

# **SUBDIVISION REGULATIONS & REQUIREMENTS**



*AS APPROVED AND ADOPTED BY THE  
NAVAJO COUNTY BOARD OF SUPERVISORS*

\$25.00



**NAVAJO COUNTY  
SUBDIVISION REGULATIONS AND REQUIREMENTS**

AS APPROVED AND ADOPTED

BY THE

**NAVAJO COUNTY BOARD OF SUPERVISORS**

January 1969

Amended May 14, 1969

Amended April 15, 1971

Revised March 27, 1979

Amended March 20, 1986

Amended June 24, 1986

Amended April 6, 1987

Amended July 5, 1994

Amended October 2, 1995

Amended October 13, 1998

Amended September 18, 2000

Amended and Revised 2001

Amended and Revised 2/7/05 Resolution No. 08-05

Amended and Revised 8/30/07, Resolution No. 09-07

Revised December 18, 2007, Resolution No. 99-07

## TABLE OF CONTENTS

ARTICLE	PAGE
ARTICLE I SCOPE.....	3
SECTION 1.1 Authorities .....	3
SECTION 1.2 Planning Commission.....	3
SECTION 1.3 Subdivision Committee.....	3
SECTION 1.4 Reserved for Future Use .....	3
ARTICLE II ARTICLE DEFINITIONS .....	4
SECTION 2.1 General.....	4
SECTION 2.2 Definitions.....	4
ARTICLE III STANDARDS OF SUBDIVISION DESIGN .....	14
SECTION 3.1 Purpose .....	14
SECTION 3.2 General Provisions .....	14
SECTION 3.3 General Site Design Standards .....	14
SECTION 3.4 Access Requirements.....	15
SECTION 3.5 Street Location and Arrangement.....	15
SECTION 3.6 Street Design.....	16
SECTION 3.7 Lot Planning .....	17
SECTION 3.8 Easement Planning .....	18
SECTION 3.9 Street Naming .....	18
SECTION 3.10 Drainage.....	18
SECTION 3.11 Sanitary Sewage Disposal.....	18
SECTION 3.12 Water System.....	19
SECTION 3.13 Street Lights .....	20
SECTION 3.14 Public Utilities .....	20
SECTION 3.15 Drainage Policy .....	20
SECTION 3.15.1 General.....	21
ARTICLE IV TENTATIVE PLATS.....	24
SECTION 4.1 Preliminary Steps .....	24
SECTION 4.2 Identity of Subdivider .....	24
SECTION 4.3 Information Required.....	25
SECTION 4.4 Supplemental Information.....	25
SECTION 4.5 Information Form .....	26
SECTION 4.6 Plat Checking Fee .....	27
SECTION 4.7 Date of Filing .....	27
SECTION 4.8 Corner Stakes .....	27

SECTION 4.9	Plat Distribution .....	27
SECTION 4.10	Reports .....	27
SECTION 4.11	Commission Action.....	28
SECTION 4.12	Appeal, Variance Limit.....	28
SECTION 4.14	Tentative Plat Required Re-Subdivision .....	28
SECTION 4.15	Re-Filing Following Disapproval .....	29
ARTICLE V BOUNDARY SURVEY .....		29
ARTICLE VI FINAL PLATS .....		29
SECTION 6.1	Final Plat .....	29
SECTION 6.2	Conformance to Standards of Design.....	29
SECTION 6.3	Street Names .....	30
SECTION 6.4	Requirements .....	30
SECTION 6.5	Data Required .....	30
SECTION 6.6	Center Lines and Boundaries .....	31
SECTION 6.7	Lots.....	31
SECTION 6.8	Supplementary Data.....	31
SECTION 6.9	Checking .....	32
SECTION 6.11	Taxes and Assessments .....	32
SECTION 6.11	Certificates and Acknowledgement of Final Plat .....	32
SECTION 6.12	Extension of TIME .....	32
SECTION 6.13	Extension of Plat Approval .....	32
SECTION 6.14	Re-Subdivision Plat .....	32
SECTION 6.15	Reversion to Acreage Plat.....	32
SECTION 6.16	Approval .....	33
ARTICLE VII DEDICATION AND IMPROVEMENTS .....		33
SECTION 7.1	Dedication .....	33
SECTION 7.2	Improvement Standards .....	33
SECTION 7.3	Improvement Plans Required .....	33
SECTION 7.4	Contingent Dedication .....	34
SECTION 7.5	Evidence of Title.....	34
SECTION 7.6	Construction and Inspection .....	34
SECTION 7.7	Soils and Materials Tests .....	34
SECTION 7.8	Protective Covenants and Restrictions.....	35
SECTION 7.9	Improvement Assurance.....	35
ARTICLE VIII SUBDIVISION IMPROVEMENT STANDARDS .....		35
SECTION 8.1	Subdivision Improvement Standards.....	35
SECTION 8.2	Acceptance of Streets and Roads .....	37
SECTION 8.3	Domestic Water Supply .....	38
SECTION 8.4	Fire Protection .....	38

SECTION 8.5	Sewage Disposal.....	38
SECTION 8.6	Flood Protection and Plat Drainage.....	38
SECTION 8.7	Protective Fence.....	38
SECTION 8.8	Subdivision Improvements .....	38
SECTION 8.9	Construction Standards .....	39
ARTICLE IX ENFORCEMENT AND PENALTIES .....		39
SECTION 9.1	Building Permit not to be Issued.....	39
SECTION 9.2	Legal Procedure .....	39
SECTION 9.3	Remedies .....	39
SECTION 9.4	Penalties.....	40
ARTICLE X VALIDITY.....		40
SECTION 10.1	Validity.....	40
ARTICLE XI FENCES AND CATTLE GUARDS .....		40
SECTION 11.1	Fencing.....	40
SECTION 11.2	Cattle Guards .....	40
SECTION 11.3	Compliance .....	40

**SUBDIVISION REGULATIONS  
OF  
NAVAJO COUNTY**

For information regarding zoning and subdivision matters in unincorporated areas of Navajo County, please call:

NAVAJO COUNTY PUBLIC WORKS DEPARTMENT  
P.O. Box 668  
100 East Carter Drive  
Holbrook, Arizona 86025  
(928) 524-4100

These regulations are subject to periodic amendments. Amendments will be prepared to permit substitution of new pages for obsolete portions, and will be available at a nominal charge in the Development Services office:

January, 1969  
Amended May 14, 1969  
Amended April 15, 1971  
Revised March 27, 1979  
Amended March 20, 1986  
Amended June 24, 1986  
Amended April 6, 1987  
Amended Fee Schedule July 1, 1994  
Amended July 5, 1994  
Amended October 2, 1995  
Amended October 13, 1998  
Section 1.4 Repealed September 18, 2000  
Amended and Revised 2001  
Amended and revised February 7, 2005, Resolution No. 08-05  
Amended and Revised August 30, 2007, Resolution No. 09-07  
Revised December 18, 2007, Resolution No. 99-07

## PREFACE

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

Poor subdivisions in the past, combined with the rapid growth of Navajo County, have created problems which could lead to the detriment of the general economy and welfare of Navajo County and its citizens that could become insurmountable if not reasonably regulated. They have increased the cost of public and private improvements that have caused traffic congestion and created early blight and obsolescence.

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

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

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

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



## NAVAJO COUNTY SUBDIVISION REGULATIONS

### ARTICLE I

#### SCOPE

##### SECTION 1.1 AUTHORITIES

A. Provisions of these Regulations are supplemental to those of the ARS 11-801 *et seq*, as amended, of the State of Arizona, as the same now exists or may hereafter be amended.

B. Any land or lands in the unincorporated territory of Navajo County coming within the definition of a subdivision as herein set forth shall be subject to all of the provisions of the Subdivision Regulations.

##### SECTION 1.2 PLANNING COMMISSION

A. The Navajo County Planning Commission is hereby charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions, and is hereby authorized, subject to the provisions of these Regulations, to **APPROVE, CONDITIONALLY APPROVE, OR DISAPPROVE** Tentative Plats of subdivisions prepared and filed according to these Regulations, to designate the kinds, nature and extent of the improvements to be installed in subdivisions, and to report directly to the subdivider or owner, the actions taken on Tentative Plats.

##### SECTION 1.3 SUBDIVISION COMMITTEE

A. There is hereby created a Subdivision Committee to act in an advisory capacity to the said Commission, and such Committee shall consist of the following members; Public Works Director, County Engineer, Deputy Director of Public Works, Planning and Zoning, Deputy Director of Public Works, Flood Control, County Public Health Official, County Assessor, County Attorney and other agencies and authorities as may be necessary. The Subdivision Committee shall meet as the matters to be considered by it may require. The Subdivision Committee shall consider all subdivision plats and shall report its findings and recommendations to the Commission. The Deputy Director of Public Works, Planning and Zoning, shall be Chairman of the Committee.

##### SECTION 1.4 RESERVED FOR FUTURE USE

## ARTICLE II

### DEFINITIONS

#### SECTION 2.1 GENERAL

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

#### Section 2.2 DEFINITIONS

1. "Abutting" is the condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only at a corner(s).
2. "Accessory Use" is a use, building, structure, part of a building, or part of a structure which is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot, including a private garage. If a building otherwise qualified as an accessory building is attached to the main building by a common wall or roof, such building shall be considered part of the main building.
3. "Alley" means a public way, other than a street, which affords a secondary means of vehicular access to abutting property and is not intended for general traffic circulation.
4. "Basin, Detention" is a storm water storage facility that temporarily stores surface runoff and releases it at a controlled rate through a positive outlet. A detention basin and park may be joined to serve both recreational needs and as a water storage facility.
5. "Basin, Drainage" is a geographical area that contributes surface runoff to a particular concentration point. The terms "drainage basin," "tributary area" and "watershed" are used interchangeably.
6. "Basin, Retention" is a storm water storage facility that stores surface runoff. Stored water is infiltrated into the subsurface or released to the downstream drainage system or watercourse (via gravity outlet or pump), or evaporated after the storm event. A retention basin and park may be joined to serve both recreational needs and as a water storage facility.
7. "Berm" means an earthen mound, either natural or man-made.
8. "Bicycle Lane" means a paved area located within a street right-of-way and between the curbs that is designated for bicycle or other non-motorized traffic.
9. "Bicycle Trail" means a paved or improved surfaced trail, located outside of a street right-of-way, utilized for bicycle, pedestrian or other non-motorized traffic. Public utility maintenance vehicles may be permitted use if joint access is allowed.
10. "Bicycle Path" means a paved area located within a street right-of-way but not between curbs that is designated for bicycle or other non-motorized traffic.

