS

Figure 5 SIGNATURE BLOCKS FOR MYLARS

Figure 4

Roadway Standards For Minor Subdivisions

# of lots in subdivision	Required Road Standard	Required Surface	Minimum ROW
2-3 lots	Private Street Standard expanded to include a twenty-five (25) foot right-of-way	2" w/6" base	25'
4-6 lots	Rural Lane Standard	2" w/6" base	40'

# of lots in subdivision	Required Road Standard	Required Surface	Minimum ROW
7-10 lots	Rural Local Standard	2" w/6" base	40'

Roadways required as outlined above shall be provided along the entire frontage of the lots being created and must be provided with required ~~right-of-ways~~rights-of-way that are dedicated and constructed in accordance with the provisions of the Subdivision Regulations following the approval of ~~Council~~Community Development Director or ~~Designee~~designee of the Final Plant and prior to the issuance of any building permits for the lots.

All roadways dedicated to the Town must meet adopted Town standards and be approved by the Public Works Director.

Each of the deeds created for the resulting lots must carry a notation pointing out the responsibility of the property owner to improve the roadway to the required standard prior to issuance of building permit.

Any lots created that would have their frontage on what is indicated in the General Plan of the Town of Clarkdale as existing or proposed Collector or Arterial streets shall provide the minimum right-of-way for that street type.

All street right-of-ways shall also include an adjacent minimum eight (8) foot Public Utility Easement, on one side, the entire length of the street segment.

Figure 5Signature Blocks ~~f~~For Mylars

Documents that need Signature Blocks	When they will need to be signed	Titles for Signature Blocks
Planned Area Development (PAD) ▪ Preliminary Development Plan	After Preliminary Plat approval by Town Council	▪ Mayor ▪ Town Clerk Mayor ▪ Town Clerk
Planned Area Development (PAD) ▪ Final Development Plan	After Final Plat Development Plan approval by Town Council	▪ Mayor ▪ Town Clerk
Subdivision ▪ Preliminary Plat	After Preliminary Plat approval by Town Council Community Development Director or designee	▪ Mayor ▪ Town Clerk
Subdivision ▪ Final Plat	After Final Plat approval by Town Council Community Development Director or Designee	▪ Mayor ▪ Town Clerk
Minor Subdivision ▪ Minor Subdivision Plat	After Minor Subdivision Plat approval by Town Council Community Development Director or Designee	▪ Planning Commission Community Development Director or Designee Chair

Documents that need Signature Blocks	When they will need to be signed	Titles for Signature Blocks
	Community Development Director or Designee	• Town Clerk
Minor Subdivision • Final Plat	After Final Plat approval by Town Council <u>Community Development Director or Designee</u>	• Mayor • Town Clerk
Minor Land Division	After approval by Director of Community Development	• Community Development Director
Lot Line Adjustment	After approval by Director of Community Development	• Community Development Director 

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

Disclaimer: The Town Clerk has the official version of the Clarkdale Zoning Code. Users should contact the Town Clerk for ordinances passed subsequent to the ordinance cited above.

Town Website: www.clarkdale.az.gov

[Town Telephone: \(928\) 639-2400](tel:(928)639-2400)

[Hosted by General Code.](#)

CLEAN VERSION

CHAPTER 12 SUBDIVISION REGULATIONS

Sections:

12-1	General Provisions
12-1-010	Title
12-1-020	Town Development Policy
12-1-030	Purpose and Intent
12-1-040	Severability
12-1-050	Saving Provision
12-1-070	Amendments
12-1-080	Subdivision Amendments
12-1-090	Re-subdivision of Land
12-1-100	Abandonment (Reversion to Acreage)
12-1-110	Private Agreements
12-1-120	Authority and Applicability
12-1-130	Jurisdiction
12-1-140	Prohibition Against Circumvention of Regulations
12-1-150	Violations and Penalties
12-1-160	Subdivision Committee
12-1-170	Adoption of Figures

12-1-180	Processing Fee Schedule
12-1-190	Hardship
12-1-200	Waiver
12-1-210	Water Adequacy
12-2	<i>Repealed by Ordinance #428.</i>
12-3	Subdivision Design Principles and Standards
12-3-010	General
12-3-020	Reservation of Land for Public Use
12-3-030	Landscape Requirements
12-3-040	Street Location and Arrangement
12-3-050	Dedicated Access
12-3-060	Street Classification
12-3-070	Block Design
12-3-080	Lot Planning
12-3-090	Street Naming
12-3-100	Easement Planning
12-3-110	Condominium Development-Air Rights Planning
12-4	Subdivision Platting Procedures and Requirements
12-4-010	Outline of Subdivision Procedures
12-4-020	Stage I - Pre-Application Conference
12-4-030	Stage II - Preliminary Plat
12-4-040	Stage III - Subdivision Technical Review
12-4-050	Stage IV - Final Plat, Recording and Post Approval
12-5	Minor Subdivision
12-5-010	Minor Subdivision
12-5-020	Outline of Minor Subdivision Procedures
12-5-030	Minor Subdivision Preliminary Plat Review
12-5-040	Responsibilities of the Subdivision Committee
12-5-050	Appeals
12-5-060	Significance of Minor Subdivision Plat Approval
12-6	Minor Land Divisions and Lot Line Adjustments
12-6-010	Purpose of Minor Land Divisions
12-6-020	Applicability
12-6-030	General Standards

12-6-040	Application Requirements
12-6-050	Application Process
12-6-060	Conspiracy to Subdivide
12-6-070	Purpose of Lot Line Adjustment
12-6-080	General Standards
12-6-090	Application Requirements
12-6-100	Application Process
12-6-110	Roadway Standards for Minor Subdivisions
12-7	Public Improvement Standards
12-7-010	Purpose
12-7-020	Improvement Plans
12-7-030	Construction and Inspection
12-7-040	Required Improvements

Section12-1

GENERAL PROVISIONS

12-1-010	Title
12-1-020	Town Development Policy
12-1-030	Purpose and Intent
12-1-040	Severability
12-1-050	Saving Provision
12-1-070	Amendments
12-1-080	Subdivision Amendments
12-1-090	Re-subdivision of Land
12-1-100	Abandonment (Reversion to Acreage)
12-1-110	Private Agreements
12-1-120	Authority and Applicability
12-1-130	Jurisdiction
12-1-140	Prohibition Against Circumvention of Regulations
12-1-150	Violations and Penalties
12-1-160	Subdivision Committee
12-1-170	Adoption of Figures

12-1-180	Processing Fee Schedule
12-1-190	Hardship
12-1-200	Waiver
12-1-210	Water Adequacy

Section 12-1-010 Title

This ordinance shall be known as the “Subdivision Regulations of the Town of Clarkdale.”

Section 12-1-020 Authority, Applicability, and Jurisdiction

- A. These Regulations shall be governed by the Arizona Revised Statutes, Title [9](#), governing the division and platting of land pursuant thereto.
- B. All subdivisions, minor subdivisions or minor land divisions within the Town shall comply with these Regulations.
- C. These Regulations apply to all subdivisions, minor subdivisions and minor land divisions within the incorporated limits of the Town of Clarkdale. (Prior code § 12-1-1)

Section 12-1-030 Purpose and Intent

The purpose of these Regulations is to provide for the orderly growth and development of the Town.

The provisions of these regulations shall be held to be the minimum requirements for the promotion of the public's health, safety, and general welfare.

The provisions of these regulations shall be administered to ensure orderly growth and development and shall supplement and facilitate the provisions in the General Plan, Zoning Code, Official Maps and the Capital Improvement Plan.

Section 12-1-040 Severability

If any part or provision of these Regulations or application thereof to any person or circumstances is adjudged invalid by any court or competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which judgment shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances.

Section 12-1-050 Saving Provision

These Regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing Subdivision Regulations, or discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the Town under any section or provision existing at the time of adoption of these Regulations, or vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the Town, except as shall be expressly provided for in these Regulations. (Prior code § 12-1-5)

Section 12-1-070 Amendments

For the purpose of promoting the public's health, safety and general welfare, the Council may from time to time amend upon the recommendation of the Planning Commission the provisions imposed by these Subdivision Regulations in the manner prescribed by law.

Section 12-1-080 Subdivision Amendments

Any changes, erasures, modifications or revisions made to the final plat after approval shall be processed in the same manner as the original approval by the Community Development Director or designee.

Section 12-1-090 Re-subdivision of Land

For any change in a map of an approved or recorded subdivision plat, if such change affects any name, street layout shown on such map, or area reserved thereon for public use, or any lot line, or any improvements, such change(s) shall be approved by Community Development Director or designee in accordance with the same procedures and regulations as for a new subdivision. The Community Development Director or designee may waive these procedures for minor revisions of lot lines between two neighboring lots in a platted subdivision when no other change of the Final Plat is involved and the two new lots conform to all Town Codes. If lots within an approved subdivision have been sold to individual property owners, the Town may require, at the Town's discretion, signatures from all property owners within the subdivision be obtained and placed on the revised plat to be recorded.

Section 12-1-100 Abandonment (Reversion to Acreage)

A. If no lots in a subdivision, for which a final map has been approved and recorded, have been sold within 12 months from the date of recordation and if all of the improvements have not been made within 12 months of recordation, the Community Development Director or designee may, on its own motion, hold a public hearing after notice, to determine whether the approval and recording of such final map should be revoked. Such revocation shall be in accordance with the Arizona Revised Statutes.

B. If no lots in a subdivision for which a final plat has been approved and recorded have been sold, the property owner(s) of all lots within a subdivision may submit an application to the Community Development Director or designee for Reversion to Acreage. This application shall include a survey and legal description presenting the property as reverted from the platted subdivision. Upon Community Development Director or designee approval of the reversion and recording of the new property description, the Public Works Director will determine if any posted assurances (see Section [12-4-050-D](#)) may be released. An application fee of an amount established by the Town Council shall be paid at the time of filing. An application for revocation of all or any part of a subdivision shall be evaluated by the Community Development Department prior to any consideration by the Community Development Director or designee.

1. The acreage shall be conformance with the General Plan of the Town.
-

2. The acreage shall have access to all remaining parcels.

C. Any other actions applicable to the above process and permitted by State laws are permissible.

D. Applications to abandon streets or easements shall be made pursuant to Arizona Revised Statutes and shall be carried on separately and simultaneously with any procedure to abandon a subdivision or revert it to acreage.

E. Upon submittal of an application to abandon a subdivision and cause same to revert to acreage, staff shall distribute the request to the following for review and comment: Town Engineer, County Assessor, County Treasurer, County Health Department, and any utility that has facilities on the property proposed to be abandoned.

Section 12-1-110 Private Agreements

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

Section 12-1-120 Authority and Applicability

These Regulations shall be governed by the Arizona Revised Statutes, Title [9](#), governing the division and platting of land pursuant thereto.

All subdivisions, minor subdivisions or minor land divisions within the Town shall comply with these Regulations.

Section 12-1-130 Jurisdiction

These Regulations apply to all subdivisions, minor subdivisions and minor land divisions within the incorporated limits of the Town of Clarkdale.

Section 12-1-140 Prohibition Against Circumvention of Regulations

No person, firm, corporation, or other legal entity shall hereafter sell or offer for sale any lot, piece, or parcel of land which is within a subdivision as defined in Section [2-010](#) of these Regulations without first having recorded a plat thereof in accordance with the provisions of these Regulations.

Section 12-1-150 Violations and Penalties

A violation of this Chapter by any person, firm, corporation, or other legal entity shall be punishable under Section 1-8 of this code; any violation brought as a criminal misdemeanor offense shall be a class 1 misdemeanor.

Section 12-1-160 Subdivision Committee

A. The "Subdivision Committee" (as defined in Section [2-010](#)) is hereby established and shall consist of the following members or their duly authorized representatives:

1. Director of Community Development
2. Director of Public Works and/or Utilities Departments
3. Town Engineer
4. Police Department

B. Representatives of other public agencies may be requested to participate at the request of the Community Development Director but shall not be members.

C. It shall be the duty of the Subdivision Committee to review all Minor Subdivision Plat applications.

Section 12-1-170 Adoption of Figures

All figures within these Regulations are hereby adopted and fully incorporated herein as a part of these Regulations.

Section 12-1-180 Processing Fee Schedule

In the event the Town Manager or designee finds it necessary to use the professional services of any person, either in their regular employ or retained outside of their regular employ, in connection with their examination, approval, inspection or acceptance of any subdivision; said services shall be paid for by the applicant.

A late fee of 1.5% per month will be charged on all past due fees. The Final Plat will not be recorded until all fees are paid.

Commented [CP3]: Applicant would be better

**Section 12-1-190 Hardship**

The Community Development Director or designee may authorize variances in terms of these Regulations, where an exceptional or extraordinary situation or condition of a tract of land causes the strict application of any regulation enacted herein to result in peculiar and exceptional practical difficulties to, or undue hardship upon the applicant. Such variance may be given, provided such relief may be granted without detriment to the public good and without impairing intent and purposes of these Regulations.

