

WHEN RECORDED MAIL TO:

CYNTHIA SALCIDO
P.O. BOX 1170
SAN LUIS, ARIZONA 85349

OFFICIAL RECORDS OF
YUMA COUNTY RECORDER
SUSAN MARLER



FEE #: 2002 – 20779

07/18/2002 12:44 PAGES: 0032
FEES: 16.50 8.00 .00 .00 .00
REQ BY: CITY OF SAN LUIS
REC BY: NORMA VASQUEZ

Ordinance

ORDINANCE NO. 188

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, SUPPLEMENTING THE SAN LUIS CITY CODE BY ADDING "CHAPTER 11, LAND USE PLANNING, ARTICLE 11-1, SUB-DIVISION REGULATIONS" BY REFERENCE; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY

BE IT ORDAINED by the Mayor and City Council of the City of San Luis, Arizona, as follows:

Section 1. That the San Luis City Code is hereby supplemented by adding the following:

CHAPTER 11 LAND USE PLANNING

ARTICLE 11-1 SUBDIVISION REGULATIONS

That certain document entitled "Subdivision Regulations, City of San Luis, Arizona" is hereby adopted as the "Subdivision Regulations, City of San Luis, Arizona" and sets for the contents of this Article the same as though said document were specifically set forth in full herein; and, at least three copies of said document shall be filed in the office of the Clerk and kept available for public use and inspection.

Section 2. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance and any document incorporated by reference are hereby repealed.

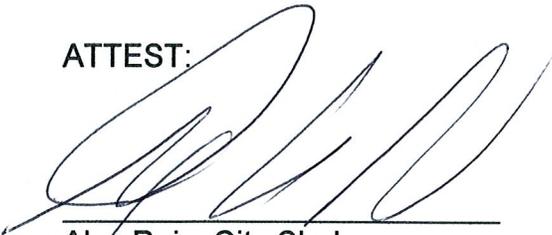
Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any document adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the City of San Luis, Arizona, this 29th day of May, 2002.



Alex Joe Harper, Mayor

ATTEST:



Alex Ruiz, City Clerk

APPROVED AS TO FORM:



Gerald W. Hunt
City Attorney

WHEN RECORDED MAIL TO:

CYNTHIA SALCIDO
P.O. BOX 1170
SAN LUIS, ARIZONA 85349



Resolution

RESOLUTION No. 494

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK ENTITLED "SUBDIVISION REGULATIONS, CITY OF SAN LUIS, ARIZONA," AND DECLARING AN EMERGENCY

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA:

That certain document entitled "Subdivision Regulations, City of San Luis, Arizona", three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the City Clerk.

Whereas, it is necessary for the preservation of the peace, health and safety of the City of San Luis, Arizona, an emergency is declared to exist, and this resolution shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE Mayor and Council of the City of San Luis, Arizona this 8th day of May, 2002.

APPROVED this 8th day of May, 2002 by the affirmative vote of three-fourths of the members of the Common Council of San Luis, Arizona.

ATTEST:

Alex U. Ruiz, City Clerk

Alex Joe Harper, Mayor

APPROVED AS TO FORM:

Gerald W. Hunt, City Attorney

SUBDIVISION REGULATIONS
CITY OF SAN LUIS, ARIZONA
DEPARTMENT OF PLANNING AND ZONING

CONTENTS

ARTICLE I--*Scope*

Section 1.1--Authority

Section 1.2--Planning Commission

ARTICLE II--*Definitions*

Section 2.1--General

ARTICLE III--*Standards of Subdivision Design*

Section 3.1---General Provisions

Section 3.2---General Plan

Section 3.3---General Street Design

Section 3.4---Special Street Design

Section 3.5---Private Streets

Section 3.6---Curb and Gutter Requirements

Section 3.7---Street and Highway Widths

Section 3.8---Street Grades

Section 3.9---Street Alignment

Section 3.10--Intersections

Section 3.11--Alleys

Section 3.12--Blocks

Section 3.13--Double Frontage

Section 3.14--Lot Divided by Boundary Line

Section 3.15--Public Service Installations

Section 3.16--Fire Protection

Section 3.17--Utilities

Section 3.18--Dangerous Areas

Section 3.19--Exclusions

Section 3.20--Permanent Access to Subdivision

Section 3.21--Flood Control Facilities

Section 3.22--Protective Fence

Section 3.23--Subdivision Monuments

Section 3.24--Flood plains

Section 3.25--Sidewalks

Section 3.26--Lots

Section 3.27--Lot Improvements

Section 3.28--Lot Dimensions

Section 3.29--Lot Drainage

Section 3.30--Maximum Length of Cul-de-Sac

ARTICLE IV--*Preliminary Plats*

- Section 4.1---Preliminary Steps
- Section 4.2---Identity of Sub-divider
- Section 4.3---Information Required
- Section 4.4---Supplemental Information
- Section 4.5---Plat Checking Fee
- Section 4.6---Date of Filing
- Section 4.7---Corner Stakes
- Section 4.8---Plat Distribution
- Section 4.9---Reports
- Section 4.10--Commission Action
- Section 4.11--Appeals
- Section 4.12--Time Limits
- Section 4.13--Preliminary Plat Required Resubdivision
- Section 4.14--Re-filing Following Disapproval

ARTICLE V--*Final Plats*

- Section 5.1---Final Plat Procedure
- Section 5.2---Requirements
- Section 5.3---Data Required
- Section 5.4---Centerlines and Boundaries
- Section 5.5---Lot Numbers
- Section 5.6---Certificates and Acknowledgments on Final Plats
- Section 5.7---Re-subdivision Final Plat
- Section 5.8---Reversion to Acreage Plats
- Section 5.9---Failure to Proceed
- Section 5.10--After Council Approval

ARTICLE VI--*Completion and Certification of Improvements*

- Section 6.1---Completion and Certificate
- Section 6.2---Bonds or Assurances

ARTICLE VII *Lot Splits*

- Section 7.1---Procedure for Approval of Lot Split

ARTICLE VIII--*Enforcement and Penalties*

- Section 8.1---Building Permit Not to be Issued
- Section 8.2---Legal Procedure
- Section 8.3---Remedies
- Section 8.4---Penalties

ARTICLE IX--*Validity*

- Section 9.1---Validity

ARTICLE I

Scope

Section 1.1---Authority

1. Provisions of these Regulations are supplemental to those of the A. R.S.11-801 through 11-806, as amended, of the State of Arizona, as the same now exists or may hereafter be amended.
2. Any land or lands in the incorporated territory of the City of San Luis, Arizona coming within the definition of a subdivision as herein set forth shall be subject to all of the provisions of the Subdivision Regulations.