11. "Block" means a piece or parcel of land or group of lots entirely surrounded by public or private streets, streams, washes, parks, or a combination thereof of sufficient magnitude as to interrupt the continuity of development.
12. "Board" means the Board of Supervisors of Navajo County.
13. "Board of Adjustment" means the Board of Adjustment of Navajo County.
14. "Buffering" means an area of land, including landscaping, berms, walls and fences but not building setbacks, which are located between land uses of different character or density and is intended to mitigate negative impacts of the more intense use on residential or vacant parcels.
15. "Buildable" means a lot or parcel that has the area, shape, slope, street frontage, or other attribute in order for a permitted use, based on the lot or parcel's Zoning District, to be developed, without the need for any variance from the County Zoning Ordinances.
16. "Building Setback Line" means the required minimum distance, as prescribed by the Zoning Ordinances, between the property line and the closest point of any building or structure.
17. "Bus Stops (School)" means areas designated by the School District as needed for the convenience and safety of the students and public per the *Manual on Uniform Traffic Control Devices*, Part 7.
18. "C, C & R's" means the Covenants, Conditions and Restrictions placed on the property by the Developer that will govern the use of the land by homeowners.
19. "Chord" means a straight line joining two points on a curve.
20. "Cluster Development" means a development pattern that concentrates development in specific areas on a site through a density transfer rather than distributed evenly throughout a parcel as in conventional lot-by-lot development with the remaining portion of the site retained as natural open space or parks.
21. "Commission" means the Planning and Zoning Commission of Navajo County.
22. "Committee" means the Subdivision Committee of Navajo County.
23. "Comprehensive Plan" means the statement of land development policies, which may include Plats, charts, graphs and text which set forth objectives, principles and standards for growth and redevelopment enacted under the provisions of A.R.S. §11-806 *et seq.*
24. "Conceptual Master Plan" means the planning level Master Plan submitted for first review of a large scale development with multiple phases.
25. "Conditional Approval" means an affirmative action by the Commission or Board indicating that approval will be forthcoming with satisfaction of certain specified conditions or stipulations.
26. "Condominium" (see also Time-share Unit) means real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. The term "condos" may also be used in the Regulations.

27. "Conservation Easement" means a permanent open space easement granted to the County, a Homeowners Association, or to a public land trust to prohibit development of the property, including roads and utilities, and to protect archaeological sites, ecologically significant lands, scenic highways, hiking trails, biking trails, equestrian trails, and to preserve the land for the scenic enjoyment of the general public.
28. "Conventional Development" means a development other than a Planned Unit Development or a Cluster Development.
29. "Construction Plans" means Improvement Plans.
30. "County" means Navajo County, Arizona.
31. "Cut" means the removal of soil, rock, or other materials from a location which shapes and lowers the grade at the location.
32. "Department" means the Public Works Department of Navajo County.
33. "Developer" (see also Subdivider) means a person, firm, partnership, joint venture, trust, syndicate, association, corporation, Limited Liability Company or other legal entity who desires to improve or otherwise engage in any development of property within Navajo County, including the owner of the property; except that an individual serving as agent for such legal entity is not a developer.
34. "Development" means the utilization of land for public or private purposes.
35. "Director" means the Planning and Zoning Director of Navajo County.
36. "Disturbed Area" means that area of natural ground, including the footprint of the residence that has been or is proposed to be altered through grading, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation.
37. "Easement" means a grant by the owner of the use of land by the public, a corporation, or person for the specific uses designated.
38. "Engineer" means the County Engineer of Navajo County or his designated representative.
39. "Engineering Department" means the Engineering Division of the Navajo County Public Works Department.
40. "Exception" means any parcel of land that is not owned by the developer or not included in the recorded plat. All such exceptions must be noted on the Final Plat as "not a part of this subdivision."
41. "Figure" means any graphic representation noted as "Figure" within these Regulations, which is used to illustrate and exemplify certain standards and regulations contained within the language of these Regulations. If a figure and text of the Regulations conflict, the written text of the Regulations shall control.
42. "Fill" means soil, rock, or other material, deposited at a location by man that raises the

grade at that location.

43. "Finished Grade" means the final grade and elevation of the ground surface after grading is completed and in conformance with the approved grading plans.

44. "Flood Hazard Zone" means any land area partially or wholly within a delineated floodplain susceptible to flood related damage as designated on the Flood Management Plats. Such flood hazard zones may include, but not be limited to, areas highly susceptible to erosion, stream meander sensitivity, moveable bed, scour, wave action, and subsidence.

45. "Floodplain" means low lands adjoining the channel of a river, stream or watercourse, lake or other body of water, which have been or may be inundated by floodwater, and those other areas subject to flooding. A floodplain may be that area further defined by the Drainage Policy of Navajo County and as shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Plats (FIRM) or an approved flood control study.

46. "Flood Prone Area" means any area within a floodplain.

47. "Floodway" means the channel of a wash or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one (1) foot.

48. "Health Department" means the Navajo County Health Department.

49. "Improvements" means required installations, pursuant to these Subdivision Regulations and any zoning stipulations, including but not limited to: grading, sewer, water, utilities, streets, curbs, gutters, sidewalks, trails, alleys, street lights, traffic control devices and landscaping; as a condition to the approval and signing of the Final Plat, before recordation.

50. "Highway" means a roadway owned operated and maintained by the Arizona Department of Transportation.

51. "Improvement Plans" means a set of plans setting forth the profiles, cross-sections, details, specifications, instructions and procedures to be followed in the construction of public or private improvements in Navajo County that are prepared and bear the seal of an Arizona - Registered Land Surveyor, Engineer, Architect or Landscape Architect in accordance with the approved Tentative Plat, and zoning stipulations, and in compliance with standards of design and construction that are to be approved by the County Engineer, other County Departments, and all applicable utilities.

52. "Improvement Standards" means a set of regulations and exhibits setting forth the details, specifications and instructions to be followed in the design and construction of required improvements.

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

54. "Land/Lot Splits" means the division of improved or unimproved land, into two (2) or more lots, parcels or fractional interests for the purpose of sale, lease, or conveyance, while still meeting the underlying requirements of the property zoning.

55. “Lot” means a single piece of property having frontage on a publicly dedicated and accepted street or a private road approved and accepted by the County and which has been established by a plat, recorded subdivision or otherwise established by some legal instrument of record which is described and denoted as such.
56. “Lot Area” means the area of a horizontal plane within the lot lines of a lot but not including any area in a public way.
57. “Lot Corner” means the intersection of two (2) or more lot lines, or angle point or change in direction of a lot line.
58. “Lot, Corner” means a lot located at the intersection of two (2) or more streets (corner lot).
59. “Lot Coverage” means the percentage of the area of a lot that is occupied by all buildings or other covered structures using the roof outline for all outer dimensions.
60. “Lot Depth” means the horizontal length of a straight line connecting the midpoints of the front and rear lot lines; and for triangular shaped lots, the shortest horizontal distance between the front lot line and a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.
61. “Lot, Improvement” means any building, structure, place, work of art or other object or improvement of the land on which they are situated constituting a physical betterment of real property.
62. “Lot, Interior” means a lot other than a corner lot.
63. “Lot, Key” means a lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street that forms the side boundary of the corner lot.
64. “Lot Line” means a line dividing one (1) lot from another or from a street or any public place.
65. “Lot Line, Front” means in the case of an interior lot, a line separating the lot from the street right-of-way. In the case of a corner lot, the narrowest of the two (2) lot lines adjoining a street right-of-way.
66. “Lot Line, Rear” means a lot line which is opposite and most distant from, the front lot line; except that in the absence of a rear lot line as is the case of the triangular shaped lot, the rear lot line may be considered as a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.
67. “Lot Line, Side” means the boundary of a lot that is not a front lot line or a rear lot line.
68. “Lot, Through” means a lot having a part of opposite lot lines abutting two (2) streets, and which is not a corner lot, (Also known as a “double frontage lot”). On such lot, both lot lines are front, except that where a non-access easement has been established on such a lot, the front lot line shall be considered as that lot line most distant from the lot line containing the non-access easement.

69. "Lot Width"

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

B. For lots on the inside of the curve of a street, the distance between side lot lines measured thirty (30) feet behind the required minimum front yard setback line on a line parallel to the street or street chord.

70. "Natural Features, Significant" includes washes, significant vegetation, and significant rock outcroppings provided these features are in their undisturbed natural state

71. "Natural Grade" means the undisturbed natural surface of the land, including washes.

72. "Net Acres" means the total acreage of a tract or parcel of land exclusive of the area existing or required for arterial or collector street right-of-way dedications and school/public site reservations.

73. "Off Site" means not located within the area of the property to be developed.

74. "Open Space" means any parcel or area of land or water, natural or improved and set aside, dedicated, designated, or reserved for the use and enjoyment of all the residents of the development or the public in general. Open space does not include vacant or undeveloped lots, bike lanes or sidewalks attached to the back of the curb.

75. "Open Space, Common" means open space usable by all people within a certain development and such area is owned in common by all property owners in that development.

76. "Open Space, Natural Area" means open space areas required for the preservation and conservation of plant and animal life, including habitat for fish and wildlife species; and areas required for ecological, cultural and other scientific study purposes for long-term public benefit.

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

78. "Owner" means the person or persons holding title by deed to land, or holding title as vendor under a land contract, or holding any other title of record.

79. "Parks" means a tract of land that contains a mix of active and passive recreation facilities including "tot-lots", defined and improved play fields and/or sport court areas, and picnic/seating/shade areas that are landscaped / hardscaped in a pleasing manner.

80. "Pathway" means a path, course, route, track, footway and equestrian trail.

81. "Pedestrian Way" means a public walk dedicated entirely through a block from street to street and/or providing access to a school, park, recreation area, trail system, or shopping area.

82. "Planned Unit Development (PUD)" means a development in which flexibility can be permitted in the zoning standards, in order to encourage more creativity and sustainable design, thereby providing usable open spaces within and about the development and enhancing the residential character of the Development.

83. "Plat" means a Plat that provides for changes in land use or ownership.
- A. "Tentative Plat" means a Preliminary Plat, including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer, or a registered land surveyor, in accordance with these Regulations and the Arizona Revised Statutes.
- B. "Final Plat" means a Final Plat of all of a subdivision, including supporting data, in substantial conformance to an approved preliminary plat and all stipulations or conditions placed upon it by the Commission or Board, prepared by a registered land surveyor, in accordance with these Regulations and the Arizona Revised Statutes.
- C. "Recorded Plat" means a Final Plat bearing all certificates of approval required by these Regulations and the Arizona Revised Statutes and duly recorded in the Navajo County Recorder's Office.
- D. "Reversionary or Abandonment Plat"
- (1) A plat for the purpose of reverting previously subdivided acreage to un-subdivided acreage, or;
  - (2) A plat for the purpose of vacating rights of way previously dedicated to the public and abandoned under procedures prescribed by the County; or
  - (3) A plat for the purpose of vacating or re-describing lot or parcel boundaries previously recorded.
- E. "Amended Final Plat" means a Final Plat which has been changed in some material manner, and re-submitted for recordation.
84. "Pre-Application Meeting" means an initial meeting between developer and County representatives that affords developer the opportunity to present their proposals informally and discuss the project and address any items of controversy or requirements before the preliminary plat is submitted.
85. "Preliminary Approval" means affirmative action on a Tentative Plat, noted upon prints of the plat, indicating that approval of a Final Plat will be forthcoming upon satisfaction of specified stipulations; and which constitutes authorization to submit final engineering plans and the Final Plat.
86. "Private Access Way" means a private way of access dedicated as a tract to one (1) or more lots or air spaces, which is owned and maintained by an individual or group of individuals and has been improved in accordance with County standards and plans approved by the County Engineer. A private access way is intended to apply where its use is logically consistent with a desire for neighborhood identification and control of access, and where special design concepts may be involved, such as within planned unit developments and condominiums.
87. "Protected Development Rights Plan" means a final subdivision plat that meets all the requirements of these Regulations and the Arizona Revised Statutes, and which has been recorded with the County Recorder shall constitute a Protected Development Rights Plan.
88. "Recorder" means the Recorder of Navajo County.
89. "Right-of-Way" means any public or private access way required for ingress or egress, including any area required for public use pursuant to any official plan; rights-of-way may consist of fee title dedications or easements.
90. "Roadway Easement" means a recorded conveyance to the public over a described area for roadway related uses.
91. "Service Easement" means an area provided for in the subdivision design at the rear of



retail, commercial or multi-family dwelling use of sufficient size and accessibility to facilitate the provision of necessary services.

