

# Yuma County Subdivision Regulations



*Adopted September 15, 2008*

*Effective October 27, 2008*

*Includes Amendments through January 20, 2015*

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## **Yuma County Subdivision Regulations**

### **ARTICLE I: Scope**

#### **Section 1.1--Title**

This ordinance shall be known as the Yuma County Subdivision Regulations.

#### **Section 1.2--Authority**

This ordinance provides for the regulation of subdivision development in accordance with Arizona Revised Statutes, Title 11, Chapter 6, Article 1, Section 11-806.01 et seq. (as amended) and sets forth subdivision platting procedures and requirements.

#### **Section 1.3--Applicability**

- A. These regulations shall apply to all subdivision of land, as defined herein, located within unincorporated areas of Yuma County.
- B. No person shall create a subdivision, or transfer or sell land within that subdivision unless the subdivision has been approved, created and recorded according to these regulations.
- C. A plat or map of any subdivision of land shall not be submitted for recordation in Yuma County unless the plat or map has been approved in accordance with these regulations.

#### **Section 1.4--Purpose**

- A. The purpose of these regulations is to:
  1. Conserve and promote the public health, safety, convenience and general welfare of the people of Yuma County;
  2. Facilitate orderly growth;
  3. Ensure adequate traffic circulation while limiting cut through traffic, drainage, flood control, water supply, waste disposal and the location of other necessary public facilities needed for subdivision development;
  4. Bring about the development of attractive, livable and sustainable communities;
  5. Facilitate land development with accurate addresses and legal descriptions for new lots; and
  6. Establish the rights, duties and responsibilities of those subdividing land.

#### **Section 1.5--Most Restrictive Requirements Apply**

Where Yuma County, State of Arizona, and Federal ordinances and regulations are not in agreement with these regulations, the most restrictive requirements shall apply. These ordinances and regulations include, but are not limited to, the Zoning Ordinance, Subdivision Regulations, Yuma County Public Works Standards, Yuma County Floodplain Regulations and all other administrative and technical regulations and ordinances.

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## ARTICLE II: Definitions

### Section 2.1--General Rules for use of Language

All provisions, terms, phrases and expressions contained in these regulations shall be construed in accordance with the following general rules:

- A. In the case of any difference of meaning or implication between the text of these regulations and any heading, drawing, table, figure or illustration, the most restrictive text shall control.
- B. Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as," or similar language provide examples and are not exhaustive lists of all possibilities.
- C. References to days are calendar days unless otherwise stated. Excluding the first day and including the last day shall determine the time in which an act is to be done. If the last day is a Saturday, Sunday or holiday observed by Yuma County, that day shall be excluded.
- D. Reference to a resolution, ordinance, statute, regulation or document is to the most recent edition or amendment of such resolution, ordinance, statute, regulation or document, unless otherwise specified.
- E. Words in the masculine gender include the feminine and the gender neutral.
- F. Common terms not defined within these regulations shall have the meaning customarily assigned to them as defined in Webster's Dictionary (*The Merriam-Webster Collegiate Dictionary, Eleventh Edition*).
- G. All referenced public officials, bodies and agencies are those of Yuma County unless otherwise indicated.
- H. Any County Official and administrator named in this document includes that person or their designated representative.
- I. All referenced regulations, standards, plans and ordinances are those of Yuma County unless otherwise indicated.
- J. The words "shall," "will" and "must" are mandatory. The words "may" and "should" are advisory and discretionary terms.
- K. The words used in one tense (past, present or future) include all other tenses unless the context clearly indicates the contrary.
- L. The singular includes the plural and the plural includes the singular (including numeric values, i.e. truck vs. trucks).
- M. Conjunctions shall be interpreted as follows:
  1. "And" indicates that all connected items, conditions, provisions or events apply.
  2. "Or" indicates that one or more of the connected items, conditions, provisions or events may apply or be optional.

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- N. The word "building" includes the word "structure."
- O. The word "lot" includes the words "plot", "parcel" or "tract".
- P. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.
- Q. Technical Terms referencing roadways are defined in "Public Works Standards for Yuma County, Volume I," latest edition.

## **Section 2.2--Definitions**

The following definitions shall be used for the specified terms in these regulations as indicated below. Some words are defined in other parts of this ordinance for use specifically in the respective article or section.

**Access roads:** Routes that principally provide access to residential properties within subdivisions.

**Adjoining Property:** A property or lot that is touching, abutting or bounding an adjacent lot.

**Block:** A group of parcels or lots that are entirely surrounded by barriers such as, canals, rail, highway, unsubdivided acreage, natural features or streets except service lanes of such size as to interrupt the continuity of development on both sides.

**Commercial & Industrial Streets:** Minor streets that provide access to commercial and industrial areas and access to higher classification roads and streets. Includes frontage streets.

**County Island:** An unincorporated area completely surrounded by a single incorporated city or town.

**Cul-de-sac:** A local street open at one end only with special provisions for turning around and the further extension of which is precluded by the subdivision design.

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

**Drainage Way:** Any stream, watercourse, channel, ditch or similar physiographic feature draining water from the land.

**Easement:** A grant by a property owner of the use of an area of land for a specific purpose or purposes, by the general public, corporation or a certain person or persons.

**Environmental Programs Division:** The Department of Development Services Environmental Programs Division.

**Final Plat:** A map of all or part of a land subdivision providing substantial conformance to an approved Tentative Map, prepared in accordance with these regulations and approved by the Board of Supervisors suitable for record filing with necessary affidavits, dedications and acceptances appended showing complete public areas and other information required by these regulations.

**Flag Lot:** An irregularly shaped lot in which the buildable portion of the lot is connected by an arm of the lot to its road frontage and in which the lot's road frontage width is less than the minimum lot width standards specified in the Zoning Ordinance for the zoning district in which the lot is located.

**Frontage Width:** The straight line distance connecting the two points which are farthest apart on the lot's road right-of-way frontage.



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**Frontage Roads:** Roads located along the side of an interstate highway for service to abutting property and for access control. A type of major street.

**Frontage Streets:** Minor streets that are auxiliary to and located along the side of a major highway or secondary highway to provide service to abutting properties and for access control.

**Governing Body:** The authority of a city, county, or other governmental jurisdiction such as a City Council, Board of Supervisors or State Highway Commission.

**Highway:** A road designated for vehicular traffic, including expressway or arterial street.

**Improvement:** Enhancements to and development of land by the subdivider such as grading, drainage, roads, sidewalks, utilities and other improvements.

**Improvement Plan:** Plans, profiles, cross sections and other required details for the construction of public improvements, prepared by an Arizona registered Professional Engineer in accordance with the approved Tentative Map and in compliance with the Public Works Standards adopted by the Board of Supervisors.

**Lot:** A parcel or tract of land, shown on a plat of record or recorded by metes and bounds. The term "lot" does not include parcels wholly dedicated or reserved as right-of-way or open space in accord with the provisions of these regulations.

**Lot Width:** The largest horizontal distance between side lot lines, measured along the lines parallel to the lot's road frontage and located behind the minimum front yard setback applicable to the lot and in the front two-thirds of the lot's depth.

**Metes and Bounds:** The description of a lot or parcel of land by courses and distances.

**Metropolitan Regional Transportation Plan:** The currently adopted County-wide transportation plan prepared by the Yuma Metropolitan Planning Organization.

**Perimeter Street:** A street to which the parcel of land to be subdivided to abuts.

**Plat:** A map or plan of a tract or parcel of land which is to be, or which has been subdivided, and includes the terms map, plan, plot, replat or replot.

**Private Road:** A roadway that is owned and maintained by an individual or group of individuals and has been improved in accordance with Public Works Standards & Specifications with Improvement Plans approved by the County Engineer and inspected by Yuma County.

**Public Sewer System:** Any sewer system whether operated by a governmental or private entity unless the sewer source is located on a lot and serves only that lot in accordance with Title 18, Chapter 5 of the Arizona Administrative Code.

**Public Water System:** Any water system whether operated by a governmental or private entity, unless the water source is located on a lot and serves only that lot, in accordance with Title 18, Chapter 9 of the Arizona Administrative Code.

**Residential Local Streets:** Streets that provide direct access to adjacent properties, short-distance intra-neighborhood traffic and access to higher classification roads and streets. A type of minor street.

**Roadside Strip:** The area adjoining the outer edge of the road way or street and extending to the right-of-way line and in which sidewalks, approved plantings, approved utility structures and bank slopes may be located.

**Service Lane:** A private means of access that is located at the rear or side of the property for the delivery of goods, maintenance of facilities or other purposes.

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**Subdivider:** Any person who subdivides or develops any land by subdivision as herein defined.

**Stub Road:** A road which terminates at the boundary line of the subdivision but which will be required to be extended at a later date to provide access to abutting land.

