

## CHAPTER 15 SUBDIVISIONS\*

### Article 15 - 1 TITLE, PURPOSE AND JURISDICTION

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#### Section 15 - 1 - 1 Purpose

The purpose of these regulations is to achieve the following:

1. Protect the health, safety, convenience and general welfare of the citizens of the town.
2. Provide for the orderly growth and harmonious development of the town.
3. Require that land be conveyed with an accurate legal description.
4. Establish procedures and standards for all subdivisions.
5. Provide adequate traffic circulation, streets, utilities, wastewater treatment, drainage, fire and flood protection, schools, recreation areas and other facilities and services needed or desired by the community in the most cost-effective manner, with the cost being borne by those benefited.
6. Result in individual lots of reasonable utility and livability and to promote neighborhood stability and protection of property values.
7. Promote conservation of those areas with unique natural features and scenic qualities and provide residents with access to these areas.
8. Promote water recharge and clean air.
9. Provide greater design flexibility and efficiency for services and infrastructure including design methods that reduce the length of streets, thus reducing the amount of improved surface and length of utility runs.
10. Encourage well planned subdivisions by establishing environmentally adequate standards for design and improvement.
11. Provide viable, innovative, cost effective, voluntary development alternatives.

#### Section 15 - 1 - 2 Short Title

This chapter shall be known and may be cited as the Land Subdivision Regulations of the Town of Patagonia.

\*Ordinance No. 06-07

Section 15 - 1 - 3 Jurisdiction

Except as may otherwise be provided by law, these regulations shall apply to all plats or subdivisions of all land within the corporate limits of the town.

Article 15 - 2 DEFINITIONS

Terms used in this chapter, unless the context otherwise requires are intended to have the same meaning as established in A.R.S. Title 32, Chapter 20, Article 1 and will be deemed to be amended by any changes in that state law.

1. “Alley” means a public way which provides secondary means of access to abutting property usually to the side or rear of lots.
2. “Block” means a piece or parcel of land entirely surrounded by public highways, streets, streams, railroad rights-of-way or parks or a combination thereof.
3. “Building line” means a line on a plat indicating the limit beyond which buildings or structures may not be erected.
4. “Comprehensive plan” means the duly adopted plan for the long-range development of the community which includes maps, charts, illustrations and texts.
5. “Council” means the Town Council of the Town of Patagonia, Arizona.
6. “Department” means the town clerk/treasurer or his/her agent.
7. “Easement” means a permanent or temporary grant of right by a property owner to the public, a corporation or other persons of the use of a strip of land for specified purposes. Ownership of said strip of land shall remain with the property owner.
8. “Final plat” means a plan or map prepared in accordance with the provisions of these regulations and those of any other applicable town ordinances, which plat is prepared to be placed on record in the office of the county recorder of Santa Cruz County.
9. “Lot” means a portion of a subdivision or other parcel of land intended for the purpose whether immediate or future, of transfer of ownership or for building development.
10. “Planning and Zoning Committee” means a committee of individuals appointed by the Council in accordance with Article 14-1 of this Code.
11. “Preliminary plat” means the drawings and documents showing the character and proposed layout of the subdivision to indicate its suitability in relation to the community’s comprehensive plan.

12. “Right-of-way” means the entire way between property lines of abutting owners.
13. “Sidewalk” means a pedestrian walkway with permanent surfacing constructed to town standards.
14. “Street” means a right-of-way dedicated to the public use which provides principal vehicular and pedestrian access to adjacent properties including the right-of-way but not limited to streets, avenues, boulevards, roads, lanes, parkways, places, bridges, viaducts, alleys or easements for public or private vehicular use.
15. “Subdivider” means any person who offers for sale or lease four or more lots, parcels or fractional interests in a subdivision or who causes land to be subdivided into a subdivision for himself or for others, or who undertakes to develop a subdivision, but does not include a public agency or officer authorized by law to create subdivisions.
16. “Subdivision” means improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into more than two parts. Subdivision also includes any condominium, cooperative, community apartment, townhouse or similar project containing four or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon but plats of such projects need not show the buildings or the manner in which the buildings or air space above the property shown on the plat are to be divided.