92. “Sidewalk” means a pedestrian way constructed of Portland cement concrete, and may be 4’ or 5’ wide.

93. “Sketch Plan” means a preliminary presentation of a proposed subdivision or site plan of sufficient accuracy to be used for discussion purposes and identification of any items of controversy or issues of concern.

94. “Staging Area” means a trailhead specifically designed to accommodate equestrians. It includes areas for horse trailer parking, and facilities for hitching, mounting, and watering horses.

95. “Street, Arterial” means arterial streets or roads to provide a high level of mobility for County-wide through traffic movement and is typically spaced at one-mile or greater intervals, have limited access, and no on-street parking. The locations of arterial streets are designated in the County Transportation Plan.

96. “Street, Collector” means the collector streets or roads provide mobility and access and link the arterial and local roadways as well as allowing access to adjacent properties.

97. “Street, Cul-De-Sac” means a local street having one end permanently terminated in a vehicular turnaround, or an equally convenient form of turning, with backing areas as may be recommended by the County Engineer.

98. “Street, Frontage” means a local street parallel to an arterial or collector street or road which intercepts the residential traffic and controls access to the arterial and collector roads.

99. “Street, Local” provides for direct access to residential or other abutting land and serve local traffic movement with connections to roadways of higher classification.

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

101. “Subdivider” (see also Developer) means a person, firm, corporation, partnership, limited liability company, association, syndicate, trust, or other legal entity that files the application and initiates proceedings for a subdivision of six or more lots, in accordance with the provisions of these Regulations and statutes of the State of Arizona, except that an individual serving as agent for such legal entity is not a developer; and said developer need not be the owner of the property as defined by these Regulations. The Board may itself prepare or have prepared a plat for the subdivision of land under County ownership.

102. “Subdivision”

A. Improved or unimproved land or lands divided for the purpose of financing, sale, lease, or conveyance whether immediate or future, into six (6) or more lots, tracts or parcels of land; as defined in ARS 32-2101 or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into two (2) or more parts. “Subdivision” also includes any condominium, cooperative, community apartment, townhouse, patio home, or

similar project containing six (6) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.

B. "Subdivision" does **not** include the following:

- (1) The sale or exchange of parcels of land between adjoining property owners if such sale or exchange does not create additional lots.
- (2) The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
- (3) The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil, or gas leases.

103. "Technical Review" means the detailed review of proposed Master Development Plans, Site Plans, Preliminary Plats, Improvement Plans and Final Plats by the Subdivision Committee, for compliance with County Codes, Ordinances, Standards, or conditions of approval by the Commission or Board. Other utilities and public agencies are invited to review the plat as it relates to their conditions of service or need.

104. "Time-share Unit" (see also Condominium) means a real property ownership or right of occupancy in a time-share project, condominium or multiple residence unit, which is owned, occupied, or possessed, under either interval ownership or fractional fee interests as may be determined by the Board.

105. "Townhouse" means a building on its own separate lot containing one (1) dwelling unit that occupies space from the ground to the roof, and is attached to one (1) or more other townhouse dwelling units by at least one (1) common wall. Shall also mean a patio home.

106. "Tract" means a parcel of land in a subdivision which is dedicated for a specific use other than as a lot. Uses may include common areas, private roads, drainage facilities, recreation sites, parks, open space, or other uses.

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

108. "Trail, Unpaved" means a designated trail designed to accommodate primarily equestrians, off-road bicycles, and pedestrian users.

109. "Trailhead" means a trailhead that serves as the beginning point of a trail and must include parking, trail information and may also include trash receptacles, water, sanitary facilities and shade structures/armadas.

110. "Usable Lot Area" means that portion of a lot usable for, or adaptable to, the normal uses made of property, excluding any areas which may be covered by water, are excessively steep, or are included in certain types of easements. Areas covered by water shall include areas within the defined flood plain, flood prone areas, or are within the perimeter of a given pond of water that will remain after the development is completed.

111. "U.S.C. & G.S." means the United States Coast and Geodetic Survey.

112. "U.S.A.C.O.E." means the United States Army Corp of Engineers.

113. "Utility Services" means the service to the public of water, sewer, gas, electricity, telephone and cable television. The foregoing shall be deemed to include facilities and appurtenances to

the above uses but shall not include public utility treatment and generating plants or offices.

114. "Utility Easement" means a public easement for the installation of public utilities. Also known as a Public Utility Easement, or "PUE".

115. "Vegetation, Significant" is considered to be a stand of trees having a height greater than fifteen (15) feet or three (3) or more trees, located within a radius of fifteen (15) feet, each having a height greater than fifteen (15) feet.

116. "View Fencing (view fence)" shall mean fencing that is constructed in such a manner as to achieve eighty (80%) percent overall openness.

117. "Watercourse" means any lake, river, stream, creek, wash, arroyo, or other body of water or channel having banks and bed through which waters flow at least periodically.

118. "Water Supply, Adequate" means a written statement from the water company, providing water to the subdivision, that states the water supply and flows are adequate and in accordance with County and Fire Districts requirements.

11. "Zone" means a district classification established by the Zoning Ordinances of Navajo County that limits or permits various and specific uses.

120. "Zoning Clearance" means the approval by the Director of a plan that is in conformance with the Zoning Ordinances of Navajo County.

121. "Zoning District" means a zone area in which the same zoning ordinances apply throughout the district.

122. "Zoning Ordinances" means the most recent version of the Zoning Ordinance of Navajo County.

## **ARTICLE III**

### **STANDARDS OF SUBDIVISION DESIGN**

#### **Section 3.1 Purpose.**

The purpose of this article is to provide the development community with a consistent set of standards to guide the physical development and the visual quality of subdivisions within the County. The design standards in this chapter apply to all development in the County. The intent is to create functional, attractive developments, to help preserve the natural beauty of the County by preserving trees and open space, minimize adverse impacts on the community, and to insure that future subdivisions will conform to the community's expectations while at the same time encouraging new development that is dynamic, creative and imaginative.

#### **Section 3.2 General provisions.**

- A. Every subdivision shall conform to the Navajo County Zoning Ordinances, other ordinances and regulations of the County, and the Arizona Revised Statutes, as well as implement the goals, objectives, and policies of the Navajo County Comprehensive Plan. In the event two or more requirements conflict, the most restrictive requirement shall apply.
- B. All public improvements shown on the preliminary plat, and any additional improvements that may be required by the County Board of Supervisors as a condition for approval of the Final Plat, shall be the responsibility of the developer.
- C. All improvements must be acceptable to the Deputy Director of Public Works, Planning and Zoning prior to the issuance of building permits for lots within the subdivision. Building permits for model homes, sales office and construction site trailers may be allowed, prior to the acceptance of the subdivision improvements by the County, along with the written approvals of water, electric, sewer and other affected utility providers.
- D. Where the area proposed for development contains all or part of a park, a trail and/or a trailhead, a school, flood control facility, or other public site, as shown on the Comprehensive Plan or as recommended by the County Board of Supervisors, such site shall either be dedicated to the public or reserved for acquisition by the public or appropriate agency or land trust within a specified period of time as prescribed in the Arizona Revised Statutes, (D) and (E).
- E. Land which is subject to periodic flooding, land which cannot be properly drained, land which has unstable slopes, or land which is otherwise unsuitable for residential or commercial uses shall not be subdivided; except that the County Board of Supervisors may approve the subdivision of such land upon receipt of evidence, including subdivision construction assurances, satisfactory to the County Engineer and County Attorney, that the construction of specific improvements under this condition will render the land suitable. The construction of subdivision improvements shall not commence until after Final Plat approval and financial assurances have been secured to the satisfaction of the County Engineer, Deputy Director of Public Works, Planning and Zoning, and County Attorney.

#### **Section 3.3 General Site Design Standards.**

- A. Regardless of the density of the individual developments, single family residential subdivisions, and condominium or multi-family subdivisions may be required to provide open space, provide buffering to adjacent developments, provide landscaping, and provide physical connections to adjacent neighborhoods and to the community through use of a non-motorized trail system, as recommended in Goal 5 of the Circulation Element of the Comprehensive Plan.
- B. Commercial and Industrial subdivisions shall be subject to all the requirements set forth in the Zoning Ordinance and shall be designed according to the same principles governing the

design of residential developments; namely, buildings shall be located according to topography; factors such as drainage, noise, odor, and surrounding land uses considered in sighting buildings; sufficient access shall be provided; adverse impacts buffered; and landscaping provided. In addition, the following standards shall apply to commercial subdivisions:

1. Commercial lots/developments that back up to an existing or designated residential land use shall provide a landscaped open space buffer strip adjacent to the common property line to mitigate any adverse affects to the residential neighborhood from a permitted commercial use.

2. The Planning and Zoning Commission and the County Board of Supervisors may impose special requirements with respect to the design, construction and installation of the public utilities, street, curb, gutter and sidewalk.

C. Those portions of a Trail System adjacent to, or within, the area proposed for development, whether residential, industrial or commercial, shall be incorporated by that development. Construction of these open spaces and/or trails shall be the responsibility of the developer and shall be part of the subdivision improvements. These trails shall be part of a "tract" and maintained by a Homeowners/Property Owners Association unless the open space and/or trail have been accepted, by Navajo County for maintenance responsibilities. Dedication of a trail and/or trailhead to a local land trust, established for the purpose of trail development and maintenance, may also be acceptable.

D. Tracts or parcels of land proposed for subdivision development that are adjacent to U.S. Forest land shall provide a buffer area adjacent to the forest land. Trail and/or trailhead locations must be considered and shall be in accordance with the U.S. Forest Service standards and regulations.

#### Section 3.4 Access Requirements.

A. Rural Residential Developments should take access from streets classified as Collector Streets, as set forth in the Circulation Element of the Comprehensive Plan. Every effort should be made to avoid facing lots onto State Highways.

B. Suburban and Urban type developments should be designed to provide lots that back or side onto streets classified as Collector or Arterial Streets as set forth in the Circulation Element of the Comprehensive Plan.