**Subdivision or Subdivided Lands:**

- A. "Subdivision" or "Subdivided Lands" means improved or unimproved land divided for or proposed to be divided for, the purpose of residential or nonresidential use such as commercial or industrial, for sale or lease, whether immediate or future into six (6) or more lots, parcels or fractional interests. Subdivision or subdivided lands include a stock cooperative and include lands divided or proposed to be divided as part of a common promotional plan.
- B. This definition shall not apply to leasehold offerings of one year or less or to the division or proposed division of land located in the State of Arizona into lots or parcels each of which is, or will be, 36 acres or more in area including to the center line of dedicated roads or easements, if any, contiguous to the lot or parcel.
- C. This definition shall not be deemed to include the leasing of agricultural lands, or of apartments, offices, stores, hotels, motels or similar space within an apartment building, industrial building or commercial building.
- D. Condominiums as defined in Arizona Revised Statutes, Title 33, Chapter 9 shall be included in this definition.
- E. This definition shall include the subdivision into or development of parcels, plots or fractional portions within the boundaries of a cemetery which has been formed and approved pursuant to Arizona Revised Statutes, Title 33, Chapter 9.
- F. The description of metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land does not exclude the transaction from these regulations.
- G. As provided in A.R.S. § 32-2181(E), the creation of six or more lots, parcels or fractional interests in improved or unimproved land, lots or parcels of any size is subject to the provisions of this article except when:
  1. Each of the lots, parcels or fractional interests represents on a partition basis 36 acres or more in area of land located in this state including to the centerline of dedicated roads or easements, if any, contiguous to the land in which the interests are held.
  2. The lots, parcels or fractional interests are the result of a foreclosure sale, the exercise by a trustee under a deed of trust of a power of sale or the grant of a deed in lieu of foreclosure. This paragraph does not allow circumvention of the requirements of this article.
  3. The lots, parcels or fractional interests are created by a valid order or decree of a court pursuant to and through compliance with Title 12, Chapter 8, Article 7 of the Arizona Revised Statutes or by operation of law. This paragraph does not allow circumvention of the requirements of this article.
  4. The lots, parcels or fractional interests consist of interests in any oil, gas or mineral lease, permit, claim or right therein and such interests are regulated as securities by the United States or by the State of Arizona.

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5. The lots, parcels or fractional interests are registered as securities under the laws of the United States or the laws of this state or are exempt transactions under the provisions of Section 44-1844, 44-1845 or 44-1846 of the Arizona Revised Statutes.
6. The Real Estate Commissioner by special order exempts offerings or dispositions of any lots, parcels or fractional interests from compliance with the provisions of this article upon written petition and upon a showing satisfactory to the commissioner that compliance is not essential to the public interest or for the protection of buyers.

***Tentative Map:*** (also known as "Preliminary Plat," "Tentative Plat or "Preliminary Map" ) A map with supporting data for a proposed subdivision, developed for the purpose of showing the general layout of lots and roads and prepared in accordance with these regulations.

***Traffic Calming:*** The use of street arrangement to discourage their use by through traffic, a traffic control fixture, physical element or other feature that compels drivers to slow down.

***Utilities:*** Facilities furnishing or providing for the use of the public such as electricity, gas, sewer, water, fire hydrants, steam, telephone, cable TV or other facilities, owned and operated by any person, firm, corporation, municipal department or board duly authorized by State, County or Municipal regulations.

***Vicinity Map:*** A simple drawing of the subdivision showing its location in relation to established City, County, State or Interstate Highways drawn to a legible scale.

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## **ARTICLE III: General Provisions and Procedures**

### **Section 3.1--General Provisions**

A. Conformance

All subdivisions shall conform to the provisions, procedures and standards in these regulations.

B. Suitability of the Land

If the land proposed to be subdivided is unsuitable for development due to physical or manmade hazards that may affect the public health and safety, adequate methods for resolving these hazards shall be assured by the subdivider to the satisfaction of the County Engineer. Physical hazards include such hazards as poor drainage, flood hazard, inadequate water supply, landslip potential, unstable subsurface conditions or other physical conditions that may affect the public health and safety. Manmade hazards include such hazards as incompetent fill, waste disposal, hazardous materials and contamination.

### **Section 3.2--Approval Process**

The subdivision of land and associated development shall follow the approval process below:

A. Tentative Maps

A tentative map shall be reviewed and approved by the Planning and Zoning Commission (see Article V). The tentative map shall be amended as necessary to reflect all modifications as approved under Section 3.3 and applicable requirements under these regulations.

B. Improvement Plans

1. Prior to any construction an improvement plan shall be approved by the County Engineer for the development of roads, utilities, drainage facilities, erosion and sedimentation control devices, and other improvements consistent with the approved tentative map. (See Article VI)
2. The fire protection plan shall be approved by the Chief Building/Fire Code Official and shall be part of the improvement plan.

C. Final Plats and Recordation

Final plat approval by the Board of Supervisors authorizes recording of the final plat with the Recorder, an action that effectuates the creation of lots and parcels, the reservation or dedication of rights-of-way, easements, open space and other conditions or requirements consistent with the approved tentative map. (See Article VII)

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### **Section 3.3--Modification of Standards**

Whenever standards of subdivision design or subdivision improvement standards are requested to be modified or altered, application shall be made in writing on a form provided by the Planning Division stating fully the reasons for the application and the facts relied upon by the subdivider. The Board of Supervisors may, after receiving a recommendation from the Planning Commission and County Engineer, allow a modification from the subdivision regulations provided facts are presented to the satisfaction of the Board, that the modification will not be detrimental to the public welfare or injurious to other property in the vicinity.

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## **ARTICLE IV: Standards of Subdivision Design**

### **Section 4.1--Subdivision Name**

The name of a subdivision shall not duplicate nor closely approximate the name of an existing subdivision within Yuma County or any municipality within Yuma County, unless the subdivisions are adjacent and are in some way related and the name is not exactly the same.

### **Section 4.2--Phasing**

A subdivision may be developed in phases provided that:

- A. Each phase contain all required road extensions and infrastructure unless they are shown in the first phase;
- B. A phasing plan showing the phases of development is approved as part of the tentative map;
- C. For any required amount of open space in the phase is proportional to the subdivision site area within the phase(s); and
- D. Road, water supply, sewage disposal, stormwater management, erosion and sedimentation control and other required improvements in the phase and previously approved phases is sufficient to serve or handle all development within all phases.

### **Section 4.3--Subdivision Monuments and Property Corner Stakes**

All subdivision monuments and property corner stakes shall be in place at the conclusion of subdivision improvement work.

### **Section 4.4--Adjacent Property**

- A. Portions of an adjacent property within the ownership of the subdivider shall not be excluded from the boundaries of a subdivision when needed or required for dedication or improvement of any road, drainage, flood control facility, utility or other access use.
- B. Access to Adjacent Parcels  
Stub roads may be required to assure the integrity of the roadway network in serving potential future development such as in phased developments, master planned communities and other developing areas.
  1. All adjacent properties shall be considered when determining appropriate locations for stub roads.
  2. A turning feature that conforms to the applicable portions of the Public Works Standards shall be provided in the interim for the terminus of a stub road until the permanent roadway is extended.

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### **Section 4.5--Access to Subdivision**

A. No subdivision shall be recorded unless permanent paved public access is provided from the subdivision to a Municipal, County, State or Federally maintained paved road. Public access means a dedication to Yuma County or a permanent written easement from the municipal, State or Federal Governments.

B. Access to Arterial Roads or Major collectors

Access to subdivisions from arterial roads and major collectors shall be limited to maintain traffic capacity, encourage smooth traffic flow and limit the use of local streets to local traffic. When subdivisions adjacent to arterial roads or major collectors have access from an arterial road or major collector it is required that:

1. The rear or side yards abut the arterial road or major collector and the front yard abut a local or frontage road;
2. The placement of the access be in compliance with the Public Works Standards.
3. A traffic impact study be obtained pursuant to the Public Works Standards.

C. Separation of Access Points along Adjoining Arterial Roads or Major Collectors

Subdivision access roads shall be spaced according to Public Works Standards or the standards of the jurisdiction that is responsible for the operation and maintenance of the arterial road or major collector.

### **Section 4.6--Hazardous Areas**

Areas within the subdivision boundaries which are subject to hazardous geological, topographical or hydrological conditions such as unstable surface conditions, unstable ground water or seepage conditions, flood inundation hazards or erosion shall not be subdivided except under restrictions as to the use of all or any part thereof as approved by the Planning and Zoning Commission as part of the tentative map, in order to protect the health, safety and welfare of residents.

### **Section 4.7--Blocks**

- A. Blocks shall not be more than 1,200 feet in length unless deemed necessary for public safety and convenience.
- B. Where blocks are more than 800 feet in length traffic calming measures shall be provided.
- C. The arrangements of blocks shall conform to the street design criteria set forth in these regulations.

### **Section 4.8--Lots**

A. Dimensions

1. Lot Depth to Width Ratio: The depth to width ratio shall not be greater than three to one for lots that are smaller than or equal to two acres.
2. Utility lots do not have to meet minimum lot size, area, width and depth standards of the zoning ordinance. Depth and width of utility lots shall be adequate to provide



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for standard setbacks for service structures and to furnish off-street parking facilities required by the kind of use contemplated. In no other case shall the width or area be less than that prescribed for the zone in which the lot is proposed.

### B. Arrangement

1. Residential lots shall front on a dedicated public street or private street.
2. All side lot lines shall be at approximate right angles to street lines or radial to curving street lines. Variations are permitted to accommodate barriers such as streams draining 25 or more acres of land, irrigation structures, drainage, topographic features and utility easements.
3. The lot line common to a street providing the primary access to the lot shall be the front line.
4. Lots with double frontage shall provide a one-foot road non-access easement along any portion of the lot that is adjacent to a nonresidential road to assure that no access is provided from there.