“Subdivision” does not include the following:

- A. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
  - B. The partitioning of land in accordance with state statutes regulating the partitioning of land held in common ownership.
  - C. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.
17. “Town” means the Town of Patagonia, Arizona.

#### Article 15 - 3 SUBMISSION AND CONSIDERATION OF PRELIMINARY PLATS

- 15 - 3 - 1 Application, Required Information
- 15 - 3 - 2 Planning and Zoning Committee and Council Review
- 15 - 3 - 3 Preliminary Plat Revisions
- 15 - 3 - 4 Preliminary Plat Approval

Section 15 - 3 - 1 Application, Required Information

Any subdivider desiring to subdivide land that is subject to the provisions of these regulations shall file with the department ten copies of an application together with supporting documentation which contains the following:

1. The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider if other than the owner, and the name of the land surveyor and registered engineer. The engineer shall be licensed to practice in the state of Arizona.
2. Names of the subdivision and all new streets.
3. General layout of adjacent unsubdivided property to show how streets and other public facilities, in the proposed subdivision, relate to the unsubdivided property.
4. The location and dimensions of all boundary lines of the property to be expressed in feet.
5. The location of existing streets, easements, water bodies, streams and other pertinent features such as washes, railroads, buildings, parks, cemeteries, drainage ditches or bridges. Generally such data should be shown on topographic maps with contour intervals of not less than two feet.
6. The location and width of proposed streets and easements, alleys and other public ways and building setback lines.
7. The locations, dimensions and areas of all proposed or existing lots.
8. Indication of the use of any lot (single-family, two-family, multi-family) and uses other than residential proposed by the subdivider with existing and proposed zoning district classification and boundaries.
9. The general plan of sewage disposal and water supply, in areas where approved public sewer or water systems are proposed to serve the subdivision. In other cases, a notation shall be made on the plat indicating type of sewage disposal or water system proposed.
10. The general plans indicating precisely the proposed location of refuse containers and their specifications. The refuse container plans must be compatible with pickup equipment used by the town.
11. Two copies of current title report for the subject property, dated within 30 days of the submittal.
12. Two copies of covenants, conditions and restrictions on the subject property.

13. Two copies of each of the following reports dated within six months of submittal:
- A. Complete hydrology report
  - B. Geo-technical soils report
  - C. Environmental assessment (if property was previously used for commercial, industrial, or any other purpose that may have resulted in contamination)
  - D. Traffic report
  - E. Archaeological evaluation (if archaeological artifacts have been encountered on or near property)
  - F. Any other reports or information deemed necessary by the Planning and Zoning Committee, the town or the Council.

Section 15 - 3 - 2 Planning and Zoning Committee and Council Review

- A. A preliminary or final plat shall only be approved by the Planning and Zoning Committee and Council if the proposed subdivision:
- 1. Is in accordance with all applicable zoning and subdivision regulations.
  - 2. Is in general conformance with the general plan and other applicable adopted plans.
  - 3. Is designed to be harmonious with the terrain and surrounding area with due regard shown for significant natural features such as trees or other significant vegetated areas, water recharge areas and washes, views, historical and archaeological sites and similar community assets.
  - 4. Has adequate public access and minimizes traffic conflict on arterial and county collector streets.
  - 5. Has subdivision streets that are coordinated with existing and planned streets and access is reserved for future development of nearby properties.
  - 6. Has a demonstrated sufficient supply of potable water that does not result in an unreasonable depreciation of an existing water supply.
  - 7. Has an adequate sanitary sewage disposal system.
  - 8. Is designed to include reasonable methods to minimize water use.
  - 9. Is designed to include adequate methods to control dust during construction and control accelerated run-off, off site erosion and to conserve water.
  - 10. Has adequate fire protection.

