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APPROVED AND CERTIFIED
TO
THE BOARD OF SUPERVISORS
BY
THE PLANNING COMMISSION
THIS 25TH DAY OF JANUARY, 1978

BOARD OF SUPERVISORS
CHAIRMAN, JACKIE D. COOPER

Moved by: Tom Aguilar
Seconded by: John Tysoe
Carried Unanimously

Planning Commission Members
June Lackey
Marvel Cosper
Ed Hughes
Angel Rodriguez
John Tysoe
Tom Aguilar
Joe Rietz
Doug Brubaker

ORDINANCE NO. _____

AN ORDINANCE REGULATING THE SUBDIVISION OF LAND WITHIN THE UNINCORPORATED AREAS OF GREENLEE COUNTY, ARIZONA AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF:

Section 1. General Provisions

1.1 Title: These regulations shall be known as the "Greenlee County Subdivisions Regulations."

1.2 Policy:

- (1) It is the policy of Greenlee County to consider the subdivision of land and the development of the subdivided plat as subject to the control of the County.
- (2) Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace. Subdivided lots shall not be sold until adequate provisions have been made for drainage, water, sewerage, streets, and access to education and recreation facilities.

1.3 Purposes: These regulations are adopted for the following purposes:

- (1) To protect and provide for the health, safety and the general welfare of the residents of Greenlee County.
- (2) To guide the future growth of the County by discouraging haphazard, premature, uneconomic or scattered land development.
- (3) To provide for safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.
- (4) To protect the character and the social and economic stability of all parts of the county.
- (5) To protect property values throughout the county by minimizing land use conflicts.
- (6) To guide public and private policy in providing adequate and efficient transportation, water, sewerage, drainage, police and fire protection, schools, parks, recreation, and other public facilities.
- (7) To insure the most beneficial relationship between the uses of land and the circulation of traffic throughout the county-with particular regard for the avoidance of congestion in the streets and highways--by providing for the proper location, width and construction of streets.
- (8) To establish procedures and standards for the lay-out and design of subdivision and resubdivisions; and to insure proper legal descriptions and monumenting of subdivided land.
- (9) To prevent the pollution of air and water; to assure adequate drainage; to encourage the wise use and management of natural resources; and to preserve the natural beauty and topography of the county.
- (10) To provide adequate open space through efficient design and lay-out of the land.
- (11) To protect the prospective lot buyer and home builder, and to protect the county taxpayer from having to assume large unanticipated financial burdens as a result of improvements and/or services not installed by the subdivider.

1.4 Authority: By authority of Section 11-806.01 of the Arizona Revised Statutes (A.R.S.) and other applicable laws and regulations of the State of Arizona, the Board does hereby exercise the power and authority to review, approve, and disapprove plats for the subdivision of land within the unincorporated areas of the county.

1.5 Jurisdiction:

- (1) These subdivision regulations shall apply to all subdivision of land, as defined herein, located in the unincorporated area of the county.
- (2) No land shall be subdivided in the unincorporated area of the county until:
 - (a) The subdivider or his agent has submitted a preliminary plat of the parcel to the Commission.
 - (b) The subdivider has obtained preliminary and final approval of the plat in accordance with the provisions of these subdivision regulations.
 - (c) The approved plat has been filed with the County Recorder.

1.6 Interpretation, Conflict, and Severability:

- (1) In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements.
- (2) This ordinance shall not interfere with or annul any ordinance, provision of law, deed restrictions or other agreements between parties which imposes a greater restriction than is required by this ordinance. This ordinance shall prevail, notwithstanding, over restrictions or provisions which are less restrictive.
- (3) If any part or provision of these regulations or application thereof is held to be invalid by any court of competent jurisdiction, such judgment shall not affect the validity of the remainder of these regulations.
- (4) These regulations shall not be retroactive in their effect.
- (5) All other County ordinances, regulations, resolutions and parts thereof which conflict with the provisions of these Subdivision Regulations, to the extent of such conflict and no further, are hereby repealed.
- (6) All proposed subdivisions shall be designed to meet the requirements for the zoning district within which it is located. In the event that an amendment or variance of zoning is necessary, said action shall be initiated by the property owner or his authorized agent at the time the plat is submitted.

1.7 Amendments: The Board may from time to time amend the provisions of these subdivision regulations. Public hearings on all proposed amendments shall be held by the Board in the manner prescribed by law.

1.8 Resubdivision of Land: Any change in an approved or recorded subdivision plat shall be approved by the Board by the same procedure, rules, and regulations as for a new subdivision.

1.9 Vacation of Plats:

- (1) Any plat or any part of any plat may be vacated by the owner, at any time before the sale of any lot therein, by a written instrument declaring the plat to be vacated.
- (2) Such an instrument shall be approved by the Board in like manner as plats of subdivisions; and being duly recorded shall operate to destroy the force and effect of the recording of the plat so vacated.
- (3) When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

1.10 Variances:

- (1) Where the Board finds that extraordinary hardships may result from strict compliance with these regulations, the Board may grant a variance, provided that such variance complies with all of the following conditions:
 - (a) The granting of the variance will not be detrimental to the public safety, health, or welfare or be injurious to adjoining property.
 - (b) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
 - (c) The variance is granted on the basis of unique physical surroundings, shape or topographical conditions of the specific property involved.
 - (d) A hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.
- (2) In approving variances, the Board may require of the subdivider additional conditions as well, in its judgement, secure the objectives of these regulations.
- (3) A petition for any such variance shall be submitted in writing by the subdivider at the time the preliminary plat is filed. The petition shall state fully the grounds for the application and all the facts relied upon by the petitioner.

1.11 Appeals: The Board of Supervisors shall hear and decide appeals where it is alleged that an error has been made by the Planning and Zoning Commission or any official in the administration of these Subdivision Regulations. The appeal shall be made in writing and filed with the Office of the Board of Supervisors setting forth the particulars and the reasons for the appeal.

