RESOLUTION NO. 2646

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-07, 15-08, 15-09-008, AND 15-09-010 (ALL RELATING TO THE TOWN'S SUBDIVISION REQUIREMENTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORDS.

WHEREAS, the Code of the Town of Payson was declared to be a public record by Resolution Number 1536 and was adopted as a public record by Ordinance Number 588; and

WHEREAS, it is the intention of the Town of Payson to amend Sections 15-07, 15-08, 15-09-008, and 15-09-010 (all relating to the Town's subdivision requirements) of the Unified Development Code of the Town of Payson; and

WHEREAS, such amendments may be enacted by reference, pursuant to A.R.S. § 9-802,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. Section 15-07 of the Unified Development Code of the Town of Payson is hereby amended, such amendment is declared to be a public record, and pursuant to such amendment, Section 15-07 shall read as set forth in Exhibit A.

Section 2. Section 15-08 of the Unified Development Code of the Town of Payson is hereby amended, such amendment is declared to be a public record, and pursuant to such amendment, Section 15-08 shall read as set forth in Exhibit B.

Section 3. Section 15-09-008 of the Unified Development Code of the Town of Payson is hereby amended, such amendment is declared to be a public record, and pursuant to such amendment, Section 15-09-008 shall read as set forth in Exhibit C.

Section 4. Section 15-09-010 of the Unified Development Code of the Town of Payson is hereby amended, such amendment is declared to be a public record, and pursuant to such amendment, Section 15-09-010 shall read as set forth in Exhibit D.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 5th day of January, 2012, by the following vote:

AYES 4 NOES 2 ABSTENTIONS 0 ABSENT 1

See Ord. #818

Community Dev
American Legal
11, 279

JAN 05 2012 G. 2. A.

Kenny J. Evans, Mayor

ATTEST:

Silvia Smith, Town Clerk

APPROVED AS TO FORM:

Timothy M. Wright, Town Attorney

EXHIBIT A TO RESOLUTION 2646
(Section 15-07, including table C.1.1 and notes and typical street sections)

15-07 SUBDIVISIONS

15-07-001 General Provisions

A. Purpose and Intent

The purpose of this chapter is to: (1) Provide for the orderly growth and harmonious development of the Town; (2) To assure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; (3) To achieve individual property lots of reasonable utility and livability; (4) To secure adequate provisions for water supply, drainage, sanitary sewerage and other health requirements; (5) To ensure consideration for adequate sites for schools, recreation areas and other facilities for general public use and benefit; (6) To promote the conveyance of land by accurate legal description; and (7) To provide procedures for the achievement of this purpose.

B. Applicability

The requirements of this chapter shall apply to all divisions of improved or unimproved land into four or more lots, tracts or parcels for the purpose of financing, sale or lease, whether immediate or future. These requirements do not apply to; (1) The adjustment or relocation of a boundary line or a sale or exchange of parcels between adjacent property owners or adjacent lots or parcels when the sale or exchange does not create additional lots; (2) The adjustment or relocation of boundaries between adjoining units or subdivision of individual units in a previously approved and recorded condominium plat where such subdivision or relocation is expressly permitted by the condominium declarations; (3) The creation of an interest in oil, gas, minerals, or water that is severed from the surface ownership of real property; (4) Leasing of apartments, offices, stores, or similar space within an apartment building, commercial building, industrial building, or mobile home park; (5) The division of land by order of any court or by operation of law, or pursuant to the laws of eminent domain; or (6) Minor land divisions.

15-07-002 Subdivision Design Principles and Standards

A. General Requirements

1. Every subdivision shall conform to the goals and objectives of the General Plan, provisions of this Code, ordinances adopted by the Town Council, and laws of the State that specifically identify subdivisions and the development of land.
2. Where the tract to be subdivided contains any part of the site of a proposed park, school, flood control facility or other public area as shown on the General Plan, or as required by the Town Council, such site shall be dedicated to the public or reserved for acquisition by the public within a specified period of time. An agreement shall be reached between the subdivider and the appropriate public agency regarding time, method, and cost of such acquisition.
3. Property which is within a delineated floodway or flood plain, or known to have major drainage issues shall not be subdivided until the drainage issues have been adequately addressed. Thereafter, improvement plans shall be approved by the appropriate Local,

State and Federal agencies and construction financial assurances shall be posted prior to commencement of construction.

4. Whenever new lots, tracts or parcels are created that have a slope of 15% or greater over at least one-half of the new lot, tract, or parcel, development shall meet the requirements of Section 15-07-002.H. A slope analysis map shall be submitted with or prior to the Preliminary Plat showing all areas with a slope greater than 15%.

B. Street Location and Arrangement

1. Whenever a property to be subdivided is adjacent to or embraces any part of an existing street or any future street designated in an adopted Town Transportation or Circulation Plan, such street shall be platted and constructed with the subdivision in conformance with the classification and standards designated for that street.
2. Street layout shall provide for the continuation of streets to promote connectivity throughout the Town.
3. New streets in a proposed subdivision shall be extended to the property boundary to provide future connection with adjoining unsubdivided properties. Street connections shall be designed to accommodate the amount of increased traffic flow generated by the proposed subdivision. An engineered traffic study to determine the effect of the increased traffic may be required by the Public Works Department.
4. No residential lot access is allowed from Arterial or Minor Arterial roadways.
5. Streets shall be arranged in relation to existing topography to produce desirable lots of maximum utility, streets of reasonable gradient, and to facilitate adequate drainage. Local streets shall be arranged to discourage their use by through traffic.
6. Alleys are discouraged. However, alleys may be provided in the platting process if needed to provide adequate vehicular or utility access to the proposed properties. If alleys are used, special attention shall be given to utility placement and access, drainage, and crime prevention.
7. Half streets are discouraged. However, half streets may be allowed to provide right-of-way required by the Circulation Element of the General Plan or recommended in the Payson Area Traffic Study, to complete an existing street pattern, or to assure reasonable development of adjoining parcels.
   a. When a development is required to construct a new roadway along a boundary, the developer shall work with the adjacent property owner to provide full street improvements. If an agreement cannot be reached to construct the full street, the Town may approve a half street. However, the development may need to dedicate additional right of way to accommodate the minimum half street.
   b. The minimum paved street width of a half street is 20.5 feet (back of curb to edge of pavement).
   c. Where a new development abuts an existing half street, the remaining half street shall be constructed with the new development.
8. Where a new single family residential subdivision abuts an existing non-single family

use, either by use or zoning classification, the subdivision shall construct screening between the new subdivision and the non-single family uses.

C. Street Design

All public and private streets in the Town, unless otherwise specified in this Code, shall be designed to the standards set forth herein. Table C.1.1. summarizes the street design requirements.

1. The following minimum required right-of-way widths shall be followed unless a reduction is specifically approved by the Public Works Department and the Town Council. A reduced right-of-way may be granted only if special accommodations have been made for utilities, access, parking, grading and drainage.
   a. Major arterial streets and highways - as required by current Town and Arizona Department of Transportation standards.
   b. Minor arterial street right of way - 80 feet.
   c. Collector street right of way – 60 feet.
   d. Local street right of way – 50 feet.
   e. Cul-de-sac streets shall terminate in a circular right-of-way 50 feet in radius with an improved traffic turning circle 45 feet in radius. An equally convenient turnaround acceptable to the Fire Department may be approved by the Public Works Department where justified by the field conditions.
2. Dead end streets will not be approved except in locations where they will provide access to adjacent property for future development. Any dead end street providing access to more than four lots or more than 150 feet long, measured from the intersecting street right of way to the end of the road, shall provide a temporary turnaround meeting the requirements of Section 15-07-002-C-1-e.
3. Alleys, if used, shall be a minimum width of 20 feet. All half width alleys shall have a minimum width of 12 feet. Alley intersections and sharp changes in alignment shall have a minimum 15' by 15' triangular cutoff on each quadrant. Alleys shall be tangential if the centerline radius is less than 800 feet. Dead end alleys are prohibited.
4. Grades:

   Longitudinal slopes (grade) of streets shall be in accordance with Table C.1.1 and the accompanying notes. Exceptions to street grade requirements may be approved by the Public Works Director in extreme conditions.
5. Vertical Curves:

   Vertical curves shall be in accordance with Table C.1.1 and the accompanying notes.
6. Horizontal Alignment:
   a. Horizontal alignment shall be in accordance with Table C.1.1 and the accompanying notes.
   b. When tangent center lines deflect from each other more than five degrees and less than ninety degrees, they shall be connected by a curve per Table C.1.1.

c. Streets intersecting with minor arterial routes shall do so at an angle which shall not vary from ninety degrees by more than six degrees; intersections of local streets shall not vary from 90 degrees by more than ten degrees.
d. Street jogs with centerline offsets of less than one hundred twenty-five feet shall be avoided unless otherwise approved by the Public Works Department.
e. Minor streets intersecting a collector street or arterial route shall have a tangent section of centerline at least 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 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 modified by the Public Works Department.
f. Street intersections with more than four legs and Y-type intersections where legs meet at acute angles shall be avoided.
g. At street intersections, property line corners shall be rounded by circular arc, said arc having a minimum radius length of 15 feet on arterial and collector streets and a minimum radius of 12 feet on local streets.

TABLE C.1.1
TOWN OF PAYSON
STREET DESIGN STANDARDS(10)

TYPE OF STREET	PRINCIPAL ARTERIAL	MINOR ARTERIAL	COLLECTOR	ZONING					CUL DE SAC	
CRITERIA				R2, R3	R1-6 - R1-8	R1-10 - R1-12	R1-18 – R1-90	R1-175	BUBBLE	COMMERCIAL
MINIMUM RIGHT OF WAY	PER ADOT	80'	60'	50'	50'	50'	50'	50'	50' R	60'
MINIMUM ROADWAY WIDTH	PER ADOT	45' B/C-B/C (11)	36' B/C-B/C	33' B/C-B/C	33' B/C-B/C	28' B/C-B/C	24' B/C-B/C	22' EP-EP	45' RBC	33' B/C – B/C
PAVEMENT EDGE TREATMENT	PER ADOT	6" VERT C&G	6" VERT C&G	4" ROLL C&G(2)	4" ROLL C&G(2)	4" ROLL C&G(2)	2' RIBBON CURB	MARICOPA EDGE	SAME AS STREET	6" VERT C&G
SIDEWALK	PER ADOT	5' MIN EACH SIDE (3)	5' MIN EACH SIDE (3)	5' MIN EACH SIDE (3)	5' MIN EACH SIDE (3)	4' MIN EACH SIDE (3)	NONE (4)	NONE (4)	SAME AS STREET	5' MIN EACH SIDE (3)
ASPHALTIC CONCRETE	PER ADOT	4" (5)	3" (5)	2" (5)	2" (5)	2" (5)	2" (5)	2" (5)	2" (5)	3" (5)
ROADWAY BASE	PER ADOT	8" (6)	8" (6)	6" (6)	6" (6)	6" (6)	6" (6)	6" (6)	6" (6)	6" (6)
LONGITUDINAL SLOPE (MIN-MAX)	PER ADOT	0.2%-6.0%	0.2%-8.0%	0.2%-12.0% (7)	0.2%-12.0% (7)	0.2%-12.0% (7)	0.2%-12.0% (7)	0.2%-12.0% (7)	8.0%	0.2%-12.0% (7)
CROSS SLOPE (MIN-MAX)	PER ADOT	2% - 4%	2% - 4%	2% - 4%	2% - 4%	2% - 4%	2% - 4%	2% - 4%	8.0%	2% - 4%
CURB RETURN RADIUS (RBC)	PER ADOT	30'	30'	25'	25'	25'	25'	25'	45'	30'
RIGHT OF WAY RADIUS	PER ADOT	15'	15'	12'	12'	12'	12'	12'	50'	15'
MINIMUM CENTER LINE RADIUS	PER ADOT	500'	500'	100'	100'	100'	100'	100'	N/A	150'
TANGENT BETWEEN REVERSE CURVES	PER ADOT	100' (8)	100' (8)	100' (9)	100' (9)	100' (9)	100' (9)	100' (9)	N/A	100' (9)
VERTICAL CURVE ALGEBRAIC DIFF.	PER ADOT	0.4%	0.4%	2.0%	2.0%	2.0%	2.0%	2.0%	N/A	2.0%
VERTICAL CURVE MINIMUM LENGTH	PER ADOT	200'	150'	100'	100'	100'	100'	100'	N/A	150'
ON STREET PARKING	NO	NO	NO	YES	YES	ONE SIDE	NO	NO	SAME AS STREET	NO

TABLE C.1.1 NOTES

All principal arterial routes are state highways owned and maintained by the Arizona Department of Transportation.