11. Would not result in an unreasonable burden on the ability of the town or other local governments or public service agencies to provide for streets, water, sewage treatment, fire, police, hospital, solid waste, education, housing, recreation and other services.
  12. Is designed to include safety factors to address flooding, poor drainage, steep slopes, rock formations, or other features likely to be harmful to the public health safety convenience, or general welfare.
  13. Is designed with due regard for natural, historic, and cultural resources.
  14. Has screening or buffering from incompatible existing commercial or industrial uses bordering the subdivision.
  15. Has provided adequate securities to ensure completion of the subdivision's on-site and off-site improvements.
  16. Is not subject to liens for delinquent taxes.
- B. Upon receipt of properly prepared application and accompanying fee as provided in Article 15-7, the department shall promptly conduct reviews of data submitted. Such review shall include opportunity for comment by representatives of public and private utilities, state department of transportation, state department of environmental quality, county health department, school districts, United States postmaster, soil conservation service and various town departments. These agencies shall check the plat for conformance with the regulations and standards of their agencies and shall render a written report to the department. If no report is received within sixty days, the department may assume that the agency has no objections regarding the proposed plat, and such agency's approval shall be assumed. After staff reviews and comments of technical agencies are received, a meeting shall be held between the department staff and developer regarding changes deemed advisable.

### Section 15 - 3 - 3 Preliminary Plat Revisions

The developer shall submit ten copies of a revised (if necessary) preliminary plat to the department. Upon receipt of such plat and accompanying documents, the Planning and Zoning Committee shall schedule a hearing within forty-five days of such request. After such hearing, the Planning and Zoning Committee shall recommend approval of the preliminary plat as submitted, as modified or shall recommend disapproval of the preliminary plat to the Council, and express its reasons therefor. The action of the Council shall be noted on the preliminary plat. One copy shall be returned to the subdivider.

Section 15 - 3 - 4 Preliminary Plat Approval

- A. If the Council fails to act on the preliminary plat within the period of time set by this regulation, then such preliminary plat shall be deemed to have been approved unless the subdivider shall have consented to extend or waive such time limitation.
- B. Approval of the preliminary plat does not constitute acceptance of the subdivision but authorizes preparation of the final plat. No grading or improvements shall take place in the subdivision prior to approval, endorsement and filing of the final plat. The approval of a preliminary plat shall be effective for a period of one year at the end of which time final approval on the subdivision must have been obtained from the Council, although the plat need not yet be signed and filed with the county recorder. Any plat not receiving final approval within the period set forth herein shall be null and void, and the subdivider shall be required to resubmit a new plat for preliminary approval subject to all new zoning restrictions and subdivision regulations.

Article 15 - 4 SUBMISSION AND CONSIDERATION OF FINAL PLATS

- 15 - 4 - 1 Final Plat Submittal
- 15 - 4 - 2 Required Information
- 15 - 4 - 3 Certificates
- 15 - 4 - 4 Final Plat Review
- 15 - 4 - 5 Final Plat Approval

Section 15 - 4 - 1 Final Plat Submittal

- A. Final plats shall be submitted to the department within one year of approval of the preliminary plat unless an extension is granted by the Council. The final plat shall conform to the preliminary plat as approved and to the requirements of all applicable ordinances and state laws; and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations.
- B. The original and five copies of the final plat and other exhibits required for approval shall be submitted. The final plat shall be drawn in ink on tracing cloth, mylar or similar material and shall be at a scale of one inch to one hundred feet.
- C. Final plats shall provide a space for the following:
  - 1. Space for the signature of the mayor and town clerk/treasurer to attest to the approval of the final plat by the Council.
  - 2. Space for the Santa Cruz County recorder to state the day, month, year, time, book and page said plat was recorded.

