Chapter 30

SUBDIVISIONS[1]

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ARTICLE I. PURPOSE AND DEFINITIONS

Sec. 30-1. Purpose and intent.

(a) The purpose of this chapter is to provide for the orderly growth and harmonious development of the city; to insure adequate traffic circulation through coordinated street, transit, bicycle and pedestrian 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, sanitary sewerage, and other health requirements; to insure consideration for adequate sites for schools, recreation areas, and other public facilities; to promote the conveyance of land by accurate legal description and plat; and to provide logical procedures for the achievement of this purpose.

(b) In its interpretation and application, the provisions of this chapter are intended to provide a common ground of understanding and a sound and equitable working relationship between public and private interests to the end that both independent and mutual objectives can be achieved in the subdivision of land.
(Ord. No. 99.21, 8-12-99)

Sec. 30-2. Definitions.

For the purpose of this chapter, certain words, terms and phrases are defined as follows:

Bicycle facilities means bike paths, bike lanes, lighting facilities, bike racks, bike lockers and all other necessary equipment and facilities to safely operate bicycles.

Block means a piece or parcel of land or group of lots entirely surrounded by public rights-of-way, streams, railroads or parks, or a combination thereof.

Commission means the City of Tempe development review commission, as defined in the Zoning and Development Code, Section 1-312.

Conditional approval means an affirmative action by the commission or the council indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.

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[1]**Editor's note**—Chapter 30 was rewritten and renumbered in its entirety (Ord. No. 99.21). Prior ordinances were Ord. No. 381, 10-25-62; Ord. No. 584, 11-20-69; Ord. No. 97.20, 4-10-97)

Council means the "city council" of the City of Tempe.

Department means the "community development department" of the City of Tempe.

Engineering design criteria means that criteria adopted by the council in Resolution No. 99.47, as amended from time to time.

Engineering plans means plans, profiles, cross-sections, and other required details for the construction or public improvements, prepared by an engineer, registered in the State of Arizona, in accordance with the approved preliminary plat and in compliance with standards of design and construction approved by the council.

Exception means any parcel of land which is within the boundaries of the subdivision but which is not owned by the subdivider.

Final approval means approval of the final plat by the council, as evidenced by certification on the plat by the mayor of the city, constitutes authorization to record a plat.

General plan means a comprehensive plan, or parts thereof, providing for the future growth and improvement of the City of Tempe and for the general location and coordination of streets and highways, schools and recreation areas, public building sites, and other physical development, which shall have been duly adopted by the city council.

Irrigation facilities includes canals, laterals, ditches, conduits, 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 means the division of improved or unimproved land whose area is two and one-half (2-1/2) acres or less into two (2) or three (3) tracts or parcels of land for the purpose of sale or lease or as defined in A.R.S. § 9-463.

Lot means a piece or parcel of land separated from other pieces or parcels by description, as in a subdivision or on a record survey map, or by metes and bounds, for purposes of sale, lease, or financing.

Corner lot means a lot abutting on two (2) or more intersecting streets where the interior angle of intersection does not exceed one hundred thirty-five degrees (135°).

Interior lot means a lot having but one side abutting on a street.

Key lot means an interior lot, one side of which is contiguous, or separated only by an alley, to the rear line of a corner lot.

Through lot means a lot abutting two (2) parallel or approximately parallel streets.

Lot width means the width of a lot shall be:

(1) If the side property lines are parallel, the shortest distance between these side lines.

(2) If the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the required front or rear building setback line, whichever is the lesser, for the district in which the lot is located. The axis of a lot shall be a line joining the midpoints of the front and rear property lines.

Multi-use path means a paved concrete pathway physically separated from on-street motorized vehicular traffic by an open space or barrier (e.g. landscaping) and designated for the exclusive use by non-motorized traffic, as shown in City of Tempe Standard Details.

Pedestrian way means a public walk dedicated entirely through a block from street to street or providing access to a school, park, transit stop, multi-use path, recreation area or shopping center.

Plat means a map of a subdivision.

(1) *Preliminary plat* means a preliminary map, including supporting data, indicating a proposed subdivision development.

(2) *Final plat* means a map of all or part of a subdivision providing substantial conformance to an approved preliminary plat, prepared by a registered land surveyor.

(3) *Recorded plat* means a final plat bearing all of the certificates of approval required in § 30-13 (10) of this code and duly recorded in the Maricopa County Recorder's office.

Preliminary approval means approval of the preliminary plat by the commission or council and constitutes authorization to proceed with final engineering plans and final plat preparation.

Public improvement standards means a set of regulations setting forth the details, specifications, and instructions to be followed in the planning, design, and construction of certain public improvements in the city, formulated by the city engineer, the county health department and other city departments and as approved by the council.

Subdivider means those persons or entities as defined by A.R.S. § 9-463, as it may be amended from time to time.

Subdivision means improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided or as defined in A.R.S. § 9-463.02, as it may be amended from time to time.

Transit facilities means bus bays, transit stops, transit shelters and furniture, transit dedicated lanes, railroad tracks, rights-of-way, easements and other allied equipment necessary for the safe operation of the transit system and well being of passengers.

Utilities means installations or facilities, underground or overhead, furnishing for the use of the public: electricity, gas, steam, communications, water, drainage, sewage disposal, or flood control, owned and operated by any person, firm, corporation, municipal department, or board, duly authorized by state or municipal regulations.
(Ord. No. 99.21, 8-12-99; Ord. No. 2004.42, 1-20-05; Ord. No. 2006.01, 1-5-06; Ord. No. 2010.02, 2-4-10)

Secs. 30-3—30-9. Reserved.