2. Vertical curb and gutter may be required if storm drainage flows cannot be contained within the roll curb and gutter.

3. Sidewalk may be required on only one side of the road with and increased width (6' minimum) if approved by the Public Works Department and Community Development Department (See Note 4).

4. A minimum 4 foot wide shoulder is required if no sidewalk is installed. This shoulder shall maintain the same grade as sidewalk would be and shall be constructed of ABC, granite or other approved material.

5. Asphaltic concrete thickness shall be as recommended in the geotechnical report for each project or the specified minimum, whichever is greater. If Portland Cement concrete is used, the minimum thickness shall be as recommended in the projects geotechnical report. A double chip seal may also be used only on roads included in the "Dirt Road Elimination Program".

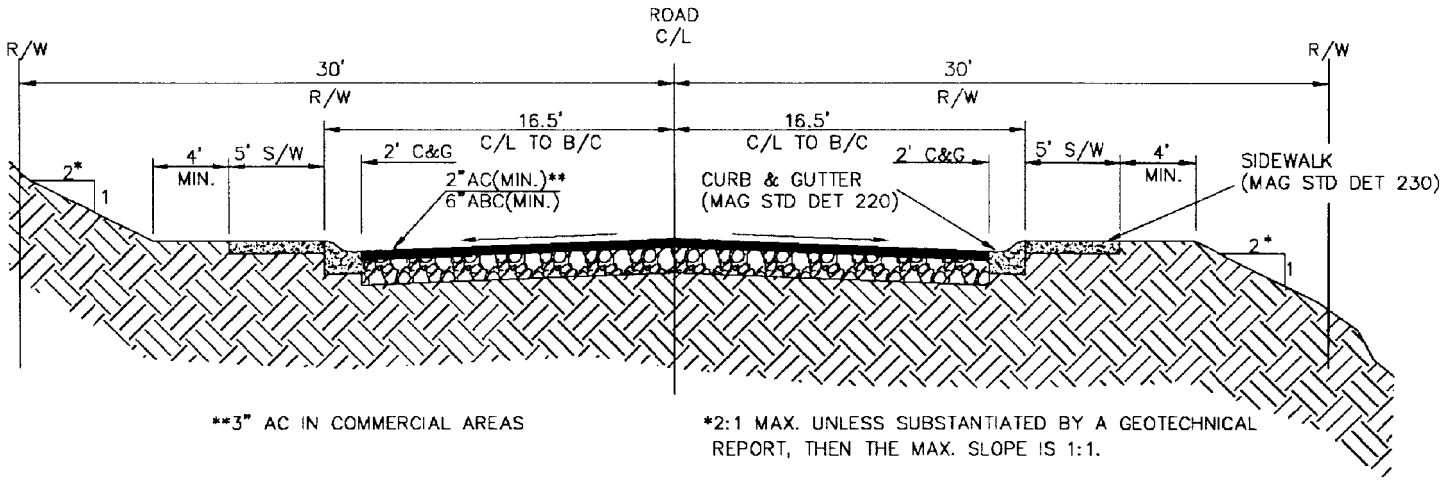
6. Roadway Base thickness to be as recommended in the geotechnical report for each project or the specified minimum, whichever is greater. No ABC is required if a full depth asphalt or Portland Cement concrete alternative section as recommended in the geotechnical report is used.

7. A maximum longitudinal slope of up to 18% may be used for a distance not to exceed 300 feet between the vertical points of intersection if existing terrain dictates and approved by the Public Works Department.

8. The tangent between reverse curves may be reduced to 50 feet if the centerline radius on each end of the tangent exceeds 750 feet.

9. The tangent between reverse curves may be reduced to 50 feet if the centerline radius on each end of the tangent exceeds 250 feet and may be eliminated if the centerline radius on each end of the tangent exceeds 750 feet if approved by the Public Works Department.

10. These standards are designed for new roadway construction. These standards may be adjusted on projects involving rehabilitation of existing improvements if approved by the Public Works Department.

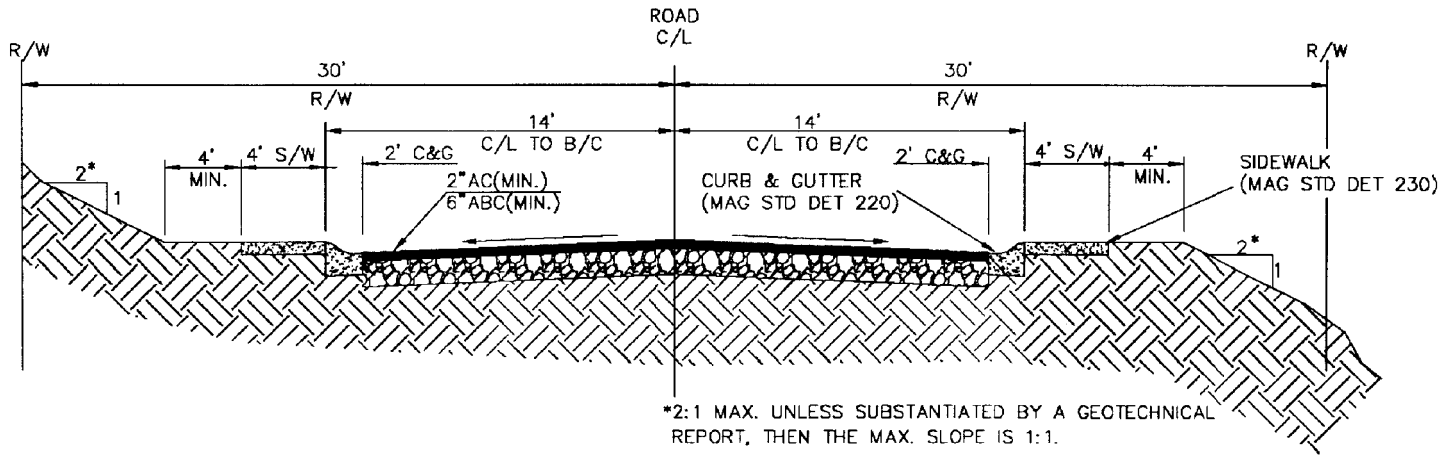


**3" AC IN COMMERCIAL AREAS

*2:1 MAX. UNLESS SUBSTANTIATED BY A GEOTECHNICAL REPORT, THEN THE MAX. SLOPE IS 1:1.

TYPICAL RESIDENTIAL STREET SECTION

R1-6, R1-8, R2 & R3 DENSITIES AND COMMERCIAL

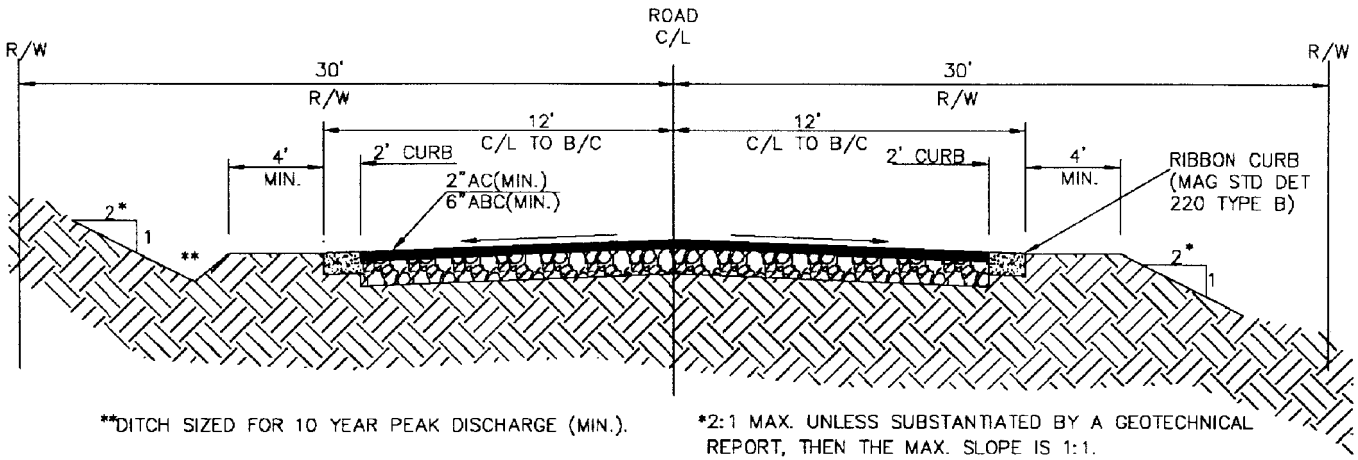


*2:1 MAX. UNLESS SUBSTANTIATED BY A GEOTECHNICAL REPORT, THEN THE MAX. SLOPE IS 1:1.

TYPICAL RESIDENTIAL STREET SECTION

R1-10, R1-12 DENSITIES

1/12/2007 11:33:00 AM

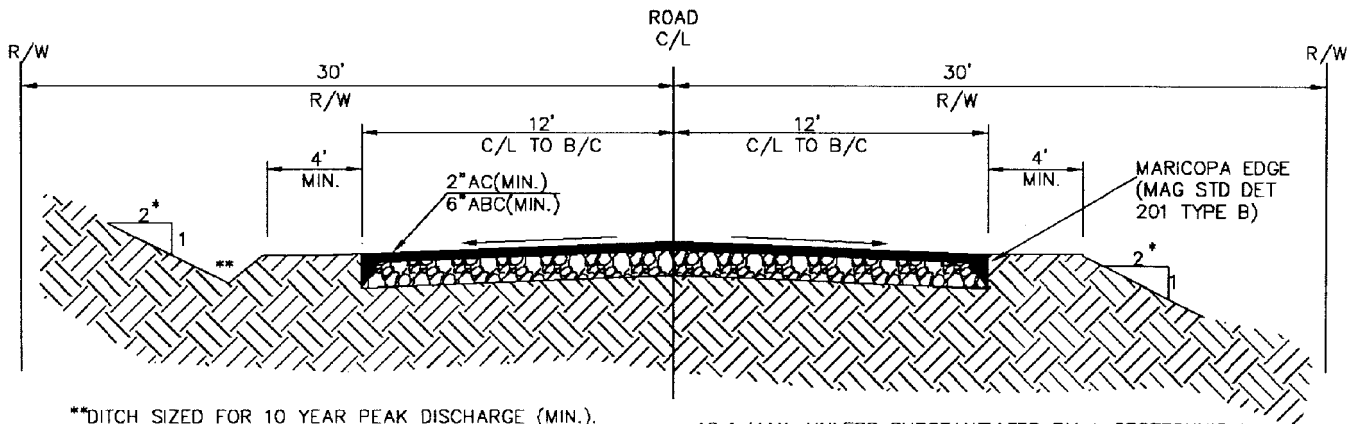


**DITCH SIZED FOR 10 YEAR PEAK DISCHARGE (MIN.).

*2:1 MAX. UNLESS SUBSTANTIATED BY A GEOTECHNICAL REPORT, THEN THE MAX. SLOPE IS 1:1.

TYPICAL RESIDENTIAL STREET SECTION

R1-18 TO R1-90 DENSITIES



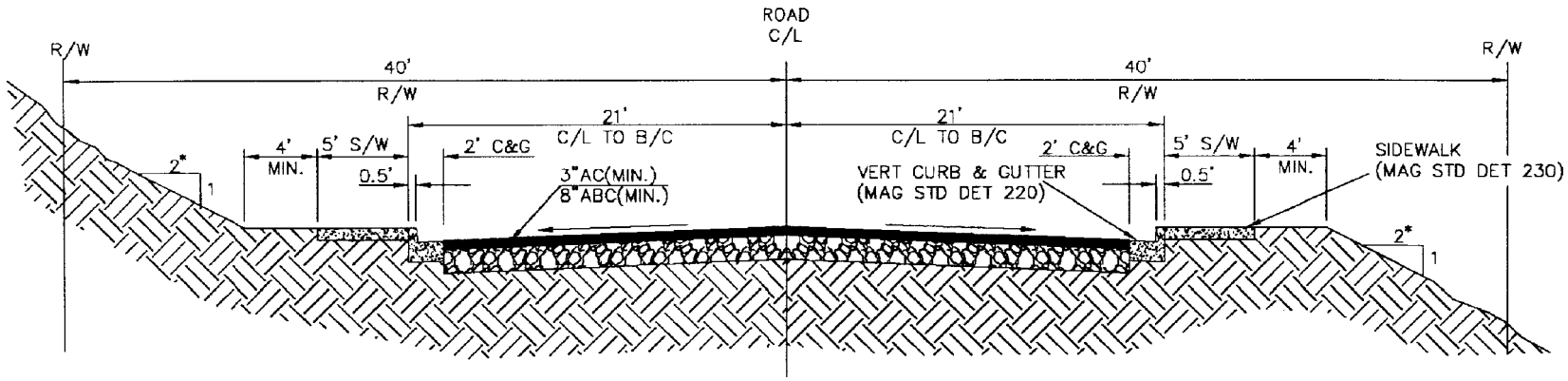
**DITCH SIZED FOR 10 YEAR PEAK DISCHARGE (MIN.).