Section 12-1-200 Waiver for Public Purpose

The Community Development Director or designee may waive, any provision of these Regulations insofar as they affect a public use or purpose. No waiver may be granted unless the Community Development Director or designee finds that it is in the best interest of the public, without impairing the intent and purpose of these Regulations. The extent and duration of the waiver shall be stated at the time of the waiver.

Section 12-1-210 Water Adequacy

- A. The Community Development Director or designee shall not approve a final plat for a subdivision, as defined in A.R.S. § [32-2101](#), unless one of the following applies:
1. The Director of the Arizona Department of Water Resources has determined that there is an adequate water supply for the subdivision pursuant to A.R.S. § [45-108](#), and the applicant has included the report with the plat.
 2. The applicant has obtained a written commitment of water service for the subdivision from a city, town, or private water company designated as having an adequate water supply by the Director of the Arizona Department Water Resources pursuant to A.R.S. § [45-108](#).
- B. The requirements of Subsection [12-1-210](#) (A) do not apply to:
1. A proposed subdivision that the Director of the Arizona Department of Water Resources has determined will have an inadequate water supply pursuant to A.R.S. § [45-108](#), if the Director grants an exemption for the subdivision pursuant to A.R.S. § [45-108.2](#) and the exemption has not expired, or the Director of the Arizona Department of Water Resources grants an exemption pursuant to A.R.S. § [45-108.3](#).
 2. A proposed subdivisions that received final plat approval from the Town before the requirement for an adequate water supply became effective in the Town, if the plat has not been materially changed since it received the final plat approval.
 - a. If changes were made to the plat after the plat received the final plat approval, the Director of the Arizona Department of Water Resources shall determine whether the changes are material.
- C. If the Community Development Director or designee approves a final plat for a subdivision pursuant to 12-1-21 (A), the Community Development Director or Designee shall note on the face of the plat that the Director of the Arizona Department of Water Resources has reported the subdivision has an adequate water supply, or the applicant has obtained a commitment of water services for the proposed subdivision from a city, town or private water company designated as having an adequate water supply pursuant to A.R.S. § [45-108](#).
-

D. If the Community Development Director or designee approves a final plat for a subdivision pursuant to an exemption authorized by 12-1-21 (B) (2) or granted by the Director of the Arizona Department of Water Resources pursuant to A.R.S. § [45-108.2](#) or to A.R.S. § [45-108.3](#), the Community Development Director or designee shall;

1. Give written notice of approval to the Director of the Arizona Department of Water Resources and the Director of Environmental Quality.
2. Include on the face of the plat a statement describing the exemption under which the plat was approved, including a statement that the Community Development Director or designee or the Director of the Arizona Department of Water Resources, whichever applies, has determined that the specific conditions of the exemption were met.
3. If the Director of the Arizona Department of Water Resources subsequently informs the Community Development Director or designee that the subdivision is being served by a water provider that has been designated by the Director as having an adequate water supply pursuant to A.R.S. § [45-108](#), the Community Development Director or designee shall record in the County Recorder's office a statement disclosing the fact.

Section 12-3

SUBDIVISION DESIGN PRINCIPLES AND STANDARDS

12-3-010	General
12-3-020	Reservation of Land for Public Use
12-3-030	Landscape Requirements
12-3-040	Street Location and Arrangement
12-3-050	Dedicated Access
12-3-060	Street Classification
12-3-070	Block Design
12-3-080	Lot Planning
12-3-090	Street Naming
12-3-100	Easement Planning
12-3-110	Condominium Development-Air Rights Planning

Section 12-3-010 General

The provisions of this Section shall apply to all subdivisions which are located wholly or partially within the Town of Clarkdale. Every subdivision shall conform to the General Plan, the Zoning Code, the Town Code, the Arizona Revised Statutes, and the following goals:

- A. Ensure traffic circulation in conformance with adopted transportation plans.
- B. Incorporate multimodal transportation options.
- C. Secure adequate provisions for water supply, drainage, sanitary sewers, that conform to adopted engineering and sanitation standards.
- D. Incorporate renewable energy sources, including but not limited to, solar, geothermal and wind.
- E. Provide appropriate sites for schools, recreation areas, and other public facilities.
- F. Require conveyance of land by accurate legal description.
- G. Preserve existing wildlife habitat.
- H. Encourage the substitution of effluent for potable water when possible.

All construction and repair of public facilities and private roads shall be accomplished in accordance with the standards adopted by the Town of Clarkdale. Additionally, all traffic control devices shall be placed in accordance with the latest edition of the Manual of Uniform Traffic Control Devices as adopted by the Arizona Department of Transportation.

Section 12-3-020 Reservation of Land for Public Use

Where the tract of land to be subdivided contains all or any part of the site of a park, school, flood control facility, or other public area as shown on the General Plan, or as recommended by the Community Development Director or designee, such site shall be dedicated to the public or reserved for acquisition by the public within one year after recording the Final Plat unless a different timeline is agreed upon in the subdivision or development agreement. An agreement shall be reached between the applicant and the appropriate public agency regarding time,

method and cost of such acquisition. If the public agency for whose benefit, an area has been reserved does not exercise the reservation agreement set forth in this Section by agreeing to a timetable for development and dedication of the reserved land within such one year period or such extended period as may be mutually agreed upon by such public agency and the applicant, the reservation of such area shall terminate.

Section 12-3-030 Landscape Requirements

Subdivision landscaping shall meet the requirements of Chapter 9 - Landscape Design Standards of the Town of Clarkdale Zoning Code.

Section 12-3-040 Street Location and Arrangement

- A. Whenever a tract to be subdivided embraces any part of a street designated in the adopted Town General Plan, Street Plan, Trail Plan, or Circulation Plan, such streets, bicycle ways, pedestrian ways and trails shall be platted in conformance therewith.
- B. Street layout shall provide for the continuation of such streets as the Subdivision Committee and/or the Community Development Director or designee may designate.
- C. The street patterns in the land development shall not landlock adjacent property nor prevent access to public land.
- D. Whenever a tract to be subdivided is located within an area for which a Neighborhood Plan has been approved, the street arrangement shall conform substantially to said plan.
- E. Proposed collector streets shall be extended to the tract boundary to provide future connection with adjoining un-platted lands, or existing collector streets.
- F. Residential streets, other than designated collector streets, shall be so arranged as to discourage through traffic.
- G. Where a subdivision abuts or contains the right-of-way of a drainage way, an irrigation ditch, a railroad right-of-way, or abuts a commercial or industrial land use, the Community Development Director or designee may require the location of a street approximately parallel

to and on each side of such right-of-way at a distance suitable for appropriate use of intervening land. Such distance shall be determined in conformance with regulations governing approach grades, drainage, bridges or future grade separations.

H. Streets shall be so arranged in relation to existing topography as to facilitate adequate drainage.

I. Alleys shall be required in all commercial and industrial subdivisions unless the Subdivision Committee and the Community Development Director or designee recommend waiving this requirement. Alleys may be required in residential subdivisions if the Subdivision Committee and the Community Development Director or designee recommend that alleys be required to complete an existing pattern or to provide secondary access to adjacent properties or service.

J. Half-streets shall be discouraged, except where necessary, to provide right-of-way required by the adopted Town Circulation Plan, to complete a street pattern already begun, or to ensure reasonable development of several adjoining parcels. Where there exists, a platted half-street abutting the tract to be subdivided, the remaining half shall be platted within the tract.

K. Street patterns that provide multiple accesses to the subdivision are encouraged and may be required by the Committee, Community Development Director or Designee and/or the Community Development Director or Designee.

Section 12-3-050 Dedicated Access

A. Each subdivision shall provide for adequate traffic circulation using the Average Daily Traffic (ADT) and classification system in Section [12-3-060](#) of these Regulations.

B. Where private streets are approved, the plat, the deed restrictions and the Homeowner's Association by-laws shall contain statements declaring these streets to be private and remaining the permanent responsibility of the Homeowner's Association. Such private streets are subject to an easement authorizing use by emergency and public service vehicles.

C. Cul-de-sac streets shall not be any longer than 600 feet. The Director and the Community Development Director or designee may recommend approval of a longer cul-de-sac if the topography, adjacent platting or other unusual conditions justify the exception.

Commented [CP4]: What director?

- D. Cul-de-sac streets shall terminate in a circular right-of-way, 50 feet in radius, with an improved traffic turning circle of a minimum 40 feet in radius.
- E. Acute angle intersections and intersections on the inside of a horizontal curve are prohibited, unless otherwise approved by the Town Engineer.
- F. Street designs shall meet the criteria of Chapter 12, Figure 2 - Street Classification and Minimum Design Standards and Figure 3 - Street Curve and Design Data.
- G. Dead-end streets will not be approved except in locations designated by the Subdivision Committee and Community Development Director or designee as necessary to future extension in development of adjacent lands. In any case, a dead-end street serving more than four lots shall provide, by easement, a temporary turning circle with a 40 foot radius or other acceptable design to accomplish adequate access.
- H. At street intersections, property line corner shall be rounded by circular arc, said arc to be the corner cut-off minimum from figure 4.
- I. At the intersection of two streets of different classification, the corner cut-off dimension and curb return radius of the wider street shall be used.
- J. Vertical curbs shall be required on the downhill side of streets having grades of 6% or greater.
- K. The maximum street grade is not to exceed 12%.
- L. No subdivision shall be approved without dedicated legal access to a collector street.

Section 12-3-060 Street Classification

- A. The street hierarchy system shall be defined by use and Average Daily Traffic (ADT) rates calculated by average trip generation rates prepared by the Institute of Transportation Engineers, as indicated in Chapter 12, Figure 1. The applicant may use another approved method if it can be demonstrated to better reflect local conditions.
 - B. The applicant will demonstrate to the Community Development Director or designee that no street shall exceed the maximum ADT's of Figure 2.
-

- C. Rural street designs may be used only in residential areas developed with a minimum lot size of 20,000 square feet.

Section 12-3-070 Block Design

A. Maximum length of blocks measured along the centerline of the street, and between intersecting street center lines, is 1200 feet, except in a development with lot areas averaging 1.5 acres or more, this maximum may be exceeded by 500 feet. Block length shall be designed to meet the above maximums and adopted engineering standards.

B. Pedestrian or bicycle ways with right-of-way widths a minimum of 8 feet may be required where essential for circulation or access to schools, playgrounds, shopping centers, public land, transportation and other community facilities. Pedestrian or bicycle ways may also be used for utility and drainage purposes if so noted on the plat and approved by the Community Development Director or designee and the Town Engineer.

Section 12-3-080 Lot Planning

A. Lot width, depth, frontage, area, lot coverage, floor area ratio and building setbacks shall comply with the minimum requirements of the Zoning Code. The type and extent of street and utility improvements being installed shall comply with the minimum requirements of the Zoning Code. Where steep topography, unusual soil conditions, or drainage problems exist or prevail, variances to adopted development standards may be considered.

B. Lands that are subject to periodic inundation, subsidence of the earth's surface, high water table, adverse topography, adverse soils, or other natural or manmade hazards to life or property shall be excluded from subdivision unless it can be substantiated by the applicant that proposed lot configurations and sizes, grading and drainage techniques, or other special development approaches necessary to protect the public health, safety, or general welfare on any lands to be subdivided affected by such characteristics, are satisfactory.

C. The Community Development Director or designee may approve subdivision of such land upon receipt of written evidence from the Town Engineer, the County Flood Control District and State and County Health Authorities that the construction of specific improvements will

render the land suitable; thereafter, construction upon such land shall be prohibited until specified improvements have been planned and the construction guaranteed.

D. Side lot lines shall be substantially at right angles or radial to street lines, except where special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the use of said lot lines will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district.

E. All lots shall have frontage as required by the appropriate zoning district on a fully dedicated public or private street.

F. Single-family lots on curvilinear streets shall have rear lot lines consisting of a series of straight lines with points of deflection occurring only at the junction of side or rear lot lines unless otherwise approved.

G. Corner lots may be wider than interior lots to provide for setback requirements.

H. Single-family residential lots extending through the block and having frontage on two parallel local streets is prohibited.

I. Residential lots shall not be accessible from collector or arterial streets.

Section 12-3-090 Street Naming

New street names shall not be duplicated or be similar to those already in existence in or within 3 miles of the Town. Where streets are continuations of existing streets, the name of the existing street shall be used. Proposed street names will be reviewed and approved by the Community Development Director or designee and Yavapai County Addressing Division.

Section 12-3-100 Easement Planning

A. Easements for utilities shall be provided to ensure the provision of services to each lot.

1. The developer will provide the Director written documentation of approval by the utilities with respect to easements.

- B. Drainage easements shall be provided to the satisfaction of the Town Engineer and the County Flood Control District. In no case shall drainage easements be less than 20 feet in width.
- C. Easements necessary to assure non-motorized access to adjacent public lands are required. Such easement shall not exceed 10 feet in width.
- D. Where alleys are provided, an easement sized to the refuse container may be required as determined by the Community Development Director or designee.
- E. Based on adopted engineering standards, increased right-of-way widths and slope easements may be required by the Town Engineer.

