

Chapter 12

LAND DEVELOPMENT ♣

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♣ **Cross references**—Building, Ch. 7; health and sanitation, Ch. 9; sewers, Ch. 11; water, Ch. 14; planning and zoning, Ch. 15; parks and recreation, Ch. 17; streets and sidewalks, Ch. 18; flood damage prevention, Ch. 19.

Editor's note—Sections 1 and 2 of Ord. No. 2008-12, adopted Sept. 16, 2008, repealed and replaced Chapter 12 in its entirety. The following sections were not revised: Sections 12-2-6, 12-3-3, 12-5-2, 12-5-3, 12-5-4, and 12-6-1.

Editor's note—Ord. No. 2008-12 was amended and readopted Nov. 18, 2008, to add and revise certain text that was inadvertently omitted when adopted on Sept. 16, 2008.

Editor's note—Ord. No. 2019-02, adopted Feb. 2, 2019, changed the title of Chapter 12 from "*Land Division*" to "*Land Development*" and replaced all references to the term "*subdivider*" with "*developer*."

Section 12-6-2. Definitions

ARTICLE 12-1. ADMINISTRATION

- A. **Title:** These regulations shall be known as the City of Show Low Land Division Ordinance, may be cited as such, and will be referred to herein as “this ordinance.”
- B. **Purpose and scope:** The purpose of this ordinance is to ensure the orderly growth and harmonious development of the City of Show Low; to provide convenient traffic circulation on a coordinated street system with major thoroughfares adjoining subdivisions; to ensure the adequate provision of water, drainage facilities, sanitary sewerage, and other utilities; to provide adequate sites for schools, recreation areas, and other public facilities; and to facilitate the accurate conveyance of ownership of land by accurate legal description; and to provide procedures for the achievement of these purposes. These regulations accommodate growth by considering the need for services generated by subdivisions together with public ability to provide and/or private willingness to contribute to the costs of these services. It applies to all properties proposed for subdivision, land split, or lot line adjustment within the city limits. No building or other development permit required by the city may be issued for property which has been divided in violation of this ordinance. The preservation of trees in any subdivision is strongly encouraged. A “subdivision” is defined as improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts. “Subdivision” also includes any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or manner in which the buildings or airspace above the property shown on the plat are to be divided. “Subdivision” does not include the following:
1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
 2. The partitioning of land in accordance with other common ownership.
 3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.

- C. **Application and Interpretation:** Circumvention of this ordinance is prohibited. No person may sell, offer to sell, or divide any portion of any lot or parcel of land, or change the location of a property line of an existing lot or parcel within the city limits without obtaining the approval of the city as required by this ordinance. No land may be divided, and no property line location may be changed, in a way that would result in the creation of a property that would not conform to the requirements of the City of Show Low zoning ordinance.

The interpretation and application of the provisions of this ordinance shall be made by the planning and zoning director, "director." Where any provision of this ordinance imposes restrictions different from those imposed by any other provision, or any other ordinance, rule or regulation, or other provision of law, the provision which is more restrictive or imposes higher standards controls. Nothing contained in these regulations shall be construed as releasing a developer from the Arizona Revised Statutes.

- D. **Administration:** The planning and zoning director is hereby authorized to receive, process, and otherwise act upon preliminary and final subdivision plats in accordance with these regulations. The city planning and zoning commission and city staff are hereby designated as advisory agents to the director and to the city council and are charged with the duty of investigating and reporting upon matters referred to them in accordance with these regulations.
- E. **Fees:** Fees for city services provided in the administration of this ordinance shall be set by resolution of the city council.

(Ord. No. 2008-12, §§ 1-2, 9-16-08)

ARTICLE 12-2. SUBDIVISION APPLICATION PROCEDURES

Section 12-2-1. General provisions

- (a) **In general:** Every land division shall conform to the goals and objectives of the general plan, zoning ordinance, other ordinances adopted by the city council and laws of the State of Arizona that specifically relate to subdivisions and the development of land.
- (b) **Reservation of public land:** Where a tract to be subdivided contains all or any part of a park, school, flood control facility or other area shown on the general plan as a public area, or required by city council as a public area, such site shall be dedicated to the public or reserved for acquisition by the public within a specified time period. The developer and the appropriate public agency shall reach an agreement regarding such acquisition prior to consideration of final plat by city council.

The city may reserve land within a proposed subdivision for public schools and parks, recreational facilities, open space, water and wastewater facilities and public safety annexes, subject to the following conditions:

1. The required reservations are in accordance with principles and standards adopted by city council, which standards include the policies for open space set forth in the general plan.
 2. The land reserved shall be in the size and shape as to permit the remainder of the land area in which the reservation is located to develop in an orderly and efficient manner.
 3. The public agency for whose benefit an area has been reserved shall have a period of one year or such extended period as may be mutually agreed upon after the recording of the final subdivision plat to enter into an agreement to acquire such reserved land area. The purchase price shall be the fair market value thereof at the time of the filing of the preliminary plat plus the taxes against such reserved area from the date of the reservation, and any other costs incurred by the developer in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area by such public agency and the developer.
 4. If the public agency for whose benefit an area has been reserved does not exercise the reservation agreement set forth in paragraph three above, within the agreed upon period of time, the reservation of such area shall terminate unless a mutually agreeable time extension is consummated.
- (c) **Owner/agent authorization:** Applications may only be submitted by property owners or their authorized representatives. The director may require proof of ownership/agency prior to accepting an application.
- (d) **Mandatory Applicant Attendance:** Applicants or their representative with authority to speak for and bind the applicant, shall be present at all meetings and public hearings required under this section.
- (e) **Representations of Applicant Binding:** All representations by the applicant, or by the applicant's authorized representative, made in writing, or during any city public meeting or public hearing or by any submitted plan, plat, drawing, or other graphic depiction in support of the application, and designated in the record by the planning and zoning commission and/or city council shall be deemed to be conditions of approval.
- (f) **Zoning standards:** Proposed subdivision must be designed to meet the specific requirements of the zoning district in which they are located. In the event that a

change in zoning is required to enable the development to be built as proposed, any necessary zoning amendment must be initiated by the property owner (or authorized agent) in accordance with the procedures for processing applications for changes in zoning set forth in the zoning ordinance. No subdivision plat for which a zone change is required may be considered by the city until the required zone change has been adopted by the city council.

- (g) **Outline of the review process:** The preparation, review and approval of most subdivisions within the city limits shall proceed through the following progressive stages:
1. Pre-application conference
 2. Preliminary plat submittal – considered by planning and zoning commission and city council
 3. Subdivision technical review – considered and reviewed by city staff and pertinent outside public service and utility agencies
 4. Final plat submittal – considered by city council
- (h) The design standards for this chapter shall also serve as the minimum requirements for public improvements that are a part of a commercial development.

(Ord. No. 2006-07, § 1, 3-7-06; Ord. No. 2008-12, §§ 1-2, 9-16-08; Ord. No. 2009-05, §§ 1-2, 2-3-09; Ord. No. 2019-02, § 1, 2-5-19)

Section 12-2-2. Stage I - Pre-application conference

- A. **Pre-application Conference:** The pre-application conference stage of the subdivision planning process is an investigatory period which precedes actual preparation of platting and improvement plans by the developer. During this time, developers make their intentions known informally to the City of Show Low, are advised of specific public objectives related to the subject tract, and are given detailed information regarding platting procedures and requirements.
- B. **Actions of the developer:** The developer must meet informally with the development review committee to present a general outline of the proposed development including:
1. Sketch plan(s) and ideas regarding land use, street and lot arrangement, and tentative lot sizes.

2. Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.

C. **Actions of the development review committee:** The development review committee will discuss the proposal with the developer and provide input and suggestions regarding procedural steps, public policy objectives, design and improvement standards, and general platting requirements. Then, depending upon the scope of the proposed development, the committee will:

1. Check existing zoning of the tract and recommend changes in zoning if necessary or desirable.
2. Determine the adequacy of existing or proposed schools, parks, and other public places.
3. Inspect the site or otherwise determine its relationship to major streets, utility systems, and adjacent land uses, and identify any unusual problems such as those related to topography, utilities, drainage, etc.
4. Determine whether a development master plan will be required prior to the preparation of a preliminary plat, and the extent to which the property owner will be required to prepare it.

D. **Subdivision referral and approval process:** Within five (5) days of the review of the sketch plat by the development review committee, the director will issue the appropriate Notice to Proceed.

1. **Subdivisions:** If the sketch plat involves a subdivision only, the director will advise the developer to proceed with the preparation of a preliminary plat to be considered by the planning and zoning commission and the city council.
2. **Development master plan:** A development master plan may be required prior to the preparation of a preliminary plat if; the tract is sufficiently large to comprise an entire neighborhood, if the tract is to be developed in multiple phases or if the tract is only a portion of a larger landholding of the developer, or the tract is part of a larger land area the development of which is complicated by unusual topographic, utility, land use, land ownership, or other conditions. The director may issue a Notice to Proceed to prepare a development master plan (DMP). The entire land area covered by the DMP need not be under the developer's control. In many cases the DMP will be the comprehensive conceptual master plan needed in a zone change application that may be necessary to permit development of the tract.

- a. Preparation: Development master plans must be prepared to a scale and accuracy commensurate with their purposes, and must include:
 - 1) General street pattern with particular attention to collector streets and future circulation throughout the development.
 - 2) General location and size of existing and proposed school sites, parks, and other public areas.
 - 3) Location of shopping centers, multi-family residential or other non-residential land uses.
 - 4) Methods proposed for sewage disposal, water supply and storm drainage.
 - 5) Approximate densities and intensities of various land uses.
- b. Phasing plan and schedule approval: Upon acceptance of the general design approach by the planning and zoning commission and city council, the DMP shall be followed by the preparation of a preliminary plat. If development is to take place in several stages, the DMP must be submitted as a supporting document for each stage. The DMP must be kept up to date by the developer as modifications take place.

(Ord. No. 2008-12, §§ 1-2, 9-16-08)

Section 12-2-3. Stage II - Preliminary plat

No later than one hundred twenty (120) days after the date of a Notice to Proceed, an applicant shall apply for a preliminary plat or submit a development master plan (DMP).

A. Application procedures and requirements

1. **In general:** The preliminary plat stage of land subdivision involves detailed subdivision planning, submittal, review, and approval of the preliminary plat. The preliminary plat must substantially conform to the sketch plat and may only be submitted subsequent to the issuance of a Notice to Proceed, and must be accompanied by payment of the prescribed fee. The developer must provide all essential information outlined below to enable the city to determine the character and general acceptability of the proposed development.