C. Every subdivision shall provide two (2) separate and distinct access points, both of which may provide fully-improved and accepted access from public streets, whether State Highways or County Roads, developed to Navajo County street standards.

D. Every lot shall have frontage onto a fully-improved, publicly-dedicated and accepted right-of-way that meets all Navajo County street standards. Private streets that meet all Navajo County street standards may provide frontage to lots if the development is approved by the Planning and Zoning Commission and County Board of Supervisors for private streets.

#### Section 3.5 Street Location and Arrangement.

A. The road system shall be designed to permit the safe, efficient, and orderly movement of traffic and pedestrians; meet the needs of present and future population served; have a simple and logical pattern; respect natural features and topography, and; present an attractive streetscape.

B. In residential subdivisions, the road system shall be designed to serve the needs of the greater neighborhood. Through vehicular traffic may be discouraged with traffic calming methods, as defined by the Institute of Traffic Engineers (I.T.E.).

C. Street layout shall provide for the continuation of such streets as the Comprehensive Plan, County Engineer or Deputy Public Works Director, Planning and Zoning may designate.

D. Certain proposed streets, as designated by the County, shall be extended to the subdivision boundary to provide future connection with adjoining un-subdivided lands.

- E. Local streets shall be so arranged as to discourage their use by through traffic and the pedestrian needs shall be met.
- F. Where a proposed subdivision of suburban and urban density abuts or contains an existing or proposed Arterial or Collector right-of-way, a non-buildable landscaped tract equaling at least the depth of the minimum street side-yard setback of the base Zoning District, or fifteen (15) feet, whichever is greater, should be platted with non-vehicular access easements along the Arterial or Collector right-of-way. The exception to this would be for Rural Residential Developments where frontage onto Collector roadways may be desirable and/or encouraged.
- G. Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility, streets of reasonable gradient, and the facilitation of adequate drainage.
- H. Where private streets are approved, such streets shall be constructed to County public street specifications and shall be placed into specific "street tracts" of land. Statements shall be contained on the plat and in both the Deed Restrictions and the Homeowners Association By-laws that those streets are declared private subject to an easement authorizing use by emergency and public service vehicles and utilities, and remain the permanent responsibility of the Homeowners Association. If at any time the streets are dedicated to, and accepted by the County, the streets must first be developed to the current standards specified by the County at the time of dedication.
- I. Alleys may be required in commercial subdivisions as approved by the County Board of Supervisors. Where needed, they shall have a twenty foot (20') minimum width.

### Section 3.6 Street Design.

- A. Design of streets: The design of streets shall conform to standards established by these Regulations. See Table 1, Table 2, and Table 3 in Article VIII for specific minimum standards.
- B. Private Street. Private streets shall conform to above stated design standards unless otherwise approved by the County Board of Supervisors. Private streets shall be placed within their own parcel or tract of land. Where site conditions necessitate unique design solutions, modifications may be approved by the County Board of Supervisors.
- C. Cul-de-sac streets: Cul-de-sac streets shall be constructed with a minimum unobstructed turn-around radius of fifty (50) feet which shall be free from parked vehicles. The County Engineer may recommend an equally convenient form of turning and backing areas where extreme conditions justify. The maximum length of Cul-de-sac streets shall be six-hundred (600) feet, as measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline or a maximum of twenty (20) homes. An exception may be made where topography or geographical constraints justifies but shall not be made merely because the tract has restrictive boundary dimensions, wherein provision should be made for extension of street pattern to the adjoining un-platted parcel and a temporary turnaround installed.
- D. Dead-end streets: Dead-end streets will not be approved except in locations recommended by the Deputy Public Works Director, Planning and Zoning, as necessary to future development of adjacent lands; with an unobstructed temporary fifty (50) foot turn-around.
- E. Private access and driveways: Access from private property to any dedicated street shall be constructed in accordance with permits issued by the County. Width of driveway at the property line shall be a minimum of twenty (20) feet and a maximum of forty (40) feet. The width will depend on the access to be served i.e., residential or commercial.
- F. Street Intersections:
1. Streets intersecting a major street shall do so at a ninety (90) degree angle; intersection of local streets shall not vary from ninety (90) degrees by more than fifteen (15) degrees. Exceptions to these requirements will be considered by the County Engineer based on terrain and other conditions.
  2. Street jogs with centerline offsets less than one-hundred twenty five (125) feet shall be

prohibited except when approved by the County Engineer. Under special circumstances where local streets intersect collector or arterial streets, the County Engineer may require minimum centerline offsets of four-hundred (400) feet.

3. Local streets intersecting a collector street or arterial street shall have a tangent section of centerline at least one-hundred fifty (150) feet in length measured from the right-of-way line of the major street, except that no such tangent is required when local street curve has a centerline radius greater than four-hundred (400) feet with the center located on the major street right-of-way line. Where topographic or other conditions make necessary other treatment to secure the best overall design, these standards may be varied by the County Board of Supervisors upon the recommendation of the County Engineer.

4. Street intersections with more than four legs and y-type intersections where legs meet at acute angles shall be prohibited.

5. At local intersections, property line corners shall be rounded by circular arc, having a minimum radius of twenty-five (25) feet. A twenty-five (25) foot by twenty-five (25) foot sight triangle shall be provided at each corner of the intersection of two (2) major streets. Under special conditions the County Engineer may recommend other dimensions for the above.

G. Street grades: The minimum street grade shall not be less than two-tenths of one percent. The maximum street grade shall not exceed a six (6%) percent grade. Street grades between six (6%) percent and ten (10%) percent may be approved only for such distances as topographical conditions make lesser grades impractical. A grade exceeding ten (10%) percent may be approved only when conclusive evidence shows a lesser grade is impractical.

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

I. Structural section: The thickness of base and surface treatment for all streets shall be based on soil analysis and pavement thickness design provided by the developer. In no case will base be less than eight (8) inches and the surface pavement be less than three (3) inches (compacted thickness).

J. Aggregate base course: All developments will be required to submit a soils report and pavement recommendation prepared by an Arizona Registered Geotechnical Engineer. The report will recommend at least two alternative structural sections for each street classification. Additional asphalt may be substituted for untreated base at the ratio of one to three (1:3). The top four (4) inches must be ABC; the balance may be ABC or other select material.

K. Shoulders: All street designs shall provide a minimum two foot wide ABC Shoulder.

### Section 3.7 Lot planning:

A. Single-family residential lots shall not have a width-to-depth ratio greater than one to three (1:3).

B. All proposed lots must be developable without the need of a variance, waiver or further discretionary approvals from the County. Prior to Final Plat approval the County may require additional documentation, including but not limited to engineered concept plans, for lots with questionable developability.

C. Corner lots shall generally be designed larger to accommodate the increased setback requirements of the Zoning Ordinance.

D. Side lot lines shall be substantially at right angles or radial to street lines, except where other treatment may be justified in the opinion of the Deputy Public Works Director, Planning and Zoning.

E. Residential lots extending through the block and having frontage on two parallel streets which are both local streets or one of which is a local street and the other is a collector street shall not be permitted; except when there are Commercial Zoning Districts on the opposite side of the street and except where justified in the opinion of the Deputy Public Works Director,

## Planning and Zoning.

### Section 3.8 Easement Planning.

- A. Easements will be required for all public and/or private utilities outside of the street right-of-way and shall be placed along lot lines as required by the utility companies. For information on the requirements contact the specific utility companies serving the development.
- B. Where a stream, wash or important surface drainage course abuts or crosses a development, dedication of a drainage easement of a width sufficient to permit widening, deepening, relocating, or protecting and maintaining said water course shall be required. Drainage easement width shall be approved by the County Engineer based upon the hydrological analysis of a 100-year frequency storm. The drainage easement requirement will insure that the flow of water is not impeded, and cause flooding upstream of the development.
- C. All detention areas shall be in tracts with drainage easements.
- D. All detention areas shall be maintained by the property owners or the Home Owners Association

### Section 3.9 Street Naming.

- A. Street names shall comply with the overall Navajo County street naming and numbering system.
- B. Street names should be consistent with the natural alignment and extension of existing named streets.
- C. The developer shall propose the street names at the Preliminary Plat or Master Conceptual Site Plan Submittal Stage and the names shall be recommended by the Commission and approved by Board of Supervisors.
- D. Reflectorized street name signs using current "Manual on Uniform Traffic Control Devices" (M.U.T.C.D.) letter size and numbers shall be placed at all street intersections and should be in place by the time the street pavement is ready for use. Specifications for design, construction, location, and installation shall conform to M.U.T.C.D. standards.

### Section 3.10 Drainage.

- A. Proper and adequate provision shall be made for disposal of storm water; this shall apply equally to grading of private properties and to public streets. Existing major water courses shall be maintained as drainage ways. Drainage shall meet the requirements of the "Drainage Policy" of Navajo County. Streets shall not be used for drainage purposes.
- B. Post development flows cannot exceed pre-development flows in peak runoff, or velocity and may not concentrate sheet flows.
- C. Dry Wells are prohibited unless no other manner of stormwater disposal is possible.

### Section 3.11 Sanitary Sewage Disposal.

- A. All subdivisions not in a Sanitary Sewer District service area, but which can obtain sewer service from such a district, may submit a sewer service plan acceptable to the Navajo County Health Department, Arizona Department of Environmental Quality (A.D.E.Q.), and the relevant Sanitary District for possible annexation into the district's service area.
- B. Septic tanks shall be approved by the Navajo County Public Works Department.
- C. Sewer lines shall be reviewed by the County Engineer, A.D.E.Q., and by Navajo County Health Department.
- D. Service stubs to platted lots within the subdivision for underground utilities shall be placed to the right-of-way line or the public utility easement which ever is greater.



E. Sanitary sewer lines may be extended to the boundaries of the plat to provide service connections to abutting un-subdivided land.

F. If a separate sanitary sewer easement is needed it shall be at least fifteen (15) feet in width.

### Section 3.12 Water System.

A. Design and construction of any and all facilities relating to the supply, storage, transmission, treatment and distribution of potable water within or outside of any subdivision must meet with the written approval of the water provider and the serving Fire District.

B. All design and construction must meet all applicable County and A.D.E.Q. specifications and requirements in force at the time of plan renewal and approval.

C. The County assumes no liability for providing water to any proposed or actual subdivision. All water supplies within the County are provided by water companies or districts.

D. Water specifications and requirements relating to fire protection are established by the currently adopted fire code of the State of Arizona. At a minimum, fire protection must be provided in accordance with the 2006 Uniform Fire Code, or updated versions of said code, as adopted by the State of Arizona.

E. Line Sizing: Minimum size lines for water lines shall be six (6) inches. Minimum eight (8) inch lines shall be required on dead-end hydrant lines longer than three-hundred (300) feet, compatible with Fire District Requirements.

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

G. Services:

1. Minimum service tap, service pipe and meter shall be  $\frac{3}{4}$  inches and shall serve only one property. A minimum one (1) inch service tap, pipe and meter, servicing only one property, shall be required on all long cul-de-sac runs, fire sprinkled residences and for all Rural and Suburban Development (R1-43 and R1-10 Zoning Districts respectively) and for commercial developments, and on all Cul-de-sac runs of more than 300' maximum of 600'

2. Service stubs to platted lots within the subdivision for underground utilities shall be placed to the right-of-way line or the public utility easement whichever is greater.