Section 1.2---Planning Commission

The City of San Luis Planning and Zoning Commission is hereby charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions, and is hereby authorized, subject to the provisions of these regulations, to approve, conditionally approve, or disapprove preliminary plats of subdivisions prepared and filed according to these regulations to designate the lands, nature and extent of the improvements to be installed in subdivisions, and to report directly to the subdivider or owner, the action taken on preliminary plats.

ARTICLE II

Definitions

Section 2.1---General

The following words, terms and phrases, when used in these regulations or in plans and specifications and other rules and regulations promulgated and adopted by the San Luis City Council, shall have the following meanings:

ASPHALT--means a material made from bituminous materials and aggregates.

ATTORNEY--means City Attorney of the City of San Luis, Arizona.

BUILDING SETBACK LINE--means the line indicating the minimum horizontal distance between the property line and buildings or any projections thereof, other than steps, eaves, or overhangs.

COUNCIL--means the City Council of the City of San Luis, Arizona.

COMMISSION--means the Planning and Zoning Commission of the City of San Luis, Arizona.

CONCRETE--means a material made from Portland cement and natural or manufactured aggregate.

CITY--means the City of San Luis, Arizona.

PUBLIC WORKS DIRECTOR--means the individual appointed as Public Works Director of the City of San Luis, Arizona, or his qualified assistant in his absence.

DEPARTMENT OF PUBLIC WORKS--means the Department of Public Works of the City of San Luis, Arizona.

DIRECTOR OF PUBLIC WORKS--means Director or Assistant Director of Public Works of the City of San Luis, Arizona.

DIRECTOR OF PARKS AND RECREATION--means Director of Parks and Recreation for the City of San Luis, Arizona.

DIVISION OF HIGHWAYS--means the Arizona Department of Transportation.

EASEMENT--means a grant by the owner of the use of land for specific conditions, uses and purposes.

FLOOD CONTROL ENGINEER--means the Chief Engineer of the Yuma County Flood Control District.

HEALTH OFFICER--means the Yuma County Health Department Director.

HIGHWAY TERMS:

A. ALLEY--means a secondary means of access to property and is located at the rear or side of the property. An alley has a 20' minimum right-of-way.

B. MAJOR STREETS:

1. Major Arterial Streets--provide regional continuity and are expected to carry large volumes of traffic. These are arterial type routes with at least partial access control. They connect roads of equal or greater importance, serve two or more communities, or act as primary access to large land areas. Major Arterial Streets generally are section line roads, and spaced two miles or more apart, and require 130' of right-of-way.

2. Minor Arterial Streets--allow traffic movement between major arterial streets or state routes, and roads of lesser importance. They serve as principal routes to retail, commercial, and industrial sites. These streets are typically located on section lines and require 110' of right of way.

3. MAJOR COLLECTOR STREETS collect traffic from local access roads and channel it onto the arterial road network. These streets require 80' of right of way and are typically located on half-section lines or on section line roads that are three miles or less in length.

4. INTERSTATE OR FREEWAY FRONTAGE ROADS--are located along the side of an interstate highway, for service to abutting property and for access control. A minimum 60' right-of-way width is required for interstate frontage roads. Additional right-of-way may be required in some cases by Public Works Director and/or the City Engineer.

C. MINOR STREETS:

1. MINOR COLLECTOR STREETS--collect traffic from residential streets and channel it onto the arterial road network. They are typically located on quarter-mile section lines and require 60' of right-of-way. Exact locations of residential collector streets are to be determined by the Public Works Director and/or the City Engineer.

2. RESIDENTIAL LOCAL STREETS--provide direct access to adjacent properties, short distance intra-neighborhood traffic, and access to higher classification roads and streets. Local residential streets require a 50' right-of-way with 34' of pavement width.

3. COMMERCIAL & INDUSTRIAL STREETS--provide access to commercial and industrial areas and access to higher classification roads and streets. They require a minimum 80' right-of-way and 54' pavement width.

4. FRONTAGE STREETS--are local streets or roads auxiliary to and located along the side of a major highway or secondary highway for service to abutting property and for access control. A frontage street requires 50' of right of way and a 34' pavement width.

D. CONTROL OF ACCESS--means the condition where the right of owners or occupants of abutting land or other person's right to access, light, air, or view in connection with a highway is fully or partially controlled by the governing body.

1. FULL CONTROL--of access means that the authority to control access is exercised to give preference to through traffic by providing access connections with selected public roads only and by prohibiting crossings at grade or direct private driveway connections.

2. PARTIAL CONTROL--of access means that the authority to control access is exercised to give preference to through traffic to a degree

that, in addition to access connections with selected public roads, there may be some crossings at grade and some private driveway connections.

E. CUL-DE-SAC--means a local street open at one end only with special provisions for turning around and the further extension of which is precluded by the subdivision design.

F. DEAD END STREET--means a local street open at one end only without special provisions for tuning around and which may be further extended into adjoining property.

G. DIVIDED HIGHWAY--means a highway with separated roadways for traffic in opposite directions.

H. FREEWAY--means those roads and streets with full control access and serve corridors of major traffic flow not already served by the interstate freeways.

I. GOVERNING BODY--means the San Luis City Council or other authority of the City, the Board of Supervisors of Yuma County, or the State Highway Commission for the state.

J. ROADSIDE STRIP--means the area adjoining the outer edge of the road way or street and extending to the right-of-way line, and in which sidewalks, approved plantings, approved utility structures and bank slopes may be located.

K. ROADWAY--means the portion of a street or highway including shoulders and auxiliary lanes, for vehicular travel.

L. RIGHT-OF-WAY--means a general term denoting land, property, or interest therein, usually in a strip acquired for or devoted to a highway, road, street, alley, utility drainage.

M. HIGHWAY--means a right-of-way designated for vehicular traffic, including Expressway, Freeway, Road or Street.

IMPROVEMENT--refers to such street work, sidewalks, utilities and flood and drainage work to be installed, or agreed to be installed by the subdivider on the land to be used for public or private streets, highways, ways and easements, as are necessary for the general use of the residents in the subdivision and local neighborhood traffic and drainage needs.

GENERAL PLAN--means the General Plan of the City of San Luis, Arizona or any element thereof as described in A.R.S. Section 11-801 through 11-806, as Amended, State of Arizona, as adopted by the San Luis City Council and ratified by a vote of the city electorate.

ONE HUNDRED YEAR FLOOD--means that flood, which would occur once in 100 years as, determined by hydrologic and hydraulic analysis of a given water shed or drainage area, based upon criteria established by the Arizona Department of Water Resources.

