



Town of

QUEEN CREEK

Subdivision Ordinance

Adopted July 1997
Amended April 1999
Amended October 2004
Amended October 2007
Amended (Ch 7) October 2008
Amended May 2024

ACKNOWLEDGMENTS

The Town of Queen Creek Subdivision Ordinance was created with the time, input and dedication of the following groups and individuals:

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SUBDIVISION ORDINANCE

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CHAPTER 1 TITLE, PURPOSE AND INTENT

SEC. 1.0 SHORT TITLE. This title shall be known as the "The Subdivision Ordinance for the Town of Queen Creek". (Hereinafter known as "the Subdivision Ordinance").

SEC. 1.1 PURPOSE AND INTENT.

- A.** The purpose of this ordinance is to provide for the orderly growth and harmonious development of Queen Creek; to ensure adequate vehicular, pedestrian, and equestrian traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, drainage, flood protection, sanitary sewerage, and other health and safety requirements; to ensure consideration for adequate sites for schools, recreation areas, and other public facilities; to promote the conveyance of land by accurate legal description; and to provide practical procedures for the achievement of this purpose.
- B.** In the interpretation and application of this ordinance, it is intended that a common ground of understanding and a sound and equitable working relationship exist between the public and private interests and to this end, the independent and mutual objectives of the public and private interests can be achieved in the subdivision of land.

SEC. 1.2 ADOPTION OF EXHIBITS. All exhibits within this ordinance are hereby adopted and shall be incorporated herein as a part of this ordinance.

SEC. 1.3 ADOPTION OF APPENDICES. All appendices within this ordinance are hereby adopted and shall be incorporated herein as a part of this ordinance.

SEC. 1.4 DESIGN STANDARDS AND PROCEDURES MANUAL. The companion Design Standard and Procedures Manual which sets forth the engineering design standards and standard construction details necessary for successful implementation of this ordinance is also hereby adopted and shall be incorporated herein as a part of this ordinance. The Town Engineering Manager is also hereby empowered to update the Design Standards and Specifications Manual as needed, without further action of the Town Council.

CHAPTER 2 ADMINISTRATION

SEC. 2.0 RESPONSIBILITY.

- A. The Town of Queen Creek Development Services Director or their designee is hereby authorized to receive, process and otherwise act upon applications for preliminary or final subdivision plats, in accordance with this Ordinance.
- B. The Development Services Director shall have final jurisdiction over all matters pertaining to the implementation of this Ordinance, except as noted otherwise.
- C. All applications for action under this Ordinance shall be filed initially with the Development Services Department for processing in accordance with this Ordinance.

SEC. 2.1 APPLICATION.

- A. Where this Ordinance imposes a greater restriction upon land utilization, land improvement or development, and land use than is imposed by existing provisions of law, ordinance, contract or deed, this Ordinance shall control.
- B. This ordinance shall apply to all subdivisions as defined in the Appendix - Glossary of Terms and Definitions of this Ordinance.

SEC. 2.2 FILING FEES. The subdivider shall, at the time of filing, pay to the Town the subdivision application fees established by the Town Council.

SEC. 2.3 PROHIBITION OF CIRCUMVENTION. No person, firm, corporation or legal entity shall sell, offer to sell, or divide any lot, piece, or parcel of land which constitutes a subdivision or part thereof, as defined herein, or in the Arizona State Revised Statutes, without first having recorded a plat thereof in accordance with this Ordinance. The Town shall not issue any construction and/or building permit for work on any parcel in violation of this Ordinance.

SEC. 2.4 MODIFICATIONS.

- A. Where, in the opinion of the Town Council, upon recommendation by the Development Services Director Planning Division, Engineering Division, and/or Technical Review Committee, there exist extraordinary conditions of topography, land ownership or adjacent development, or other circumstances not provided for in this Ordinance, the Council may modify these provisions in such a manner and to such extent as it may deem appropriate to the public interest.
- B. In the case of a plan and program for a Development Master Plan (DMP), or a Planned Area Development (PAD), the Council may modify this Ordinance in such manner as appears necessary and desirable to provide adequate space

and improvements for public facilities, traffic and pedestrian circulation, recreation, light, air, and other service needs of the development when fully developed and populated and may require stipulations to assure conformance with the achievement of the approved plan.

- C. In modifying the standards or requirements of this Ordinance, as outlined above, the Council may make such additional requirements as appear necessary, in its judgment, to secure substantially the objectives of the standards or requirements so modified.

CHAPTER 3 TYPES OF SUBDIVISION DEVELOPMENTS

SEC. 3.0 RURAL DEVELOPMENT (R1-108 AND LARGER)

Detached single-family residential zoning districts containing lots of at least 108,000 square feet, pursuant to Article 4 of the Town of Queen Creek Zoning Ordinance:

SEC. 3.1 ESTATE DEVELOPMENT (R1-43 AND R1-54)

Detached single-family residential zoning districts containing lots of at least 43,000 square feet and 54,000 square feet respectively, pursuant to Article 4 of the Town of Queen Creek Zoning Ordinance:

SEC. 3.2 SUBURBAN DEVELOPMENT TYPE A (R1-35)

Detached single-family residential development as part of an approved Development Master Plan (DMP), an approved Planned Area Development (PAD), or as a conventional subdivision pursuant to Article 4 of the Town of Queen Creek Zoning Ordinance.

SEC. 3.3 SUBURBAN DEVELOPMENT TYPE B (R1-18, R1-15 AND R1-12)

Detached single-family residential development as part of an approved Development Master Plan (DMP), an approved Planned Area Development (PAD), or as a conventional subdivision pursuant to Article 4 of the Town of Queen Creek Zoning Ordinance.

SEC. 3.4 URBAN DEVELOPMENT TYPE A (R1-7, R1-9, R1-5 and R1-4)

Detached single-family residential development as part of an approved Development Master Plan (DMP), an approved Planned Area Development (PAD), or as a conventional subdivision pursuant to Article 4 of the Town of Queen Creek Zoning Ordinance.

SEC. 3.5 URBAN DEVELOPMENT TYPE B (MULTI-FAMILY ZONES)

Detached single-family and multi-family residential development as part of an approved Development Master Plan (DMP), an approved Planned Area Development (PAD) pursuant to Article 4 of the Town of Queen Creek Zoning Ordinance, and/or within the Town Center area in locations which are suitable and appropriate taking

into consideration existing conditions including traffic circulation, future land use needs and the availability of utilities.

SEC. 3.6 COMMERCIAL DEVELOPMENT

Commercial development as part of an approved Development Master Plan (DMP), an approved Planned Area Development (PAD), a conventional subdivision, and/or within the Town Center area in locations which are suitable and appropriate taking into consideration adjacent land uses, scale, the availability of utilities, and traffic volume and circulation. Commercial development within the Town Center area shall be developed in accordance to the specific Town Center Design Standards. All other commercial development shall comply with all design standards addressed in Article VI of this Ordinance and Articles 4 and 5 of the Town of Queen Creek Zoning Ordinance.

SEC. 3.7 INDUSTRIAL DEVELOPMENT

Industrial development as part of an approved Development Master Plan (DMP), an approved Planned Area Development (PAD), or a conventional subdivision in locations which are suitable and appropriate taking into consideration adjacent land uses, scale, the availability of utilities, and traffic volume and circulation and which provide for large scale developments and/or individual industrial development pursuant to Articles 4 and 5 of the Town of Queen Creek Zoning Ordinance.

CHAPTER 4 PLATTING PROCEDURES AND REQUIREMENTS

SEC. 4.0 OUTLINE OF PROCEDURES AND REQUIREMENTS.

The preparation, submittal, review, and approval of all subdivision plats located inside the limits of the Town of Queen Creek shall proceed through the following progressive stages.

- STAGE 1 PRE-APPLICATION CONFERENCE**
- STAGE 2 PRELIMINARY PLAT APPLICATION**
- STAGE 3 TECHNICAL REVIEW COMMITTEE**
- STAGE 4 PRELIMINARY PLAT APPROVAL**
- STAGE 5 FINAL PLAT AND IMPROVEMENT PLAN APPROVAL**
- STAGE 6 RECORDATION OF PLAT**

This procedure may be modified by the Town based on unique or extraordinary circumstances. The following flow chart depicts the different stages of the process and the necessary actions to be taken with each stage.

The Subdivision Process

Actions by the Town

Actions by the Subdivider

- Check Zoning and General Plan requirements.
- Check preliminary Engineering requirements.
- Distribute copies to Utilities, Schools, Fire, Post Office, Town and County Depts.

- Check Zoning and General Plan requirements.
- Check Engineering requirements.
- Distribute copies to Utilities, Schools, Fire, Post Office, Town and County Depts.

- Receive and distribute comments from Town Depts. and all reviewing agencies.
- Facilitate a Technical Review Committee (TRC) meeting.

- Review final plat, CC&R's, Assurances of Construction, landscape plans, improvement plans, final technical reports and any additional documents or zoning stipulations required by Town Council.
-

- Record Final Plat and CC&R's and other easements, maps of dedication, tracts and other documents as necessary

Preapplication Conference

- Submit required copies of the proposed project concept site plan with all the required information outlined in Section 4.1(A).

Preliminary Plat Application

- Submit application, fees, required copies of preliminary plat, all reports and documentation as outlined in Section 4.2.

Technical Review Committee

- Attend the TRC meeting.
- Resubmittal of the preliminary plat to address the TRC comments.

Preliminary Plat Approval

Final Plat and Improvement Plan Submittal

- Submit final plans as outlined in section 4.5.
- Submit improvement plans and final reports as outlined in Section 7.2.
- Submit title report, CC&R's, Assurances of Construction, and additional documentation as required by Town Council.

Final Plat Approval

Recordation of Plat

- Submit subdivision mylars, easements, maps of dedication, tracts and other related documents

SEC. 4.1 STAGE 1 - PRE-APPLICATION CONFERENCE

This stage affords the subdivider the opportunity to obtain preliminary advice and assistance and informally provides a cursory review of the proposed subdivision with the appropriate departments prior to the expense of a preliminary plat preparation. It also affords the Town the opportunity to give preliminary guidance at a time when potential land development points of conflict can be most easily resolved, subsequent relations improved, official action simplified, and undue expense and delay saved by the subdivider.

A. Actions by The Subdivider.

1. The subdivider shall request a meeting together with the Planning Division, Engineering Division and Public Works staff and submit the required copies of a "Conceptual Plan" to the Planning Division prior to the pre-application meeting.

The "Conceptual Plan" shall be printed on 24" x 36", blue line or black line, and folded to approximately 8 1/2" x 11". This plan shall include at a minimum the following information:

- Location map.
 - Drawing scale and north arrow.
 - Location of all adjacent public arterial and collector streets.
 - Acreage and land uses of all parcels.
 - Tentative lot arrangement.
 - Tentative proposal for street design and improvements, including proposed driveway locations and/or cross access easements.
 - Table of land use data (gross and net acres, percent of total acreage in each land use, underlying town zoning, proposed zoning, and tentative lot sizes).
 - Existing public and/or private water and sewer lines and services.
2. Tentative proposals regarding water supply and sewage disposal.

B. Actions by The Town.

1. The Town shall discuss the proposal with the subdivider in general terms and provide advice on procedural steps, preliminary design and improvement standards, and general platting requirements. Depending on the scope of the proposed development, the Town shall distribute the copies of the "Conceptual Plans" to the following agencies:

- Community Development Department
- Public Works Department.
- Queen Creek Water Company.

- Maricopa or Pinal County Environmental Services Division
- Maricopa or Pinal County Transportation Division.
- Maricopa or Pinal County Flood Control District.
- Rural Metro Fire Department.
- The appropriate Public School District(s).

2. Check the existing zoning of the proposed development and advise the subdivider if a zoning change or a General Plan Amendment is necessary or desirable. Review the proposal and its relationship to adjacent land uses and the General Plan's goals and objectives. Determine the amount and type of parks, open space, and other public open space requirements for the area as determined by the Queen Creek General Plan; to then determine what space needs shall be reserved or set aside with any special requirements for such site. Review for preliminary compliance with these Subdivision Ordinance regulations and any other applicable regulations.

Determine if the size or the complexity of the proposed development would warrant the preparation of either a Development Master Plan (DMP), or a Planned Area Development (PAD). If either a DMP or a PAD is required such shall be processed prior to, or concurrent with, subsequent consideration of a preliminary plat.

If a General Plan Amendment is required such amendment must be obtained prior to additional processing of the application.

3. Review the relationship of the property to existing major streets, utility systems and adjacent land uses, and give general/preliminary guidance on other design, planning and engineering issues.
4. Provide the applicant with the necessary Town application forms, review the submittal requirements, review the neighborhood meeting requirement, and discuss tentative timetables for the project.

SEC. 4.2 STAGE 2 - PRELIMINARY PLAT APPLICATION

The preliminary plat stage of land and airspace subdivision includes detailed planning, submittal, review, and approval of the preliminary plat. This stage is intended to resolve all major issues pertinent to the land development according to the Towns policies, standards and requirements. To avoid delay in processing the application, the subdivider shall provide the Town with all information essential, as determined by the Town, regarding the character and general acceptability of the proposed development.

A. Submittal Requirements.

The following information is required as part of the preliminary plat submittal and shall be shown graphically on the plans, by notes on the plans, or by supporting documentation supplied as part of the plan submittal, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, adjusted to produce an overall drawing measuring 24" x 36" and in conformance with requirements contained in this Ordinance and by the Town Engineering Manager and other reviewing agencies.