H. Fire Hydrants: Maximum spacing between fire hydrants shall be five-hundred (500) feet in single family residential areas and two-hundred (200) feet in all other areas.

I. Water distribution lines shall be extended to the boundaries of the plat to provide service connections to abutting un-subdivided land.

J. The above regulations shall be the minimum standards regardless of the individual water provider's standards. The developer will need to refer to the specific "Design Criteria & Specifications" established by the individual water provider; the more restrictive regulation shall apply.

### Section 3.13 Street Lights.

A. Where required the fixture type shall be fully shielded and shall meet the State of Arizona Dark Sky Ordinance contained in the Arizona Revised Statutes (A.R.S.) § 49-1101 *et seq.*

B. Where required the installation height shall be limited to American Association of State Highway and Transportation Officials (A.A.S.H.T.O.) standards or the specific criteria established by the County; whichever is more restrictive.

C. Street lights shall be installed only at the entrances to a subdivision or neighborhood and at those street light locations required for safety.

D. Street lights in other than the entrance locations (within and throughout a subdivision) are strongly discouraged. If the developer, property owners, or Homeowners Association desire

additional street lights the cost for installation, maintenance, and monthly operational/utility bills for the additional street lights shall be the sole responsibility of the developer, property owners and/or Homeowners/Property Owners Association.

#### Section 3.14 Public Utilities.

A. All existing and new utility and telephone lines, electric utility distribution feeders, cable television lines, and all other communication and utility lines adjacent to or within new residential or commercial subdivisions or other areas to be developed within the County should be installed underground at the time of development of the property as part of the required off-site and on-site improvements. The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility.

B. When as a result of the subdivision development, it is necessary to relocate, renew or expand existing facilities within or adjacent to the platted area, the developer should make the necessary arrangements with the serving utility for these installations to be placed underground. The developer should arrange with the serving utility, and be responsible for, the cost of underground service lines to approved street light locations.

C. Service stubs to platted lots within the subdivision for underground utilities should be placed to the right-of-way line or the public utility easement whichever is greater.

D. Underground utilities should be extended to the boundaries of the plat to provide service connections to abutting un-subdivided land.

E. The above regulations shall be the minimum standards regardless of the utility company's standards. The developer will need to refer to the specific "Design Criteria & Specifications" established by the utility companies; the more restrictive regulation shall apply.

#### Section 3.15 Drainage Policy

The County Drainage Policy shall be adopted by reference and set out in full at the end of this chapter, and shall apply to all construction projects and developments except individual single family structures on individual parcels, or when the County Engineer shall determine that the policy is not necessary or does not apply.

#### Copies of Drainage Policy available.

Copies of the "County Drainage Policy" shall be available at the County Public Works Department offices.

## Navajo County Drainage Policy

### Section 3.15.1 – General

A. Intent: The policies and guidelines contained in this policy are intended to provide drainage design information and guidance for prospective developers, engineers and builders who plan to develop or construct projects in Navajo County. All designers should familiarize themselves with Navajo County Subdivision Regulations, Navajo County Flood Damage Prevention Ordinance, and any other applicable code or ordinances before undertaking projects within Navajo County. In case of conflicts between any code and ordinance, the more restrictive shall apply.

B. Requirements for Storm Drainage Facilities: All developments within Navajo County shall provide such storm drainage facilities as are necessary to insure that all improvements, structures and properties, both within the subject development and those located up and downstream of the development, shall be protected from the adverse impact of storm water due to the proposed development. The storm drainage facilities shall be designed and constructed so as to insure that the post-development flow from the development site is not greater than the pre-development flow for the 2, 10, 50 and 100 year flood events.

A Drainage Plan and a Drainage Report shall be required from any development or construction project which is proposed within Navajo County. See the Navajo County Subdivision regulations for other reports and documentation which is to be provided when a Tentative Plat is submitted.

A Storm Water Pollution Prevention Plan (SWPPP) shall be required of any development / construction project, greater than one acre or as required to be in compliance with ADEQ and EPA regulations. A copy of the Notice of Intent (NOI) filed with ADEQ shall be provided to Navajo County, prior to any construction.

Any development or project which infringes on the "Waters of the United States", as defined by the Section 404 of the Clean Water Act, or a defined floodplain, as defined by the US Federal Emergency Management Agency, or ADWR shall prepare and submit the necessary permit applications to the respective federal or state agencies, and provide evidence of acquisition of the permits to Navajo County.

The use of surface detention basins for reduction of off-site storm water flows is discouraged, unless no other method of runoff attenuation is possible.

C. Reports: A Preliminary Drainage Report shall be submitted at the time of Tentative Plat review. The report shall be prepared and sealed by a Registered Professional Engineer licensed to practice in the State of Arizona. The Preliminary Drainage Report shall include, as a minimum, the following information:

1. A description of how the proposed development will comply with Navajo County Drainage Policy.
2. A description of any existing drainage conveyances, such as natural water courses, floodplains, and drainage from adjacent lands.
3. Tentative description of proposed new conveyances, detention facilities, their size, and location.
4. The effects of the proposed development, and any proposed detention facilities, on any adjacent property, either up or downstream. Detailed hydrologic and hydraulic analyses are not

required with the Preliminary Report; however, the information provided must be adequate to demonstrate compliance with the applicable regulations.

5. A discussion of potential soils erosion or sedimentation which may occur as a result of this project.

1. The Final report shall contain, as a minimum:

- a. Cover
- b. Title of Report
- c. Date of Report completion or Submittal, and any revisions.
- d. Project name and location
- e. Name and address of the Client.
- f. Name, address and phone number of the Engineering firm submitting the report.
- g. Seal and signature of the Arizona Registered Professional Engineer who prepared the report.

2. Table of Contents:

3. Introduction:

- i. Location map showing the property and the adjacent properties, streets and nearby watercourses.
- ii. Legal description of the subject property.
- iii. Description of the subject property and proposed land use, existing drainage patterns, natural water courses, drainage problems or issues, and floodplain status within the development.
- iv. Description of the potential impacts of the project, both upstream and downstream.

4. Objectives and Procedures:

5. Summary of the purpose of the report:

- a. Description of methodologies, assumptions, and procedures used in preparing the report.
- b. General description of the project, including water courses and channels, detention basins and principal features of the flood control and drainage.
- c. Description of all applicable development standards, policies, detention requirements and floodplain regulations to which the proposed development must adhere.

6. Hydrology:

- a. The hydrologic calculations and data shall use as their basis the State Standard Hydrologic Modeling Guideline (SS) 10-07, and as referenced, the ADOT Highway Drainage Design Manual, Hydrology, dated March 1993.
- b. The Rational method may be used to calculate runoff for areas less than 160 acres. The US Corps of Engineers HEC-1 modeling, or other accepted models for rainfall–runoff, may be used for larger areas. The ADOT Highway Drainage Design Manual shall be used as the guidance when utilizing the Rational Method and the State Standard (SS) 10-07 Hydrologic Modeling Guideline, and shall be used when utilizing the HEC-1 Flood Hydrograph Package.
- c. Flood frequency analyses shall be performed for 2, 10, 50 and 100 year events, shall be based on Watershed Time of Concentration and shall comply with SS 10-07.
- d. Scalable drainage maps shall be provided for pre and post-development conditions, which will clearly depict contributing watersheds, sub-basins, concentration points, flow patterns, measured flow lengths and topography. The topography shall include appropriate datum references and contour intervals of 2 feet or less. Hydrologic data sheets shall be included.
- e. NOAA Atlas 14 shall be used to determine Point Rainfall Depth

#### 7. Hydraulics:

- a. All channels and culverts within the project shall have design and capacity computations included, in accordance with this policy.
- b. Design computations for all storm drains, inlets, street sections and detention facilities shall be provided. Storm drain design shall include a labeled schematic for the storm drain network, design discharges, pipe capacities, profiles, velocities and hydraulic grade line.
- c. Adequate analysis of soils on the site to demonstrate that the project design will not generate soils erosion problems or downstream sedimentation.
- d. Effect of the proposed project on drainage conveyances.
- e. All supporting documentation shall be included in the report.
- f. The hydraulic calculations shall, as a minimum, meet the State Standard Floodplain Hydraulic Modeling SS-9-02 and the State Standard for Floodplain and Floodway Delineation in Riverine Environments SS-2-96 and the requirements of this policy.
- g. Existing or new Floodplains and floodways shall be delineated on the development site plan.

#### 8. Detention Basin Design:

- a. A site plan, to scale, shall be provided which clearly shows dimensions and locations of all proposed detention basin(s) including the location, size and type of inflow and outflow structures.
- b. Provision of on-site detention of 100-year, two-hour event volume, or a detailed detention routing analysis demonstrating that the proposed detention facilities have sufficient storage capacity and effectively attenuate peak discharge rates.
- c. If in a common area, show the boundaries of the area, and any easements which are to be provided.
- d. Description of recreation facilities and landscaping on or in the basin.
- e. Inflow and Outflow basin hydrographs for all four event periods. The post-development outflows may not exceed pre-development outflows for any event period.
- f. If any retaining walls are utilized, include free-body diagrams to indicate all forces, moments and computations for determining factors of safety against sliding and overturning.
- g. Avoid use of streets or parking lots for storm water conveyance or storage.
- h. All basins shall completely drain in no more that 36 hours.
- i. No streets or parking areas may be used for detention purposes.
- j. All basins shall have side slopes no steeper than 3 to 1, and depths should not exceed three feet.
- k. The storm basin design shall, as a minimum, meet the State Standard SS-10 - 07 Hydrologic Modeling Guidelines and SS 8-99 Stormwater Detention / Retention, and the requirements of this policy.

#### 9. Summary and Conclusions:

- a. A brief summary of the analyses and conclusions shall be presented in the report.
- b. A brief description of how the proposed development and / or the public improvements will adhere to these Regulations and the Navajo County floodplain regulations, and mitigate any impacts created by the development.
- c. References and appendices may be used to list or present relevant information.

#### 10. Floodplain Studies and map Revisions:

Detailed floodplain studies are required for areas that have not been studied and may be defined as floodplains per the Navajo County Flood Damage Prevention Ordinance and / or ADWR requirements where the watershed is greater than 160 Acres or the stream flow is greater than 500 CFS. The floodplain studies shall be prepared and submitted to FEMA, utilizing

FEMA requirements for floodplain studies. The submittals shall include:

- Conditional Letter of Map Revision (CLOMR)
- Letter of map Revision (LOMR), and
- Physical Map Revision (PMR)

Floodplain studies may also be required by Navajo County Engineer or Navajo County Flood Control Director, for a Conditional Letter of Map Amendment (CLOMA) or a Conditional Letter of Map Revision on Fill (COLMR-F).