PERSON--means any of the following either singly or in combination, but shall not be limited to one or more of the individual, firm, co-partnership, joint venture, association, club, social club, fraternal organization, corporation, estate, trust.

PLANNING & ZONING DIRECTOR--means the Planning and Zoning Director of the City of San Luis, Arizona.

PUBLIC SALE--means that point in the transfer or exchange of property at which time title is transferred or upon close of escrow.

RECORDER--means the Recorder of Yuma County.

RESUBDIVISION--means the division of or the change in boundaries of a lot, lots, tracts or parcels, the boundaries of which have been fixed by a recorded subdivision map.

SERVICE AREA--means 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.

STAFF--means the officials, designated assistants or employees of the agencies comprising the Subdivision Committee.

SUBDIVISION OR SUBDIVIDED LANDS--means improved or unimproved land or lands divided for proposed to be divided for the purpose of sale or lease, whether immediate or future, into two or more lots, parcels or fractional interests, except for any division of land which qualifies as a lot split pursuant to §7.1. Subdivision or subdivided lands shall include any condominium, cooperative, community apartment, townhouse, or other similar project in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit thereon, and further indicating the building(s) or the manner in which the building(s) or airspace above the property shown on the plat is to be recorded. This definition shall not include the subdivision into or development of parcels, plots or fractional portions within the boundaries of a cemetery, which has been formed and approved pursuant to this chapter.

SUBDIVISION DEVELOPMENT PLAN--means a simple drawing of the proposed subdivision showing streets, alleys, utility and drainage easements. Subdivision will be shown in relation to existing and planned streets within 300 feet of the subdivision prepared to a scale not smaller than one inch to three hundred feet.

UTILITIES--mean the installation of facilities, furnishing for the use of the public: electricity, gas, sewer, water, fire hydrants, steam, telephone, cable TV, or other facilities, owned and operated by any person, firm corporation, municipal department or board duly authorized by State or Municipal regulations.

VICINITY MAP--means a simple drawing of the subdivision showing its location in relation to established City, County, State or Interstate Highways drawn to a legible scale.

ARTICLE III
Standards of Subdivision Design

Section 3.1 General Provisions

ALL subdivisions shall conform to the following standards of subdivision design, except in those cases where the City Council has determined that a modification is justified due to unusual topographical conditions or other exceptional conditions.

Section 3.2 General Plan

All subdivision plans shall conform to the requirements of any plan adopted by the City as a General Plan, Land Use Plan or element thereof, and to all other requirements established by law or ordinance.

Section 3.3 General Street Design

1. The street system in the proposed subdivision shall relate in alignment to the existing streets in the area adjoining the subdivision. Street names shall be in accordance with such regulations of the City of San Luis, Arizona as may be in force at the time of subdivision plat approval.
2. The proposed street plan shall give consideration to the future subdivision of adjoining unsubdivided property.
3. All streets shall be designed to serve the proposed use of land abutting them.
4. If a subdivision borders on a street, the subdivider shall be required to improve the near half (or the equivalent thereof) of all perimeter streets in accordance with the requirements of Yuma County Standards and the guide for improvement of subdivision perimeter streets, or such other standards of the City of San Luis as may be in force and effect at the time of subdivision plat approval.
5. The Planning Commission may require a sketch of the tentative future street system beyond the limits of the tract adjacent to the land area presently being subdivided.
6. If a tract is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged to allow the opening of the future streets and logical further subdivision.
7. There shall be no reserved strips controlling access to land dedicated or intended to be dedicated to public use.
8. Length of Cul-de-sacs and street stubouts for future access and circulation to adjacent subdivisions and future development shall be constructed as in accordance with Section 3.30.

Section 3.4 Special Street Design

1. Along Expressways and Major Highways, access to private property shall be provided by means of:
 1. A Frontage Road
 2. A Street separated from the Major Arterial Street or Major Highway by a tier of lots or by:
 3. Cul-de-sac streets entered from a street other than the Major Arterial Street or Major Highway.
2. Design of streets shall make provision for railroads, parkways, expressways, grade separations, flood control channels, irrigation facilities and hillside property.

Section 3.5 Private Streets-

Private streets are not allowed to be constructed under these regulations.

Section 3.6 Curb and Gutter Requirements

The requirement for Schedule A Subdivision Improvement Standards for curbs and gutters with in a proposed residential subdivision with lots of one acre or more may be waived when the subdivision meets all of the following criteria:

1. The subdivision will be developed on Hydrologic Soil Group A as specified in the Soil Conservation Service, Engineering Field Manual, Chapter 2, Page 2 & 3, or the subdivision design shall provide for the retention of storm waters on each lot when approved by the City Engineer.
2. The subdivision surface grade shall not be more than one percent.
3. The hydrologic design of the subdivision will preclude the flow of 100-year floodwater from each block of the subdivision.
4. The size of subdivision parcels exceeds 40,000 square feet for residential subdivisions.
5. A pavement border as per Public Works Standard 3-160, "Pavement Border" or such treatment as may be approved by the City Engineer shall be installed on both edges of the payment to prevent erosion of pavement edges.

Section 3.7 Street and Highway Widths

The following chart summarizes the functional classification designations for the City of San Luis and their corresponding cross-section characteristics. City accepted cross-sections are available at the City of San Luis.

Type of Street	Minimum ROW	Travel Path	Median Width	Sidewalks
Major Arterial	130 feet	42'/42' (2 lanes)	14' (raised)	Both Sides
Minor Arterial	110 feet	39'/39' (2 lanes)	14' (raised)	Both Sides
Major Collector	80 feet	27'/27' (1 lane)	14' (left turn lane)	Both Sides
Minor Collector	60 feet	20'/20' (1 lane)	None	Both Sides
Local Roadways	50 feet	36'	None	Both Sides

Section 3.8 Street Grades

1. Street grades between six percent and ten percent will be approved only for such distances as topographical conditions make lesser grades impractical. A grade exceeding ten percent will be approved only when conclusive evidence shows that a lesser grade is impractical.
2. The minimum street grade should be not less than two tenths of one percent.
3. Flat grades may be considered when adjacent lots or blocks are designed for ponding storm water.

Section 3.9 Street Alignment

Curves in streets within a subdivision shall conform to Yuma County Standards 3-330 and as amended or the City of San Luis, Arizona, may have adopted such other applicable standard as.