### C. Access

1. Driveway access for each lot shall be from a public street or from a private street meeting Yuma County street standards.
2. Driveways for each corner subdivision lot must be clearly shown on the subdivision improvement plan and shall be in accordance with Yuma County standards.
3. Residential lots shall not derive access from an arterial or major street.

### D. Flag Lots

1. Flag lots are prohibited except as follows:
  - a. Are necessary to eliminate access onto arterial roads and major collectors;  
or
  - b. Are necessary to reasonably utilize irregularly shaped land; or
  - c. Are necessary to reasonably utilize land with difficult topography.
2. Measurement of minimum lot width

Minimum lot width for a flag lot shall be measured along a line parallel to the lot's road frontage and located no more than 200 feet from the lot frontage.

### E. Lot Divided by Boundary Line

No lot shall be divided by the boundary line of a municipality, county, school district or other taxing agency.

## **Section 4.9--Road Names**

All road names shall comply with the Street Naming and Addressing Policy Ordinance.

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### **Section 4.10--Residential Road Layout**

Local residential roads shall be laid out in a manner to discourage their use by through traffic. They should be discontinuous and generally should be interrupted with jogs and offsets.

### **Section 4.11--Street Grades**

Street Grades:

- A. Arterial: as determined by the County Engineer.
- B. Collector: 7% maximum.
- C. Local: 10% maximum grade over may be approved by modification only for such distances as topographical conditions make lesser grades impractical.

### **Section 4.12--Intersections and Corners**

Corners and intersections shall be designed as follows:

- A. All road connections shall be at approximate right angles and no road shall intersect with another at an angle of less than 80 degrees. Other arrangements may be approved only if they will reduce traffic hazards and provide smooth traffic flow at an intersection.
- B. Minimum unobstructed sight distance shall be maintained at intersections, by way of a right-of-way dedication, in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards.
- C. Street corners shall provide for a minimum 25' by 25' right of way chamfer at the intersect extension of the property lines.

### **Section 4.13--Right of Way and Easements**

- A. The minimum requirements for right of way shall be in accordance with Section 3.0 Engineering Design Standards, of the Public Works Standards, Volume I.
- B. The minimum requirement for easements for Service Lanes shall be 20 feet.
- C. Road Non-Access Easements  
Road non-access easements that prohibit access to roads shall be required to control access to roadways in accordance with the Public Works Standards and to limit access to lots in accordance with Section 4.8(B)(4).

### **Section 4.14--Roads**

- A. Roadway Standards  
Any road, whether public or private, shall be in compliance with the Public Works Standards and any transportation master plans adopted by Yuma County.
- B. Access to Roads  
Each lot in a subdivision shall front on and have access from a public or private road
- C. Dedication of Public Roads  
Public road designation on subdivision plats shall be an offer of dedication to the public.

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## **Section 4.15--Perimeter Roads**

The improvement of perimeter roads for new subdivisions shall follow the standards set forth in this section. The criteria for the level of required improvements are a function of the existing roadway condition prior to the improvement and the intensity of the proposed development. This criteria applies regardless if Yuma County has a project for improvement of the roads in the vicinity or is in its Capital Improvement Program (CIP). Pavement structure and construction shall be in accordance with Public Works Standards and Specifications, Volume I and II.

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### A. Definitions that apply to this Section

1. Existing Conditions:
  - a. **None**: Unopened; graded and drained; no stabilized wearing course.
  - b. **BST**: Bituminous Surface Treatment, usually penetration and chip seal pavement or equivalent.
  - c. **Strip**: Strip pavement, usually asphalt concrete, generally 26' wide over full aggregate base, plus shoulders.
  - d. **Full**: Asphalt concrete pavement with curbs to full ultimate width.
2. Proposed Improvements:
  - a. **Ultimate**: As per Public Works Standards.
  - b. **Section**: Standard Details (Volume I) and Specifications (Volume II).
  - c. **CIP**: Capital Improvement Program, the approved five-year road improvement program of Yuma County.

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**B. Arterial Type Roads (Section Lines)**

General right-of-way width is 50' half-width or 90' half-width with a frontage road (not recommended but required if lots face arterial road), (Public Works Standards #2-020). The ultimate fully improved section consists of 64' of pavement plus 2½' wide vertical concrete curb and gutter and sidewalks on both sides (Public Works Standards #2-020 and #3-130).

The frontage road, if required, shall be improved to the same specifications as the interior streets of the subdivision. The arterial roadway shall be improved as follows per Public Works Standards #2-020:

Existing Conditions				Required Improvements *
None	BST	Strip	Full	
<b>X</b>				For subdivisions with an average lot size smaller than one acre: 32' half-width pavement to full specification complete with concrete curb, gutter, street lights and sidewalk. For subdivisions with an average lot size larger than or equal too one acre; 26' half-width strip
	<b>X</b>			For subdivisions with an average lot size smaller than one acre, reconstruct to the ultimate section on side of subdivision, complete with concrete curb, gutter, street lights and sidewalk. For subdivisions with an average lot size larger than or equal to one acre widen to 26' half width. If the improvement is listed in the CIP an assurance bond for 10' widening of strip paving is required.
		<b>X</b>		For subdivisions with an average lot size smaller than one acre, widen to the ultimate section on side of subdivision complete with concrete curb, gutter, street lights and sidewalk. For subdivisions with an average lot size larger than or equal to one acre, widen to 26' half width. For projects listed in the CIP, the developer may be required to post an assurance bond for the improvement until the improvements plans are approved.
			<b>X</b>	No further improvements to arterial road required. [Unless required by a Traffic Impact Study]

\* The Developer may provide monetary compensation (cost of improvements) to Yuma County in lieu of improving off-site perimeter improvements if approved by the County Engineer.

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C. Major Collector Type Roads (Midsection Line or Section roads that are three miles or less in length)

General right-of-way width is a 40' half-width. The ultimate, fully improved section consists of 57' of pavement, plus 2' wide vertical concrete curb and gutter on both sides (Public Works Standards #2-030 and 3-120). If the subdivision borders on a midsection line or major collector type road, the improvements required are as follows:

Existing Conditions				Required Improvements*
None	BST	Strip	Full	
<b>X</b>				For subdivisions with an average lot size smaller than one acre: 28.5' half-width pavement to full specification, plus vertical concrete curb and gutter (and sidewalk where applicable). For subdivisions with an average lot size larger than or equal to one acre; 20' half-width strip pavement.
	<b>X</b>			For subdivisions with an average lot size smaller than one acre: remove existing BST for half-width and improve as specified above. For subdivisions with an average lot size larger than or equal to one acre, the BST is to be widened to 20'. [AC overlay in lieu of BST removal subject to Geotech Report]
		<b>X</b>		Regardless of lot size in the subdivision, the road is to be improved to the ultimate section of half-width pavement, plus vertical concrete curb and gutter (and sidewalk where applicable).
			<b>X</b>	No further improvements required.

\* The Developer may provide monetary compensation (cost of improvements) to Yuma County in lieu of improving off-site perimeter improvements if approved by the County Engineer.

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**D. Residential Collector Type Streets (Quarter Mile)**

General right-of-way width is a 30' half-width. The ultimate fully improved section for subdivisions with a lot size smaller than one acre consists of 45' of pavement, plus 2' wide curbs on both sides (Public Works Standards #2-040 and #3-120). Roadway improvement for subdivisions with average lot size greater than or equal to one acre is 26' of pavement plus curb. If the subdivision borders on a quarter mile or residential collector type road, the improvements required are as follows:

Existing Conditions				Required Improvements
None	BST	Strip	Full	
<b>X</b>				If the average lot size for the subdivision is smaller than one acre, improve with 24' of pavement on, plus 2' wide vertical concrete curb. If the average lot size for the subdivision is greater than or equal to one acre, improve with 24' of strip pavement plus 8' shoulders.
	<b>X</b>			For subdivisions with an average lot size smaller than one acre, remove existing BST for half-width and improve with 24' of pavement on, plus 2' wide vertical concrete curb. For subdivisions with an average lot size larger than or equal to one acre, the BST is to be widened, if necessary, on the subdivision side to a half-width of 20'.
		<b>X</b>		If subdivision lot size is smaller than 1 acre, the road shall be widened to a 24' half-width pavement, if applicable, plus 2' wide concrete curb (and sidewalk where applicable) on subdivision side. For subdivisions with an average lot size larger than or equal to one acre, no further improvements are required.
			<b>X</b>	No further improvements required.

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**E. Residential Roads**

General right-of-way width is a 25' half-width. The ultimate, fully improved section for subdivisions with an average lot size of less than one acre consists of 35' of pavement, plus 2' curbs on both sides (Public Works Standards #2-050 and #3-120 or #3-140). Residential roadway improvement for subdivisions with a lot size greater than or equal to one acre is 26' of pavement plus curb. If the subdivision borders on a residential road, the improvements required are as follows:

Existing Conditions				Required Improvements
None	BST	Strip	Full	
<b>X</b>				For subdivisions with an average lot size smaller than one acre, improve with a 17½' width of full pavement plus concrete curb (and sidewalk as applicable). For subdivisions with an average lot size larger than or equal to one acre, improve with a 16' half-width of strip pavement plus curb on one side.
	<b>X</b>			Remove existing BST for half-width and improve with a 17½' width of full pavement plus concrete curb (and sidewalk as applicable). For subdivisions with an average lot size larger than or equal to one acre, improve with a 16' half-width of strip pavement plus curb on one side.
		<b>X</b>		For subdivisions with an average lot size smaller than one acre, the road shall be widened to a 17½' half-width, if applicable, plus concrete curb (and sidewalk as applicable) on the subdivision side. For subdivisions with an average lot size larger than or equal to one acre, no further improvements are required, provided existing pavement is a 26' minimum width plus curb.
			<b>X</b>	No further improvements required.

