THE SUBDIVISION CODE

OF

THE TOWN OF JEROME

ARTICLE I

TITLE, PURPOSE AND ADMINISTRATION

SECTION:

101: Preamble
102: Authority
103: Short Title
104: Application of Regulations
105: Jurisdiction
106: Administration
107: Filing Fee Schedule

101: PREAMBLE: The purpose of these regulations is to provide for the health, safety, general welfare and harmonious development of the Town of Jerome and environs; to insure that all future development shall be referenced and in accordance with the principles, goals and objectives of the adopted Comprehensive Plan; to insure that all new development will strengthen the Town's economic base and valuation: to insure that future development will preserve and enhance the Town's natural scenic attributes; to insure that all new development will maintain and encourage a pleasing environment and be in harmony with the special character and historical quality of Jerome. The purpose of these is also to secure adequate provisions for streets and traffic circulation, water supply and distribution, sanitary sewerage, drainage and flood control, in the development of lots and properties having optimum utility and livability. These regulations shall also facilitate the provision of lands for recreation and other public uses; promote the conveyance of land by accurate legal description; and establish procedures which will achieve a basis of mutual understanding and equitable relationships between public and private interests.

102: AUTHORITY: The Jerome Subdivision Regulations are authorized by Title Nine, Chapter 4, Article 6, Section 9-471 to 9-479 and Chapter 6, Article 1, Section 9-601 of the Arizona Revised Statutes, as amended, and are hereby declared to be in accordance with all provisions of these Statutes.

103: SHORT TITLE: For the purpose of identification, these regulations shall hereafter be referred to as the "Jerome Subdivision Regulations."

104: APPLICATION OF REGULATIONS:

A) Final Plat Approval: No final plat shall be recorded or offered for record, nor shall any land be offered for sale with reference to such plat, until said plat has been recommended for approval to the Town Council by the Planning and Zoning Commission and approved by the Town

Council. The Planning and Zoning Commission shall ascertain, before recommending to the Council, that said plat has satisfied all requirements of these regulations.

(B) Plans, Plats and Replats: All plans of streets, highways, alleys, or other portions of the same intended to be dedicated to a public use or to the use of purchasers or owners of lots fronting thereon or adjacent thereto, and all plans, plats, and replats of land laid out in a subdivision or building lots, shall be submitted to the Planning and Zoning Commission for approval. The Planning and Zoning Commission shall ascertain, before approving it, that said plan, plat, plot or replat, has satisfied all of the requirements of these regulations.

05: JURISDICTION: These regulations shall govern the subdivision of all land that lies within the corporate limits of the Town of erome. The plat of a subdivision outside and within three (3) miles of the orporate limits which conforms to applicable regulations shall be approved nd so recommended for approval to the Planning and Zoning Commission of avapai County. Any plat which does not conform to these regulations, or hich is approved subject to changes, shall be so reported to the Planning nd Zoning Commission, with the reasons therefor.

06: ADMINISTRATION:

A) The Jerome Planning and Zoning Commission is hereby authorized to receive, process and otherwise act upon preliminary and final subdivision plats in accordance with these regulations. The Town Zoning Administrator, the Town Engineer, and the County Health Department are hereby designated as Planning and Zoning Advisories to the Commission and the Town Council, and charged with the duty of investigating and reporting upon matters referred to them in accordance with these regulations.

B) No final plat of a subdivision shall be approved by the Planning and Zoning Commission and accepted by the Town Council unless it conforms to the provisions of these regulations and to the provisions of the Zoning Ordinance for Jerome, Arizona.

07: FILING FEE SCHEDULE: The submission of a tentative or final plat, abandonment, amended plat, recording fee deed estrictions, exceptions, improvement drawing, etc., shall include payment o the Town Zoning Administrator of a filing fee for the County Recorder.

Filing Fee Schedule

Preliminary Plat (inside Town)	$45.00 plus $2.00 per lot or acre whichever is greater
Preliminary Plat (outside Town)	$25.00 plus $1.00 per lot or acre whichever is greater
Final Plat	$1.00 per lot (minimum $10.00)

IOTICE: The final plat fees shall not be applied to subdivisions outside he Town of Jerome corporate limits.

Final Plat Recording Fee	$10.00 per sheet
Deed Restrictions Recording Fee	$2.00 per sheet
Plat Abandonment	$50.00
Amended Plat	$50.00 minimum or $10.00 per sheet, whichever is greater

he Town of Jerome may negotiate with the subdivider to acquire land for resent or future municipal purposes in accordance with the laws of the tate of Arizona.

ARTICLE II

DEFINITIONS

SECTION:

201: Rules of Language Construction
202: Definitions

201: RULES OF LANGUAGE CONSTRUCTION: For the purpose of these regulations, and when not inconsistent with the context:

A) Words used in the present tense include the future.

B) Words used in the singular include the plural.

C) Words in the plural include the singular.

D) The masculine includes the feminine.

E) The word "shall" is mandatory and not directory.

F) The word "may" is permissive.

G) The particular controls the general.

H) Enumeration is not limited.

202: DEFINITIONS: Certain words and phrases in these regulations shall have special meaning as defined herein, unless the context otherwise requires.

lley: A public, dedicated right-of-way used primarily as a service or econdary means of ingress and egress to the service side of abutting roperty.

ccess Street or Service Road: A street or road which is parallel to and djacent to a major arterial street and provides a means of direct ingress nd egress to abutting property.

rterial Street: A street or road with the principal function to serve as a art of a major network for the through traffic flow, separate from local affic, to and from areas of principal traffic generation, of adequate esign, capacity and construction to provide for the safe and rapid istribution and collection of through traffic and to provide limited ngress and egress to and from collector and local streets.

Block: An area of land within a subdivision that is entirely bounded on all sides by streets and /or exterior boundary or boundaries of a subdivision.

Building Setback: A line extending across the full width of a lot, parallel with the street right-of-way and in front of which no building or structure shall be constructed.

Circulation Plan: That portion of the Comprehensive Plan adopted by the Planning and Zoning Commission and Town Council designating and defining the physical street system for Jerome, Arizona.

Collector Street: A street or road that serves local traffic movement within an area, and traffic between major arterials and local streets and provides a means of ingress and egress to local streets and abutting property; also serves to connect adjacent neighborhoods and includes the principal entrance streets into residential neighborhoods. There may also be provisions for parking and loading or unloading on collector streets.

Town: Shall mean the Town of Jerome, Arizona and shall include the Planning and Zoning Commission, the Zoning Administrator and the Town Council.

Town Council: Shall mean the Town Council of Jerome, Arizona.

Covenants: Shall mean a privately prepared recorded document designed to govern the use of parcels within a subdivision.

Cul-de-Sac Street: A street or road having a traffic outlet on one end only and having at the other end facilities for the turning around of vehicular traffic.

Dead-End Street: A street or road having a traffic outlet on one end only. A dead-end street may or may not have temporary provisions for the turning around of vehicular traffic.

Comprehensive Plan: A plan adopted by the Town providing a program to guide the orderly growth of the Town.

Double Frontage Lot: A lot having street frontage on both the front and rear property lines.

Easement: A designated strip or tract of land owned by private individuals to be used for public serving purposes across which access is limited to that of the owner and the authorized personnel of the public purpose to which it is put.

Egress: That movement of traffic from the abutting properties to the street and the movement from minor streets to major streets.

Electric Transmission Line: An electric line used for the bulk transmission of electricity between generating or receiving points and major substations or delivery points and having a rating of over twelve thousand (12,000) volts.

Final Plat: The final drawing of a property being subdivided as prepared by a land surveyor or engineer for recording and approval by the Planning and Zoning Commission and the Town Council and prepared in accordance with 403 of these regulations.

Half-Street: A street having only a portion, usually one-half (1/2), of its required right-of-way width dedicated for public use.

Ingress: The movement of traffic from the street to abutting property and the movement from major streets to minor streets.