Section 3.10 Intersections

1. All street connections shall be at approximate right angles with no more than a 10-degree derivation from 90 degrees.
2. Street corners shall provide for a minimum 25 foot curb radius with the property line corner spandrel designed so as not to reduce the widths of the roadside strips and handicap ramps.
3. Line of Sight: Line of sight clearances must be maintained for corner lots and any landscaping must be designed in such a way as not to hinder line of sight. The City Engineer and/or the Public Works Director shall approve all clearances.

4. Street Offsets: Shall conform with Yuma County Construction standards or such standards as the City may adopt.

Section 3.11 Alleys _____

1. Where alleys are not required by Ordinance, but are provided for in the subdivision design at the rear of lots back to back, they shall be 20 feet wide and paved.
2. Alley intersections shall have corner cutbacks of not less than 10 feet.
3. Cul-de-sac alleys shall have a turn around at least 45 feet in diameter. Dead end alleys are not permitted.

Section 3.12 Blocks _____

Blocks shall not be more than 1,200 feet in length unless deemed necessary for public safety and convenience.

Section 3.13 Double Frontage _____

1. Double Frontage Lots. Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation.
2. Access from Major and Minor Arterials. Lots shall not derive access from major or minor arterials. Where driveway access from major or minor arterials may be necessary for several adjoining lots, the City may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Driveways shall be designed and arranged so as to avoid requiring vehicles to back into traffic on major or minor arterials.

Section 3.14 Lot Divided by Boundary Line _____

1. No lot shall be divided by a city, county, school district or other taxing agency boundary line.
2. Lot Depth to Width Ratio: The depth to width ratio of the useable area of lots of less than one acre should not be greater than three to one.

Section 3.15 Public Service Installations

Public Service lines, to include electrical, natural gas, telephone and cable TV facilities, shall be located in alleys, rights of way, or easements provided for that purpose. Easements shall be set at a width as negotiated with utility companies serving the property.

Section 3.16 Fire Protection

Fire hydrants and a fire distribution system shall be provided in accordance with the recommendations or requirements of the City of San Luis Department of Public Works, and the City of San Luis Fire Department. In no case are requirements to be less restrictive than the Uniform Fire Code as adopted by either the City of San Luis or the Office of the Arizona State Fire Marshall, whichever code is most restrictive.

Section 3.17 Utilities

1. Sewer. Subdivisions shall be provided with a sanitary sewer connection to each lot. Sewer lines shall be installed to serve all lots within the subdivision in accordance with the minimum standards of the city. Plans for disposal systems and sanitary sewers shall be approved by Arizona Department of Environmental Quality.

2. Water. Water mains and services shall be installed to serve all lots within the subdivision. Lots with water wells require a 'RP' backflow valve at the connection to the City water system. A backflow valve maintenance program is also required. Water wells can only be connected to the City water system with the Public Works Director approval.

3. Electricity. Certification from the local electric power company, that electrical service is available and will be provided shall be submitted by the subdivider. All electrical and telecommunications lines shall be underground within the subdivision.

4. Fire hydrants. Fire hydrants shall be installed in accordance with requirements of the City Engineer and the City of San Luis Fire Department

5. Street Lighting.

(1) Street lighting shall be installed in accordance with city standards and the requirements of the City Engineer and the Public Works Director along all streets within the subdivision and along perimeter streets developed in conjunction with the subdivision. All utilities are to be underground, and underground street lighting circuits shall be provided by the developers. The pole, lamp, luminaries and bracket and underground circuits shall be provided by the developer.

(2) The subdivider will takes such actions as may be necessary to form, establish and include the subdivision in an improvement district to purchase electricity and provide for the maintenance for the lighting of the public streets and parks of the subdivision.

(3) Upon acceptance of the street lighting improvements by the city, the street lighting improvements shall be maintained by the city, through such improvement or assessment districts as may be established.

6. Community Facilities District. The subdivider will take such actions as may be necessary to form, establish and include the subdivision in a Community Facilities District pursuant to the provisions of Article 6 of Title 4 of the Arizona Revised Statutes for the purpose providing enhanced municipal services and/or public infrastructure and/or public infrastructure purposes to the subdivision.

7. The subdivider will take such necessary steps to provide enhanced municipal services and/or maintain any retention basins as may be established for said subdivision.

8. **Signage.** Developer shall provide street signs and required traffic control signs.

9. **Water Rights.** When property has rights to receive irrigation water from the Yuma County Water Users Association.

Developer shall provide to the City, prior to final approval of any subdivision plat by the City of any subdivision being developed, receipts or other documentary proof indicating that assessments levied by the Yuma County Water Users' Association for water service to the Parcels have been paid to date and/or that there are no delinquent assessments that were levied by the Yuma County Water Users Association.

At the time of subdivision plat approval, Developer agrees to take such acts or actions in cooperation with the City, to cause the irrevocable assignment of the right to delivery of water to the Parcels in the approved subdivision to the City as the delivery agent for purposes of accepting, treating, and delivering potable water to the future residents or occupants of the Parcels within the approved subdivision.

After treatment the potable water will be delivered to the residents/occupants of the same parcels. No independent or private organizations shall be formed by the Developer to contract with or otherwise provide for any water delivery to the residents/occupants of the Parcels.

Section 3.18 Dangerous Areas

Areas within the subdivision boundaries which by reasons of geological or topographical conditions, unstable surface conditions, ground water or seepage conditions, hazard of flood inundation, or erosion shall not be subdivided except under restrictions as to the use of all or any part thereof as approved by the Commission.

Section 3.19 Exclusions

1. Portions of an adjacent property within the ownership of the subdivider shall not be excluded from within the boundaries of a subdivision when needed or required for dedication or improvement of any traffic, drainage, or flood control facility, utility or other access use.
2. Portions of property within the ownership of the subdivider, but not included within the boundaries of a subdivision, shall be of such size and shape as to conform to the provisions of these Regulations or any element of the General Plan or Zoning Ordinance.

Section 3.20 Permanent Access to Subdivision

1. No subdivision shall be recorded unless permanent public access is provided from the subdivision to a City, County, State or Federal maintained road. Public access means a dedication to the City or a permanent written easement from the State or Federal Governments.
2. Roads dedicated to the City for the purpose of providing access shall be approved by the City Engineer prior to recording.

Section 3.21 Flood Control Facilities

When a retention basin is utilized to handle storm water runoff in a residential subdivision, the following design standards shall be applicable.

1. The minimum storage volume shall be computed by estimating the area under a hydrograph of a 100-year storm of 2-hour duration (1.22 inches per hour). In addition, the greater of either one-foot of freeboard or 25% additional basin capacity shall be provided in the facility.
2. Maximum basin depth shall not exceed 3.5 feet unless otherwise approved by the City Engineer. When additional depth is approved, the facility shall be enclosed with a six-foot high wrought iron fence and a 16 foot wide wrought iron gate with lock.
3. Maximum sides slope shall be 4:1 unless otherwise approved by the City Engineer.