2. **Diminution of fair market value waiver required:** An executed, notarized waiver by the owner of the subject property of any and all claims for diminution in fair market value as defined by A.R.S. § 12-1134, must be submitted with the preliminary plat application or development master plan.
- B. **Preliminary plat submission:** In addition to a completed preliminary plat application form, a complete submittal shall include:
1. Six (6) blue line (or black line) copies of the plat, which must be scaled to fit on one twenty-four (24) inches by thirty-six (36) inches sheet [where practical, although the scale may not exceed one hundred (100) feet to the inch], in addition to one (1) eleven (11) inches by seventeen (17) inches reduced copy, showing:
 2. **Identification and descriptive data**
 - a. Proposed subdivision name, location by township, range, and section, and reference by dimension and bearing to a section or quarter section corner.
 - b. North arrow, scale and date of preparation.
 - c. Name, address and phone number of the owner, and of the engineer, surveyor, landscape architect or land planner who prepared the plat.
 - d. Vicinity map showing the relationship of the proposed subdivision to main traffic arteries and any other landmarks that would help to locate the project.
 - e. Assessor's parcel numbers for all abutting properties.
 3. **Existing conditions data**
 - a. Topography by one- (1), two- (2) or five- (5) foot contour intervals adequate to reflect the character and drainage of the land as determined by the public works director, and related to U.S. Coastal and Geodetic Survey (USC&GS) datum, or other datum approved by the public works director.
 - b. Surveyed location of all existing improvements on public rights of way and private property including land use, structures and fences, walls, shacks, barns, utility lines, wells, streams, irrigation canals and structures, private and public culverts, ditches, washes, lakes, water features of all types, direction of flow, flow pattern, location

and extent of areas subject to inundation, and whether such inundation is frequent, periodic, or occasional and data regarding frequency.

- c. Location, width, and names of all platted streets, drainage and utility easements, public areas, and municipal boundaries within, adjacent to, or extending from the property.
- d. Location of historic and archaeological sites, if any.
- e. Acreage and zoning of the property and abutting properties.
- f. Complete boundary dimensions of the property and engineer's calculations and estimated values for each tributary storm runoff channel for two- (2), ten- (10), and one hundred- (100) year frequency storms (the values shall be indicated along the boundary of the survey map for all points of drainage entering and exiting the property).
- g. Evidence of adequate access from an existing public right-of-way.
- h. The presence of a solid wall or fence along collectors to be of a consistent material and installed by the developer.

4. Proposed conditions data

- a. Proposed lot configuration, including approximate size and dimensions of each lot, and identification of each lot by number, and total number of lots; building setback lines; street light locations; hydrant locations; street layout, including location, width, curve radii, and proposed names.
- b. Identification of average and minimum lot size(s).
- c. Designation of all land(s) to be dedicated and reserved for public use with use and acreage for each indicated.
- d. Location of all proposed private and controlled access streets and identification of all access devices on local streets within the subdivision; their means of accomplishing access control (e.g. signage, traffic barriers, gates, etc.) and monitoring devices and facilities; and their hours of operation and standards and procedures for admittance.

- e. A general statement regarding proposed utility methods including type of sewer system and status of existing capacities of nearby water, sewer, and other public utilities.
 - f. Preliminary traffic statement from a registered engineer that will address the impact of new development on existing roadways, the condition and capacity of existing streets, typical cross-sections, and determination if a traffic study is required.
 - g. Preliminary drainage statement from a registered engineer that addresses detention, floodplain, a proposed drainage system, the impacts of increased runoff due to development and the impacts to downstream property.
- 5. Payment of prescribed filing fee.
 - 6. A preliminary draft or outline of protective covenants and restrictions that demonstrate the proposed theme and character of the proposed subdivision.
 - 7. A waiver of any and all claims for diminution in fair market value as defined by ARS § 12-1134 arising out of the application.
 - 8. Such other information as, in the opinion of the director, will be required to complete a thorough analysis of the preliminary plat in terms of its compliance with all city codes, ordinances, rules and regulations.
 - 9. Subdivision trails master plan. New subdivisions shall incorporate trails indicated running through the property by the City of Show Low trails master plan into their subdivision. New subdivisions adjacent to a trail as indicated by the trails master plan shall provide a connection to the trail system. (All trails required as part of the city trails master plan shall be accessible and dedicated to the public.)

C. Preliminary plat review and approval

- 1. Upon acceptance of an application for approval of a preliminary plat, the director will have ten (10) working days to advise the applicant if the submittal is complete. Copies of complete applications will be forwarded to the city departments and utility and public safety agencies that serve the area for their review and comment.
- 2. The reviewing agencies and departments shall transmit their comments and recommendations to the planning department. The planning department will then summarize the received comments and

recommendations, prepare a staff report and present it to the planning and zoning commission.

3. The planning and zoning commission shall consider the proposed preliminary plat at its next regularly scheduled meeting no sooner than twenty-one (21) days after an application has been determined to be complete. Upon action of a preliminary plat, or approval with conditions by the commission, the city council shall consider the proposed preliminary plat no sooner than thirty (30) days of the commission decision.
4. Preliminary plat approval constitutes authorization for the developer to proceed with the preparation and submittal of engineering plans and specifications for public infrastructure improvements and the final plat. Preliminary plat approval does not assure final plat approval and expires without further action of the city if a final plat is not submitted within one year or such other period of time specified at the time of preliminary plat approval. An extension of up to one (1) year may be granted by the planning and zoning director provided an application for extension is approved prior to the expiration date.

(Ord. No. 2006-26, § 1, 12-05-06; Ord. No. 2008-12, §§ 1-2, 9-16-08; Ord. No. 2008-12, as amended, § 2, 11-18-08)

Section 12-2-4. Stage III - Subdivision technical review

- A. The developer shall provide the planning and zoning director with four (4) complete sets of engineering plans and specifications prepared by a civil engineer who is currently registered in the State of Arizona. Such plans and specifications must be designed based upon the approved preliminary plat and may be prepared prior to or in conjunction with the final plat.
- B. The final plat will not be considered by the city council until all engineering plans for water, sanitary sewer, streets, grading and drainage and all other improvements have been approved by the public works director and other applicable review agencies.
- C. When applicable, for water and sewer mainline extensions, the developer must furnish Arizona Department of Environmental Quality (ADEQ) and the public works director such evidence as the ADEQ may require regarding the adequacy of the design and operation of the proposed potable water and sanitary sewerage facilities. Applications for plan review by ADEQ may only be made with written authorization of the public works director.
- D. Street light requirements as determined by Section 12-3-9.

E. Engineering plan and specification submission.

Comprehensive development plan (CDP) - In conjunction with the other engineering plans prescribed in this ordinance, the developer must provide a CDP that illustrates the physical relationship of all the proposed utility improvements for the proposed subdivision. The intent of this plan is to cumulatively index all proposed utility improvements for easy reference, and to provide for a coordinated development effort. The developer, at his option, may choose to submit a preliminary CDP for development review committee review prior to the preparation and submittal of a final CDP and other improvement plans.

- a. At a minimum, the CDP shall depict the proposed location and separation of all public improvements and how they relate to the lots or blocks of the subdivision. The CDP shall provide approximate distances and measurements of all proposed rights-of-way; easements; one hundred-(100) year floodplain limits for regulatory flows; utility placements; edge of pavement; curb, gutter, and sidewalk (if required); drainage structures; and the building footprint. The CDP shall be overlaid on a topographic map with a contour interval of not less than five (5) feet. The topographic mapping shall extend fifty (50) feet beyond the subdivision boundaries. Spot elevations for the proposed grading shall be provided at various locations to assist in determining the suitability of topography to the proposed subdivision. Finally, if the project is to be phased, the phase lines must be shown on the CDP.
- b. The criteria and requirements for streets, drainage, water, and sewer may be found in Sections 12-3 and 12-4 of this ordinance.

(Ord. No. 2008-12, §§ 1-2, 9-16-08)

Section 12-2-5. Stage IV - Final plat

No later than one (1) year after the approval of a preliminary plat, a developer may apply for approval of a final plat. Failure to do so will automatically nullify the approval of the preliminary plat without any action by the city unless the planning and zoning director has approved an extension prior to the expiration of one year.

A. Application procedure and requirements:

1. **In general:** The final plat stage involves the final design of the subdivision, submittal of engineering plans and specifications (if not already completed), final Covenants, Conditions and Restrictions (CC&Rs), satisfactory assurance documentation, execution of a

development agreement, if applicable, and signing of an Infrastructure Improvement Agreement (IIA).

2. **Zoning:** The zoning of a tract must permit the proposed development. Zoning changes required to enable the property to be developed as proposed must be approved by the city council prior to the submission of a preliminary plat (see Stage II).
3. **Easements:** It shall be the responsibility of the developer to provide on the final plat, prior to plat recordation, such easements in such location and width as required for public utility purposes. The following notation shall be placed on all final plats: "Construction within easements, except by public agencies and utility companies, shall be limited to utilities and wood, wire or removable section-type fencing and/or plantings or turf. It is understood that the utility companies will not be required to replace any obstructions or plantings that must be removed during the course of maintenance, construction, or reconstruction within any utility easement."
4. **Diminution of fair market value waiver required:** An executed, notarized waiver by the owner of the subject property of any and all claims for diminution in fair market value as defined by A.R.S. § 12-1134, must be submitted with the final plat application.

B. Final plat submission: In addition to a completed final plat application form and fee payment, a complete submittal shall include:

1. One (1) half-scale copy of the final plat sized eleven (11) inches by seventeen (17) inches and six (6) full-scale copies sized twenty-four (24) inches by thirty-six (36) inches with the scale not to exceed one hundred (100) feet to one (1) inch. The planning and zoning director may permit a variation in that scale should there be unusual size or shape to the tract proposed for subdividing. If more than two (2) sheets are required for the drafting of the final plat, an index sheet of the same dimensions illustrating the layout of the entire subdivision shall be shown.
2. A certificate or letter from each utility company providing service to the area indicating approval of the method of the proposed utility installations and confirming the availability of services.
3. An Arizona Department of Transportation access permit, where required.
4. If not already completed in Stage III, an Infrastructure Improvement Agreement (IIA) shall be consummated between the developer and the city. During this process, an IIA payment shall be presented to the planning and zoning director prior to scheduling the items for review by the city council.