Landsplit: A division of land whose area is two and one-half acres or less into two or three tracts or parcels of land or lots for the purpose of sale or lease.

Lot: A parcel or portion of land separated from other parcels or portions by description as a subdivision plat for the purpose of sale, lease, building development or other separate use.

Minor Street: A street or road used primarily for direct access and egress to residential, commercial, and industrial areas and having major service functions of loading, unloading, and direct access and egress to abutting property, and being controlled in such fashion as to discourage through traffic and to maintain relatively slow speed. There may also be provisions for parking on minor streets.

Minor Street Plan: A part of the street and traffic circulation plan that is complementary to and interrelated with the Comprehensive Plan.

Non-Residential Subdivision: The division of a tract of land into parcels for occupancy by non-residential uses and/or structures whether for sale or for building development for leasing and/or renting.

Pathways: Any dedicated right-of-way used for non-motor vehicle circulation and service.

Permit: A document issued by Jerome, Arizona, granting permission to perform an act or service which is regulated by the Town.

Planning and Zoning Commission: The Commission, the Planning and Zoning Commission and the Planning Commission of Jerome, Arizona, are synonymous.

Preliminary Plat or Preliminary Plat: That portion of a preliminary plan or any separate drawing of a parcel of land that conforms with the requirements of the subdivision regulations intended for subdivision and approval of the Planning and Zoning Commission and which is prepared in accordance with Section 401 and Section 402 of these regulations.

Property Lines: Those lines outlining the boundaries of properties on lots or the purpose of description in sale, lease, building development, or other separate use of property.

Radial: A line forming right angles with the tangent of any given arc.

Right-of-Way: The entire dedicated tract or strip of land that is to be

used by the public for circulation and service. (The length and width of a right-of-way shall be sufficient to provide adequate accommodations for all the physical features to be included in said right-of-way.)

Sidewalk: That paved portion of a right-of-way between the curb lines or lateral lines of the road bed and the boundary line of said right-of-way designed and intended for the movement of and use of pedestrian traffic.

Storm Sewer: A constructed conduit necessary, useful, or convenient for the collection and carrying of surface waters to a drainage course.

Street: Any existing or proposed street, avenue, boulevard, road, lane, parkway, place, bridge, viaduct or easement for public or private vehicular access or a street in a plat duly filed and recorded in the County Recorder's office. A street includes all land within the street right-of-way, whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking spaces, bridges, and viaducts.

Stub Street: A short dead-end street or road, no more than one lot deep in length, formed at the boundaries of a subdivision to provide access to abutting property.

Subdivider: Any individual, firm, association, syndicate, copartnership, corporation, trust or any other legal entity commencing proceedings under these regulations, to effect a subdivision of land hereunder for himself or for another.

Subdivision: Improved or unimproved land or lands divided for the purpose of financing sale or lease, whether immediate or future, into four (4) or more lots, tracts, or parcels of land, or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts, or parcels of land, or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts. This definition includes landsplits.

Subdivision: Also includes any condominium, cooperative, community apartment, townhouse, or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.

Unapproved Lot or Parcel: A lot or parcel of land that may be legally described on a deed, appear on a recorded or unrecorded map or been assigned a parcel number by the County Recorder but has never been officially approved by any past or present Jerome Town Council.

Zoning Regulations: Shall mean the Zoning Regulations, Jerome, Arizona.

ARTICLE III

GENERAL REQUIREMENTS AND PROCEDURES FOR SUBMISSION OF PLATS

SECTION:

301: Approval of Subdivision Required

301: APPROVAL OF SUBDIVISION REQUIRED:

(A) Until a preliminary plat and a final plat of a subdivision shall have been approved in accordance with this Chapter, no person proposing a subdivision or owning unapproved lots or parcels within Jerome shall subdivideor file a record of survey, map or plat for record. or sell any part of said subdivision, or sell any part of said subdivision, or or unapproved lots or parcels, or proceed with any grading, construction or other work on same.

(B) Duties of Subdivider: While a subdivision is in the preliminary planning stage the subdivider shall consult the Zoning Administrator to determine conformity to the Comprehensive Plan, including tne Circulation Plan, Minor Street Plan, District Map, the Zoning Regulations, and compliance with the provisions of these regulations, and requirements for the design and installation of public improvements as required by the Town of Jerome.

C) Preliminary Planning: The following factors should be considered in the preliminary stage of planning a subdivision:

1. Need for additional residential sites in the area.

2. Type and quality of homes to be built.

3. Lot sizes most adaptable to the use proposed.

4. Areas to be reserved for business or industrial use.

5. Special scenic locations or areas of historical importance which need to be reserved.

6. School and/or park sites that will be required.

7. Access features which may be desirable along arterial and collector streets.

8. Areas subject to flooding.

9. Suitability of land for urban development.

10. Water, sanitary sewer, solid waste disposal, storm sewer, electric and gas utility services to be provided.

11. Fire and police protection.

12. Integration of the subdivision with existing and proposed development.

13. Whether site is appropriate for the proposed use.

14. Legal or tax problems likely to be encountered.

(D) Pre-application Sketch Plan. Since agreement on the tentative plat is deemed a step of primary importance in these proceedings, it is strongly recommended that the subdivider review the initial proposal for the subdivision with the Zoning Administrator prior to preparation of required tentative plat while his plans for the proposed subdivision are still in preliminary form and other elements of the proposed development are still flexible. The purpose at this stage is to make available general advice on the purpose and effect of these regulations, the Comprehensive Plan, zoning, and other Town planning, engineering, drainage, sewage, water systems, and similar standards, requirements and plans.

E) The Zoning Administrator upon the request of the Planning and Zoning Commission, may require that the developer prepare and submit a Master Development Plan where: The tract is sufficiently large to comprise an entire neighborhood; the tract proposed for platting is only a portion of a larger land holding of the developer; the tract is a part of a larger land area of which the development is complicated by unusual topography and land use.

1. Preparation: The Master Development Plan shall be prepared to scale and accuracy commensurate with its purpose, and shall include:

(a) General street pattern of major arterial and collector streets.

(b) Indication of single family and multi-family residential areas and indication of general lot size and number of lots per acre anticipated.

(c) General location and size of school sites, parks or other public areas.

(d) Location of shopping centers and other non-residential proposed land uses and indicating their proposed use.

(e) Methods proposed for sewage disposal, water supply and storm drainage.

(f) An indication of the areas to be developed in accordance with a planned development schedule.

2. Approval: Upon acceptance of general design approach by the Zoning Administrator, the Master Development Plan (MDP) shall be submitted to the Planning and Zoning Commission for its consideration. If general approval is given, notice to that effect shall be recorded in the minutes of the Planning and Zoning Commission and a copy of

said minutes transmitted to the subdivider and his engineer. If a development is to take place in several parts, the MDP should be submitted as supporting data for each part.

F) Preliminary Plat and Engineering Drawings. The subdivider shall cause to be prepared a preliminary plat of the proposed subdivision and other exhibits as specified herein. The Zoning Administrator shall review the preliminary plat and submit its recommendations to the Planning and Zoning Commission as specified herein.

G) Final Plat and Recording. The subdivider shall cause to be prepared a final plat as specified in Section 403, which shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which is proposed to be recorded and developed at the time, provided, however, that such portions conform to all requirements of these regulations. The approved and executed copy will be recorded in the Yavapai County Recorder's office after full compliance with the regulations, and one copy will be filed in the Planning and Zoning Commission's office and one with the Town Engineer.

H) Building Permits and Certificates of Occupancy:

1. Building Permits. No building shall be erected, nor shall a building permit be issued for a building, unless the street giving access to the lot upon which such a building is proposed to be placed shall have been properly improved as required in Section 601 (C).

2. Certificates of Occupancy. No certificate of occupancy shall be issued for any building unless all of the requirements of these regulations and any and all requirements of any other regulatory code, ordinance or regulation have been met and complied with.