4. An acceptable method of transporting water from the street into the basin shall be provided so as to preserve the integrity of the basin walls and floor.
5. All residential streets shall be designed to carry the runoff from a 10 year 2 hour storm between the curbs. In cases where the peak flow from the design storm exceeds the street capacity, storm sewers of sufficient size to carry the excess must be installed. The minimum pipe size for underground storm drainage shall be 12 inches. The peak flow from a 50-year storm must be carried within the cross-section between buildings (front yards and street) for subdivisions served by retention basins. The floor elevations of all habitable space shall be above flood levels equivalent to a 100-year storm.
6. Streets and highways shall not be used as flood channels without approval of the City Engineer.
7. The use of streets and highways for tract drainage purposes may be prohibited by the City Engineer if, in his opinion, said use is impractical or not in the interests of public health and safety.
8. The Public Works Director and Parks Director shall approve flood control facilities design.
9. Daily nuisance water from lawn watering, car washing, etc., shall be intercepted by dry wells prior to reaching the floor of the retention basin and disposed of by utilization of a percolation field.
10. Each retention basin shall be constructed so that storm water will not stand longer than 5 days after termination of the storm.
11. A retention basin, to become dedicated to the City, shall be located adjacent to minor collector and the design of the basin shall be coordinated with the City Engineer or Public Works Director.
12. When a retention basin or retention basins are used, an improvement district will be established to provide for maintenance of said basin or basins.
13. Developer shall provide landscaping to the retention basin with initial year round grass seeding and an appropriate irrigation system including water meter, timer, backflow devices, and all valves and fittings. The developer shall provide plan drawings to the City for approval.
14. For retention requirements requiring a basin of 70,000 square feet in area or less, there shall be a single basin. For retention basin requirements of greater than 70,000 square feet the design shall be of as few basins as possible and at no time shall any single basin be less than 35,000 square feet in area.

Section 3.22 Protective Fence

Protective fence for subdivisions shall be a minimum 6 high masonry wall or a protective wall or fence of other acceptable material along any canal, drain, highway, retention basin or other feature deemed by the Planning and Zoning Commission or the Public Works Director to be hazardous to the occupants of the subdivision.

Section 3.23 Subdivision Monuments

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

Section 3.24 Flood plains

This regulation and amendments hereto shall be consistent with the provisions of the adopted flood plain regulations of Yuma County.

Section 3.25 Sidewalks

1. In residential subdivisions 4' minimum sidewalks shall be required with a 5' minimum sidewalk along collector streets.
2. In commercial subdivisions with parcels of 20,000 square feet or less, 6' minimum sidewalks shall be required.
3. All sidewalks shall be of such width and type as required by the County of Yuma standard specifications or such specifications as may be adopted or amended by the City of San Luis, Arizona, shall be constructed on both sides of all streets within the subdivision, and in all cross walkways.

Section 3.26 Lots

Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the types of use permitted. Lot dimensions shall not include part of existing or proposed streets. All lots shall be buildable, except a public utility lot. Depth and width of utility lots shall be adequate to provide for standard setbacks for service structures, and to furnish off_street parking facilities required by the kind of use contemplated. In no other case shall the width or area be less than that prescribed for the zone in which the lot is proposed.

Section 3.27 Lot Improvements

1. Lot Arrangement. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning Ordinance and Health Regulations and in providing driveway access to buildings on such lots from an approved street.
2. Driveways for each corner subdivision lot must be clearly shown on subdivision improvement plans and subject to approval of the City

Public Works Director. Site plans submitted to the office of Planning and Zoning must show the location of driveway, which must comply with that shown on the improvement plan. Driveway location and construction must be in accordance with Yuma County Standards.

Section 3.28 Lot Dimensions

Lot dimensions shall comply with the minimum standards of the Zoning Ordinance. Where lots are more than double the minimum required area for the zoning district, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Ordinance and these Regulations. In general, side lot lines should be at right angles to street lines (or radial to curving street lines) unless a variation from this guideline will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for the safe placement of driveway access as required by Yuma County Standards and erection of buildings, observing the minimum setback from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Ordinance.

Section 3.29 Lot Drainage

Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots. If a retention basin or retention basins are used, an improvement district will be established to provide maintenance of said basin or basins. Onsite storm water retention will not be allowed on lots less than 40,000 square feet in area.

Section 3.30 Maximum Length of Cul-de-Sac

Cul-de-sac streets will serve no more than twenty (20) dwelling units and shall be no longer than 1,200 feet. Cul-de-sac design must comply with Yuma County Standards or such other standards as may be adopted by the City of San Luis, Arizona.

ARTICLE IV

Preliminary Plats

Section 4.1 Preliminary Steps

The initial action in the development of a subdivision located within the City limits of the City of San Luis shall be in the preparation of a preliminary plat.

1. The size of the preliminary plats shall be in multiples of 8 inches by 12 inches and shall be drawn to a 40, 50, 60, 100, or 200 feet to the inch scale, whichever is most appropriate to clearly present necessary details.

2.The subdivider shall comply with the provisions of Arizona Revised Statute 9-474 with respect to any adjacent city.

3.The subdivider shall file up to 14 copies of the preliminary plat as required to the office of the Planning Department.

4. The preliminary plat shall show or be accompanied by such data as are specified in Sections 4.2 thru 4.6.

Section 4.2 Identity of Sub-divider

The sub-divider shall certify *in writing* to one of the following:

1. That he is the record owner of the property.
2. That the record owner of the property consents to the filing of the map.

Section 4.3 Information Required

The following information shall be delineated on the preliminary plat except those items determined by the staff as not being pertinent to a particular tract.

1. Title of map and legal description of property.
2. Name and address of owner and subdivider.
3. Name and address of person preparing plat.
4. Approximate acreage and overall dimensions.
5. North point, scale and date.
6. Subdivision boundary line.
7. Names, book and page number of adjoining subdivisions.
8. Names, locations and widths of adjacent streets.
9. Identifying landmarks and existing structures, both above and below ground.
10. Names and locations of proposed streets.
11. Approximate grades of proposed and existing streets.
12. Streets and rights-of-way providing permanent access to the property.
13. Excavations within 200 feet of the subdivision.
14. Approximate radii of curves.
15. Widths of alleys and easements.
16. Names of utility companies and locations of existing and proposed public utility easements.
17. Existing culverts and drain pipes.
18. Watercourses and channels including proposed facilities for control of storm waters.
19. Land subject to overland flow and 100-year flood zone boundary.
20. Railroads and other rights-of-way.
21. Lands and parks to be dedicated to public use (if any).
22. Dimensions of common areas or other reservations.