1. The required copies/sets of the proposed preliminary plat and other required supporting data prepared in accordance with requirements set forth in this Article shall be filed with the Town. Submission shall include fees as required in Article II of this Ordinance. Copies of the preliminary plat shall be reproduced in the form of blue line or black line prints on a white background. Scheduling of the case for Technical Review Committee (TRC) meeting shall be dependent upon adequacy of data presented and completion of processing.
2. If the proposed preliminary plat is within and/or part of an approved DMP or an approved PAD, copies of the approved site plan, typical floor plans and elevations, shall also be submitted as supporting documentation.
3. All subdivision submittals shall provide "Identification and Descriptive Data", "Existing Conditions Data", Proposed Utility Methods" and "Environmental Assessment Report" information by graphic representation or note. The submittal shall be checked by the Town for completeness and assigned a case number; if incomplete as to those requirements set forth in this section, the submittal shall be rejected and the subdivider notified within fifteen (15) days of the date the application was received. It is the applicant's responsibility to be sure their submittal is complete. (The Town does not accept the burden of being the Engineer's conscience or to constantly remind them of their duty to their client.)

4. If the developer is planning to plat the proposed development in phases, it must be so indicated on the preliminary plat when submitted for Subdivision Review. If the developer later decides to phase the development, it will be necessary to re-submit the new proposed phasing plan for a second review and approval.
5. A Preliminary Drainage Report. The Drainage Report shall contain the following information:
 - a. Delineation of the boundaries of on-site and off-site drainage areas.
 - b. Drainage pattern of all existing and proposed streets and building sites. Label by number the drainage concentration points and where inlets/outlets are to be located.
 - c. The Q-10 and Q-100 flow volumes at each critical concentration point. Justify all drainage runoff factors (C-factors) used in the computations for washes, channels and streets.
 - d. Runoff flows from adjacent properties onto the property in question must be described in detail. Drainage area, calculated peak flows, velocity and other pertinent runoff data must be presented for all concentration points, channels and washes. The runoff from areas outside the development may be realigned through the new development.
 - e. The retention volume required, and provided. Indicate the method for draining basins in 36 hours, and who is responsible for maintenance.
 - f. The location of all drainage easements and tracts.
 - g. The pre and post development hydrology maps.

NOTE: In some instances a Final Drainage Report may be required by the Town Engineering Manager as part of the preliminary plat application due to the specific characteristics of the site.

6. A lot Statistical Table.
7. A Preliminary Landscape Plan for all off-site, open space, trails, transition area, and retention area landscaping. This preliminary plan should include cross sections and plant palette. (see Town of Queen Creek Zoning Ordinance, Articles 5.3 and 5.5)
8. Subdivision fencing detail; depicting the type of fencing being proposed; including elevations, and general locations. (see Town of Queen Creek Zoning Ordinance Article 5.2)

9. Conceptual “Residential Design Guidelines” or “Commercial Design Guidelines” which both narratively and graphically describe the character, site planning, architecture and landscaping that can be expected from the development.
10. Documentation that a site records check for potential cultural resources has been conducted in conjunction with the State Historic Preservation Office.
11. A Geotechnical Report, which shall also include an evaluation for the presence of subsidence fissures, if required by the Town Engineering Manager, due to the presence of possible fissures in the area under review.
12. The preliminary water and sewer report
13. A Traffic Impact Analysis Report (TIA) and/or other traffic reports, as required by the Town Engineering Manager and/or the Town Traffic Engineer due to the volume of traffic or other traffic related issues generated by the proposed project.

B. Identification and Descriptive Data.

1. The proposed name of the subdivision shall be clearly indicated and include the location by Section, Township and Range with reference by dimension and bearing to two (2) Section or 1/4 Section Corners. Basis of bearings must be stated on the preliminary plat.
2. Name, address, phone number, and seal of Engineer or Surveyor preparing the preliminary plat.
3. Name, address, and phone number of developer/subdivider, as well as the name, address and phone number of the property owner, if different than the developer/subdivider.
4. Scale, north point (pointing up or to the right), and date of preparation including any subsequent revision dates.
5. Location map which shall show the relationship of the proposed subdivision to arterial and collector streets.
6. A surveyed boundary, including basis of bearings, bench marks, distances, lengths and total size of the proposed subdivision,

C. Existing Conditions Data.

1. Topography by contours and “spot elevations” on Maricopa or Pinal County datum and related to USC&GS survey datum shown on the same map as the proposed subdivision layout. Contour intervals shall be one (1) foot and shall be shown extending a minimum of fifty (50) feet from the external boundaries of the proposed development so to adequately reflect the character and drainage of the land.
2. Location of fences, existing structures, wells, streams, canals, irrigation materials, private ditches (open or covered), washes, lakes, fissures or other water features and characteristics that could have a bearing on the review.
3. Location, and direction of surface drainage flow, and extent of areas subject to flooding or storm runoff must be defined, whether such inundation is frequent, periodic, or occasional. The 100 year flood zone limits shall also be shown, if they are shown on the current “FIRM” maps.
4. Location, widths and names of all private and public streets, utility rights-of-way of public record which may exist around the perimeter of the site boundaries, through or across the site. Show any permanent structures that are to remain, including water wells, irrigation ditches and public or private utility lines (water, sewer, power poles) and cross access easements within, adjacent to or extending from the proposed development.
5. Show all driveways, streets and median openings along the entire site frontage or within 350 feet of any proposed driveway or street intersection on the opposite side of the perimeter streets.
6. Name, book, and page numbers of any recorded subdivision adjacent to or having common boundaries with the proposed development.
7. The existing base zone of the subject and adjacent parcel(s), the zoning case number, if any, and the case number of any approved DMP or approved PAD of which the proposed development is a part of if applicable.
8. The gross acreage of the subject parcel(s). Do not include previously dedicated rights-of-way in this figure.
9. Boundaries and dimensions of the parcel(s) to be subdivided shall be fully dimensioned.
10. The engineers' calculations for each tributary area of the runoff for 10 year and 100-year frequency storms. These values are to be indicated along the boundary of the parcel for all points of drainage entering and exiting the property.
11. Show the location, type and recording data for all existing on site easements

and cross access easements or other prior dedications.

D. Proposed Conditions Data.

1. Subdivision street layout including: street design cross sections, preliminary curve data, curve lengths, proposed street names based on existing projected alignments wherever possible, proposed Vehicular Non-Access Easements and pedestrian connections to adjoining developments.
2. Typical lot dimensions (scaled), dimensions of all corner lots, lots on curvilinear sections of streets, and all lots where the number of sides exceed four. Each lot shall be numbered individually and the total number of lots or dwelling units provided. Where plats will consist of a number of units/phases, utilizing the same subdivision name, the lot numbering shall be consecutive through the total number of lots or units.
3. Designation of all land to be dedicated or reserved for open space, parks, drainage tracts, schools, well sites, or other public or private use with use indicated.
4. If multiple uses are planned (multiple residential, commercial, industrial, or office) such areas shall be clearly designated together with existing zoning classification and status of zoning change, if any.
5. Show minimum setback lines. Where there are lots with more than four sides or whose shape may be considered atypical, show all setbacks.
6. Proposed storm water disposal system, preliminary calculations, layout of proposed drainage system and the direction of proposed street drainage. If retention or detention basins are used for active open space, calculations for those areas above the 2 year – 6 hour storm event are also required. The Town Engineering Manager may also require a proposal to provide for the retention of storm water generated on the property, depending on the characteristics of the site.

Facilities for retention of storm water shall comply with the requirements of the Maricopa County Flood Control District and the Town of Queen Creek Design Standards and Procedures Manual. If deemed necessary by the Town Engineering Manager due to the characteristics of the site, the drainage report shall be completed to the standards as outlined in the Final Drainage Report Checklist.

7. Compliance with the rules and requirements established by the State Department of Health or Maricopa County Health Department relating to the provision of domestic water supply and sanitary sewerage disposal.

8. Delineation the transition area(s) and open space areas as required by Chapter 6 - Sec. 6.2 (B) of this Ordinance.
9. Show the location of any proposed cross access easements.

E. Proposed Utility Methods.

1. **Sewage Disposal** - A statement regarding the type of facilities proposed shall appear on the preliminary plat. Also show the preliminary sewer layout indicating line sizes and manhole and cleanout locations.
2. **Water Supply** - A statement as to the water supply for the development shall appear on preliminary plat accompanied by a Certificate of Assured Water Supply issued by the Director of Water Resources. The preliminary layout of the water system shall be shown, indicating fire hydrants, valves, meter vaults, water line sizes and locations.
3. **Electric Supply** - A statement as to the electric supply for the development shall appear on the preliminary plat. Any necessary easements or potential pole relocations and any existing or proposed 69kv lines, or larger, shall be shown on the preliminary plat.
4. **Gas Supply** - A statement as to the gas supply for the development shall appear on the preliminary plat. Any necessary easements shall be shown on the preliminary plat.
5. **Telephone Service** - A statement as to the telephone service for the development shall appear on the preliminary plat. Any necessary easements shall be shown on the preliminary plat.
6. **Garbage Service** - A statement as to the garbage service for the development shall appear on the preliminary plat.
7. **Cable Television** - If applicable, a statement as to the cable television service for the development shall appear on the preliminary plat.

F. Environmental Assessment Data:

The purpose of the Environmental Site Assessment is to provide a written and graphic analysis of the environmental characteristics of the site so that the Town of

Queen Creek can evaluate the future use of the site. A Phase One Environmental Report shall be submitted by the applicant to identify any hazardous waste site within the proposed subdivision. Environmental site assessments are required for all preliminary plat applications. This study shall include written reports and maps that provide the information outlined below:

1. The Phase One Environmental Report shall:

- Describe the site and identify uses or activities which might indicate the presence of disposed hazardous substances, and;
- Include a review of readily available information, including but not limited to, engineering, regulatory, and historical records of the site, interviews with the current and any past owners of the site, present and past tenants and neighbors,
- Include a review of the regional geology and hydrology of the site and the site's vicinity, including, but not limited to, available records for groundwater contamination both up/and down gradient from the site, obtainable reports of compliance violations and/or containment discharges in the site's vicinity,
- Location of any known environmentally adverse conditions within one mile of the property, including earth fissures, and:
- Reference the data, records and source of information.

2. The Applicant's Consultant shall:

- Manually-observe the site surface closely for evidence of potential contamination such as soil stabilizing, discarded chemical containers, vegetative distress, and;
- Interview the tenants on or adjacent to the site with respect to their use of hazardous substances on the site, and;
- Investigate the registration status of any existing underground storage tanks or drywells on or adjacent to the site;
- Identify any adverse environmental impacts, and:
- Research of the site and public records and reports to identify and locate any geological subsidence fissures located on, or within one mile of, the site.

SEC. 4.3 STAGE 3 - TECHNICAL REVIEW COMMITTEE

In order for a preliminary plat to be scheduled for a particular Technical Review Committee (TRC) meeting, a complete preliminary plat application must be received and accepted by the Town.

- A.** Upon receipt of a preliminary plat application the Town shall determine if the application is a complete submittal. If complete, the Town shall forward copies of the preliminary plat to the adjacent jurisdictions, the US Postmaster, Williams Gateway Airport, the adjacent Indian Communities, and to those entities outlined in Section 4.1(B) for their review and comments. The reviewing agencies shall transmit their written comments and recommendations to the Town.

- B.** The Town shall host a Technical Review Committee (TRC) meeting where the applicant is provided an opportunity to meet with the representatives from all applicable utilities and other interested governmental agencies to receive comments regarding the preliminary plat application. At the TRC meeting the applicant may also receive written comments from the Town, detailing the extent to which the plans are required to be revised. Revisions caused by the comments received at the TRC meeting or by voluntary action of the applicant may require additional TRC meetings. Additionally, circumstances may exist where the project may experience delay due to the applicant's time line in addressing agency comments.

SEC. 4.4 STAGE 4 - PRELIMINARY PLAT APPROVAL.

The preliminary plat approval stage involves the re-submission of the preliminary plat to address the Technical Review Committee (TRC) comments. Included in this stage is the review of the resubmitted plans, reports, and required studies and acceptance of the preliminary plat. The subdivider shall provide the Town with all information essential to determine the character and general acceptability of the proposed development. The following submittal requirements pertain only to conventional plats for which rezoning is/was not a condition of approval. Consult with the Planning Division for the submittal requirements, time requirements and rezoning procedures for those subdivisions involving rezoning, PAD, DMP, and other land use exceptions.

A. Preliminary Plat Re-submission.

1. The applicant shall resubmit full-sized copies/sets of the preliminary plat, one (1) 8 1/2" x 11" transparency of each sheet/exhibit, and one (1) 8 1/2" x 11" photo mechanical transfer (PMT) of each sheet/exhibit and all other required or requested supporting data to the Town. Preliminary plats that correctly contain all of the information requested or required by the (TRC), as determined by the Town, may be approved by the Planning Administrator.

2. An applicant shall be required to submit a new preliminary plat application, including fees and another review of the subdivision by the (TRC), if the re-submittal is not in substantial conformance to the original application.

Substantial non-conformance is considered to be, but not limited to, the following:

- An increase or decrease in the number of lots or units by more than 5%
- A substantial change in the size or configuration of the development parcel.

B. Preliminary Plat Review

1. **Zoning.** The subdivision shall be designed to meet the specific requirements for the zoning district within which it is located. However, in the event that rezoning is necessary for the preliminary plat to conform to the Zoning District regulations, or if a DMP or PAD approval is sought, said action shall be initiated concurrently with the preliminary plat by the property owner or his authorized agent. In any event, any such zoning amendment required in relation to the preliminary plat shall have been adopted prior to a preliminary plat approval.
2. **Planning.** The subdivision shall be designed to comply with the Design Principles of this Ordinance and the goals and objectives of the Queen Creek General Plan. In the event that an amendment to the General Plan is necessary for the preliminary plat to conform to the specific land use, circulation, or open space elements, said amendment(s) required in relation to the preliminary plat shall have been adopted prior to a preliminary plat approval.
3. **Utilities and Services.** As a prerequisite of preliminary plat approval by the Town, the subdivider shall have reviewed tentative concepts and possible requirements with the County Health Department, the Town Engineering Division, the Queen Creek Water Company or private water company servicing the development, Salt River Project, U.S. West Communications, the cable television company(s) servicing the development, Southwest Gas and Rural Metro Fire Company for general approval of the preliminary plat design.