1.12 Enforcement, Violations and Penalties:

- (1) It shall be the duty of the Planning and Zoning Commission to bring to the attention of the County Attorney and the Board of Supervisors any violations or lack of compliance herewith.
- (2) Any person, firm or corporation found guilty of violating any of these regulations shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed three hundred dollars or by imprisonment. Each day that a violation continues shall be a separate offense punishable as herein above described.
- (3) Appropriate actions and proceedings may be taken by law to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building structure or premise. These remedies shall be in addition to the penalties described above.

Section 2. Subdivision Application Procedure and Approval Process

2.1 General Procedure:

Three Step Process. Whenever any subdivision of land is proposed, the subdivider or his authorized agent shall secure approval of such proposed subdivision in three steps:

- (1) Informal meeting with Planning and Zoning Commission
- (2) Preliminary Plat Approval
- (3) Final Plat Approval

2.2 Informal Meeting: Before preparing a preliminary plat for a subdivision, the subdivider is urged to meet informally with the Planning and Zoning Commission to review subdivision plans and receive an explanation of these subdivision regulations.

2.3 Letter of Intent: Prior to subdividing land, the owner of the land, or his representative, shall file a letter of intent (in duplicate) with the Planning and Zoning Commission for approval of a preliminary plat. The letter of intent shall include:

- (1) Date of Submittal.
- (2) The name, general location and legal description of the subdivision.
- (3) The name, address, and phone number of the applicant and all other persons having a legal interest in the subdivision, and their local agent, engineer, land surveyor, and attorney.
- (4) The total acreage, timetable for development, proposed number of lots and their proposed use, typical lot sizes, and proposed zoning.
- (5) The conditions of the subdivider's title to the land comprising the subdivision, including mortgages, easements, deed restrictions, trusts, and a statement of current property taxes and whether any back taxes are delinquent.
- (6) Present and proposed means of access to the subdivision.
- (7) A statement regarding the present availability of water, sewage, and solid waste disposal, utilities, drainage ways, streets, schools, medical facilities, police and fire protection, and other community services to the subdivision.
- (8) A statement regarding the proposed method of sewage and solid waste disposal, supply of water, gas, electricity, telephone, drainage and flood protection, street construction, culverts, fire hydrants, lot staking, street signing, and other planned facilities and improvements. This statement shall clearly indicate which of these improvements will be constructed or provided by the subdivider and shall indicate their estimated dates of completion.

2.4 Additional Requirements: The letter of intent shall be accompanied by:

- (1) A minimum of ten (10) copies of the preliminary plat as described below.
- (2) A processing fee of ten (10) dollars per lot.
- (3) A copy of all data and reports submitted to the Arizona Water Commission (in compliance with ARS 45-513) by the subdivider (or by the Water Company proposed to service the subdivision) regarding the quantity and quality of the water available.
- (4) A copy of proposed deed restrictions and private covenants under which lots will be sold.
- (5) U.S. Geological Service quadrant maps of subdivision and surrounding area, indicating location of the subdivision and all existing and proposed access roads to the subdivision, and the ownership of all lands adjoining the subdivision or crossed by the access roads.
- (6) A general soils survey of the subdivision, with interpretations.
- (7) Design and engineering specifications for any new access roads to be constructed by the subdivider.

2.5 Preliminary Plat: A minimum of ten copies of the preliminary plat shall be prepared by a registered engineer or licensed land surveyor at a convenient scale not more than one (1) inch equals one-hundred (100) feet. The plat may be prepared in pen or pencil and shall be twenty-four by thirty-six inches in size, with a left margin of two inches. The preliminary plat shall show the following:

- (1) Proposed name of subdivision, legal description of property, name of subdivider, name of land surveyor or engineer, date of plat, scale, north arrow, and key map showing location of the tract.
- (2) Boundary lines of the subdivision, with reference to survey markers and monuments.
- (3) Location of existing right of ways, easements and covenants, dikes and drainage courses, streets and other public ways, culverts, and buildings; the location and size of existing sewers and water mains; and the location of any other utilities and structures within or immediately adjacent to the tract. Existing improvements should be clearly distinguished from proposed improvements on the plat.
- (4) Topographical contours at two or five foot intervals.
- (5) The location and size of all proposed improvements, including streets (with names), rights-of-ways and easements, alleys and other public ways, water and sewer lines, utility lines, and areas reserved for parks, schools, etc.
- (6) Boundaries of all natural drainage ways and storm water overflow areas, accompanied by a drainage study conducted by a registered engineer indicating area of watershed, peak volume, frequency, direction and velocity of expected water flow for each of these drainage ways. Calculations shall be shown as an attachment to the plat.

- (7) The plat and accompanying materials shall clearly indicate how the subdivider plans to provide for drainage within the subdivision in complying with the drainage design criteria contained in these regulations.
- (8) Location, date and result of soil percolation tests.
- (9) The approximate boundaries, dimensions, and use of all proposed lots.
- (10) Sufficient data, acceptable to the Roads Supervisors, to locate street and subdivision boundary lines on the ground.
- (11) Whenever the preliminary plat covers only a part of an applicant's contiguous holdings, the applicant shall submit, at the scale of no more than 200 feet to the inch, a sketch in pen or pencil indicating the probable future street and drainage system for the remaining portion of the applicant's holding.

2.6 Review and Approval of Preliminary Plat:

- (1) The Commission shall transmit a copy of the preliminary plat for review to the County Engineer, County Sanitarian, County Assessor, the mayor and council of adjoining municipalities, and any other government agency or utility which might have an interest in the subdivision. They shall be asked to submit their recommendations to the Commission within 30 days.
- (2) The Commission may schedule a field trip to the site of the proposed subdivision, accompanied by the applicant or his representative.
- (3) The Commission shall then review the preliminary plat, and approve, disapprove, or approve the plat with modifications, and shall report their action to the Board of Supervisors. Approval of the preliminary plat shall be based upon compliance with the standards specified in this ordinance and the county zoning ordinance and any other conditions deemed necessary by the Commission. The Board of Supervisors shall have power to overrule the Commission's approval or disapproval.
- (4) Action of the Commission shall be written on the face of two copies of the plat, one to be maintained in the files of the Board of Supervisors and the other returned to the subdivider. Approval of the preliminary plat authorizes the subdivider to proceed with the preparation of the final plat. Approval of the tentative plat shall be effective for one year, but may be extended upon written request by the subdivider and approval by the Commission.
- (5) Any plat which has received preliminary approval shall be exempt from subsequent amendments to these regulations.