- 23. Proposed lot lines and approximate dimensions.
- 24. Adjoining property and lot lines.
- 25. Contours with maximum interval as follows:

Slope	Interval
0-2%	2'
3-9%	5'
10 Plus	10'

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

- 26. Existing use of property immediately surrounding tract.
- 27. Subdivisions shall be provided with a complete water distribution system, which will adequately serve the subdivision in the opinion of the political entity and agencies having jurisdiction.
- 28. Each subdivision lot will be hooked up to the City of San Luis sanitary sewer system.
- 29. An area locus map at 1" = 1000' or 1" = 2000' showing the property in relation to near by section line roads and highways.
- 30. Owner's name and assessor's number of adjoining parcels.

Section 4.4 Supplemental Information

Reports and written statements on the following matters shall accompany the preliminary plat.

- 1. Subdivision development plan when the subdivision is larger than 40 acres or is developed in phases.
- 2. Type of street improvement.
- 3. Utilities to be installed.
- 4. Proposed method of control of storm waters, including data as to grade and dimension.
- 5. If private streets or other ways of necessity are proposed, the method by which their maintenance will be accomplished and financed.
- 6. Proposed tree planting or landscaping if within public rights-of-way and a proposed method of financing and maintenance of those improvements.

7. The name and address of the Professional Engineer who will provide the Certification of Completed Improvements and Inspection pursuant to Section 6.1 of these Regulations.

Section 4.5 Plat Checking Fee

The preliminary plat shall be accompanied by a plat-checking fee. The plat-checking fee shall be shown on a separate Fee Schedule as determined by the City Council.

Section 4.6 Date of Filing

The date of filing a preliminary Plat shall be fixed as the date on which all of the maps and information required by the Subdivision Regulations have been filed, as determined by the Staff, and the required fees have been paid.

Section 4.7 Corner Stakes

Upon filing a Preliminary plat, the sub-divider shall immediately place a conspicuous stake and flag at each corner, angle point and curve point of the property proposed to be sub-divided. Said stake shall extend at least three feet above the ground except at a point where the corner is on a roadway.

Section 4.8 Plat Distribution

Upon filing with the Planning & Zoning Department the required number of copies of the Preliminary Plat, one copy thereof shall be immediately forwarded to each of the following, as applicable: City Engineer; any municipal utility, community services, school or other duly authorized district, and to any utility company serving the area with its facilities. The Staff may change the number of copies required to be filed as may be necessary.

Section 4.9 Reports

1. The officials shall review the plat for matters within their jurisdiction and promptly report their recommendations in writing to the Planning Director who shall check the map for conformity to this Article.

The failure of any officer, department, municipality, district or agency to report to the Planning Department in writing within 30 days after transmittal of the Preliminary Plat shall be deemed as an approval, except that an additional five days shall be granted upon the written request of any duly authorized person or agency.

2. The Planning Director shall submit the recommendations to the Planning and Zoning Commission at a meeting thereof not later than ninety (90) days after the date of filing of the Preliminary plat. The sub-divider or his agent, and his engineer shall be present at the meeting. The sub-divider's engineer may act as agent.

Section 4.10--Commission Action

Within ninety (90) days after the Date of Filing, the Commission shall meet to consider whether to approve, *conditionally, approve, or disapprove* said plat.

1. When in the opinion of the Commission the location of the proposed subdivision is such that a significant impact may develop between future residents of the subdivision and existing land uses in the vicinity, appropriate special easements dedicated to adjacent property owners may be required of the subdivider prior to recording of the final map. These easements may provide for the continued occasional generation of smoke, odors, noise, dust and the spraying of pesticides as necessary.

2. The action of the Commission shall be communicated in writing to the subdivider. Conditions resulting in conditional approval or disapproval will be noted and referenced.

3. Conditional approval of a preliminary plat shall not constitute approval of the final plat. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat, which will be submitted for approval of the Commission and the City Council upon fulfillment of the requirements of these regulations and the conditions of the conditional approval.

Section 4.11 Appeals

1. If the sub-divider is dissatisfied with any action of the Commission, with respect to the Preliminary Plat, or the kinds, nature and extent of the improvements recommended by the Commission to be required, he may, within 15 days after such action, appeal to the City Council.

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

3. The Council shall hear the appeal, upon notice to the sub-divider and the Commission, unless the sub-divider consents to a continuance, within 30 days or at its next succeeding regular meeting.

Section 4.12 Time Limits

The time limits for acting and reporting on preliminary plat maps as specified in this Article may be extended by action of either the Council or Commission as the case may be.

Section 4.13 Preliminary Plat Required Re-subdivision

A preliminary plat showing data and information required by this Article shall be required when the resubdivision of a lot, lots, tracts or parcels previously recorded as a subdivision or portion of a subdivision results in three or more additional lots, tracts or parcels.

Section 4.14 Re-filing Following Disapproval

In the event that a preliminary plat is disapproved by the Commission, a new preliminary plat of the same area or portion thereof may be filed within six months of the date of disapproval upon payment of the plat-checking fee.

ARTICLE V

Final Maps

Section 5.1 Final Plat Procedure

1. After approval of a preliminary plat by the Commission, the subdivider may, within three years, cause a final plat of the subdivision or any part thereof to be prepared in accordance with a completed survey of the subdivision and in compliance with the approved preliminary plat within the provisions of these Regulations
2. Upon application by the subdivider, an extension for submission of the final plat of two years may be granted by the Commission. In the event the Commission denies a sub-divider application for extension, the subdivider may appeal to the City Council.
- 3.If the sub-divider fails to record a final plat for any phase of the preliminary plat within three years, or any succeeding phase within 3 years of the previous phase, the preliminary plat approval will expire unless the subdivider applies for and receives an extension from either the Commission or the City Council (per Sec. 5.1(b)).
- 4.Any application of a sub-divider for such extension of time for the recording of a final plat shall be made in writing to the Council not less than 30 days prior to the expiration of the time allowed.
- 5.The survey and final plat shall be made by a Land Surveyor registered in the State of Arizona who shall set sufficient durable monuments to conform with Yuma County Standards Numbers 4-030 through 4-480, or such other standards as may be adopted by the City of San Luis, Arizona, so that another surveyor may readily retrace the survey. He shall also set such additional monuments as may be required by the Public Works Director.
- 6.The final plat shall conform in all respects to the Standards of Design set forth in these Regulates, unless any nonconformance has been specifically shown on the approved Preliminary plat and approved in the condition of approval attached.