C. Preliminary Plat Approval.

1. The Planning Administrator shall consider the preliminary plat and TRC comments and recommended conditions. If satisfied that all objectives have been met, the Planning Administrator may approve the preliminary plat.
2. If the Planning Administrator finds that all of the objectives and requirements of this Ordinance have not been met, the Planning Administrator may recommend revisions to the preliminary plat or deny the preliminary plat request. Resubmittals due to revisions, for the same parcel

or any part thereof, shall follow the resubmittal procedure.

3. If the plat is generally acceptable, but requires minor revisions, the Planning Administrator may conditionally approve the preliminary plat and the required revisions noted the preliminary plat approval letter. At the direction of the Planning Administrator, the plat may be approved subject to the revisions in accordance with the stated conditions.
4. If all or certain identified and significant objectives and requirements of this Ordinance or General Plan have not been met, the Planning Administrator will have grounds to deny the preliminary plat.

D. Significance of Preliminary Approval.

Preliminary plat approval constitutes authorization for the subdivider to submit the final plat and the improvement plans and specifications for the proposed project. Preliminary approval is based on the following terms:

1. **Subject to the Basic Approval.** The basic conditions under which preliminary approval of the preliminary plat is granted will not be substantially changed prior to the expiration date.
2. **Two (2) Year Approval with Extension.** Approval of a preliminary plat is valid for a period of two years from the date of Planning Administrator approval. A request can be made for a single, one year extension of the original preliminary plat approval. An extension of the preliminary plat approval may be granted by the Planning Administrator upon receipt of a letter from the subdivider stating the reason for an extension prior to the expiration date. Requests for extensions are predicated on the plat continuing to meet current Town development standards, payment of a continuance fee and the submission of an updated assurance of construction. Should the requested extension not be approved by the Planning Administrator, the applicant may appeal this determination to the Town Council.
3. **No Authority to Record.** Preliminary approval, in itself, does not assure final acceptance of streets for dedication nor continuation of existing zoning requirements for the development or its environs nor constitute authorization to record the plat.

SEC. 4.5 STAGE 5 - FINAL PLAT AND IMPROVEMENT PLAN APPROVAL.

This stage includes the final design of the subdivision, engineering of the public improvements, and submittal by the subdivider of the final plat, final reports, and plans for all of the required subdivision improvements, to the Town, the County Departments, and the utility companies for approval; including the submittal of the final plat for review and action by the Town..

A. Submittal Requirements.

1. Final Plat Preparation.

- a. The final plat shall be presented in accordance with requirements set forth in this section, and shall substantially conform to the approved preliminary plat and applicable zoning stipulations.
- b. **Pre-Final Review.** The subdivider shall file with the Town full size (24"x36") blue or black line copies of the final plat along with copies of the approved D.M.P. or P.A.D. (if applicable) for review by the Town, together with a letter of transmittal, indicating "Pre-Final Review Requested" the Town shall review the plat for substantial conformity to the approved preliminary plat and refer copies of the pre-final submittal to the reviewing agencies who shall make known their recommendations in writing.
- c. **Final Review.** The subdivider shall file with the Town full size "mylars" (4 mil thickness), full size blue or black line copies, one 8 1/2"x11" copy thereof, of the final plat. The final plat shall be drawn in black ink on polyester "mylar", measuring exactly 24" x 36" with a left hand margin of 2 inches and be drawn to an accurate engineering scale from an accurate survey. The applicant shall also submit a computerized drawing of the final plat in a file format required by the Town of Queen Creek.

2. **Improvement Plans.** Improvement plans, reports and other documents, shall be prepared and submitted in accordance with the procedures and standards established within the Town of Queen Creek Design Standards and Procedures Manual and Chapter 7 of this Ordinance. If the submittal is complete, the Town shall distribute sets of the plans to the appropriate reviewing departments, agencies and utility companies who shall make known their recommendations in writing.

3. **Deed Restrictions.** The subdivision covenants, conditions and restrictions (CC&R's) shall be submitted to the Town for review as part of the final plat and improvement plan submittal package. These CC&R's shall include

provisions to govern the disbanding of the Home Owners Association (HOA) and the method of assurance that the proposed streets, landscaping, storm drainage facilities and other assets of the Association will be maintained in perpetuity.

4. **Title Report.** The subdivider shall, at the time of filing the application(s) for the final plat and improvement plans, submit an American Land Title Association (A.L.T.A.) Title Report completed within the previous sixty (60) days, certifying that the applicant has title for all of the land being subdivided.
5. **Filing Fees.** The subdivider shall, at the time of filing the application(s) for the final plat and improvement plans, pay the Town the final plat application fee, improvement plan review fee, and the recordation fee, in accordance with Article II of this Ordinance, which are established by the Town Council.

B. Identification Data. The following identification data shall be required as a part of the final plat submittal.

1. A title which includes the name of the subdivision and its location by number of Section, Township, Range, and County.
2. Name, address and seal of the Arizona-Registered Land Surveyor preparing the final plat.
3. Scale, north arrow, and date of final plat preparation.
4. The name, address and telephone number of the property owner.
5. Name, address and seal of the Arizona registered civil engineer responsible for the engineering of the proposed subdivision.

C. Survey Data. The following survey data shall be required as a part of the final plat submittal.

1. The corners of the plat shall be located on the monument lines of abutting streets; boundaries of the parcel(s) to be subdivided fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field. The surveyor of record shall also provide a copy of the computer closure, properly stamped and signed showing registration number. All dimensions shall be expressed in feet and decimals thereof.
2. Any excepted parcel(s) within or surrounded by the plat boundaries shall be noted as "Not a Part of This Subdivision" and show all bearings and distances of the excepted parcel as determined by an accurate survey in the field. All

dimensions shall be expressed in feet and decimals thereof.

3. Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two separate corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter-section corners. All subdivision survey data including boundary bearings and distances and lot closure and area calculations shall be submitted to the Town by an Arizona registered Land Surveyor.
4. Location of all physical encroachments upon the boundaries of the tract.
5. Total subdivision gross acres, benchmark information and basis of bearing information.
6. Total number of lots, tracts and parcels, and the size, in square feet, of each lot, tract or parcel. The size of lots, tracts or parcels greater than ten acres in size may be expressed in acres.

D. Descriptive Data. The following descriptive data shall be required as part of all final plat submittals.

1. Names, centerlines, right of way lines, courses, length and width of all public streets, alleys, pedestrian ways, and utility easements; radii, point of tangency, curve lengths, and central angles of all curvilinear streets, and alleys, radii of all rounded street line intersections.
2. All drainage easements and/or tracts shall be shown on all residential plats. No structure shall be allowed in these easements that will obstruct drainage. All major drainage ways shall be dedicated drainage easements, right-of-way or tracts as determined by the Town Engineering Manager. Commercial and industrial plats which provide self-contained and privately owned underground drainage systems and structures shall be required to provide private drainage easements within their sites. Public drainage easements shall be required for all retention basins which accept drainage from a public street. Any channel or wash within a residential or commercial project site that has a Q100 storm event flow of 100 CFS or greater shall be contained within a drainage easement designated as a tract.
3. All lots shall be numbered by consecutive numbers throughout the plat. All "tracts" and "parcels" shall be designated, lettered, or named and clearly dimensioned; parcels which are not part of the subdivision shall be so designated. Ownership and maintenance responsibility for common open space areas and tracts shall be indicated on the plat.

4. Location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public with the use clearly indicated.
5. Location of all adjoining subdivisions with name, date, book, and page number of recordation noted, or if unrecorded, so noted.
6. Any proposed private deed restrictions to be imposed upon the plat or any part or parts thereof pertaining to the intended use of the land, and to be recognized by the Town, shall be noted on the plat (see Sec.4.5 (G) for details).
7. All existing private easements within, on, or over the plat shall be indicated, dimensioned, and noted as to their use. The location and widths of all easements for right-of-way provided for public services, utilities, or drainage, and any limitations of the easements.
 - a. The following notation shall be placed on all final plats that provide drainage easements: “No structure of any kind shall be constructed, nor any vegetation be planted or allowed to grow within on or over any drainage easement, which would obstruct or divert the flow of storm water. The Town may, if it so desires, construct and/or maintain drainage facilities on or under the land of the easement”.

E. Dedication and Acknowledgment.

1. **Dedication.** There shall be required as part of the final plat submittal a statement of dedication of all streets, alleys, drainage ways and drainage detention/retention basins, pedestrian/bicycle ways, equestrian trails and easements, and other easements for public use, including sanitation, utility, fire and other emergency related vehicles, executed by the person or persons holding title of record, by persons holding titles as vendees under land contract, by the spouse(s) of said parties, lien holders and all other parties having an interest in the property . If lands dedicated are liened, the lien holder shall also sign the plat. Dedication shall include a written location by Section, Township and Range, of the tract. If the plat contains private streets, a public easement shall be reserved which shall include the right to install and maintain utilities in any approved private street, including refuse collection, fire and other emergency services.
2. **Acknowledgment of Dedication.** Execution of dedication shall be acknowledged and certified by a Notary Public.

F. Final Plat Approval.

1. The Town Engineer may approve improvement plans, final plats, maps of dedication, right-way-way abandonments, public easements, all related

engineering documents and reports and other information upon completion and conformance with all applicable codes, ordinances, and conditions of approval. .

2. The Engineering Division shall retain the recording copy until the Town Engineering Manager certifies that the improvement plans have been approved; a computer closure of the plat has been received; the Engineer's estimated cost of said improvements have been approved by the Town Engineering Manager; the subdivision improvement construction assurances are in the form and amount to the satisfaction of the Town Development Services Director and that any drainage or other restrictive covenants have been signed, notarized and received from the subdivider.
3. Upon receipt of the recording fees and documents listed in Subsection 4.5 F.3 the Town shall then cause the final plat to be recorded in the Office of the County Recorder of Maricopa County or Pinal County (whichever county the development is located in).

G. Required Certification, Signatures, and Notes

Multiple notations are required to appear on a final plat. The notations that are standard on every final plat include, but are not limited to the following:

1. Assurance Statement as Follows:

Assurance Statement:

Assurance in the form of a cash, performance or subdivision bond or irrevocable letter of credit in an amount of "\$_____" has been deposited with the Town Engineering Manager to guarantee construction of the required subdivision improvements.

2. Conveyance and Dedication Statement as Follows:

Conveyance and Dedication:

Know all men by these presents that (owner's name), as owner, have subdivided (or re-subdivided) under the name of (name of subdivision), (add

Section, Township and Range) of the Gila and Salt River Base and Meridian, Maricopa County, Arizona as shown platted hereon, and hereby publishes this plat as and for the plat of said (subdivision name), and hereby declares that said plat sets forth the location and gives the dimensions of all lots, easements, tracts and streets constituting the same, and that each lot, tract and street shall be known by the number, letter and name given each respectively, and that (owner's name), as owner, hereby dedicates to the public for use as such the streets and hereby grants to the public the drainage and public utility easements as shown on said plat. In witness (owner's name), as owner, has hereunto caused its name to be signed and the same to be attested by the signature of (owner or designated signatory and title)

By: _____ Date:
Owner's Name and Title

3. Notary Acknowledgment Statement as Follows:

Notary Acknowledgment:

State of Arizona)

County of Maricopa/Pinal)

On this, the ____ day of _____, (year), before me the undersigned (title) personally appeared _____ (Name) who acknowledges that he/she executed the foregoing instrument for the purposes contained therein.

In witness whereof I hereunto set my hand and official seal

Notary Public

My Commission Expires:

4. Town Approval Signatures Blocks as Follows:

Town Approvals:

This plat was approved as to form by the Town Engineering Manager and the Town Planning Manager.

By: _____ date:

Town Engineer

By: _____ date:
Town Planning Manager

Surveyors Certification:

This is to certify the survey and subdivision premises described and platted hereon were made under my direction during the month of _____, (year) that the plat is correct and accurate, that the monuments shown hereon have been located or established as described and lot corners shall be permanently set.

(Surveyor's name and registration number) (Stamp)
(Surveyor's address)

- 6. Certificate of Assured Water Supply as follows for all plats. This requirement may be waived by the Town Engineering Manager for commercial plats based on site specific conditions or other information related to the project.

Assured Water Supply

The Arizona Department of Water Resources has granted a Certificate of Assured Water Supply, DWR File No. _____

- 7. Deed Restriction Information as Follows:

Covenants, Codes and Restrictions for (name of subdivision) Queen Creek, Arizona are recorded in (document recording number) , (county name) County Records.

SEC. 4.6 REPLATS.

- A.** Any plat involving either of the following two conditions shall be processed in accordance with Section 4.5 of this Ordinance as provided in Section 4.1 of this Ordinance.
 - 1. Dedication of land for a public street or any off-site public improvements. Dedications shall comply with all procedures set forth in Chapter 4 of this Ordinance.
 - 2. Abandonment of a street, alley or public utility easement or other recorded easement in a previously recorded subdivision. Replatting of the affected area, if required, shall be processed concurrently with the abandonment and recorded immediately subsequent to the recordation of the abandonment
- B.** The merger of two lots through the use of a lot tie shall comply with the requirements and procedures set forth in this Chapter, as well as the lot tie/merger agreement shown in the Town of Queen Creek Design Standards and Procedures Manual.
- C.** Division of a single lot into two separate parcels, shall comply with the requirements set forth in this Chapter and processed as a “lot split”.

SEC. 4.7 ABANDONMENT OF A RECORDED SUBDIVISION.