Section 15 - 4 - 2 Required Information

The final plat shall contain the following information:

1. The correct legal description of the property being subdivided;
2. True north point, graphic scale and date;
3. The boundary lines of the area being subdivided with accurate distances and angles, (maximum closure error of 1 in 5,000);
4. The lines of all proposed highways, streets and alleys with their width and names;
5. The accurate outline of any portion of the property intended to be dedicated or granted to public use;
6. The lines of all adjoining property and the lines of the adjoining highways, streets and alleys with their widths and names;
7. All lots designated by numbers;
8. The location and widths of building lines on front and side streets and the location and widths of utility easements, easements for possible future construction and easements for drainage purposes;
9. The precise location of all proposed water, sewer, and solid waste facilities and appurtenances.
10. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements and any other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot;
11. The radii, arcs, chords, points of tangency and central angles for all curvilinear streets and radii for rounder corners;
12. The location of all survey monuments and benchmarks together with their descriptions;
13. The names of the subdivision and the owner or owners or subdividers;
14. Acknowledgment of the owner or owners of the land being subdivided as to restrictions including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements required.



### Section 15 - 4 - 3 Certificates

The following certificates are to be provided with the final plat in accordance with Article 15-5:

1. Acknowledgment of ownership by owner or owners, and statements, by a notary public authorized to take the acknowledgments of deeds, to the effect, that all previous taxes have been paid and that all highways, streets, alleys and public grounds shown on the plat are dedicated for public use.
2. Surveyor or licensed professional engineer of the State of Arizona, certifying that he has accurately surveyed such subdivision and the correct location of all monuments shown, and all lots, blocks, highways, streets, avenues, alleys, public ways and grounds, and other grounds are well and accurately staked off and marked;

### Section 15 - 4 - 4 Final Plat Review

Upon receipt of a properly prepared final plat and accompanying fee as provided in Article 15-7, the department shall promptly conduct reviews of data submitted for its conformity to the approved preliminary plat and as to its conformity to these land subdivision standards and other applicable town and state regulations.

### Section 15 - 4 - 5 Final Plat Approval

- A. The Council shall approve or disapprove the final plat within forty-five days of receipt. Before a final plat is recorded, the Council shall approve and accept streets and other public ways, service and utility easements and land dedicated for public use. Approval of the plat shall be shown over the signature of the Mayor and attested to by the town clerk/treasurer. If the Council disapproves the plat, it shall advise the subdivider in writing of the reason for such disapproval.
- B. If the Council fails to act on the final plat within sixty days of its submittal to the department, the Council shall be deemed to have approved unless the subdivider shall have consented to extend or waive such time limitation.

## Article 15 - 5 PUBLIC IMPROVEMENTS AND DESIGN STANDARDS

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|------------|--|
| 15 - 5 - 1 | Certain Improvements Required            |
| 15 - 5 - 2 | Surety Bond Required                     |
| 15 - 5 - 3 | Minimum Standards for Streets and Alleys |
| 15 - 5 - 4 | Utilities Required                       |
| 15 - 5 - 5 | Sidewalks and Curbs Required             |
| 15 - 5 - 6 | Refuse Containers                        |
| 15 - 5 - 7 | Minimum Size of Lots                     |
| 15 - 5 - 8 | Adequate Water Supply*                   |

\*Ordinance No. 08-01

### Section 15 - 5 - 1 Certain Improvements Required

The subdivider of land shall be required to install or otherwise provide for certain improvements within the subdivision. Such improvements shall not be installed prior to proper endorsement of the final plat by the Council.

### Section 15 - 5 - 2 Surety Bond Required

- A. The proper installation of such improvements, other than those by a public utility company, shall be assured by provision of surety in the form of bond or cash escrow in favor of the town. All improvements installed by the developer shall comply with specifications and standards approved by the town. Such surety shall be properly executed prior to any grading or construction and shall be released in segments upon written approval of the department. A building permit shall not be issued for a lot or tract in any subdivision for which such surety has not been furnished.
- B. The total amount to be bonded or obligated must equal the cost estimate for the required improvements necessary for the subdivision. A professional civil engineer licensed to practice in the State of Arizona must prepare the cost estimates and improvement plans. The estimates shall include all expenses that would be incurred by a third party if completing the construction, including all materials, equipment, labor, engineering, surveying, construction supervision costs and an appropriate annual cost inflation factor. The cost estimates and preliminary construction plans shall be transmitted to an engineer of the town's choice for inspection and approval. The estimates shall be in an amount necessary for the town to construct all required improvements in the event the subdivider defaults.