*2:1 MAX. UNLESS SUBSTANTIATED BY A GEOTECHNICAL REPORT, THEN THE MAX. SLOPE IS 1:1.

TYPICAL RESIDENTIAL STREET SECTION

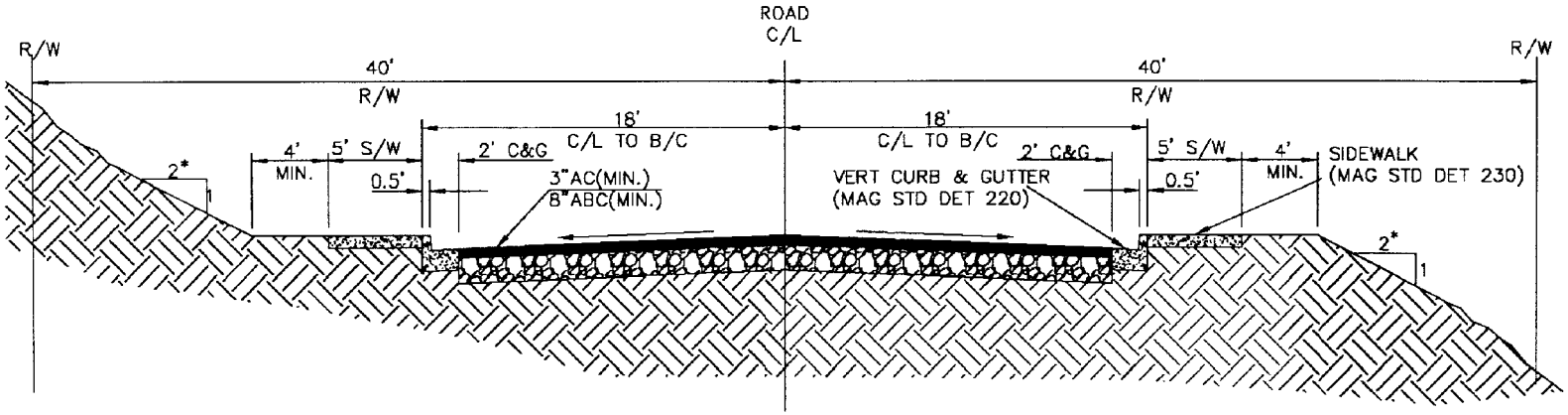
R1-175 DENSITY

1/12/2007 11:35:57 AM



*2:1 MAX. UNLESS SUBSTANTIATED BY A GEOTECHNICAL REPORT, THEN THE MAX. SLOPE IS 1:1.

TYPICAL MINOR ARTERIAL SECTION



*2:1 MAX. UNLESS SUBSTANTIATED BY A GEOTECHNICAL REPORT, THEN THE MAX. SLOPE IS 1:1.

TYPICAL COLLECTOR SECTION

1/12/2007 11:37:20 AM

D. Block Design

1. Maximum length of blocks, measured along the centerline of the street, and between intersecting street centerlines, shall be 1,500 feet. The maximum length may be increased to 2,000 feet in areas where the average lot size is ½ acre or larger.
2. The length of cul-de-sac streets shall not exceed six hundred feet measured from the intersection of the street center lines to the center of the cul-de-sac bubble or turnaround, measured along the street centerline. This length may be extended where topography, adjacent platting or other unusual conditions justify such. No exception shall be made merely because the tract has restrictive boundary dimensions. Where a street is intended to serve adjacent properties in the future, this length may be exceeded and a temporary turn around installed per Section 15-07-002-C.1.e.
3 No more than 20 lots may be served from a single point of access. A gated emergency access may be considered as the second point of access if approved by the Community Development and Public Works Departments.
4. Pedestrian ways with a minimum right of way of 10 feet may be required where necessary for pedestrian or equestrian access to schools, playgrounds, shopping centers, transportation, trails, the National Forest, etc. Pedestrian ways may be used as public utility corridors.

E. Lot Planning

1. General Information:
   a. Lot width, depth, and area shall comply with the minimum zoning requirements for the zoning district in which it is located.
   b. In areas of steep topography, unusual soil conditions, drainage issues, abrupt changes in land use or where heavy traffic on adjacent streets prevail, special lot width, depth, and area requirements which exceed the minimum requirements of the particular zoning district may be required.
2. Proposed streets shall be arranged in close relation to existing topography.
3. The depth-to-width ratio of the usable area of the lot shall not be greater than three to one.
4. Side lot lines shall be substantially at right angles or radial to street lines, except where other treatment is justified and approved by the Town.
5. Lot access shall be on a public or private street and in accordance with Section 15-02-003A.4
6. Single family residential lots extending through the block and having frontage on two parallel streets are discouraged. If allowed, through lots shall have a 1 foot non-vehicular access easement and a physical barrier across the rear of the lot.

F. Easement Planning

1. A minimum 8 foot wide public utility easement shall be provided along all street frontages for use by all utilities.
2. Drainage flows exiting any parcel, tract, or lot shall enter a natural drainage conveyance,

drainage easement, or public right of way. Drainage easements are required wherever drainage flows leave the public right of way. Drainage easements shall be of sufficient width to allow adequate maintenance as approved by the Public Works Department.

3. Land within a public street or drainage easement or land within a utility easement for major power transmission (tower) lines or pipe lines shall not be considered a part of the minimum required lot area except where lots exceed 1/2 acre in area. This shall not be construed as applicable to land involved in utility easements for distribution or service purposes.
4. Additional easements may be required wherever slopes, utilities, or drainage facilities are not included within the road rights of way.

G. Street Naming

The subdivider shall propose the street names subject to the approval by the Police, Fire, Public Works and Community Development Departments at the preliminary plat stage.

H. Hillside Properties

1. Applicability
   a. These regulations shall apply to all properties with a slope of 15% or greater on 50% or more of the total lot area. (Note: Properties or parcels established prior to August 8, 1999 are not required to conform to this section, unless that parcel or property has since been reconfigured by a Lot Line Adjustment, Minor Land Division, Subdivision Plat or similar process.)
   b. A property is exempt from the requirements of this section if all of the following items are complied with:
      1. The Lot Line Adjustment Map, Minor Land Division Map or Subdivision Plat depict an allowable restricted building envelope on the property that is substantially more restrictive than the standard building setback areas; and
      2. The area of slope greater than 15% within the restricted building envelope is less than 50% of the restricted building envelope; and
      3. The restricted building envelope is not adjusted to increase the 15% or greater slope area of the restricted building envelope to more than 50% of the restricted building envelope.

      This exemption may be applied to properties previously designated as "Hillside Lots" if the submitted building plans and site grading plans show that the disturbed area fits within a restricted building envelope meeting the above criteria.
2. Development Policies

   The following general development policies shall be used for developing all properties on which the Hillside regulations apply:
   a. All vegetation, including plants, trees and grasses shall be preserved to the best extent possible to reduce scarring, storm water runoff, and preservation of the natural environment.
   b. Buildings and other structures shall be designed with terracing-like features which follow the original contours of the site thereby discouraging high protruding structures which

will dominate hillside areas and negatively impact the scenic quality. Where possible, structures are to be constructed so that the roof lines are below ridge lines.

c. Grading shall be kept to a minimum, attempting to conform to the natural contours of the land, and sharp angles at the top and ends of cut and fill slopes shall be rounded in a natural manner.
d. Replacement vegetation shall be planted on all cut and fill slopes to prevent erosion and enhance the natural beauty.
e. Natural drainage ways shall be preserved to the best extent reasonable.
f. Geological formations, such as rock outcrops, shall be preserved whenever reasonable.
g. Utilities and other infrastructure necessary for development will be installed in a manner and location which protects and preserves hillside areas.

3. Determination of Slope Percentage and Area

The location of the 15% and greater slopes shall be determined by a computer slope analysis program using software approved by the Town of Payson Town Engineer.
The area of slope of 15% or greater shall be determined for each parcel, tract or lot created. If the area of 15% or greater slope exceeds 50% of the total parcel, tract or lot area, that property shall be considered a "Hillside" property and shall be developed in accordance with the requirements of this section.

Manmade areas of disturbance in place prior to the property potentially being designated as a "Hillside" property may be ignored when calculating the area of slope over 15% if approved by the Public Works Department.

4. Development Standards and Regulations for Single Family Residential Properties 8,000 Square Feet or Larger

The development standards regulations in this section are for 8,000 square foot and larger single family residential properties. Development standards and regulations for smaller single family, multi-family, and commercial properties are in Paragraph 7.

a. Clearing and Grubbing

(1) No clearing, grubbing or brushing is allowed on "Hillside" Properties without a grading permit.

b. Grading:

(1) Grading is any excavation or embankment or combination thereof.
(2) The amount of area allowed to be disturbed on a "Hillside" property, excluding the disturbed area under a roof, open deck or porch, and the driveway surface area, shall be no more than 10% of the total lot area.
(3) An Engineered Grading and Drainage Plan shall be prepared and sealed by an Arizona Registered Professional duly licensed to prepare such plans by the Arizona State Board of Technical Registration for each "Hillside" property in accordance with these requirements and the requirements of the Town of Payson Grading and

Drainage Manual. This plan shall be approved by the Town of Payson Town Engineer prior to the issuance of a building permit and prior to any type of brushing or grading proceeding on the property.

(4) The Engineered Grading and Drainage Plan shall include at a minimum the following information:

I. Existing Topography including contour lines, trees 6" in diameter at 4.5' above the ground, major geologic features, adjacent roadway and improvements, existing utilities, etc. Also include the location of any existing disturbance on a "Hillside" property in conjunction with the construction of roadways, drainage facilities, utilities, etc. for an overall development.

II. Proposed elevations of all constructed items and grading such as finished floor (FF), all finish grades, driveways, walkways, retaining walls, etc.

III. Location of all proposed structures, decks, underground utility service lines, retaining walls, walkways, driveways, curbs, hand railings, fences, slopes, and similar related items.

IV. A calculation showing the amount of allowable graded area of the lot, the amount of disturbed area excluded from the grading calculations, and the disturbed area outside the excluded area.

V. A line on the grading plan shall depict the maximum limits of disturbance of the property. A temporary fence, 3' high minimum, shall be constructed on the property coincident with the maximum limits of disturbance line shown on the grading plan prior to any clearing, grubbing or grading of the property.

VI. Proposed landscaping of all disturbed areas in accordance with paragraph 15-07-002-4f. The landscaping may be shown on a separate plan sheet for clarity.

VII. Appropriate and adequate details to ensure that construction will be completed in accordance with the intent of the original plan.

(5) The fence identified in paragraph (4)V above shall be installed by the contractor and approved by the Town of Payson Public Works Department immediately prior to the issuance of a Grading Permit. This fence shall remain in place until after the final inspection of the grading by the Public Works Department.

(6) Generally, retaining walls shall not be higher than 6 feet. However, retaining walls may be up to 8 feet high if located in the rear of the structure and hidden from view from the roadway and adjacent lots. If terraced retaining walls are used, additional retaining walls shall be set back from the first wall a minimum of four feet horizontally. Terraced retaining walls over four feet in height shall be set back an additional one foot horizontal for every one foot vertical.

Retaining walls shall be constructed of concrete, masonry, stacked rock, mechanically stabilized earth (MSE), or other methods as shown on the approved Grading Plan. The retaining wall design and coloring shall be part of the approved Grading Plan. Exposed retaining walls shall be colored to blend in with the natural environment and/or screened with indigenous vegetation prior to issuance of a Certificate of Occupancy.

c. Utilities:

(1) All utility service lines shall be installed underground.

(2) The underground utility service lines shall be installed in a location that will not disturb additional area outside the allowable disturbed area as shown on the approved grading plan. It is recommended that these utility lines be installed parallel to and adjacent to the driveway to reduce the amount of disturbed area.

(3) Any area disturbed by the installation of utility service lines shall be within the maximum disturbed area fence required in paragraph (5) above and shall be included in the disturbed area per paragraph (4)IV.

d. Driveways and Walkways:

(1) Driveways shall be located in such a manner as to minimize the amount of disturbed area. The area of the driving surface is exempt from the allowable disturbed area calculations. However, all grading for slopes, retaining walls, etc. adjacent to the driveway driving surface is counted as disturbed area.