2.7 Requirements for a Final Plat: Following the approval of the preliminary plat, the applicant shall submit a final plat and 3 copies. The final plat shall be submitted on 24 X 36 inch sheets of clear reproducible polyester film or linen tracing cloth and drawn with india ink. The plat shall be on a scale of either 50 or 100 feet to one inch, such that all necessary details can be clearly shown. All stamped or written matter, including signatures, shall be made with permanent opaque ink so that legible prints may be obtained therefrom. The final plat shall comply in all respects with the preliminary plat, as approved. The plat shall contain:

- (1) Proposed name of the subdivision, legal description of property, name of subdivider, name of land surveyor or engineer, date, legend, scale, north arrow, and key map showing location of the tract.
- (2) Primary control points, or descriptions and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat are referred. At least two corners of the subdivision shall be tied by course and distance to a section corner, or quarter section corner, or established city or county survey monument, and the plat must include a description of that survey monument.
- (3) Subdivision boundary lines fully balanced and closed, showing right-of-way lines of all streets, utility easements, drainage ways, and other rights-of-way, and property lines of all lots, with accurate dimensions, bearings or deflection angles and radii, arcs, semi-tangents and central angles of all curves.
- (4) All proposed streets shall be named; the purpose and dimensions of all easements indicated; all drainage ways designated as such; and parks and other parcels set aside for public use labeled.
- (5) Each lot shall be numbered, and each block shall be lettered. The proposed zoning shall be indicated.
- (6) Location and description of all monuments, lot corners and other survey points in place.
- (7) Location and size of existing and proposed utilities.
- (8) Date of preliminary plat approval.

2.8 Final Plat Certificates: The following certificates and acknowledgements shall appear on the final plat:

- (1) A certificate, in form acceptable to the County Attorney, signed by all persons holding title to the subdivision offering for dedication all streets, access roads, alleys, drainage ways, easements and other parcels for public use, as shown on the final plat. The execution of the certification shall be acknowledged and certified by a notary public.
- (2) Certification by a registered engineer or land surveyor in the state to the effect that the plan represents a survey made or certified by him and that all monuments shown on the plat actually exist, and that their location, size and materials are correctly shown. The certificate shall include the registration number, seal and signature of the registered engineer or surveyor.
- (3) Certification by a registered engineer or land surveyor in the state that all lots are staked or will be staked, following the street construction work specified, but prior to the sale of the lot.
- (4) Certification by the County Sanitarian that the final plat has been checked and is in conformance with the state's health standards.

- (5) A certificate to be signed by the Chairman of the Board of Supervisors and attested by the Clerk of the Board indicating approval of the final plat, and showing the date of said approval.
- (6) A certificate to be executed by the County Recorder showing the date, time of day, fee number, book and page number of recordation.

2.9 Accompanying Exhibits: The following exhibits shall be submitted with the final plat:

- (1) Original and one copy of private deed restrictions, if any, to be imposed upon the plat or any parts thereof, in form for recording.
- (2) Letter addressed to the Board of Supervisors describing in detail the extent, nature, estimated cost, and schedule for the completion of all proposed improvements to be provided by the subdivider within the subdivision. Cost estimates shall be prepared by a registered engineer in the state. Such cost estimates shall be in the amount which would be necessary for Greenlee County to construct said improvements in the event the subdivider defaults. Such estimates shall include engineering and supervision costs and an appropriate inflation factor.
- (3) Original and three copies of the contract to be entered between the Board of Supervisors and the subdivider wherein a performance bond or other appropriate security is provided to guarantee the performance of the required improvements in compliance with the provisions of these subdivision regulations. The duration of the security shall be for three years from the date of approval of the final plat by the Board of Supervisors.
- (4) A copy of the report prepared by the Arizona Water Commission, in accordance with ARS 45-513, stating that an adequate supply of potable water exists for the projected needs of the subdivision.
- (5) Certification in writing from all involved utility companies approving utility installation and confirming the availability of services.

2.10 Final Plat Approval:

- (1) At the next regular meeting following the filing of the final plat with the Board of Supervisors, provided that at least seven days prior notice has been given, the Board of Supervisors shall consider said final plat, the offers of dedication and agreements, guarantees and securities for required improvements. If the Board of Supervisors shall determine that said plat is in conformity with the requirements of these Subdivision Regulations and all other applicable ordinances and regulations and if the agreements, guarantees and securities for required improvements, and unpaid taxes or assessments are all in order, it shall approve said final plat; and the Chairman and Clerk of the Board of Supervisors shall so certify and attest such action upon said final plat. If the Board of Supervisors shall determine that said final plat is not in conformity with the requirements of these Subdivision Regulations or other ordinances and requirements, or if the agreements, guarantees, securities, taxes and assessments are not in order, it shall disapprove said final plat specifying its reason or reasons therefore; and the Clerk of the Board of Supervisors shall advise the subdivider in writing of such disapproval and the reason or reasons for such disapproval. One copy of the approved final plat shall be returned to the subdivider.
- (2) The Board of Supervisors may call a public hearing to give an opportunity to any interested persons to examine or comment upon the plat.

2.11 Final Plat Recording: Upon approval of the final plat by the Board of Supervisors, the County Administrator shall present the approved plat to the County Recorder. The plat shall be recorded when the subdivider has deposited with the County Recorder the required recording fee. No subdivision plat shall be recorded unless approved by the Board of Supervisors.

2.12 Engineering Plans: It shall be the responsibility of the subdivider to have prepared by a professional engineer registered to practice in the State of Arizona a complete set of engineering plans, satisfactory to the County Engineer, for the required subdivision improvements. Such plans shall be based on the approved plat and shall be approved by the County Engineer prior to start of construction.