**Section 4.16--Cul-de-sac Streets**

- A. Cul-de-sac streets shall serve no more than 20 dwelling units and shall be no longer than 1,200 feet.
- B. Where cul-de-sac streets are more than 800 feet in length traffic calming measures shall be provided.
- C. A cul-de-sac street length shall be measured from the center point of its turnaround, along the centerline of its right-of-way and that of any intervening roads to the centerline of the right-of-way of the nearest through road.
- D. Cul-de-sac streets must terminate in a vehicular turnaround, or equally convenient form of vehicular maneuvering area, as required by the Public Works Standards.

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### **Section 4.17--Restricted Local Streets**

Restricted local streets may be approved by the Commission if, due to unusual topographic conditions, a residential street may not be constructed; restricted local streets must meet all of the following criteria:

- A. A restricted local street shall not exceed 500 feet in length and not serve more than ten homes.
- B. Homes located on a restricted local street shall provide at least two on-site parking spaces.
- C. Restricted local streets shall be signed for no on-street parking.
- D. Must have a single access point with a cul-de-sac.

### **Section 4.18--Service Lanes and Areas**

- A. Paved service lanes shall be provided at the rear of all lots intended for retail business or multi-family dwelling use.
- B. Where service lanes are not required by these regulations, but are provided for in the subdivision design at the rear of lots back to back, they shall be 20 feet wide and paved.
- C. Intersections of service lanes with any other road shall have 15' by 15' right of way chamfer at the intersect extension of the property lines.

### **Section 4.19--Private Roads**

Private roads shall be designated on tentative maps and final plats as existing, new or extended according to the following:

#### A. Private Road Standards

Concurrent with the tentative map submittal the subdivider shall submit to the Planning Director the proposed agreements or covenants ensuring continued use and maintenance of any existing, platted or proposed private roads by landowners served by such roads. These agreements shall require:

- 1. Specify how responsibility for road maintenance will be apportioned among the landowners served.
- 2. Provide enforcement mechanisms for the maintenance agreement.
- 3. Adequate performance bonds, assurances or other securities as may be appropriate and necessary to assure the installation of required improvements meeting Public Works Standards have been posted.
- 4. Assurance that continued maintenance for road improvements has adequate provisions such as a recorded Declaration of Covenants for maintenance assessments to assure that:
  - a. The welfare of the occupants of the subdivision will be adequately served, and
  - b. The public health, safety and welfare will not be impaired.
- 5. Private roads shall meet or exceed Public Works Standards.



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6. Signs noting the private status of roads shall be posted at the entrance(s) of the subdivision
7. Private internal residential streets in subdivisions with an average lot size of ten acres or greater may be constructed as a gravel roadway 26' width; the depth of the gravel shall be in compliance with Public Works Standards

### **Section 4.20--Traffic Calming**

- A. Residential local streets shall be designed to encourage people to drive more slowly.
- B. Speed Control Points: The maximum road length between speed control points shall be 800'. Speed control points are considered any one of the following:
  1. Warranted stop sign: A stop sign shall be warranted at the intersection of any four leg residential street and on any residential streets with access onto a collector or arterial street.
  2. Traffic calming device: A traffic calming device is a physical element of the street design that compels drivers to slow down. Examples of traffic calming devices including, but not limited to: crossing islands, paving treatment, traffic circles, chicanes, serpentine design, center island narrowing, speed tables, raised intersections/pedestrian crossings, gateways, intersection bulb-outs and mid-block chokers.

### **Section 4.21--Curb and Gutter Requirements**

- A. The subdivider shall install curb and gutter along all streets within a proposed subdivision. Construction shall be in accordance with Public Works Standards.
- B. Ribbon curb may be used on residential and residential collector streets provided that the stormwater runoff is collected outside the road right-of-way and utilizing on-parcel retention in accordance with the Public Works Standards. A drainage easement must be provided.

### **Section 4.22--Sidewalks**

- A. In residential subdivisions with an average parcel size of 10,000 square feet or less, sidewalks shall be required.
- B. In commercial subdivisions with an average parcel size of 20,000 square feet or less, sidewalks shall be required.
- C. Sidewalks shall be required on all arterial and major collector streets with curb and gutters.

### **Section 4.23--Required Road, and Regulatory Sign and Markings**

- A. All signs and markings shall comply with the Manual of Uniform Traffic Control Devices (MUTCD).

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- B. The Developer shall install:
  - 1. Stop and Street name signs including directional information at all street intersections.
  - 2. Speed limit signs on all streets identified or functioning as county collector and arterial streets at the entry to the subdivision and on local streets at egress from collector or arterial streets.
  - 3. Other regulatory signs and markings as required by the County Engineer.
- C. The developer shall pay his or her fair share of traffic lights installed at the intersection of all streets with collector and arterial streets if determined to be warranted by the County Engineer.

### **Section 4.24--Protective Fence**

- A. Protective fence for subdivisions shall be a six-foot high chain-link galvanized wire fence, masonry wall or a protective wall or fence of other acceptable material along any highway or other feature that is hazardous to the occupants of the subdivision.
- B. Any lands proposed for development adjacent to rights-of-way of an irrigation district, Bureau of Reclamation or water users association facilities such as canals, laterals or drainage ways, excluding privately owned canals, laterals, drainage ways and similar facilities, shall have constructed thereon a six-foot high chain-link galvanized wire fence, masonry wall or a protective wall or fence of other acceptable material for the area bordering such facility.

### **Section 4.25--Utilities**

Public service lines, including electrical, telephone and cable TV facilities shall be located in easements that are provided for that purpose. Easements shall be set at a width negotiated with the utility companies serving the property.

### **Section 4.26--Fire Protection**

Fire hydrants and associated water distribution systems shall be provided and provisions for maintenance shall be made in accordance with the adopted Fire Code.

### **Section 4.27--Floodplains**

Any subdivision development within a floodplain shall comply with the provisions of the adopted Floodplain Regulations.

### **Section 4.28--Drainage Facilities**

- A. The subdivider shall provide for adequate drainage.
- B. Drainage shall consider lot layout and be designed to avoid concentration of storm water on any lot except with retention basins.

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- C. All State and federal permits and approvals are the responsibility of the subdivider. A copy of all approved permits shall be provided to the Department of Development Services.

## **Section 4.29--Water and Sewer Systems**

- A. Water and sewer systems shall not include individual wells and septic tanks.
- B. Subdivisions having lots of less than one net acre in area shall be provided with a complete water distribution system which will adequately serve the subdivision in the opinion of the political entity and agencies having jurisdiction.
- C. Required connections to approved public or community water and wastewater systems:
  - 1. Any residential subdivision with an overall gross density of 1.45 lots or more per acre shall have available to each proposed lot a connection with a County or State approved public water system (as defined in Title 18, Chapter 5 of the Arizona Administrative Code).
  - 2. Any residential subdivision with an overall gross density of 2.17 lots or more per acre shall have available to each proposed lot a connection with a County or State approved public or community wastewater system (as defined in Title 18, Chapter 5 of the Arizona Administrative Code).
  - 3. Subdivisions shall be provided with a sanitary sewer connection to each lot when the subdivision is located within an area identified for connection to a sewage collection system by a Certified Area-wide Water Quality Management Plan adopted under Title 18, Chapter 5 of the Arizona Administrative Code or a master plan adopted by a majority of the elected official of a board or council for a county, municipality, or sanitary district.
- D. Municipal Systems

If a water or sewer system is to be installed in a subdivision in Yuma County's jurisdiction, and the system is to be assumed and maintained by a municipality, immediately upon completion of installation a complete set of construction plans must be provided for the proposed system.

- 1. The plans shall be prepared by a registered engineer and shall meet the utility requirements of the municipality and the Arizona Department of Environmental Quality (ADEQ).
- 2. Should the project fall within a designated Section 208 Water Quality Management Plan area, an approval letter from the municipality shall be obtained by the developer to submit with plans for reviews and subsequent approvals to construct issued by the Environmental Programs Division in accordance with the delegated authority granted by the Arizona Department of Environmental Quality.
- 3. The registered engineer retained by the developer or owner shall certify installation of the system in accordance with the approved plan to the Environmental Programs Division and the municipality.
- 4. The registered engineer shall provide "record" plans and location maps for all valves and hydrant locations.

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### E. Community Systems

If a water and/or sewer system is to be owned and operated by a utility company the plans must be prepared by a registered engineer and approved as follows:

1. The water and sewer systems in all subdivisions shall be approved by the Environmental Programs Division and the Arizona Department of Environmental Quality.
2. The installation of water and sewer systems shall be certified by a registered engineer to assure that the improvements are in accordance with the approved plan submitted to the Environmental Programs Division.