### Section 15 - 5 - 3 Minimum Standards for Streets and Alleys

- A. The minimum width for any street right-of-way shall be sixty feet except by special permit approved by the Council for purely local drives. All streets and other public spaces and easements shall conform in effect to the comprehensive plan, both as to location and as to width or size. When adjoining undeveloped property, a full street shall be dedicated.
- B. The minimum width of any alley, wherever provided, shall be thirty feet. Where alleys are not provided, easements may be required along lot lines of or across lots where necessary for the extension of water mains, sewer and similar purposes; such easement shall be a minimum width of fifteen feet along the appropriate property lines.
- C. The arrangement of streets in new subdivisions shall make provision for the direct continuation of the principal existing streets in adjoining subdivisions (or their proper projection where adjoining property is not subdivided) insofar as they may be necessary for public requirements. In general, such streets shall be a

width at least as great as the existing streets or sixty feet whichever is greater. The street and alley arrangement must also be such as to provide opportunity for access and use by adjoining property owners.

- D. Wherever a street will not open into another street, an adequate circular turn around shall be provided. Grades of streets shall be the lowest feasible, and no grade shall be in excess of five percent on through traffic streets nor in excess of ten percent on any other street. Streets shall be paved with such paving of a type and strength suitable for the volume and character of traffic to be expected and should meet town specifications. All improvements shall conform to engineering standards approved by the town. Due consideration shall be given throughout to the appearance of the subdivision and the various features thereof within its own boundaries and also in its environment in the town.
- E. The subdivider shall install street signs at all intersections within the subdivision. Such street signs shall follow the street names designated on the approved final plat and shall comply with the specifications of the town.

#### Section 15 - 5 - 4 Utilities Required

- A. The subdivider shall be responsible for the proper installation of all utilities including sanitary sewers and connection to approved treatment facilities and water supply facilities approved by the Arizona Department of Environmental Quality. Such utilities shall be installed according to the specifications and minimum standards of the controlling utility company or public agency.
- B. All house services of any nature shall be made and installed to the property line of each proposed building site prior to installation of any paving, curbing or sidewalks.
- C. Installation of utilities shall include connection with existing municipal water mains, and sanitary sewer mains. Upon approval of said mains by the Arizona Department of Environmental Quality, title to such water system or sanitary sewer system shall pass immediately to the town without any consideration whatsoever being paid or owed on the part of the municipality. Thereafter the operation and maintenance of such systems shall be the duty and obligation of the municipality.

#### Section 15 - 5 - 5 Sidewalks and Curbs Required

Sidewalks and curbs are required unless exempted by the Council.

#### Section 15 - 5 - 6 Refuse Containers

All subdivisions shall, at their own expense, provide refuse containers to serve the subdivision. The department shall provide information to subdividers as to where to acquire proper refuse containers.

Section 15 - 5 - 7 Minimum Size of Lots

All subdivisions lots shall have a minimum frontage of seventy-five feet and a minimum area of seven thousand five hundred square feet, or more.

Section 15 - 5 - 8 Adequate Water Supply \*

A. By Authority of Arizona Revised Statutes Section 9-463.01 (O) no final plat shall be approved and recorded except upon a determination by the Arizona Department of Water Resources that the proposed subdivision has an Adequate Water Supply pursuant to Title 45 Arizona Revised Statutes.

B. In the event the Town is designated as having an Adequate Water Supply by the Arizona Department of Water Resources, the Final Plat shall include a Note stating that the subdivision is within the Town's water utility service area which has been designated as having an Adequate Water Supply by the Arizona Department of Water Resources.