2.13 Construction and Inspection: All improvements in the public right-of-way shall be constructed under the general inspection and approval of the County Engineer or Road Supervisor. Primary responsibility for control of the quality of the improvements remains with the subdivider. It should not be expected that inspection by representatives of the County will in any way eliminate need for regular inspection during the entire construction period by the Subdivider's Project Engineer. The office of the Board of Supervisors shall be notified at least ten working days prior to start of construction, and if work has been discontinued for any reason, notification shall again be given at least five working days prior to restart of construction.

2.14 Certification of Completed Improvements: Following completion of all required improvements, a certificate shall be filed with the Board of Supervisors by a registered engineer in the State certifying that such improvements have been made under his direction in accordance with the provisions of these Subdivision Regulations and the final plat as approved.

2.15 Final Inspection: Upon receipt of the certification of completed improvements, the County Engineer shall conduct a final inspection of said improvements and report on such to the Board of Supervisors. Upon the recommendation of the County Engineer, the Board of Supervisors may declare the improvements completed and in accordance with all conditions upon which approval of the final plat was based and release the securities provided by the subdivider for said improvements.

2.16 Acceptance of Streets: The Board of Supervisors will not consider the acceptance for maintenance of any subdivision streets unless such streets have been constructed and improved to minimum County standards as set forth in this ordinance.

2.17 Default of Subdivider: In the event that required improvements within the subdivision or upon access roads leading thereto, have not been completed within the specified time period, the subdivider may upon application be granted by the Board of Supervisors an extension of time under conditions to be therein specified. In the event that the subdivider fails to fulfill the conditions upon which approval of the final plat was based, the Board of Supervisors may, after reasonable notice to the subdivider of this default, take whatever steps are within its power to require compliance, deter further land sales until compliance is met, or make claim to the forfeited securities the subdivider had provided for said improvements.

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- 3.1 Conformance to Applicable Rules and Regulations: In addition to the requirements established herein, all subdivision plats shall also comply with:
 - (1) The Greenlee County Zoning Ordinance, once adopted.
 - (2) The County Roads Plan.
 - (3) The rules and regulations of the Arizona Department of Health Services, the Arizona Department of Transportation, the Arizona Water Commission, the Arizona Real Estate Commission and other appropriate state agencies.
 - (4) Greenlee County Engineering and Construction Standards.
- 3.2 Character of the Land: The Commission shall not approve the subdivision of land which it finds unsuitable for development due to flooding, improper drainage, steep slopes, rock formation, open mine shafts, major power lines, or other conditions which would be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or surrounding areas--unless adequate methods are formulated by the developer to solve the problems created by the unsuitable or hazardous conditions.
- 3.3 Adequate Access: At least two dedicated public right-of-ways shall be provided from a dedicated County or State road to the land being subdivided. The Commission shall insure that access to the subdivision is legally established and that access roads are improved to meet County standards, or that a performance bond or other security has been duly executed in sufficient amount to insure the construction of the access roads to County standards. The requirement of at least two accesses to the subdivision can be waived by the Commission in the case of small subdivisions.
- 3.4 Monuments: Survey monuments shall be installed at all angles in the boundaries of the subdivision; at the intersection of the right-of-way lines of streets with the boundaries of the plat; at the intersection of alleys with the boundaries of the subdivision; at all points of curvature, points of tangency, points of compound curvature, points of reverse curvature and angle points in the right-of-way lines of streets and alleys. Such permanent monuments shall be installed in accordance with County construction standards.
- 3.5 Blocks:
 - (1) Blocks shall have sufficient width to provide for two tiers of lots of appropriate depths. Exceptions shall be permitted in blocks adjacent to major streets, railroads, or waterways.
 - (2) Block lengths in residential areas shall not exceed 2,200 feet (or twelve times the minimum lot width required in the zoning district) nor less than 400 feet in length. Wherever practicable, blocks along major arterials and collector streets shall not be less than 1,000 feet in length.
 - (3) In long blocks the Board may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic. Pedestrianways, not less than ten (10) feet wide, may be required by the Commission where essential for circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities.
- 3.6 Lot Improvements:
 - (1) Lot area, width, depth, shape, orientation and minimum building setbacks shall conform with zoning requirements.
 - (2) Every lot shall abut upon a dedicated public street and have satisfactory access thereto. Lots adjoining major or collector streets shall have driveways designed to avoid requiring vehicles to back into the street.
 - (3) Single-family residential lots extending through the block and having frontage on two parallel streets shall not be permitted.
 - (4) Lots shall not contain peculiarly shaped elongations solely to provide necessary square footage which would be unusable for normal purposes. In general, side lot lines shall be at right angles to the front street line or radial to curving street lines.
 - (5) No cut trees, debris, junk, rubbish, or other waste materials of any kind shall be buried or deposited in any area of the subdivision.
 - (6) Corner Stakes. Prior to the sale of any lots, all lot corners shall be marked with pipe or iron stakes. Such stakes shall be at least 15 inches long and one-half inch in diameter.
 - (7) Lots shall be laid out so as to provide positive drainage away from all buildings and likely building sites. Individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed to avoid concentration of storm drainage water on to one lot from adjacent lots.
- 3.7 Streets:
 - (1) Local Streets shall be laid out:
 - (a) To conform as much as possible to the natural topography.
 - (b) To discourage use by through traffic.
 - (c) To permit efficient drainage and utility service.
 - (d) To require the minimum number of streets necessary to provide convenient and safe access to property.
 - (2) The arrangement of streets shall provide for the continuation of existing streets in adjoining areas. Half-streets shall be discouraged except to complete already existing street patterns.

(3) The subdivider shall provide for adequate railroad, canal, and other public or private utility crossings, including the obtaining of necessary permits.

(4) The rigid rectangular gridiron street pattern need not necessarily be adhered to. The use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged where such use will result in a more desirable layout.

(5) Minimum required street right-of-way and roadway widths shall be provided as follows:

Street Type	Right-of-way	Roadway
Arterial	150 feet	64 feet
Section Line	150 feet	36 feet
Mid-Section Line	80 feet	36 feet
Collector	60 feet	36 feet
Local	50 feet	28 feet

Right-of-way widths in excess of these standards shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes.