5. A completion date for the construction of the improvements shall be declared and notice given to the director, which date shall be approved by the city council. The completion date for the improvements shall not exceed two (2) years from the date of such approval. Failure to complete the improvements by the completion date may cause the forfeiture of the assurances described hereafter, in Subsection (B)(12).
6. A final plat, in recordable form, on disk in digital format compatible with the City of Show Low computer database to facilitate the inclusion of the final plat into the city parcel database. Typically, the form of these files will be in DXF, DWG or other similar industry standards digital file developed in AutoCAD R13 or greater.
7. A copy of the protective CC&Rs in the form for recording shall be submitted and recorded with the final plat. The CC&Rs shall include, at a minimum, a mechanism to allow the capability for home or property owners to establish or create a homeowners' association subsequent to the declarant conveying a majority of the subdivided properties to other parties. The CC&Rs shall state that notwithstanding any other provision of the CC&Rs a lot owners' association may be created by lot owners' majority vote thereof, subsequent to the conveyance of a majority of the platted lots by the declarant.
8. Identification and descriptive data
 - a. North arrow, scale, and date.
 - b. A title which includes the name of the subdivision and its location by section, township, range and county.
 - c. Name, address, registration number, and valid seal of the registered land surveyor preparing the plat.
9. Survey data
 - a. Subdivision boundary lines and corners, together with courses and distances and all curve or angle data. Subdivision corners must be shown and must close on the ground within .05 foot per one hundred (100) feet; other monuments, lot corners, and other survey points must also be described and located. One tie must be made by true course and distance to a GLO corner, or, if none exists, to a corner of common acceptance. Proposed subdivisions adjacent to existing subdivisions must tie to the corners of the existing subdivisions. Adjoining property must be identified by subdivision name, or if unsubdivided, and Forest Service lands noted. All

connecting streets, private and public and Forest Service roads must be shown and named.

- b. Name, courses, length and width of all public streets and street cross sections; radii, points of tangency, and central angles of all curvilinear streets; radii of all rounded street line intersections; location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public; and a statement noting that the streets dedicated on the plat will not be accepted for city maintenance until they are brought up to minimum city standards.
- c. A registered professional land surveyor must certify that all lots are staked, or will be staked within six months.

10. Existing conditions data

- a. Utility easements intended to remain on the property. The notation as described in Section 12-2-5(A)3 above shall be on the final plat.
- b. Drainage easements intended to remain on the property, with the following notation: "Natural, unimpeded flow is preferred in all drainage ways, wherever practical. No structure of any kind may be constructed or placed, nor may any vegetation be planted nor be allowed to grow within, on or over any drainage easement which would obstruct or divert the flow of storm water. The city may construct and/or maintain drainage facilities on or under the land in any drainage easement."

11. Descriptive data required

- a. Name, right-of-way lines, courses, lengths, width of all public streets, crosswalks, utility easements; radii, points of tangency and central angles of all curvilinear streets and rounded street line intersections.
- b. Utility easements needed in conjunction with the new plat to include the notation as cited in Section 12-2-5(A)3 above.
- c. All drainage ways shall be shown on the plat. The rights-of-way or easements for all major drainage ways, as designated by the public works director, shall be dedicated to the public.
- d. Location and dimension of all residential lots, including identification of each lot by number and size of each lot, total number of lots and average and minimum lot sizes.

- e. All residential lots shall be numbered by consecutive numbers throughout the plat. "Exception", "tracts", and parks shall be so designated, lettered or named and clearly dimensioned.
- f. Locations, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public with the use clearly indicated.
- g. Location of all adjoining subdivisions with date, map and page number of recordation noted, or if unrecorded or unsubdivided, so marked.

12. Assurances

In order to ensure proper installation of subdivision improvements, the developer shall designate the type of assurance in a form and method acceptable to the city attorney and approved by city council in conjunction with review of the final plat. Approved forms of assurance are available from the planning and zoning department. A final copy of said assurance shall be submitted to staff within ninety (90) days of council approval, and prior to the recordation of any final subdivision plat approved by the city council. The amount of said assurance shall be based on a cost estimate prepared by a registered civil engineer in an amount to cover one hundred twenty percent (120%) of the complete installation of the improvements. Failure to provide approved assurances of construction within said ninety (90) days shall be grounds for revocation of the final plat. Continued failure to provide approved assurances of construction following fourteen (14) days written notice to the applicant as indicated on the subdivision final plat application form shall cause the final plat to be deemed revoked. This assurance shall provide for its forfeiture to the city in the event the improvements are not accepted by the city by the declared completion date due to the default of the developer or the appropriate real part in interest. Any portion of the forfeiture in excess of the expenses incurred by the city in connection with the installation of the improvements shall be returned to the developer or the appropriate real party in interest. The developer must provide the city with one of the following types of financial assurances for the completion of the construction of the improvements required for the development of the subdivision:

- a) Cash, surety bond, or letter of credit
 - 1) The developer shall deposit with the city clerk cash or a surety bond, or an irrevocable letter of credit issued by an approved lending institution.
 - 2) The surety bond shall be executed by the developer with a corporation duly licensed and authorized to transact surety

business in the State of Arizona, as surety. The bond shall be in favor of the city, shall be continuous in form, and shall require that the total aggregate liability of the surety for all claims shall be limited to the face amount of the bond, regardless of the number of years the bond is in force, and shall provide that:

- 3) The bond, cash, or letter of credit shall be released upon satisfactory completion of the work and its acceptance by the city council.
- 4) Progress payments may be made to the developer on his order from any cash deposit made. Such progress payments shall be made in accordance with standards established by the public works director.
- 5) The bond or letter of credit may be cancelled by the developer, provided that other security, satisfactory to the city attorney has been deposited which will cover the obligations of the developer which remain to be performed.
- 6) Any work abandoned or not completed by the developer may be completed by the city, which shall recover the construction costs from the developer, the bonding agent, or approved lending institution.

b) Assurance of construction through loan commitment

In lieu of providing assurance of construction in the manner provided above, the developer may provide assurance of construction of all required utility and infrastructure improvements, by delivering to the city in a manner described above, an appropriate agreement acceptable to the city attorney between an approved lending institution and the developer, which provides:

- 1) A statement that funds sufficient to cover the entire cost of installing the required improvements, including engineering and inspection costs, and the cost of replacement or repairs of any existing streets or improvements demanded by the city in the course of development of the subdivision have been deposited with such approved lending institution by the developer. The agreement shall provide that the funds in the approved amount are specifically allocated, and will be used by the developer, or on his behalf, only for the purpose of installing the subdivision improvements.

2) That the city shall be the beneficiary of such agreement, or the developer's rights shall be assigned to the city, and the public works director shall approve each disbursement of such funds.

c) Alternative assurances

In lieu of providing a surety bond or an agreement between the subdivision developer and an approved lending institution, the city attorney may approve and recommend to city council such alternative assurances that it deems sufficient to guarantee and assure construction of the required improvements, including a contractual agreement by an approved lender guaranteeing the performance of the subdivision developer.

d) An approved lending institution for purposes of this Chapter 12 is an FDIC-insured bank or savings and loan association licensed and authorized to do business in Arizona.

13. Dedication and acknowledgment - A statement dedicating all streets and easements for public use by the person holding legal title of record to the property. If the property contains any liens, all lienholders shall execute an appropriate release for all dedications. If the plat shows private accessways, it must note that public utilities, including refuse collectors, shall be reserved the right to install, conduct and maintain utilities in such accessways. The signatures following this dedication and acknowledgment shall be notarized.

14. Final plat review

Upon acceptance of an application for approval of a final plat, the director will have ten (10) working days to advise the applicant if the submittal is complete. Copies of complete applications will be sent to the city departments and utility and public safety agencies that serve the area. When an application has been determined to be complete, the city council shall consider the proposed final plat no sooner than twenty-one (21) days.

a) Recordation: Upon receipt of the required assurances, **and proof of adequate water supply**, the applicant will provide the city with three (3) copies of the approved final plat drawn in permanent black ink on mylar approximately four (4) mil in thickness. The director will have the final plat recorded and provide a recorded copy of the plat to the applicant.

(Ord. No. 2006-26, § 2, 12-05-06; Ord. No. 2008-12, §§ 1-2, 9-16-08; Ord. No. 2008-12, as amended, § 2, 11-18-08)

Section 12-2-6. Minor land divisions and lot line adjustments

- (a) Prior to recording any minor land division or lot line adjustment, the owner of the subject property shall present the proposed division or adjustment to city staff for review. The purpose of this review is to determine compliance with applicable city codes in effect at the time of the proposed minor land division or lot line adjustment. The applicant shall provide documentation necessary to determine the type and extent of the proposed minor land division or lot line adjustment.
- (b) Following review by staff, if the proposed division or lot line adjustment is determined to meet all applicable city codes, staff shall notify the owner and shall indicate that the request has been reviewed and that all applicable codes appear to be met.
- (c) Following review by staff, if the proposed division or lot line adjustment results in a lot or lots which do not meet applicable city codes in effect at the time of the proposed minor land division or lot line adjustment, staff shall notify the owner and outline any noted deficiencies and possible solutions.
- (d) Should the owner of the subject property record a division or lot line adjustment which does not meet city code at the time the change is made, the city reserves the right to record a notice on the property indicating the property does not meet city code and a building permit may not be issued until such time as the property meets city code.

(Ord. No. 2019-02, § 1, 2-5-19)

ARTICLE 12-3. DESIGN PRINCIPLES AND DEVELOPMENT STANDARDS

Section 12-3-1. Street location and arrangement

- A. The arrangement, character, extent, width, grade, and location of all streets shall conform to the city's general and transportation plans and shall ensure public safety and convenience, and respond to existing natural features of terrain, vegetation, and drainage.
- B. Street layout shall provide for the continuation of existing principal streets through new subdivisions. Principal streets typically follow section or mid-section

lines, however, if the alignment is impractical then right-of-way shall be provided at least every three thousand (3,000) feet.

- C. Certain proposed streets, shall be extended to the tract boundary to provide future connection with adjoining unplatted lands.
 - 1. Street connections to an adjoining platted tract shall be made only to those extended streets of the platted tract.
 - 2. Street connections shall be designed to accommodate the amount of increased traffic flow generated by the proposed subdivision, as determined by an engineered traffic study or as approved by the public works department.
- D. Cul-de-sac streets shall be constructed with a minimum unobstructive turn-around radius of fifty (50) feet which shall be free from parked vehicles. The city engineer may recommend an equally convenient form of turning and backing areas where extreme conditions justify. The maximum length of cul-de-sac streets shall be one thousand two hundred (1,200) feet, as measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline or a maximum of twenty-five (25) lots. Any subdivision exceeding twenty-five (25) lots shall require a minimum of two (2) access points, one of which may be an emergency access. An exception may be made where topography or geographical constraints may justify.
- E. Where a proposed subdivision abuts or contains an existing or proposed arterial and collector routes, sufficient right-of-way may be required for access, frontage streets, and/or turning movements or for reverse frontage combined with a one-(1) foot non-access easement abutting the major route; or for such other treatment as may be justified for protection of residential properties from function of the major route.
- F. Where a subdivision abuts or contains the right-of-way of a limited access highway or an irrigation canal or abuts a commercial or industrial land use, the planning and zoning director may recommend location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for appropriate use of the intervening land. Such distance shall be determined with due regard for approach grades, drainage, bridges or future grade separations.
- G. Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility and streets of reasonable gradient and to facilitate adequate drainage.
- H. No alleys may be constructed in residential, commercial, and industrial subdivisions, except that the planning and zoning director may waive the

requirements in certain areas because of topography, open area provided or service access.