(2) Shared driveways between adjacent properties are encouraged. If the shared driveway concept is used, each affected lot may receive credit for the additional undisturbed area created by using the shared driveway concept. The credit shall be the difference between the estimated area that would have been constructed as driveway surface if the individual driveway option were used and the actual driveway surface of the shared driveway on the property.

(3) A safety curb shall be installed along the edge of all fill slopes along driveways any time a retaining wall is constructed adjacent to the driveway and the vertical drop is 18" or greater. No curb is required if a minimum 3 foot wide safety shoulder is provided.

(4) Walkways and sidewalks shall be constructed so as to minimize the amount of disturbed area. All grading, slopes, walkway surface, etc. shall be counted as part of the disturbed area, except the surface area of the sidewalk connecting the driveway and front door is exempt from the disturbed area. A handrail in accordance with applicable building codes shall be installed along sidewalks and walkways any time a retaining wall is constructed within 2 feet of a sidewalk and the vertical drop is 30 inches or greater.

e. Cut and Fill Slopes:

(1) The maximum vertical height of any cut or fill slope shall not exceed 12 feet.

(2) The slope of new cut surfaces shall not exceed 2 feet horizontal to 1 foot vertical unless deemed stable by an Arizona Registered Professional competent in the geotechnical area.

(3) The slope of new fill surfaces shall not exceed 3' horizontal to 1' vertical unless protected from erosion by appropriate rip-rap. The slope of rip-rapped protected surfaces shall not exceed 2' horizontal to 1' vertical.

(4) All cut and fill slopes and all areas backfilled against retaining walls shall be re-vegetated in accordance with paragraph (4)f of this section.

f. Re-vegetation of Graded Areas:

(1) All plants used for re-vegetation of the disturbed area shall be listed on the Town of Payson Low Water Plant Use List.

(2) Whenever possible, existing trees with 6" or greater trunk diameter at 4.5' above the ground that must be removed for the site construction are encouraged to be salvaged and replanted in areas requiring re-vegetation.
(3) Plants used shall be appropriate to aid in erosion control on the disturbed areas.
(4) Re-vegetation landscaping shall consist of at least one tree (15 gallon minimum size with a minimum trunk diameter of 2" at the soil level) and four shrubs (5 gallon minimum size) per each 500 square feet of disturbed area.
(5) An appropriate drip irrigation system shall be installed with the landscaping and the property owner shall be responsible to keep the landscaping in living condition.
(6) All landscaping and irrigation must be in place prior to final inspection and approval.
(7) A landscaping plan meeting the above criteria must be submitted with the hillside grading plan.

5. Hardship Conditions and Violation Remedies

In extreme conditions it may be impractical to meet the above requirements. At the sole discretion of the Town of Payson Town Engineer, if it is impractical to stay within the 10% disturbed area limits, any one or combination of the following options may be used to approve the Grading Plan:

a. Disturbed areas caused in conjunction with the construction of roadways, drainage facilities, utilities, etc. for the overall development may be declared exempt from the amount of allowable disturbed area of the parcel.
b. Additional area in excess of the allowable 10% disturbed area may be allowed if the additional disturbed area is landscaped to the following requirements: Two trees (15 gallon minimum with a minimum trunk diameter of 2") and eight shrubs (5 gallon minimum size) per each 500 square feet of disturbed area.
c. Allow credit for construction of driveways, walk ways or similar type construction that disturbs substantially less area than would normally be expected.
d. Allow credit for other acceptable solutions as approved by the Town of Payson Town Engineer.

6. Final Approval

Upon completion of all construction the contractor and/or owner shall request a final inspection from the Town of Payson Public Works Department.

If all grading is in conformance with the approved grading plan, the Public Works Department shall approve of the Certificate of Occupancy. If during the final inspection of the grading and drainage it is determined that the field construction is not in accordance with the approved plan, the Public Works Department may exercise any or all of the following options:

(1) Require remedial action to bring the field grading and drainage into compliance with the approved plan;
(2) Require an "As-Built" plan, including updated disturbed area calculations, to determine if the field conditions are in compliance with all the requirements of this Section. If it is determined from the "As-Built" plan that the construction on a particular property is not in compliance with these requirements, the Registered Professional shall prepare a revised design to bring the property into compliance. Upon approval by the Town of the

revised plan, all construction must be completed on the property prior to issuance of a Certificate of Occupancy.

(3) Issue a citation for violating the provisions of this Section.

The Public Works Department may not approve a Certificate of Occupancy, Temporary or Permanent, for any property in violation of these requirements.

7. Single Family Lots Less Than 8,000 Square Feet, Multi-Family and Commercial Developments

The following general development policies shall be used for developing all small single family lots, multi-family and commercial properties:

a. Single Family Lots Less Than 8,000 Square Feet

(1) Graded area may exceed the amount of allowable graded lot area as defined in Paragraph 4(b)(2) if both of the following criteria are met:

I. The lot is located in a development that has identified undisturbed public open space that is designated a "Natural Area Open Space".

II. The total square footage of the graded lot area that exceeds the maximum allowed in Paragraph 4(b)(2) for all lots in the development does not exceed the total area of the property described in Paragraph 7(a)(1)(I).

(2) If the single family lot less than 8,000 square feet does not meet the criteria of Section 7 a (1) I and II, it shall be graded in accordance with Section 4 of the Hillside Grading Code.

b. Condominium, Apartment, and Commercial Developments

(1) All areas outside the building envelope(s) and parking areas, vegetation, including plants, trees and grasses shall be preserved to the best extent possible to reduce scarring, storm water runoff, and preservation of the natural environment.

(2) Where feasible, structures shall be designed with terracing-like features which follow the original contours of the site thereby discouraging high protruding structures which will dominate hillside areas and negatively impact the scenic quality.

(3) Grading, outside the building envelope(s) and parking areas shall be kept to a minimum.

(4) Replacement vegetation shall be planted on all cut and fill slopes to prevent erosion and enhance the natural beauty.

(5) Geological formations and natural drainage ways shall be preserved to the best extent reasonable.

(6) Utilities and other infrastructure necessary for development shall be installed underground in a manner and location which protects and preserves hillside areas.

8. Hillside Grading Violations

Property owners and/or contractors cited for violation of these grading requirements and who do not remedy the situation within 15 calendar days shall be subject to penalties as stated in Section 10.99(A) of Town of Payson Code.

I. Landscaping

1. All common public areas and areas disturbed by construction shall be landscaped as required in Article 15-03, and as otherwise required in this Code, at the subdivider's expense.

2. Street trees shall be supplied by the subdivider, a minimum of one per lot or one tree per 75 linear feet of street frontage, whichever is less, of native species, configuration within the public right-of-way, or within the front yard where the right-of-way is prohibitive, and a minimum of two feet from the side lot line. Existing undisturbed native trees may be used to fulfill this requirement. New tree sizes shall be a minimum 15 gallon and a minimum one inch trunk caliper.
3. All landscaping and street trees shall be supplied and installed according to the approved landscape plan. The landscape plan shall be submitted in conjunction with the development improvement plans. The landscape plan shall be approved by the Community Development Department and Water Department prior to approval of the site improvement plans by the Public Works Department.
4. Improvements within all zoning districts shall be in conformance with the Landscaping and Buffering requirements of this code. The Town may require a tree conservation and salvage plan as part of the landscape plan to insure minimum impact on native tree and plant species.

J. Performance Contract

1. Agreement by Subdivider: Upon approval of the final plat, the subdivider shall execute an agreement relating to the following:
   a. Subdivision improvements may be constructed in phases if the construction phasing is included with the approved improvement plans. Construction phasing must provide satisfactory drainage, utilities, traffic movements and other services, as determined by the Public Works Department.
   b. The improvements shall be constructed in accordance with plans approved by the appropriate Town Departments. Sanitary sewer improvements shall be approved by the Northern Gila County Sanitary District.
   c. The improvements, including those within public rights of way, shall be completed within the time specified in the "Agreement to Construct Subdivision Improvements" for each construction phase, provided that an extension of time may be granted if approved by the Town Council. Failure to complete a construction phase within the specified time shall be considered non performance by the developer.
   d. The subdivider shall give adequate financial assurance of construction for each construction phase in accordance with subsections 1 and 2 of this Section.
   e. The subdivider shall agree that no lot, parcel, tract, or unit will be sold until adequate financial construction assurances for the construction phase in which that lot, parcel, tract, or unit is part of have been posted with the Town, except as provided in subsection 1(i) of this section.
   f. Progress payments may be made to the subdivider or his contractor upon approval of the invoice by the subdivider and the Town from any cash deposit or other form of financial assurances posted pursuant to subsection 2 of this section. Such progress payment shall be made in accordance with standards established by the Public Works Department. If partial payments are made, the payee shall provide a partial lien release to the Town for each partial payment and a final lien release prior to the Town Council accepting the improvements.

g. Any work abandoned or not completed by the subdivider may be completed by the Town, which shall recover such construction and administrative costs from the subdivider.

h. Construction of all improvements within the streets and easements shall be subject to inspection by the Public Works Department and such other departments as are necessary.

i. No building or residence shall be occupied as a residence or issued a certificate of occupancy until all public right-of-way and utility improvements required by this Code have been completed and accepted by the Town Council.

j. Upon transfer of ownership of an unimproved part or parcel of the platted subdivision to another party, the new owner shall be responsible for fulfillment of all obligations of development of the property in compliance with this Code and all existing agreements and conditions imposed on the original subdivider and developer.

k. No construction, grading, tree removal, utility construction or drainage improvements shall commence until the appropriate permits are obtained from the Town, and adequate construction financial assurances are provided.

2. Assurance of Construction: To insure construction of the required improvements, as above set forth in this section, the subdivider shall provide financial assurances in one of the following forms: (1) deposit funds with a mutually agreed upon escrow agent, banking institute, or other acceptable agency; (2) post a surety bond in favor of the Town; (3) provide a loan commitment from a financial institution; or (4) other form of surety acceptable to the Town. The amount of the financial assurance, regardless of which type used, shall be equal to the amount of the cost of the work of each construction phase, plus an additional ten percent for changes and an additional three percent (excluding any sanitary sewer costs) for permit and inspection fees. The amount will be based on a signed construction contract, if available, or a sealed engineer's estimate approved by the Town.

a If the funds are placed in an escrow account, there shall be an agreement between the escrow agent and the subdivider requiring Town approval prior to disbursement of any funds from the account. A copy of the agreement shall be attached as an exhibit to the financial assurance agreement between the Town and the subdivider.

b. If a surety bond is used, it shall be executed by the subdivider, as principal, with a corporation duly authorized to transact surety business in the State of Arizona, as surety. The bond shall be in favor of the Town, shall be continuous in form and shall be conditioned that the total aggregate liability of the surety for all claims shall be limited to the face amount of the bond, irrespective of the number of years that the bond is enforced. A copy of the surety bond shall be attached as an exhibit to the financial assurance agreement between the Town and the subdivider.

c. If a loan commitment from afinancial institution is used as the construction financial assurances, the subdivider shall, prior to the recording of the final plat, deliver to the Town an appropriate agreement between an approved lending institution and the subdivider, stating that funds sufficient to cover the cost of the proposed construction, in an amount approved by the Public Works Department, have been committed to be loaned by such lending institution to the subdivider. Such agreement shall provide that such funds in the stated amount are specifically allocated and will be used by or on the

behalf of the subdivider, only for the purpose of installing the subdivision improvements. The Town shall be the beneficiary of such an agreement, or the subdivider's rights shall be assigned to the Town, and the Public Works Department shall approve each disbursement of any such funds. The agreement may also contain terms, conditions, and provisions normally included by such lending institutions in loan commitments for construction funds, or as may be necessary to comply with statutes and regulations applicable to such loaning institutions.

3. The financial surety shall be released by the Town upon satisfactory performance and acceptance of the improvements by the Town. The financial surety may be canceled or the cash withdrawn by the subdivider, provided that other security satisfactory to the Town has been put in place, which will cover the obligations of the subdivider, which remain to be performed.