ARTICLE IV

SPECIFICATIONS FOR PLANS AND PLATS

SECTION:

401: Preliminary Plat and Engineering Drawings
402: Preliminary Plat Requirements
403: Final Plat, Engineering Drawings and Recording
404: Hillside Subdivisions
405: Revisions of Plats or Replats
406: Abandonment of a Recorded Subdivision or Reversion to Acreage
407: Subdivisions Within Three (3) Miles of City

401: PRELIMINARY PLAT AND ENGINEERING DRAWINGS:

(A) Preliminary Plat to be Submitted: After the pre-application conference and general approval of the Sketch Plan and/or Master Development Plan, if required, the subdivider shall cause to be prepared a preliminary plat of the proposed subdivision and other exhibits as hereinafter specified, and shall submit to the Zoning Administrator a preliminary plat application with twelve (12) copies of the preliminary plat and all required supplementary material, at least fourteen (14) days prior to the meeting at which it is to be considered.

(B) Departmental Review of Preliminary Plat: The Zoning Administrator shall refer copies of the preliminary plat to (1) the Town Engineer, (2) the Health Department, and (3) all interested utility companies. These entities shall review the plat for matters within their jurisdiction and promptly report their recommendations to the Zoning Administrator, who shall check the plat for conformity to these regulations and shall submit the recommendations to the Planning and Zoning Commission at a meeting thereof not later than thirty-five (35) days from receipt of the preliminary plat application.

The subdivider's engineer may act as agent.

(C) Planning and Zoning Commission Findings: Within forty (40) days after the submission of a preliminary plat and other material submitted in conformity to these regulations, the Planning and Zoning Commission shall express its approval, and conditions of approval, if any, or its disapproval and its reasons therefor.

(D) The action of the Planning and Zoning Commission shall be noted on two (2) copies of the preliminary plat and conditions determined shall be referenced and attached thereto. One (1) copy shall be returned to the subdivider and the other retained in the Planning and Zoning Commission's records.

(E) Approval or conditional approval of the preliminary plat shall not constitute approval of the final plat. Rather it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat. The final plat shall be submitted for approval of the Planning and Zoning Commission and

the Town Council upon fulfillment of the requirements of these regulations and the conditions of the conditional preliminary plat approval, if any.

402: PRELIMINARY PLAT REQUIREMENTS:

(A) Preliminary plat shall be submitted on one or more sheets of not larger than thirty-six inches by forty-two inches (36" x 42") at a scale not greater than two hundred feet (200') to an inch and preferably one hundred feet (100') to the inch.

(B) Preliminary plats of subdivisions outside the Town, but within a three (3) mile radius of the Town will be submitted by the Yavapai County Planning and Zoning Commission to the Town Planning and Zoning Commission for recommendation, pursuant to ARS 9-474 as amended.

(C) All preliminary plats shall contain the following information:

1. Proposed name of subdivision and its location by section, township and range; small scale vicinity map showing relative location of the plat; reference by dimension and bearing to section corners; and subdivision boundaries clearly identified.

2. Name, address and phone number of land owner (and subdivider, if not the same).

3. Name, address and phone number of engineer, surveyor, landscape architect or land planner preparing the plat, including registration number if registered.

4. Scale, north point and date of preparation, including dates of any subsequent revisions.

5. Topography by contours relating to USGS survey datum or other datum approved in writing by the County Engineer, to be shown on the same map as the proposed subdivision layout. Location and elevation of the bench mark used should also be shown on the plat. Acceptable contour interval; grades up to five percent (5%), two feet (2'); five percent (5%) to ten percent (10%) grades, five feet (5'); grades over ten percent (10%), ten feet (10').

6. Location by survey of streams, washes, canals, irrigation laterals, private ditches, culverts, lakes or other water features, including direction of flow and water level elevations, and location and extent of areas subject to inundation and whether such inundation is frequent, periodic or occasional.

7. Location, widths and names of all existing streets, pathways and improvements therein; railroads; utility easements or rights-of-way, including any existing facilities therein; public areas, all existing structures, with an indication of whether or not they are to remain; and municipal corporation lines within or adjacent to the tract, and to be accompanied with a Preliminary Title Report.

8. Name, book and page number of any recorded subdivisions within or having a common boundary with the tract, or notation "unsubdivided"

where appropriate.

9. Location, width and names of proposed streets, alleys, drainage ways, cross-walks and easements including all connections to adjoining platted or unplatted tracts.

10. Lot layout, including minimum building setback lines related to all streets; typical lot dimensions (scaled); dimensions of all corner lots and lots on curvilinear sections of street; each lot numbered individually and total number of lots shown.

11. Designation of all land to be dedicated or reserved for public or semi-public use, with use indicated.

12. Reference by note to source of proposed electricity, gas and telephone service and whether such service will be underground.

13. If plat includes land for which multi-family, commercial or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification, present district boundary lines and status of any pending zoning change.

14. Preliminary draft of proposed deed restrictions, including provisions for use and maintenance of commonly-owned facilities, if any.

15. Sewage Disposal: It shall be the responsibility of the subdivider to furnish the County Health Department such evidence as that Department may require for its satisfaction as to the design and operation of sanitary sewage facilities proposed. A statement as to the type of facilities proposed shall appear on the preliminary plat.

Subdivisions Utilizing Septic Tanks: Where the proposed sewage disposal system will be by individual lot septic tanks, percolation tests and test boring logs in accordance with the requirements of the County Health Department shall be taken on the proposed subdivision and submitted with the preliminary plat.

16. Water Supply: It shall be the responsibility of the subdivider to furnish the County Health Department such evidence as that Department may require for its satisfaction as to the facilities for supplying domestic water. A statement as to the type of facilities proposed shall appear on the preliminary plat.

17. Storm Water Disposal: Preliminary layout of proposed system, location and invert elevation of outlet, and statement as to extent of improvements proposed, if any.

13: FINAL PLAT, ENGINEERING DRAWINGS AND RECORDING:

The final plat stage includes submittal, review and approval of ne final plat by the Town Council and recording of the plat with the County ecorder. Application for approval of the final plat is made to the Zoning dministrator.

A) Final Plat to be Submitted: Final plat shall be submitted to the Zoning Administrator within one hundred eighty (180) days of

If the plat is complete and conforms to the approved preliminary plat, and after receipt of all letters of approval from all departments concerned, the plat will be forwarded to the Town Council for final approval.

(C) Town Council Approval: When the final plat has been approved by the Town Council, the Mayor shall be authorized to sign the plat for recording at the time all of the Subdivision Improvement Requirements of Chapter 6 of these regulations have been met. After the Town Council's approval, the plat shall be assigned to the Zoning Administrator which shall transfer the plat to the County Recorder's office for recording after the improvement requirements and stipulations have been met. The subdivider will be notified of the date book and page number of the official recording.

If the Town Council disapproves the final plat, it shall express the reasons therefor within the minutes of the meeting of which one copy shall be attached to the plat and returned to the subdivider.

The subdivider or his agent and his engineer or land surveyor shall be present at the meeting set for the date of approval.

D) Legal Survey: The final plat shall be based on a survey of the subdivision and shall conform to the approved preliminary plat and any stipulations attached thereto by the Planning and Zoning Commission. The plat shall show the title or name under which the subdivision is to be recorded, with the name of the engineer or surveyor platting the tract.

The engineer or surveyor shall in every case have a Certificate from the Arizona State Board of Registration for Engineers and Land Surveyors. The name or title of the subdivision shall not duplicate the name of any existing subdivision.

E) Final Plat Requirements: The record plat shall be drawn on plastic or other non-shrinking material on a sheet not exceeding thirty six inches by forty two inches (36" x 42") in size. Copies of the record plat shall be reproduced in the form of blueline or blackline prints on a white background. The plat shall be drawn to an accurate scale of not more than two hundred feet (200') to an inch and preferably one hundred feet (100') to an inch.