- I. Full-street improvements shall be required for adjacent streets. Curb shall be installed on adjacent side only. A fee in lieu of improvements may be substituted as approved by the city council.
- J. A minimum of two (2) permanent reference survey monuments shall be required for a street as a recoverable point for future surveys. These monuments shall have a geometric tie to the City of Show Low geometric coordinate system.

(Ord. No. 2008-12, §§ 1-2, 9-16-08)

Section 12-3-2. Street design

All streets in the city, unless otherwise specified in this Code, shall be designed to the standards in Table 1 in this section and as follows:

A. Minimum required right-of-way width

- 1. Principal and minor arterial streets and highways as indicated by city standards but, in any event, no less than one hundred (100) feet or as required by the Arizona Department of Transportation standards.
- 2. Collector streets as indicated by current city standards but, in any event, no less than eighty (80) feet.
- 3. Local streets as indicated by current city standards but, in any event, no less than fifty (50) feet, unless otherwise specified in this Code.
 - a. Cul-de-sac streets shall terminate in a circular right-of-way fifty (50) feet in radius with a minimum improved traffic turning circle forty (40) feet in radius. The planning and zoning director may approve an equally convenient form of space where extreme conditions justify.
 - b. Dead end streets will not be approved except in locations designated by the planning and zoning director as necessary to future extension in development of adjacent lands. A dead end street serving more than four lots shall provide a temporary turning circle with a forty- (40) foot radius or other acceptable design to accomplish adequate access.
 - c. Rights-of-way for industrial subdivisions shall be a minimum of sixty (60) feet in width.

4. Access or frontage streets - As required by a traffic impact study or as needed for principal arterials.

CITY OF SHOW LOW STREET DESIGN STANDARDS

Table 1

Item	Principal Arterial (1)	Minor Arterial	Collector	Residential Four Dwellings per Acre or Greater	Residential Less than Four Dwellings per Acre	Cul-de-sac	Commercial	Industrial
Minimum Right of Way	Per ADOT (1)	100'	80'	50'	50'	50'	50'	60'
Minimum Pavement Width w/o On-street Parking	Per ADOT	42'	28	24	24	22	28	28
Pavement Treatment Edge	7" ADOT C&G	6" Vert. C&G	Ribbon Curb or Roll Curb and Gutter	Ribbon Curb or Roll Curb and Gutter	Ribbon Curb or Roll Curb and Gutter	Ribbon Curb or Roll Curb and Gutter	6" Vert. C&G	Ribbon Curb
Sidewalk	6' each side	Yes (3)	Yes (3)	See Table 1A	See Table 1A	See Table 1A	5' Min Each Side (2)	None (3)
Asphaltic Concrete (4)	Per ADOT	3"	3"	3"	3"	3"	3"	4"
Roadway Base (5)	Per ADOT	8"	8"	8"	8"	8"	8"	10"
Longitudinal Slope	Per ADOT	5%-6%	5%-8%	5%-12% (6)	5%-12% (6)	5%-12% (6)	5%-12%	5%-12%
Cross Slope	Per ADOT	2%-4%	2%-4%	2%-4%	2%-4%	2%-4%	2%-4%	2%-4%
Curb Return Radius	Per ADOT	35'	35'	25'	25'	25'	25'	35'
Right of Way Radius	Per ADOT	35'	35'	25'	25'	25'	25'	35'
Minimum Center Line Radius	Per ADOT	500'	500'	150'	150'	150'	150'	150'
Tangent Between Reverse Curves	Per ADOT	100' (7)	100' (7)	100' (8)	100' (8)	100' (8)	150'	150'
Vertical Curve (VC) Minimum Length (9)	Per ADOT	100'	100'	100'	100'	100'	100'	100'
VC Required Algebraic Difference Exceeds	Per ADOT	1%	1%	1%	1%	1%	1%	1%
On-Street Parking	No	No	No	Yes (10)	Yes (10)	Yes (10)	No	No
ADT (information only, not for design purposes)	>14,000	8,000-14,000	2,500-8,000	<2,500	<2,500	<250	<2,500	<2,500

Editor's note—Ord. No. 2008-01, adopted Jan. 15, 2008, replaces Tables 1, Street Design Standards, and 1A, Sidewalk Design Standards, in their entirety.

Street Design Notes

- (1) Currently, all principal arterial routes are state highways owned and maintained by the Arizona Department of Transportation.
- (2) Sidewalk may be required on only one side of the road with an increased width if approved by the planning and zoning director and the public works director. (Also, see note #3.)
- (3) Sidewalk type, location, and width will be determined in conjunction with Table 1A.
- (4) Asphaltic concrete thickness to be as recommended in the geotechnical report for each project or the specified minimum, whichever is greater.
- (5) ABC thickness to be as recommended in the geotechnical report for each project or the specified minimum, whichever is greater. ABC thickness may be reduced or eliminated with an alternate base or sub-base stabilization method as recommended by the geotechnical report and approved by the public works director. For residential streets, an acceptable substitute for eight (8) inches of ABC is six (6) inches of ABC over six (6) inches of ADOT Class 6 sub-base material. (Gradation of Class 6 material to be supplied by the city.)
- (6) Maximum longitudinal slopes of up to eighteen percent (18%) may be used for a distance not to exceed three hundred (300) feet if existing terrain dictates and if approved by the planning and zoning director and public works director.
- (7) The tangent between reverse curves may be reduced to fifty (50) feet if the centerline radius exceeds seven hundred fifty (750) feet.
- (8) The tangent between reverse curves may be reduced to fifty (50) feet if the centerline radius exceeds two hundred fifty (250) feet or if approved by the public works director.
- (9) The actual length of a vertical curve shall be determined using AASHTO standards but shall not be less than one hundred (100) feet. For residential streets, the length of the vertical curve may be reduced to fifty (50) feet if existing terrain dictates and if approved by the planning and zoning director and public works director.
- (10) On-street parking requires an additional eight (8) feet of pavement to the minimum roadway width for each lane of parking.

Note: These standards are primarily for new roadway construction. These standards may be adjusted on projects involving rehabilitation or reconstruction of existing improvements as approved by the public works director.

CITY OF SHOW LOW SIDEWALK DESIGN STANDARDS

TABLE 1A

	Average Lot Size < 10,000 square feet	Average Lot Size > 10,000 square feet
Location	All street sides, either attached or detached	Either attached or detached. May consist of: All street sides OR along through streets only OR as otherwise approved by a Subdivision Trails Plan.
Minimum Width	Four (4) feet on all cul-de-sacs, five (5) feet on all through streets	<u>All Street Sides</u> : Four (4) feet on all cul-de-sacs, five (5) feet on all through streets. <u>Through Streets</u> : Ten (10) feet <u>Subdivision Trails Plan</u> : as required by trail type
Construction Type	Concrete	All Street Sides: Concrete Through Streets: Concrete or Asphalt Trails: As required by trail type
When Required	Prior to or at time of individual lot development: If sidewalks are not installed by the developer, CC&R's (which are a part of the Final Plat recordation process with Navajo County) must contain the requirement that sidewalks are to be installed by individual property owner. Financial assurances, per §12-2-5(B)12, shall be required by developer for installation of sidewalks on lots not built on within two (2) years from the date of acceptance of the subdivision.	Prior to or at time of individual lot development: If sidewalks are not installed by the developer, CC&R's (which are a part of the Final Plat recordation process with Navajo County) must contain the requirement that sidewalks are to be installed by individual property owner. Financial assurances, per §12-2-5(B)12, shall be required by developer for installation of sidewalks on lots not built on within two (2) years from the date of acceptance of the subdivision. Trails: Prior to acceptance of subdivision. Developer shall provide financial assurances, per §12-2-5(B)12, for completion of trail system within two (2) years from the date of acceptance of the subdivision.

Notes:

- (1) All sidewalks shall be constructed to applicable MAG standards for relevant street types.
- (2) All trails shall be constructed in conformance with the requirements as outlined in the city trails masterplan, as adopted and amended by resolution of the city council from time to time, incorporated herein by this reference.
- (3) Subdivision trails plan required at time of preliminary plat.
- (4) All sidewalks and trails shall provide for connectivity to existing and proposed sidewalks and trails.
- (5) An in-lieu fee may be substituted for sidewalks within gated subdivisions with no required connection to adjacent properties. This fee shall be utilized by the city for off-site sidewalk and trail improvements.
- (6) All trails required as part of the city trails masterplan shall be dedicated to the public.
- (7) A subdivision trails plan may be substituted for sidewalks regardless of average lot size in planned unit developments.
- (8) For the purposes of this table, a "through street" is defined as a non-cul-de-sac which carries more than three hundred fifty (350) vehicle trips per day.
- (9) City staff shall have the authority to make minor modifications to these standards solely for the preservation of natural features. The planning and zoning commission and the council shall be notified of modifications.

B. Grades

1. Maximum:
 - a. Arterial routes: as determined by the public works director.
 - b. Collector streets eight percent (8%).
 - c. Local residential streets twelve percent (12%).
(Reference street design notes #3)
 - d. Cul-de-sacs cross slope on bulb five percent (5%) maximum.
 - e. Intersections five percent (5%). For a minimum of fifty (50) feet from points of intersection on primary street and cross slope to warp on secondary street.
2. Minimum: all streets shall have a minimum longitudinal slope of half of one percent (0.5%).
3. Exceptions may be made by the planning and zoning director upon review and approval of the public works director.

C. Vertical curves

1. Arterial routes: Minimum length, one hundred (100) feet, or as determined by using the AASHTO Standards, which may be reduced to fifty (50) feet on SAG vertical curves on local streets with low algebraic differences.
2. Collector and minor streets: Minimum length, one hundred (100) feet, or as determined by using the AASHTO Standards for residential streets, the length of the vertical curve may be reduced to fifty (50) feet if existing terrain dictates and if approved by the public works director.
3. When the longitudinal grade for all streets changes with an algebraic difference of one percent (1%) on crest, two percent (2%) as measured between the tangent grades in percent, a vertical curve shall be provided.

D. Horizontal alignment

1. Arterial routes: As determined by the planning and zoning director and public works director.
2. When tangent center lines deflect from each other more than ten (10) degrees and less than ninety (90) degrees, they shall be connected by a

curve with a minimum centerline radius of five hundred (500) feet for collector streets and one hundred fifty (150) feet for local streets.