Section 12-3-110 Condominium Development-Air Rights Planning

- A. The processing of subdivision plats for condominium developments shall follow procedures set forth in these Regulations for the processing of land subdivision plats.
- B. In addition to the requirements of the above, all plats for condominium subdivisions shall include:
 - 1. All building locations.
 - 2. All private access ways, driveways and parking areas.
 - 3. Designation of all commonly-owned property, including that within buildings.
- C. Final Plats for condominiums shall be recorded prior to the issuance of a building permit.
- D. Preliminary Plats for the conversion of conventional apartments to condominiums shall show:
 - 1. Firewall construction as required by adopted building and fire codes.
 - 2. Additional parking, if required by Chapter 4 - General Provisions.
 - 3. Additional open space as required by the development standards of the applicable zoning district.
 - 4. Location of individual utilities lines and meters.

Section 12-4

SUBDIVISION PLATTING PROCEDURES AND REQUIREMENTS

- 12-4-010** **Outline of Subdivision Procedures**
- 12-4-020** **Stage I - Pre-Application Conference**
- 12-4-030** **Stage II - Preliminary Plat**
- 12-4-040** **Stage III - Subdivision Technical Review**
- 12-4-050** **Stage IV - Final Plat, Recording and Post Approval**

Section 12-4-010 Outline of Subdivision Procedures

The preparation, submittal, review and approval of all subdivision plats located within the Town limits shall conform to the following requirements and processes. A deposit toward potential outside consultant fees incurred by the Town in the processing and review of an application shall be required per Section [3-5](#) of the Town Code.

- A. Stage I Pre-Application Conference
- B. Stage II Preliminary Plat
- C. Stage III Technical Review
- D. Stage IV Final Plat, Recording and Post Approval

The process for completing these stages varies depending on the type of subdivision, determined by the number of new parcels being created.

Type	Subdivision	Minor Subdivision	Minor Land Division
	10 lots or more	4 – 10 lots	2-3 lots
Stage I	Required	Required	Required
Preapplication Conference	Section 12-4-020	Section 12-5-020	Section 12-6-050

Type	Subdivision 10 lots or more	Minor Subdivision 4 – 10 lots	Minor Land Division 2-3 lots
Stage II Preliminary Plat	Required Community Development Director or Designee Section. 12-4-030	Required Reviewed by Subdivision Committee, Approved by Community Development Director or designee. Section 12-5-030	Survey from a State of Arizona registered land surveyor. Section 12-6-040
Stage III Technical Review	Required Section 12-4-040	Required Section 12-5-040	Not required
Stage IV Final Plat, Recording and Post Approval	Required Section 12-4-050	Required Section 12-4-050	Required within 60 days of approval. Section 12-6-050-E

Section 12-4-020 Stage I - Pre-Application Conference

A. The “Pre-Application Conference” comprises an investigatory period which precedes actual preparation of preliminary plans by the applicant. During this stage the applicant makes

intentions know to the Town and is advised of specific requirements related to the subject tract and other details regarding platting procedures and requirements.

B. Actions by the Applicant

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

1. Two paper copies and one electronic copy of the sketch plans that includes: the name of the development, location by Section, Township and Range with reference to section corners and quarter corners, land use, street and lot arrangement, tentative lot sizes, existing improvements, major washes and drainage ways, known flood hazards, generalized land use in the vicinity, documented historical or archeological resources, and proposed bikeways, trails, open space, parks, and recreation facilities.
2. Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.
3. Information regarding legal problems which are associated with the property, if any.

C. Actions by Community Development Department (CDD)

The CDD will discuss the proposal with the applicant and advise him or her on procedural steps, design and improvement standards, and general plat requirements. Then, depending on the scope of the proposed development, the CDD will proceed with the following investigations:

1. Check existing zoning of the tract and make recommendations if a zoning change is necessary or desirable.
2. Determine the adequacy of existing or proposed schools, parks and other public places.
3. Inspect the site or otherwise determine the relationship to major streets, utility systems, and adjacent land uses and determine any unusual problems such as topography, utilities, flooding, etc.

D. Upon the conclusion of Stage I activities, the applicant shall prepare a Memorandum of Understanding. It shall be formally acknowledged in writing by all parties. The Memorandum of Understanding shall include all items discussed.

Section 12-4-030 Stage II - Preliminary Plat

The Preliminary Plat stage of a subdivision includes detailed subdivision planning, submittal, review and approval of the Preliminary Plat. To avoid delay in processing this application, the applicant shall provide the Town with all information required to determine conformance with adopted codes and regulations.

Any furtherance of pre-development activity engaged in, by, or on behalf of the applicant while an application for zoning amendment or variance is pending, shall in no instance be construed as having been undertaken in reliance of a favorable determination of such application, notwithstanding the nature of the recommendation on the matter of the Director of Community Development.

A. Zoning

The subdivision shall be designed to meet the specific requirements of the zoning district within which it is located. However, in the event that rezoning is deemed necessary, such as in the case of a Planned Area Development (PAD), the rezoning shall be initiated by the property owner or an authorized agent, and be heard and considered by the Commission and Council (see the Town of Clarkdale Zoning Code, Chapter [13](#), Section [13-020](#), for procedures regarding zoning changes). Any change in zoning or site plan approval required in relation to approval of the Preliminary Plat shall have been approved by the Council before the recommendation of approval of the Preliminary Plat by the Community Development Director or designee.

B. Sanitary Sewage, Refuse Disposal and Water Supply

As a prerequisite to Preliminary Plat review, the applicant shall have informed all pertinent regulatory agencies of the tentative plans and the applicant shall become informed of the general requirements for sewage disposal, water supply and refuse disposal which may apply to the property.

C. Owner's Authorization

If the applicant is not the legal owner of the property to be subdivided, said applicant shall, before filing the plat, obtain and submit notarized written consent to act on behalf of the legal owner(s) as the applicant.

D. Preliminary Plat Submission

1. Two 24 inch by 36 inch copies of the Preliminary Plat and required supporting data, prepared in accordance with requirements set forth in Section [12-4-040-E](#) of these Regulations, and one digital copy of all materials shall be filed with the Community Development Director or designee. Review of the Preliminary Plan by Community Development Director or designee and other departments and agencies having jurisdiction shall be dependent upon adequacy of data presented and completion of processing. The review shall occur within 60 days of date of submission.
2. A Preliminary Plat fee, as adopted by the Council, shall be paid by the applicant prior to the acceptance of the Preliminary Plat. The filing fee shall also cover filing of an amended or revised Preliminary Plat handled as the same case. If preliminary approval expires prior to application for final approval, the plat shall be re-submitted for preliminary approval as a new case and the applicant shall pay the required fees.
3. The submittal shall be reviewed by the Community Development Director or designee and all other departments and agencies having jurisdiction to determine conformance with requirements set forth in Section [12-4-040-E](#) of these Regulations. If incomplete, the applicant will be notified within one week of receipt and given the opportunity to comply. Upon determination that the application is complete, a case number will be assigned and the applicant will be notified in writing of the acceptance.
4. The Subdivision Committee shall meet within 15 business days of the approval of the complete application and provide review comments to the Community Development Director or designee. Written comments shall be provided to the applicant for correction.

E. Form of Presentation for Preliminary Plat

The information hereafter required as part of the Preliminary Plat submittal shall be shown graphically, or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale. The scale shall not be smaller than one inch equals 100 feet.

All Preliminary Plat submittals shall include the following:

1. Letter of intent from the applicant describing the subdivision and proposed name of subdivision and its location by Section, Township and Range, reference by dimension and bearing to an acceptable government section or quarter-section corner. The proposed

subdivision name shall not duplicate any other recorded plat in Clarkdale or adjacent communities.

2. Name, address, email address and telephone number of the owner of record of the property, and of the applicant, if not the owner of record.
3. A copy of the title paperwork for the property.
4. Name, title, address, email address and telephone number of engineering, land planning, surveying, architectural firm, or individual preparing the plat.
5. Name, book and page number of any recorded subdivision adjacent to or having common boundaries with this plat.
6. Scale (written and bar graph), north point and date of preparation including dates of any subsequent revision.
7. Total subdivision acreage and dimensions. Do not include previously dedicated rights-of-way in this figure.
8. Fully dimensioned boundary lines.
9. A vicinity map which shows the relationship of the proposed subdivision to dedicated rights-of-way and any other facilities and developments which locate the subdivision. This map may be on the Preliminary Plat, but, if it is not practical, then a separate map showing title, scale, north point and date shall be provided.
10. Names, locations and widths of adjacent streets, highways, ways, railroads and utility easements including streets and rights-of-way providing legal dedicated right-of-way access to the property.
11. Location, names, areas, width, proposed grade curve, super elevations, sight distances, and radii for all streets, highways and ways in the proposed subdivision and off-site, if required, to provide adequate access to the subdivision. Include connections to adjoining platted tracts, public lands and streets contained therein.
12. The width and approximate locations of all existing or proposed public or private easements or rights-of-way for streets, ways, trails, drainage, sewers, public utilities, flood control purposes, access to adjacent public land, or other community facilities.

13. Typical lot dimensions (scaled); dimensions of all corner lots, all lots of more than four sides and lots of curvilinear sections of streets; each lot numbered individually and consecutively; total number of lots or dwelling units.
 14. Designations of all land to be dedicated or reserved for public use with use indicated, including land reserved for parks, recreational facilities, school sites, and fires stations pursuant to A.R.S. 9.463.01.0.
 15. Area of all lots and parcels not for single-family residential use, in acres. The area of all single-family residential lots in square feet if under or equal to one acre in size, or in acres, if the lots are over one acre in size.
 16. A report by a sanitary engineer describing proposed wastewater disposal.
 17. Locations, elevations, and sizes of culverts, storm drains and detention facilities. This information shall be accompanied by a hydrologic and hydraulic analysis, which meets the criteria set forth in the most recent Yavapai County Flood Control District Storm Water Detention Material and Drainage Criteria Manual.
 18. The locations of floodway and floodplain boundaries and base flood elevations as determined by Federal Emergency Management Agency (FEMA) Flood Maps and the location of other water courses and land subject to inundation or flood hazard.
 19. Engineer's calculations and estimated values for each tributary of storm runoff for a 25 year and 100 year frequency storm as specified in the Yavapai County Flood Control District Ordinance. The values shall be indicated along the boundary of the plat for all points of drainage entering and leaving the property.
 20. Proposed cut and fill areas showing original and proposed grade levels with elevations and contours.
 21. Proposed use of all lots, tracts or parcels within the subdivision.
 22. Location and dimensions of all existing or proposed structures, walls, fences, irrigation ditches, water wells, pipelines, utilities, and other physical features. Plat shall indicate which improvements are to remain, be altered or removed.
 23. Letters of serviceability for all utilities proposed to service the subdivision.
-

24. Contour intervals shall be such as to adequately reflect the character and drainage of the land.
25. School or park sites that may be required.
26. The zoning of all adjacent land.
27. Any deed restrictions or covenants and property owners association agreements to be or presently imposed upon the plat or any part thereof.
28. A Phase II County Flood Control Report.

F. PRELIMINARY PLAT REVIEW

1. The Community Development Director shall distribute copies of the plat to the following:
 - a. The Town Manager, Town Engineer, Police Chief, Director of Public Works and/or Utilities Departments, Fire District Chief and Building Official for overall review and recommendations.
 - b. The Yavapai County Flood Control District for review of flood control and drainage measures.
 - c. The Yavapai County Environmental Services Department for review of sewage disposal proposal.
 - d. Representatives of local utilities for review.
 - e. When the land abuts a state highway, to the Arizona Department of Transportation for recommendations regarding right-of-way and intersection design.
2. The reviewers may transmit their recommendations to the Director in writing or verbally. The Community Development Director will then summarize the recommendations, prepare a report and present it to the Subdivision Committee.

G. Responsibilities of the Community Development Director or Designee

The Community Development Director or designee shall recommend for approval, conditional approval or denial of the Preliminary Plat as proposed after considering the recommendations and findings of the Subdivision Committee and all other agencies having jurisdiction.

1. Approval by the Community Development Director or designee shall be based on the following findings:

- a. The proposed subdivision conforms to the adopted General Plan goals, objectives and policies of the Town.
- b. The proposed subdivision, as reviewed and approved, will not be detrimental to the public's health, safety, and general welfare.
- c. Environmental concerns conform to adopted standards.
- d. The design of the proposed subdivision conforms to adopted engineering standards.
- e. The proposed subdivision is consistent with the Zoning Code requirements applicable to the property.
- f. The proposed subdivision conforms to the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.

H. Appeals

If the Community Development Director or designee finds that the Preliminary Plat does not meet the requirements of these Subdivision Regulations, the applicant may appeal this decision to the Board of Adjustment with the following stipulations:

1. All appeals shall be made in writing and filed with the Town Clerk, setting forth the particulars and the reasons for the appeal.
2. Appeals must be made within 30 days from the date of the findings of the Community Development Director or designee.
3. The Board of Adjustment shall render a decision no later than 30 days after the appeal is taken.
4. The Board of Adjustment shall decide appeals wherein it is alleged by the applicant that there is error in any order, requirement, decision, grant or refusal made by the Community Development Director or designee, Subdivision Committee or any official in the administration of these Regulations.