7. Streets shown on the final map shall be named as shown on the approved preliminary plat. Any changes therefore shall be approved by the Commission.

8. The original and four copies of the final map shall be filed for checking in the office of the City Engineer and shall be accompanied by the following:

- A. A copy of the protective covenants to be recorded. Said covenants shall provide for the raising and expenditure of funds necessary for the maintenance of any private streets shown on the map. Said covenants shall also provide for the enforcement of yard and private land use regulations proposed to be established and for their amendment.
- B. Original, three positive prints of a map, and an electronic file showing the proposed water distribution system approved by the Public Works Department of the City of San Luis. The distribution system shall comply with all applicable City, State and County regulations.
- C. Original, three positive prints, and an electronic file of a map showing the proposed sewer system approved by the Public Works Department of the City of San Luis. The sewer system shall comply with all applicable City, State and County regulations.
- D. Evidence of Title, which shall be in the form of a Certificate of Title, a Preliminary Title Report or a Policy of Title Insurance issued by a Title Company authorized by the laws of the State of Arizona to write the same, showing the names of persons having any interest and any record title interest in the land to be subdivided, together with the nature of their respective interests therein. In the event that any dedication is to be made for public use of any property shown on such final map of land, the said Certificates of Title or Policy of Title Insurance shall be as presently defined in A.R.S. Section 20_1562, as amended.
- E. All streets, highways, alleys, and parcels of land shown on the final map and intended for any public use shall be offered for dedication. Such dedications shall be free of all and any encumbrances incurred subsequent to the Date of Filing of the preliminary plat.

- F. Original, three positive prints, and an electronic file showing the proposed street grades, proposed storm water retention system, street sectional details, and storm water calculations approved by the Public Works Department of the City of San Luis. The storm water collection and retention system shall comply with all applicable city, county, and state regulations.

9.FEES The Planning and Zoning Director shall charge a plan-checking fee when the final plat is submitted.

10. After issuance of a receipt for the final plat and accompanying supplementary data, City Public Works Director shall examine it as to sufficiency of bonds or other assurances, affidavits and acknowledgments, and such other matters as require checking to insure compliance with the provisions of the Subdivision Regulations and City of San Luis standards.

11. The Public Works Director and City Engineer shall conduct a plan check, an internal review of the final plat and if necessary, examine and approve any revisions required of the developer before forwarding the final plat and any review comments to the Planning Director. The Planning Director shall review the final plat and comments received and place the item on the agenda of the next scheduled meeting of the Council for consideration of final approval. The Planning Director shall require the final plat to first be reviewed and acted upon by the Commission prior to final Council approval if any changes are proposed to the final plat which constitute changes in the number of lots, an altered access or traffic way or create a significant impact that would affect the approved preliminary plat.

Section 5.2 Requirements

12. The final plat shall be clearly and legibly delineated upon original mylar along with two mylar copies. The final plat should also be submitted on either 3_1/2" diskettes or cd-rom. Plats should be submitted as DXF files or AutoCAD drawing files and shall conform to Yuma County standards and specifications for CAD drawings. All letters, figures, dedications, certificates, acknowledgments and signatures shall be made in black, waterproof India ink or equal. The net size of each sheet shall be 24 by 36 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one-half inch except the left margin, which shall be two inches.

13. If more than one sheet is required, each sheet shall be numbered, the relation of one sheet to another clearly shown and the number of sheets shall be set forth on each sheet.

14. The sub-divider shall submit and obtain approval from the City Engineer of a plat showing:

- A. A boundary survey of the subdivision, including all courses and distances necessary to compute a closure. Boundary surveys shall be completed in accordance with the current minimum standards for Arizona Land Boundary Surveys adopted by the

Arizona State Board of Technical Registration. A traverse of the boundaries of the subdivision all lots and blocks shall close within a limit of error of one foot in 25,000 feet of perimeter.

- B. Sufficient data to prove the method by which the boundary was determined, including a description of all corners found and/or set, adjoining plats or property lines and records.
- C. The plat shall be legibly drawn and a reproducible copy furnished to the Public Works Director.
- D. The administration of this section shall be by published policy of the Public Works Director.
- E. The Public Works Director may determine that a boundary survey is not required in all subdivision submittals. Variance from compliance with this article must be obtained in writing from the City Engineer.

15. The scale, north point and sheet number shall be shown on each sheet of the final plat. The scale shall be no smaller than 100 feet to the inch.

16. A statement labeled "Plat Notes" shall be shown on one sheet of the final plat. Such statements shall include the basis of bearings, what monuments were found, what monuments and points were set, a key to symbols and abbreviation and such other information deemed by the City Engineer to be necessary.

17. The boundary line of a subdivision shall be indicated by a border of black ink approximately one-thirty-second ($1/32$) of an inch wide.

Section 5.3 Data Required

1. Dates of survey and preparation of plat.
2. Location widths and names, without abbreviations, of all existing or proposed streets and alleys, proposed public areas and easements; adjoining streets.
3. Dimensions of all lots; lots containing one acre or more shall show net acreage to the nearest hundredth of an acre.
4. Center lines of all streets and lengths, tangent radius and central angle or radial bearings of all curves; and the bearings of radial lines to each lot corner of a curve; the width of each street, the width of the portion being dedicated and the width of existing dedication.
5. Sufficient data to determine readily the bearing and length of each line.

6. Suitable primary survey control points.
7. Ties to and recording references to adjacent subdivisions as appropriate.
8. Centerline data, width, side lines and purpose of easements to which the subdivision is subject. Distances and bearings on the side lines of lots that are cut by an easement shall be so shown as to indicate clearly the actual lengths of the lot lines. The width of the easements and the lengths and bearings of the lines thereof and sufficient ties to locate the easements definitely with respect to the subdivision shall show. The easement shall be clearly labeled and identified, and if already of record, proper reference to the records given. Easements being dedicated shall be so indicated in the certification of dedication. Easements shall be shown on the plat by broken lines.
9. Clear indication of stakes, monuments or other evidence on the ground to determine the boundaries of the subdivision.
10. In areas subject to flooding and in areas where on-site lot retention is proposed, minimum finished floor elevations as may be recommended by the Yuma County Flood Plain Regulations shall be shown on the subdivision plat.
11. Intersecting lot lines, parcel numbers and current zoning of all adjacent property.
12. Taxes and assessments. The subdivider shall file with the Public Works Department of the City and the Planning Director, a letter from the County Treasurer computing redemptions in the county or any municipal corporation in which any part of the subdivision is located, showing that, according to the records of his office, there are, or are not liens against the subdivision or any part thereof for unpaid State, County, Municipal or Local taxes or special assessments collected as taxes, except taxes or special assessments not yet due and payable.