### F. On-Site Sewage Disposal Systems

1. Whenever a public sanitary sewer system is not available to a subdivision, provision shall be made for the disposal of sewage in accordance with the requirements of the Environmental Programs Division of the Department of Development Services and the Arizona Department of Environmental Quality.
  - a. Certification by a licensed soil scientist or registered engineer as meeting the minimum lot requirements or alternative requirements for installation of sewage treatment and disposal systems set forth in Title 18, Chapter 9 of the Arizona Administrative Code as amended from time to time; or
  - b. Sewage Disposal Permit in accordance with Title 18, Chapter 9 of the Arizona Administrative Code and Environmental Programs Division regulations governing Sewage Treatment and Disposal Systems in Yuma County.
2. If a lot is proposed to be provided by an on-site sewage disposal system and an on-site individual well the lot shall be a minimum one (1) acre in size and be approved in accordance with Environmental Programs Division regulations.

## **Section 4.30--Septic System Feasibility Report**

Septic system feasibility reports shall contain the following;

- A. Result of a soil test/site investigation
- B. Result of a percolation test
- C. Depth to groundwater
- D. Proposed design or sample design.

## **Section 4.31--Water Adequacy**

- A. The Board of Supervisors shall not approve a final plat for a subdivision, as defined in A.R.S § 32-2101, unless one of the following applies:
  1. The Director of the Arizona Department of Water Resources has determined that there is an adequate water supply for the subdivision pursuant to A.R.S. § 45-108 and the subdivider has included the report with the plat.
  2. The subdivider has obtained a written commitment of water service for the subdivision from a city, town or private water company designated as having an adequate water supply by the Director of Water Resources pursuant to

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A.R.S. §45-108.

B. The requirements in Subsection 4.31 (A) does not apply to:

1. A proposed subdivision that the Director of the Arizona Department of Water Resources has determined will have an inadequate water supply pursuant to A.R.S. § 45-108 if the director grants an exemption for the subdivision pursuant to A.R.S. § 45-108.02 and the exemption has not expired or the Director of the Arizona Department of Water Resources grants an exemption pursuant to A.R.S. § 45-108.03.
2. A proposed subdivision that received final plat approval from the county before the requirement for an adequate water supply became effective in the county if the plat has not been materially changed since it received the final plat approval. If changes were made to the plat after the plat received the final plat approval, the director of water resources shall determine whether the changes are material pursuant to the rules adopted by the director to implement A.R.S. § 5-108. If the county approves a plat pursuant to this paragraph and the Director of Water Resources has determined that there is an inadequate water supply for the subdivision pursuant to A.R.S. § 45-108, the county shall note this on the face of the plat.

C. If the Board approves a subdivision plat pursuant to subsection A, the Board shall note on the face of the plat that the Director of Water Resources has reported that the subdivision has an adequate water supply or that the subdivider has obtained a commitment of water serviced for the proposed subdivision from a city, town or private water company designated as having an adequate water supply pursuant to section A.R.S. § 45-108.

D. If the Board approves a subdivision plat pursuant to an exemption authorized by subsection B(3) or granted by the Director of Water Resources pursuant to section A.R.S. § 45-108.02 or A.R.S. § 45-108.03, the Board shall:

1. Give written notice of approval to the Director of Water Resources and the Director of Environmental Quality.
2. Include on the face of the plat a statement that the Director of Water Resources has determined that the water supply for the subdivision is inadequate and a statement describing the exemption under which the plat was approved, including a statement that the Board or the Director of Water Resources, whichever applies, has determined that the specific conditions of the exemption were met. If the Director of Water Resources subsequently informs the board that the subdivision is being served by a water provider that has been designated by the director as having an adequate water supply pursuant to section A.R.S. § 45-108, the Board shall record in the County Recorder's office a statement disclosing that fact.

*Adopted September 15, 2008*

**Section 4.32—United States Postal Service (USPS) Cluster Box Units (CBUs) for centralized mail delivery**

- A. United States Postal Service (USPS) Cluster Box Units (CBUs) shall be installed by the developer if the United States Postal Service has not approved the use of individual mail boxes for the subdivision.
  
- B. USPS CBUs shall be installed by the developer in the location(s) approved by the County Engineer and agreed by the USPS and identified on the final plat. For residential developments, CBUs must be installed prior to the final inspection of the first dwelling unit (not including the model homes). The responsibility of maintenance, replacement and repairs of the CBUs is that of the home owners after initial installation by the developer.
  
- C. CBUs shall comply with the handicap accessibility requirements of the latest version of the Americans with Disabilities Act (ADA) Guidelines.
  
- D. The CBUs and supporting structures shall be located so that they do not create a traffic hazard, sight hindrance or other safety hazard per the American Association of State Highway and Transportation Officials' (AASHTO's) "Intersection Sight Distance" methodology, as presented in the most current revision adopted by the State of Arizona of "A Policy on Geometric Design of Highways and Streets" and are 25 feet clear of any driveways, alleys or vehicular access locations.

*Adopted September 15, 2008*

## **ARTICLE V: Tentative Maps**

### **Section 5.1--General**

A tentative map shall be submitted to the Department of Development Services. The Planning and Zoning Commission shall review tentative map applications to determine if the proposed subdivision and associated development complies with all applicable provisions of these regulations. Tentative map approval does not authorize any development but authorizes the applicant to apply to the Department of Development Services for approval of improvement plans and final plats for the subdivision.

### **Section 5.2--Application submittal and acceptance**

A subdivider shall submit an application for tentative map approval to the Department of Development Services. The application shall be considered complete only when the following conditions are met along with the applicable fee(s):

#### A. Format

1. The tentative map is to be submitted on paper that is 24 by 36 inches.
2. The tentative map shall be drawn to a 40, 50, 60, or 100 feet to the inch scale, whichever is most appropriate to clearly present necessary details.
3. The tentative map may be on multiple pages provided lots are not divided between pages and match lines are shown.
4. An Electronic copy of the tentative map shall be provided in a format approved by the Department of Development Services.

#### B. The number of copies of the tentative map as specified by the Department of Development Services.

#### C. In accordance of Arizona Revised Statutes §9-474 if the subdivision is within three miles of the corporate limit of a city or town that has adopted subdivision regulations, the subdivider shall provide copies of the tentative map to the city or town for comment.

#### D. The tentative map or maps shows or is accompanied by the information specified in Subsections 5.3 thru 5.6.

### **Section 5.3--Identity of Subdivider**

The subdivider shall certify in writing one of the following:

- A. That they are the record owner of the property, or
- B. That the record owner or their authorized agent of the property consents to the filing of the tentative map.

*Adopted September 15, 2008*

## **Section 5.4--Information Required**

- A. Subdivision name, title of map, and legal description of property.
- B. Name and address of owner and subdivider.
- C. Name and address of person preparing map.
- D. Total acreage and overall dimensions.
- E. North point, scale and date.
- F. Subdivision boundary line.
- G. Names, book and page number of adjoining subdivisions.
- H. Names, locations and widths of adjacent streets.
- I. Identifying landmarks and existing structures both above and below ground.
- J. Names, locations and widths of proposed streets.
- K. Approximate grades of proposed and existing streets.
- L. Streets and rights-of-way providing permanent access to the property.
- M. Excavations within 200 feet of the subdivision.
- N. Radii of curves.
- O. Widths of any service lanes and easements.
- P. Names of utility companies and locations of existing and proposed public utility easements.
- Q. Elevations of sewer at proposed main connections.
- R. Grading plans and drainage reports.
- S. Existing culverts and drain pipes.
- T. Water courses and channels including proposed facilities for control of storm waters.
- U. Flood Hazard Zones as determined by National Flood Insurance Program Flood Insurance Rate Maps and all areas subject to flooding.
- V. Railroads and other rights-of-way.
- W. Lands and parks to be dedicated to public use (if any).
- X. Dimensions of common areas or other reservations.
- Y. Proposed lot lines and approximate dimensions.
- Z. Adjoining property and lot lines.



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AA. Contours with maximum interval as follows: Slope Interval

SLOPE	INTERVAL
1-2%	2'
3-9%	5'
10% plus	10'

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

- BB. Existing use of the property immediately surrounding the proposed subdivision.
- CC. Clearly identify or note zoning district boundaries and land use designations on the property and within 150 feet outside the plat boundary
- DD. Source of water supply.
- EE. Method of sewage disposal.
- FF. An area vicinity map showing the property in relation to nearby section line roads and highways.
- GG. Identify screening and transitional buffer yards that are required by the Zoning Ordinance
- HH. All irrigation structures and easements within 200'.
- II. Information on any existing hazards or unusual conditions that exist on site that could negatively impact public safety.
- JJ. Show locations of United States Postal Service (USPS) approved Cluster Box Units (CBUs).
  - 1. Coordinate with the USPS for locations of CBUs.
  - 2. Provide easement (s) for the use stated on the plat for the location(s) of the CBUs.