K. Individual Lot Development

1. Building permits will not be issued for individual lot development until all subdivision improvements have been inspected and approved by the Public Works Manager or his designee and accepted by the Town Council except as follows:
   a. Office facilities for marketing and construction management for the subdivision construction may be permitted if the following conditions are met:
      1. The final subdivision plat has been recorded;
      2. Appropriate building permits have been issued for the construction;
      3. The Permittee is the developer of record; and,
      4. Adequate fire protection and access has been approved by the Fire Department.
   b. Up to five (5) model homes may be permitted if the following conditions are met:
      1. The final subdivision plat has been recorded;
      2. Appropriate building permits have been issued for the construction;
      3. The Permittee is the property owner, property developer of record, and the building contractor; and
      4. Adequate fire protection and access has been approved by the Fire Department.
2. No Certificate of Occupancy may be issued for the above model home exception until the final improvements have been inspected and approved by the Public Works Manager or his designee and accepted by the Town Council.

15-07-003 Street and Utility Improvement Requirements

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 subdivider 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, alleys, or easements which are required as a condition of plat approval shall be the responsibility of the subdivider, provided, however, the subdivider may be allowed to meet the requirements by participation in an improvement district approved by the Town.

B. Project Improvement Plans

1. The subdivider shall have a complete set of engineered project improvement plans, reports, and specifications prepared by a licensed civil engineer who is currently registered in the State of Arizona, and submit such plans to the to the Public Works Department for approval. Such plans, reports, and specifications shall be based on the approved preliminary plat and shall be prepared in conjunction with the final plat. The typical subdivision submittal will include improvement plans (paving, water, sewer, grading, storm water detention, landscape, irrigation, etc.), drainage report, geotechnical report, detention basin maintenance plan, and water distribution design report. The improvement plans may all be in one set or separate. The sanitary sewer improvement plans shall be reviewed and approved by the Northern Gila County Sanitary District.
2. Final project improvement plans shall be approved by the Public Works Department 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. The Town cannot approve the improvement plans until: (1) they meet all of the Town requirements; (2) they have been approved by the Northern Gila County Sanitary District; and (3) they have been submitted to the Arizona Department of Environmental Quality for an "Approval to Construct" certificate.
3. Improvement plans shall include adequate plan views, profiles, typical sections, and detail sheets to accurately portray the intent of the design. A typical plan set will include the following sheets:

    Cover Sheet
    Key Map Sheet
    Detail Sheets (Water, Sewer, and as needed for the project)
    Plan and Profile Sheets (Grading, Paving, Storm Drain, Water, Signage, etc.)
    Plan and Profile Sheets (Sanitary Sewer)
    Cross Sections.
    Landscape and Irrigation Plans
    Storm Water Pollution Prevention Plan

4. The plan set shall, at a minimum, contain the following information:
   a. Cover Sheet;
      (1) Name of Project
      (2) Name and type of plan;
      (3) Location map;
      (4) Estimated earthwork calculations;
      (5) Benchmarks approved by the Town of Payson;
      (6) Basis of bearing for the project;
      (7) Name, address and phone number of subdivider;
      (8) Name, address, phone number and professional seal of engineer preparing plans;
      (9) List of utility agencies serving the proposed development;
      (10) Plan sheet index;
      (11) Approval signature block of the Town of Payson Public Works Department and Payson Fire Department;
      (12) Bluestake note.
   b. Key Map Sheet
      (1) Overall project site map depicting the location of the streets, lots, tracts, or parcels;
      (2) Identification of which sheet each type of improvement is shown on;
      (3) Proposed water and sewer facilities at a readable scale;
      (4) Other information as deemed necessary by the engineer.
   c. Detail Sheets
      (1) Typical street cross-sections shall include adequate information to address each situation or condition encountered in the project and the location each section pertains to shall be clearly identified. At a minimum, the sections shall include the widths for the right of way and all improvements, parkway grading, including the 4' shoulder, street structural information, any ditches, etc. as required by this code;
      (2) All necessary details for paving, grading, or drainage improvements, special conditions, etc., including cross sections;
      (3) Applicable drainage basin design and details;
      (4) The standard Town of Payson Water Detail Sheet if any Town water system construction or improvements are proposed;
      (5) The standard Northern Gila County Sanitary District Details pertaining to any sanitary sewer construction or improvements proposed;
      (6) Town of Payson current general notes for construction;
      (7) Any other details the engineer believes is necessary to accurately convey the intent of their design.
   d. Plan view sheets shall include at least the following information;
      (1) Street names;
      (2) A north arrow and graphic scale on each plan sheet;
      (3) 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 valley gutters, culverts, catch basins, storm drains, or similar items. All concentrated drainage flows exiting pubic right-of-way onto private property must flow into a drainage easement. Typically, roadside ditches are not allowed behind curb or sidewalk.

(6) Curb, gutter, sidewalks and asphalt structures;

(7) Survey monument location to be set, existing control monuments to be referenced prior to destruction and all bench marks used;

(8) The location of all proposed traffic control devices and street name signs, 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 shall be shown on a plan sheet;

(9) The top and toe of slopes for both cuts and fills shall be shown. If slope extends outside the right of way, a slope easement may be required;

(10) 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 shall be shown on the plans;

(11) Construction notes indicating any and all construction items for utilities, paving, storm drainage, etc.;

(12) Additional information needed to clarify plans or address specific conditions.

e. Profiles shall include at least the following information;

(1) Bench marks, including description, location and elevation;

(2) Existing and finished grade profiles. Profiles of center line and right and left curb and gutter control line or edge of pavement are required. The presentation must clearly show and distinguish existing and proposed profiles and other profile information. A single center-line profile may be used if the plans also include roadway cross-sections at 25 foot intervals.

(3) Finished elevations including BVC, PI, and EVC of vertical curves, vertical intersection points, curb returns, match lines and all other points needed for vertical control of construction;

(4) Slopes and vertical curve lengths;

(5) Curb return profiles and elevations at intersections;

(6) Drainage structures and utilities;

(7) All crossings of water lines with storm drain lines or sanitary sewer lines.

(8) Extension of the improvement project as required to assure that the design is compatible with future development;

(9) Consistent stationing throughout the plans;

(10) Additional information needed to clarify profiles or deal with 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;

(11) Appropriate transitions to connect to any adjacent existing improvements.

f. Cross-Section shall include at least the following;

(1) Typical street cross-sections at 25 foot intervals and at all additional control points. Cross-sections are not required if a 3 line profile is used.

g. Landscape and Irrigation Plans shall be submitted with the improvement plans meeting the requirements of Section 15-07-002I, Section 15-03, and Chapter 50 of the Payson Town Code. In most cases, a separate landscape water meter with a backflow preventer is required for site landscaping.
h. A Storm Water Pollution Prevention Plan shall be included with the improvement plans for all projects whose total area is one half acre or larger. The Storm Water Pollution Prevention Plan shall be in compliance with all Federal and State regulations.

C. Construction and Inspection

1. All construction within Town of Payson rights-of-way shall conform to the latest Maricopa Association of Governments (MAG) Construction Specifications and local modifications.
2. All improvements in the public right-of-way shall be constructed under the inspection and approval of the Town of Payson Public Works Department. Construction shall not be commenced until appropriate permits have been issued for such construction. If work is discontinued for any reason, it shall not be re-started until after notifying the Public Works Department at least 24 hours in advance.
3. All underground utilities to be 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.
4. Permit and inspections fees for condominiums and single family residential subdivisions shall be included in the construction financial assurances per Section 15-07-002J
5. Prior to receiving any permit for development construction the following must be completed:
   a. The Agreement to Construct Subdivision Improvements must be approved and executed.
   b. All required financial assurances must be in place.
   c. The final subdivision plat must be recorded.
6. In conjunction with the right of way permit, the Public Works Department shall specify the route(s) for all construction traffic affiliated with constructing the development. See Town Code Section 130.38.
7. It is the responsibility of the subdivider to retain a material testing firm to provide material and compaction testing on each project. Type and frequency of tests shall be performed in accordance with MAG and Town of Payson standards. Copies of all testing results (compaction, concrete strength, etc.) shall be delivered to the Town of Payson Public Works Department prior to final acceptance of the construction improvements. The Town may withhold approval of partial payment draws if the testing results are delinquent.
8. One complete set of "Record Drawings" shall be submitted and approved by the Public Works Department prior to final acceptance of construction improvements by the Town Council.
9. As a part of the construction financial assurances, the subdivider shall guarantee the improvements for a period of two years from the date of acceptance by the Town Council.

D. Required Improvements

1. Streets and Alleys: All streets and alleys within the subdivision shall be graded and surfaced to cross-sections, grades, and standards currently approved by the Public Works Department. Where there are existing improved streets adjacent to the subdivision,

subdivision streets shall be improved to the intercepting paving line of such existing streets. Dead end streets serving more than four lots shall be provided a graded and surfaced temporary turning circle per Section 15-07-002-C-2. Developments shall be responsible for constructing their half of any street adjacent to their development. If there is an existing street adjacent to the development that does not meet the current Town standard, the development is responsible for upgrading their half of that street to meet the current standards. The Town Council may also require improvements on streets providing access to a new development.

2. Curbs: Where required, Portland cement concrete curb and gutter, or ribbon curb, as designated by the Public Works Department, shall be installed in accordance with approved Town standards. Concrete valley gutters are acceptable at connecting intersections but are not normally allowed in a mid-block location.
3. Sidewalks: Portland cement concrete sidewalks shall normally be required on both sides of streets and shall be constructed to a width, line and grade approved by the Public Works Department in accordance with approved town standards. The Town may waive the sidewalk on one side of the street if the sidewalk on the other side has an increased width (6' minimum). Sidewalk may also be waived in areas where it will serve six or fewer properties or in areas where a Payson Area Trail System (PATS) pathway is constructed with the project.
4. Street Signs: Street name signs shall be placed at all street intersections and be in place prior to acceptance of improvements by the Town. Specifications for design, construction, location, and installation shall be in accordance with approved Town standards. All traffic control signs shall also be of the required type and in the required location prior to final acceptance of improvements.
6. Storm Drainage: All storm water detention/retention and disposal shall be in accordance with Chapter 152 of the Payson Town Code. Easements for storm water flows shall be provided per Section 15-07-002-F-2. The type, extent, location, and capacity of drainage facilities shall be determined for the individual subdivision by the design engineer and approved by the Public Works Department and shall be constructed in accordance with approved Town standards.
7. Sanitary Sewage Disposal: Sewage disposal facilities shall be installed to serve each lot. It is desirable that all lots be connected to the Northern Gila County Sanitary District. Any new lot meeting the criteria of Section 15-02-004C "Table of Residential Standards" shall be connected to the Northern Gila County Sanitary District. Properties that do not meet the criteria for connection to the Northern Gila County Sanitary District shall install an alternative sewage disposal system in accordance with Section 15-02-004C "Table of Residential Standards" and the Gila County Health Department.
8. Water Facilities Requirements:
   a. Each lot or building unit shall be supplied with potable water in sufficient volume and pressure for domestic use and fire protection purposes. All new public water line extensions shall be designed to maintain a minimum pressure of 20 psi at all locations and under any usage conditions. Design and construction of any and all facilities relating to the supply, storage, transmission, treatment, and distribution of potable water within or outside of any subdivision must meet with the written approval of the Water

Superintendant. All design and construction must meet applicable Town and Arizona Department of Health Services specifications and requirements in force at the time of plan renewal and approval. A Water Design Report shall be submitted with the improvement plans demonstrating that adequate water and fire flows are available for the development and that the development is not detrimental to the surrounding area.

b. The Town assumes no liability for providing water to any proposed or actual subdivision until such time as all necessary facilities are built in accordance with the Town Water Department specifications and meet with the written approval of the Water Superintendant.

c. The Town reserves the right to participate in any or all phases of any development of any water facilities. Conversely, the Town reserves the right not to participate in any or all phases of the development of any water facilities.

d. Specifications and requirements relating to fire protection are established by the Fire Chief of the Town. All other water specifications and requirements of the Water Department are established by the Water Superintendant These specifications or requirements are subject to change based on the following: (1) final design of the subdivision; (2) changes or revisions in the plat; or (3) actual construction of facilities within the subdivision if they have requirements greater than those for which the water facilities were designed.

e. The specifications and requirements of the Town regarding the public water system shall be considered valid only if they are in written form and signed by the Water Superintendant, and these specifications and requirements are subject to change at any time and shall be enforced from the date of change.

9. Monuments: Permanent monuments shall be installed in accordance with current Town standards at all corners, angle points and point of curves and at all street intersections. After all improvements have been installed, a registered land surveyor shall check the location of monuments and certify their accuracy.

10. Lot Corners: Iron pipe or steel reinforcing bars not less than one-half inch in diameter shall be set at all corners, angle points and points of curve for each lot within the subdivision prior to the recording of the plat except that the Public Works Department may approve a delay where topographic conditions make it necessary. All corners shall be in place prior to final acceptance of the subdivision improvements.