The final plat shall contain the following information:

1. A title, which includes the name of the subdivision and its location by section, township, range, and county.

2. Name, registration number and seal of the registered professional engineer or land surveyor responsible for preparing the plat.

3. Scale (written and graphic), north point and date of plat preparation.

4. Location and description of cardinal points to which all dimensions, angles, bearing, and similar data on the plat shall be referenced.

5. Any excepted parcel(s) within the plat boundary, accurately described by bearings and distances. Proper street and alley dedications adjacent to any proposed tracts or excepted parcels shall be provided by the subdivider by inclusion within the plat or by separate dedication noted on the plat.

6. Boundaries of the tract to be subdivided fully balanced and closed, showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof. No plat showing plus or minus distances will be approved. Corners of the plat should be noted and monuments found or set should be indicated; each of two (2) corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter-section corners or other survey monuments as may be acceptable to the Town Engineer. The Planning and Zoning Commission may make such office and field checks as may be necessary to assure the correctness of the plat and may require the owner of the subdivision to pay for such checking.

7. Names, centerlines, right-of-way lines, courses, lengths and widths of all public streets, pathways, alleys, crosswalks and utility easements; radii, points of tangency and central angles of all curvilinear streets and alleys, and radii of all rounded street line intersections.

8. All drainage-ways shall be shown on the plat. The rights-of-way of all major drainage-ways, as designated by the Town Engineer, shall be dedicated to the public.

9. The location, width and use of all public or private utility easements shall be noted. All private utility easements shall be marked private easements.

10. Location and dimensions of all lots shall be shown. All minimum setback lines shall also be located and dimensioned.

11. All lots shall be numbered consecutively throughout the plat. Other parcels, "tracts" and private parks shall be so designated, lettered or named, and clearly dimensioned.

12. The accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon, and all property that may be reserved by deed covenant for the common use of the property owners in the subdivision.

13. Name, Book and Page number of adjacent recorded subdivision, with location of existing adjacent lots, easements and rights-of-way, shown, or notation "unsubdivided" where appropriate. All proposed conditions should be graphically differentiated from existing conditions on adjacent properties and on excepted parcels within the plat.

14. One original and one copy of any private deed restrictions to be imposed upon the plat or any part or parts thereof shall be submitted with the final plat. Said deed restrictions must be in proper form to be recorded as a separate instrument. Space for cross-referencing to the deed restrictions shall be provided on the plat, to be completed

by the County Recorder, e.g. "See Restrictions Recorded in Docket _____, Page _____, Yavapai County Recorder's Office."

15. Dedications: Statement of dedication of all roads, streets, alleys, cross-walks, drainage-ways, and other easements for public uses, as shown on the plat, by the person holding title by deed to the lands, by persons holding any other title of record, by persons holding title as vendees under land contract, and by wives of said parties. If lands dedicated are mortgages, the mortgagee shall also sign the plat. Dedication shall include a written description of the tract. Signatures must be witnessed. If the plat contains private streets, the public shall be reserved the right to install and maintain utilities in the street and the right to maintain and control drainage and flood diversion channel.

16. Acknowledgment of Dedication: Execution of dedication, acknowledged and certified by a notary public.

17. Space for approval by the Town Council under the signature of the Mayor and attested by the Town Clerk.

404: HILLSIDE SUBDIVISIONS:

(A) Planning, platting and development of hillside subdivisions involve special problems and require special handling by the subdivider and his engineer, and by the Planning and Zoning Commission, staff and reviewing officials. Hillside problems include the preservation of scenic beauty for the benefit of the general public, safe construction of public improvements commensurate with lower density and lesser public use, and safe construction of private improvements related to sewage disposal, water supply, storm drainage and foundation bearing.

(B) Lot Width and Area: Lot width and area shall be closely related to the terrain, drainage, percolation factors or construction of sanitary sewers with emphasis placed on selection of homesites.

1. Existing topography shown by suitable contour interval with location of major and minor washes. A separate sheet showing proposed contours may also be required if extensive regrading is proposed.

2. Road profiles and cross-sections may be required at the discretion of the Town Engineer.

3. Percolation tests and test boring logs in accordance with the requirements of the County Health Department should be taken at the proposed subdivision prior to the submittal of the preliminary plat.

(C) Plat Processing Time: Due to problems requiring special field and office review by the County Health Department, the Town Engineer and the Staff, subdividers should expect processing time for hillside plats to exceed that otherwise required for normal plats.

(D) Hillside Subdivision Design: Special problems of hillside subdivision design are discussed under the Design Section.

405: REVISIONS OF PLATS OR REPLATS: Any division of a lot in a a recorded subdivision into five (5) or more parcels, or any changes in lot lines involving five (5) or more adjoining lots in a recorded subdivision, but creating no new street, may be processed in accordance with Final Plat Procedures on these Subdivision Regulations, after a Pre-Application Conference with the Zoning Administrator.

Any replat involving dedication or abandonment of land for a public street shall comply with all procedures set forth in these requirements, Sections 406 and 407.

If abandonment of a street, pathway, alley or public utility easement in a previously recorded subdivision is necessary, the replat of that area shall not be forwarded to the Town Council for final action until abandonment proceedings are completed and recording data noted on the final plat.

406: ABANDONMENT OF A RECORDED SUBDIVISION OR REVERSION TO ACREAGE:

(A) If no lots in the subdivision, for which a final map has been approved and recorded, have been sold within three (3) years from the date of recordation, or if none of the improvements have been made within two (2) years from the date of approval, the Town Council may on its own motion hold a public hearing after notice, to determine whether the approval of such final map should be revoked. Such revocation shall be effective upon recordation of a certified copy of such resolution; and thereupon, all streets, rights-of-way and easements dedicated or offered for dedication by such map shall be of no further force or effect.

(B) Pursuant to provisions of Title 18, Chapter 2, Article 1, Section 18-201, and Chapter 5, Article 1, Sections 18-501-508, ARS, the abandonment of all or part of a recorded subdivision may be initiated by written petition to the Town Council, said petition to be signed by ten (10) or more owners of real property in Jerome, requesting abandonment of all streets, alleys and easements within said subdivision and giving the legal description and recording information thereof.

(C) Applications or petitions for abandonment are filed with the Clerk of the Town Council and referred for recommendation to the Zoning Administrator, Town Engineer and utility companies concerned.

(D) Such abandonment may necessitate consideration for rezoning.

(E) Any action considered by the Council relating to revocation of all or part of a subdivision whether plots or lots and rights-of-way shall be referred to the Planning and Zoning Commission for for evaluation for the following:

1. Correlations with the Town Plan.

2. Correlations with proposed development in adjacent areas.

3. Recommendation as to whether or not zoning changes should accompany such action.

4. Effect of such action on existing development in areas affected by proposed reversion or abandonment.

(F) Any other actions applicable to the above process and permitted by State Laws are permissible.

(G) Requisite actions under Article 1, Chapter 520, Title 18, Arizona Revised Statutes to abandon the streets and easements should be carried on separately and simultaneously with any procedure to abandon a subdivision or revert it to acreage.

407: AMENDED SUBDIVISION MAPS: Any map of a subdivision that has been filed for record may be amended to correct an error in any course or distance or other necessary item that was omitted therefrom, or to correct a drafting, graphic, technical or similar type error; by the filing for record of an amended map of said subdivision. The County Recorder shall examine such amended map; and if such examination discloses that the only changes on the amended map are changes above authorized, he shall certify this to be a fact over his signature on the amended map. Thereafter, the amended map shall be entitled to be recorded in the office of the Recorder in which the original subdivision map was recorded. Such map shall be marked "AMENDED MAP OF _____". Subsequently, if more than one amended map is necessary, the successive maps shall be titled "SECOND AMENDED AMENDED MAP OF _____", and follow in numerical sequence order. The use of the terminology of "Amended Map" shall not be used to change or vary or add any lot lines, streets, or easements or statements that were not contained on the approved preliminary map, since such actions necessitate re-processing of the plat.