Article 15 - 6 VARIANCES, EXCEPTIONS AND APPEALS

- 15 - 6 - 1 Variances
- 15 - 6 - 2 Exceptions
- 15 - 6 - 3 Appeals

Section 15 - 6 - 1 Variances

Whenever it is found that the land included in a subdivision plat, presented for approval, is of such size or shape, or is subject to, or is affected by such topographical location or conditions, or is to be devoted to such usage that full conformity to the provisions of these regulations is impossible or impractical, the Council may set forth particular variation from these regulations, if, in their opinion, the variation will effect substantial justice and promote the public interest.

Section 15 - 6 - 2 Exceptions

The subdivider may request that permission be granted to commence construction on a model or show home prior to completion of public facilities required by these regulations. Such permission may be granted by the Council after filing of the final plat with the county recorder and upon satisfactory assurances by the developer that improvements will proceed in a timely manner. Such model or show home shall not be occupied for residential purposes until public improvements have been completed in accordance with these regulations and other laws of the town.

\*Ordinance No. 08-01

### Section 15 - 6 - 3 Appeals

The subdivider may appeal to the Council decisions made in the enforcement or interpretation of these regulations by the department. Such appeals shall be filed, within thirty days of the date of the decision being appealed, with the town clerk/treasurer. If the Council sustains such decisions, the prior enforcement or interpretation shall be final, except as otherwise provided by law. If the Council overrules the decision appealed, the overruling decision shall be final.

### Article 15 - 7 FEES

- 15 - 7 - 1 Preliminary Plat Fees
- 15 - 7 - 2 Final Plat Fees
- 15 - 7 - 3 Technical Review Fees

#### Section 15 - 7 - 1 Preliminary Plat Fees

At the time of filing a preliminary plat, a subdivider shall pay to the town a basic fee of fifty dollars plus a fee of ten dollars per lot.

#### Section 15 - 7 - 2 Final Plat Fees

At the time of filing a final plat, a subdivider shall pay to the town a basic fee of one-hundred dollars plus a fee of ten dollars per lot.

#### Section 15 - 7 - 3 Technical Review Fees

Should the town find it necessary to employ the services of a registered engineer or other profession in connection with examination of any preliminary or final plat or any technical reports or design submitted for the approval of any subdivision, reasonable compensation for such services shall be paid by the subdivider, and no final plat shall be approved by the council until satisfactory arrangements are made with the town for payment thereof. These fees shall be in addition to the fees prescribed in Sections 15 – 7 – 1 and 15 – 7 – 2, above.

### Article 15 - 8 ENFORCEMENT, VIOLATION AND PENALTIES

- 15 - 8 - 1 Enforcement
- 15 - 8 - 2 Violation
- 15 - 8 - 3 Penalties

### Section 15 - 8 - 1 Enforcement

No building permit shall be issued for any structure upon a lot or tract in a subdivision that has not been subdivided and approved in the manner provided in these regulations, and no such plat, replat or dedication of a street or public way shall be filed with the recorder of Santa Cruz County, as provided by law, until such plat, replat or dedication shall have endorsed on it that it has been approved in accordance with these regulations.

### Section 15 - 8 - 2 Violation

It is unlawful for any person to offer to sell or lease or to contract to sell or lease or to sell or lease any subdivision or part thereof until a final plat thereof, in full compliance with provisions herein, is recorded in the office of the Santa Cruz County recorder, except that this shall not apply to any parcel of a subdivision offered for sale or lease, contracted for sale or lease or sold or leased in compliance with any law or subdivision regulations regulating the subdivision plat design and improvement of subdivision in effect at the time the subdivision was established. The county recorder shall not record a plat located in the town unless the plat has been approved by the Council.

### Section 15 - 8 - 3 Penalties

The town shall have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of this chapter and to abate nuisances maintained in violation thereof; and in addition to other remedies, institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, or to correct or abate such violation, or to prevent the occupancy of the building, structure or land.