11. Street Lights: Street lights shall be installed at the discretion of the Public Works Manager or designee.

12. Dry Utilities, Electric, Telephone and CATV: All electric lines, except those of a greater than 21 KVA capacity, all telephone and all Cable Television (CATV) lines shall be installed underground. In addition, any existing dry utility lines that meet the above criteria adjacent to or within the boundaries of the subdivision shall also be placed underground. The subdivider shall be responsible for the requirements of this subsection and shall make the necessary arrangements with each of the public utility companies involved for the installation of underground facilities. Letters from each of the public utility companies indicating that said arrangements have been made shall be submitted to the Public Works Department prior to final subdivision plat approval.

13. Record Drawings: One complete set of record drawings shall be submitted by a registered civil engineer certifying to the best of their knowledge that all items within the subdivision were constructed in accordance with the plans and specifications approved by the Public Works Department, except as noted on the drawings.

15-07-004 Modifications

Where, in the opinion of the Public Works Manager, there exists extraordinary conditions of topography, land ownership, or adjacent development, or other circumstances not provided for in this chapter, the Council may, upon investigation and recommendation of the Community Development Department and Public Works Department, modify these regulations in such manner and to such extent as it may deem appropriate to the public interest.

15-07-005 Prohibition Against Circumvention of Chapter

No person, firm, corporation, or other legal entity shall sell or offer for sale any lot, piece, or parcel of land which is within a subdivision as defined in Section 15-11-002 of this code without first having recorded a plat in accordance with the provisions of this chapter.

EXHIBIT B TO RESOLUTION 2646
(Section 15-08)

15-08 ADMINISTRATION

15-08-001 Purpose

The purpose of this section is to set forth the organization, powers and duties of the offices responsible for the administration of this Code.

15-08-002 Council

The Council shall have the following duties in the administration of the zoning provisions of this Code:

A. Review, adopt, and amend the Master Plan for the Town of Payson, and other plans deemed necessary upon recommendation from the Commission.

B. Hear, review, and consider appeals from decisions of the Commission.

C. Hear, review, and approve final subdivision plats.

D. Hear, review, and adopt amendments to the Zoning Map after recommendation from the Commission.

E. Hear, review, and adopt amendments to the text of this Code upon recommendation from the Commission.

F. Take such other action that the Council may deem necessary or desirable to implement the provisions of these regulations and the Master Plan.

15-08-003 Planning and Zoning Commission

The Commission shall primarily serve as an advisory body to the Town Council to direct growth and physical development of the Town in a sound and orderly manner for prosperity, health, safety, and welfare of citizens.

A. Membership

1. The Commission shall be composed of seven members who shall be residents of the Town. The members of the Commission shall be appointed by the Mayor subject to the approval of the Council. These appointments shall be for a period of three years each with the terms of members so staggered that the terms of no more than three members shall expire in any one year. All members shall be appointed for full three year terms except that in the event of death or resignation of a member the vacancy may be filled for the unexpired term. The term of all members shall extend until their successors are qualified; except that three successive unexcused or unexplained absences from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority without the necessity of a hearing or notice, and such action shall be final.
2. All members shall serve without pay. Members of the Commission may be reimbursed for actual expenses incurred in connection with duties upon authorization or ratification by the Community Development Director and approval of such expenditures by the Town Manager.

B. Officers

The Commission shall elect a chairman and vice-chairman from among its own members, who shall serve for one year and until their successors are elected and qualified. The chairman shall preside at all meetings and exercise all the usual rights, duties, and prerogatives of the head of any similar organization. The chairman shall have the power to administer oaths and to take evidence. The vice-chairman shall perform the duties of the chairman in the absence or disability of the chairman. Vacancies created by any cause shall be filled for the unexpired term by a new Council appointment.

C. Duties

It shall be the duty of the Commission to hold public hearings when necessary and make recommendations to the Council on all matters concerning or related to the creation of zoning districts and boundaries, the appropriate regulations to be enforced therein, the amendment of this Code, and any other matter within the scope of the zoning power.

1. To hear, review, and make recommendations to the Council regarding applications for amendments to the General Plan and other planning documents.
2. To serve as an advisory body to the Council and to furnish to the Council through its secretary the facts concerning the adoption of any report or recommendation.
3. To initiate, hear, and review amendments to the Zoning Map in accordance with the provisions of Section 15-09 of this Code.
4. To initiate, hear, and review amendments to the Text of this Code.
5. To make investigations, maps, reports and recommendations in regard to the physical development of the Town of Payson.
6. To review and approve, approve with stipulations, or disapprove preliminary subdivision plats in accordance with rules and procedures of the subdivision regulations.
7. To approve or disapprove conditional use permits.
8. To hear, review and make recommendations to the Town Council regarding requests to abandon Town rights of way and easements.

15-08-004 Board of Adjustments

A. The Board, organized as provided under Ordinance No. 364 of the Town of Payson, shall, at its first meeting every January, elect a Chairman and Vice Chairman from among its appointed members, who shall preside at all meetings and hearings of the Board, decide all points of order or procedure and perform any duties required by law, ordinance or this Code. The term of the Chairman shall be one year and any member serving as Chairman shall be eligible for re-election and have the power to administer oaths and take evidence.

B. The Board of Adjustment shall have public meetings and minutes of its proceedings showing the vote of each member and records of its examinations and other official actions shall be filed in the office of the Board as a public record.

C. Duties and Powers

1. A Board of Adjustment shall:

a. Hear and decide appeals from the decisions of the Zoning Administrator, or the Commission, and shall exercise such other powers as may be necessary or proper for the conduct of his business and adopt all rules and procedures necessary or convenient for the conduct of its business.
b. Hear and decide appeals in which it is alleged that there is an error in an order, requirement or decision made by the Zoning Administrator in the enforcement of this Code.
c. Hear and decide appeals for variances from the terms of the Zoning Section of this Code (15-02), only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings the strict application of the Zoning provisions of this Code in Section 15-02, will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any Variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which property is located.
d. Reverse or affirm, wholly or partly, or modify the order, requirement or decision of the Zoning Administrator, or Commission, appealed from, and make such order, requirement, decision or determination as necessary.

2. A Board of Adjustment may not:
   a. Make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the Zoning provisions of this Code, provided the restriction in this paragraph shall not affect the authority to grant Variances pursuant to this Code and Article 6.1 of Chapter 4 of Title 9, Arizona Revised Statutes.
   b. Grant a Variance if the special circumstances applicable to the property are the result of actions taken by the property owner or previous property owner.

15-08-005 Development Services Committee

The primary purpose of the Development Services Committee is to provide assistance and input to applicants in the development process for residential or commercial development, use permits, zoning modifications, variances, etc.

A. The Development Services Committee shall consist of representatives from the following Departments: Public Works; Water; Community Development; Fire; Legal; Parks, Recreation and Tourism; and the Town Manager.

B. The Town Manager or designee shall act as Chairman for the Development Services Committee and establish Town Policy concerning meeting schedule, protocol, membership, etc.

15-08-006 Community Development Department

The Community Development Department will have the following powers and duties:

A. To serve as the Planning Agency per Statutory provisions, and administer all official planning, zoning, subdivision, and building regulations as provided in this Code.

B. To develop a Master Plan, any area or specific plans, and Capital Improvements Plan, and to submit such plans, including amendments thereto, to the Commission and the Council as may be required by applicable provisions of this Code.

C. The Community Development Director or designated representative(s) shall serve as Zoning Administrator(s) for the Town, and shall be authorized to enforce all zoning related matters as provided for in this Code.

D. To interpret and administer the Zoning and Subdivision regulations and the related policies established by the Council.

E. To establish forms and processes for the administration and review of map amendments, conditional uses, variances, subdivision plats, text amendments, and appeals.

F. To conduct pre-application conferences prior to submission of applications for map and text amendments, conditional uses and variances.

G. To accept, review, and make recommendations regarding map amendments.

H. To accept and process appeals applications.

I. To provide staff to facilitate all public hearing requirements necessary under the provisions of these regulations.

J. To provide staff to the Council, the Commission, the Board of Adjustments and, the Planning and Zoning Commission in the execution of their responsibilities under this Code.

K. To review and decide applications for building permits for compliance with the provisions of these regulations and ensure that the actual construction is in accordance with these regulations.

L. To review applications for certificates of occupancy, including conditional certificates of occupancy in accordance with this Code.

M. To enforce the provisions of this Code as applicable to Community Development.

N. To review and approve, approve with stipulations, or disapprove Preliminary Plats for ten (10) or fewer lots on properties less than ten (10) acres in size.

15-08-007 Public Works Department

The Public Works Department shall have the following powers and duties:

A. To review all design plans for infrastructure improvements to determine compliance with Council policies and Town Codes.

B. To determine appropriate rights-of-way width, and level of improvements needed.

C. To review Minor Land Divisions and Preliminary Plats and provide comments to the Community Development Department concerning infrastructure improvements and other project requirements.

D. To participate in pre-application meetings with developers for new subdivisions.

E. To review and approve final plats and improvement plans subject to the stipulations placed on the Preliminary Plat.
F. To inspect all infrastructure improvements for new subdivisions to determine compliance with Council Policy, and prepare a report of acceptance to the Council.
G. To review and determine appropriateness of cost estimates for infrastructure improvements.
H. To enforce the provisions of this Code as applicable to infrastructure development.
I. To review and recommend acceptance of assurance agreement for infrastructure improvements to the Council.
J. To review and approve, approve with stipulations, or disapprove Preliminary Plats for ten (10) or fewer lots on properties less than ten (10) acres in size.

15-08-008 Administrative Relief

A. The Community Development Manager may authorize administrative relief to the property owner, only if necessary, of up to ten percent of any development standard unless specifically restricted elsewhere in this Code if:
   1. An application by the property owner, on a form prescribed by the Community Development Manager, has been submitted;
   2. Notice, by first class mail, postmarked at least five days prior to the determination to adjacent property owners determined by the Community Development Manager as potentially affected by the request;
   3. The proposed improvement requiring relief will not be detrimental to the property requesting relief, any adjacent property owner or the Town;
   4. The relief granted is the minimum required to meet the needs of the proposed improvement; and
   5. The relief shall not be contrary to the purposes and intent of this Code.
B. Any relief authorized by the Community Development Manager will be documented with findings consistent with the standards above, and filed with the building permit records, subdivision case file, or other department files, as appropriate.
C. The Public Works Manager may authorize administrative relief to the requirements of Section 15-07 if it can be documented that following these requirements is unreasonably restrictive.

EXHIBIT C TO RESOLUTION 2646
(Section 15-09-008)

15-09-008 Amendments to Text and Zoning Map

The Council may from time to time as public necessity, convenience, general welfare and good planning practice requires change the district boundaries or amend, change, repeal or supplement the regulations herein established. Such changes or amendments may be initiated by the Council, the Commission, and staff or by application of one or more owners of real property within the area proposed to be changed.

A. Applications for Amendments.

Applications for change of district boundaries or for amendment of this code shall be filed with the Community Development Director or his/her designee. In the case of an application requesting a zoning district change, which includes other property in addition to that owned by the petitioner, the application shall include the signatures of the real property owners representing at least seventy-five (75) percent of the land in the area proposed to be changed. Applications shall be filed on a form provided for the purpose and shall include:

1. A detailed narrative justifying the application.
2. A map showing the particular property or properties for which the change of zone is requested and substantially the adjoining properties and the public streets and ways within a radius of three hundred (300) feet of the exterior boundaries thereof.
3. A Development Plan which shall show the following:
   (a) Topographical description showing existing and proposed grades and drainage systems and natural and man made features with indication as to which one(s) are to be retained and which one(s) are to be removed or altered.
   (b) Proposed street system.
   (c) Proposed block layouts.
   (d) Proposed reservation(s) for parks, parkways, playgrounds, recreation areas and other open spaces.
   (e) Off-street parking space.
   (f) Types and uses of structures.
   (g) Locations of structures, garages and/or parking spaces.
   (h) A tabulation of the total number of acres in the proposed project and a percentage thereof designated for the proposed structures.
   (i) Preliminary plans and elevations of the structure types.
4. A true statement revealing any restrictions of record that would affect the requested uses of the property and the dates of expiration thereof.
5. Such photographs, drawings and other supporting documents, as the applicant may desire to present.
6. A Citizens Participation Report as required in Section 15-09-013.
7. Payment of a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the offices of the Town Clerk. No part of the filing fee shall be returnable. Payment of filing fee shall not be applicable when the applicant is the Council or Commission or when the Town, County, State or Federal Government initiates the change or amendment.
8. A legal description of the subject property.

9. The Community Development Director or his/her designee shall determine the format and quantities of all documents to be submitted.