408: SUBDIVISIONS WITHIN THREE (3) MILES OF TOWN: In accordance with Arizona Revised Statues, Section 9-474 as amended: The subdividers of land outside the Town but within three (3) miles of the corporate limits shall submit all plats to the Town of Jerome for review, comment and approval as follows:

(A) When the owner of land, the whole or part of which is an unincorporated area within three (3) miles from the corporate limits of the Town of Jerome, desires to subdivide the land into lots for the purpose of selling it by reference to a map or plat, he shall first give written notice to the Town of his intention to subdivide the land, naming and describing the land so that it may be identified upon the ground, and shall submit to the Town a tentative plat of the land showing the manner in which he desires to subdivide the land.

(B) If the Town desires that the streets or alleys of the tract

conform with the projected streets or alleys of the Town of Jerome, or of an adopted plan of the Town of Jerome, then the Town may, at its cost, project the lines of its streets and alleys to the nearest outer boundary lines of the subdivision and thereon mark the same, and shall supply the owner with the courses of the lines.

(C) The Town of Jerome may also submit to the owner a written report recommending changes in the submitted plat of the location or dimension of streets, pathways, alleys, parks, easement for rights-of-way or property intended to be devoted to the use of the public. One copy of the report shall be delivered to the Board of Supervisors of the County.

(D) If the report is given to the owner, or the lines are so marked and the courses given the owner within thirty (30) days from the date of service of notice of intention to the Town, then the owner shall cause the land to be subdivided into blocks, lots, streets, alleys, parks and parkways, so as reasonably to conform to the report and the projected street lines.

ARTICLE V

DESIGN STANDARDS

SECTION:

501: General
502: Suitability of the Land
503: Water Courses
504: Streets, General
505: Lots
506: Sanitary Sewage and Water System
507: Refuse Disposal
508: Easements and Utilities
509: Monuments
510: Public Requirements
511: Aesthetic Considerations
512: Special Development Subdivision
513: Special Design Standards for Hillside Subdivisions

501: GENERAL

A) The Planning and Zoning Commission shall insure that appropriate provisions are made for the harmonious development of the Town by requiring (1) the coordination of streets within subdivisions with existing or planned streets or with other features of the Comprehensive Plan, (2) a regulation of population density and traffic volume which will create conditions favorable to public health, safety and convenience, and by (3) recommending adequate spaces for public use (such as for parks, schools, recreational areas, etc.).

B) Adequate access shall be provided from an existing public road to land being subdivided. Approval of such access shall be a condition of approval of the plat by the Commission and Council.

C) In all subdivisions, it is urged that due regard be shown for all natural features such as trees, water courses, historical and archaeological sites and similar community assets which, if preserved, will add attractiveness and value to the property and community.

D) Portions of property within the ownership of the subdivider, contiguous to the subdivided property shall not be excluded from within the boundaries of a subdivision when needed or required for any traffic, drainage, or flood control facility pertinent to said subdivision.

Portions of property within the ownership of the subdivider, contiguous to the subdivided property but not included within the boundaries of the subdivision, shall be of such size or shape that they could be used for some purpose compatible to surrounding development and meet the specifications of other Town regulations.

Separate parcels omitted from a preliminary plat, that form lots or building sites of less than five (5) acres each, or that could be a part of this development by extending proposed roads shall be included in the proposed plat.

(E) The design of those elements of a subdivision involving structural matters, location and design and building of roads, pathways, drainage provisions, water supply and sewage disposal shall be made by an engineer registered in the State of Arizona and qualified to specify the standards for such design or by an assistant under his direction and supervision.

(F) A supplementary set of standards may be adopted by the Commission and approved by the Council on each item as described. These standards shall be separate form this Ordinance, and shall be developed by the Town Engineer. They may be revised whenever environmental circumstances or technological improvements necessitate or justify such changes.

(G) It is the responsibility of the developer to comply with these regulations. At any time in the processing of a subdivision tract that non-compliance is detected notification by certified or registered mail of said non-compliance shall be transmitted to the developer. If compliance is made by the developer processing shall proceed from date of compliance as if the non-compliance had not existed. If compliance is not made within thirty (30) days of the mailing of the certified letter, processing shall be terminated. Once processing is terminated, a tract must be resubmitted.

302: SUITABILITY OF THE LAND:

A) The Planning and Zoning Commission shall not approve the division of land as submitted if, from adequate investigations, it has determined that said land is not suitable for the kind of development proposed due to such factors as flooding, bad drainage, steep slopes, rock formations, soils or design features likely to be harmful to the safety, welfare and general health of the future residents, unless reasonable corrections acceptable to the Commission are submitted by the developer.

303: WATER COURSES: In the event that the subdivision is traversed by or is contingent to lakes, streams or other bodies of water, the subdivider shall provide a right-of-way for storm drainage conforming substantially with the line of such natural water course, channel, stream or creek or provide an acceptable realignment of said water course.

304: STREETS GENERAL:

A) The arrangement, character, extent, grade, width, and location of all streets shall conform to the Comprehensive Plan or the preliminary plans of said Commission.

B) Where such is not shown on the Comprehensive Plan or preliminary

plans, the arrangement of streets shall provide continuation or appropriate projection of existing major streets in surrounding areas. All center lines shall be continguous territory. In cases where straight continuations are not physically possible, such center lines may be continued by curves.

(C) The minimum width of right-of-way, measured from lot line to lot line, shall be as prescribed by the Town Engineer, the Comprehensive Plan and these regulations. Proposed streets shall extend or project existing streets at their same or greater width, but never at a width less than that prescribed by established standards.

(D) All streets and highways shall be graded, surfaced and improved to cross sections and grades approved by the Town Engineer and as established by these regulations. The subdivider shall improve the extension of all subdivision streets and other public ways, to the intercepting shoulder line of any County road, Town street, or State highway.

Grades given are maximum allowed for certain short-range distances and do not imply permission of an extensive distance at maximum grade.

(E) Structures or culverts shall be installed as deemed necessary by the Town Engineer for drainage, access and public safety. Such structures and culverts are to be placed to grades and shall be of a design and size approved by the Town Engineer. Adequate drainage of the subdivision public ways shall be provided by means of said structures or culverts and by other approved means, in accordance with the engineering standards adopted by the Town Engineer.

(F) All roads developed or improved in conjunction with subdividing shall either be:

1. Built to Town standards, dedicated by the map and accepted by the Council.

2. Built to Town Council standards, dedicated by the map and approved by the Council in conjunction with providing a Performance Bond or Assurance of Completion Bond.

3. Built and offered for dedication by the subdivider, refused by the Council but approved as private roads with adequate assurances of upkeep.

(G) Adequate provisions shall be made in the design of subdivisions for access to each lot or parcel, and for access to adjacent properties.

(H) Half roads or partial width rights-of-way should only be approved as partial major roads along a section line where no alternative design exists, or where said partial rights-of-way would require the dedication of additional continguous rights-of-way to make it full width, provided that the developer or his representative shall include evidence that the additional right-of-way is available or is permanently reserved for future road purposes. Half roads should also be accepted where they are a portion of the road system approved in the Comprehensive Plan.

(I) When a tract fronts on an arterial road, the Commission may require such lots to have reverse frontage.

(J) Provisions shall be made for railroad and other public or private utility crossing necessary to provide access to or circulation within within the proposed subdivision, including the obtaining of all necessary permits from the public or private utilities involved, and any regulatory agencies having jurisdiction. The cost of such crossings shall not be assumed by the Town.

(K) Minor Residential Streets: Minor residential streets shall be designed to provide proper circulation of local traffic.

(L) Dead-End Streets or Cul-de-Sacs:

1. Minor terminal streets designed to have one end permanently closed, shall be not more than six (6) times the minimum lot width nor one thousand three hundred twenty feet (1,320') long unless necessitated by topography. They shall be provided at the closed end with a circular turn-around or a cul-de-sac having a right-of-way radius of at least forty five feet (45').