5. The Board of Adjustment shall approve, disapprove or approve with modifications the appeal.

J. Responsibilities of the Community Development Director or Designee

The Community Development Director or designee shall approve, conditionally approve or deny the Preliminary Plat as proposed after considering the recommendations and findings of the Subdivision Committee, and all other agencies having jurisdiction. The Community Development Director or designee's action shall be based on its findings of fact and conclusion.

K. Community Development Director or Designee Rejection

If the Preliminary Plat is rejected, the new filing of a plat for the same tract, or any part thereof, shall follow the aforementioned procedure and be subject to the required fee.

L. Significance of Preliminary Plat Approval

Approval of the Preliminary Plat constitutes authorization for the applicant to proceed with preparation of the engineering plans and specifications for public improvements and is based upon the following terms:

1. The basic considerations under which approval of the Preliminary Plat is granted will not be changed prior to the expiration date of Preliminary Plat approval.
2. Approval is valid for a period of two years from the date of the Community Development Director or designee's approval. Requests can be made for one year extensions up to a total of not more than three years from the original date of approval. Extensions of the Preliminary Plat approval may be granted by the Community Development Director or designee upon receipt of a letter from the applicant before the expiration date.
3. Preliminary Plat approval does not assure final acceptance of streets for dedication or continuation of existing zoning requirements for the tract or its environs. It does not constitute authorization to record the plat.

Section 12-4-040 Stage III - Subdivision Technical Review

The Technical Review stage is designed for the Town Engineer to approve all details of the engineering plans and specifications for public improvements before recommending the applicant proceed with Final Plat procedures.

A. Submittal for Technical Review shall be made to the Town Engineer with one copy to the Director of Community Development. The submittal shall be checked by the Town Engineer for content in accordance with requirements set forth in Section [12-4-050-B](#) of these Regulations and for substantial conformity with the approved Preliminary Plat. Whether complete, incomplete or non-conforming with the approved Preliminary Plat the applicant will be notified within 15 days of receipt of submittal and given the opportunity to comply.

B. Submittal requirements: The following information is required for Technical Review submittal and shall be shown graphically, by note, or by letter, and may consist of several sheets showing various elements of the required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, adjusted to produce an overall drawing of 24 inches by 36 inches. The applicant may use more than one sheet if necessary, using one of the standard engineering scales. The scale shall not be less than one inch equals one hundred feet providing sufficient detail to illustrate the applicant's intent.

1. Two sets of the approved Preliminary Plat: Planned Area Developments (PADs) shall submit two copies of typical floor plans and elevations. A digital copy of all submitted materials is required.
 2. Identification and descriptive data:
 - a. All information required for the Preliminary Plat.
 - b. Building setbacks for a typical lot. Where there are lots with more than four sides or whose shape may be considered atypical, show all setbacks.
 - c. Construction plans of all improvements required by these Regulations, on-site and off-site, including but not limited to sewers, all utilities, roads, parks, sidewalks, drains, culverts, and grading. A Phase III County Flood Control Report.
-

3. Review Fee: At the time of filing of the plat for Technical Review, the applicant shall pay a fee as fixed by the Council. If revisions are made and further review is required, additional fees may be required.

C. The Town Engineer will review the technical details of the plat and note any changes necessary for the plat to be in compliance with all Town, County, State and Federal Engineering Standards. The Town Engineer will approve, sign and stamp the plat, or reject the plat, and notify the Community Development Director or designee in writing of findings. The Community Development Director or designee will notify the applicant of the findings in writing. If the plat is approved, the Director will advise the applicant to proceed with final platting procedures. If the plat is rejected, the Director or Town Engineer will review with the applicant the changes needed to receive approval.

Section 12-4-050 Stage IV - Final Plat, Recording and Post Approval

This stage includes the approval of the final design of the subdivision, and the approval of the public improvement plans, including the submittal of the Final Plat for review and action by the Community Development Director or Designee. Also, this stage includes assurances that shall be required and approved by the Community Development Director or Designee before recording of the plat and the terms for the release of assurances and acceptance of improvements.

A. Filing of Final Plat

1. To initiate Final Plat procedures, the applicant shall file two copies, and one digital copy of the Final Plat, and an application with the Community Development Director or designee. A digital copy of all submitted materials is required.

2. Filing Fee: At the time of filing for Final Plat approval, the applicant shall pay a fee as fixed by the Council. If revisions are made and further review is required, additional fees may be required.

3. The Final Plat shall be presented in accordance with the requirements set forth below and shall conform to the approved Preliminary Plat or the Revised Preliminary Plat and the approved Technical Review.

B. Form of Presentation for the Final Plat

The following information is required as part of the Final Plat submittal. All mapped data for the same plat shall be drawn at the same standard engineering scale of at least one inch equals 100 feet. A digital copy of the Final Plat and all supporting documents is required.

1. The Final Plat shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black ink on polyester film ("mylar"), that when filed, results in legible prints and negatives produced from the original.
 2. Sheet size shall be 24 inches by 36 inches with a border line drawn completely around each sheet leaving an entirely blank margin of 1.5 inches except that the binding edge shall be two inches.
 3. Certificates, affidavits, and acknowledgments shall be legibly stamped or printed upon the plat with black opaque ink. All signatures shall be in black waterproof ink, with the ink surface coated with a suitable substance when used on polyester film to assure permanent legibility. Names and titles of signers shall be lettered legibly under their signatures.
 4. Scale shall be shown with a bar scale and a written scale.
 5. The exterior boundary of the subdivision shall be indicated by a heavy line.
 6. Each sheet shall be numbered, the relation of one sheet to another clearly shown, and the total number of sheets shown on each sheet.
 7. The case number, subdivision name, date, scale and north point shall be shown on each sheet.
 8. Every Final Plat shall have a title sheet either as a separate page or where the size of the subdivision permits as part of the Final Plat. Said title shall contain the following:
 - a. The subdivision name shall comprise the title.
 - b. Below the title shall be a sub-title consisting of a general description of all the property being subdivided, by reference to subdivisions or to sectional surveys.
 - c. References to adjacent subdivisions shall be worded identically with original records, with references to the books and pages of the subdivision.
-

-
- d. Name, address, registration number, and signature included with the seal of the registered civil engineer and/or registered land surveyor preparing the plat.
 - e. Affidavits, certificates, acknowledgments, endorsements, acceptances of dedication and notary seals required by law and by these Regulations shall appear on the title sheet.
 - f. The title sheet shall show the basis of bearings.
 - g. A vicinity map showing the proposed subdivision and the surrounding subdivisions, dedicated right-of-way access to the subdivision, and parcels and streets located within a 300 foot radius of the boundaries of the proposed subdivision.
9. The following survey data shall be required as a part of Final Plat submittal:
- a. The corners of the subdivision shall be located on the monument lines of abutting streets; boundaries of the tract to be subdivided shall be fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field. All distances shall be shown in feet and one hundredth of feet.
 - b. Any excluded parcels within or surrounded by the plat boundaries shall be noted as "not a part of this subdivision" and shall show all bearings and distances of the expected parcel as determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals.
 - c. Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two separate corners of the subdivision transverse shall be tied by course and distances to separate section corners or quarter-section corners.
 - d. Location of all physical encroachments upon the boundaries of the tract.
 - e. Ties to any Federal, State, County and Town boundary lines, section corners and quarter corners involved.
 - f. Name, right-of-way lines, courses, lengths, and widths of all public streets, alleys, pedestrian or bicycle ways and utility easements; radii, points of tangency, curve lengths, and central angles of all curvilinear streets, alleys and intersection corners.
-

-
- g. All drainage ways shall be shown on the plat. The rights-of-way of all major drainage ways shall be dedicated drainage ways or right-of-way as determined by the Town Engineer or County Flood Control District.
 - h. All easements for right-of-way provided for public services or utilities and any limitations of the easements. The following notations shall be placed on all Final Plats: "Construction within easements, except by public agencies and utility companies, shall be limited to utilities, and wood, wire, or removable section type fencing."
 - i. Location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the Town with the use clearly indicated.
 - j. The limits of any 100 year flood plain identified using the standards set forth by the Director of the Arizona Department of Water Resources, together with the base flood elevation, shall be illustrated on the Final Plat. The regulatory elevation for the most critical location within each lot shall be shown on each lot that is impacted by the flood plain. A note shall also be placed on the plat indicating that "Flood Plain limits, base flood elevations and regulatory elevations may be revised by subsequent studies approved by the Yavapai County Flood Control District."
10. The following description data shall be required as a part of Final Plat submittal:
- a. All residential lots shall be numbered by consecutive numbers throughout the plat.
 - b. Dimensions and square footage of all lots.
 - c. "Tracts", "parcels", "exceptions" and "common open space" shall be so designated, lettered, or named, and clearly dimensioned.
 - d. Location of all adjoining subdivisions and developments with date, name, book and page number of recordation noted. If adjoining land is unrecorded or undivided, so shall it be marked on the plat.
 - e. Any existing or 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.
 - f. Limitations on rights of access to and from streets, lots and other parcels of land.
-

- g. Locations and names of streets and pedestrian or bicycle ways adjacent to the proposed subdivision.
- h. Typical section of proposed roadways to indicate thickness and type of surfacing, thickness of base courses as determined by soil analysis; design shall be by a Soils Engineer.
- i. Detailed construction plans of all improvements on-site and off-site, prepared in accordance with all State, County and Town standards in effect at the time.
- j. Locations and types of all traffic control devices in accordance with the latest manual of uniform traffic control devices by Arizona Department of Transportation (ADOT).
- k. Provisions for the perpetual maintenance of private roads, recreation facilities, and/or open spaces that are part of the subdivision shall be provided for in the Property Owners Association (or other legal entities) organizational Sections of Incorporation and must be acceptable to the Town.
- l. Letters from each utility company indicating serviceability of the subdivision.

11. The following dedication and acknowledgment information is required for Final Plat submittal:

- a. Dedication: There shall be required as part of the Final Plat submittal an irrevocable offer of dedication of any streets, crosswalks, drainage ways, pedestrian or bicycle ways, trails, and other easements for public use by the parties holding title of record, by parties holding titles as vendees under land contract, by spouse of said parties, lienholders and all other parties having an interest in the property. If lands dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication of drainage easements shall be required. Dedication shall include a written location by Section, Township and Range of the tract. If the plat contains private access ways, the right to install and maintain utilities, including refuse collection, in these access ways, shall be reserved.
- b. Acknowledgment of Dedication: Acknowledgment of the offer of dedication shall be certified by a notary public. All parties having any record title or interest in the land being subdivided shall be included in such acknowledgments.

c. An offer of dedication to the Town or County Flood Control District for any streets, pedestrian or bicycle ways, trails, areas, drainage ways, easements and other rights-of-way for public use either immediate or in the future shall not constitute public ownership or responsibility, until the Council formally accepts said offer of a dedication by separate instrument.

12. The following certifications shall be required as a part of the Final Plat submittal:

a. Certification by the civil engineer or land surveyor preparing the plat, that the plat is correct and accurate and that the monuments described in it have either been set or located as described. All maps shall contain the seal of a civil engineer or land surveyor, whichever is applicable. Closure calculations may be required if deemed necessary by the Town Engineer.

b. Certification of plat approval by the Yavapai County Health Department.

c. A certificate signed and acknowledged by all parties having any record of title or interest in the land being subdivided offering for dedication rights of access to and from prescribed streets, lots and parcels of land.

d. A statement of adequate water supply from the Arizona Department of Water Resources, or, if served by a water company, a statement of water serviceability from the serving water company (private or public).

13. A cost estimate for constructing the required public or private improvements signed and sealed by a professional engineer who is registered to practice in the State of Arizona. The cost estimate and method/type of assurance shall be approved by the Town Engineer and/or Town Attorney prior to approval of the Final Plat.

C. Final Plat Review

1. The Director, upon receipt of the Final Plat submittal, shall immediately record receipt and date of filing, and check it for completeness. If complete, the Director shall review the plat for substantial conformity to the approved Preliminary Plat, or revised Preliminary Plat, and forward copies of the submittal to the following reviewing parties who shall make known their recommendations in writing: the Yavapai County Flood Control District, Yavapai County Health Department, the Arizona Department of Transportation, if plat abuts a State Highway, the Clarkdale Fire District and the Town of Clarkdale Public Works/Utilities Department.

2. The Director shall assemble the recommendations of the various reviewers, prepare a concise summary of their recommendations and submit, together with the reviewer's recommendations, to the applicant. If the Director finds that the Final Plat does not conform to the Preliminary Plat, as approved by the Community Development Director or designee or the approved Technical Review, as approved by the Town Engineer, the Final Plat shall be submitted to the Community Development Director or designee for review and recommendation prior to submittal to final approval.