B. Commission Action.

1. Upon receipt of any complete application for amendment, the Community Development Director or his/her designee on behalf of the Commission shall fix a reasonable time for the hearing of the proposed zone change or amendment and shall give notice in the manner as specified in Section 15-09-009. The Commission may continue such hearing to a date certain.
2. The Community Development Director or his/her designee shall submit a report and recommendation to the Commission prior to the scheduled public hearing.
3. The Commission shall review any application based on the Town of Payson General Plan, Unified Development Code, other applicable Town codes, ordinances and policies and sound land use planning principles.
4. Within thirty (30) days after the close of the hearing, the Commission shall render and forward its decision to the Council.
5. The Commission may vote to withdraw any Commission initiated amendment, prior to its submission to Council.

C. Council Action.

1. Upon receipt of the Commission's recommendation, the Council shall hold at least one public hearing after providing notice as specified in Section 15-09-009.
2. The Council may require conditions as may be appropriate based on (1) the Town of Payson General Plan, Unified Development Code, other applicable Town codes, ordinances and policies and (2) sound land use planning principles.
3. The Council may approve a change of zone conditioned upon a schedule for development of the specific use or uses for which rezoning is requested. If at the expiration of this period the property has not been improved for the use for which it was conditionally approved, the Council, after notification by certified mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to take administrative action to extend, remove, or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
4. If the owners of 20% or more either of the area of the lots included in a proposed change, or of those immediately adjacent in the rear or any side of the lot extending 150 feet, or of those directly opposite of the lot extending 150 feet from the street frontage of the opposite lots, file a protest in writing against a proposed amendment, it shall not become effective except by the favorable vote of three-fourths of the members of the Council. If members of the Council are unable to vote on the issue because of conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the governing body, provided that such required number of votes shall in no event be less than a majority of the full membership of the Council.

EXHIBIT D TO RESOLUTION 2646
(Section 15-09-010)

15-09-010 Subdivisions

A. Platting Procedures and Requirements

The following is a list of steps to complete the subdivision platting process:

1. Pre-Application Conference
2. Development Services Committee
3. Preliminary Plat Pre-Submittal for staff review
4. Preliminary Plat Submittal and approval
5. Final Plat Submittal and approval

B. Pre-application Conference

1. Actions by the Subdivider:
   The subdivider shall meet informally with the Planning and Zoning and Public Works Staff to present a general outline of its proposal, including, but not limited to:
   a. Sketch plans and ideas regarding land use, street and lot arrangements and tentative lot sizes.
   b. Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.
2. The Planning and Zoning and Public Works Staff shall provide the subdivider with information and requirements, including, but not limited to:
   a. Procedures, design, improvement standards and plat requirements;
   b. Review the proposal in conjunction with the Town of Payson General Plan Land Use Element and determine if the proposed project meets the criteria of the General Plan.
   c. Review existing zoning of the property and make recommendations if a zoning change is required or desirable.
   d. Review the adequacy of existing or proposed schools, parks, and other public amenities.
   e. Review the site or otherwise determine its relationship to major streets, utility systems, and adjacent land uses and to determine any unusual problems such as topography, utilities, flooding, traffic circulation, etc.

C. Development Services Committee

The subdivider shall meet with the Development Services Committee prior to submitting an application for subdivision of land.

D. Preliminary Plat Pre-Submittal Review

The Subdivider prepares a Preliminary Plat based on the information provided from the Pre-Application meeting, the Development Services Meeting, and any re-zoning stipulations. This document is then submitted to the Community Development and Public Works Staff for a preliminary review prior to the official submittal. The purpose of this review is to eliminate minor errors or omissions that may cause a time delay during the official review.

E. Preliminary Plat Submittal

The preliminary plat for a subdivision includes detailed subdivision planning. The Preliminary Plat is reviewed to determine compliance with applicable codes and regulations governing subdivision. The following is a list of requirements for Preliminary Plat approval:

1. Zoning: The subdivision shall be designed to meet the specific requirements for the zoning district within which it is located. If a rezoning is required, the Town Staff shall not proceed with processing of the preliminary plat until the Council has approved the re-zoning application.
2. Sanitary Sewage, Water Supply, Grading, and Drainage:
   a. Sanitary Sewage: All new single family residential properties less than 2 acres in size and all multi-family, commercial, and industrial properties shall be connected to the Northern Gila County Sanitary District (NGCSD). All new single family residential properties 2 acres or greater in size shall be connected to the Northern Gila County Sanitary District if: 1) the property is located within the NGCSD boundaries and there is an adequate public sewer within 1000 feet of the nearest property line as measured along the usual or most feasible route of access; or 2) the property is not within the NGCSD boundaries, but there is an adequate public sewer within 500 feet of the nearest property line as measured along the usual or most feasible route of access and, the total cost of connecting to the sanitary sewer system is less than two times the cost of installing an on-site disposal system. A public community sewage treatment system other than the NGCSD may be approved if the property is not currently within the NGCSD, and if deemed appropriate by the Public Works Manager. All on-site sewage disposals systems shall also be approved by the Gila County Health Department.
   b. Water Supply: All new single family residential properties less than 2 acres in size and all multi-family, commercial, and industrial properties shall be connected to the Town of Payson Water System. Single family residential lots 2 acres or greater in size are not required to connect to the Town of Payson water system. However, they may still be required to pay the standard development impact fees and to provide fire suppression as required by the Fire Department.
   c. Grading and Drainage: All grading and drainage shall be in accordance with Chapters 151 and 152 of the Town of Payson Code of Ordinances.
3. Preliminary Plat Submittal:
   a. The Preliminary Plat submittal package shall be prepared in accordance with the requirements of Section 15-09-010 (E) and Section 15-07-002 of this Code. The package shall be submitted at least twenty one (21) days prior to the commission meeting at which the subdivider desires to be heard. Upon submittal of a Preliminary Plat to the Community Development Department, the submittal package will be reviewed for completeness. If the submittal package is incomplete, the submittal shall be rejected and the submitter notified within five working days of the package submittal. The

b. Preliminary Plat submittal package shall consist of at least the following items:
   1. Completed Town of Payson Application Form
   2. Proof of ownership or a notarized "authorized agent" form.
   3. Twenty folded copies of the preliminary plat. The folded copies shall be approximately 9" x 12" in size.
   4. Two copies of the Preliminary Title Report
   5. Two copies of the Preliminary Drainage Report
   6. One copy of the Hillside Analysis Map.
   7. One copy of any proposed Conditions, Covenants and Restr ictions (CC&R's)
   8. One electronic copy of all submittal package items in .pdf format.
   9. Citizen Participation Report as outlined in Section 15.09.014. The results of the rezoning Citizen Participation Meeting may be used for the preliminary plat if the rezoning Citizen Participation Meeting was completed within the previous twelve months.
   10. A tree survey may be required by the Community Development Department
   11. Preliminary Plat Filing Fee in accordance with the current Town of Payson Fee Schedule. The filing fee pertains to this submittal only. Any amendments, extensions, etc. shall require payment of additional fees.

4. <u>Preliminary Plat Review</u>:

   Upon acceptance of the Preliminary Plat Submittal Package, the Community Development Department shall transmit a copy of the preliminary plat to the following departments, agencies, and utility companies for their information, review and comment:
   a. Town Manager
   b. Legal Department
   c. Public Works Department
   d. Water Department
   e. Police Department
   f. Fire Department
   g. Parks, Recreation and Tourism Department
   h. Unified School District
   i. Arizona Public Service
   k Entity providing Cable television services
   l. Northern Gila County Sanitary District
   m. Entity providing landline telephone services
   n. United States Postmaster in Payson
   o. Arizona Department of Transportation (if project abuts a state highway)
   p. Payson Ranger District of the Tonto National Forest (if project abuts the National Forest)
   q. Town of Star Valley (if project abuts Town of Star Valley boundaries)
   r. Gila County (if project abuts property under Gila County jurisdiction)

s. Tonto Apache Tribe (if a project abuts the Tonto Apache Reservation)

Each entity shall be given a minimum of 8 working days to review the preliminary plat and provide written comments to the Community Development Department. The Community Development Department will incorporate all applicable comments in a report to the Planning and Zoning Commission as applicable.

5. Preliminary Plat Approval:
   A. Upon acceptance of a Preliminary Plat submittal for subdivisions with more than 10 lots and/or over 10 acres in total area, the Community Development Department shall place the Preliminary Plat on the Planning and Zoning Commission agenda for review. The Preliminary Plat shall be considered by the Planning and Zoning Commission within 30 days of receipt of a complete submittal package. Following review, the Commission shall approve, approve with conditions, or disapprove the Preliminary Plat. The Community Development Department will notify the applicant of the action taken by the Commission.
   B. Upon acceptance of a Preliminary Plat submittal for subdivisions with 10 or fewer lots on property less than 10 acres in total area, the Community Development Department shall review the Preliminary Plat within 30 days of receipt of a complete submittal package. Following review, the Community Development Department will approve, approve with conditions, or disapprove the Preliminary Plat and notify the applicant of the action taken by staff.
6. If the Preliminary Plat is approved, such approval constitutes authorization for the subdivider to proceed with preparation of the final plat and the engineering plans and specifications for improvements. Preliminary approval is based upon the following items:
   a. The improvement plans and final plat will be prepared in substantial conformance with the approved preliminary plat and any conditions included in the approval
   b. Approval is valid for a period of twelve months from the date of Commission approval. The Commission may grant up to two (2) six month extensions of the approval if requested in writing by the subdivider. The project will be considered abandoned and the Preliminary Plat approval automatically withdrawn if the improvement plans and final plat are not approved prior to the expiration of the preliminary plat approval, including approved extensions.
   c. Preliminary approval, in itself, does not assure final acceptance of streets for dedication nor continuation of existing zoning requirements for the property or its environs, nor constitute authorization to record the final plat.
7. Appeals to Council:

   Any applicant aggrieved by a decision of the Planning and Zoning Commission concerning a Preliminary Plat may file an appeal with the Town Council. Such appeal shall be filed within 30 calendar days of the date on which the decision was rendered.

G. Information Required for Preliminary Plat Submittal

1. Form of Presentation: All information required as part of the preliminary plat submittal

shall be shown graphically, by a note on plans, or by letter. The submittal may comprise several sheets showing various elements of required data. All mapped data shall be drawn at the same standard engineering scale, said scale having not more than one hundred feet to an inch. The scale should be adjusted to produce an overall drawing measuring 24" x 36". However, for developments comprising a larger area, the drawings may measure 30" x 42". The preliminary plat shall be appropriately sealed by the Arizona Registered Professional that it was prepared by.

2. Identification and Descriptive Data:
   a. Proposed name of subdivision and a sub-title stating the location by section, township, and range. The sub-title shall also include any relevant information regarding recorded surveys or plats surrounding or included in this development.
   b. Survey ties, including bearing and distance, to at least 2 (two) acceptable government corners with full description of the corner, including accessories, approved by the Public Works Department.
   c. Name, address, and phone number of subdivider.
   d. Name, address, and phone number of the registered Arizona professional preparing plat.
   e. Scale, north arrow and date of preparation including dates of any subsequent revisions.
   f. A vicinity map which shall show the relationship of the proposed subdivision to main traffic arteries and any other facilities which might help to locate the subdivision.
   g. A Sheet Index is required for all preliminary plats with 3 or more sheets.
   h. Notes providing the following information:
      i. The total acreage of the development;
      ii. The total number of lots, tracts and/or parcels within the development;
      iii. The existing zoning district(s) of the property within the development;
      iv. The density in dwelling units per acre for the proposed development;
      v. The area and proposed use of each tract and parcel;
      vi. The Benchmark used in determining elevations for this project;
      vii. The surveying Basis of Bearing;
      viii. That all new utilities will be installed underground;
      ix. That all utilities will be provided by the typical local utility companies;
      x. Whether the streets within the proposed project will be publicly or privately owned;
      xi. Whether a Home Owners Association is anticipated for the proposed development;
      xii. That all required street and traffic control signs will be installed by the subdivider.
   i. Include the following notes in substantially the form provided:

      "All improvements shall conform to the Uniform Standard Specifications and Details for Public Works Construction distributed by the Maricopa Association of

Governments, 1998, including all current revisions, the Town of Payson Standard Water Details and General Notes, and the Northern Gila County Sanitary District Standard Details for Sewer Construction, unless otherwise noted on the plans and approved by the appropriate reviewing agency."