3. Between reverse curves there shall be a tangent section of centerline not less than one hundred (100) feet long, unless the radius exceeds seven hundred fifty (750) feet on arterial and collector streets or two hundred fifty (250) feet on local streets, in which cases fifty (50) feet of tangent shall be required if approved by the public works director.
4. Streets intersecting arterial and collector streets shall do so at an angle which shall not vary from ninety (90) degrees by more than ten (10) degrees; intersections of local streets shall not vary from ninety (90) degrees by more than fifteen (15) degrees.
5. Street jogs with centerline offsets of less than one hundred thirty-five (135) feet shall be avoided unless otherwise approved by the planning and zoning director and public works director.
6. Minor streets intersecting a collector street or arterial route shall have a tangent section of centerline at least one hundred fifty (150) feet in length measured from the right-of-way line of the major street; except that, no such tangent is required when the minor street curve has a centerline radius greater than four hundred (400) feet with the center located on the major street right-of-way line. Where topographic conditions make necessary other treatment to secure the best overall design, these standards may be relaxed by the public works director and the planning and zoning director.
7. Street intersections with more than four (4) legs and Y-type intersections where legs meet at acute angles shall be avoided.
8. At street intersections, property line corners shall be rounded by circular arc having a minimum radius length of thirty-five (35) feet for collector and arterial streets and twenty-five (25) feet for local streets.
9. The requirement of site distance studies may be required for streets intersecting in horizontal or vertical curves, which is to be determined by the city engineer or public works director.

E. Private streets

Private streets shall be constructed to conform to current City of Show Low street standards, including but not limited to right-of-way widths, sidewalks, trails, street lights, signs, roadway geometric criteria, and pavement structural section. If private streets are proposed for a subdivision, then the following additional requirements must be met: A homeowners association shall be established at

the time the final plat is approved with a mechanism for funds to be placed in escrow account for future operations and maintenance. An emergency rapid entry system for unrestricted entry of police and fire emergency vehicle at all gated location shall be provided. For uniformity, the only allowable system shall be the "Knox Rapid Entry System". Finally, a note shall be placed on the final plat that states, "All private streets that are identified as a "tract" or "common areas" shall be maintained by the homeowners association. The city shall not maintain these roads unless they are improved at the expense of the property owners to city standards which are in effect at the time of the request." Any deviation or variance from these requirements shall require city council approval.

F. City Trails Masterplan

That certain document known as the "City Trails Masterplan," three copies of which are on file in the office of the city clerk of the City of Show Low, Arizona, which document was made a public record by Resolution No. R2008-04, is hereby referred to, adopted, and made a part hereof as if fully set out in this ordinance, and shall constitute an amendment to Section 12-3-2, *Street Design*. Further, it is the intent that this document shall be amended from time to time by resolution.

(Ord. No. 2006-21, §§ 1-2, 8-15-06; Ord. No. 2008-01, §§ 1-2, 1-15-08; Ord No. 2008-12, §§ 1-2, 9-16-08; Ord. No. 2008-12, as amended, § 3, 11-18-08)

Section 12-3-3. Water facilities design

- A. Subdivision water system and facilities will substantially conform to the precepts of the Show Low Comprehensive Water Master Plan and other water company master plans.
- B. Each lot or building unit shall be supplied with potable water in sufficient volume and pressure for domestic use and fire purposes. Design and construction of any and all facilities relating to transmission and distribution of potable water within and outside of any subdivision must meet with the written approval of the public works director.
- C. Water mains shall be looped or installed in a circulatory configuration whenever possible. Branching or dead-end patterns may be acceptable if no looping alternative is present.

Section 12-3-4. Sewer facilities design

- A. Wastewater disposal facilities shall be installed to serve each lot and be subject to the following standards and approvals:

1. Public sanitary sewers shall be required. Low-pressure sewer systems are discouraged (justification is required). Gravity sewer system is the preferred method of collecting and conveying wastewater. However, low-pressure sewer systems may be considered for use if a homeowners' association is established during the platting process to oversee operation and maintenance of the individual grinder pump stations and odor control. If low-pressure sewer systems are utilized within a subdivision, a hybrid of gravity and low-pressure sewer shall be contemplated with line lengths for low-pressure sewer system kept to minimum lengths in an attempt to minimize odors.
- B. Public sanitary sewers that are proposed in public utility easements extending through the rear or side yards of lots shall be discouraged. However, topography or excessive cost may dictate the installation of sewers in such public utility easements. All-weather road access shall be provided to each manhole.
- C. Design and construction of any and all facilities relating to the collection and conveyance of wastewater within and outside any subdivision is the responsibility of the developer of the subdivision and must meet with the written approval of the public works director.

(Ord. No. 2008-12, §§ 1-2, 9-16-08)

Section 12-3-5. Drainage design

- (a) Drainage and topography shall be a primary consideration of any subdivision.
- (b) The preservation of natural flood areas, streams, washes, arroyos, rivers or ephemeral drainage courses shall be maintained, if possible, in their natural riverine environment. The limits of the ten- (10) year flood event shall define the extent of the area of concern. The only exceptions are for roadway crossings and utility lines, if no other alternative exists. Any subdivision proposal which proposes the preservation of natural flood areas shall be considered superior to all others.
- (c) Drainage layout and development shall meet all state and federal requirements to allow residents of Show Low to purchase flood insurance, to receive disaster relief, to obtain real estate loans and to minimize flood damage.
- (d) Subdivision improvements that propose grading and/or grade changes shall not have an adverse impact on surrounding property. At the boundaries of the subdivision, all drainage and floodwaters shall be accepted and released so that the flow characteristics are minimally disturbed by providing appropriate entrance and exit transitions.

- (e) All weather access to all lots shall be provided during the regulatory flood and shall mean depths of flows over streets will not exceed one foot to allow passage of emergency vehicles. The standard applies to both public and private streets.
- (f) All drainage ways that convey fifty (50) cubic feet per second or more, during the one hundred- (100) year flood event, shall be considered a regulated drainage course and shall be dedicated to the public with provisions for maintenance access ramps. Flows less than fifty (50) cubic feet per second shall be regulated for impacts to buildings and structures, particularly, the placement of the finished first floor or basement, and shall be designated a common area or noted on the final plat as impacting a lot and the lot owner's responsibility for maintenance.
- (g) Design engineer shall provide sizing calculations for any required drainage pipes, including future driveway culverts.
- (h) Drainage basins or watersheds with known flood hazards shall be designated as a critical basin. Within designated critical basins, all proposed subdivisions shall address on-site detention for the two- (2), ten- (10) and one hundred- (100) year flood event to mitigate the post-development drainage to the pre-development levels. Each of the three (3) design storm events shall be routed through an outlet structure. A stage, storage, and discharge table shall be provided in the drainage study. The minimum stage increment shall be one-half (0.5) feet. The study shall include a table comparing the pre- versus post-development runoff for the three (3) design storm events. If the developer can demonstrate that on-site detention will exacerbate the downstream condition then the public works director may waive the requirement. Downstream constrictions and obstructions must be considered. If the proposed project is the re-development of an existing developed commercial or industrial parcel, the detention requirement may be waived by the public works director if the developer can demonstrate that the impervious area is reduced with the new development.
- (i) A drainage study which addresses the hydrologic and hydraulic components relating to onsite and off-site drainage shall be developed and prepared by a registered Arizona Professional Engineer. The drainage study shall be approved before the street improvement plans and final plat are approved. If the subdivision will be developed in phases, a master drainage plan will be required.
- (j) Stormwater detention facilities are to be constructed prior to roadway grading.
- (k) The drainage report must include a narrative section describing the project, the hydrologic and hydraulic methods used, a comparison of the pre- versus post-conditions, a discussion of hydrographs, downstream impacts, floodplain impacts, and a discussion regarding the proposed detention facilities, conclusions and recommendations, or a determination that detention is not required.

- (l) The drainage report calculations must include hydrographs that illustrate the difference in the pre- and post-developed storm events [two- (2), ten- (10), and one hundred- (100) year]. Provide hydraulic design calculations for any required culverts, pipes and structures, roadside ditches, and detention basins and their outlet structures. If detention is required, pond routing calculations shall also be provided. Refer to for requirements for hydraulic design.
- (m) The drainage report shall include exhibit maps of the tributary drainage areas for both pre- and post-development. The maps should show all drainage sub-basins and their areas and their areas and the calculated flows for each sub-basin.
- (n) Exterior slopes of detention ponds shall be shall not exceed 2:1. Exterior slopes exceeding 3:1 are strongly discouraged and any exterior slopes exceeding 3:1 shall be rip rap-armored. Every effort shall be made to keep interior slopes of detention ponds at 4:1 or flatter. In no case shall the interior slopes exceed 3:1. In cases where the interior slopes exceed 4:1 or the pond is in excess of three (3) feet deep at the emergency overflow, a six- (6) foot high fence is required. The fence shall be constructed of materials that allow visual observation of the pond interior from the outside.
- (o) In order to prevent erosion of slopes, interior and exterior slopes of storm water detention facilities (excluding those treated with rip rap) shall be planted or seeded with perennial plant materials. Prior to seeding, the soils shall be prepared or topsoil placed in order to promote growth. Mineral clay soils will not be acceptable for seeding.
- (p) An operation and maintenance manual shall be provided for storm water detention facilities. The manual shall provide directions regarding how to properly maintain the facility. This must include instructions for weed and sediment removal. The frequency of the maintenance interval shall not exceed one (1) year. Sediment removal should be scheduled to take place just prior to seasonal monsoon rains. The operation and maintenance (O&M) shall be the responsibility of the homeowners association and the O&M manual shall be an attachment to the CC&Rs for the development. If a development does not have a homeowners association, the O&M manual will be required in the form of a recorded agreement. This agreement shall assign permanent responsibility for the operation and maintenance of the facility.

(Ord. No. 2008-12, §§ 1-2, 9-16-08, Ord. No. 2019-02, § 1, 2-5-19)

Section 12-3-6. Block design

- A. Blocks shall not exceed fifteen hundred (1,500) feet in length between street centerlines. Variation from this requirement may be justified where topography

or optimal lot configurations are achieved or when lot sizes average one-half acre or greater.

- B. Blocks shall have sufficient width for an optimal layout of two tiers of lots of the size required by the zoning ordinance development standards (unless located on a collector road).
- C. Where practical, pedestrian ways with a minimum easement/right-of-way width of ten (10) feet may be required at mid-block and/or internal connection locations where essential for access to schools, playgrounds, common open space or other community facilities. Pedestrian ways may be used for utility purposes.

(Ord. No. 2008-12, §§ 1-2, 9-16-08)

Section 12-3-7. Lot planning

- A. Lot width, depth, and area shall comply with the minimum development standards of the applicable zoning district.
- B. Lots having double frontage should be avoided except where necessary to provide separation of the residential development from traffic collectors and arterials. A symbol establishing which side will be driveway accessible is required for each double-fronting lot. A non-vehicular access (NVA) easement shall be shown on the opposite side of the lot.
- C. Corner lots shall be a minimum of ten (10) feet wider than the interior lots within the same block.
- D. The depth to width ratio of useable area should be no greater than 3:1.
- E. Grouping of wider side yards of no less than thirty (30) feet in combined width shall be encouraged to convey openness and privacy as well as create useable storage area.
- F. Where gross densities of four (4) units to the acre or greater are provided, front yard setback lines should be staggered within a ten- (10) foot range to create a diversified streetscape. No front yard should be less than twenty (20) feet.