D. Final Plat Approval, Recording and Post Approval

1. When the certificate of approval by the Community Development Director or designee has been transcribed on the plat, the Town Clerk shall retain the plat until the following is met:

- a. The Town Engineer certifies that the subdivision has been staked and that the engineering plans, for the subdivision improvements, have been approved.
- b. The required letters of assurance of improvements from each serving utility company are attached.
- c. An agreement executed by the applicant, in a form acceptable to the Town and approved by the Town Manager, covering the following:
 - 1) The subdivision improvements in a recorded development unit may be constructed in practical increments of lots, as specified by the applicant, subject to provisions for drainage, traffic movements, and other services as determined by the Town Engineer.
 - 2) The improvements, except those utility facilities not directly governed by the Town, shall be constructed in accordance with plans approved by the Town Engineer and the appropriate Town department for water and public sanitary sewer facilities, and by the Town Engineer for all other improvements. If the location of the development is so required, water and sanitary sewer facilities shall also be constructed in accordance with plans approved by the appropriate State and County departments.
 - 3) The improvements, except those utility facilities specified in this Chapter, shall be completed within a specified time period, for each increment, as determined by

the Town. An extension of time may be granted under conditions specified in the agreement.

4) The applicant shall give adequate assurance of the construction of each increment in accordance with this Chapter.

5) Progress payments may be made to the applicant on order from any cash deposit made. Such payments shall be made in accordance with standards established by the Town Engineer.

6) Any work abandoned or not completed by the applicant may be completed by the Town, and the Town shall be entitled to recover the construction costs from the applicant's financial assurances posted with the Town, and if insufficient, from the applicant.

7) Construction of all improvements within streets and easements, except those utility facilities specified in this Chapter, shall be subject to inspection by the Town Engineer.

8) No lots shall be released from the approved increment of lots until either the agreement or an assurance of construction has been posted and accepted by the Town Engineer.

9) With regard to on-site and off-site street and utility improvements accepted for maintenance by the Town of Clarkdale, the applicant shall warrant all workmanship and materials involved in such improvements for a period of one calendar year after the date of written acceptance.

2. Assurance of Construction:

a. To ensure construction of the required improvements as set forth above in this Section, except those utility facilities specified in this Chapter, the applicant shall deposit with the Town an amount in cash or a letter of credit equal to the amount of the cost of the work of each recorded increment, as determined by the Town Engineer, guaranteeing that the work will be completed in accordance with Town details and specifications. The letter of credit shall be executed by the applicant, as principal, with a corporation duly authorized to transact business in the State of Arizona, as surety. The letter of credit or cash shall be released upon satisfactory performance of the work

and its acceptance by the Town Engineer. The letter of credit may be canceled or the cash withdrawn by the applicant, provided that other security satisfactory to the Town has been deposited which will cover the remaining obligations of the applicant. The Town shall provide written acceptance of the other security prior to the applicant canceling the letter or requesting release of security held as an assurance of construction.

b. Any alternative forms of assurance, such as a surety bond, must be approved by Town Manager during the final plat approval process.

c. The duration of financial assurances shall be for 12 months, from the date of recording. Extension of time in one year increments may be granted by the Community Development Director or Designee upon good cause. The assurance shall remain in force and effect until it is released by the Community Development Director or Designee or has been authorized for partial release as provided herein.

d. The Town Engineer, upon receipt of a certification from the Engineer of Record, may authorize a reduction of the financial assurance for the work completed in accordance with the approved cost estimate and construction plans. Ten percent of the estimated cost of completed improvements shall be retained to insure sufficient funds remain to insure completion of the improvements, final inspections and preparation of final "as-built" plans.

e. In the event the applicant defaults or fails or neglects to satisfactorily install the required improvements within three years from the date of recording, the Town Manager may declare the assurance forfeited, and the Town may make or cause the required improvements to be made, using the funds from the financial assurance to pay the full expense thereof. In addition, the Director shall notify the State Real Estate Commissioner of the default.

f. If good cause is shown by the applicant, the Community Development Director or Designee may extend the term of the assurance and the time limit for completion of subdivision improvements.

3. Upon receiving certification from the Town Engineer and the assurances required by these Regulations, the Town Clerk shall cause the Final Plat to be recorded in the Office of the Yavapai County Recorder.

4. Inspection: The applicant, using the services of an Arizona registered Professional Engineer and plans as approved by the Town Engineer, shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than 30 days prior to the release date of the assurance, the Engineer of Record shall make an inspection of the improvements and shall submit a set of "as-built" construction plans, if complete, or a report on the status of improvements, if only partially complete, to the Town Engineer.
 5. A fee may be imposed by the Council for the inspection by the Town Engineer.
 6. Report to Community Development Director or Designee: The Town Engineer will review the "as-built" plans and/or report, with the applicant's Engineer of Record and notify the applicant of any noncompliance with the approved construction plans or with these Regulations. If the Town Engineer determines that compliance has been made, he will then submit a report to the Community Development Director or Designee, setting forth the conditions of such facilities.
 7. Release: A certificate sealed by the Engineer of Record on the "as-built" plans stating that the construction has been completed in substantial conformance to the specifications and standards contained in or referred to herein, must be approved by the Town Engineer and presented to the Community Development Director or Designee prior to the final release of assurances, who shall forward said plans to the Public Work Director or Designee. If all of the improvements comply with Town Standards, the Town Manager shall release the guarantee. If the condition of materials or workmanship show unusual depreciation or does not comply with Town Standards, the Town Engineer may present this information to the Community Development Director or Designee who may declare the applicant in default.
 8. Once the improvements are approved and the assurances are released, the Public Works Director or designee shall review the improvements for acceptance into the Town system for maintenance.
 9. If the Public Works Director or designee approves the plat, the Town Clerk shall transcribe a certificate of approval upon the plat, first making certain that the other certifications required by these Regulations have been duly signed.
-

Section 12-5

MINOR SUBDIVISION

- 12-5-010** **Minor Subdivision**
- 12-5-020** **Outline of Minor Subdivision Procedures**
- 12-5-030** **Minor Subdivision Preliminary Plat Review**
- 12-5-040** **Responsibilities of the Subdivision Committee**
- 12-5-050** **Appeals**
- 12-5-060** **Significance of Minor Subdivision Plat Approval**

Section 12-5-010 Minor Subdivision

The Minor Subdivision is a process developed to respond to the needs of property owners who are proposing subdivisions of 10 lots or fewer. The Preliminary Plat process is replaced by an administrative review by the Subdivision Committee. The Final Plat approval process is still required for Minor Subdivisions, as is compliance with all requirements of Arizona Revised Statutes and compliance with all requirements of the Arizona Department of Real Estate.

Section 12-5-020 Outline of Minor Subdivision Procedures

The preparation, submittal, review, and approval of all Minor Subdivision Plats located in the Town limits shall proceed through the following progressive stages:

- A. Stage I - Pre-Application Conference. Refer to Section [12-4-020](#) of these regulations for submittal requirements and process.
 - B. Stage II - Minor Subdivision Plat. Refer to Section [12-4-030](#) of this regulation for submittal requirements and process. The Minor Subdivision Plat shall be reviewed by the Subdivision Committee.
 - C. Stage III - Technical Review. Review to Section [12-4-040](#) of these regulations for submittal requirements and process.
-

D. Stage IV Final Plat, Recording and Post Approval. Refer to Section [12-4-050](#) of these regulations for submittal requirements and process.

Section 12-5-030 Minor Subdivision Preliminary Plat Review

A. The Community Development Director or designee shall distribute copies of the plat to the following:

1. Subdivision Committee:
 - a. Community Development Director or designee
 - b. Public Works and/or Utilities Director
 - c. Town Engineer
 - d. Police Department
 - e. Committee Chair or designee
2. The Yavapai County Flood Control District
3. The Yavapai County Environmental Services
4. Representatives of local utilities
5. Arizona Department of Transportation for recommendations regarding right-of-way and intersection design when the land abuts a state highway
6. Clarkdale Fire District

B. The reviewers may be requested to transmit their recommendations to the Community Development Director in writing. The Director will then summarize the recommendations, prepare a report and present it to the Committee.

Section 12-5-040 Responsibilities of the Subdivision Committee

The Subdivision Committee shall recommend for approval, conditional approval, or denial of the proposed Minor Subdivision Plat, as proposed, after considering the recommendations and findings of the Director and all other appropriate agencies.

A. Recommendation for approval by the Subdivision Committee shall be based on the following findings:

1. The proposed subdivision conforms to the adopted standards and policies of the Town.
2. The proposed subdivision, as reviewed and approved, will not be detrimental to the public's health, safety, and general welfare.
3. Environmental concerns conform to adopted standards.
4. The proposed subdivision is consistent with provisions of Zoning Code requirements applicable to the property.
6. The proposed subdivision conforms to the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.

B. If satisfied all objectives of these Regulations have been met, the Subdivision Committee shall recommend approval of the Minor Subdivision Plat. The Community Development Director or Designee Chair or designee shall sign one copy of the Minor Subdivision Plat as recognition of approval and return to the applicant.

C. If the Minor Subdivision Plat is generally acceptable but requires minor revision(s), the Subdivision Committee shall recommend for conditional approval, with the required revisions being noted in the meeting minutes. The staff will forward a copy of the minutes with the copies of the Minor Subdivision Plat to the Community Development Director or Designee.

D. If the Subdivision Committee finds the Minor Subdivision Plat is not in conformance with five or more requirements, the plat shall be held for revision, re-submittal, processing and rescheduled for review.

Section 12-5-050 Appeals

If the Subdivision Committee finds that the Minor Subdivision Plat does not meet the requirements of these Subdivision Regulations, the applicant may appeal this decision to the Board of Adjustment with the following stipulations:

- A. All appeals shall be made in writing setting forth the particulars and the reasons for the appeal and filed with the Town Clerk; a copy shall also be filed with the Community Development Director.
- B. Appeals must be made within 30 days from the date of the findings of the Subdivision Committee.
- C. The Board of Adjustment will hear and decide such cases for appeal no later than 30 days after appeal is taken.
- D. The Board of Adjustment shall decide on appeals wherein it is alleged by the applicant that there is error in any order, requirement, decision, grant or refusal made by the Subdivision Committee or any official in the administration of these Regulations.
- E. The Board of Adjustment may approve, disapprove or approve with modifications, upon appeal or recommendation of the Subdivision Committee in specific cases, such variations as will not be contrary to the public interest, where, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district.

Section 12-5-060 Significance of Minor Subdivision Plat Approval

Minor Subdivision Plat approval constitutes authorization for the applicant to proceed with preparation of the engineering plans and specifications for public improvements. Minor Subdivision approval is subject to the following:

- A. The basic considerations under which approval of the Minor Subdivision Plat is granted will not be changed prior to the expiration date of Minor Subdivision Plat approval.
-

- B. Approval is valid for a period of three years from the date of Community Development Director or Designee action. Requests can be made for two, one year extensions up to a total of not more than five years from the original date of approval. Extensions of the Minor Subdivision Plat approval may be granted by the Community Development Director or Designee upon receipt of a letter from the applicant before the expiration date.
- C. Minor Subdivision Plat approval, in and of itself, does not ensure final acceptance of streets for dedication or continuation of existing zoning requirements for the tract or its environs. It does not constitute authorization to record the plat.
- D. Compliance with all requirements of the Arizona Revised Statutes and compliance with all requirements of the Arizona Department of Real Estate.

Section 12-6

MINOR LAND DIVISIONS AND LOT LINE ADJUSTMENTS

- 12-6-010 Purpose of Minor Land Divisions**
- 12-6-020 Applicability**
- 12-6-030 General Standards**
- 12-6-040 Application Requirements**
- 12-6-050 Application Process**
- 12-6-060 Conspiracy to Subdivide**
- 12-6-070 Purpose of Lot Line Adjustment**
- 12-6-080 General Standards**
- 12-6-090 Application Requirements**
- 12-6-100 Application Process**
- 12-6-110 Roadway Standards for Minor Subdivisions**

Section 12-6-010 Purpose of Minor Land Divisions

- A. Provide for the division of land into parcels or lots of two or three parts through a process that is more expeditious than the subdivision process.
- B. Maintain accurate records of surveys created to divide existing parcels or lots.
-

- C. Assure the proposed land division conforms to the standards established by the Town of Clarkdale.
- D. Ensure adequate legal access to lots or parcels.
- E. Ensure adequate emergency vehicle access to lots or parcels.
- F. Ensure that Minor Land Division does not constitute a subdivision as defined in Zoning Code Section [12-2](#) or Arizona Revised Statutes Title [9](#).

Section 12-6-020 Applicability

A. The regulations contained in this Section shall apply to all divisions of land made within the corporate limits of the Town of Clarkdale since December 12, 1986, the effective date of revisions to the Town Code, whereby the division of any property into four or more parcels shall proceed through the subdivision process and be subject to all of the provisions of Chapter [12](#) - Subdivision Regulations of the Zoning Code of the Town of Clarkdale.

1. The division of improved or unimproved land or lands into two or three lots, tracts, or parcels, and which does not involve a new street, shall be subject to the provisions of this Section.
2. All other divisions or changes shall proceed through the Subdivision process.