## ARTICLE IV

### TENTATIVE PLATS

#### SECTION 4.1 PRELIMINARY STEPS

A. The initial action in the development of a subdivision located in the unincorporated territory of Navajo County shall be in the preparation of a Tentative Plat, together with a Master Conceptual Site Plan for Multiple Phased projects.

1. The size of the Tentative Plats shall be 24 x 36 inches and shall be drawn to a 50, or 100 foot to the inch scale, whichever is most appropriate to clearly present necessary details.
2. The subdivider shall comply with the provisions of A.R.S. 9-474 with respect to any adjacent city.
3. The subdivider shall file eight (8) copies of the Tentative Plat or Plats in the office of the Planning and Zoning Division.
4. The Tentative Plat or Plats shall show or be accompanied by such data as are specified in Section 4.2 through 4.5.

#### SECTION 4.2 IDENTITY OF SUBDIVIDER

A. When submitting the Tentative Plat the subdivider shall certify **IN WRITING** to one of the following:

1. That he is the **record owner** of the property.
2. That the **record owner of the property** consents to the filing of the Plat.

#### SECTION 4.3 INFORMATION REQUIRED

A. The following information shall be delineated on the Tentative Plat except those items determined by the Staff as not being pertinent to a particular tract.

1. Title of Plat and legal description of property.
2. Name, address and telephone number of owner and subdivider.
3. Name and address of person preparing Plat.
4. Approximate acreage and overall dimensions.
5. North point, scale and date.
6. Subdivision boundary line, Location and vicinity Map.
7. Names, book and page number of adjoining subdivision.
8. Names, locations and widths of adjacent streets.

9. Identifying landmarks and existing structures, both above and below ground.
10. Names, locations and widths of proposed streets.
11. Approximate grades of proposed and existing streets.
12. Streets and rights-of-way providing permanent access to the property.
13. Excavations within 200 feet of the subdivision.
14. Approximate radii of curves.
15. Widths of alleys and easements.
16. Names of utility companies and locations of existing and proposed public utilities.
17. Elevations of sewer at proposed main connections.
18. Existing culverts and drain pipes.
19. Water courses and channels including proposed facilities for control of storm waters. Include any proposed drainage structures and proposed flow lines.
20. Land subject to overflow, inundations for flood hazard.
21. Railroads and other rights-of-way.
22. Lands and parks to be dedicated to public use.
23. Dimension of reservations, (i.e. Tracts).
24. Proposed lot lines and approximate dimensions.
25. Adjoining property and lot lines.
26. Contours with maximum interval as follows:

<u>Slope</u>	<u>Interval</u>
0 – 2	1'
3 - 9%	2'
10% Plus	5'

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

27. Existing use of property immediately surrounding tract.
28. Source of water supply size and location of water lines.
29. Method of sewage disposal.
30. Method of fire protection.

#### SECTION 4.4 SUPPLEMENTAL INFORMATION

A. Reports and written statements on the following matters shall accompany the Tentative Plat.

1. A Master Conceptual Site Development Plan when the subdivision is developed in phases.
2. A written statement stating that:
  - a. A water company under permit has agreed in writing to serve all lots in the subdivision or,
  - b. The subdivider has an acceptable application for a water company permit on file with the State Department of Public Health, or
  - c. The subdivider has agreed in writing to form a domestic water company to serve the subdivision; the method of which the operation and maintenance will be accomplished and financed.
3. A written statement stating the type of Solid Waste Disposal and Sewage Disposal that will be permitted. To aid in this determination soil percolation tests or other pertinent information may be required.
  - a. If sanitary sewer facilities and a sewage disposal plant are proposed, the method by which the operation and maintenance will be accomplished and financed.

4. Type of street improvement.
5. Utilities to be installed.
6. Proposed method of control of storm water, including data as to grade and dimension.
7. Proposed protective covenants.
8. If private streets or other ways of necessity are proposed, the method by which their maintenance will be accomplished and financed.
9. Proposed tree planting if within public right-of-way.
10. Where the minimum lot size of all lots is in excess of 2½ net acres in the area, the subdivider shall not be required to have a water company under permit or to furnish water to each lot, but shall furnish a statement of quantity and quality of any wells existing on the property or the estimated costs and feasibility of drilling wells if none exist.
11. The name and address of the Professional Engineer who will provide the Certification of Completed Improvements and Inspection pursuant to Section 7.6 and Section 8.11 (b) of these regulations.
12. A written statement from the County Special Districts Coordinator stating that the proposed subdivision is not encumbered by County Improvement District assessments, the method by which the assessment break out for the individual lots will be accomplished.
13. Such other supplemental information as the Commission or Engineer may require.

#### SECTION 4.5 INFORMATION FORM

A. The Deputy Director of Public Works, Planning and Zoning, may prepare a Subdivision Information Form which shall be completed by the Subdivider and shall accompany each Tentative Plat and which shall be for the purpose of:

1. Providing and clarifying the information required to be shown on or to accompany the Plat.
2. Determining whether the subdivision conforms to all Standards of Subdivision Design as delineated in Article III.
3. Expediting the processing of the Plat.

#### SECTION 4.6 PLAT CHECKING FEE

A. The Tentative Plat shall be accompanied by a Plat checking fee. The Plat checking fee shall be shown on a separate Fee Schedule as determined by the Board of Supervisors.

#### SECTION 4.7 DATE OF FILING

A. The date of filing a Tentative Plat shall be fixed as the date on which all of the Plats and information required by the Subdivision Regulations have been filed, as determined by the Staff,



and the required fees have been paid.

#### SECTION 4.8 CORNER STAKES

A. Upon filing a Tentative Plat, the subdivider shall immediately place a conspicuous stake and flag at each corner, angle point to curve point of the property proposed to be subdivided. Said stake shall extend at least three (3) feet above the ground except point where the corner is on a roadway.

#### SECTION 4.9 PLAT DISTRIBUTION

A. Upon filing with the Commission of the required number of copies of the Tentative Plat, one copy thereof shall be immediately forwarded to each member of the Subdivision Committee and to each of the following as may be concerned: The Arizona Department of Transportation; any municipal utility, community services, school or other duly authorized district; and to any utility company serving the area with its facilities. The Staff may change the number of copies required to be filed as may be necessary.

#### SECTION 4.10 REPORTS

A. The officials shall review the Tentative Plat for matters within their jurisdiction and promptly report their recommendations in writing to the Deputy Public Works Director, Planning and Zoning, who shall check the Plat for conformity to this Article.

1. The failure of any officer, department, municipality, district, or agency to report to the Commission in writing within a reasonable time after transmittal of the Tentative Plat shall be deemed as a rejection, except that additional review time shall be granted upon the written request of any duly authorized person or agency.

B. The Deputy Public Works Director, Planning and Zoning shall submit the recommendations to the Commission at a meeting thereof after the filing and reviews of Tentative Plat and the Supplemental Information.

1. The subdivider or his agent, and his engineer shall be present at the meeting. The subdivider's engineer may act as agent.

#### SECTION 4.11 COMMISSION ACTION

A., The Commission shall **APPROVE, CONDITIONALLY APPROVE, OR DISAPPROVE** said Plat.

1. The action of the Planning Commission shall be noted on a copy of the Tentative Plat. Conditions resulting in the conditional approval or disapproval will be noted and referenced. One copy shall be returned to the subdivider and another retained for the Planning Commission's records.

#### SECTION 4.12 APPEAL, VARIANCE - PLANNING COMMISSION TO HEAR AND DECIDE APPEALS AND VARIANCE

In cases of appeal or variance, the Planning Commission shall:

A. Hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirements, decision, grant or refusal made by the Director or any official in the

administration of this article. **Appeal shall be made in writing** and filed with the Commission setting forth the particulars and the reason for the appeal. Hearing on such cases shall be at such time as set by the Planning Commission, and upon not less than fifteen (15) days or more than sixty (60) days notice to the applicant and officials concerned.

B. Hear, approve, disapprove, or approve with modifications, upon appeal, or upon recommendation of the Director in specific cases, such variance from the terms of these regulations as will not be contrary to the public interest, where according to special conditions, a literal enforcement of the requirements of this article will result in unnecessary hardship, so that the spirit of same shall be observed and substantial justice done.

C. In granting a variance, the Commission may attach thereto such conditions regarding the development of the subdivision it may deem advisable in the interest and furtherance of the purpose of the article.

D. In order for the property to come within the provision of this Section, it shall be necessary that the Commission find the following facts with respect thereto:

1. That there are special circumstances or condition affecting said property.

2. That the modification is necessary for the preservation and enjoyment of a substantial property right.

3. The granting of the modification will not be detrimental to the public welfare or injurious to other property in the vicinity.

4. No grant of variance shall be authorized unless the Commission specifically finds that the condition or situation for which the variance is sought is not as typical or recurrent in nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.

E. The subdivider or his agent, and his engineer shall be present at the meeting. The subdivider's engineer may act as his agent.

F. An appellant may further appeal a decision or any conditions thereto, as rendered by the Commission; to the Board of Supervisors for the same reasons and in like manner as prescribed in paragraph (a), above.

#### **SECTION 4.13 TENTATIVE PLAT REQUIRED RE-SUBDIVISION**

A. A Tentative Plat showing data and information required by this Article shall be required when the re-subdivision of lots, tracts or parcels previously recorded as a subdivision or portion of a subdivision resulting in six or more additional lots, tracts or parcels.

#### **SECTION 4.14 RE-FILING FOLLOWING DISAPPROVAL**

A. In the event that a Tentative Plat is disapproved by the Commission, a new Tentative Plat of the same area or portion thereof may be filed within (6) six months of the date of disapproval. A re-filing after six (6) months shall be treated as a new subdivision.

## **ARTICLE V**

### **BOUNDARY SURVEY**

### SECTION 5.1 BOUNDARY SURVEY

A. Before the Final Plat of a subdivision will be accepted by the County for checking, the subdivider shall submit and obtain approval by the County Public Works Department, Engineering Division, of a Plat showing:

1. A boundary survey of the subdivision, which meets the Arizona Board of Technical Registration Minimum Standards for Boundary Surveys, including all courses and distances necessary to compute a closure.
2. Sufficient data to prove the method by which the boundary was determined, including a description of all corners found and/or set, adjoining Plats or property lines and records.
3. The Plat shall be legibly drawn and a reproducible copy furnished to the County Engineering Division.
4. The administration of this section shall be by published policy of the County Engineering Division.
5. The County Engineering Division may determine that a boundary survey is not required in all subdivision submittals. Variance from compliance with this article must be obtained in writing from the County Engineer

## **ARTICLE VI**

### **FINAL PLATS**

#### SECTION 6.1 FINAL PLAT

A. After approval of a Tentative Plat by the Commission, the subdivider may, within one year, cause a Final Plat of the subdivision or any part thereof to be prepared in accordance with a complete survey of the subdivision and in compliance with the approved Tentative Plat within the provisions of these Regulations.

B. The survey and Final Plat shall be made by a licensed Land Surveyor who shall set sufficient durable monuments to conform with the Construction Standards Nos. 25 through 25E, so that another Engineer or Surveyor may readily retrace the survey. He shall also set such additional monuments as may be required by the County Engineer.