(6) Cul-de-sac streets shall terminate in a circular right-of-way turnaround area of at least fifty (50) feet in radius.

(7) Dead-end streets shall not be approved where designed to be permanent. Any dead-end streets serving more than four lots shall provide by easement a temporary turnaround area of at least twenty-five (25) feet in radius or other acceptable design.

(8) Cul-de-sac and dead-end streets shall not exceed six hundred (600) feet in length.

(9) There shall be a minimum grade of twenty-five one-hundredths (0.25) percent on all streets; a maximum grade of seven (7) percent on arterial, section, mid-section and collector streets, and ten (10) percent on local streets.

(10) Street jogs with centerline offsets of less than one hundred thirty-five (135) feet shall be prohibited.

(11) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of less than seventy-five (75) degrees shall not be permitted. An oblique street should be curved approaching an intersection so that the street is approximately at right angles to the intersection for at least one-hundred (100) feet therefrom. Street intersections with more than four legs and "Y" type intersections where legs meet at acute angles shall be prohibited.

(12) At street intersections, property line corners shall be rounded with a radius of twenty-five (25) feet, or of a greater radius where necessary to insure adequate visibility.

(13) Intersections shall be approached from all sides by leveling areas. Such leveling areas shall have a minimum length of fifty feet measured from the nearest right-of-way line of the intersecting street. Within this leveling area the grade shall not exceed four percent (4%).

(14) Where any street intersections will involve earth banks or existing vegetation that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) to the extent necessary to provide adequate visibility. Such earth cuts shall not have in excess of a three to one (3:1) slope.

(15) Proposed street names shall be subject to approval by the Commission, and shall not duplicate an existing street name within the area. Proposed streets which are in alignment with other existing named streets in that vicinity shall be given the same designation.

(16) Road construction and surfacing. Subdivision streets shall be designed and constructed to meet or exceed the county's standards for "mineral aggregate untreated base" (all-weather construction) as set forth in the County Construction Standards. All roadside areas and street subgrades shall be graded to a uniform and approved cross-section and compacted to the specified densities. Base course of the specified material, quality, and construction shall be installed to the required depth as determined by laboratory tests of the subgrade materials and applicable "base depth criteria" in the County Construction Standards. The base course shall have a minimum depth of four inches for all local streets and five inches for all other classes of streets. Grades greater than 7% shall be paved. Otherwise, paving is optional. If the subdivider elects to pave streets, such paving shall, however, conform with County Construction Standards. All shoulders, drainage structures, culverts, bridges, curbs and gutters, turn arounds and other such improvements shall be constructed to county standards. All street gutters, over-flow sections, and channels used for drainage onto or from a street shall be lined with a non-erosive material. Curbs and gutters are optional.

(17) Engineering Plans. Prior to street construction, the subdivider shall have prepared by an engineer registered to practice in the State of Arizona, a complete set of engineering plans for streets, drains and other improvements. These plans shall be reviewed and approved by the County Engineer before construction can begin.

- (a) Plans are to be prepared on standard FAS plan-profile or similar sized sheet (24" x 36") to a plan scale not smaller than 1" = 50', and must be neat, clear, legible and complete. Street, sewer, water, and drainage plans shall show natural ground profile, and elevations and grade of the improvements. The basis of the elevation datum shall be given.
- (b) Street plans shall show depths of base and surfacing material; sizes, types, and locations of features and structures for proper drainage; and adequate detail plans of all structures. Other plans shall show the size, type, construction, and material of the improvement. Typical construction details and cross sections shall be included in all cases.
- (c) The depth of roadway base material required shall be established after testing and analysis of the sub-grade soil and shall be in accordance with the County Standards. Samples of sub-grade material shall be taken from the subdivision roadways to be improved at locations not more than five-hundred (500) feet apart, or more frequently if so directed by the County Engineer to accurately determine the soil profile.

(d) The testing and analysis of soils and materials shall be by an approved laboratory. Laboratory reports shall be submitted to the County Engineer showing the plasticity index and gradation of all sub-grade samples taken, and the findings of all other material and construction tests made. The cost of all sampling and testing shall be borne by the subdivider.

3.8 Alleys: Alleys are discouraged in residential areas. When provided they shall be 16 feet wide in residential areas and 20 feet wide in multi-family and commercial areas. All alleys shall be constructed to cross-sections and grades consistent with County Construction Standards, and surfaced with mineral aggregate.

3.9 Road Signs:

(1) The applicant shall deposit with the county at the time of final subdivision approval the sum of fifty dollars (\$50.00) each for required road regulatory signs as determined by the Road Supervisor.

(2) Street name signs are to be placed at all intersections within or abutting the subdivision, the type and location of which to be approved by the Road Supervisor.

3.10 Street Lights: Street lights are optional. Installation of street lights shall be in accordance with design and specification standards approved by the County Engineer.

3.11 Sidewalks: Sidewalks are optional. Whenever installed, however, sidewalks shall be constructed of portland cement concrete in accordance with the County Construction Standards and to a line and grade approved by the County Engineer.

3.12 Drainageway Design Criteria: The Commission shall not recommend for approval and subdivision plat which does not make adequate provision for drainage and flood protection. The Commission shall prohibit the subdivision of any land which lies within the 100 year flood plain of any stream or drainage course if such subdivided lots are to be used for dwelling purposes.

(1) The classification and design of drainageways and designation of design storm frequencies are based upon the contributing watershed drainage area, as follows:

Class	Watershed Area	"Design Storm"
Major	More than 2,500 acres	50 year flood
Secondary	600 to 2,500 acres	25 year flood
Minor	150 to 600 acres	10 year flood
Local	Less than 150 acres	2 year flood

(2) Drainageways, channels, and road crossings shall be capable of safely passing flows resulting from the required "Design Storm" over the contributing drainage area.

(3) For arterial, section line, mid-section line and collector streets: Major and secondary drainageway crossings shall be culverted and capable of passing flows resulting from a 10 year storm with adjoining overflow sections for Design Storm flows exceeding this amount; minor and local drainageway crossings shall be culverted and capable of passing flows resulting from a two (2) year storm with adjoining overflow sections for any Design Storm flows exceeding this amount.