2. Where, in the opinion of the Commission, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-around having a roadway radius of at least forty five feet (45').

(M) Intersections:

1. Street intersections shall be as nearly at right angles as possible, and no intersection shall be less than sixty degrees (60).

2. Property line radii at street intersections shall not be less than twenty five feet (25'); the Town Engineer may require a greater curb radius.

3. Whenever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such a corner shall be rounded or otherwise set back sufficiently to permit such construction.

(N) Jogs in Minor Streets: Street jogs with centerline offset of less than one hundred thirty five feet (135') shall not be approved.

(O) Street Names: Proposed streets which are obviously in alignment with other existing named or numbered streets in that vicinity, as determined by the Zoning Administrator, shall be given the designation of said existing street. In no case shall the name for proposed streets duplicate those of existing streets within the same planning area, except as aforementioned, irrespective of the use of such varying suffixes as street, avenue, road, boulevard, drive, place, court or other designation. Through its index of street names and numbers, the Commission can assist the subdivider in avoiding such duplications.

(P) Street Standards and Improvements: Unless specifically requested by the subdivider, and/or designated by the Planning and Zoning

Commission or Town Council and agreed to by both parties, the following general street standards shall apply:

(see following page for general street standards)

(Q) Alleys: Alleys shall be provided to the rear of all lots used for business purposes, as deemed necessary, but will not be required for residential areas. Alleys may be permitted where a subdivider can produce evidence satisfactory to the Commission of the desirability of such provisions.

(R) Sidewalks: Concrete sidewalks shall be constructed along at least one side of every street shown on the plat in accordance with applicable standard specifications of the Town. Minimum width shall be four feet (4'); except sidewalks shall not be required in subdivisions with all lots containing over eighteen thousand (18,000') square feet each.

(S) Pathways may be constructed at locations other than adjacent to streets and may eliminate the need of sidewalks when approved by the Planning and Zoning Commission.

(T) Block Design: The length, width and shape of blocks shall be determined with due regard to provisions for adequate building sites, the zoning requirements as to lot area and dimensions, limitations and opportunities of topography and needs for convenient access, and circulation, control and safety to streets and pedestrian traffic.

1. Length: Blocks shall not be more than one thousand three hundred twenty feet (1,320') in length except as the Commission considers necessary to secure efficient use of land or as a desired feature of street design.

Any block having a length of six hundred feet (600') or greater may be required by the Planning and Zoning Commission to have provisions made for a pedestrian walk-through having a twelve foot (12) right-of-way, when deemed essential for pedestrian circulation, access to schools, playgrounds, etc.

2. Width: Blocks shall be wide enough to allow two (2) tiers of lots.

505: LOTS:

A) Arrangement: The lot area, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision, for the type of development and use contemplated, and shall conform to the zoning requirements and these regulations.

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front upon a public street or road or approved access.

B) Accessibility: Each lot shall be accessible to the street on which it fronts. Where necessary, lots shall be graded as a condition of approval of a final map to insure access to and adequate use of property.

(C) Minimum Size: The size, shape and orientation of lots shall be such as the Commission deems appropriate. Each lot shall be suitable for the purpose for which it is intended and shall contain a usable building site. The area of a lot shall be deemed the area shown, exclusive of any area designed for road purposes or any easement for access or road purposes shown on the map.

(D) Where lots are designed with minimum areas, corner lots shall be wider than minimum to provide adequate usable area, if necessary.

(E) Large Tracts or Parcels: When the land is subdivided into larger than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical resubdivision.

(F) Lot Numbering:

1. Each lot shall be designated by an "arabic" numeral.

2. If block designations are not used, numbering shall be in consecutive sequence within the block beginning with the number "1" wherever lots have common side boundaries within a subdivision or within a block along each street and consecutive numbering shall follow from one block to another.

3. When block designations are used, numbering shall be in consecutive sequence within each block area commencing with the number "1" for each block.

4. Parcels and/or tracts shall be designated by capital letters and be designated in alphabetical sequence starting with the letter "A".

506: SANITARY SEWAGE AND WATER SYSTEMS:

(A) Where a public sanitary sewer system is reasonably accessible, the subdivider shall connect with such sewer and provide a connection to each lot.

(B) A sewer collection and treatment system shall be provided as a condition of approval for any subdivision containing lots or parcels less than one acre in area.

(C) When connection to a sanitary sewer system is not available for lots or parcels of one acre or more, septic tanks or other disposal methods may be permitted provided that a statement is submitted to the Planning and Zoning Commission by the County Health Officer or his authorized representative certifying that field investigation has shown that ground slopes and soil conditions will allow for satisfactory disposal by this method with the lot arrangement and size as shown on the subdivision map and that necessary drainage fields are either contained within the property or permitted by adjoining land owners.

In areas where public sanitary sewers are not reasonably accessible, but where the future owning agency agrees to effect temporary disposal of sewage, the subdivider shall plan and construct sewers within and for the subdivision for connection with a future public system.

(D) Water mains connecting with the existing Town system shall be installed to serve each lot. All connections shall be subject to the approval of the Town Engineer.

Water mains and fire hydrants shall be installed to grades, location, design, and sizes on plans submitted by a registered engineer in the State of Arizona and approved by the Town Engineer and the Town Fire Department.

(E) When connection to a Town water system is not available, the subdivider may provide service by the establishment of a mutual water system in which case water mains and fire hydrants shall be installed to grades, location, design and sizes as submitted by a registered engineer in the State of Arizona and approved by the Town Engineer, and the source of supply developed and improved to the satisfaction of the County Health Officer or his representative so that the subdivision may be adequately supplied with water.

(F) A water system shall be provided as a condition of approval for any subdivision containing lots or parcels less than two (2) acres in area.

G) In the case of a subdivision with lots over two (2) acres in area, water supply may be from other than a community system. In this case sufficient evidence shall be submitted showing that potable water is available and can be obtained for all lots in the subdivision.

H) Minimum lot size may be affected by requirements of the County Health Department pertinent to water and sanitary sewage systems.

I) Public Sanitary Sewage and Water Systems: The requirements for development of public water supplies and sewage disposal systems shall not be less than those outlined by Arizona State Health Department regulations and engineering criteria for such installations.

07: REFUSE DISPOSAL: The subdivider shall indicate the method of refuse collection and disposal.

08: EASEMENTS AND UTILITIES: Except where alleys are provided for that purpose, easements at least eight feet (8') in total width hall be provided along rear lot lines for poles, wires, conduits, sanitary ewers, gas mains, water mains, or for other utilities. Where necessary, dditional easements shall be located along the side lot lines. Half or artial easements may only be approved where written commitment of edication of necessary additional easements are on record. All easements hall be in accordance with those approved by the utility companies oncerned.

09: MONUMENTS: Survey monuments acceptable by the Town Engineer shall be set for all points of reference on the outside oundary, at each lot corner and/or at all points of curvature or tangency the subdivision.

Whenever streets are improved to the extent that paving is included, survey monuments will be required at all street intersections and at the points of curvature and point of tangency of all curves. Monuments shall be set as approved by the Town Engineer.

510: PUBLIC REQUIREMENTS: During the design and layout of the subdivision, consideration shall be given to the requirements for public land and open spaces as specified in the Comprehensive Plan. The public land and open spaces as specified in the Comprehensive Plan. The Planning and Zoning Commission may require certain lands to be reserved for public purposes in conformance with the Comprehensive Plan as specified in these regulations.

511: AESTHETIC CONSIDERATIONS: The subdivider shall give consideration to preserving natural features in the design and layout of a subdivision. Lots and buildings should be oriented to make advantageous use of any views or natural features.

All utility installations shall be located underground, except as exempted below, to assure that they do not detract from the design and amenity of the subdivision.

Exemptions:

1. Electric transmission lines over 600 volts, and electric distribution feeder lines, as defined elsewhere herein, together with switchyards, substations and equipment.