#### SECTION 6.2 CONFORMANCE TO STANDARDS OF DESIGN

A. The Final Plat shall conform in all respects to the Standards of Design set forth in Article III of these Regulations, unless any non-conformance has been specifically shown on the approved Tentative Plat and approved in the conditions of approval attached.

#### SECTION 6.3 STREET NAMES

A. Streets shown on the Tentative Plat shall be named as approved by the Planning Commission with Tentative Plat Approval.

#### SECTION 6.4 REQUIREMENTS

A. The Final Plat shall be clearly and legibly delineated upon tracing material of acceptable quality. All lines, letters, figures, dedications, certificates, acknowledgments, and signatures

shall be made in black, water-proof India Ink or equal. The net size of each sheet shall be 24 by 36 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one-half inch, except the left margin which shall be two inches. The scale of the Plat shall be large enough to show all details of the subdivision or part thereof to be recorded and enough sheets shall be used to accomplish this end.

B. If more than one sheet is required, each sheet shall be numbered, the relation of one sheet to another clearly shown and the number of sheets shall be set forth on each sheet.

C. The scale, north point and sheet number shall be shown on each sheet of the Final Plat. The scale shall be 20, 40, or 50, feet to the inch.

D. A statement labeled "Plat Notes" shall be shown on one sheet of the Final Plat. Such statements shall include the basis of bearings, what monuments were found, what monuments and points were set, a key to symbols and abbreviations and such other information deemed by the County Engineering Division to be necessary.

E. Surveys made in preparation of Final Plats shall be made in accordance with standard practices and principles of surveying, as defined by the Arizona Board of Technical Registration. A traverse of the boundaries of the subdivision and all lots and blocks shall close within a limit of error of one foot in 25,000 feet.

#### SECTION 6.5 DATA REQUIRED

A. The following additional data shall be shown on each Final Plat.

1. Dates of survey and preparation of Plat.
2. Locations and names, without abbreviation, of all proposed streets and alleys; proposed public area and easements; adjoining street.
3. Dimensions of all lots. Lots containing one acre or more shall show net acreage to the nearest one hundredth of an acre. Ditto marks **shall not** be used. A typical lot with appropriate front, rear and side yard setbacks shall be provided on the plat.
4. Center lines of all streets and lengths, tangent radius and central angle or radial bearings of all curves; and the bearings of radial lines to each lot corner of a curve; the width of each street, the width of the portion being dedicated and the width of existing dedication.
5. Sufficient data to determine readily the bearing and length of each line.
6. Suitable primary survey control points.
7. Ties to and recording references to adjacent subdivisions as appropriate.
8. Centerline data, width and side lines of all easements to which the subdivision is subject. Distances and bearings on the side lines of lots which are cut by an easement shall be shown as to indicate clearly the actual lengths of lot lines. The width of the easements and the lengths and bearings of the lines thereof and sufficient ties to locate the easements definitely with respect to the subdivisions shall be shown. The easement shall be clearly labeled and identified and, if already of record, proper reference to the records given. Easements being dedicated shall be so indicated in the certification of dedication. Easements shall be shown on the Plat by broken lines.
9. Clear indication of stakes, monuments or other evidence on the ground to determine the boundaries of the subdivision.

#### SECTION 6.6 CENTER LINES AND BOUNDARIES

A. Wherever the surveyor has established the centerline of a street or alley, that data shall be considered in making the surveys and in preparing the Final Plat, and all monuments found shall be indicated and proper reference made to field books or Plats of public record relating to the monuments. If the points were reset by ties, that fact shall be stated. The Final Plat shall

show City and County or State boundaries adjoining the subdivision.

#### SECTION 6.7 LOTS

- A. Lots shall be numbered consecutively on each Final Plat with no omissions or duplications. Each lot shall be shown in its entirety on one sheet. Lots used for streets, alleys or recreational purposes shall be lettered.
- B. All lot corners shall be marked with pipe or iron rods and marked with the Surveyor's number **before presentation of Final Plat**.
- C. All lots shall be consistent with zoning requirements.

#### SECTION 6.8 - SUPPLEMENTARY DATA

- A. The Final Plat shall be filed for final review in the office of the County Public Works Department, and shall be accompanied by the following:
  - 1. Five positive prints thereof, which shall be distributed as follows:
    - a. Two to the County Engineering Division, on one of which shall be shown all structures above and below the ground.
    - b. Two to the Deputy Public Works Director, Planning and Zoning
    - c. One to the Health Officer.
  - 2. Plans and specifications of the proposed improvements, including street, sewer, electric and water utilities, drainage, flood control and improvements meeting adopted County and State Construction Standards and Specifications.
  - 3. A copy of the protective covenants (C C & R's) to be recorded with the Final Plat. Said covenants shall provide for the raising and expenditure of funds necessary for the maintenance of any private streets shown on the Plat. Said covenants shall also provide for the enforcement of yard and private land use regulations as set forth in the Navajo County Zoning Regulations.
  - 4. A copy of the completed "Subdivision Improvement Plan Check List", of which there is a prepared list available from the County Engineer.
  - 5. Original and three positive prints of a plan showing the proposed water distribution system, signed by an executive of the Water Company or companies which will supply and deliver the water. The distribution system shall comply with all applicable State and County regulations.

#### SECTION 6.9 CHECKING

- A. After issuance of a receipt for the Final Plat and accompanying supplemental data, the County Engineering Division shall examine it as to sufficiency of affidavits and acknowledgments, correctness of surveying data, mathematical data and computations and such other matters as require checking to insure compliance with the provisions of the Subdivision Regulations.

#### SECTION 6.10 TAXES AND ASSESSMENTS

- A. Prior to the filing of the Final Plat with the County Engineer, the subdivider shall file with the Clerk of the Board of the County in which any part of the subdivision is located, a letter from the County Treasurer computing redemptions in the County or any municipal corporation in which any part of the subdivision is located, showing that, according to the records of his office, there are, or are no liens against the subdivision or any part thereof for unpaid State, County, Municipal or Local taxes or special assessments collected as taxes, except taxes or special assessments not yet due and payable. The subdivider shall also transmit a copy of said letter to

the Deputy Public Works Director, Planning and Zoning.

#### SECTION 6.11 CERTIFICATES AND ACKNOWLEDGMENTS OF FINAL PLATS

A. The Final Plat shall show all certificates and acknowledgments. They shall appear on the Final Plat or they may be combined on a separate Mylar sheet of the same size on the Final Plat.

#### SECTION 6.12 EXTENSION OF TIME

A. Upon application by the subdivider, an extension for submission of the Final Plat of up to 24-months may be granted by the Commission. In the event the Commission denies a subdivider's application for extension, the subdivider may appeal to the Board.

B. Failure to record a Final Plat within 24-months from the approval or conditional approval of the Tentative Plat, or any extension of approval of the Final Plat granted by the Board or Commission, shall terminate all proceedings. The Board or Commission may approve an additional extension of time for recording the Final Plat if circumstances exist beyond the control of the subdivider.

#### SECTION 6.13 EXTENSION OF PLAT APPROVAL

A. Any application of a Subdivider for such extension of time for the recording of a Final Plat shall be made in writing to the Deputy Public Works Director, Planning and Zoning not less than thirty (30) days prior to the expiration of the one year allowed. All persons appearing as owners of the subdivision shall execute the request for extension.

#### SECTION 6.14 RE-SUBDIVISION PLAT

A. A Final Plat showing data required by Section 6.5 shall be submitted when the re-subdivision or portion of a subdivision results in six or more additional tracts or parcels. When in the opinion of the Planning and Zoning Commission and concurred by the County Engineering Division the requirement for a Final Plat Checking Fee may be reduced.

#### SECTION 6.15 REVERSION TO ACREAGE PLAT

A. Plats filed for the purpose of reverting subdivided lands to acreage shall be conspicuously marked under the number, "The Purpose of this Plat is a Reversion to Acreage."

B. Procedures and certificates for the purpose of Reversion to Acreage may be obtained from the County Engineering Division or the Planning Division.

#### SECTION 6.16 APPROVAL

A. When the Final Plat is found to be in the correct form and the certificates and acknowledgments are sufficient, and the improvements certified as complete (See Section 8.10), the County Engineering Division shall endorse their approval thereon and transmit it, together with the plan for maintenance of any private streets, ways and easements, to the Director, or return the Final Plat to the Subdivider together with a statement setting forth the reasons for its return.

B. The Director shall transmit the Final Plat to the Board of Supervisors for their approval.

## ARTICLE VII

### DEDICATION AND IMPROVEMENTS

#### SECTION 7.1 DEDICATION

- A. All streets, highways, alleys and parcels of land shown on the Final Plat and intended for any public use shall be offered for dedication. Such dedications shall be free of all and any encumbrances incurred subsequent to the Date of Filing of the Tentative Plat.
- B. The fact that any streets and ways are private shall be clearly indicated on the Plat.
- C. When in the opinion of the Commission the location of the proposed subdivision is such that a significant impact may develop between future residents of the subdivision and existing land uses in the vicinity, appropriate special easements dedicated to adjacent property owners may be required of the subdivider prior to recording of the Final Plat.

#### SECTION 7.2 IMPROVEMENT STANDARDS

- A. All improvements shall be according to the Subdivision Improvement Standards of the Navajo County as established in Article VIII, except as provided herein.

#### SECTION 7.3 IMPROVEMENT PLANS REQUIRED

- A. All improvements made, constructed or installed in subdivisions shall be according to full and detailed plans and specifications as approved in writing by the engineer prior to the commencement of said improvement work.
- B. Such plans and specifications as required by the County Engineering Division shall be submitted to and shall be approved by the County Engineering Division before submitting the Final Plat to the Board.
- C. This section shall include all work done in subdivision whether such work is required by the County or is done at the option of the subdivider.
- D. Plans for improvements of streets which temporarily dead end at the subdivision boundary shall include data sufficient for the Engineer to determine that the future extensions of such streets are feasible where necessary.

#### SECTION 7.4 CONTINGENT DEDICATION

- A. Where a subdivision street is so designed as to permit extension and completion of dedication into adjoining un-subdivided property, there shall be shown on the Final Plat a one-foot wide parcel adjacent to and extending the full width and/or length of that portion of the street that adjoins the un-subdivided property.
- B. Said one-foot parcel shall be offered for dedication with the provision that its acceptance by the Board be contingent upon the extension of said street.

#### SECTION 7.5 EVIDENCE OF TITLE

- A. At the time the Final Plat is filed in the Office of the County Engineer, as provided in Section

6.9 herein, it shall be accompanied by the Evidence of Title, which shall be in the form of a Certificate of Title, a Preliminary Title Report, or a Policy of Title Insurance issued by a Title Company authorized by the laws of the State of Arizona to write the same, showing the names of persons having any interest and any record title interest in the land to be subdivided, together with the nature of their respective interest therein. In the event that any dedication is to be made for public use of any property shown on such Final Plat of land in unincorporated territory of the County of Navajo, the said Certificate of Title or Policy of Title Insurance, as presently defined in ARS, Section 20-16.562, as Amended, shall show the complete names of all owners required to execute any dedication.