- A.** The abandonment of all or part of a recorded subdivision approved pursuant to the laws of the State of Arizona may be initiated by written petition to the Development Services Director. The petition shall be signed by all owners of real property in said subdivision requesting abandonment of all streets, alleys and easements within said subdivision and giving the legal description and recording information thereof.
- B.** Applications for the abandonment of a recorded subdivision are filed with the Town and referred for recommendation to the appropriate Town staff and utility companies. After Town Engineer approval of the abandonment of any streets, alleys and easements within the subdivision, and after Town Council approval of the abandonment resolution for the recorded subdivision, and after the abandonment resolutions are recorded with the County Recorder's Office, the subdivision is removed from the official maps.
- C.** Abandonment of public right of way and public use easements may be initiated by submission of a right of way or easement abandonment application signed by all property owners adjacent to, or whose land includes, the public way or easement proposed for abandonment to the Development Services Director. All such requests will be referred to the Town Engineer for review and recommendation. The Town Engineer will consult with appropriate Town and utility company staff to evaluate the effect of the abandonment on present and future transit and utility systems planned

for the area. After Town Engineer approval of the abandonment of any street, alley or other public right of way or public use easement, the abandonment resolution shall be recorded with the County Recorder's Office, and the right of way or use easement abandoned.

SEC. 4.8 CONDOMINIUM DEVELOPMENTS.

- A. The application requirements, processing and approval regulations contained within this Ordinance shall apply to all condominium developments.
- B. Condominium subdivisions shall also comply with the provisions of this ordinance and The Town of Queen Creek Zoning Ordinance. The location of all building shown on the plat and the manner in which the airspace is to be divided in conveying the condominium shall be clearly defined and a plat completed as would be done for any other subdivision of property.
- C. In order for the condominium subdivision application to be considered complete, the applicant shall provide to the Town any plans, specifications, reports and/or analysis needed to show that the proposed condominium subdivision is in compliance with this Ordinance and *The Town of Queen Creek Zoning Ordinance*, including but not limited to grading plans, site plans, floor plans, elevations, and landscape plans, drainage reports and traffic impact analyses.

CHAPTER 5
PLANNED AREA DEVELOPMENTS AND DEVELOPMENT MASTER
PLANS

SEC. 5.0 GENERAL.

- A. The purpose of a Planned Area Development (PAD) or a Development Master Plan (DMP) is to provide for the orderly development of land while permitting flexibility in the design and development of residential, commercial, and/or industrial environments of a quality which could not be achieved by traditional lot by lot development under conventional subdivision design. In areas of environmental sensitivity such as the San Tan foothills, Queen Creek or the Sonoqui Wash, or in an effort to preserve open space or agricultural areas free of development that may otherwise occur, a PAD or DMP utilizing a cluster development option is recommended. Use of a PAD or a DMP will allow development of residential subdivisions with lots that are smaller and arranged differently than would otherwise be required by the zoning district within which the project is located.

Any rezoning necessary for the development of a PAD shall be processed in conjunction with, or prior, to consideration of a preliminary plat. Approval of the DMP is to be done in conjunction with a rezoning request, or as a separate second step, in the development of the property in question. Approval of a DMP separate from a rezoning case will be processed as using the same standards as would be required for a rezoning request, as described in Article 3 of the Town of Queen Creek zoning ordinance.

- B. Any PAD development shall abide by the subdivision design standards and principles outlined in Chapter 6 of this Ordinance unless otherwise modified by the Town Council at the time of zoning approval.

CHAPTER 6

SUBDIVISION DESIGN STANDARDS AND PRINCIPLES

SEC. 6.0 PURPOSE AND DESIGN PRINCIPLES

- A.** The purpose of the Subdivision Ordinance is to create functional, attractive developments, minimize adverse impacts on the community, and to ensure that future subdivisions will conform to the community's expectations. To accommodate this purpose, all subdivision plats shall conform to the following standards which are designed to result in a well-planned community.

- B.** The design standard section of the Subdivision Ordinance is to provide the development community with a consistent set of standards to guide the physical development and the visual quality of the community. The standards stem from six main design principles which are policy statements and the basis for the design standards.
 - 1. DESIGN PRINCIPLES:**
 - a.** To reflect, maintain, and enhance the friendly small town rural characteristics of Queen Creek and its surroundings.
 - b.** To create a distinctive, high quality environment.
 - c.** To encourage the design of sustainable development.
 - d.** To provide the public utility infrastructure needed to accommodate new neighborhoods and structures with the utility systems required to accommodate the needs of their future occupants
 - e.** To promote connectivity of people, neighborhoods, community facilities and services, and the open space network of the community via the equestrian, bicycle, and pedestrian trail system.
 - f.** To encourage traditional neighborhoods and residential developments that vary in density, lot sizes, housing type, architectural style, and provide open space.
 - g.** To provide and maintain a functional and efficient traffic circulation system.

SEC. 6.1 GENERAL

- A. Every subdivision shall conform to the goals, objectives, and policies of the General Plan, the Zoning Ordinance, other ordinances and regulations of the town, and to the *Arizona Revised Statutes*. In the event two or more requirements conflict, the most restrictive requirement shall apply.
- B. Where the area proposed for development contains all or part of a park, a school, flood control facility, or other public site, as shown on the General Plan or as recommended by the Town Council, such site shall be reserved for acquisition by the appropriate agency within a specified period of time as prescribed in A.R.S, 9-463.01 (D) and (E). An agreement should be reached between the subdivider and the appropriate public agency regarding time, method, and cost of such acquisition. Dedication of such sites by the developer may be considered by the town.
- C. Every subdivision and new development shall also meet the adequate public facilities requirements of the Town described in Chapter 5, Section 5.1 Adequate Public Facilities of the Town of Queen Creek Zoning Ordinance. All new subdivisions at the time of rezoning shall be subject to the terms and conditions of this article.

SEC. 6.2 SUBDIVISION SITE DESIGN STANDARDS

A. General Design Requirements

Every residential, commercial and industrial subdivision shall reflect:

- a. The development takes into consideration the General Plan and any area specific plans approved for the site, as well as the other regulations controlling the development of the subject land.
- b. The development of the site shall be based, among other criteria, on an environmental site assessment. To the maximum extent practicable development and other disturbance activities shall be located:
 - i. To preserve the natural features of the site (such as significant vegetation and rock outcroppings), and:
 - ii. To avoid areas of environmental sensitivity (such as slopes in excess of 30%), and:
 - iii. To avoid undisturbed wash channels and to minimize disturbances and alterations of the natural features. To avoid disturbing significant native vegetation.

- c. The following specific areas shall be preserved as undeveloped open space, to the extent consistent with the reasonable utilization of land, and in accordance with applicable state and local regulations:
 - i. Land in a floodplain, as defined by state and local regulations;
 - ii. Habitat of endangered wildlife, as identified on federal and state lists;
 - iii. Land areas that have been identified to include subsidence fissures.
- d. The development shall be designed to:
 - i. Avoid adversely affecting ground water and aquifer recharge;
 - ii. Limit cut and fill grading
 - iii. Avoid unnecessary impervious cover;
 - iv. Prevent flooding;
 - v. Provide adequate access to lots and sites;
 - vi. Mitigate adverse effects of noise, traffic, drainage and utilities on neighboring properties;
 - vii. Conform to the Storm Water Pollution Protection Plan

Residential Subdivisions

- 1. Regardless of the density of the individual developments, single family residential subdivisions, and condominium or multi-family subdivisions may be required to provide open space, provide transition areas, provide landscaping, and provide physical connections to adjacent neighborhoods and to the community open space network and trail system.
- 2. Those portions of the community open space network and/or trail system adjacent to, or within, the area proposed for development shall be incorporated by that development. Construction of these open spaces and/or trails shall be the responsibility of the subdivider/developer and shall be part of the subdivision improvements. These trails shall be part of a "tract" and maintained by a Homeowners/Property Owners Association with the

exception of the Sonoqui Wash Trail, Queen Creek Wash Trail, and those minor trails as specifically delineated in the Queen Creek General Plan which shall be dedicated to the public.

3. The development, through the Planned Area Development (PAD) process as described in Article 4.10 of The Town of Queen Creek Zoning Ordinance, upon the requisite findings, may vary lot areas and dimensions, yards, and setbacks from the standards specified in the zoning district(s), in effect over the area considered for subdivision provided that such variations are approved by the Town Council prior to or in conjunction with the preliminary plat approval for the subdivision.
4. Landscaped areas shall be maintained between rear and side street lot lines which adjoin Arterial and Major Collector rights-of-way to a depth equal to the streetside yard setback required by the zoning district of the subdivision, or 30 feet, whichever is greater.

Commercial and Industrial Subdivisions

Commercial and industrial subdivisions shall be designed according to the same principles governing the design of residential developments; namely, buildings shall be located according to topography; factors such as drainage, traffic, noise, odor, and surrounding land uses considered in siting buildings; sufficient access shall be provided; adverse impacts buffered; and open space, and landscaping provided.

B. Open Space Requirements

The purpose of these open space regulations is to provide open space within each subdivision please refer to Article 5, Section 5.5 of the Town of Queen Creek Zoning Ordinance for additional requirements.

1. If the subdivision is part of a Development Master Plan (DMP) or a Planned Area Development (PAD), that has been approved by the Town, the open space requirements shall be in accordance with the provisions of the approved DMP or PAD as described in Article 4, Section 4.10 of the Town of Queen Creek Zoning Ordinance.
2. Open space area shall mean any area of land which can be enjoyed by people. Open space could include landscaped or hardscaped plazas, paseo and promenades connecting commercial parking areas to adjacent commercial uses, any parking area landscaping that exceeds that which is required by the

Zoning Ordinance, fountains, and sitting areas all meant to provide an open park like atmosphere. Also playgrounds, golf courses, bicycle trails (but not bike lanes within the public right-of-way), pedestrian trails (not residential sidewalks unless detached from the curb - creating a "boulevard strip" or as specified in Sec. 6.2(b)(3)), equestrian tracts and trail heads, and the required transition areas. Open space does not include parking areas, vacant or undeveloped lots.

3. If the subdivider/developer chooses to utilize a tree-lined street cross section, as depicted in the Town of Queen Creek Design Standards and Procedures Manual the entire "boulevard strip" area, inclusive of that portion of the public right-of-way starting from the back of curb and including any easement specifically granted for landscaping or pedestrian purposes, may be calculated as part of the required open space.
4. If a frontage road design is utilized as shown in the Town of Queen Creek Design Standards and Procedures Manual, then the minimum landscape area between the frontage road and the arterial or major collector may be calculated as part of the required open space. If the development backs to an arterial or major collector road, as addressed in Sec. 6.2(H), then the thirty (30) foot minimum non-buildable landscape parcel or easement may be calculated as part of the required open space.
5. Open space intended to fulfill these open space requirements shall be calculated upon the net acres of the subdivision whether residential, commercial, or industrial. Net acres are defined as: total acres exclusive of the area required for arterial or collector street right-of-way dedications, tracts and school/public site reservations.
6. The open space areas shall be designed in such a manner as to be easily accessible to all lots. Accessible means 1/6 of a mile or 880 feet between any one lot and an entrance area allowing people, bikes or equestrians to enter into the open space area or view the open space area.
7. Retention or detention basins shall not qualify as required open space area unless 50% or more of the active/usable area is above the 2-year-6- hour storm. The exception to this standard is for commercial and industrial developments which shall be permitted to calculate the retention or detention area as part of the required open space area.
 - a. Retention/detention basins shall be given a "natural" character where possible in accordance with the Town's requirements. Such storm water basins shall be constructed with/of natural materials. Terracing, berming and contouring is required to naturalize and

enhance the aesthetics of the basin, as shown in the Town of Queen Creek Design Standards and Procedures Manual.

- b. Retention/detention basins shall be designed to have Tot Lots, Play Courts and similar facilities above the 2 year, 6 hour storm water surface level.
- c. Retention/detention basins slopes in residential areas shall be designed to prevent erosion and appear natural. Maximum slopes shall be (1) foot vertical to (6) feet horizontal and meander at the top of slope to minimize the rectangular box look. Modifications from this criterion require approval of the Town Engineering Manager. In commercial and industrial areas, slopes with a maximum ratio of (1) foot vertical to (4) feet horizontal for basins which are not visible to the public may be permitted with the approval of the Town Engineering Manager.
- d. Retention basins less than two (2) net acres (actual retention area) shall be limited to a maximum depth of three (3) feet below the top of the basin slope. Basins greater than two (2) net acres shall be limited to a maximum depth of (1) one percent of the narrowest basin dimension. Total depth of basins shall not exceed four (4) feet without approval of the Town Engineering Manager.
- e. Retention basins located in buffer area tracts shall be limited to a maximum depth of two (2) feet.
- f. Underground retention shall be utilized when the required on-lot retention volumes cannot be met by use of conventional surface retention basins.
- g. Pedestrian and bicycle paths shall be designed to be above the 2-year-6-hour storm event.
- h. Drainage channels with earthen or rock lining shall have their side slopes limited to a maximum of (1) one foot vertical to (4) four feet horizontal. Channels located in commercial and industrial areas which are not visible by the public and provide a concrete or other impermeable surface lining may have a side slope of up to a maximum of (1) one foot vertical to (2) feet horizontal, subject to approval by the Town Engineering Manager.
- i. The following statement shall appear on the final plat of all subdivisions with common area retention basins: "All retention

basins must be maintained to drain within (36) thirty-six hours after a storm. The owners of any such basin failing to meet this requirement must take corrective action to bring the basin into compliance.”

8. Required open space for all types of subdivisions shall be as prescribed in the following Table 1:

TABLE 1 - OPEN SPACE REQUIREMENTS

TYPE OF DEVELOPMENT	REQUIRED PERCENTAGE OF OPEN SPACE
Rural Development (R1-108 and larger)	0 %
Estate Development (Rural-43 and R1-54)	2 %
Suburban Development-Type A (R1-35)	5 %
Suburban Development-Type B (R1-18, R1-15 and R1-12)	7.5 %
Urban Development-Type A (R1-7and R1-9)	20 %
Urban Development-Type B (multi-family zones)	100% 1st Floor F.A.R. 50% 3rd Floor F.A.R.
Commercial Development (*)	15 %
Industrial Development	10 %

(*) Except those tracts located within the designated Town Center Area which shall abide by the open space requirements of the Town Center Zoning District.