2. Temporary service facilities, such as facilities to furnish emergency service during an outage, facilities to provide service to construction sites, or other service of limited duration.

3. Above ground appurtenance of underground utility systems with a total height not to exceed seven feet (7').

12: SPECIAL DEVELOPMENT SUBDIVISION: Modified standards and requirements of these regulations may be accepted by the Planning and Zoning Commission in the case of a plan and program for a neighbor unit, which in the judgment of the Planning and Zoning Commission provide adequate public recreation, light, air and service needs for the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to an achievement of the Comprehensive Plan or zoning regulations.

A) When such a preliminary development is submitted for appraisal, it shall be accompanied by a petition for variance, as outlined in these regulations, setting out all deviations from standards as herein required, and explaining the reasons therefor.

B) Special development variations may include: (1) Streets of less width than standard requirements, but with adequate provisions for off-street parking; (2) up to four (4) lots served by a common driveway where topographic conditions would justify such treatment; (3) up to four (4) buildings per site in a cluster of less than minimum lot area if a corresponding contiguous area plus the building site areas brings

the total combination of building sites and common area to minimum area standards; and provisions are made that each lot owner has an equal undivided interest in the contiguous parcel and it is restricted to be used only for recreational purpose or to remain "open land"; (4) special common sanitation facilities.

(C) Special development subdivisions shall be regulated as outlined in the zoning regulations.

513: SPECIAL DESIGN STANDARDS FOR HILLSIDE SUBDIVISIONS:

(A) Street grades shall not exceed twelve percent (12%).

(B) Street grades of twelve percent (12%) shall have a maximum length of of six hundred feet (600').

(C) Minimum dedicated street right-of-way; to be justified by extreme cross-slope cut and fill areas or similar conditions.

(D) "T" or "Y" type turning and backing areas may be substituted for circular turn-arounds.

(E) "Panhandle", double frontage, and other unorthodox lots may be permitted so long as it can be adequately demonstrated that no such lot will adversely affect any other lot.

(F) Private streets or drives serving not more than three (3) lots shall be permitted to a maximum length of three hundred feet (300').

ARTICLE VI

IMPROVEMENTS

SECTION:

601: General
602: Engineering Drawings
603: Required Improvements
604: Guarantees of Performance
605: Minimum Standards for Subdivision Street Paving
606: Partial Development; Declaration of Immediate Improvement

601: GENERAL: The subdivider shall cause to be installed and constructed all street and road improvements, public utilities, survey monuments and markers and lot grading. All such improvements shall conform to the requirements of these regulations and all other applicable Town, County and State standards, specifications, codes and regulations. These standards may be obtained, among others, from the Town Clerk, Town Council, Zoning Administrator, County Health Department, County Highway Department.

(A) The subdivider shall be responsible for the cost of the following:

1. Setting of survey monuments and markers.

2. Street and road construction for all street improvements including base, grading, curbs gutters, sidewalks, pavement, street trees, street name signs, culverts, and bridges.

3. Water and sewer line installations including fire hydrants and manholes.

4. Required storm water system and/or other drainage improvements.

5. All field density and related testing of base, subbase and other compacted backfill, gradation tests, concrete cylinder tests, asphalt tests and/or other related tests required to insure minimum standard requirements.

(B) The subdivider shall be responsible for assuring the installation of the following, by negotiating with private companies, or by providing the cash for their installation when considered necessary by the Planning and Zoning Commission and the Town Council.

1. Electric Lines.

2. Street Lights.

3. Gas Lines.

4. Street Naming Signs.

5. Telephone Lines.

(C) Building permits will not be issued for new construction until all required street and utility improvements adjacent the property to be improved are installed, or assurance provided that they will be constructed by the subdivider.

602: ENGINEERING DRAWINGS:

(A) Within one hundred and twenty (120) days from final plat approval, the subdivider or developer shall submit to the Planning and Zoning Commission and the Board of Supervisors engineering drawings and construction plans for approval prior to the commencement of any work by the subdivider.

At the time of submitting improvement plans and engineering drawings, the subdivider shall submit an estimate of the costs of constructing the required improvements to determine the amount of performance or surety guarantee to be required. The estimate shall specify the sources used as a basis to determine unit and project costs. The Planning and Zoning Commission and/or Board of Supervisors shall make any checks and revisions in the estimates as they deem necessary prior to approval.

All required supplementary engineering studies or tests as required by the Planning and Zoning Commission and/or Board of Supervisors shall be approved prior to any construction activities by or for the subdivider.

(B) All required engineering studies and exhibits shall be prepared by qualified and legally registered or certified engineers or engineering firms.

(C) Contractors engaged by the subdivider to install required improvements shall be licensed and registered as required by State or local law.

(D) A time construction schedule of installation of public improvements shall be submitted to and approved by the Planning and Zoning Commission and the Town Council prior to the commencement of any and all construction activities. The approved schedule shall be flexible enough to allow delays due to inclement weather or other unavoidable circumstances. In the event that construction at some time can no longer adhere to the approved schedule, the subdivider shall submit a revised schedule to the Planning and Zoning Commission and the Town Council for approval.

(E) It may be desirable, during construction of improvements, for the subdivider to modify some standards and specifications of the approved engineering drawings. In this event, the subdivider shall, prior to making such modifications, submit a schedule of such modifications with reasons of necessity to the Planning and Zoning Commission and

the Town Council for approval.

(F) At the completion of all new construction relating to street or utility improvements the subdivider shall submit "as built drawings" to the Town Engineer prior to approval of the work by the Town Engineer.

(G) The subdivider shall submit an estimate for the costs of constructing the required improvements to determine the amount of performance guarantee to be required. The estimate shall specify the sources used as a basis to determine unit and project costs. The Planning and Zoning Commission and/or Town Council shall make any checks and revisions in the estimates as they deem necessary prior to approval. The Town Engineer shall advise the Commission and Council of the adequacy of the estimate submitted.

603: REQUIRED IMPROVEMENTS:

(A) The subdivider shall cause to be set permanent survey monuments at locations approved by the Planning and Zoning Commission or Town Engineer, provided that ordinarily such monuments shall not be more than one thousand three hundred feet (1,320') nor less than six hundred sixty feet (660') apart; and, in addition, monuments of iron pipe, steel bars, or concrete, shall be set at all street intersections, at all tangent points as may be required by the Planning and Zoning Commission to make the retracing of the lines shown on the Town Official maps reasonably convenient.

(B) The subdivider shall cause to be installed public water facilities including fire hydrants, public sanitary sewer systems, and a storm sewer system and/or other drainage improvements designed and constructed according to specifications approved by the Planning and Zoning Commission and the Town Council where required.

(C) The subdivider shall cause to be installed and constructed according to specifications approved by the Planning and Zoning Commission and the Town Council, all street improvements including grading, surfacing curb and gutter, sidewalks, street name signs , street lights and telephone lines, where required.

604: GUARANTEES OF PERFORMANCE: Before recording of a plat by the Town Council, the subdivider shall have dedicated all streets, pathways and alleys in the proposed subdivision together with sidewalks, curbs and gutters, in accordance with the requirements of the Planning and Zoning Commission may impose and specify as to grading, paving, width, location, drainage, courts, culverts, bridges, and other necessary requirements. The subdivider shall enter into a written agreement with the Town Council wherein the subdivider shall have deposited a performance bond in an amount established by the Town Council, or have deposited with the Town of Jerome sufficient funds to cover the cost of such improvements. The amount of the performance bond or the funds in escrow shall be determined from the cost estimates as specified in 602 (G) and/or (A) above, or letter of assurance from an acceptable financial institution that sufficient funds have been set aside or pledged to complete such improvements.

nullify these regulations as a whole or in any part in its application to any other tract of land.