Section 12-6-030 General Standards

A. All Minor Land Divisions shall be developed to comply with all requirements for the specific zoning district in which the divisions are located. At a minimum, these will include meeting the following, if applicable:

1. Minimum lot size
2. Minimum lot width
3. Minimum setbacks

4. Minimum yard or frontage requirements

5. Lot coverage and floor area ratio

B. No lot or parcel shall be divided so that any division of the lot contains more dwelling units than are permitted by the zoning district for which the lot or parcel is located.

C. No lot or parcel shall be divided so that any division of the lot results in a split zoning classification on a single lot or parcel.

D. No lot or parcel shall be divided so that any division of the lot or parcel results in the creation of a non-conforming structure or use.

E. No lot or parcel shall be divided so that any division of the lot results in a lack of legal access to any lots or parcels created by the division.

Section 12-6-040 Application Requirements

This section outlines the minimum information needed to enable the Town to make informed and expeditious decisions regarding applications for Minor Land Divisions. Unless exempted by the Director, the information contained in this Section shall be provided by each applicant. All mapped data shall be drawn to a scale of not greater than 1 inch equals 100 feet. Unless otherwise directed, the map data will be drawn on a sheet not to exceed 24 inches by 36 inches.

A. Minor Land Divisions

1. Completed Minor Land Divisions Application

2. Two paper copies and one digital copy of a Minor Land Divisions Survey from a land surveyor registered in the State of Arizona containing the following information:

- a. Title, which shall read "Minor Land Division Map for (name of applicant)".
 - b. Location by section, township, and range.
 - c. Legal description of land involved.
 - d. Name, address, email address and phone number of applicant and/or owner.
-

- e. Scale, north point, and dates of preparation and revisions.
 - f. Existing streets (public or private), utility easements, and lot or parcel lines.
 - g. Name, address, registration number, and seal of the registered land surveyor preparing the map.
 - h. Boundaries of the tract to be divided fully balanced and closed showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be shown in feet and decimals.
 - i. Location and dimensions of all lots within the Minor Land Division Map. All sides of the proposed lots shall be identified by bearing and distances.
 - j. All lots shall be identified by number or letter.
 - k. Proposed street dedications or private access easements, as well as public utility easements, shall be identified by course, length and width.
 - l. If questions pertaining to property boundaries develop, the Community Development Department may require location of all existing physical and natural features, including, but not limited to, buildings, structures, bridges, culverts, within the Minor Land Division boundaries. The applicant shall also identify any of those features which are to be removed.
 - m. The map shall include provisions for signatures by the Director and the Town Engineer and the date of approval.
 - n. Identify any public utility extensions or upgrades, when required, to serve proposed land division.
 - o. Any ingress or street improvements necessary to ensure compliance with emergency vehicle access, dust abatement, and drainage improvements necessary to mitigate any negative effects on current public infrastructure adjacent to and/or fronting the proposed land division.
 - p. Other information as deemed applicable by the Director to enable the Town to determine the compliance of the Minor Land Division with applicable ordinances and regulations.
-

3. Payment of a fee for review of the application.
4. Documentation of the land division history of the parcel proposed to be divided in the form of a chain of title or a history of the ownership of the parcel proposed to be split, dating back to December 12, 1986, the effective date of the Code; the chain of title or history of ownership shall be provided so as to determine whether or not the proposed land split constitutes a subdivision. Such documentation shall be presented by a recognized title company doing business in the state of Arizona in the form of a title history search, copies of deeds, or County Assessor's records and maps.

Section 12-6-050 Application Process

A. Pre-Application Process

The applicant shall meet with the Director to discuss the proposed Minor Land Division. The Director shall advise the applicant of the specific objectives of this Section and the specific procedures, standards, and approval process regarding the review of the application.

B. Submittal of Application to the Community Development Department

1. The Director or designee, shall check all submittals to ensure the application is in compliance with the objectives and standards of this Ordinance and the General Plan. It shall be the responsibility of the Community Development Department to ensure all relevant departments, utilities, and other agencies receive copies for review. The following information is required at the time of application:
 - a. Completed application form.
 - b. Application fee.
 - c. Completed land division survey as noted in Section [12-5-040-4-A.2](#) above.
 - d. The chain of title or history of the ownership of the parcel proposed to be split.

C. Decision of Director

1. Upon receipt of a completed application, the Director, or their designee, shall approve or deny the Permit within 30 days. A denial may be based only upon one or more, of the following findings:
 - a. Parcels resulting from the division do not conform to applicable zoning regulations.
 - b. The division of land results in a subdivision as defined in the Subdivision Regulations.
 - c. One or more of the resulting parcels are landlocked.

D. Appeals

An appeal may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision.

E. Actions after Approval

If approved, the applicant shall submit the following:

1. Two copies, plus one digital copy, of a final, recordable, reproducible, mylar map 24 inches by 36 inches consistent with the approved plan showing all lot, tract or parcel corners, dimensions, a complete legal description of the site and of each lot, track or parcel, and signature block for the Community Development Director.
2. Upon written approval by the Director, applicant shall record the Minor Land Division map with the Yavapai County Recorder's Office. Said recording shall occur within 60 days of approval, or the Minor Land Division shall automatically become null and void. A copy of the recorded land division shall be provided to the Community Development Department after being recorded.

Section 12-6-060 Conspiracy to Subdivide

Any Minor Land Division or sequence of divisions which are the result of two or more individuals, firms, partnerships or corporations conspiring together to create four or more

parcels of land shall be deemed a subdivision and subject to all provisions of the Town of Clarkdale Subdivision Ordinance.

Section 12-6-070 Purpose of Lot Line Adjustment

The Lot Line Adjustment is an agreement between adjoining property owners to adjust a common boundary line. No new lots or parcels are created. For purposes of this Section, a Lot Line Adjustment shall include the following acts:

- A. The Lot Line Adjustment between owners of adjoining properties solely for the purpose of revisions to common boundary lines; and
- B. Additional lots are not being created; and
- C. Any lot remaining after the Lot Line Adjustment shall contain at least the minimum lot size, setback, frontage as required by the Zoning Code, and shall meet all other lot standards of the Town of Clarkdale's Zoning Code.

Section 12-6-080 General Standards

A. All Lot Line Adjustments shall be developed to comply with all requirements for the specific zoning district in which the divisions are located. At a minimum, these will include meeting the following, if applicable:

- 1. Minimum lot size.
- 2. Minimum lot width.
- 3. Minimum setbacks.
- 4. Minimum yard or frontage requirements.
- 5. Lot coverage and floor area ratio.

B. No Lot Line Adjustment shall result in more dwelling units than are permitted by the zoning district for which the lot or parcel is located.

- C. No Lot Line Adjustment shall result in a split zoning classification on a single lot or parcel.
- D. No Lot Line Adjustment shall result in the creation of a non-conforming structure or use.
- E. No Lot Line Adjustment shall result in a lack of legal access to any lots or parcels created by the division.

Section 12-6-090 Application Requirements

This section outlines the minimum information needed to enable the Town to make informed and expeditious decisions regarding applications for Lot Line Adjustments. Unless exempted by the Community Development Director, the information contained in this Section shall be provided by each applicant. All mapped data shall be drawn to a scale of not greater than one inch equals one hundred feet. Unless otherwise directed, the map data will be drawn on a sheet not to exceed 24 inches by 36 inches.

A. Lot Line Adjustments

1. Completed Lot Line Adjustment Application.
2. Lot Line Adjustment Survey, two paper copies plus one digital copy, completed by a registered land surveyor in the State of Arizona.
3. Payment of the Application Fee.

Section 12-6-100 Application Process

An application for a Lot Line Adjustment shall be submitted to the Community Development Department with the required copies of the lot line adjustment survey and the application fee. The Community Development Director shall have 30 working days to approve or reject the application. If approved by the Director, the land survey shall be recorded by the applicant in the office of the Yavapai County Recorder within 10 calendar days. A copy of the recorded Lot Line Adjustment shall be provided to the Community Development Department after recording. If rejected, written notice shall be provided to the applicant via first class mail, postmarked

within 10 days after the expiration of the 30 day review period. The written notice shall specify the reasons for denial.

A. Appeals

An appeal may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision.

B. Actions after Approval

If application is approved the applicant shall submit the following:

1. A final, recordable, reproducible, mylar map 24 inches by 36 inches consistent with the approved plan showing all lot, tract or parcel corners, dimensions, a complete legal description of the site and of each lot, track, or parcel, and signature block for the Community Development Director.
2. Upon written approval by the Director, the applicant shall record the Lot Line Adjustment map with the Yavapai County Recorder's Office. Said recording shall occur within 60 days of approval or the Lot Line Adjustment shall automatically become null and void. A copy of the recorded land division shall be provided to the Community Development Department after being recorded.

Section 12-6-110 Roadway Standards for Minor Subdivisions

A. The following roadway standards shall be used in the consideration of Minor Subdivisions. In all other respects the Design Principles will be the same as for any other roadway within a subdivision.

1. Between 2 and 3 lots: Private Street Standard expanded to include a 25 foot right-of-way.
2. From 4 to 6 lots: Rural Lane Standard.
3. From 7 to 10 lots: Rural Local Standard.

B. Roadways required as outlined above shall be provided along the entire frontage of the lots being created and must be provided with required rights-of-way that are dedicated and constructed in accordance with the provisions of the Subdivision Regulations following the approval of the Community Development Director or designee of the Final Plat and prior to the issuance of any building permits for the lots. Each of the deeds created for the resulting lots must carry a notation pointing out the responsibility of the property owner to improve the roadway to the required standard prior to issuance of building permits. All new roadways to be dedicated to the Town must be constructed to the minimum requirements as approved by the Town Engineer and the Public Works and/or Utilities Director.

C. Any lots created that would have their frontage on what is indicated in the General Plan of the Town of Clarkdale (as it may be amended) as existing or proposed collector or arterial streets shall provide the minimum right-of-way for that street type.

D. All street rights-of-way shall also include an adjacent minimum 8 foot Public Utility Easement, on one side for the entire length of the street segment.

Section 12-7

PUBLIC IMPROVEMENT STANDARDS

- 12-7-010 Purpose**
- 12-7-020 Improvement Plans**
- 12-7-030 Construction and Inspection**
- 12-7-040 Required Improvements**

Section 12-7-010 Purpose

A. It is the purpose of this Section to establish in outline the minimum acceptable standards for improvement of streets and utilities, to define the responsibility of the applicant in planning, constructing and financing improvements and to establish procedures for review and approval of engineering plans.

B. All improvements in streets or easements which are required as a condition to plat approval shall be the responsibility of the applicant.

Section 12-7-020 Improvement Plans

- A. A complete set of engineering plans for construction of all required improvements shall be prepared by an engineer registered in Arizona. Such plans shall be based on those approved during the Preliminary Plat and the Technical Review stages.
- B. Final construction plans for all improvements shall be approved and signed by the Town Engineer prior to the approval of the Final Plat.

Section 12-7-030 Construction and Inspection

- A. All improvements, whether public or private, shall be constructed to the latest standards and specifications adopted by the Town.
 - B. All improvements in a public right-of-way shall be constructed under the inspection and approval of the Town Engineer and/or the Public Works and/or Utilities Director. Construction shall not commence until a permit has been issued for such construction. Work shall not be discontinued or suspended unless first approved by the Town and work shall not resume prior to notification and approval of the Town.
 - C. All underground utilities to be installed in the street shall be constructed prior to the surfacing of such street.
 - D. All relocations and reconstruction of irrigation facilities shall be done to standards of the owning utility and the Town Engineer.
 - E. Improvements proposed or required on County or State highway right-of-way shall be included in the improvement plans and designed to the applicable County or State standards. Prior to approval by the Town Engineer, the applicant shall acquire the approval of such improvements by the applicable County or State authorities, as directed by the Town Engineer.
 - F. Underground utilities may be extended and easements shall be required to the boundaries of the plat to provide service connections to abutting unsubdivided land. (Prior code § 12-7-3)
-

Section 12-7-040 Required Improvements**A. Streets**

1. All streets and alleys, both public and private, within the subdivision, including perimeter streets or half-streets, shall be improved in accordance with Section [12-3](#) of these Regulations.
2. Where there are existing streets adjacent to the subdivision, subdivision streets shall be improved to the intercepting paving line of existing streets.
3. Dead-end streets serving more than four (4) lots shall be provided with an improved temporary turning circle.
4. When a major collector or arterial street is included, or is a perimeter street, the Town may pay for such extra width paving as deemed appropriate by the Town.
5. Where curbs and/or sidewalks are required, they shall be paved with portland cement to the latest MAG standards or the latest standards and specifications of the Town Code, if the Town Code is more restrictive.