C. Access Requirements.

5. Every lot shall have frontage onto a fully-improved, publicly- dedicated and accepted right-of-way that meets the Town of Queen Creek street standards as shown in the Town of Queen Creek Design Standards and Procedures Manual. Private streets that meet Town of Queen Creek street standards may provide frontage to lots if the development is approved through the Planned Area Development (PAD) process.
6. Rural and Estate subdivisions shall, where possible, front onto and take access from collector and local streets. Where arterial access is required to

accommodate new subdivisions, the need for frontage roads will be evaluated by the Town Engineering Manager and Traffic Engineer.

7. Suburban and Urban type developments shall be designed to either:
 - a. Provide lots that front to local streets as set forth in the Circulation Element of the General Plan; or
 - b. Utilize a frontage road and provide lots that face and take access from the frontage road.
8. Pathways, which include pedestrian, bicycle and equestrian ways, or access to schools, playgrounds, shopping centers, transportation and other community facilities shall have a minimum right of way width of 20 feet for circulation. Pedestrian ways may be used for utility purposes.
9. For Suburban and Urban developments a non-buildable parcel, easement or additional right-of-way equal to the street side setback of the Zoning District, or thirty (30) feet, whichever is greater, shall be platted between any street side or rear-yard property line of any developable lot and the right-of-way line of any Major Collector or Arterial Street.
10. Commercial and industrial lots which are developed and platted as part of a Planned Area Development (PAD) which designates and incorporates private driveways or roadways as tracts on the subdivision plat and in the project Covenants, Conditions and Restrictions (CC&R's) will be deemed to have access to a public right-of-way.

SEC. 6.3 STREET LOCATION AND ARRANGEMENT

- A. The road system shall be designed to permit the safe, efficient, and orderly movement of traffic and pedestrians; meet, but not exceed the needs of present and future population served; have a simple and logical pattern with a minimum number of cul-de-sacs; respect natural features and topography, and; present an attractive streetscape.
- B. In residential subdivisions, the road system shall be designed to serve the needs of the neighborhood, discourage local street use by through traffic, and provide connectivity to adjacent developments and unsubdivided land as appropriate.
- C. The development of roadways built to Arterial or Major Collector street standards shall match the Circulation Element of the Queen Creek General Plan, and shall also be required where needed as recommended by the Town Engineering Manager and approved by the Town Council.

- D. Street layout shall provide for the continuation of such streets as the General Plan or Town Engineering Manager may designate. Local streets shall be designed to discourage their use by through traffic, although connectivity may be required for pedestrian access.
- E. Where a proposed subdivision abuts or contains an existing or proposed Arterial or Major Collector right-of-way, non-buildable landscaped parcels or tracts equaling at least the depth of the minimum street side-yard setback of the base Zoning District, or thirty (30) feet, whichever is greater, shall be platted with non-vehicular access easements along the Arterial or Major Collector right-of-way.
- F. Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility, streets of reasonable gradient, and the facilitation of adequate drainage.
- G. Where private streets are approved through the PAD process, such streets shall be constructed to Town public street specifications and shall be placed into specific "street tracts" of land. Statements shall be contained on the plat and in the Deed Restrictions, the Homeowners Association By-laws and the Covenants, Conditions and restrictions (CCR's) that those streets are declared private subject to an easement authorizing use by emergency and public service vehicles, and remain the permanent responsibility of the Homeowners Association. If at any time the streets are proposed to be dedicated to, and accepted by the Town, the streets must first have been designed and constructed to standards specified by the Town for public streets, and demonstrate they have been maintained to the current public street maintenance standards, as determined by the Public Works Manager
- H. Alleys may be required in commercial and industrial subdivisions as approved by the Town Council. Where needed, they shall have a 20 foot minimum width.

SEC. 6.4 STREET DESIGN.

- A. **Design of Streets.** The design of streets shall conform to standards established by this Ordinance and the Town of Queen Creek Design Standards and Procedures Manual".
- B. **Private Street.** Private streets shall conform to above stated design standards unless otherwise approved by the Town Council. Private streets shall be placed within their own parcel or tract of land and shall only be approved through a (PAD). Where site conditions necessitate unique design solutions, modifications may be recommended by the Town Engineering Manager for consideration by the Town Council.
- C. **Cul-de-sac Streets.** Cul-de-sac streets shall be constructed as specified in the Town of Queen Creek Design Standards and Procedures Manual. The Town Engineering Manager may recommend an equally functional design for vehicular turning and

backing areas where extreme conditions justify. The maximum length of cul-de-sac streets shall be 600 feet or 20 homes and 1,200 feet or 40 homes if all homes are fire sprinkled, as measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline. An exception may be made where topography justifies but shall not be made merely because the subdivision has restrictive boundary dimensions, wherein provision should be made for extension of street pattern to the adjoining unplatted parcel and a temporary turnaround installed. (Cul-de-sac specifications are detailed in the Town of Queen Creek Design Standards and Procedures Manual)

D. Dead-end Streets: Dead-end streets will not be approved except in locations recommended by the Town Engineering Manager as necessary to future development of adjacent lands.

E. Private Access and Driveways: Access from private property to any dedicated street shall be constructed in accordance with permits issued by the Town. Width of driveway at the property line shall be a minimum of 12 feet and a maximum of 40 feet. The width will depend on the access to be served i.e., residential or commercial/industrial uses. Minimum driveway spacing shall be as defined in the MCDOT Roadway Design Standards Manual. Exceptions to this requirement may be approved by the Town Engineering Manager based on unusual site constraints.

F. Street Intersections:

1. Streets intersecting an arterial or collector street shall not vary from 90 degrees by more than 10 degrees. Intersection of all other streets shall not vary from 90 degrees by more than 15 degrees.
2. Local streets intersecting collector or arterial streets 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 local 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 and vehicular sight visibility, these standards may be varied by the Town Engineer.
3. Street intersections with more than four legs are not allowed.
4. Street jogs with centerline offsets less than one hundred and twenty-five (125) feet shall not be allowed.
5. Minimum intersection spacing shall be as defined in the MCDOT Roadway Design Manual, unless otherwise approved by the Town of Queen Creek Design Standards and Procedures Manual.

6. A thirty three (33) foot by thirty three (33) foot triangle shall be provided at each property line corner of the intersection involving two collector streets, two arterial streets or arterial and collector streets. A twenty (20) foot by twenty (20) foot triangle shall be provided at each property line corner of the intersection of two local streets and local streets to collector or arterial street.
7. All street intersections shall be designed to meet the minimum sight distance visibility requirement standards for horizontal curvature, vertical curvature and other obstructions as defined in the current edition of the American Association of State Highway and Transportation Officials (AASHTO) manual.
8. No berms, wall, monuments, signs or landscaping over twenty-four (24) inches in height as measured from the top of the curb, shall be permitted within the intersection sight triangle, or stopping distance area, as defined in the Current Edition of A Policy on Geometric Design of Highways and Streets, published by the American Association of State Highway and Transportation Officials (AASHTO).
9. Exceptions to these requirements may be approved by the Town Engineering Manager based on terrain or other site specific conditions.

G. Street Pavement and Structural Design:

1. The traveled way of all streets shall be surfaced with asphaltic concrete. The placing of asphaltic concrete shall be accomplished under generally accepted construction techniques provided in Section 321 of the MAG Standard and/or as shown in the Town of Queen Creek Design Standards and Procedures Manual. Alternative pavement standards may be approved by the Town Engineering Manager, based on specific site conditions.
2. The thickness of base and surface treatment for all streets shall be based on soil analysis and pavement thickness design as recommended by the developers Geotechnical Engineers Soils Report and/or as provided in the Town of Queen Creek Design Standards and Procedures Manual, whichever is most structurally competent.
3. All developments shall submit a soils report and pavement recommendation prepared by an Arizona Registered Geotechnical Engineer. The pavement report will recommend at least two alternative structural sections for each street and driveway classification. Additional asphalt may be substituted for untreated base at a ratio recommended by the Geotechnical Engineer.

H. Landscaping:

Landscaping shall be installed as specified in the Town of Queen Creek Zoning Ordinance. The placement of landscape materials and street design shall be coordinated to ensure placement of landscaping, berms, walls and other features do not obstruct sight line distances as defined in other sections of this code, and do not obstruct visibility of traffic control devices.

I. Pedestrian Circulation Systems:

1. Sidewalks shall be required on both sides of all streets located in multi-family, commercial and industrial zoning districts.
2. Sidewalk Standards:
 - a. Meandering walkways may be required by the Town Engineering Manager to coordinate with adjacent improvements. Meanders should maintain a 1 foot minimum distance from the property line or the back of the sidewalk easement, and should be curbside at all intersections, and at all industrial, commercial and multi-family driveways.
 - b. The unobstructed sidewalk widths shall be as shown in the Design Standards and Procedures Manual for the type of street required.
3. Sidewalks shall be developed in the following manner:
 - a. Sidewalks shall be required to be located on both sides of all urban arterial and collector streets, regardless of their location, zoning or the number of lots on the street.
 - b. Sidewalks shall be required to be located on at least one side of any local street that is within or abuts a single family residential zoning district that has developable lot area averaging over 18,000 square feet.
 - c. Sidewalks to complete existing or planned pedestrian linkages, or sidewalks leading to a significant pedestrian generator, shall be required to be located in accordance with an adopted pedestrian sidewalk or trail plan.
 - d. Sidewalks may be located outside of the road right-of-way and within an easement.
 - e. Exceptions to these sidewalk standards may be approved by the Town

Engineering Manager if the circumstances of the specific application are such that sidewalks are either not required or their use modified based on topography, adjacent existing or planned land uses or other site specific conditions.

For additional information on the Town’s street design and construction standards addressed in this section (Section 6.4) please refer to the Town of Queen Creek Design Standards and Procedures Manual.

SEC. 6.5 LOT PLATTING.

- A.** Conventional single-family residential lots shall not have a width-to-depth ratio greater than one to three. Lot dimensions for single family residential lots which are part of a “cluster” development or PAD will be determined at the time of project approval.
- B.** All residential, commercial and industrial lots must be developable without the need of a variance, waiver or further discretionary approvals from the Town. Prior to plat approval the Town may require additional documentation, including but not limited to engineered concept plans, for lots with questionable developability.
- C.** Corner residential lots shall generally be designed larger to accommodate the increased setback requirements of the Zoning Ordinance.
- D.** Residential side lot lines shall be substantially at right angles or radial to street lines, except where other treatment may be justified in the opinion of the Town Engineering Manager, based on site specific conditions.
- E.** Residential lots extending through the block and having frontage on two parallel streets which are both local streets or one of which is a local street and the other is a collector street shall not be permitted; except where approved by the Town Engineering Manager based on site specific conditions.
- F.** Where steep topography (exceeding 15% in grade), unusual soil conditions, drainage problems, abrupt changes in land use or traffic safety based on sight and visibility or inadequacy of public facilities that would not allow a lot to be buildable without a variance or waiver, the Development Services Director or designee may deny the creation of the lot.
- G.** Individual residential lots on curvilinear streets shall have rear lot lines consisting of a series of straight lines with the points of deflection occurring at the junction of side and rear lot lines, unless otherwise approved by the Town Engineering Manager.

SEC. 6.6 EASEMENT PLANNING.

- A.** Easements will be required for all private utilities outside of the street right-of-way and shall be placed along lot lines as required by the utility companies and/or as directed by the Town Engineering Manager.
- B.** Where a stream, wash or important surface drainage course abuts or crosses a development, dedication of a drainage easement of a width sufficient to permit widening, deepening, relocating, or protecting and maintaining said water course shall be required. Drainage easement width shall be approved by the Town Engineering Manager, and where appropriate, the Maricopa and/or Pinal County Flood Control District based upon the hydrological analysis of a 100 year frequency storm.
- C.** All drainage channels, washes, or ditches which convey a 100 year frequency storm flow volume exceeding a flow rate of one hundred (100) cubic feet per second shall be designated as Tracts with drainage easements. When it is determined by the Town Engineering Manager that the topographic conditions and wash alignments on the parcel will result in extraordinary development constraints, a drainage easement may be accepted, without a Tract designation.
- D.** All storm water retention basins shall be designated as drainage easements.
- E.** Vehicular cross-access easements shall be required where deemed necessary by the Town Engineering Manager and Town Traffic Engineer to accommodate lot planning issues, minimize driveway locations and provide vehicular accessibility to adjacent properties.
- F.** Sidewalk easements of a minimum of five (5) feet in width shall be required when the proposed sidewalk is not contained within the public right of way. The final sidewalk easement width will be determined by the Town Engineering Manager.

SEC. 6.7 STREET NAMING

- A.** Street names shall comply with the overall Maricopa and Pinal County street naming systems for section line and half section line roads, as well as per the Town of Queen Creek Street Naming and Lot Numbering System shown in the Town of Queen Creek Design Standards and Procedures Manual.
- B.** Street names should be consistent with the natural alignment and extension of existing named streets.
- C.** All proposed public and private street names/types shall be approved by the GIS Department or authorized staff prior to approval of the final plat..

- D. Street name signs shall be placed at all street intersections and be in place by the time the street pavement is ready for use. Specifications for design, construction, location, and installation shall conform to the Town of Queen Creek Design Standards and Procedures Manual.

SEC. 6.8 DRAINAGE

- A. Proper and adequate provision shall be made for disposal of storm water; this shall apply equally to grading of private properties and to public streets. Existing major water courses shall be maintained as drainage ways. Drainage systems shall meet the requirements of the "Drainage Design Manual" for Maricopa County Arizona, Volumes I, II & III.
- B. Post development flows can not exceed pre-development flows in peak runoff, volume, or velocity and may not concentrate sheet flows without down stream off-site control.
- C. If drywells are necessary they shall be spaced as far a part as possible and only 50% of the percolation capacity can be used in calculating the required number of drywells to be utilized. In addition, a private maintenance plan shall be prepared that provides for routine inspection and maintenance to the approval of the Town Engineering Manager.