## Article 15 – 9 MISCELLANEOUS

- 15 – 9 – 1 Flood Damage Prevention
- 15 – 9 – 2 Buildings
- 15 – 9 – 3 Adverse Conditions
- 15 – 9 – 4 Areas Reserved for Public Facilities
- 15 – 9 – 5 Development Fees
- 15 – 9 – 6 Subdivision Moratorium

### Section 15 - 9 - 1 Flood Damage Prevention

Construction of streets, utilities, buildings and other appurtenances occurring as a result of the subdivision of land under this Chapter shall comply with Chapter 13 of this code, and any amendments that may occur thereto in the future.

### Section 15 - 9 - 2 Buildings

Construction of buildings and other appurtenances occurring as a result of the subdivision of land under this Chapter shall comply with Chapter 7 of this Code, and any amendments that may occur thereto in the future.

### Section 15 - 9 - 3 Adverse Conditions

The Council may determine that certain lands may either not be subdivided, by reason of adverse topography, periodic inundation, adverse soils, subsidence of the earth's surface, high water table, lack of water or other natural or man-made hazard to life or property, or control the lot size, establish special grading and drainage requirements, and impose other regulations deemed reasonable and necessary for the public health, safety or general welfare on any lands to be subdivided affected by such characteristics.

### Section 15 - 9 - 4 Areas Reserved for Public Facilities

As a condition of subdivision approval, the Council may require that land areas within a subdivision be reserved for parks, recreational facilities, school sites, fire stations or other public facilities subject to the following conditions:

1. The requirement may only be made upon preliminary plats filed at least thirty days after the adoption of a general or specific plan affecting the land area to be reserved.
2. The required reservations are in accordance with definite principles and standards adopted by the Council.
3. The land area reserved shall be of such a size and shape as to permit the remainder of the land area of the subdivision within which the reservation is located to develop in an orderly and efficient manner.
4. The land area reserved shall be in such multiples of streets and parcels as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period.

### Section 15 - 9 - 5 Development Fees

The town may assess development fees to offset costs to the municipality associated with providing necessary public services to a development, pursuant to A.R.S. § 9 - 463.05.

### Section 15 - 9 - 6 Subdivision Moratorium

The town may adopt a moratorium on any construction or subdivision of land for development pursuant to A.R.S. § 9 - 463.06.

Article 15 - 10 MOBILE HOME OR RECREATIONAL SUBDIVISIONS OR PARKS

- 15 – 10 – 1 Manufactured or Mobile Home Subdivisions and Parks
- 15 – 10 – 2 Recreational Vehicle Parks
- 15 – 10 – 3 Landscaping
- 15 – 10 – 4 Securing and Skirting

Section 15 - 10 - 1 Manufactured or Mobile Home Subdivisions and Parks

Property for manufactured or mobile home subdivisions and parks shall not be platted in such a manner that would permit more than eight units per acre. Average lot area shall contain five thousand four hundred forty-five square feet. The unit shall not occupy more than forty percent of the lot area. Approval of all subdivisions shall be subject to the provisions of the subdivision code.

Sec. 15 - 10 - 2 Recreational Vehicle Parks

Property for recreational vehicle parks shall not be platted in such a manner that would permit more than fifteen units per acre. Average lot area shall contain one thousand seven hundred fifty square feet. The minimum lot width shall be at least thirty-five feet and the minimum lot depth shall be at least fifty feet. A minimum setback of seven feet from any portion of the recreational vehicle or park model, other than the trailer tongue, to the front lot line, a minimum setback of five feet from any portion of the recreational vehicle or awning on any side or rear lot line and a minimum setback of ten feet from any portion of the recreational vehicle or park model or related awnings to any exterior subdivision boundary shall be required.

Sec. 15 - 10 - 3 Landscaping

A landscaping plan which addresses buffering of park from adjacent lots and landscaping of lots shall be required.

Sec. 15 - 10 - 4 Securing and Skirting

A mobile home shall not be installed or occupied for residential use without appropriate securing mechanisms installed according to the manufacturer's specifications and the State of Arizona Office of Manufactured Housing specifications. A skirt with adequate ventilation shall be required around the perimeter of the mobile home to screen its wheels and undercarriage.