C. Water

1. All lots will be supplied with public or private piped water unless the lots are larger than seventy thousand (70,000) square feet in area. Supplied water shall be of sufficient volume and at a minimum pressure of twenty pounds per square inch (20 PSI) for domestic use and fire protection. All lines shall be designed to the standards of Arizona Department of Environmental Quality (ADEQ).
 2. If water is supplied by a public or private water company, the minimum service connection shall be three-quarter inch to each lot.
 3. If water is supplied by a public or private water company, then fire hydrants shall be installed in the subdivision at locations and to grades approved by the Water Company, Town Engineer and the Fire District, and in conformance with Town and Uniform Fire Code Standards.
-

4. If water service is not available from a public or private water company then a statement of water adequacy from the Arizona Department of Water Resources will be required.

D. Sewers

1. If the subdivision is within 25 feet per lot (i.e. 250 feet for 10 lots, 1,250 feet for 50 lots) of an available sanitary sewer then, each lot shall be supplied with connection to such sewer with lines designed to Town, County, and State standards.
2. If connection to a public sewer system is not required, the Town shall require the installation of capped sewer mains, if the average subdivision lot is less than two acres in area.
3. When connection to a sanitary sewer system is not available, septic tanks or other disposal systems may be permitted provided a statement is submitted from the County Health Department certifying that field investigation has determined ground slopes and soil conditions will allow for satisfactory disposal by this method with the lot arrangement and size as depicted on the subdivision plan.

E. Gas service may be furnished according to current supplies as determined by the franchise supplier.

F. Utilities

1. New utilities including, but not limited to electric, internet fiber optics, communication and television cable shall be installed underground.
2. When overhead utility lines exist within the property being platted, including boundary easements, said existing overhead utility lines and the new installations within the platted area shall be placed underground.
3. When overhead utility lines exist on the boundary of the property being platted, said existing overhead utility lines, and any additions or replacements needed to increase capacity or improve service reliability, may remain overhead, provided however, that any service drops into the platted area from said peripheral overhead lines shall be underground.

4. Electric lines greater than three thousand Kilovolt Amps (3,000 KVA) capacity shall be exempt from being placed underground.
5. Exception may be granted if the Community Development Director or designee recommends that due to soil or other natural features is impractical to place the utility underground.
6. Design of all underground utilities shall be coordinated to prevent conflicts. All utilities shall be installed in a manner consistent with separations required by local county and state agencies.
7. The applicant shall make the necessary arrangements with each of the serving utility companies involved for the installation of the underground facilities. Letters from each utility company indicating such arrangements have been made shall be submitted to the Director prior to submittal of the Final Plat.

G. Storm Drainage and Detention

1. The applicant shall make provisions for the disposal of storm water entering, as well as initiated in the subdivision, in accordance with plans approved by the Yavapai County Flood Control District and the Town Engineer.
2. The hydrologic function of existing major water courses shall be protected.
3. Complete hydrology and hydrological design computations and a Phase III County Flood Control Report shall accompany the plans and shall be approved by the Town Engineer before recordation of the Final Plat.
4. Increases in on-site storm runoff due to development shall be addressed in the hydrologic/hydrological analysis and shall meet the criteria set forth in the most recent Yavapai County Flood Control District Reference Storm Water Detention Material.
5. Once constructed and approved by the Town, the drainage and detention facilities shall not be modified unless such modification is approved by the Town Engineer.

H. Streetlights shall be required and installed in accordance with Town Standards. Installation, or partial installation in residential and industrial subdivisions, may be waived by the Community Development Director or designee.

I. Street Name and Traffic Control Signs

1. All streets in a subdivision shall be named and identified by signs installed at every street intersection.
2. Traffic control devices shall be installed as recommended by the Town Police Department and Public Works Department.
3. All signs and devices shall be standard as indicated by Town policy and as approved by the Public Works and/or Utilities Director.

J. Monuments

1. Permanent monuments shall be installed as approved by the Town Engineer, at all corners, angle points, points of curve and at all street intersections for streets within and around the perimeter of the subdivision and at such other locations as determined by the Town Engineer.
2. A permanent marker acceptable to the Town Engineer shall be set at all corners, angle points and points of curve for each lot within the subdivision prior to the recording of the plat.
3. After all monuments have been installed, a registered land surveyor shall check the location of the monuments and certify their accuracy.

K. Buffering requirements set forth in Chapter 9 - Landscape Design Standards, shall be implemented to separate residential lots from arterial and collector streets if said residential lots back to such streets.

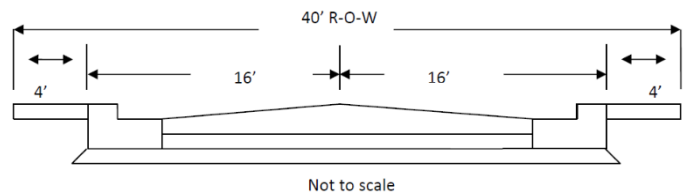
L. Landscaping or retaining walls may be required by the Town Engineer to prevent erosion on areas of cut or fill.

M. As a condition of Final Plat approval, the Community Development Director or designee may require an applicant to pay a pro rata share of the cost, or agree to install the necessary street, sewerage, drainage and other improvements, including land and easements, located off-site of the property limits of the subdivision but necessitated or required by the development. "Necessary" improvements are those for which there is nexus related to the proposed subdivision. The Community Development Director or designee and shall provide in its Preliminary Plat approval the basis of the required improvements. The capacity and design of

proposed improvements shall be based upon the recommendations of the Town Engineer, the Yavapai County Flood Control District, the Arizona Department of Transportation (ADOT), and the adopted Town Circulation Plan, Sewer Plan, Drainage Plan, General Plan or other adopted improvement plans. At the discretion of the Community Development Director or designee, pro rata funds may be deposited into an escrow account for future construction if it is deemed by the Community Development Director or designee that it is in the interest of the Town to delay construction of said improvements. In no case shall the delay be more than six years and in the case that the Town elects to not construct the improvements within six years, the funds will be returned to the applicant with interest paid at the same rate of interest that the Town received on the funds.

N. Upon completion of development, the applicant's Engineer of Record shall provide and certify a set of "as-built" construction plans to the Town Engineer, stating that all required improvements have been completed in substantial conformance to the specifications and standards contained in or referred to herein.

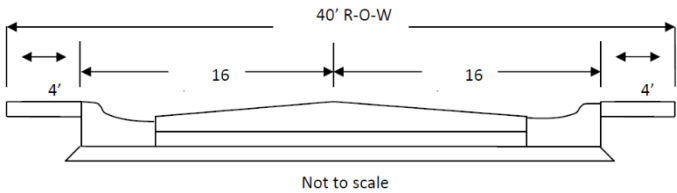
**Exhibit A -
Residential Collector**



R-O-W Width	40 feet
Improved Roadway	28 feet Back of Curb/Back of Curb
Surface	2 inches asphalt with 6 inches Base
	or

	3 inches asphalt with 4 inches Base
Base	ABC (Aggregate Base Course)
Subgrade	6 inches minimum
Curb/gutter	6 inches vertical – 2 foot horizontal
Shoulders	None
Ditches	None
Maximum ADT	3,000
Sidewalk	4 feet Minimum
Crown	2% Minimum
Grade	7% Maximum

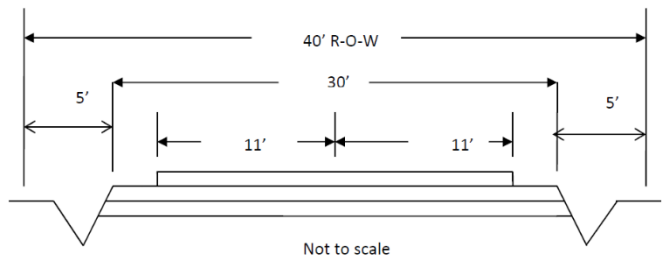
Exhibit B -
Residential Local



R-O-W Width	40 feet
-------------	---------

Improved Roadway	28 feet Back of Curb/Back of Curb
Surface	2 inches asphalt with 6 inches Base or 3 inches asphalt with 4 inches Base
Base	ABC
Subgrade	6 inches minimum
Curb/gutter	Rolled Curb
Shoulders	None
Ditches	None
Maximum ADT	500
Sidewalk	4 feet Minimum
Crown	2% Minimum
Grade	10% Maximum

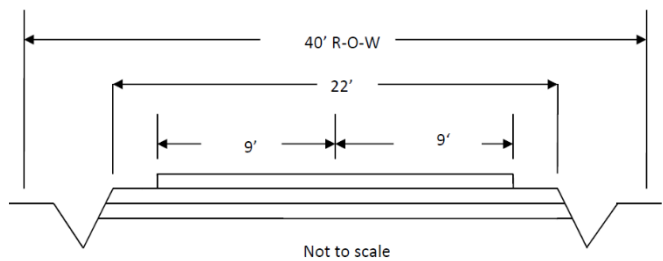
**Exhibit C -
Rural Collector**



R-O-W Width	40 feet
Improved Roadway	22 feet from edge of pavement to edge of pavement
Surface	2 inches asphalt with 6 inches Base or 3 inches asphalt with 4 inches Base
Base	ABC
Subgrade	6 inches minimum
Curb/gutter	None
Shoulders	4 inches graded
Ditches	1.5:1 Maximum Slope, Minimum depth to be determined by grading plan and approved by the Town Engineer

Maximum ADT	3,000
Sidewalk	None
Crown	2% Minimum (not indicated on example)
Grade	7% Maximum

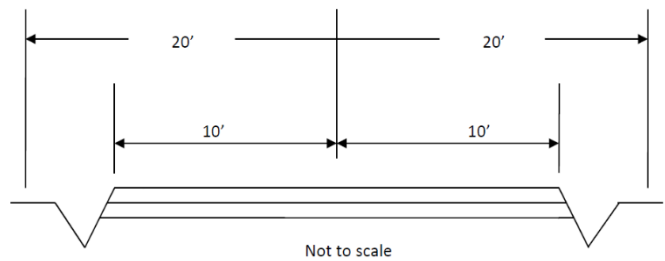
Exhibit D -
Rural Local



R-O-W Width	40 feet
Improved Roadway	18 feet Edge of pavement/Edge of pavement
Surface	2 inches asphalt with 6 inches Base or 3 inches asphalt with 4 inches Base
Base	ABC
Subgrade	6 inches minimum

Curb/gutter	No
Shoulders	2 feet graded
Ditches	1.5:1 Maximum Slope, Minimum depth to be determined by grading plan and approved by the Town Engineer
Maximum ADT	500
Sidewalk	No
Crown	2% Minimum (not indicated on example)
Grade	10% Maximum

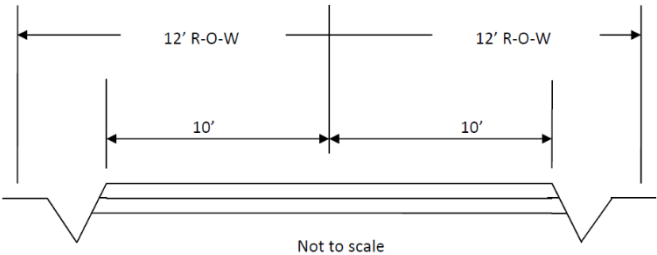
**Exhibit E -
Rural Lane**



R-O-W Width	40 feet
Improved Roadway	20 feet from edge of ABC to edge of ABC

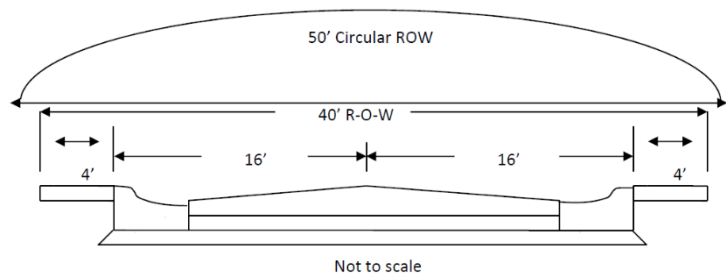
Surface	4 inches ABC
Subgrade	6 inches minimum
Curb/gutter	No
Shoulders	None
Ditches	Yes - 1.5:1 Maximum Slope, Minimum depth to be determined by grading plan and approved by the Town Engineer
Maximum ADT	250
Sidewalk	None
Crown	2% Minimum (not indicated on example)
Grade	12% Maximum

**Exhibit F -
Private Street**



Easement Width	24 feet unless the street is designated on the general plan as requiring additional width
Improved Roadway	20 feet minimum between ditches
Surface	4 inches compacted ABC
Subgrade	6 inches. Town Engineer may amend the requirement for new subgrade if the grading report substantiates that adequate subgrade currently exists
Curb/gutter	No
Shoulders	None
Ditches	Yes - 1.5:1 Maximum slope, minimum depth to be determined by grading plan and approved by the Town Engineer
Maximum ADT	N/A
Sidewalk	None
Crown	2% Minimum (not indicated on example)
Grade	12% Maximum
Utility Easement	8 feet minimum on at least one side unless 8 feet on both sides is required by utility companies

**Exhibit G -
Cul-de-sac**



R-O-W Width	50 feet
Improved Roadway	40 foot, with a 40-foot radius turning circle at termination
Surface	2 inches asphalt with 6 inches base/ or 3 inches asphalt with 4 inches base
Base	ABC
Subgrade	6 inches minimum
Curb/gutter	Rolled Curb
Shoulders	None
Ditches	None
Maximum ADT	500

Sidewalk	4 feet Minimum
Crown	2% Minimum
Grade	10% Maximum
Maximum Length	600 feet

Figure 1
Trip Generation Rates by Land Use Categories

Land Use Type	Average Weekday Trip Generation Rates
Residential	Per dwelling unit
Single-Family Detached	10.1
Condominium	5.9
Apartment	6.6
Mobile Home Park	4.8
Office Building	Per 1,000 square foot of Building
General Office Building:	
10 M square feet	24.4

50 M square feet	16.3
100 M square feet	13.7
200 M square feet	11.5
500 M square feet	9.2
Medical Office Building	34.2
Office Park	11.4
Research Center	6.1

Retail**Per 1,000 square foot of Building**

Specialty Retail	40.7
Discount Store	71.2
Shopping Center:	
10 M square feet	166.4
50 M square feet	94.7
100 M square feet	74.3
200 M square feet	58.9
500 M square feet	39.9

1000 M square feet	33.4
Industrial	Per 1,000 square feet of Building
Light Industrial	7.0
Heavy Industrial	1.5
Industrial Park	7.0
Manufacturing	3.9
Warehouse	4.9
Mini-Warehouse	2.6
Lodging	Per Room
Motel	10.2

Trip rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.