#### SECTION 7.6 CONSTRUCTION AND INSPECTION

A. All improvements in the public right-of-way shall be constructed under the general inspection and approval of the County Engineer. Primary responsibility for control of the quality of the improvements remains with the subdivider and he shall, upon completion of the improvement, provide a Certificate from a Registered Professional Engineer that all work has been completed in accordance with approved plans and specifications (Section 8.11 B). It should not be expected that inspection by representatives of the County Engineer's office will in any way eliminate the need for regular inspection during the entire construction period by the subdivider's Project Engineer. The office of the County Engineer shall be notified at least three (3) working days prior to restart of construction.

#### SECTION 7.7 SOILS AND MATERIALS TEST

A. The County Engineer shall have the right to enter upon the sites of improvements for the purpose of inspecting them and shall be furnished with soil and materials tests by a competent laboratory as may be required to determine the acceptability of such materials. The costs of these tests shall be borne by the subdivider.



## SECTION 7.8 PROTECTIVE COVENANTS AND RESTRICTIONS

A. A copy of the recorded Protective Covenants and Restrictions will be provided for the County Engineering Division upon recordation of the Final Plat.

## SECTION 7.9 IMPROVEMENT ASSURANCE

A. No plat of a subdivision of land within the unincorporated areas of Navajo County shall be accepted for recording or recorded until it has been approved by the Board of Supervisors. The approval of the Board shall be endorsed in writing on the plat and also include specific identification and approval of assurances.

1. No plat of a subdivision shall be approved by the Board of Supervisors without provisions being made for the posting of performance bonds, assurances or such other security in the amount of 125% of the engineer's estimate of the costs necessary to provide for the installation of required street improvements, sanitary sewer improvements, electric, water and other utilities and drainage or flood control improvements meeting established minimum standards of design and construction.

2. Subdivision improvement cost estimates for all on-site and off-site improvements shall be submitted with subdivision improvement plans to the County Engineer. Subdivision improvement plans and cost estimates shall be stamped and signed by an Arizona Registered Professional Engineer. The County Engineer shall be responsible for reviewing the improvement plans and costs estimates prior to approval of the subdivision plat by the Board of Supervisors. The subdivision plat shall not be signed by the County Engineer nor recorded until the Deputy Director, Planning and Zoning, has received and processed the approved assurances from the developer.

## **ARTICLE VIII**

### **SUBDIVISION IMPROVEMENT STANDARDS**

#### SECTION 8.1 SUBDIVISION IMPROVEMENT STANDARDS

A. Improvements installed in subdivisions shall be constructed in full conformance to this article and to the Subdivision Construction Standards of the County of Navajo. The minimum standards are set forth in Tables 1, 2 and 3, below. In all cases the AAHSTO design standards shall be met.

B. In the absence of a standard for an improvement proposed by the subdivider, the County Engineering Department may establish a standard in keeping with good construction and engineering practice.

Table 1 – Minimum Street Structural Section, may be greater as recommended by Geotechnical Report

Street Classifications	Untreated Base (ABC) - minimum	Asphalt Base Course	Asphalt Surface Course
Arterial Roadway	10"	3" - A 1½	2" - C ¾
Collector Roadway	7"	3" - A 1½	2" - C ¾
Local Street Rural Residential	8"	–	3" - D ½
Local Street Suburban/Urban	8"	–	3" - D ½
Local Street Commercial	10"	2" - C ¾	2" - D ½

Table 2 – Minimum Road Design Standards

Street Type/Category	Arterial	Collector	Local Rural	Local Suburban /Urban	Local Commercial
Design Speed	55	35	30	30	30
Min. Radius of Horizontal Curves w/o Superelevations (ft)	1800	500	200	200	200
Min. Length of Tangent between Reverse Curves (ft)	300	100	100	100	100
Min. Length of Tangent between Curves - Same Direction (ft)	550	100	100	100	100
Min. Vertical Curve (ft)	500	100	100	100	100
Passing Sight Distance (ft) (per ASHTO)	1950	N/A	N/A	N/A	N/A
Right Angle Intersection Sight Distance (ft) (per ASHTO)	860	165	140	140	140
Min. Tangent Length Approaching Intersections (ft)	300	200	150	150	150

Table 3- Street Cross Section Design

Roadway Classification	Zoning District	R./W Width	Pavement Width <sup>1</sup>	# of Drive Lanes <sup>2</sup>	On-Street Parking	Easement Required
Arterial Street	----	150 - 250	64	2 + turn	No	None
Collector Street	----	60	32	1 + turn	No	8' PUE both sides
Local Street Rural Res.	R1-43	50	24	1	No	None
Local Street Suburban Res.	R1-10	50	24	1	No	8' PUE both sides
Local Street Suburban Res.	R1-10	50	28	1	1-side	8' PUE both sides
Local Street Suburban Res.	R1-10	60	32	1	2-sides	8' PUE both sides
Local Street Urban Res.	R-2 & R-3	60	32	1	2-sides	8' PUE both sides
Local Street Commercial	----	60	32	1 + turn	2-sides	8' PUE both sides

1. Pavement width shall be measured from back of curb to back of curb (b.o.c), or edge of pavement to edge of pavement .
2. Number of drive lanes is for each direction. All drive lanes shall be twelve (12) feet in width.
3. Sewer utilities may be located under the pavement or within a sewer easement.
4. Dry utilities may be located within the P.U.E.
5. Pathways shall be six (6) feet in width. -
6. Sidewalks may be required.

## SECTION 8.2 ACCEPTANCE OF STREETS AND ROADS

i. Subdivision streets will be accepted within one year of the completion of the improvements and following the application of the initial surface seal treatment for maintenance by Navajo County only when:

1. They are constructed without cost to the County,
2. Meet the minimum Navajo County Construction Standards and
3. Meet the minimum standards as set forth in this article.

Streets may be conditionally accepted, at the Director of Public Works or County Engineer's sole option, for winter maintenance following completion of the construction but before the initial surface treatment is applied.

### SECTION 8.3 DOMESTIC WATER SUPPLY

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

### SECTION 8.4 FIRE PROTECTION

- A. Fire hydrants and a fire distribution system shall be provided in accordance with the recommendations of requirements of the water provider or water company, and the fire department having jurisdiction, or as recommended by the State Fire Marshall. The distance between fire hydrants shall conform to the County Building Code.

### SECTION 8.5 SEWAGE DISPOSAL

- A. Subdivisions may provide a sanitary sewer connection to each lot when the subdivision is within 1,400 feet of a public sanitary sewer system.
- B. Whenever a public sanitary sewer system is not available to a subdivision, proper provision shall be made for the disposal of sewage in accordance with the standards and requirements of the Navajo County Health Department

### SECTION 8.6 FLOOD PROTECTION AND TRACT DRAINAGE

- A. The minimum facilities for the control of flood waters crossing, flowing into, or falling upon a subdivision shall be designed on the basis of a 100-year storm, and as further defined in the Drainage Policy in Section 3.15 of these Regulations.
- B. Streets and highways shall not be used as flood channels. The use of "inverted crowns" for streets is specifically prohibited.

### SECTION 8.7 PROTECTIVE FENCE

- A. Protective fence requirements for subdivisions are established as a six (6) foot chain link galvanized wire, masonry, wood or other acceptable material for fencing, along any canal, drain, expressway, or other feature deemed by the Commission or the County Engineering Division to be hazardous.

### SECTION 8.8 SUBDIVISION IMPROVEMENTS

- A. All streets, improvements or financial assurances for said improvements, stakes and monuments shall be completed and in place prior to the public sale of any land or lots appurtenant to such streets and improvements.
- B. Following the completion of all required improvements, including but not limited to, lot staking, survey monuments, streets, drainage ways, and public water supply, water distribution, sanitary sewer, sewage disposal, and solid waste disposal facilities, a Certificate shall be

executed by a Professional Engineer registered to practice in the State of Arizona, certifying that said improvement have been made under his direction (Section 7.6) in accordance with the provisions of these Subdivision Regulations and in accordance with the plans of such as approved by the County Engineer upon which approval of the Final Plat was based; and shall be submitted to the County Engineer.

#### SECTION 8.9 CONSTRUCTION STANDARDS

A. The minimum improvements for streets as shown in this Article evolve from the Navajo County, Arizona Construction Standards and Specifications as adopted. Changes, modification, or revisions of the Construction Standards shall cause the Subdivision Improvement Standards to change accordingly.

### **ARTICLE IX**

#### **ENFORCEMENT AND PENALTIES**

##### SECTION 9.1 PROHIBITIONS

No person, firm, corporation, or other legal entity shall hereafter sell, offer to sell, or divide any lot, piece or parcel of land which constitutes a subdivision or part thereof, as defined herein, without first having recorded a plat thereof in accordance with these Regulations. Nothing contained in these Regulations shall be construed as releasing a subdivider from full compliance with the Arizona Revised Statutes and the rules and regulations of the Arizona Department of Real Estate pertaining to the establishment of subdivisions.

##### SECTION 9.2 WITHHOLDING OF BUILDING PERMITS

Any parcel of land which has been the result of a subdivision that does not comply with these Regulations shall not be a legal building site. No building, septic, floodplain or other permit or approval shall be issued for the erection or use of any structure on any such parcel. Any such permit or approval shall be void and of no effect.

##### SECTION 9.3 ENFORCEMENT

The Board of Supervisors, County Attorney, Sheriff, Director of Planning & Zoning, Flood Control Director, County Recorder and all other officials charged with the issuance of permits or approvals shall enforce the provisions of these Regulations and the related state statutes as appropriate. All remedies provided for herein or in the related state statutes shall be cumulative and not exclusive.

## **ARTICLE X**

### **VALIDITY**

#### **SECTION 10.1 VALIDITY**

A. If any section, sub-section, sentence, clause or phrase of these Regulations is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Regulations. The Board of Supervisors of Navajo County hereby declares that it would have passed each section, sub-section, sentence, clause or phrase of these Regulations irrespective of the fact that one or more sections, sub-sections, sentences, clauses or phrases hereof be declared invalid or unconstitutional. No liability shall be erected on the part of Navajo County or any district, office, or department or employee thereof for any damages that may result from the application of these regulations or any administrative decision made thereunder.

## **ARTICLE XI**

### **FENCES AND CATTLE GUARDS**

#### **SECTION 11.1 FENCING**

All subdivisions subject to these Regulations, as required by the Director shall be fenced, as follows:

All subdivisions paralleling a County roadway shall be fenced along the cleared right-of-way line with a standard right-of-way fence to fit area of development as required by the Director.

#### **SECTION 11.2 CATTLE GUARDS**

Steel and concrete cattle guards shall be placed on all fence lines at all access roads entering the subdivisions from an opened or free area, as in Section 11.1 above. County will maintain if built to County Standards, in Public Right of Way, and accepted by County.

#### **SECTION 11.3 COMPLIANCE**

The developer and all initial and subsequent purchasers shall be responsible to ensure compliance with this Article on land that was subject to these Regulations.