1004: REPEALS: All regulations or codes of the Town of Jerome inconsistent herewith, to the extent of such inconsistency, and no further, are hereby repealed. The repeal of any of the above-mentioned regulations, or codes, does not revive any other regulation or code. Such repeals shall not affect nor prevent the prosecution or punishment of any person for the violation of any regulation or code repealed hereby, for an offense committed prior to the repeal.

1005: EFFECTIVE DATE: The provisions of these regulations shall be effective thirty (30) days after final approval and adoption by the Town Council of Jerome, Arizona, as provided in Title Nine, 474-479, of the Arizona Revised Statutes, as amended.

PASSED AND ADOPTED by the Council of the Town of Jerome this 10th day of May, 1988.

Ray Lanlapra
MAYOR

ATTEST:

Hilde Rippel
TOWN CLERK

APPROVED AS FOR FORM AND CONTENT:

Robert S [illegible]
TOWN ATTORNEY

605: MINIMUM STANDARDS FOR SUBDIVISION STREET PAVING:

(A) Streets; Improvement Security: All streets covered by these regulations shall be paved, with curbs and gutters installed when required prior to the public sale of any land appurtenant to said streets. In lieu of the installation of paved streets, curbs and gutters by the subdivider, and in order to insure the proper installation of said paved streets, curbs and gutters, the subdivider may provide security as follows: (1) Post bond, (2) establish a trust, or (3) provide for other appropriate security; provided, however, that the following requirements are met:

1. The subdivider shall declare his intention of proceeding under this Section in his letter of intent, and, further, he shall designate whether a bond, trust, or some other appropriate security shall be provided. The letter shall be notarized.

2. That said bond, trust, or other appropriate security be submitted to the Town Council for acceptance prior to recording the final plat by said Council.

3. That the amount of said bond, trust, or other appropriate security be based on a cost estimate prepared by a registered professional engineer in an amount to cover the complete installation of the improvements and be approved by the Town Engineer prior to submission of said estimate to the Town Council.

4. That a completion date for the installation of said paved streets, curbs and gutters be declared and notice given to the Town Council, and approval given by the Council prior to the final plat approval by said Council.

5. The security as herein before required shall provide for its forfeiture to the Town unless good and sufficient reasons can be provided that said improvements have not been installed in accordance with these regulations or are not accepted by the Town by the declared completion date due to the default of the subdivider; the amount of forfeiture shall be the cost to the Town to complete the installation of said improvements in accordance with these regulations.

6. All matters contained in this Section may be referred to the Planning and Zoning Commission by the Town Council for preliminary study and recommendation.

7. The Town Council considering recommendations from the Planning and Zoning Commission may require improvement security, as delineated for for streets in this ordinance, for private streets, roads or driveways in an approved planned area development prior to recording a final subdivision plat.

(B) Waiver of Street Improvements in Certain Subdivisions: Paving widths, curbs, gutters and sidewalks may be waived by the Town Council considering recommendations of the Planning and Zoning Commission, subject to topographic terrain or aesthetic conditions.

(C) Acceptance of Streets: Subdivision streets will be accepted for maintenance by the Town only when they meet requirements of the minimum standards as set forth by the Town Engineer and all other applicable Sections of these regulations.

>06: PARTIAL DEVELOPMENT; DECLARATION OF IMMEDIATE IMPROVEMENT: The subdivider may provide plans for the partial development of subdivisions, whereby Town Council in accepting the final plat for recording, shall require that the bond, trust or other appropriate security ›e sufficient to cover that portion of the subdivision premises which the subdivider has elected to immediately improve, as that portion is described n a "declaration of immediate improvement" which the subdivider shall ubmit to the Town Council, provided that no improvement or sale of lots hall be commenced in any other area of the subdivision not covered by a declaration of immediate improvement" without further having filed a declaration of immediate improvement" on the new area, and provided further hat the proper security is approved as specified herein, and provided urther that a completion date for the improvements for each area be eclared in each "declaration of immediate improvement".

ARTICLE VII

VARIANCE AND APPEALS

SECTION:

701: Hardship
702: Appeals

701: HARDSHIP: The Planning and Zoning Commission and the Town Council may authorize variances from the terms of these Regulations, where by reason of exceptional or extraordinary situation or condition of a tract of land, the strict application of any regulation enacted herein would result in peculiar and exceptional practical difficulties to, or undue hardship upon, the subdivider. Such variance may be given provided such relief may be granted without detriment to the public good and without impairing the intent and purposes of these regulations.

702: APPEALS: Any aggrieved person whose final plat has been rejected or disapproved by the Planning and Zoning Commission may appeal to the Town Council for a hearing within sixty (60) days after such rejection.

ARTICLE VIII

LEGAL PROCEDURE, VIOLATION, PENALTIES AND REMEDIES

SECTION:

801: Legal Procedures
802: Violations and Penalties
803: Remedies

801: LEGAL PROCEDURES: Any use or development of property contrary to the provisions of the Subdivision Regulations shall be and he same is hereby declared to be unlawful, against the public safety and elfare, and a public nuisance and the Town Attorney shall, upon order of he Town Council, or on his own initiative, immediately commence all ecessary actions or proceedings for the abatement, enjoinment and removal hereof in the manner provided by law, shall take such other lawful steps nd shall apply to such court or courts as may have jurisdiction to grant uch relief as will abate, enjoin and restrain any person, firm, or orporation from setting, developing, erecting, building, moving, or aintaining any such building or using any property contrary to the rovisions of these Subdivision Regulations, or otherwise violating these ubdivision Regulations.

802: VIOLATIONS AND PENALTIES: Any person, firm, corporation, or other legal entity who violates any provision of these egulations shall be guilty of a misdemeanor and, upon conviction thereof, hall be punished by a fine of not more than three hundred dollars $300.00). Each day that a violation is permitted to exist may constitute a eparate offense. The imposition of any sentence shall not exempt the ffender from compliance with the requirements of these regulations.

803: REMEDIES: All remedies provided for herein shall be cumulative and not exclusive. The conviction and punishment of any person ereunder shall not relieve such person from the responsibility to correct aid prohibited conditions. In addition to the other remedies provided in he Section, any adjacent or neighboring property owner who shall be specially damaged by the violations of any provisions of these Subdivision egulations may institute, in addition to the other remedies provided by aw, injunction, mandamus, abatement or any other appropriate action, roceeding or proceedings to prevent or abate or remove such unlawful rection, construction, reconstruction, alteration, maintenance or use.

ARTICLE IX

AMENDMENTS

SECTION:

901: Amendments
902: Subdivision Revisions

901: AMENDMENTS: The Planning and Zoning Commission and the Town Council may amend these regulations after giving public notice of any such proposed amendment and after holding a hearing thereon.

902: SUBDIVISION REVISIONS: No changes, erasures, modifications or revisions shall be made in the final plat after approval of the plat has been given by the Town Council.

ARTICLE X

ENFORCEMENT AND EFFECTUATION

ECTION:

001: Acceptance
002: Interpretation
003: Separability
004: Repeals
005: Effective Date

001: ACCEPTANCE: No final plat of a subdivision shall be approved by the Planning and Zoning Commission and accepted by the Town Council unless it conforms to all of the provisions of these regulations.

002: INTERPRETATION:

1) In the interpretation and application of the provisions of these regulations, the regulations shall be regarded as the minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity and welfare.

2) These regulations shall not abrogate or annul any permits issued before the effective date of these regulations, nor shall they abrogate or annul any easement, covenant, or any other private agreement.

003: SEPARABILITY:

1) If any article, section, subsection, sentence, clause, or phrase of these regulations is for any reason held to be unconstitutional or invalid by a decision of any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions. The Planning and Zoning Commission hereby declares that it would have adopted these regulations and each article, section, subsection, sentence, clause and phrase thereof separately and irrespective of the fact that if any one or more of the articles, sections, subsections, sentences, clauses, or phrases be deemed unconstitutional or invalid.

2) If the application of any provisions of these regulations to any tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the intent that the effect of such decision shall be limited to that tract of land immediately involved. Such a decision shall not affect, impair, or