(Ord. No. 2008-12, §§ 1-2, 9-16-08)

Section 12-3-8. Easement planning

- A. Generally, a Public Utility Easement (PUE) shall be sixteen (16) feet in width. In cases of steep [greater than a six percent (6%) slope] or unusual topography, the

PUE shall be increased to twenty (20) feet in width. Additional width may be required for depths over eight (8) feet. The PUE shall be located on one (1) lot instead of straddling property lines.

- B. A one- (1) foot easement prohibiting vehicular access to and from arterials and collectors from rear yards of a double frontage lot shall be required.

(Ord. No. 2008-12, §§ 1-2, 9-16-08)

Section 12-3-9. Street lights

- (a) On residential streets, poles and lights shall be installed but the lights shall not be energized until a particular block is substantially developed [twenty-five percent (25%)], unless the agreement between the Show Low Street Lighting Improvement District and the utility provides otherwise.
- (b) Street lights shall be installed at all major intersections and on streets with an average lot size of ten thousand (10,000) square feet or less, at all intersections, and at the end of all cul-de-sacs and in no case more than one thousand- (1,000) foot intervals.
- (c) Distribution lines and street light circuits shall be placed underground.
- (d) Where street light lines are to be installed, the developer shall provide adequate easements for public utilities (to include side lot lines if necessary).
- (e) Poles for street lights shall be located behind proposed or existing sidewalks where normal rights-of-way exist.
- (f) Street lights, which are installed on residential streets, shall be light-emitting diode (LED), light-emitting diode (LED), with twenty-five- (25) foot mounting height.
- (g) Street lights, which are installed at intersections of collection and arterial roads, shall be light-emitting diode (LED), with thirty- (30) foot mounting height.
- (h) Lamps must be fully shielded, meaning that the fixture shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted, as required by Arizona Revised Statutes Title 49, Chapters 1101 to 1106.
- (i) If a street turns in such a way that intersection lighting cannot adequately cover the length of the street, mid-block lighting shall be provided.

- (j) This specification shall not be construed to prevent the requirement of additional street lighting in cases where special circumstances may make additional street lighting reasonable or necessary.
- (k) Any street lights maintained by the city shall contain a cut-off switch.
- (l) Decorative lights shall be maintained by the homeowners' association (non-standard fixture).
- (m) Street lights shall conform to Division V., Outdoor Light Control.

(Ord. No. 2008-12, §§ 1-2, 9-16-08; Ord. No. 2019-02, § 1, 2-5-19)

ARTICLE 12-4. IMPROVEMENT REQUIREMENTS AND SPECIFICATIONS

(a) Purpose

1. The purpose of this section is to establish the minimum acceptable standards for improvement of public streets and utilities, to define the responsibility of the developer in the planning, constructing, and financing of public improvements and to establish procedures for review and approval of engineering plans.
2. All improvements required in streets or easements which are required as a condition to plat approval shall be the responsibility of the developer. The developer may be allowed to meet the requirements by participation in an improvement district approved by the city.
3. Any developer failing to comply with the following minimum acceptable standards shall be punished as provided in Section 12-5-3.

(b) Engineering plans

1. The developer shall have a complete set of engineering plans and specifications prepared by a registered civil engineer who is currently registered in the State of Arizona, and submit such plans to the public works department for approval. Such plans and specifications shall be based on the approved preliminary plat and shall be prepared in conjunction with the comprehensive development plan.
2. Final engineering plans shall be approved by the public works director prior to recordation of the final plat. This final plan approval is valid for a period of one year. If construction is not started prior to the plan approval expiration, the plans shall be resubmitted to the public works department

for an update approval according to current standards and guidelines. If, after construction has begun on a project and it is stopped for any reason for a period of one year or more, the plan approval becomes invalid. The plans must be submitted for update approval prior to restarting construction. The plans will be reviewed for compliance with current standards and requirements.

3. Improvement plans shall include plans, profiles and typical street cross sections which contain the following minimum information:
 - a. The cover sheet shall include at least the following information:
 - 1) Name and type of plan;
 - 2) Vicinity map;
 - 3) Location map;
 - 4) Benchmarks approved by the City of Show Low;
 - 5) Basis of bearing for the project;
 - 6) Name, address, and phone number of developer;
 - 7) Name, address, phone number, and professional seal of engineer preparing plans;
 - 8) List of utility agencies serving the proposed development;
 - 9) Plan sheet index;
 - 10) Approval signature block of the City of Show Low, public works director;
 - 11) Blue Stake note.
 - b. Plans shall include at least the following information:
 - 1) Street names;
 - 2) A north arrow and graphic on each plan sheet;
 - 3) Stationing and lateral dimensions of streets and rights-of-way, including pertinent survey data and curb return data;
 - 4) Location of existing and proposed utilities being designed and existing streets to be joined;
 - 5) Drainage structures, including cross gutters, culverts, catch basins, or similar items. Show a positive outlet for all drainage leaving the site and will not have a negative impact on the downstream property. All concentrated drainage flowing from public right-of-way onto private property must have a drainage easement to flow into or a note on the final plat relating the drainage impact on the lot;
 - 6) Curb, gutter, sidewalks and asphalt structures;
 - 7) New traffic control devices, all existing traffic control devices within the area of the project, and changes in traffic control devices in the vicinity of the project which are required as a result of the project;

- 8) The top and toe of slopes for both cuts and fills shall be shown if the project extends outside of the right-of-way limits;
- 9) Location of all existing and proposed water lines, water valves, water meters, water service lines, fire hydrants, sewer manholes, sewer services, storm drains, and street lights;
- 10) Construction notes indicating any and all construction items for utilities, paving, storm drainage, etc.;
- 11) City of Show Low current general notes for construction;
- 12) A plan sheet showing the location of all traffic control signs shall be included as a plan sheet;
- 13) Additional information needed to clarify plans or address specific conditions.

c. Profiles shall include at least the following information:

- 1) Benchmarks, including description, location and elevation;
- 2) Existing and finished grade profiles. Profiles of center line and right and left gutter control line or edge of pavement are required. The presentation must clearly show and distinguish existing profiles and other profile information;
- 3) Finished elevations including BVC, PI, and EVC of vertical curves, vertical intersection points, and curb returns match lines and all other points needed for vertical control of construction;
- 4) Slopes and vertical curve lengths;
- 5) Curb return profiles at intersections or quarter delta spot grade at curb returns;
- 6) Drainage structures and utilities;
- 7) Extension of the improvement project as required to assure that the design is compatible with future extensions. Public and franchise utilities shall be extended to project boundary. Exceptions may be considered based on site conditions;
- 8) Consistent stationing throughout the plans;
- 9) Additional information needed to clarify profiles or address special conditions, i.e., profile or drainage channels, stationing and elevations at beginning and end of all curb returns, grade breaks and beginning and end of construction.
- 10) Cul-de-sac profiles at curb line.

d. Cross-section shall include at least the following:

- 1) Typical street cross-sections are needed for each condition encountered and each shall be clearly identified as to where it applies.
 - 2) Materials and thickness, including sub-base select material aggregate base, prime coat, asphaltic concrete, curb and gutter, and sidewalk with notation of the engineering firm preparing the soils reports and the report numbers, if applicable. The specification and types of materials shall be stated.
 - 3) Horizontal dimensions to all key points, including rights-of-way.
 - 4) Cross slopes.
 - 5) Parkway conditions. Maximum and minimum slopes are to be shown for cuts, fills, and side hill conditions. Any side ditches or other special conditions are to be shown. A minimum two- (2) foot wide flat area shall be constructed behind the side walk or curb before the slope begins.
 - 6) Right-of-way widths in relation to centerline, and identified by street name to which it is applicable.
 - 7) Limits of applicability by station if necessary.
- e. The plans shall contain the current City of Show Low “General Notes” for water, sewer, grading, and paving construction as prepared by the public works director.
- f. One set of “Record Drawing” reproducible and electronic file (AutoCAD or approved equal of “Record Drawing”) of all improvements must be submitted to and approved by the public works director prior to final approval of the project.
- g. As-builts shall have geometric tie to a minimum of two (2) geodetic monuments.

(c) Construction and inspection

1. A pre-construction conference is required prior to any construction activity, including clearing. Attendees must include construction engineer of record or designated representative, engineer of record, inspector who will be assigned to the project, a representative from the testing agency, developer and contractor. The Infrastructure Inspection Agreement (IIA) must be executed prior to the pre-construction conference.
2. All improvements in the public rights-of-way and easements shall be constructed under the inspection and approval of the city. The developer shall be responsible for the total cost of all inspection and testing during the construction of all improvements.

3. The developer will execute an IIA with the city and the developer will be responsible for the performance of the required inspections and testing. The developer shall provide the inspection and testing. Payment in the amount as established by resolution shall be required for the city's oversight and monitoring of the IIA requirements.
4. All construction work shall be performed and all material furnished shall be in reasonably close conformity to the lines, grades, cross sections, dimensions, and material requirements, including tolerances shown on the plans and profiles or indicated in the specifications. The public works director shall determine the limits of reasonably close conformity in each individual case and the public works director's judgment shall be final and conclusive.
5. The public works director shall be notified at least three (3) days before the start of any construction. Clearing and grubbing activities shall not proceed without approved improvement plans by the public works director [eighty percent (80%) plan submittal or as approved by the city engineer].
6. Prior to paving a current asphalt mix design prepared within one (1) year or less will be submitted by the contractor to the engineer of record for approval. After the mix meets engineer of record approval, it shall be submitted to the city for final approval. The approved mix design must be submitted to the city at least two (2) working days prior to paving.
7. All relocation and reconstruction of irrigation and utility facilities shall be constructed to the standards of the owning utility and the city.
8. All underground utilities installed in streets shall be constructed prior to the surfacing of such street. Service stubs to platted lots within the subdivision for underground utilities shall be placed to such length as not to necessitate disturbance of street improvements when service connections are made.
9. Prior to accepting any subdivision, the developer shall submit engineering record drawings or as-built plans for all infrastructure.
10. The record information shall be submitted on both a high quality mylar having a thickness of approximately four (4) mil and on a digital format which is compatible with the City of Show Low computer database to facilitate the inclusion of said plans into the city database. Typically, the form of these files will be in DXF, DWG or other similar industry standards digital file developed in AutoCAD R13 or greater. Additionally, a certified letter from a professional land surveyor shall be required, stating that the

centerlines of streets, easements, and survey monuments are located as denoted on the final plat.