(4) For local streets: Major, secondary and minor drainageway crossings shall be culverted and capable of passing flows resulting from a 2 year storm with adjoining overflow sections for Design Storm flows exceeding this amount; local drainageway crossings may be carried in valley gutters (dips) properly designed and stabilized to carry the Design Storm flow.

(5) Roadside ditches, street gutters, and catch basins shall be capable of handling the flow resulting from a two year storm.

(6) Channel flow velocities for Design Storms shall not exceed that generally accepted as "non-erodable" for the type of soil and/or channel lining. In cases where the flow velocity is such that substantial erosion is likely, drop structures shall be constructed.

(7) All overflow, dip, and valley gutter sections shall be stabilized with cement or asphalt to prevent erosion and to maintain a stable roadbed under overflow conditions.

(8) Drainageways, drainage easements, and channels shall be capable of safely passing flows resulting from a storm having a recurrence interval of 50 years whenever such drainageway, drainage easement, or channel shall be located at a place other than its natural water course.

(9) Where a subdivision is crossed by a major, secondary or minor drainageway, the Commission shall require the establishment of a drainage easement or right-of-way. The drainage easement shall conform to the lines of the watercourse and be of sufficient width to permit later sidening, deepening or protecting of the drainageway.

(10) The subdivider shall require through private deed restrictions that the ground floor of all dwellings be constructed at least 12 inches above grade.

(11) Adjustments and modifications of these criteria will be considered, on a project of project basis, in areas with major or unusual drainage problems.

(12) Drainage facilities shall be constructed according to standards set by the County Engineer.

3.13 Easements:

(1) Each subdivision shall contain easements adequate to provide all necessary utilities. Such easements shall provide ready access for maintenance and repair of such facilities.

(2) Land within a dedicated drainageway, street, alley or major power utility easement shall not be allowed within the boundary of a lot. This shall not be construed as applicable to land involved in utility easements for distribution or service purposes.

3.14 Health Standards:

(1) The Greenlee County Sanitarian shall completely satisfy himself prior to making his approval of the tentative plat and final plat that all Arizona Department of Health Services rules and regulations are complied with.

(2) Final plat shall not be approved if the Board of the Arizona Water Commission reports the subdivision's water quality or quantity is inadequate.

(3) Subdividers shall make water available to each and every subdivided lot of less than one acre of usable land from a county and state approved water source treatment and supply system.

(4) A septic tank, or other individual sewage disposal system, shall not be permitted or installed on subdivided lots containing less than one-half (1/2) acre of usable land exclusive of all easement, provided that percolation tests and other soil conditions permit a sanitary septic tank system on the acreage available. The subdivider shall provide to each lot of less than 1/2 acre a connection to a county and state approved sanitary sewer system and waste treatment works. If a public sanitary sewersystem is accessible to the subdivision, the subdivider shall be required to connect to said sewer.

(5) The subdivider shall arrange for county approved disposal of solid wastes generated within the subdivision.

3.15 Utilities: All utility lines, including but not limited to gas electricity, telephone and cable TV, shall be located underground throughout the subdivision.

3.16 Natural Features and Amenities:

(1) It is strongly urged that significant natural features such as trees, cacti, water courses, historic and archaeological sites and similar community assets be preserved.

(2) When a proposed subdivision borders on an existing commercial or industrial establishment or a highway or railroad, or any other use which, in the opinion of the Commission, would be detrimental to the tranquility of the future residents of the subdivision, the Commission may require a landscaped screen or other buffer.

3.17 Nonresidential Development: If a proposed subdivision includes land that is to be used for commercial or industrial purposes, the Commission may impose requirements in addition to those contained in this ordinance to insure that adequate provisions have been made for lot size, access, increased traffic, parking, utilities, off-street loading, buffers to adjoining residential areas, and other factors peculiar to commercial development. Streets shall be paved, and shall have adequate right-of-way to accommodate the type and volume of traffic to be generated.

3.18 Hillside Subdivision: Hillside subdivisions will be permitted when adequate provisions have been made for the preservation of scenic beauty and safe construction of private improvements related to sewage disposal, water supply, storm drainage and foundation bearing.

(1) Lot width and area shall be closely related to the terrain, drainage, and percolation factors or construction of sanitary sewers, with emphasis placed on selection of good building sites and access to them.

(2) Street Grades shall not exceed twelve (12) percent.

(3) Street grades of ten (10) percent or more shall have a maximum length of six hundred (600) feet.

(4) Additional dedicated street right-of-way width may be required when justified by extreme slope or similar conditions.

(5) "T" or "Y" type turning and backing areas may be substituted for circular turnarounds.

(6) "Panhandle", double-frontage, and other unorthodox lots may be permitted so long as it can be adequately demonstrated that no lot will be adversely affected by any other lot so arranged.

(7) At the discretion of the County Engineer, topography at suitable contour intervals showing location of all major and minor water courses, street profiles and cross-sections. Percolation tests boring logs may be required in addition to that normally required with the submittal of the tentative plat.

(8) Due to special problems requiring special field and office review, subdividers should expect processing time for hillside plats to exceed that otherwise required for normal plats.

Section 4. Definitions

4.1 Access: The roadway (and its right-of-way) which connects the subdivision with an existing publically dedicated and county maintained street or road and provides entry and exit to the subdivision.

4.2 Alley: A way dedicated and open to the public which affords a secondary means of access to the back or side of properties.

4.3 Approval, Conditional: An affirmative action by the Commission or the Board of Supervisors indicating that approval will be forthcoming upon satisfaction of certain specified stipulation.

4.4 Approval, Final: Unconditional approval of the final plat by the Board of Supervisors, as evidenced by certification on said plat.

4.5 Base Course: The upper granular base of a roadway on which the final surface--whether pavement, gravel or mineral aggregate--is applied.

4.6 Block: That property or groups of lots entirely surrounded by public streets, streams, railroads, unsubdivided acreage, or other barrier, except an alley, of such size as to interrupt the continuity of development on both sides thereof.