Section 5.4 Centerline and Boundaries

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

Section 5.5 Lot Numbers

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

Section 5.6 Certificates and Acknowledgments on Final Plats

The final plat shall show all certificates and acknowledgments. They shall appear on the final plat or they may be combined on a separate mylar of the same size as the final plat. Certificates

and acknowledgments that shall appear on final plats may be prepared according to the format available from the Public Works Director.

Section 5.7 Re-subdivision Final Plat

A final plat showing data required by Section 5.3 shall be required when the resubdivision of a lot or lots, tracts, or parcels previously recorded as a subdivision plat or portion of a subdivision plat results in four or more additional lots, tracts, or parcels.

Section 5.8 Reversion to Acreage Plat

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

Section 5.9 Failure to Proceed

Off-site improvements shall be completed by the sub-divider within one year from the date of final plat recording. Upon written application of the subdivider the Public Works Director may consider a request for a one-year extension to complete improvements. In the event the Public Works Director denies the sub-divider's request for extension, the subdivider may appeal within thirty (30) days of the denial to the City Council. If the subdivider fails to complete construction of off-site improvements within one year, or within two years if an extension is granted, the City of San Luis, Arizona may complete the construction of such off-site improvements by drawing upon the funds posted by the subdivider for assurance.

Section 5.10 After City Council Approval

1. The sub-divider or agent shall record the approved plat and submit to the City Public Works Department one (1) mylar and three (3) blue line copies of the fully executed recorded document.
2. A copy of the recorded Protective Covenants and Restrictions will be provided to the City of San Luis Planning Division upon recordation of the final plat.

ARTICLE VI

Completion and Certification of Improvements

Section 6.1 Completion and Certificate

1. A Certificate shall be executed by a Professional Engineer registered to practice in the State of Arizona, certifying that said improvements were constructed in accordance with the City of San Luis specifications and standards referenced on the "as-built" construction plans, in accordance

with the provisions of these Subdivision Regulations and in accordance with the plans of such as approved by the Public Works Director upon which approval of the plat was based; and one mylar copy and one electronic copy of the 'as-built" plan shall be submitted to the Public Works Director.

2.All improvements shall be according to the definitions (Article II), Subdivision design standards (Article 111), and Yuma County Standards as referred to herein or such other standards as may be adopted by the City of San Luis.

3.Approval in writing from the Public Works Director, the Public Works Director, and all utility companies or agencies certifying that all utilities including but not limited to water system sewer system, and electric system have been completed to their satisfaction.

Section 6.2 Bonds or Assurances

Bonds, irrevocable letters of credit or other assurances submitted will be reviewed by the City Attorney's Office, who will advise the Public Works Director as to their adequacy. All assurances other than currency of the United States will be accepted only if made by or through a lending institution, insurance or surety company or title company regulated by the State of Arizona and made payable to the City of San Luis, Arizona.

All assurances shall be in an amount equal to one hundred percent (100%) of the cost of all required improvements as estimated by the Public Works Director with consideration for inflation. Ninety percent (90%) of the assurance may be released upon the furnishing of evidence satisfactory to the Public Works Director in affidavit form that all claims, liens or other obligations incurred by the subdivider and all his subcontractors, in connection with the performance of the work have been fully and properly paid and settled. Except in the case of an assurance made by a surety company lien releases from contractors, subcontractors and material suppliers and men involved in the construction of required improvements will be required prior to release of any part of said assurance. In all cases, an amount representing not less than ten percent (10%) of any assurance shall be retained for a period of one (1) year after completion and inspection of all improvements to insure that all work and materials are adequate and in a satisfactory condition.

ARTICLE VII

Lot Splits

Section 7.1 Procedure for Approval of Lot Split

(A) Any division of land into three or fewer parts in which no right-of-way dedication, utility extension or other off-site public improvement is involved may be processed as a lot split subject to approval by the City Planning Director and Public Works Director.

(B) Any proposed lot split shall be submitted to the Planning and Zoning Department to determine compliance with applicable platting, subdividing and zoning regulations. The Planning Director or Public Works Director may require submittal of any additional information as is pertinent to make this determination.

(C) The plat shall be prepared by an Arizona registered surveyor or professional engineer on an eight and one-half inch by fourteen inch sheet suitable for recording, or on polyester or linen or a copy reproduced on polyester by a silver imaging process or other method that assures archival quality. Required signatures shall be original signatures, not copies, and shall include provisions for signatures by the City Planning Director and Public Works Director. The plat, if not eight and one-half inches by fourteen inches, shall be drawn to a scale not to exceed 300 feet to the inch. All drawing, printing, and signatures shall be directly applied to the sheet to be recorded. The use of nonpermanent inks, press-on adhesive letters, films, or tapes is prohibited. The plat shall further include the items specified in §§5.1 and 5.3.

(D) **FEES** The City Planning and Zoning Director shall charge a plat-checking fee when the plat is submitted.

ARTICLE VIII

Enforcement and Penalties

Section 8.1 Building Permit Not to be Issued

No building permit shall be issued for the erection or use of any structure or part thereof, to be located in a subdivision or lot created or established subsequent to these Regulations becoming effective, that is not in accordance with the provisions of these Regulations. Any such permit issued shall be void and of no effect.

Section 8.2 Legal Procedure

Any building or structure erected or maintained on a lot or parcel of land that is subject to these Regulations, created or established subsequent to these regulation becoming effective, that is contrary to the provisions of these Regulations shall be and the same is hereby declared to be unlawful and a public nuisance and the City Attorney shall, upon order of the City Council, immediately commence action or actions, proceeding or proceedings for the abatement, removal, and enjoinder thereof, in the manner provided by law; and shall take such other steps, and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such building or structure.

Section 8.3 Remedies

All remedies provided for herein shall be cumulative and not exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibility of

correcting prohibited conditions or removing prohibited buildings, structures or improvements, nor prevent the enforced correction or removal thereof.

Section 8.4 Penalties

It is unlawful for any person, firm, or corporation to violate, or cause the violation of, any provision of this chapter. Any person, firm, or corporation violating any of the provisions of this chapter shall be guilty of a class one misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment for not more than six (6) months or by both such fine and imprisonment. Each separate day or part thereof during which any violation of this chapter occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

Article XI

Validity

Section 9.1 Validity

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