## Section 5.5--Supplemental Information

The following reports and written statements when required shall accompany the tentative map:

- A. Subdivision development plan when the subdivision is larger than 40 acres, or is developed in phases, which shows the plan in relation of the subdivision to existing and planned streets within three hundred feet of the subdivision prepared to a scale not smaller than 1 inch to 300 feet.
- B. When water is to be provided by a water system, submittal of a written statement in format meeting the requirements of the Arizona Department of Environmental Quality and/or the Environmental Programs Section stating that:

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1. A water company or municipality has agreed in writing to serve all lots in the subdivision, or
  2. The subdivider has agreed in writing to form a domestic water company to serve the subdivision and the method by which the operation and maintenance will be accomplished and financed.
- C. If sanitary sewer facilities and a sewage disposal plant are proposed, a written statement from the subdivider stating the type of sewage disposal that is proposed.
- D. If septic tanks are proposed, a septic tank feasibility study in accordance with Section 4.30 is required.
- E. Demonstrate the means by which water and sewer systems, in accordance with Section 4.29 will be maintained.
- F. If private streets or other ways of necessity are proposed, the subdivider shall state the method by which their improvement and provisions for maintenance will be accomplished and financed.
- G. Utilities to be installed.
- H. Proposed tree planting or landscaping if within public areas including rights-of-way, drainage basins, and open areas and a proposed method of financing and maintenance of those improvements.
- I. The name and address of the Professional Engineer who will provide the Certification of Completed Improvements and Inspection pursuant to Article VIII of these regulations.
- J. The method by which fire hydrants and associated water distribution systems required by Section 4.26 will be maintained and how this will be financed.

### **Section 5.6--Fees**

Submittal of the tentative map shall be accompanied by the appropriate fee(s) as specified in adopted Department of Development Services Fee Schedule.

### **Section 5.7--Floodplain Protection Study Fee and Drainage Report**

- A. The Floodplain Protection Study Fee shall accompany the tentative map.
- B. Two copies of a preliminary drainage report shall be submitted to the Flood Control District showing proposed recommendations for handling drainage and storm waters and providing protection against floods for both existing and new improvement.

### **Section 5.8--Date of Filing**

The tentative map filing date shall be fixed as the date on which all of the required maps, information and fees have been received.

### **Section 5.9--Corner Stakes**

Upon filing a tentative map the subdivider shall immediately place 3 foot stakes with ribbon at each corner, angle point and curve point, except at a point where the corner is on a road.

*Adopted September 15, 2008*

## **Section 5.10--Planning and Zoning Commission Review and Action**

### **A. Submittal to Planning and Zoning Commission**

1. Upon receiving a complete application for tentative map approval, the Department of Development Services shall distribute copies of the tentative map to applicable Yuma County departments and divisions and other governmental and quasi-governmental agencies, private and public utilities, public services and schools districts serving the vicinity of the subject property.
2. Comments and deficiencies regarding the tentative map and subsequent revised maps shall be provided to the applicant including whether such comments require change(s) to meet the requirements of the Subdivision Regulations or County standards.
3. Tentative maps are required to meet the standards of utility service providers and/or municipalities. It is the responsibility of the applicant to revise the tentative map so as to meet all requirements of a utility provider and/or municipality and to provide the Planning and Zoning Division with written notice from the utility provider(s) and/or municipality (as applicable) that the tentative map or revised version of the tentative map is satisfactory. All map revisions shall be included in the revised tentative map brought to the Planning and Zoning Commission for approval.
4. When all changes have been made and a satisfactory revised version of the tentative map has been submitted (including an electronic version), the tentative map shall be placed on the Planning and Zoning Commission agenda.
5. The Planning and Zoning Division shall prepare a staff report to the Planning and Zoning Commission to include findings and recommendations.
6. The Planning and Zoning Division shall send the applicant a copy of the staff report.

### **B. Planning and Zoning Commission Review and Action**

1. The Planning and Zoning Commission shall review the application and staff report. If The Planning and Zoning Commission finds the proposed subdivision complies with all applicable provisions of these regulations, the Planning and Zoning Commission shall take action to approve the application as submitted.
2. If the Planning and Zoning Commission denies the application, it shall identify the reason(s) for denial.

## **Section 5.11--Withdrawal of Application**

An applicant may withdraw the tentative map approval application at any time by submitting written notice of the withdrawal to the Planning Director.

## **Section 5.12--Notice of Decision**

The Planning and Zoning Division shall send the applicant written notice of the Planning and Zoning Commission's decision on the application including any conditions of approval. If the Planning and Zoning Commission denies the application, the notice shall state the Planning and Zoning Commission's reasons for its decision.

*Adopted September 15, 2008*

**Section 5.13--Validity of Tentative Map Approval**

Tentative map approval shall be valid for a period of three years if not phased, or first phase thereof if phased, and five years for all phases from the date of Planning and Zoning Commission approval. If the final plat of the subdivision or the first phase of the subdivision (if developed in phases) has not been recorded within three years of tentative map approval, approval of the tentative plat shall be void.

*Adopted September 15, 2008*

## **ARTICLE VI: Improvement Plans**

### **Section 6.1--General**

No development or permits associated with the construction or installation of improvements proposed or needed to serve the subdivision may be issued except in accordance with the improvement plan that has been approved by the County Engineer as being consistent with the approved tentative map.

### **Section 6.2--Procedures for Reviewing Applications for Improvement Plan**

#### **A. Application Submittal and Acceptance**

##### **1. Submittal**

An application for improvement plan shall be submitted for approval to the County Engineer. The application shall include those forms, maps, plans, fee, and other documents in the format and quantity specified by the Department of Development Services as necessary to:

- a. Identify the applicant and owner(s) of the parcel proposed to be subdivided.
- b. Confirm the owner's authorization for submittal of the application,
- c. Indicate significant topographical features of the subdivision site and surrounding area.
- d. Indicate the site's relationship to adjacent development and improvements, and indicate the proposed lot layout.
- e. Show how development associated with the subdivision complies with the approved tentative map and all applicable provisions of these regulations.
- f. Fee as specified in the adopted Department of Development Services Fee Schedule.
- g. Certification from an electrical utility that electrical service is available and will be provided.
- h. Improvement plans showing the proposed water distribution system, approved by the water company or agency which will supply and deliver the water. The distribution system shall comply with all applicable State and County regulations. Subdivisions having lots of less than one acre in area shall be provided with a complete water distribution system which will adequately serve the subdivision.

##### **2. Acceptance of Application**

Only complete applications will be accepted for permit review.

#### **B. County Engineer Review**

##### **1. Initial Review**

The County Engineer and the Flood Control manager shall review complete applications. Review comments for deficiencies will be provided to applicant.

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2. If the applicant submits a revised application, the County Engineer determines whether it continues to comply with submittal requirements and all the previously identified non-compliant features have been rectified.

### C. County Engineer Action

1. Based on findings as to the application's consistency with the approved tentative map and compliance with all applicable County ordinances and standards the County Engineer can approve the application as submitted or approve the application subject to conditions or deny the application.
2. The County Engineer shall limit any conditions of approval to requiring specific actions and/or minor changes or additions to, or restrictions on the proposed development necessary to ensure consistency with the approved tentative map or compliance with applicable provisions of these regulations. Such conditions may include time limits for completion of development or for the start or end of certain activities.

### D. Withdrawal of Application

An applicant may withdraw the application for improvement plan approval at any time by submitting written notice of the withdrawal to the County Engineer.

## **Section 6.3--Validity of Improvement Plan Approval**

- A. Improvement plan approval shall be valid as authorizing the start of construction or installation of roads, utilities, stormwater management devices, erosion and sedimentation control devices and other improvements approved as part of the improvement plan approval, and insulating the approved development from any subsequent changes to these regulations or other County regulations incorporated by the provisions of these regulations. Improvement plan approval shall automatically become void if the tentative map approval expires.

*Adopted September 15, 2008*

## **ARTICLE VII: Final Plats**

### **Section 7.1--Final Plat Procedure**

- A. After approval of a tentative map by the Planning and Zoning Commission the subdivider shall, prior to the expiration of the tentative map, cause a final plat of the subdivision or any part thereof to be prepared in accordance with a completed survey of the subdivision and in compliance with the approved tentative map within the provisions of these regulations.
- B. If the subdivider fails to record a final plat for the subdivision within three years if not phased, or first phase thereof if phased, and for five years all phases, the approved tentative map will expire in accordance with Section 5.13.
- C. The survey and final plat shall be made by an Arizona Registered Land Surveyor who shall set monuments conforming with Public Works Standards, so that another surveyor may readily retrace the survey. He shall also set such additional monuments as may be required by the County Engineer.
- D. The final plat shall be submitted to the Department of Development Services and shall be accompanied by the following:
  1. Five positive prints thereof which shall be distributed as follows:
    - a. Two to the County Engineer.
    - b. One to the Planning Director
    - c. One to the Environmental Programs Manager of Development Services.
    - d. One to the Flood Control Manager.
  2. A copy of the protective covenants to be recorded.
  3. When the subdivider proposes private roads, drainage improvements, sewers, sewage treatment plants, domestic water systems, fire control equipment, park areas, landscaping such as lawns or trees, and in tracts or common areas, then an improvement district, homeowners association or trust agreement shall be provided for. This requirement shall be part of the deed restrictions which are acceptable to the proper agencies having jurisdiction over the location and improvements of such facilities for the proper and continuous maintenance and supervision of facilities by the lot owners in the subdivision. Said deed restrictions shall also be provided for enforcement of yard and private land use regulations proposed to be established and their amendment.
  4. Evidence of Title, which shall be in the form of a preliminary title report no more than 30 days old, or a Policy of Title Insurance issued by a title company authorized by the laws of the State of Arizona to write the same, showing the names of persons having any interest and any record title interest in the land to be subdivided, together with the nature of their respective interests therein.
  5. All streets, highways and parcels of land shown on the final plat and intended for any public use shall be offered for dedication. Such dedications shall be free of all and any encumbrances.