11. Before public infrastructure improvements for a subdivision are accepted by the city council for maintenance and operation, the developer shall provide all approvals from all appropriate regulatory agencies (for example, ADEQ Approval of Construction) and shall provide a warranty or guarantee for a period of two (2) years against defective materials and workmanship.

(d) Development of plans and specifications

1. The "Uniform Standard Specifications and Details for Public Works Construction" as published by the Maricopa Association of Governments (MAG) are recognized as acceptable construction specifications and standard details. Because of variations in climate, soils, and availability of materials, modifications to the MAG specifications may have been implemented by the city. The MAG specifications shall be utilized at the direction and approval of the public works director.
2. Other pertinent manuals for the development of plans and specifications include "A Policy on Geometric Design of Highways and Streets" as distributed by AASHTO; all design manuals, specifications, and standard details as distributed by the Arizona Department of Transportation; all engineering bulletins as distributed by the Arizona Department of Environmental Quality; "Manual on Uniform Traffic Control Devices for Streets and Highways" as distributed by the U.S. Department of Transportation, Federal Highway Administration; and the various design manuals, procedures, and guidelines as published by professional organizations and governmental agencies.

(e) Streets

1. A geotechnical report shall be required for the pavement design of all subdivision roads. The design approach shall be based on the latest methodology which is utilized by the Arizona Department of Transportation or the American Association of Highway and Transportation Officials. Traffic volumes for the pavement design shall be based on a trip generation analysis as developed by the Institute of Transportation Engineers.
2. Portland cement concrete shall normally be used for all required curb and gutter, valley gutters, and sidewalks unless otherwise approved by the public works director.

3. A slurry seal shall be required on all street paving projects. If pavement cuts or severe pavement damage has occurred after the final lift of asphaltic concrete then an asphalt concrete friction course (A.C.F.C.) or micro seal will be required (or a fee in lieu of).
4. The developer shall be responsible for the installation of all regulatory, warning, and street signs for the orderly movement of vehicles and for public safety. Regulatory and warning signs shall be in conformance with the Manual on Uniform Traffic Control Devices. Street signs shall be in accordance with city standards and include 911 or emergency addressing.

(f) Drainage

1. Show the limits of the one hundred- (100) year flood prone area on the final plat in a surveyable and readily retraceable manner with frequent ties to intersecting lot lines for all flows of fifty (50) cubic feet per second or more.
2. Watercourses that are relocated, altered, or include any man-made improvements, shall be developed with channel treatments that allow for the reestablishment of vegetation. The use of concrete will be limited to headwalls, cut-off walls, transitions, and areas with limited right-of-way because of existing improvements. The placement of concrete structures shall be at the discretion of the public works director.
3. Culverts for streets shall be designed to convey at the fifty- (50) year peak discharge with no flow over the roadway. Additionally, the flow depth over the street shall be limited to one (1) feet for one hundred- (100) year peak discharge if the street provides all weather access.
4. A minimum pipe diameter of eighteen (18) inches shall be required for all street crossings and a minimum pipe diameter of twelve (12) inches for all driveways. All culvert sizes must be calculated as a part of the drainage report.
5. Culvert outlet velocities shall be kept below ten (10) feet per second unless special conditions exist. The maximum velocity shall be consistent with the channel stability requirements at the culvert outlet. If the culvert velocities exceed permissible velocities for the proposed outlet [greater than five (5) feet per second for natural conditions depending on soil types], suitable outlet protection must be provided. Calculations are required.
6. Drainage ditches or storm drains along streets and adjacent areas shall be required to avoid trapping water and to ensure positive drainage away from the streets. Street drainage shall be designed to provide for one (1)

lane of traffic on all local streets and one (1) lane of traffic in both directions for all collectors and arterials for the ten- (10) year peak discharge.

(g) Water

1. New water facilities shall be designed in accordance with the Arizona Department of Environmental Quality (ADEQ) and the Arizona Department of Health Services Bulletin No. 10 (latest edition). Any deviation from the bulletin's requirements shall have the written approval of the City of Show Low.
2. All water mains shall be a minimum of eight (8) inches in diameter or designated otherwise by the public works director to minimum water flow requirements of the pressure zone or the Show Low Comprehensive Water Master Plan. A water main with a minimum of six (6) inches in diameter may be used with approval of the public works director if a short dead-end line cannot be extended in the future.
3. All water mains shall be C-900 or ductile iron, valves, and fittings shall be constructed with materials having a working pressure rating of two hundred (200) pounds per square inch.
4. All dead ends on new mains shall be provide with a blow-off assembly or fire hydrant in the plug or cap. The assembly shall be mechanically restrained.
5. Fire hydrants shall be located in accordance with the current adopted fire code. The measurement between fire hydrants shall be linear and the measurement will be effected along the centerline of the streets. Fire hydrant flow testing requirements are in accordance with the American Water Works Association M17 Manual (latest edition).
6. The water system for the subdivision must be capable of supplying and sustaining the required flows for fire protection throughout all subdivided properties as approved by the city. For residential areas, the minimum required fire flow capability is one thousand (1,000) gallons per minute for a duration of two (2) hours with a minimum system pressure of twenty (20) pounds per square inch while the required fire hydrant flow rate is being met. For all multifamily, industrial and commercial areas the chief building code official, in consultation with the Show Low Fire District, shall determine minimum fire flow capability and that flow will be provided with a minimum system pressure of twenty (20) pounds per square inch.
7. The approval of the final design of the water system rests with the City of Show Low and will be based on the conformity of the design to policy,

standards, and specifications. The developer is responsible for all approvals with ADEQ and other regulatory agencies.

8. The City of Show Low may issue building permits after the approval of the water system and the installation of an all-weather road. Approval of the water system requires that the water lines have been successfully pressure tested and disinfected to city standards and that fire flow can be provided. An all weather road for this purpose means that the sub-grade and aggregate base material has been constructed to the approved plans and specifications and the width of the road is a minimum of twenty (20) feet wide. Water service shall not be connected to any structures until approval from ADEQ is received.
9. The city will not issue any certificates of occupancy until the subdivision improvements are accepted for maintenance and operation by the city council.

(h) Sewer

1. New sanitary sewerage facilities shall be designed in accordance with the Arizona Department of Environmental Quality (ADEQ) and the Arizona Department of Health Services Bulletin No. 11 (latest edition). Any deviations from the bulletins requirements shall have the written approval of the City of Show Low.
2. New sanitary sewers shall be designed to carry the designated peak wet weather flow from the area that will be ultimately tributary to the respective reach of sewer.
3. No public gravity sewer lines shall be less than eight (8) inches in diameter. All gravity sewer line pipes shall be of bell and spigot and gasket joints.
4. The longitudinal bending of sewer pipe is not allowed.
5. Testing of gravity sewer lines and manholes may include multiple test methods to ensure a minimum of inflow and infiltration. Sewer lines shall be subject to but not limited to low pressure air testing, deflection testing, and closed circuit TV inspection. Manholes, at a minimum, shall be vacuum tested after the frame and cover are installed.
6. Low-pressure sewers are discouraged and shall be only accepted under special circumstances. If accepted, civil engineer design shall be provided by the developer.

7. Pump stations that are to be operated and maintained by the city shall include odor control, corrosion mitigation measures, and supervisory/control and data acquisition systems. Pump stations feeding force mains two (2) or more inches in diameter, shall be solids-handling type. Grinder pumps may be used for smaller diameter force mains. All-weather access and fencing shall be provided.
8. Sewer house service connection shall have adequate separation or protection from potable water house service connections. Sewer service lines shall be installed at points ten (10) feet from the lowest lot corner adjacent to the sewer main. Crossing of water and sewer service lines, especially a low pressure sewer with water service line, may require that the sewer service line be sleeved.
9. The city will not issue any certificates of occupancy until the subdivision improvements are accepted for maintenance and operation by the city council.
10. Drop manholes are discouraged; outside drops are prohibited.
11. Sewer lines shall be stationed beginning at the downstream manhole. Plan views shall include stationing unique to the sewer line plus street station offsets. Profiles shall have the sewer line stationing only. Pipe lengths shall be listed on the profile. The lengths shall be the horizontal length from manhole perimeter to manhole perimeter. Pipe invert elevations shall be calculated and noted on the profile at the point where the pipe enters the manhole. Other profile data include manhole rim elevations, invert data (elevations, pipe diameter, compass orientation, slopes on pipe rims, etc.).
12. Curvilinear sewers (refer to the details in the City of Show Low Supplement to MAG specifications)
 - a. Curvilinear sewers will be considered only on a case-by-case basis. The sewer must maintain a constant horizontal curvature between manholes. Manholes must be spaced at five hundred (500) feet maximum, measured along the arc of the curve from manhole to manhole. The curve must be concentric with the centerline of the roadway. Curved sewer pipelines are allowed only in new subdivision roadways.
 - b. The pipe material type shall be consistent between manholes. Vertical curves in the sewer pipe are not permitted. Only full manufactured lengths of pipe shall be used except for the last section laid in order to terminate at the correct location.

- c. The minimum radius of the curved sewer must be twice that of the manufacturer's published minimum but at no time will it be less than three hundred (300) feet.
- d. Tracer wire shall be installed in the main line pipe trench at a depth of thirty (30) inches. Tracer wire shall be terminated in monument boxes located no more than three (3) feet from the manhole on each end of the curvature.
- e. Sewer lines must pass a mandrel test and pressure test per ASTM 1417.
- f. Service laterals shall be radial to the main. Tracer wire is required on the laterals.

(Ord. No. 2004-05, § 1, 4-20-04; Ord. No. 2008-12, §§ 1-2, 9-16-08; (Ord. No. 2019-02, § 1, 2-5-19)

ARTICLE 12-5. MODIFICATIONS, APPEALS AND ENFORCEMENT

Section 12-5-1. Modifications

A. Modification of standards

The city council may modify the standards required by this ordinance as they apply to a particular property when there exist unusual conditions of topography, land ownership, adjacent development or other circumstances which would not be able to be addressed to best serve the interests of the citizens of the city if the requirements of this ordinance were strictly applied.

B. Modification of final plat

No change, erasure, modification or revision shall be made on or of any final plat after approval by the city council unless the city council first approves any proposed alteration; and any alteration shall be void unless approval thereof is endorsed upon the final plat by the city council.

(Ord. No. 2008-12, §§ 1-2, 9-16-08)

Section 12-5-2. Appeals

- A. **Appeals:** Any decision, or interpretation, of this Chapter may be appealed to the city manager; decisions of the city manager may be appealed to the city council.

The agency to which a decision has been appealed may either: (a) uphold, (b) reverse, (c) modify, or (d) refer the decision back to its author for reconsideration.