SEC. 6.9 SANITARY SEWAGE DISPOSAL.

- A. Subdivisions within the Town sewer service area shall install sewer collection lines, and all dwelling units shall be required to connect to the collection system. If there is no sewer main available at the time of final plat submittal, a septic system shall be installed following the standards established by Maricopa County Environmental Services and/or the Arizona Department of Environmental Quality for Pinal County.
- B. Subdivisions not in the Town sewer service area shall submit a sewer service plan acceptable to Maricopa County Environmental Services and/or Arizona Department of Environmental Quality for Pinal County.
- C. Septic tanks shall be approved by Maricopa County Environmental Services or the Arizona Department for Environmental Quality for Pinal County.
- D. Sewer lines shall be approved by the Town Engineering Manager and by Maricopa County Environmental Services and/or the Arizona Department of Environmental Quality for Pinal County.
- E. Service stubs to platted lots within the subdivision for underground utilities shall be placed behind the right-of-way line or two (2) feet behind the public utility easement, which ever is greater.

- F. Sanitary sewer lines shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.
- G. Every developable lot shall have a separate sewer service lateral, except those lots on an approved septic system.

SEC. 6.10 WATER SYSTEM

- A. Each lot or building unit shall be supplied with potable water in sufficient volume and pressure for domestic use and fire protection purposes. 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 Town Engineering Manager, water provider and Fire Department.
- B. All design and construction must meet all applicable Town, private water provider and Maricopa County Environmental Services Department specifications and requirements in force at the time of plan renewal and approval. If it is necessary for the Town to apply specifications or requirements not in force at the time of plan review, but necessary to achieve the orderly and proper development of any portion of the public/private water system, the Town reserves the right to enforce such specifications and requirements to insure and protect the public welfare.
- C. The developer of a subdivision may be required by the Town of Queen Creek to supply to the public/private water system an amount of potable water from new sources and an amount of new water storage facilities to offset the demand on the existing or planned public/private water system imposed by owners of property or building units within the subdivision.
- D. The Town assumes no liability for providing water to any proposed or actual subdivision.
- E. Water specifications and requirements relating to fire protection are established by the private water companies and/or the public/private Fire Department. At a minimum fire protection must be provided in accordance with the currently adopted Uniform Fire Code.
- F. Line Sizing: Minimum size lines for water lines shall be 4 inches without hydrants and 6 inches with hydrants. Minimum eight inch lines shall be required on dead-end hydrant lines longer than 300 feet.
- G. Valves: There shall be a minimum of three valves at crosses, two valves at tees and one valve at each fire hydrant tee. Shutdown valving shall be arranged such that no more than four valves are required to make a shutdown in any section of waterline.

No more than 30 homes nor two fire hydrants shall be out of service during a water line shutdown.

H. Services:

1. Minimum service tap, service pipe and meter shall be 3/4 inches and shall serve only one property. A minimum one inch service tap, pipe and meter servicing a single property shall be required on cul-de-sacs in excess of 600 feet in length, for fire sprinkled residences and for all Suburban Developments zoned R1-35 and larger.
2. Service stubs to platted lots within the subdivision for underground utilities shall be placed behind the right-of-way line or two (2) feet behind the public utility easement, whichever is greater.

I. Fire Hydrants: Maximum spacing for fire hydrants shall be 500 feet in single family residential areas and 300 feet in all other residential, commercial and industrial areas. Fire hydrants shall be required along arterial and major collector roadway frontages at a minimum spacing of 660 feet, located alternately on each side of the road.

J. Water distribution lines shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.

SEC. 6.11 STREET LIGHTS.

A. Fixture type, height etc. shall meet the specific criteria established by the Town of Queen Creek Design Standards and Procedures Manual. Street lights shall be installed at all entrances to a neighborhood and at other locations specified by the Town Engineering Manager. Determinations of the need for lighting will also be coordinated with town crime prevention programs and other community needs.

B. Street Light Improvement Districts (SLIDS) are required for most urban residential subdivisions and may be required by the Town Engineering Manager as needed in commercial or industrial projects. The need for rural subdivision roadways to be lighted will depend on the geometric layout, pedestrian/vehicular traffic volumes and night-to-day accident ratios and other pertinent information with the final SLID determination made by the Town Engineering Manager.

SEC. 6.12 PUBLIC UTILITIES

A. Except as exempted in Section 7-6-3 of the Town Underground Electric, Telephone, Cable and Communication Lines Ordinance No. 69-95, all existing and new utility and telephone lines, electric utility distribution feeders, cable television lines, and all other communication and utility lines adjacent to or within new residential,

commercial, or industrial subdivisions or other areas to be developed within the town shall be installed underground at the time of development of the property as part of the required off-site and on-site improvements. The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility.

- B.** When as a result of the subdivision development, it is necessary to relocate, renew or expand existing facilities within or adjacent to the platted area, the subdivider shall make the necessary arrangements with the serving utility for these installations to be placed underground. The subdivider shall arrange with the serving utility for, and be responsible for, the cost of underground service lines to approved street light locations.
- C.** Service stubs to platted lots within the subdivision for underground utilities shall be placed to the right-of-way line or the public utility easement which ever is greater.
- D.** Underground utilities shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.

CHAPTER 7 IMPROVEMENT REQUIREMENTS

SEC. 7.0 PURPOSE

It is the purpose of this section to define the responsibility of the subdivider in the planning, construction and financing of improvements; and to establish procedures for review and approval of these improvements.

SEC. 7.1 GENERAL

A. Responsibility. The subdivider shall be responsible for all costs, including review fees, for the installation of the improvements as a stipulation of zoning, preliminary plat, or site plan review and at least but not limited to the following improvements:

1. Public/Private Sewers
2. Public/Private Water Supply Systems
3. Grading/ Drainage/Storm Drains
4. Streets/Private Access Ways
5. Alleys (where applicable and approved)
6. Utilities
7. Street Lights
8. Monuments
9. Landscaping
10. Traffic Signals

B. Streets and Public Easements. All streets and public easements within the boundary lines of the subdivision shall be improved to cross-sections, grades, and standards outlined in the Town of Queen Creek Design Standards and Procedures Manual, or as approved by the Engineering Manager. Where there are existing streets adjacent to the subdivision, subdivision streets shall be improved to the intercepting paving line of such existing streets, or to a matching line determined by the Engineering Manager; transition paving shall be installed as required by the Engineering Manager. When a subdivision includes a major street which is not paved or where there is no paved street between the subdivision and a paved major or collector street, an interim paved two lane street at least twenty-four feet wide with approved pavement transitional tapers shall be constructed to a standard approved by the Town Engineering Manager for the major street, collector or local street right of way to the nearest paved major or collector street. When an interim access road is required, temporary paving shall be installed in compliance with the pavement recommendations from a geotechnical report. Such an interim road shall have sufficient culverts and drainage facilities to allow a 25 year frequency storm to pass under the road section and a 100 year frequency storm to pass over the road section at a depth not to exceed 6" of water. Dead-end streets extending 200 feet or more and dead-end interim access roads shall be graded and surfaced with a temporary 40 foot radius turning circle at the road terminus.

C. Utilities. The subdivider shall be responsible to make the necessary arrangements

with each of the serving utility companies involved for the installation of the underground facilities. Letters of verification from serving utility companies indicating that the appropriate arrangements have been made shall be submitted to the Town Engineering Manager at the time the final subdivision plat is submitted for approval.

D. Monuments. Permanent monuments shall be installed in accordance with current Town standards at all corners, angle points, and points of curve; at all street intersections, and at all corners, angle points and points of curve of all conservation easements. After all improvements have been installed, a Registered Land Surveyor shall check the locations of the monuments and certify their accuracy.

1. Iron pipes shall be set at all lot corners, angle points and points of curve for each lot within the subdivision within one year of final plat approval and prior to any lot sales. Permanent brass cap in concrete monuments shall be set for all subdivision points which are located in the public rights of way. These are to be placed according to MAG standards.
2. Blue Reflective Markers shall be placed on the road surface across from each fire hydrant and valve in accordance with the Town of Queen Creek Design Standards and Procedures Manual.

SEC. 7.2 SUBMITTAL REQUIREMENTS

A. General:

1. It shall be the responsibility of the subdivider to have a Registered Professional Engineer prepare a complete set of engineering plans and reports for construction of all required improvements and a Registered Landscaped Architect prepare a complete set of landscape plans. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat and in accordance, with all applicable Town, County or State standards.
2. All Improvement plans submitted to the Town of Queen Creek for approval must be submitted on 24"x 36" sheets of blue or blackline paper prints. The scales chosen for plans shall be such that existing features, proposed construction and any other information to be provided will be depicted in a clear, uncluttered, understandable manner. Water system, sewer system and street paving improvements should be drawn at a horizontal scale of 1 inch equals 20, 30 or 40 feet and a vertical scale of 1 inch equals 2 feet, unless the Town Engineering Manager approves the use of another scale. Plans for other purposes may require the use of a larger or smaller scale.
3. Water improvement plans shall be submitted on a separate set of plans, but shall also show on the paving plans. Paving and sewer plans may be combined. Separate grading and drainage plans shall be submitted.

B. Improvement Plan Submittal Requirements:

1. The following materials shall be submitted as an initial submittal with final plat. In addition to the items below the required Plan Review fees shall be paid at the time of the second plan submittal.

- Improvement Plan Review Fee
- Final Plat Review Fee
- The Final Plat
- The Water Improvement Plans
- The Sewer Improvement Plans
- The Paving, Grading, and Drainage Improvement Plans
- The Landscape Improvement Plans
- The Drainage Report
- The Soils Report
- The Traffic Report
- The Boundary Closure

The final plat should be in final form showing all information including dedication statement, ratifications, and signature blocks.

2. Subsequent submittals will require that the redline check prints be submitted in addition to the number of sets outlined in the transmittal sheet requirements.

3. Final submittal requirements are as follows:

- Improvement Plans and Landscape Plans Mylar Cover Sheets
- The required copies of the Final Plat (paper prints)
- 8 ½" X 11" copy of the Final Plat
- 8 ½" X 11" copy of the Final Landscape Plan
- Title Report (current to the date of Final Plat Recordation)
- Assurance of Construction (refer to Sec.7.5 for specifics)
- Utility Companies Clearance Letters
- Copies of approved engineering reports
- Compact Discs (CD's) in PDF format of the approved improvements and final plat.

4. Submittal requirements for recordation of the plat are as follows:

- Recording Fee
- The required Photo Mylars, 4 mil in thickness, (not ammonia process) for County's Records
- The required copies of the Approved Improvement Plans (paper prints) and Engineering Reports

C. Landscape Plan Submittal Requirements:

1. **Final Landscape Plan:** Shall be prepared by a Registered Arizona Landscape Architect and show the name of the developer and the project engineer on the Plan. The Plan shall be submitted along with the final plat and improvement plan submittal and shall at a minimum contain the following:
 - a. Final Irrigation Plans
 - b. Plant Location: Call out the location of all proposed species and inorganic ground covers, sidewalks, paths, curbing, fencing, walls, benches, ramadas, fountains, and waterways. For fencing and walls, provide a final graphic representation as to what is intended relative to the fencing and wall themes.
 - c. Right-of-way landscaping is required. The entire area of the right-of-way, between street property line and back of curb (B.O.C.) and/or pavement except for approved driveways, walkways and bike paths, shall be landscaped.
 - d. Plant Species: Call out all proposed plant species and inorganic ground covers in a list on the landscape plan.
 - e. Plant Sizes: Call out the various sizes of all proposed plant and inorganic ground covers in a list on the landscape plan.
 - f. Plant Quantities: Call out the exact quantities for each species of plants and inorganic ground cover per each size. Indicate the total number of trees, shrubs, and ground cover plants proposed. For trees and shrubs, specify the quantity that are of different sizes.
 - g. Paths, Trails, and Sidewalks: Call out the material types, width and depth of the trail surfacing of all proposed trails and walks.
 - h. Walls/Fencing: Call out the type and location where all common wall/fencing (perimeter subdivision) and entry monumentation is proposed. Indicate exact material types for all fencing and walls and entry monumentation proposed. A separate 24" X 36" wall/fence sheet is preferred and shall be submitted along with the improvement plan submittal. Walls, fences and any other structures over two (2) feet in height shall not be located within the vehicular sight line triangles, right of way or any easements.
 - i. Identify existing lots, streets, fences, walls, wells, or other features as may be applicable.

D. Report Submittal Requirements:

1. **Final Drainage Report:** Three copies of a final drainage report shall be submitted as a part of the improvement plan submittal for all developments. For projects where additional Flood Control District Agency review is required, additional two (or more) copies may be required, as determined by the Town Engineering Manager. The report shall be a complete report and not an addendum to the preliminary drainage report. The format shall be as previously described and also include all items listed in the Queen Creek Final Drainage Report Checklist and the Town of Queen Creek Design Standards and Procedures Manual.

2. **Water Report:** The required copies of the final water report shall be submitted with the final plat. This report shall include the following items.
 - a. Additional water improvements needed for new source, storage, transmission and distribution.

 - b. Location and size of the closest existing water line. Static residual pressures and location shall also be taken at all “nodes”, fire hydrants, and connection points of different size water main lines.

 - c. The location of all existing fire hydrants within 1000 feet of the proposed subdivision and the number and location of all proposed fire hydrants.

 - d. Line size and flow calculations for each use classification.

3. **Geotechnical Report:** The required copies of a geotechnical report shall be submitted which identifies any special geotechnical hazards, and develops recommendations to mitigate these potential hazards with regard to the grading, foundations, pavement design and other construction proposed. The report shall address, at a minimum, the following items:
 - a. The geotechnical hazards portion of the report shall consider at a minimum; earth fissures, expansive soils, soil creep, landsliding, and groundwater.