4.7 Board: The Greenlee County Board of Supervisors

- 4.8 Commission: The Greenlee County Planning and Zoning Commission, as appointed by the Board of Supervisors. (ARS 11-803)
- 4.9 Construction Standards, Greenlee County: "Minimum Standards and Specifications for Construction of Public Improvement within Greenlee County" as adopted by the Greenlee County Board of Supervisors.
- 4.10 County Administrator: The Greenlee County Administrator as appointed by the Board of Supervisors.
- 4.11 County Engineer: The person appointed as County Engineer by the Board of Supervisors or his duly authorized representative, or a consultant engineer registered in the state of Arizona which the Board hires to represent the County in evaluating a subdivision plat and performing other duties required by this ordinance.
- 4.12 Dedication: The setting aside of land for public use by filing appropriate certificates with the County Recorder, reserving no special rights for the owner.
- 4.13 Deed Restriction: A privately executed and recorded document designed to govern the use of lots within a subdivision.
- 4.14 Design: Street alignment, grades and widths; alignment and widths of easements and rights-of-way for drainage, sanitary sewer and other utilities; the arrangement and orientation of lots.
- 4.15 Design Storm Flow: The worst possible rain storm for which drainageways and structures shall be designed to handle without overflow or flooding. For example, a 50 year flood would be the single largest flow of water that historically could be expected in the reference area during a fifty year period. Statistically, a 50 year flood has only a two percent chance of occurring in any given year.
- 4.16 Easement: A nonpre-itable interest in land owned by another that entitles its holder to a specific limited use.
- 4.17 Engineering Plans: Plans, profiles, maps, cross-sections, and other required details necessary for the construction of public improvements, prepared by an engineer registered to practice in the State of Arizona in accordance with the approved plat and in compliance with standares of design and construction specified in these regulations.
- 4.18 Hillside Subdivision: A subdivision, or any portion of a subdivision located on natural terrain having a cross-slope of ten (10%) percent or more.
- 4.19 Improvements, Required: Installations, including streets, sewer and water, drainage, etc., required as a condition to the approval and acceptance of the final plat.
- 4.20 Mineral Aggregate Untreated Base Roadway: An all-weather road constructed to standards specified in Sections 301 and 310 and the "Depth of Base Course" Charts of the County Construction Standards.
- 4.21 Plat, Final: A map of all or a part of a subdivision prepared in conformance with an approved preliminary plat and the provisions of these Subdivision Regulations.
- 4.22 Plat, Preliminary: A preliminary map, including supporting data, indicating a proposed subdivision development, prepared in accordance with the provisions of these Subdivision Regulations.
- 4.23 Plat, Recorded: A final plat bearing all certificates of approval as required by these Subdivision Regulations and duly recorded by the Greenlee County Recorder.
- 4.24 Right-of-Way: The entire tract or strip of land which has been dedicated to the public for circulation or other uses, the length and width of which shall be sufficient to provide adequate accomodation for all physical features to be included therein.
- 4.25 Road: A general term denoting a public way for purposes of vehicular travel, including the entire area within the right-of-way.
- 4.26 Roadway: The portion of the right-of-way intended primarily for vehicular traffic, and including all appertenant structures and other features necessary for proper drainage and protection. Where curbs exist, it is that portion of the road between the faces of the curbs.
- 4.27 Road Supervisor: The Greenlee County Road Supervisor, as appointed by the Board of Supervisors.
- 4.28 Shall: The word shall is mandatory and the word may is permissive.
- 4.29 Street: A way for vehicular traffic, whether designated as a street, highway, road, avenue or however otherwise designated. A street includes all land within the street right-of-way whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking space, bridges, and viaducts.
- 4.30 Street, Arterial or Highway: A street with the principal function to serve through-traffic to and from areas of principal traffic generation. A street of adequate design, capacity and construction to handle fast and heavy traffic.
- 4.31 Streets, Collector: Street carrying traffic from local streets onto an arterial street or highway.
- 4.32 Streets, Local: Streets which are used primarily for access to abutting properties, and which are controlled in some fashion to discourage through traffic and to maintain relatively slow speeds.
- 4.33 Street, Cul-de-sac: A street having a traffic outlet on one end only and having at the other end permanent provisions for the turning around of vehicular traffic.
- 4.34 Subdivider: Any person or legal entity that files application and initiates proceedings for the subdivision of land in accordance with the provisions of this ordinance, except that an individual serving as agent for such legal entity is not a subdivider.

4.15 Subdivision: Improved or unimproved lands divided for the purpose of sale or lease, whether immediate or in the future, into 4 or more lots or parcels, each of which is less than thirty-six acres. The following shall not be considered a subdivision under this ordinance:

- (a) The division of land for cemetery purposes
- (b) The sale or exchange of parcels of land to or between adjoining property owners where such sale or exchange does not create additional lots. (ARS 32-2101(31))

Section 5. Effective Date

These Subdivision Regulations shall become effective beginning May 1, 1978

APPROVED AND ADOPTED BY THE GREENLEE COUNTY BOARD OF SUPERVISORS

THIS 1ST DAY OF MAY 1978

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS AND SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS WITHIN THE UNINCORPORATED AREAS OF GREENLEE COUNTY, ARIZONA.

These regulations shall be known as the Greenlee County Construction Standards.

ADOPTION BY REFERENCE

The Minimum Standards and Specifications for Construction of Public Improvements within the unincorporated areas of Greenlee County shall consist of: (a) the "UNIFORM STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION", 1974 Edition, of the Maricopa Association of Governments, as amended by Cochise County, 1974, and (b) "COCHISE COUNTY ROADWAY CONSTRUCTION STANDARDS FOR PUBLIC IMPROVEMENTS", 1974--except as otherwise provided herein.

DEFINITIONS REVISED

Any reference to "Board of Supervisors" shall be construed to mean GREENLEE COUNTY BOARD OF SUPERVISORS. Any reference to either "Maricopa County" or "Cochise County" shall be construed to mean GREENLEE COUNTY.