- B. **Time limits:** Appeals will only be considered if they are filed within ten (10) working days of a decision. Decisions are final after the ten- (10) day appeal period has passed, if no appeal has been filed.
- C. **Stays of proceedings:** An appeal suspends the action taken and stays all proceedings in the matter, unless the city certifies that a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed except by restraining order as injunctive relief granted by a court of record on application and notice to the city. Proceedings shall not be stayed if the appeal requests relief which has been previously denied except pursuant to a special action in Superior Court.

Section 12-5-3. Enforcement

- A. **Fines/imprisonment:** Any person, as principal, owner, agent, tenant, employee, or otherwise found violating this ordinance, or violating or failing to comply with any order or regulation made hereunder, shall be guilty of a civil violation punishable as provided in section 1-8-1(a) of this Code. Such person shall be deemed guilty of a separate offense for each and every day during which any such violation or failure to comply with these regulations is committed, continued or permitted. All remedies provided for herein shall be cumulative and exclusive. A finding of guilty or responsible and punishment of any person hereunder shall not relieve such person from the responsibility to correct prohibited conditions. In addition to the other remedies provided herein, any adjacent or neighboring property owner who is damaged by the violation of any provision of this ordinance may institute any action in law or equity to prevent or abate such violation.
- B. **Enforcement action:** Any division of property contrary to this ordinance is hereby declared to be a public nuisance and the city attorney may, upon order of the city council, or on his own initiative, immediately commence all necessary actions or proceedings for the abatement, enjoinder, and removal thereof in the manner provided by law; and may take such other lawful steps as may be necessary, and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate, enjoin, and restrain any person from violating this ordinance.

(Ord. No. 2004-14, § 14, 7-6-04; Ord. No. 2008-12, §§ 1-2, 9-16-08; Ord. No. 2008-12, as amended, § 2, 11-18-08)

Section 12-5-4. Severability

It is the intention of the city that the provisions of this ordinance are separable such that if any court of competent jurisdiction shall adjudge invalid: (1) any provision of this ordinance, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment; or (2) the application of any provision of this ordinance to a particular property, or structure, such judgment shall not affect the application of said provision to any other property, or structure, not specifically included in said judgment.

ARTICLE 12-6. TERMINOLOGY

Section 12-6-1. Usage

For purposes of this ordinance, certain terms, phrases, words, and their derivations shall be construed as specified herein. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The word “shall” is mandatory and the word “may” is permissive, except when used in the negative. When not inconsistent with the context, the present tense includes the future, the singular includes the plural, and the plural includes the singular. Where terms are not defined, they have their ordinarily accepted meanings within the context in which they are used. Webster’s Dictionary of American English provides the ordinarily accepted word meanings referred to above.

Section 12-6-2. Definitions

Abutting – The condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only at a corner(s).

Access point – Emergency or permanent all-weather access.

Alley – A public way, other than a street, which affords a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

All-weather road – Shall be designed and constructed to support a loaded scraper during a “proof roll.” A scraper may be substituted with other equipment as approved by the city engineer.

ARS - The Arizona Revised Statutes as they may be amended from time to time.

Basin, drainage – A geographical area that contributes surface runoff to a particular concentration point.

Block – A piece or parcel of land or group of lots entirely surrounded by public or private streets, streams, washes, parks, or a combination thereof of sufficient magnitude as to interrupt the continuity of development.

Building setback line – The required minimum distance, as prescribed by the zoning ordinances, between the property line and the closest point of any building or structure.

CC&Rs - Covenants, Conditions and Restrictions placed on the ownership of the property.

Commission - The City of Show Low's planning and zoning commission.

Comprehensive Development Plan - A single plan cumulatively illustrating all proposed lots in a land division, including all utilities and drainage features and structures.

Committee, Development Review – An informal review panel consisting primarily of representatives from the planning and zoning and engineering departments.

Conceptual Master Plan – The planning level master plan submitted for first review of a large-scale development with multiple phases.

Council – The city council of the City of Show Low.

Dedication - The intentional conveyance appropriation having the effect of conveyance of land by its owner for any general or public use, with no special rights reserved to said owner.

Department - The City of Show Low's planning and zoning department.

Developer – (see also developer) A person, firm, partnership, joint venture, trust, syndicate, association, corporation, limited liability company or other legal entity who desires to improve or otherwise engage in any development of property within the City of Show Low, including the owner of the property.

Development – The utilization of land for public or private purposes.

Director – The planning and zoning director of the City of Show Low.

Easement – A grant by the owner of the use of land by the public, a corporation or person for the specific uses designated.

Exception – Any parcel of land that is not owned by the developer or not include in the recorded plat.

Fill – Soil, rock, or other material deposited at a location by man that raises the grade at that location.

Final plat – A final plat of a subdivision, including supporting data, in substantial conformance to an approved preliminary plat and all stipulations or conditions placed upon it by the commission or city council, prepared by a registered land surveyor, in accordance with this ordinance and the Arizona Revised Statutes.

Finished grade – The final grade and elevation of the ground surface after grading is completed and in conformance with the approved grading plans.

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

Flood-prone area – Any area within a floodplain.

Highway – A roadway owned, operated and maintained by the Arizona Department of Transportation.

Improvements – Required installations, pursuant to this ordinance and any zoning stipulations, including, but not limited to, grading, sewer, water, utilities, streets, curbs, gutters, sidewalks, trails, street lights, traffic control devices and landscaping as a condition to the approval of the final plat, before recordation.

Improvement plans – A set of plans setting forth the profiles, cross-sections, details, specifications, instructions and procedures to be followed in the construction of public or private improvements in the city that are prepared and bear the seal of an Arizona-registered land surveyor, engineer, architect or landscape architect in accordance with the approved preliminary plat, and zoning stipulations and in compliance with standards of design and construction that are to be approved by the city engineer, other city departments and all applicable utilities.

Improvement standards – A set of regulations and exhibits setting forth the details, specifications and instructions to be followed in the design and construction of required improvements.

Land division - Any change in an existing property line involving subdivision, a regulated land split or a lot line adjustment.

Land split, exempt - A division of a property larger than 2½ acres, which does not involve a subdivision, into two or three separate lots.

Land split, regulated - A division of a property of 2½ acres or less, which does not involve a subdivision, into two or three separate lots.

Lot - A single piece of property having frontage on a publicly dedicated and accepted street or a private road approved and accepted by the city and which has been established by a plat, recorded subdivision or otherwise established by some legal instrument of record which is described and noted as such.

Lot corner – The intersection of two (2) or more lot lines, or angle point or change in direction of a lot line.

Lot, corner – A lot located at the intersection of two (2) or more streets (corner lot).

Lot, flag - A lot that has the shape of a flag with a pole, the pole being the driveway.

Lot, interior – A lot other than a corner lot.

Lot line – A line dividing one (1) lot from another or from a street or any public place.

Lot, through - A lot that abuts a street along its front and rear property lines.

Lot line adjustment - The relocation of a line dividing two properties.

Neighborhood - An area of 20 acres or more, including at least 20 lots, that can be identified as a whole on the basis of its topography, surrounding land uses or other identifying elements.

Notice to Proceed - A notice issued by the planning and zoning director informing the applicant for approval to proceed with the next stage in the subdivision process.

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

Owner – The person or persons holding title by deed to land, or holding title as a vendor under a land contract, or holding any other title of record.

Parcel - A property described by metes and bounds or aliquot description by the government rectangular survey system, and not included in any subdivision.

Planning and zoning director - The City of Show Low's planning and zoning director, or a designee.

Plat – A plat meeting the provisions of this chapter that provides for changes in land use or ownership.

Preliminary plat – A plat including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer, or a registered land surveyor, in accordance with this ordinance and the Arizona Revised Statutes.

Pre-application conference – An initial meeting between developer and development review committee that affords the developer the opportunity to present his proposals informally and discuss the project and address any items of controversy or requirements before the preliminary plat is submitted.

Private access way – A private way of access dedicated as a tract to one (1) or more lots or air spaces, which is owned and maintained by an individual or group of individuals and has been improved in accordance with city standards and plans approved by the city engineer.

Public works director - The City of Show Low's public works director, city engineer, or a designee.

Recorder – The recorder of Navajo County.

Recorded plat – A final plat bearing all certificates of approval required by this ordinance and the Arizona Revised Statutes and duly recorded in the Navajo County recorder's office.

Replat - Resubdivision.

Resubdivision - A change in the boundaries of a lot or tract of land which has previously been described in a recorded subdivision.

Right-of-way – Any public or private access way required for ingress or egress, including any area required for public use pursuant to any official plan; rights-of-way may consist of fee title dedications or easements.

Sidewalk – A pedestrian way constructed of Portland cement concrete, and may be four (4) or five (5) feet wide.

Sketch plan – A preliminary presentation of a proposed subdivision or site plan of sufficient accuracy to be used for discussion purposes and identification of any items of controversy or issues of concern.

Street - As defined in ARS §9-463(8), as amended.

Street, arterial - As shown on the city's General Plan, or a heavily traveled street of considerable continuity and used primarily as a traffic artery for intercommunication between areas.

Street, collector - As shown on the city's General Plan, or Master Streets and Route Plan.

Street, cul-de-sac – A local street having one (1) end permanently terminated in a vehicular turnaround, or an equally convenient form of turning, with backing areas as may be recommended by the city engineer.

Street, frontage – A local street parallel to an arterial or collector street or road which intercepts the residential traffic and controls access to the arterial and collector roads.

Street, local – Provides for direct access to residential or other abutting land and serve local traffic movement with connections to roadways of higher classification.

Street, private – Any road or street that is not publicly maintained providing access to lots or units over a common parcel, primarily by the owners or occupants of the common parcel, and necessary service and emergency vehicles, but from which the public may be excluded.

Street, public - A street that has been dedicated to the city for public use and either meets city design and construction standards, or was dedicated to the city prior to the adoption of such standards.

Subdivision - Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or manner in which the buildings or airspace above the property shown on the plat are to be divided. "Subdivision" does not include the following:

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

Technical review – The detailed review of the development master plans, site plans, preliminary plats, improvement plans and final plats by the development review committee, for compliance with city codes, ordinances, standards or conditions of

approval by the commission or city council. Other utilities and public agencies are invited to review the plat as it relates to their conditions of service or need.

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

USC&GS – The United States Coastal and Geodetic Survey.

Utility easement – A public easement for the installation of public utilities; also known as a public utility easement, or “PUE.”

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

Water supply, adequate – A written statement from the water company, providing water to the subdivision, that states the water supply and flows are adequate and in accordance with city and fire department requirements.

Zone – A district classification established by the zoning ordinance of the City of Show Low that limits or permits various or specific uses.

Zoning district – A zone area in which the same zoning ordinances apply throughout the district.

Zoning ordinance – The most recent version of the zoning ordinance for the City of Show Low.

(Ord. No. 460, 12-07-99; Ord. No. 2008-12, §§ 1-2, 9-16-08; Ord. No. 2019-02, § 1; 2-5-19)