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6. Landscaping, screening and buffer plans including systems for retention areas and/or detention areas, recreation areas or parks.
7. Monetary assurance in accordance with Article VIII of these regulations.
- E. The Department of Development Services shall charge a plan checking fee in accordance with the adopted Department of Development Services Fee Schedule when the final plat is submitted.
- F. A person seeking approval of a final plat for a subdivision, or approved phase thereof, shall file the final plat for checking in the office of the County Engineer. After issuance of a receipt for the final plat and accompanying supplementary data, the County Engineer shall examine it as to sufficiency of bonds or other assurances, affidavits and acknowledgements, correctness of surveying data, mathematical data and computations and such other matters as require checking to insure compliance with the provisions of the Subdivision Regulations and Yuma County standards.
- G. The County Engineer shall conduct a plan check, an internal review of the final plat and if necessary, examine and approve any revisions required of the developer before forwarding the final plat to the Planning Director.
- H. The Planning Director shall review the final plat and comments received and place the item on the Board of Supervisor's agenda for consideration of final approval.
- I. The Planning Director shall require the final plat to first be reviewed and acted upon by the Planning and Zoning Commission prior to final Board approval if any changes are proposed to the final plat which constitute increases to the number of lots, creates lots that could be split under their current zoning district, an altered access or traffic way or create a significant impact that would affect the approved tentative map.

### **Section 7.2--Requirements**

- A. The final plat shall be clearly and legibly delineated upon three mylars of the original document. A copy of the final plat shall also be submitted in a digital format approved by the County Engineer and shall conform to Yuma County standards and specifications for CAD drawings.
  1. All letters, figures, dedications, certificates, acknowledgements and signatures shall be made in black water-proof India ink or equal.
  2. The net size of each sheet shall be 24 by 36 inches.
  3. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one-half inch except the left margin which shall be two inches.
- B. If more than one sheet is required, each sheet shall be numbered, the relation of one sheet to another clearly shown and the number of sheets shall be set forth on each sheet.
- C. The subdivider shall submit and obtain approval from the County Engineer of a plat showing:
  1. A boundary survey of the subdivision including all courses and distances necessary to compute a closure. Boundary surveys shall be completed in accordance with the current minimum standards for Arizona Land Boundary Surveys adopted by the



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- Arizona State Board of Technical Registration. A traverse of the boundaries of the subdivision and all lots and blocks shall close within a limit of error of one foot in 25,000 feet of perimeter.
2. Sufficient data to prove the method by which the boundary was determined, including a description of all corners found and/or set, adjoining maps or property lines and records.
  3. The plat shall be legibly drawn and a reproducible copy furnished to the County Engineer.
- D. The scale, north point and sheet number shall be shown on each sheet of the final plat. The scale shall be no smaller than 100 feet to the inch.
- E. A statement labeled "Plat Notes" shall be shown on one sheet of the final plat. Such statements shall include the basis of bearings, what monuments were found, what monuments and points were set, a key to symbols and abbreviation and such other information deemed by the County Engineer to be necessary.
- F. The boundary line of a subdivision shall be indicated by a border of black ink approximately one-thirty-second of an inch wide.

### **Section 7.3--Data Required**

The following additional data shall be shown on each final plat.

- A. Dates of survey and preparation of plat.
- B. Location widths and names without abbreviations of all existing or proposed streets; proposed public areas and easements; adjoining streets.
- C. Dimensions of all lots; lots containing one acre or more shall show net acreage to the nearest hundredth of an acre.
- D. Center lines of all streets and lengths, tangent radius and central angle or radial bearings of all curves; the bearings of radial lines to each lot corner of a curve; the width of each street, the width of the portion being dedicated and the width of existing dedication(s).
- E. Sufficient data to readily determine the bearing and length of each line.
- F. Suitable primary survey control points.
- G. Ties to and recording references to adjacent subdivisions, lots, easements and road right-of-ways as appropriate.
- H. Centerline data, width, side lines and purpose of easements to which the subdivision is subject. Distances and bearings on the side lines of lots which are cut by an easement shall be so shown as to indicate clearly the actual lengths of the lot lines. The width of the easements and the lengths and bearings of the lines thereof and sufficient ties to locate the easements definitely with respect to the subdivision shall be shown. The easement shall be clearly labeled and identified, and if already of record, proper reference to the records given. Easements being dedicated shall be so indicated in the certification of dedication. Easements shall be shown on the plat by broken lines.
- I. Clear indication of stakes, monuments or other evidence on the ground to determine the boundaries of the subdivision.

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- J. In areas subject to flooding and in areas where on-site lot retention is proposed, floodplain limits and base flood elevations, minimum finished floor elevations and drainage retention requirements as required by the Public Works Standards and Floodplain Regulations shall be shown on the subdivision plat.
- K. Intersecting lot lines, parcel numbers and clearly identified or noted zoning district boundaries and designations on the property and within 150 feet outside the plat boundary.
- L. Taxes and assessments. The subdivider shall file with the Superintendent of Streets of the County in which any part of the subdivision is located a letter from the County Treasurer computing redemptions in the County or any municipal corporation in which any part of the subdivision is located showing that, according to the records of said office, there are or are not liens against the subdivision or any part thereof for unpaid State, County, Municipal or Local taxes or special assessments collected as taxes, except taxes or special assessments not yet due and payable.
- M. Addresses of each lot or tract as assigned by the Department of Development Services shall be recorded either with the final plat or recorded as a separate document referenced in the final plat.
- N. Notes on the final plat that all private streets, improvement, and tracts will be maintained and by whom.
- O. Identify easement(s) for United States Postal Service (USPS) approved Cluster Box Units (CBUs).

### **Section 7.4--Centerlines and Boundaries**

Wherever the surveyor has established the centerline of a street that data shall be considered in making the surveys and in preparing the final plat and all monuments found shall be indicated and proper references made to field books or maps of public record relating to the monuments. If the points were reset by ties that fact shall be stated. The final plats shall show city and county boundaries adjoining the subdivision.

### **Section 7.5--Lot Numbers**

Lots shall be numbered consecutively on each final plat with no omissions or duplications. Each lot shall be shown in its entirety on one sheet. Lots used for streets or recreational purposes shall be lettered and designated as public or private.

### **Section 7.6--Reversion to Acreage Map**

- A. Maps filed for the purpose of reverting subdivided lands to acreage shall be conspicuously marked under the title: "The Purpose of This Plat is a Reversion to Acreage."
- B. Procedures for Reversion to Acreage are the same as for final plats.

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### **Section 7.7--Board of Supervisors Review and Action**

A. Submittal to Board

On completion of the staff report the Planning Director shall schedule the application for review by the Board at the Board's next available regularly scheduled meeting. The Planning Director shall send the applicant a copy of the staff report prior to the Board of Supervisors meeting.

B. Board Review and Action

The Board of Supervisors shall consider the findings regarding the proposed subdivision's compliance with all applicable provisions of these regulations, and take action to approve or deny the application.

### **Section 7.8--Withdrawal of Application**

An applicant may withdraw an application for final subdivision plat approval at any time by submitting written notice of the withdrawal to the Planning Director.

### **Section 7.9--Plat Certifications**

The final plat shall show all certificates. They shall appear on the final plat. Certificates and acknowledgements which shall appear on final plats shall be prepared according to a format approved by the County Engineer. The following certificates and are required:

- A. Board of Supervisors Certificate: Certifies that the Board of Supervisors has approved the final plat and has accepted all the dedications of right-of-way contained therein and shows all assurances accepted.
- B. Development Services Certificate: Certifies that the final plat is substantially the same as the tentative map and is in compliance with applicable county regulations signed by the County Engineer.
- C. Planning and Zoning Certificate: Certifies that the tentative map was approved by the Planning and Zoning Commission and signed by the Planning Director.
- D. Land Surveyor Certificate: Certifies that a Registered Land Surveyor has surveyed and placed monuments in the subdivision.
- E. Streets Superintendent Certificate: Certifies that improvement district assessments if applicable are properly reflected on the final plat.
- F. Flood Control Certificate: Signed by the Flood Control Manger.
- G. Owner Certification and Dedication: Statement of dedications of all streets and tracts for public use by persons holding title by deed to the lands, by persons holding any other title of record, by persons holding title as vendees under land contract, and by spouses of said parties. If land dedicated is mortgaged, the mortgagee shall also sign the plat. Signatures must be acknowledged and certified by a public notary.

*Adopted September 15, 2008*

**Section 7.10--Corrective Plats**

- A. At the determination of the Planning Director, corrections of minor survey, drafting or typographical error on a recorded plat may be made with a corrective plat. These corrections must be illustrated on the recorded plat for clarity.
- B. The corrective plat should indicate the items to be corrected and the reason for the correction. This shall be accomplished by adding a plat note to the recorded plat. The note(s) shall be signed and sealed by the party responsible for the plat. In addition, the word corrective shall be added to the title block.
- C. The corrective plat will be reviewed by the Department for completeness and accuracy. If no revisions are necessary, the plat will be re-recorded with the Recorder's Office after receiving an approval signature from the Planning Director.
- D. At the discretion of the Planning Director, an affidavit of correction may be substituted for a corrective plat, but will be subject to the same requirements of a corrective plat as otherwise outlined in this section.