APPLICATION

The provisions of this ordinance shall be held to be minimum requirements in constructing public improvements within the unincorporated areas of Greenlee County. This ordinance shall not interfere with or annul any ordinance, provision of law, deed restrictions or other agreements which imposes a greater restriction than is required by this ordinance. This ordinance shall prevail, notwithstanding, over restrictions or provisions which are less restrictive.

VALIDITY

If any portion of this Ordinance is for any reason held to be invalid, such holding shall not affect the validity of the remaining portion of the ordinance.

EFFECTIVE DATE

Passed and adopted by the Board of Supervisors of Greenlee County, State of Arizona, this 1st day of May, 1978.

ATTEST: /s/ Ruby Sanders, Clerk

/s/ Jackie D. Cooper, Chairman
/s/ Angel R. Cueto, Member
/s/ Forrest G. Wilkerson, Member

Upon motion duly made, second and carried unanimously, the following resolution was passed:

RESOLUTION 78-5-1

WHEREAS, The Board of Supervisors of Greenlee County, in cooperation with the Towns of Clifton and Duncan has conducted and completed a Traffic Safety Study (#75-613-009) of the county maintained road system, has identified 400 sign deficiencies in the county, need to purchase a sign fabrication machine to remedy their signing deficiencies, and also to be used in support of a program of scheduled maintenance of these signs after installation, and

WHEREAS, the Governor's Office of Highway Safety has offered a contract to reimburse the County of Greenlee in the purchasing of a sign fabrication machine for Greenlee County that will be shared with the Towns of Clifton and Duncan, to enable the County to fabricate signs in accordance with the Manual Uniform Traffic Control Devices, in order to correct the sign deficiencies as outlined in the Traffic Safety Study.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Greenlee County this 1st day of May, 1978, that the Highway Safety Contract, Agreement Number 78-612-001, SEP 78-44-03, Task 1 for the amount of Federal Funds of \$3,500.00, offered by the Office of Highway Safety, State of Arizona to Greenlee County to be reimbursed to Greenlee County for the purchasing of a sign fabrication machine in compliance with the contract is hereby approved.

BE IT FURTHER RESOLVED that Greenlee County hereby agrees to abide by all stipulations and conditions of said contract, to follow the description of project under "Scope of Work" and the Agreement of Understanding and Compliance

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Office of Highway Safety, State of Arizona

BE IT FURTHER RESOLVED that the Chairman of the Board is authorized to sign all contracts and Resolutions.

DATED THIS 1ST DAY OF MAY, 1978.

BOARD OF SUPERVISORS

- /s/ Angel R. Cueto, Chairman
- /s/ Forrest G. Wilkerson, Member
- /s/ Jackie D. Cooper, Member

ATTEST: /s/ Ruby Sanders, Clerk

Lorraine Pierce of the Greenlee Community Health and Safety Committee was present to inform the Board of the possibility of getting Emergency Medical Service Programs in the County and the possibility of working with the County Health Department in many areas. The Board took note of this and encouraged the program.

Gene Coosetree, S.C.S., Hurley and Bernice Carpenter, John and Rebecca Word were present to explain the help available through Flood Control Public Law Sec. 216, after a disaster has occurred. The Carpenter and Word properties were severely damaged by the recent flooding and help has been turned down from Federal sources. Funds may be obtained to either restore to original condition if feasible or to authorize work to prevent further loss provided the county would act as a legal sponsor. Upon advice of the County Attorney, it was decided to act as sponsor. Upon motion by Jackie D. Cooper, second by Forrest G. Wilkerson and carried unanimously, the letter of intent was authorized, provided the Board had the opportunity to review the final project plans prior to implementation.

Guy E. Baier, B.L.M. District Manager, met with the Board to present the Environmental Statement Draft which must be filed by October 1, 1978, and discussed the long range impact on B.L.M. lands within the County. Public hearings have been set at Tucson, Phoenix, and Safford. The meeting at Safford has been set for May 23, 1978 at 7:00 pm in the Graham County Courthouse. He also stated that within the next six months they would inventory all B.L.M lands for Wilderness areas and eliminate those not suitable. The board advised they were against wilderness areas in Greenlee County.

Barbara Word, Diane Pfaff and Dick Kinsey met on a proposal for M.C.H Pre-Natal Care for the new budget year and the Board agreed to look at the contract.

The Board, sitting as the Board of Equalization, held a hearing on the protests of the following taxpayers, John & Joyce Cuthbertson, Carl Whitted, Arnold & Gertrude Winkler and William & Mary Coffeen. The Board heard the evidence presented and the State Board of Property Tax Appeals will be notified of the Board's decision in accordance with the law.

Jackie Quinn, County Treasurer, was hereby authorized and directed to make the following listed transfers in the several county funds during the month of April, 1978.

	<u>DR.</u>	<u>CR</u>
FROM: General Fund	131,000.00	
TO: Salary Fund		75,000.00
Expense Fund		50,000.00
Rabies Fund		1,000.00
Health Fund		5,000.00
FROM: Salary Fund	140.00	
TO: Auto License		140.00

The following list of claims were paid for the month of April, 1978.

Salary Fund	52,841.58
Expense Fund	62,809.40
Road Fund Salary	19,968.96
Road Fund Expense	12,293.82
Health Dept. Salary	6,683.92
Health Dept. Expense	1,670.92
Auto License Salary	1,740.86
Auto License Expense	454.07
Public Works Reserve Fund	83,553.10
Election Fund	263.79
Rabies Control Salary	906.00
Rabies Control Expense	27.26
Law Library Fund	306.62
Jr. College Tuition Fund	72,648.03
Revenue Sharing Fund	8,000.00
Family Planning Fund	1,964.14
Nutrition Fund Salary	853.50
Nutrition Fund Expense	309.94
Public Employment Fund Salary	16,115.21
Public Employment Fund Expense	10,007.47
Family Counseling Fund	468.75
Retirement Fund	9,918.71

There being no further business to be brought before the Board, the meeting was adjourned.

ATTEST: Ruby Sanders
Ruby Sanders, Clerk

APPROVED: Angel R. Cueto
Angel R. Cueto, Chairman