 - b. The grading and foundations portion of the report shall include data regarding the distribution and engineering characteristics of the various soil materials; data about groundwater levels; an opinion regarding the geotechnical feasibility of the development as planned; recommendations about any needed mitigation measures for geotechnical hazards, grading criteria, cut and fill slope design criteria, foundation design criteria and any other pertinent information.

 - c. The pavement design portion of the report shall include data regarding the distribution of various subgrade materials and the testing method used to determine soil classifications and

characteristics. The design procedure and all assumptions used to determine the pavement section shall be presented. The selected design procedure shall not result in a lesser pavement section than the minimum allowed in the Town of Queen Creek Design Standards and Procedures Manual.

4. **Traffic Studies:** All traffic study information shall be prepared by a Professional Engineer registered in the State of Arizona and having adequate experience in the regular practice of transportation engineering. All letters and reports submitted with regard to traffic analysis shall be sealed by the Engineer responsible for their preparation.
 - a. The required copies of a traffic impact analysis shall be provided with the preliminary plat submittal. Each copy shall be a complete, bound reproduction of the original report prepared by the Engineer, with all figures and appendices presented in the same manner and scale as the scaled original.
 - b. All trip generation analyses shall be calculated based on the latest edition of the *Trip Generation* report published by the Institute of Transportation Engineers, unless an alternative method has been approved in advance by the Town Traffic Engineer.
 - c. If the number of peak hour trips generated by the development is 100 or greater, a complete traffic study shall be required. If the number of peak hour trips generated is less than 100, a letter, sealed by the Engineer, documenting the trip generation calculations may be required in lieu of a complete traffic study. The Town Traffic Engineer may require a partial or complete traffic study to be provided for projects with a peak hour generation of less than 100 trips, if deemed necessary because of unique site conditions, existing traffic conditions, or safe access concerns.
 - d. The complete traffic study shall be prepared in accordance with the most recent published version on the MCDOT Traffic Impact Procedures, with the following additional requirements:
 1. Background traffic volumes used in the analyses shall include other developments in the area that have been approved by the Town, or which are deemed likely to occur based on their status in the approval process.
 2. “Existing conditions” traffic volume data shall have been collected in the field no more than one year prior to the date of the submittal of the traffic study for first review, unless otherwise approved by the Town Traffic Engineer. If a project is returned to the pre-application stage of the approval process for any reason, or is dormant for more than

six months, then an updated traffic study may be required and will be considered to be a first submittal. Updated “existing conditions” traffic volume data may be required at any time during the review process if deemed necessary by the Town Traffic Engineer due to a significant change in traffic patterns.

3. The proposed project and/or mitigation measure shall be adjusted as necessary in order to maintain acceptable Levels of Service for all movements. The minimum acceptable Levels of Service, unless otherwise approved by the Town Traffic Engineer, shall be as follows:
 - i. Level of Service ‘C’ for all movements on an existing or proposed public road.
 - ii. Level of Service ‘C’ for all movements on a site driveway or public roadway at the intersection with any public Local or Collector roadway.
 - iii. Level of Service ‘E’ for all movements on a site driveway or private roadway at the intersection with any public Arterial roadway.
4. Additional information may also be required based upon the nature of the project, as determined by the Town Engineering Manager and/or the Town Traffic Engineer.

SEC. 7.3 IMPROVEMENT PLAN REVIEW PROCESS

- A.** Copies of plans shall be submitted to the Town and shall be distributed by the Town to the appropriate agencies.
- B.** The Town staff will review and comment on the submittal for accuracy, completeness, compliance with the preliminary plat and/or site plan and all stipulations made by town staff, the Planning Commission, and/or Town Council, the requirements of the Technical Review Committee, and the requirements by other agencies, as well as conformance with all Town Codes.
- C.** All improvement plans, reports and other documentation will be returned to the Engineer and Landscape Architect of record for corrections, additions and revisions.
- D.** Prior to the recording of the plat the following items must be submitted before final plat approval:
 1. A signature block of approval of engineering plans signed by the Town Engineering Manager.
 2. A certification that an Agreement, if required, between the Town and subdivider has been executed.

3. A letter of agreement between the serving utilities and the developer.
 4. Required assurances for construction (such as a performance bond, cash, or irrevocable letter of credit), sewer buy in fees, cash in lieu of construction, or any type of shared cost participation fee.
 5. Developer cost participation agreements and fees.
 6. A certificate of assured water supply
 7. All other easements, maps of dedication, warranty deeds and other legal documents which need to be recorded.
- E.** If the engineering plans have not been approved within 90 days, the Development Services Director or designee may require that the final plat be resubmitted.

SEC. 7.4 DEFERRED IMPROVEMENTS

A. Subdivisions of four (4) or Less Parcels: The frontage improvements may be deferred when deemed appropriate by the Town Engineering Manager. Deferral will be allowed when the Town Engineering Manager finds that construction is impractical due to physical constraints, timing of future adjacent improvements or the surrounding neighborhood is absent similar improvements. When improvements are deferred, the subdivider shall pay cash in lieu for the future installation of all improvements as determined by the Town. This shall not relieve the owner from any other specific requirements of the Subdivision Final Plat or this Subdivision Ordinance.

B. Remainders: Where remainders are made part of a Subdivision Final Plat, the subdivider may enter into an agreement, per a recommendation by the Town Engineering Manager, with the Town to construct improvements within, and along exterior boundaries of the remainder parcel at a future date and prior to the issuance of a permit or other entitlement for development of a remainder parcel. The improvements shall be at the subdivider's expense. In absence of an agreement, the Town may require completion of the construction improvements within a reasonable specified time following approval of the Subdivision Final Plat upon a finding that completion of the improvements is necessary for the following reasons:

1. The public health and safety; or
2. The required construction is a mandatory prerequisite to the orderly development of the area.

SEC. 7.5 ASSURANCES BY SUBDIVIDER

A. Agreement by Subdivider:

1. The subdivision improvements in an approved development may be constructed in practical increments in accordance with a Town approved Phasing Plan subject to provisions for satisfactory drainage, traffic, circulation, utilities, landscaping and other elements of the total development plan.
2. The improvements shall be constructed in accordance with plans approved by the Town and shall be completed within an agreed specific time period.
3. The subdivider shall give adequate Assurance for Construction for each phase in accordance with this Ordinance and to the satisfaction of the Town and Town Attorney.
4. Once a construction permit has been issued for improvements under the Assurance of Construction, work shall proceed without interruption until the improvements are accepted by the Town.
5. Any construction activity shown on approved plans that has been discontinued for a period of one hundred and eighty (180) days, or not completed by the subdivider in accordance with an agreed upon time period, may be completed by the Town. The construction cost for completion of the project will be recovered from the subdivider.
6. When in the opinion of the Town it is in the best interest of the Town to delay installation of the required development improvements to coincide with adjacent work, the Town may require payment of the estimated cost of said improvements in-lieu of construction by the developer. The timing of this payment will be specified by the Town.

B. Assurances of Construction:

1. The Town Council shall require that the applicant provide cash, a performance bond from a corporate surety licensed to do business as a surety in Arizona, or an irrevocable letter of credit, at the time of application for final subdivision approval in the amount sufficient to secure to the Town the satisfactory construction, installation, and dedication of the required improvements. The amount of the financial guarantee shall be one hundred and ten percent (110%) percent of the cost of the installation and materials necessary to complete the subdivision, which also includes a ten percent (10%) contingency cost.
2. Such financial guarantee shall comply with all statutory requirements and shall be satisfactory to the Town Attorney as to form, sufficiency, and manner of execution, as set forth in this Ordinance. The entire length of time during which the required improvements must be completed shall be incorporated into the financial guarantee, and the financial guarantee document shall be automatically extended on an annual basis until such improvements are formally accepted by the Town Engineer. The Town shall require that ten percent (10%) of the total cost of off-site improvements be retained by the Town for a period of one (1) year from the Date of

Acceptance of said improvements by the Town.

SEC. 7.6 CONSTRUCTION AND INSPECTION

- A.** All improvements whether public or private shall be constructed to the latest Uniform Standard Specifications for Public Works Construction as written and promulgated by the Maricopa Association of Governments (MAG) and/or the latest standards, details and specifications adopted by the Town.
- B.** All improvements shall be constructed with the inspection and approval of the Town. All construction shall require a Town construction encroachment permit. Construction shall not begin until a permit has been issued for such construction, and if work has been discontinued for any reason, it shall not be resumed until after notifying the Town.
- C.** Utilities must be installed either in public dedicated rights-of-way or public utility easements or easements dedicated specifically by the land owner for such usage and maintenance.
- D.** All underground utilities to be installed in streets and public access ways, shall be constructed prior to the surfacing of such street or private access way.
- E.** The developer shall provide for an Arizona Registered Engineer to be present on the site for sufficient time to assess compliance with the plans and specifications for each element of construction.
- F.** The Town shall be notified 48 hours prior to any construction on the project site.
- G.** The Town shall be notified upon completion of all underground utilities within the street right-of-ways and prior to any street preparation work. Interim as-built plans of the utilities and all passing tests results shall be submitted for review. Upon review and approval of the supplied information, the developer may proceed with the installation of street improvements.
- H.** The developer's engineer shall request that Town personnel perform inspections of the subgrade base prior to placement of the overlaying materials. In addition, the Town inspectors will perform periodic inspections throughout the course of the construction. These inspections or approvals do not signify that the Town has accepted any of the improvements for maintenance.
- I.** The developer's engineer shall submit weekly progress reports to the Town throughout the construction. The weekly progress reports shall include the results of all tests taken during the week.
- J.** Testing during the construction phase of the project shall be done as required by the Town.
- K.** No work shall be undertaken in the public right of way without first submitting for

review and approval a Temporary Traffic Control Plan and obtaining an Encroachment Permit from the Town.

- L. All required traffic control devices, street name signs and pavement markings shall be in place prior to opening a street to public use. Paved streets not yet open to public use shall be barricaded and signed “construction access only”.

SEC. 7.7 SUBDIVISION IMPROVEMENT ACCEPTANCE

- A. **General:** Upon completion of all subdivision improvements and installation of monumentation, a final inspection shall be performed by Town personnel.
- B. **Final Inspection:** At completion of the project, a final inspection shall be requested with the Town. At the time of request for the final inspection, one set of mylars and two sets of blue-line as-built drawings shall be submitted along with a compact disc (CD) in a PDF format of the as-built drawings, a final engineering report, and a one-year construction assurance warranty to the Town. The as-built drawings shall be certified and contain the following statement:

"I certify that the construction inspection and "as-built" plan preparation were performed by me or under my direct control and supervision. The construction details as shown on the as-builts are accurate and complete to the best of my knowledge and belief."

Arizona Registered Engineer/Surveyor

Date and Seal

- C. **Final Report:** A final report shall be submitted upon completion of the project. The final report shall be compiled by the developers’ engineer and shall include the following:
 1. A brief statement of the testing on the project and a statement as to whether the observations and tests indicate that the various materials in place comply with the plans and specifications.
 2. A summary of all field density test and compaction tests on trench backfill, on street subgrade and base material and on any fill material.
 3. Asphalt and pavement mix design and all results of marshall, gradation, and asphalt content and compaction tests
 4. All concrete mix designs and all test results on air content, slump, unit weight, compressive strength at 7 and 28 days;
 5. All line pressure, bacteria and manhole test information.
 6. Any other tests or information that may be required as a part of the specifications or that may add to the integrity of the report.

D. Procedure: The following procedure will be followed for final acceptance of the improvements:

1. Town personnel shall make a final inspection of all public improvements in the project. The developer will be notified of any items that are not in conformance with the Town specifications, and shall bring the items into conformance.
2. The as-built plans and final report will be reviewed by Town assigned personnel. Any additional information needed will be noted and the plans will be returned to the developer for revision and resubmittal as mylars.
3. When the public improvements have passed the final inspection, the "as-built" plans and final report have been stamped and approved and the one year construction warranty has been provided, the Town Engineer shall accept the public improvements for maintenance.

E. Warranty Period on Public Improvements: The warranty period begins on the day the Town Engineer approves and accepts the public improvements. During the warranty period the developer is responsible for repair work of any of the public improvements. The Town assigned personnel will periodically inspect the public improvements and will notify the developer of the necessary repair work. The developer is responsible for having the repair work completed prior to the end of the warranty period. Upon completion of the warranty period and successful repair of any necessary warranty items the remainder of the assurances retained by the Town will be released.

APPENDIX GLOSSARY OF TERMS AND DEFINITIONS

ABUTTING: The condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only at a corner or corners.

ACCESSORY USE: A use, building, structure, part of a building, or part of a structure which is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot, including a private garage. If a building otherwise qualified as an accessory building is attached to the main building by a common wall or roof, such building shall be considered part of the main building.

ACRE: An area of land containing 43,560 square feet.

ALLEY: A public passageway affording a secondary means of access to abutting property and not intended for general traffic circulation.

BASIN, DETENTION: A storm water storage facility which temporarily stores surface runoff and releases it at a controlled rate through a positive outlet. A detention basin and park may be joined to serve both recreational needs and as a water storage facility.

BASIN, DRAINAGE: A geographical area which contributes surface runoff to a particular concentration point. The terms "drainage basin", "tributary area" and "watershed" are used interchangeably.

BASIN, RETENTION: A storm water storage facility which stores surface runoff. Stored water is infiltrated into the subsurface or released to the downstream drainage system or watercourse (via gravity outlet or pump), or evaporated after the storm event. A retention basin and park may be joined to serve both recreational needs and as a water storage facility.

BERM: An earthen mound, either natural or man-made.

BICYCLE LANE: A paved area located within a street right-of-way and between the curbs which is designated for bicycle or other non-motorized traffic.