*Adopted September 15, 2008*

## **ARTICLE VIII: Completion and Certification of Improvements**

### **Section 8.1--Construction and Inspection of Improvements**

- A. An encroachment permit must be obtained based on the approved improvement plans before construction is started.
- B. The subdivider shall have a professional civil engineer licensed to practice in the State of Arizona supervise the construction of public and private improvements.
- C. The subdivision engineer shall invite the Engineering Division construction manager to a pre-construction meeting and ensure that County Inspectors are involved before any construction is started.
- D. The subdivision engineer shall give the Inspectors two days notice for inspections.

### **Section 8.2--Completion of the Subdivision Improvements**

- A. The subdivision improvements are not considered complete until the County Engineer declares in writing that "the subdivision improvements are fully complete in accordance with the approved plat and written specifications made by the county board." Prior to requesting this declaration the subdivider shall provide the County Engineer, to the satisfaction of the County Engineer, with the following:
  - 1. A sealed certificate executed by a Professional Engineer registered to practice in the State of Arizona "certifying that said improvements were constructed in accordance with the specifications and standards referenced on the 'record' construction plans, in accordance with the provisions of these Subdivision Regulations and in accordance with the plans of such as approved by the County Engineer upon which approval of the final plat was based."
  - 2. The subdivider's engineer or surveyor shall submit one Mylar copy of the "record" construction plans, corrected and certified to show the actual locations and grades of all utilities, street improvements, roadway profiles and any authorized changes;
  - 3. Acceptance in writing from all utility companies or agencies certifying that all utilities including, but not limited to water system, sewer system and electric system have been completed to their satisfaction;
  - 4. Unconditional lien releases in affidavit form from contractors, subcontractors and material suppliers involved in the construction of required improvements is required prior to release of any part of said assurance; and
  - 5. Other evidence or reports as requested by the County Engineer necessary to determine that all improvements were built to subdivision design standards and Yuma County Standards.

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### **Section 8.3--Assurances for the Subdivision Improvements**

- A. If the developer wishes to record a final plat prior to the completion of all subdivision improvements, assurances must be provided for said improvements.
- B. The subdivider's Professional Engineer shall provide the engineer's cost estimate, including engineering, surveying, material testing and supervision for the proposed improvements as to quantity and installed unit price per item. The assurances shall be in an amount equal to 100% of the cost to the County to complete all required improvements as estimated by the County Engineer with consideration for inflation.
- C. The assurance shall remain in place until the County Engineer declares in writing that "the subdivision improvements are fully complete in accordance with the approved plat and written specifications made by the Board of Supervisors."
- D. The County Engineer, upon receipt of a certification from the subdivider's engineer and supporting documentation, may authorize a reduction of the assurance when portions of the subdivision improvements have been completed. The remaining assurance shall be an amount equal to 100% of the cost to the County to complete all required improvements as estimated by the County Engineer with consideration for inflation.
- E. Yuma County may draw on the assurances in the event the subdivider fails to satisfactorily install the required improvements as defined in Section 8.2, within the time provided for by Section 8.3.F. Yuma County may then expend assurances and warranties to cover any and all costs, direct and indirect, associated with completing the subdivision improvements, or to complete only those public improvements required to support lots that have been sold and revert to acreage the remaining portion of the subdivided land, including but not limited to, engineering studies to determine compliance with standards and specification, costs of bidding, preparation of proposals, project supervision, project inspections, engineering and court cost and attorney fees.
- F. The subdivider must complete all required improvements, in accordance with Section 8.2 of these regulations within twelve months after the final plat is recorded. In exceptional circumstances, and after appropriate additional assurances and warranties are provided, the County Engineer may extend the scheduled completion date by up to twelve months.
- G. Yuma County shall convert into cash any assurance or warranty instrument which is scheduled to expire within 30 days.

### **Section 8.4--Warranty for the Subdivision Improvements**

- A. Prior to recording of a final plat, a warranty of not less than 10% of the cost of all subdivision improvements shall be posted to secure the cost of maintenance and insure all work against defective workmanship or materials for a period of one year after the completion of all subdivision improvements in accordance with Section 8.2.
- B. The County Engineer shall give prompt notice of any deficiency in writing to the subdivider during the warranty period.

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- C. The County Engineer may draw on the warranty to cover the costs to the County of any maintenance or corrective work on the subdivision improvements.
- D. The Board of Supervisors shall accept the public improvements into the county maintenance within one year of completion in accordance with Section 8.2.
- E. Any remaining warranty funds will be released after the County Board of Supervisors accepts the public improvements into the County Maintenance System.

### **Section 8.5--Form of Assurances and Warranty for the Subdivision Improvements**

- A. Assurances and warranties shall be in the form of performance bonds, irrevocable Letters of Credit or a Certificate of Deposit in accordance with the Arizona Administrative Code, Title 4, Chapter 28.
- B. All assurances and warranties will be reviewed by the County Attorney's Office who will advise the County Engineer as to their adequacy. Any assurance and warranty determined to be inadequate shall not be accepted.
- C. Assurances and warranties, will be accepted only if made by or through a financial institution, insurance company or surety company, each which must be regulated by the State of Arizona to provide such assurances or warranties.
- D. Assurances and warranties, shall not expire unless the County Engineer receives notification sixty days prior of their expiration.

### **Section 8.6--County Trust Agreement**

- A. As an alternative to the assurance and warranty provisions of sections 8.3, 8.4 and 8.5, a developer may instead provide a county trust agreement if the developer wishes to record a final plat prior to the completion of all subdivision improvements.
- B. County Trust Agreements shall meet the following requirements:
  - 1. The title to the subdivided property is placed in trust with a third party escrow agency authorized and licensed to do business in the State of Arizona.
  - 2. There shall be a County Trust Agreement between the subdivider, trustee and the county.
  - 3. The County Trust Agreement shall provide that the title to any lot or parcel within the subdivision shall not be transferred until written approval is given by the County for the release or partial release of the property held in trust.

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4. The agreement shall provide that all improvements shall be completed within three years of the recordation of the final plat.
  5. For final plats recorded prior to the approval date of this section, the agreement shall provide that all improvements shall be completed within three years from the effective date of the agreement.
  6. A maximum of three partial releases may be allowed for each recorded final plat. Each release must be for a minimum of 25% of the total number of lots in the subdivision. The County Engineer shall not authorize any release until the required improvements have been completed for a group of lots and in accordance with section 8.3. A warranty as outlined in sections 8.4 and 8.5 must be placed at the time of the release.
  7. The agreement shall contain a condition authorizing the County to revert to acreage all or a portion of the subdivided property if the subdivider fails to complete the required improvements in compliance with the County's Subdivision Regulations within three years.
- C. The approved County Trust Agreement shall be recorded prior to the recordation of the final plat. The recording information of the County Trust Agreement shall be noted on the face of the final plat.
- D. A County Trust Agreement may be substituted for an existing assurance where no lots have been sold in the subdivision.
- E. A County Trust Agreement may also be substituted for an existing assurance where lots have been sold in the subdivision if the subdivision meets the following requirements:
1. No lots that have been sold to individual property owners, except bulk sales, are placed in the County Trust agreement.
  2. The County Engineer approves a certification from the subdivider's engineer and supporting documentation that all necessary infrastructure for the portion of the subdivision where lots have been sold, including but not limited to, improvements related to flood control, grading, drainage, roadways and utilities, are in place prior to approval of the County Trust Agreement.
  3. The Planning Director determines that all amenities to support the portion of the subdivision where lots have been sold, including but not limited to, trails, open space or landscaping, have been completed prior to the approval of the County Trust agreement.



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## **ARTICLE IX: Enforcement and Penalties**

### **Section 9.1--Building Permit Not to be Issued**

No building permit shall be issued for erection or use of any structure or part thereof, to be located on land within a tentative map area until the final plat has been approved and recorded in accordance with these regulations. Any such permit issued shall be void and of no effect.

### **Section 9.2--Certificate of Occupancy Not to be Issued**

The County shall not issue a certificate of occupancy for a building on any lot shown on the final plat until all required water supply, sewage disposal, drainage roadway improvements, fire control facilities and flood control improvements serving the lot have been completed.

### **Section 9.3--Legal Procedure**

Any building or structure erected or maintained on a lot or parcel that is subject to these regulations but is contrary to the provisions of these regulations shall be declared to be unlawful and a public nuisance.

### **Section 9.4--Prohibited Acts**

- A. It shall be unlawful for a person or group of persons acting in concert to attempt to avoid the provisions of these regulations or subdivision laws of the State of Arizona by acting in concert to divide a parcel of land into six or more lots or sell or lease six or more lots by using a series of owners or conveyances.
- B. Any offer to sell, contract to sell, sale or deed of conveyance of a subdivision or any part thereof before a Final Plat thereof in full compliance with the provisions of these regulations has been duly recorded in the office of the Recorder shall be a class two misdemeanor.

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## **ARTICLE X: Validity**

### **Section 10.1--Validity**

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

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## **ARTICLE XI: Adoption**

### **Section 11.1--Adoption**

These Regulations were originally adopted in 1975 and took effect July 2, 1975.