Figure 2
Street Classification and Minimum Design Standards

Street Class	Street Category	Travel Lane Width	Parking Lane Width	Total Improved Width	Curb or Shoulder	Graded Areas or Sidewalk	Surface	ROW/Easement Width	Maximum Avg. Daily Traffic (ADT)	Design Speed MPH
I	Arterial	12'	None	60'	Vertical	Sidewalk		76'	3,000+	55
II	Industrial	12'	12'	48'	Rolled	Graded		64'	3,000	40
III	Commercial	12'	8'	40'	Vertical	Sidewalk		60'	3,000	40
IV	Residential Collector	16'	None	28'	Vertical	Sidewalk	2" w/6" base or 3"w/4" base	40'	3,000	40
V	Residential Local	16'	One side only	28'	Rolled	Sidewalk	2" w/6" base or 3"w/4" base	40'	500	25
VI	Rural Collector*	11'	None	22'	4' Shoulder Ditch****	Graded	2" w/6" base or 3"w/4" base	40'	3,000	40

Street Class	Street Category	Travel Lane Width	Parking Lane Width	Total Improved Width	Curb or Shoulder	Graded Areas or Sidewalk	Surface	ROW/Easement Width	Maximum Avg. Daily Traffic (ADT)	Design Speed MPH
VII	Rural Local*	9'	None	18'	2' Shoulder Ditch****	Graded	2" w/6" base or 3"w/4" base	40'	500	25
VIII	Rural Lane	10'	None	20'	None/Ditch****	Graded	4" ABC w/6" Subgrade	40'	250	25
IX	Alley	10'	None	20'	None	None	4" ABC	20'	500	10
X	Private Street	12'	None	20'	None/Ditch****	None	4" ABC w/6" Subgrade**	24'***		

* Rural street standards may be used only in residential areas developed with minimum lot sizes of 20,000 square feet.

** Town Engineer may waive the requirement for improved subgrade if adequate subgrade exists

*** A minimum 8' utility easement is required along only one side of a private street unless the utility companies request an 8' easement along both sides

**** Depth of the required ditch shall be determined by the Town Engineer upon review and approval of the required grading plans.

Figure 3

Street Curve and Design Data

Street Class	Improved Surface	R-O-W	Radius	Length	Reverse Curb Tangent*	Intersection Tangent**	Minimum Corner Radius	Maximum Grade	Minimum Sight Distance
I	60 feet	76 feet	1,400 feet	500 feet	500 feet	475 feet	30 feet	***	770 feet
II	48 feet	64 feet	800 feet	300 feet	200 feet	300 feet	25 feet	7%	560 feet
III	40 feet	60 feet	800 feet	300 feet	200 feet	300 feet	25 feet	7%	560 feet
IV	24 feet	40 feet	800 feet	300 feet	200 feet	300 feet	25 feet	7%	560 feet
V	24 feet	40 feet	300 feet	100 feet	0 feet	200 feet	25 feet	10%	420 feet
VI	22 feet	40 feet	800 feet	300 feet	200 feet	300 feet	25 feet	7%	560 feet

Street Class	Improved Surface	R-O-W	Radius	Length	Reverse Curb Tangent*	Intersection Tangent**	Minimum Corner Radius	Maximum Grade	Minimum Sight Distance
VII	18 feet	40 feet	300 feet	100 feet	0 feet	200 feet	25 feet	10%	420 feet
VIII	20 feet	40 feet	300 feet	100 feet	0 feet	200 feet	25 feet	12%	350 feet

* Minimum length of tangent between curves in opposite directions (reverse curves). Reverse curves without tangent sections between curves are not permitted, except on local streets.

** Minimum length of tangent at intersections is measured from the Right-Of Way line of the intersecting street. Tangents approaching an intersection may vary in length with increased design speed.

*** As determined by the Town Engineer.

Figure 4 ROADWAY STANDARDS FOR MINOR SUBDIVISIONS

Figure 5 SIGNATURE BLOCKS FOR MYLARS

Figure 4

Roadway Standards For Minor Subdivisions

# of lots in subdivision	Required Road Standard	Required Surface	Minimum ROW
2-3 lots	Private Street Standard expanded to include a twenty-five (25) foot right-of-way	2" w/6" base	25'
4-6 lots	Rural Lane Standard	2" w/6" base	40'

# of lots in subdivision	Required Road Standard	Required Surface	Minimum ROW
7-10 lots	Rural Local Standard	2" w/6" base	40'

Roadways required as outlined above shall be provided along the entire frontage of the lots being created and must be provided with required rights-of-way that are dedicated and constructed in accordance with the provisions of the Subdivision Regulations following the approval of Community Development Director or designee of the Final Plan and prior to the issuance of any building permits for the lots.

All roadways dedicated to the Town must meet adopted Town standards and be approved by the Public Works Director.

Each of the deeds created for the resulting lots must carry a notation pointing out the responsibility of the property owner to improve the roadway to the required standard prior to issuance of building permit.

Any lots created that would have their frontage on what is indicated in the General Plan of the Town of Clarkdale as existing or proposed Collector or Arterial streets shall provide the minimum right-of-way for that street type.

All street right-of-ways shall also include an adjacent minimum eight (8) foot Public Utility Easement, on one side, the entire length of the street segment.

Figure 5

Signature Blocks for Mylars

Documents that need Signature Blocks	When they will need to be signed	Titles for Signature Blocks
Planned Area Development (PAD) • Preliminary Development Plan	After Preliminary Plat approval by Town Council	• Mayor • Town Clerk
Planned Area Development (PAD) • Final Development Plan	After Final Development Plan approval by Town Council	• Mayor • Town Clerk
Subdivision • Preliminary Plat	After Preliminary Plat approval by Community Development Director or designee	• Mayor • Town Clerk
Subdivision • Final Plat	After Final Plat approval by Community Development Director or designee	• Mayor • Town Clerk
Minor Subdivision • Minor Subdivision Plat	After Minor Subdivision Plat approval by Community Development Director or designee	• Community Development Director or designee • Town Clerk
Minor Subdivision • Final Plat	After Final Plat approval by Community Development Director or designee.	• Mayor • Town Clerk

Documents that need Signature Blocks	When they will need to be signed	Titles for Signature Blocks
Minor Land Division	After approval by Director of Community Development	• Community Development Director
Lot Line Adjustment	After approval by Director of Community Development	• Community Development Director 

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

Disclaimer: The Town Clerk has the official version of the Clarkdale Zoning Code. Users should contact the Town Clerk for ordinances passed subsequent to the ordinance cited above.

[Town Website: www.clarkdale.az.gov](http://www.clarkdale.az.gov)

[Town Telephone: \(928\) 639-2400](tel:(928)639-2400)

[Hosted by General Code.](#)

House Engrossed

self-certification program; administrative review

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

CHAPTER 31

HOUSE BILL 2447

AN ACT

AMENDING SECTION 9-500.49, ARIZONA REVISED STATUTES; RELATING TO MUNICIPAL ADMINISTRATIVE REVIEWS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-500.49, Arizona Revised Statutes, is amended
3 to read:

4 9-500.49. Administrative review and approval;
5 self-certification program; expedited approval;
6 definitions

7 A. Notwithstanding any other law, the legislative body of a city or
8 town ~~may~~ SHALL by ordinance do the following:

9 1. Authorize administrative personnel to review and approve site
10 plans, development plans, land divisions, lot line adjustments, lot ties,
11 preliminary plats, final plats and plat amendments without a public
12 hearing.

13 2. Authorize administrative personnel to review and approve design
14 review plans based on objective standards without a public hearing.

15 ~~3. Adopt a self-certification program allowing registered~~
16 ~~architects and professional engineers to certify and be responsible for~~
17 ~~compliance with all applicable ordinances and construction standards for~~
18 ~~projects that the ordinance identifies as being qualified for~~
19 ~~self-certification.~~

20 ~~4.~~ 3. Allow at-risk submittals for certain on-site preliminary
21 grading and drainage work or infrastructure.

22 ~~5.~~ 4. Allow applicants with a history of compliance with building
23 codes and regulations to be eligible for expedited permit review.

24 B. NOTWITHSTANDING ANY OTHER LAW, THE LEGISLATIVE BODY OF A CITY OR
25 TOWN MAY BY ORDINANCE ADOPT A SELF-CERTIFICATION PROGRAM ALLOWING
26 REGISTERED ARCHITECTS AND PROFESSIONAL ENGINEERS TO CERTIFY AND BE
27 RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ORDINANCES AND CONSTRUCTION
28 STANDARDS FOR PROJECTS THAT THE ORDINANCE IDENTIFIES AS BEING QUALIFIED
29 FOR SELF-CERTIFICATION.

30 ~~B.~~ C. Applications for a license pursuant to this section are
31 subject to chapter 7, article 4 of this title.

32 ~~C.~~ D. For the purposes of this section: ~~—~~

33 1. "LICENSE" HAS THE SAME MEANING PRESCRIBED IN SECTION 9-831.

34 2. "Objective" means not influenced by personal interpretation,
35 taste or feelings of a municipal employee and verifiable by reference to
36 an adopted benchmark, standard or criterion available and knowable by the
37 applicant or proponent.

38 Sec. 2. Effective date

39 This act is effective from and after December 31, 2025.

APPROVED BY THE GOVERNOR MARCH 31, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2025.



Staff Report

Item Number: 5.B.

Agenda Item: **Ordinance #445 - Amending Chapters 11 - Design Review and Site Plan Review and 12 - Subdivision Regulations of the Town Zoning Code to Conform with House Bill 2447**

Discuss, consider and act upon Ordinance #445, amending Chapters 11 - Design Review and Site Plan Review and 12 - Subdivision Regulations of the Town Zoning Code, to conform to House Bill 2447, which amends Section 9-500.49 of the Arizona Revised Statutes relating to municipal administrative reviews.

Staff Contact: Ruth Mayday, Assistant Town Manager/Community Development Director

Meeting Date: November 4, 2025

Strategic Goal: This agenda item supports the following Clarkdale Strategic Goal Area:

- Goal Area 1 - Enhance the quality of life for residents, businesses, and visitors to Clarkdale.
- Goal Area 3 - Strengthen and diversify our economy through cultivating a business-friendly climate for business attraction and strategically capitalizing upon tourism.

Background: On March 31, 2025, House Bill 2447 was signed into law, requiring that several zoning applications be reviewed and approved administratively. To comply with the effective date of Dec. 31, 2025, the Town of Clarkdale is updating Chapters 11 and 12 of the Town's zoning code.

Under the new Arizona Revised Statutes, Title 9, Cities and Towns, Chapter 12, General Powers, Article 8, Miscellaneous, Section 9-500.49, Administrative review and approval; self-certification program; expedited approval; applicability; definitions, administrative personnel are directed to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments without a public hearing. The statute also directs administrative personnel to review and approve design review plans based on objective standards without a public hearing.

The Planning Commission and Town Council met in a work session on Oct. 28 at 5 p.m. to discuss the statutory changes to Chapters 11 and 12 of the zoning

code. During the recent legislative session, significant changes were made to the way plats, replats, plat amendments, lot combinations and other administrative actions are approved. Previously, these procedures included public hearings and Town Council approval. Now, they will be reviewed and approved at the staff level because the decisions are non-discretionary—either they meet adopted standards, or they do not.

Documents attached to the public hearing item are for review and action.

These amendments are tentatively scheduled for consideration by the Town Council at its regular meeting on Nov. 12, 2025, at 6 p.m.

Budget Impact: No budet impact.

Recommendation: Staff recommends that the Planning Commission approve Ordinance #445, amending Chapters 11 - Design Review and Site Plan Review and 12 - Subdivision Regulations of the Town Zoning Code, to conform to House Bill 2447 and forward to the Town Council with a recommendation of the same.