"All maintenance and repair of storm water and drainage facilities in this development, within or without a drainage easement, is the responsibility of the property owner where the storm water or drainage facility is located. However, the Town of Payson, or other public agency having jurisdiction, possess right of entry and access for clearing, cleaning, maintaining, and/or channelizing if the facility is not properly maintained by the property owner. All funds expended for this repair and/or maintenance by the Town of Payson, or other agency, may be charged to the individual property owner.

j. If there are any requested variations to the required codes, those items must be listed or shown on the preliminary plat.

3. Existing Conditions Data:
   a. Topography by contours, including spot elevations, as needed, based on the NAVD 88 survey datum shown on the same map as the proposed subdivision layout. Contour interval shall be such as to adequately reflect the character and drainage of the land;
   b. Location of water wells, streams, drainage ditches, washes, lakes, or other water features, including direction of flow;
   c. The location of the 100-year flood plain along major washes;
   d. The location of any major geologic, archeological, or historic feature within the boundaries of the proposed development (rock outcroppings, Indian ruins, etc.);
   e. Location, widths, and names of all dedicated street rights of way, utility easements, public areas, existing structures to remain, and municipal corporation lines within or adjacent to the proposed development;
   f. Name and Gila County Recorder's Office map number of any recorded adjacent subdivisions having common boundary with the proposed development;
   g. The existing zoning district of the adjacent properties;
   h. Boundaries of the property to be subdivided shall be fully dimensioned.
4. Proposed Conditions Data:
   a. Street layout including location, width, and proposed names of streets. The street layout shall also include connections to adjoining properties as per Section 15-07-002 (B) of this code. A cross-section of each proposed street configuration shall be included on the preliminary plat.
   b. Typical lot dimensions (scaled) for all lots;
   c. Each lot shall be numbered individually and consecutively beginning with lot number one. Each tract or parcel shall also be uniquely identified.

d. Designation of all land to be dedicated or reserved for public use with use indicated.
e. If plat includes land for which multi-family, commercial, or industrial use is proposed, such areas shall be clearly designated together with existing zoning districts and status of zoning change, if any.
f. A copy of any proposed Conditions, Covenants and Restrictions (CC&R's) shall be filed with the preliminary plat.

5. Proposed Utility Methods:
   a. Sewage Disposal: The subdivider shall coordinate with the Northern Gila County Sanitary District for sanitary sewage service. A statement as to the type of proposed sewage facilities shall appear on the preliminary plat. A layout of the proposed sewer lines and manholes, including any extensions required to serve the property, shall be shown on the preliminary plat.
   b. Water Supply: The subdivider shall coordinate with the Payson Water Department for water service. A layout of the proposed water system, including pipes and sizes, valves, fire hydrants, booster pumps, etc., and including any extensions required to serve the property shall be shown on the preliminary plat.
   c. Storm Water Drainage and Disposal: Preliminary drainage calculations and layout of proposed system, including roadway crossings and conveyance sizes, drainage channels, detention basins, etc. All drainage facilities must have the appropriate easement in accordance with section 15-07-002-F.2 of this code.

6. Hillside Analysis Map

   The following information shall be submitted for staff review to determine if the Hillside Requirements apply.
   a. A topographic map of the proposed project utilizing a scale no smaller than one inch equals one hundred feet, containing the following information:
      (1) Contour lines at two foot intervals for slopes of twenty percent or less;
      (2) Contour lines at five foot intervals for slopes over twenty percent;
      (3) Elevations of critical locations, rock outcrops and other special geological formations;
      (4) A depiction of all areas where the slope is equal to or greater than 15% vs. those areas where the slope is less the 15%;
      (5) The location of all proposed streets, lots and tracts.;
      (6) The drawing shall be sealed by a civil engineer or land surveyor registered in the State of Arizona.
   d. Lots, parcels, or tracts where the slope is 15% or greater on at least 50% of the lot, parcel, or tract shall be identified and the following shall be noted on the preliminary plat and final plat: "The following [lot(s), parcel(s) and tract(s)] are subject to hillside development regulations and must have an approved Engineered Hillside Grading and Drainage plan in accordance with Section 15-02-007-H prior to the issuance of any building permits". (List identified lots, parcels or tracts)

H. Final Plat Submittal

This step includes the final design of the subdivision, engineering of improvements and submittal of the improvement plans and final plat by the subdivider for review and approval.

1. Zoning: The subdivision shall substantially conform to the approved preliminary plat.
2. Easements: The subdivider shall provide on the final plat easements for utilities, drainage, slopes, etc. in the appropriate location and size as required for their designated purposes.
3. Final Plat Preparation: The final plat shall be prepared in accordance with requirements set forth in Section 15-09-010 (G) of these regulations and shall substantially conform to the approved preliminary plat.
4. Final Plat Submittal:
   a. The subdivider shall file with the Public Works Department sixteen (16) folded copies of the final plat, the appropriate filing and recording fees, together with a computer closure of the overall project boundary and each individual lot, parcel or tract for review. An updated title report no more than fifteen (15) days old shall also be include with the final plat submittal.
   b. Prior to staff and Council approval of the final plat, the subdivider shall coordinate with the Town of Payson Legal Department concerning the "Agreement to Construct Subdivision Improvements" in accordance with Section 15-07-002 J.
5. Final Plat Review:
   a. Upon receipt of the final plat submittal for review, the Public Works Department shall immediately record receipt and date of filing and check the submittal for completeness. If complete, the department shall review the plat for substantial conformity to the approved preliminary plat and refer copies of the submittal to the following departments, utilities, and agencies for review and comment. All comments must be returned to the Public Works Department within 10 working days.
      a. Town Manager
      b. Legal Department
      c. Public Works Department
      d. Community Development Department
      e. Water Department
      f. Police Department
      g. Fire Department
      h. Parks, Recreation and Tourism Department
      i. Arizona Public Service
      j. Entity providing cable television service
      k. Northern Gila County Sanitary District
      l. Entity providing landline telephone service
      m. Arizona Department of Transportation (if project abuts a state highway)
      n. Payson Ranger District of the Tonto National Forest (if project abuts National

Forest)

o. Arizona Blue Stake

p. Other governmental jurisdictions that abut the project.

b. The Public Works Department shall compile all written comments received from the various reviewing departments and agencies and forward the comments to the submitter or subdivider, as appropriate, for corrections. When all comments have been adequately addressed, all information required by Section 15-09-010 (G) is included on the Final Plat, and the project improvement plans have been approved, the Public Works Manager shall notify the subdivider to submit one fully executed Mylar original, two fully executed copies, one 8½ x 11 reduced copy of the final plat to the Public Works Department. This submittal shall be at least ten (10) calendar days prior to the Council meeting at which consideration is desired. The Public Works Manager shall affix his/her signature to the 1st page of the Final Plat indicating approval, that the Final Plat substantially conforms to the Preliminary Plat, and that the Improvement Plans are in accordance with the subdivision requirements. He/she shall then forward the Final Plat to the Town Clerk to be placed on the agenda for the next regular Town Council meeting. The Final Plat shall be reviewed by the Town Council in conjunction with the projects' "Agreement to Construct Subdivision Improvements".

6. Final Plat Approval:

a. The Town Council shall approve the final plat if such plat complies will all of the requirements of this section.

b. If the Council denies the plat for any reason whatsoever, the reasons there for shall be recorded in the minutes.

c. If the Town Council approves the Final Plat, the Mayor and Town Clerk shall so indicate by affixing their signatures and the Town Seal to the 1st page of the Final Plat.

d. When the Final Plat has been signed and the subdivider and Town have executed the "Agreement to Construct Subdivision Improvements", the Town Clerk shall forward the approved Final Plat to the Gila County Recorder's Office for recording. When the Recorder's Map Number for the Final Plat is available the Town Clerk shall enter that recording information on the appropriate Exhibit of the "Agreement to Construct Subdivision Improvements" and forward the agreement to the Gila County Recorder's Office for recording.

e. Final Plat approval by the Town Council is valid for a period of 6 months. If the Final Plat is not recorded within the 6 month approval period due to a request of the developer, the Final Plat approval shall be automatically rescinded and the subdivision considered abandoned.

f. If the Final Plat has not been submitted to the Gila County Recorder's Office for recording within thirty (30) days of Council approval due to a request of the

subdivider, an updated title report no more than fifteen (15) days old shall be submitted and accepted prior to the Town forwarding the Final Plat to the Gila County Recorder's Office for recording.

G. Information Required for Final Plat Submittal

1. Method and Medium of Presentation:
   a. The record plat shall be drawn on mylar. Typically, the sheet size of the mylar shall be 24" x 36". In certain unusual instances, as where the area to be subdivided is of unusual size or shape, the Public Works Department may permit a variation in the sheet size. If more than two sheets are required for the drafting of the Final Plat, an index sheet of the same dimensions shall be filed, showing the entire subdivision on one sheet and the portion thereof contained on each of the other sheets.
   b. Copies of the record plat shall be reproduced in the form of blueline or blackline prints on a white background.
   c. The final plat shall be drawn on an accurate scale of not more than one hundred feet to the inch, from a field survey. Where unusual platting conditions exist, the Public Works Department may approve a modified scale.
2. The first sheet of the Final Plat shall provide at least the following information:
   a. A title which includes the name of the subdivision and phasing, if applicable.
   b. A subtitle describing the subdivision's location by quarter section, township, range, county, and state and referencing any previous maps recorded on this property.
   c. Name, address, and phone number of the subdivision owner.
   d. Name, address, phone number, and registration number of seal of the registered land surveyor preparing the plat, including the firm name, address and phone number.
   e. A location map depicting the general location of the subdivision within the Town.
   f. A Dedication Statement containing the following elements:
      i. Owners name and type of ownership
      ii. Subdivision name and sub-title
      iii. Statement that this document sets forth the location and name of all lots, streets, tracts, parcels, easements, etc.
      iv. A statement dedicating all public properties to the Town of Payson (public tracts, public streets, etc.).
      v. A statement of ownership for all parcels other than the lots.
      vi. A statement granting the easements for the uses shown on the plat.
      vii. A signature by all involved in the ownership, including the mortgage company, if there is a mortgage on the property.
   g. A Notary Public Acknowledgement of all signatures on the plat.
   h. A certification by an Arizona Registered Land Surveyor concerning the survey, that the plat is correct and accurate, and that all monuments described have either been found or set, and the registrant's seal.

i. A note limiting construction within public utility easements to utilities and wood, wire, or removable section-type fencing.
j. A note stating the filing of CC& R's if there are any.
k. A note stating who is responsible for maintenance of any drainage easements or facilities.
l. A Basis of Bearing for the survey work.
m. An approval by the Public Works Department
n. An approval by the Town Council and Town Clerk, including the Town seal.
o. Other general notes or information that may be required by the Town or is deemed appropriate.

3. The following minimum information shall be provided on the Final Plat for the subdivided property:
   a. Boundaries of the tract to be subdivided fully balanced and closed, showing all bearings and distances determined by an accurate field survey. All dimensions shall be expressed in feet and decimals thereof.
   b. Any excepted parcels within the plat boundaries shall show all bearings and distances determined by an accurate field survey. All dimensions shall be expressed in feet and decimals thereof.
   c. Location and description of cardinal points to which all dimensions, angles, bearings, and similar data on the plat shall be referenced. Each of two corners of the subdivision boundary shall be tied by bearing and distance to separate acceptable government survey corners with full description of the monument approved by the Public Works Department.
   d. Location of all physical encroachments upon the boundaries of the property being subdivided.
4. Descriptive Data Required:
   a. Street names, fully dimensioned center line and right-of-way lines, width of all public streets, alleys, easements, etc. All linear property or easement lines shall be dimensioned with bearing and distance. All curvilinear property or easement lines shall show point of curvature and point of tangency and be dimensioned with radius, delta, chord bearing and length. Non-tangent points of intersection shall also include a radial bearing. The dimensioning may be shown adjacent to the line or in a line or curve table.
   b. All drainage ways shall be shown on the plat. The rights-of-way of all major drainage ways, as designated by the Town Engineer, shall be dedicated to the public.
   c. All existing or proposed easements for public services or utilities.
   d. Location and dimensions of all residential lots. Dimensioning shall conform to the requirements described in 4a.
   e. All residential lots shall be numbered by consecutive numbers throughout the plat beginning with lot number one. Each tract or parcel shall be uniquely identified. The

intended use of each tract or parcel shall also be shown. Any exception shall also be identified. All property boundaries shall be clearly dimensioned.

f. Location of all adjoining subdivisions with date and Gila County map number of recordation noted, or if unrecorded or unsubdivided, so marked.

g. Any deed restrictions or restrictive covenants to be imposed upon the plat or any part thereof pertaining to the intended use of the land shall be submitted within five days after final plat filing. Deed restrictions shall in no way be less restrictive than zoning regulations imposed by the Town.