BICYCLE TRAIL: A paved or improved surfaced trail, located outside of a street right-of-way, utilized for bicycle, pedestrian or other non-motorized traffic. Public utility maintenance vehicles may be permitted use if joint access is allowed.

BICYCLE WAY: A paved area located within a street right-of-way but not between curbs which is designated for bicycle or other non-motorized traffic.

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

BUILDABLE: A lot or parcel that has the area, shape, slope, street frontage, or other attribute in

order for a permitted use, based on the lot or parcel's Zoning District, to be developed, without the need for any variance from the Town Zoning Ordinance.

BUILDING SETBACK LINE: A line which separates the buildable area and area in which the primary building or structure, or portion thereof shall be erected, constructed or otherwise established.

CHANNEL: A depression designed to transfer water from one location to another. Channels may be either a component of the natural environment transferring water down stream or man-made to transfer storm water within a development to a storm water retention basin..

CHORD: A straight line joining two points on a curve.

CLUSTER DEVELOPMENT: A development pattern in which uses are grouped together rather than distributed evenly throughout a parcel as in conventional lot-by-lot development.

COMMISSION: The Planning and Zoning Commission of the Town of Queen Creek.

CONCEPT PLAN: A preliminary development plan or plat used to present an initial proposed development and initiate discussion about the proposal.

CONDITIONAL APPROVAL: An affirmative action by the Commission or Council indicating that approval will be forthcoming with satisfaction of certain specified stipulations.

CONDOMINIUM: Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. (The term “condo” may be used in the ordinance.)

CONSERVATION EASEMENT: A conservation easement is an agreement for the protection of open space, historic buildings, archaeological sites, ecologically significant lands, scenic highways and/or hiking, biking and equestrian trails.

CONVENTIONAL DEVELOPMENT: Development other than a Planned Area Development.

COUNCIL: The Town Council of the Town of Queen Creek.

COUNTY: Maricopa County, Arizona and/or Pinal County, Arizona.

DEPARTMENT: The Community Development Department, which includes the Planning, Engineering, Building Safety Division and Neighborhood Preservation Divisions of the Town of Queen Creek.

DEVELOPMENT: The utilizations of land for public or private purpose.

DEVELOPMENT MASTER PLAN: A preliminary master plan for the development of large or complicated areas, the platting and development of which is expected in progressive stages.

Development Master Plans shall be subject to Commission recommendation and Council approval.

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

ENGINEER: The Engineering Manager of the Town of Queen Creek or his designated representative.

ENGINEERING DIVISION: The Engineering Division of the Community Development Department of the Town of Queen Creek.

EXCEPTION: Any parcel of land which is not owned by the subdivider or not included in the recorded plat. All such exceptions must be noted on the final plat as “not a part of this subdivision”.

EXHIBIT: Any graphic representation noted as "Exhibit" within this Ordinance that is used to illustrate and exemplify certain standards and regulations contained within the language of this Ordinance. If an exhibit and text of the Ordinance conflict, the written text of the Ordinance shall control.

FINAL PLAT APPROVAL: Approval of the final plat of a subdivision. Such final approval must be approved by the Engineering Manager and Planning Manager and certified on the plat by the signatures of the Mayor and attested by the Town Clerk.

FLOODPLAIN: As defined by the Maricopa County Flood Control District and as shown on Federal Emergency Management Act (FEMA) flood insurance maps or an approved flood control study.

FLOOR AREA RATIO (FAR): The ratio of gross building floor area to the net lot area of the building site.

GENERAL PLAN: A comprehensive plan, or parts thereof, providing for the future growth and improvement of the Town of Queen Creek and for the general location of street, schools and recreation areas, public buildings sites, and other physical development.

HEALTH DEPARTMENT: Maricopa and/or Pinal County Department of Health Services.

IMPROVEMENTS: Required installations, pursuant to this Ordinance and zoning stipulations, including but not limited to: grading, sewer, water, utilities, streets, curbs, gutters, sidewalks, trails, alleys, street lights, traffic control devices and landscaping; as a condition to the approval and signing of the final plat, precedent to recordation.

IMPROVEMENT PLANS: A set of plans setting forth the profiles, cross-sections, details, specifications, and instructions and procedures to be followed in the construction of public or private improvements in the Town of Queen Creek that are prepared and bear the seal of an Arizona - Registered Land Surveyor, Engineer, Architect or Landscape Architect in accordance with the approved preliminary plat, and zoning stipulations, and in compliance with standards of design and construction that are to be approved by the Engineering Manager, other Town Departments, the

County Departments, and all applicable utilities.

IMPROVEMENTS STANDARDS: A set of regulations and exhibits setting forth the details, specifications and instructions to be followed in the planning, design and construction of required improvements.

IRRIGATION FACILITIES: Includes laterals, ditches, conduits, pipes, gates, pumps and allied equipment necessary for the supply, delivery and drainage of irrigation water and the construction, operation and maintenance of such.

LAND SPLITS: The division of improved or unimproved land, whose area is two and one-half acres or less, into two or three parcels of land for the purpose of sale, lease, or conveyance.

LOT: A single piece of property located in a recorded subdivision, having frontage on a publicly dedicated and accepted street or a private road approved by the Town, which is described and denoted as such.

LOT AREA: The area of a horizontal plane within the lot lines of a lot.

LOT, CORNER: The intersection of two or more lot lines, or angle point or change in direction of a lot line.

LOT COVERAGE: The percentage of the area of a lot which is occupied by all buildings or other covered structures using the roof outline for all outer dimensions.

LOT DEPTH: The horizontal length of a straight line connecting the midpoints of the front and rear lot lines; and for triangular shaped lots, the shortest horizontal distance between the front lot line and a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

LOT, IMPROVEMENT: Any building, structure, place, work of art or other object or improvement of the land on which they are situated constituting a physical betterment of real property.

LOT, INTERIOR: A lot other than a corner lot.

LOT, KEY: A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street which forms the side boundary of the corner lot.

LOT LINE: Any line bounding a lot.

LOT LINE, FRONT: In the case of an interior lot, a line separating the lot from the street right-of-way. In the case of a corner lot, the narrower of the two lot lines adjoining a street right-of-way.

LOT LINE, REAR: A lot line which is opposite and most distant from, the front lot line; except that in the absence of a rear lot line as is the case of the triangular shaped lot, the rear lot line may be considered as a line within the lot, parallel to and at a maximum distance from the front lot line,

having a length of not less than ten (10) feet.

LOT LINE, SIDE: The boundary of a lot which is not a front lot line or a rear lot line.

LOT THROUGH: A lot having a part of opposite lot lines abutting two (2) streets, and which is not a corner lot, (Also known as a “double frontage lot”). On such lot, both lot lines are front, except that where a non-access easement has been established on such a lot, the front lot line shall be considered as that lot line most distant front the lot line containing the non-access easement.

LOT WIDTH: For rectangular lots, lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required Minimum front yard line on a line parallel to the street or street chord; and for lots on the inside of the curve of a street, the distance between side lot lines measured 30 feet behind the required minimum front yard line on a line parallel to the street or street chord.

MCDOT: Maricopa Department of Transportation

NAOS: Natural Area Open Space

OFF SITE: Not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant for subdivision approval.

OPEN SPACE: Any parcel or area of land unimproved or improved and set aside, dedicated, designated, or reserved for the public or private use and enjoyment.

OPEN SPACE, COMMON: Open space usable by all people within a certain development and such area is owned in common by all property owners in that development.

OPEN SPACE, PUBLIC: An open space area conveyed or otherwise dedicated to a municipality, municipal agency, school district, state or county agency, or other public body for recreational or conservational uses.

OPEN SPACE, USABLE: Land which can be enjoyed by people. This could include landscaped or hardscaped plazas, paseo and promenades, fountains and sitting areas meant to provide an open park like atmosphere. Also playgrounds, golf courses, bicycle trails (but not bike lanes), pedestrian trails (only those sidewalks detached from the curb - creating a “boulevard strip”), and equestrian tracts or easements, and trail heads. Usable open space does not include parking areas and vacant or undeveloped lots.

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

PATHWAY: Path; course; route; track; footway; and equestrian trail.

PEDESTRIAN WAY: A public walk dedicated entirely through a block from street to street and/or providing access to a school, park, recreation area, trail system, or shopping area.

PLAT: A map which provides for changes in land use or ownership.

1. **Preliminary Plat:** A tentative map, including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer, or a registered land surveyor, in accordance with this ordinance and the Arizona Revised Statutes. A preliminary site plan for a condominium development shall be considered a preliminary plat.
2. **Final Plat:** A final map of all of a subdivision, including supporting data, in substantial conformance to an approved preliminary plat, prepared by a registered land surveyor, in accordance with this Ordinance and the Arizona Revised Statutes.
3. **Recorded Plat:** A final plat bearing all certificates of approval required by this Ordinance and the Arizona Revised Statutes and duly recorded in the Maricopa County Recorder's Office and/or the Pinal County Recorder's Office.
4. **Reversionary Plat:**
 - a. A map for the purpose of reverting previously subdivided acreage to unsubdivided acreage, or;
 - b. A map for the purpose of vacating rights of way previously dedicated to the public and abandoned under procedures prescribed by the Town Code, or:
 - c. A map for the purpose of vacating or redescribing lot or parcel boundaries previously recorded.

PRE-APPLICATION CONFERENCE: An initial meeting between subdivider and municipal representatives which affords subdivider the opportunity to present their proposals informally and discuss the project and address any items of controversy or requirements before the preliminary plat is submitted.

PRELIMINARY APPROVAL: Affirmative action on a preliminary plat, noted upon prints of the plat, indicating that approval of a final plat will be forthcoming upon satisfaction of specified stipulations; and which constitutes authorization to submit final engineering plans and the final plat.

PRIVATE ACCESS WAY: Any private street or private way of access dedicated as a tract to one or more lots or air spaces which is owned and maintained by an individual or group of individuals and has been improved in accordance with Town standards and plans approved by the Engineering Manager. A private access way is intended to apply where its use is logically consistent with a desire for neighborhood identification and control of access, and where special design concepts may be involved, such as within planned area developments, hillside areas and condominiums.

RECORDER: The Recorder of Maricopa County and/or Pinal County.

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

ROADWAY EASEMENT: A recorded conveyance to the public over a described area for roadway related uses.

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

SERVICE EASEMENT: An area provided for in the subdivision design at the rear of retail, commercial or multi-family dwelling use of sufficient size and accessibility to facilitate the provision of necessary services.

STREET, ARTERIAL: Principal major streets designed to accommodate significant traffic volumes and provide town wide traffic circulation. Arterial streets are typically “section line” streets, and other locations designated in the Town General Plan.

STREET, COLLECTOR: Collector streets are an intermediate level of street designed to provide access between the low traffic volume local streets which are located within the neighborhoods of the Town, and arterial streets which are designed to accommodate a significant traffic volume.

STREET, CUL-DE-SAC: A local street having one end permanently terminated in a vehicular turnaround, or an equally convenient form of turning, and backing areas as may be recommended by the Engineering Manager.

STREET, FRONTAGE: A local street parallel to an arterial or collector road which intercepts the residential traffic and controls access to the arterial and collector roads.

STREET, LOCAL: Provides for direct access to residential or other abutting land; primarily for local traffic movement with connections to collector and/or major streets.

SUBDIVIDER: A person, firm, corporation, partnership, association, syndicate, trust, or other legal entity that files the application and initiates proceedings for a subdivision in accordance with the provisions of this ordinance and statutes of the State of Arizona, except that an individual serving as agent for such legal entity is not a subdivider; and said subdivider need not be the owner of the property as defined by this Ordinance. The Town Council may itself prepare or have prepared a plat for the subdivision of land under municipal ownership.

SUBDIVISION

- A. Improved or unimproved land or lands divided for the purpose of financing, sale, lease, or conveyance whether immediate or future, into four or more lots, tracts or parcels of land; or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded

plat, which is divided into two or more parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse, patio home, or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.

B. "Subdivision" does not include the following:

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

TECHNICAL REVIEW: The detailed review of proposed preliminary plats for compliance with Town Codes, Ordinances, Engineering Standards, Design Standards, or conditions of approval by the Commission or Town Council. Other utilities and public agencies are invited to review the plat as it relates to their conditions of service or need.

TECHNICAL REVIEW COMMITTEE: The selected group of technically qualified individuals made up of Town staff and other public or private agency's and utility's responsible to insure compliance with ordinances, codes, regulations, etc. as they relate to the subdivision process.

TOWN: The Town of Queen Creek, Arizona.

USABLE LOT AREA: That portion of a lot usable for, or adaptable to, the normal uses made of property, excluding any areas which may be covered by water, are excessively steep, or are included in certain types of easements. Areas covered by water shall include areas within the defined flood plain, or are within the perimeter of a given pond of water which will remain after the development is completed.

U.S.C. & G.S.: United States Coast and Geodetic Survey.

UTILITY SERVICES: Service to the public of water, sewer, gas, electricity, telephone and cable television. The foregoing shall be deemed to include facilities and appurtenances to the above uses but shall not include public utility treatment and generating plants or offices.

VIEW FENCING: Any fencing or wall which is adjacent to a designated open space area, public trail, or transition area except when adjacent to an arterial or collector shall be constructed in such a manner as to achieve 50% openness overall. Any fencing or wall which is adjacent to an arterial or collector road, whether public or private, shall be constructed in such a manner as to achieve 33% openness overall.

WATER SUPPLY ASSURANCE (100 YEARS): Subdivision proposal must include evidence of meeting Arizona Department of Water Resources requirements for 100 year assured supply.

ZONE: A district classification established by The Town of Queen Creek Zoning Ordinance which limits or permits various and specific uses.

ZONING CLEARANCE: The approval by the Planning Manager of a plan that is in conformance with the Town of Queen Creek Zoning Ordinance.

ZONING DISTRICT: A zone area in which the same zoning regulations apply throughout the district.

ZONING ORDINANCE: The Town of Queen Creek Zoning Ordinance.