ARTICLE II. PLATTING PROCEDURES AND REQUIREMENTS

Sec. 30-10. Outline of procedures.

The preparation, submittal, review, and approval of all subdivision plats located inside the limits of the city shall proceed through the following progressive stages:

(1) Stage I - pre-application conference.

(2) Stage II - preliminary plat.

(3) Stage III - final plat.

(Ord. No. 99.21, 8-12-99)

Sec. 30-11. Stage I - pre-application conference.

(a) The pre-application conference stage of subdivision planning comprises an investigatory period which precedes actual preparation of preliminary plans by the subdivider. During this stage, the subdivider makes known his intentions to the department and is advised of specific public objectives related to the subject tract and other details regarding platting procedures and requirements.

(b) During this stage, it may be determined that a change in zoning would be required for the subject tract or a part thereof, and in such case the subdivider shall initiate the necessary rezoning application.

(c) In carrying out the purposes of the pre-application stage, the subdivider and the department shall be responsible for the following actions:

(1) *Actions by the subdivider*. The subdivider shall meet informally with the department to present a general outline of his proposal, including but not limited to:

a. Sketch plans and ideas regarding land use, street and lot arrangement, tentative lot sizes.

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

(2) *Actions by the department*. The department will discuss the proposal with the subdivider, provide advice of procedural steps, design and improvement standards, and general plat requirements. Then, depending upon the scope of the proposed development, the department will proceed with the following investigations:

a. Check existing zoning of the tract and make recommendations if a zoning change is necessary or desirable.

b. Determine the adequacy of existing or proposed schools, parks and other public spaces.

c. Inspect the site or otherwise determine its relationship to major streets, transit services, bicycle and pedestrian facilities, utility systems, and adjacent land uses and to determine any unusual problems such as topography, utilities, flooding, etc.

(Ord. No. 99.21, 8-12-99)

Sec. 30-12. Stage II - preliminary plat.

The preliminary plat stage of land subdivision includes detailed subdivision planning, submittal, review and approval of the preliminary plat. To avoid delay in processing his application, the subdivider should carefully provide the department with all information essential to determine the character and general acceptability of the proposed development as set forth below:

(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 an amendment or variance of zoning is necessary, said action shall be initiated by the property owner or his authorized agent. Any zoning change required in relation to the preliminary plat shall have been adopted prior to or concurrent with preliminary plat approval.

(2) *Sanitary sewerage and water supply*. As a prerequisite of preliminary plat review by the department, the subdivider shall have informed the county health department and the city engineering department of his tentative plans and learned the general requirements for sewage disposal and water supply as applied to his location.

(3) *Preliminary plat submission*. Preliminary plat submission shall include the following:

a. Sixteen (16) copies of the preliminary plat and required supporting data, prepared in accordance with requirements set forth in § 30-12 (7)—(12) and § 30-20—30-26 of this code, shall be filed with the department at least thirty (30) days prior to the commission meeting at which the subdivider desires to be heard. Copies of the preliminary plat shall be reproduced in the form of blueline or blackline prints on a white background and other reproductions as required by the department. Scheduling of the case for commission hearing shall be dependent upon adequacy of data presented and completion of processing.

b. The submittal shall be checked by the department for completeness and assigned a case number; if incomplete as to those requirements set forth in § 30-12 (7)—(12), the submittal shall be rejected and the subdivider notified.

c. Fees for processing applications shall be required and payable in such sums as the city council may from time to time establish by resolution.

(4) *Preliminary plat review*. Preliminary plat review shall be processed as follows:

a. On receipt of the preliminary plat, the department shall perform its review for compliance to public objectives, giving special attention to design principles and standards as set forth in Article III of this chapter, streets and thoroughfares, transit, bicycle and pedestrian facilities, neighborhood circulation, utility methods and systems, existing and proposed zoning and land use of the tract and its environs, and land required for schools, parks and other public facilities.

b. The department shall distribute copies of the plat to the following reviewing offices:

1. Adjacent governmental jurisdictions where land abuts or is in close proximity to said jurisdiction.

2. Director of public works and city engineer for review of drainage and flood control measures; proposed street system; traffic, transit, bicycle and pedestrian plans and facilities; water and sewage disposal proposals; street plans and compliance with city road standards; and for tentative determination of street and drainage improvement and maintenance requirements.

3. Community services department for recommendations regarding parks and recreation spaces.

4. Police chief and fire chief for review of features of proposed development relating to their respective areas of operation.

5. County health department for review of water and sewage disposal proposals.

6. Superintendent of the appropriate school district for his information.

7. Where the land abuts a state highway, to the Arizona department of transportation for recommendations regarding right-of-way and intersection design.

8. To affected utility companies for recommendations.

(5) *Preliminary plat approval*. Preliminary plat approval shall be processed as follows:

a. If the plat is generally acceptable but requires minor revision before proceeding with preparation of the final plat, the commission shall find conditional approval, the required revisions being noted in the meeting minutes. At the direction of the commission, the plat maybe given preliminary approval by the department when it has been satisfactorily revised in accordance with the stated conditions and reviewed by the department.

b. If the commission finds that the plat requires major revision, the case shall be held over pending revision, resubmittal, processing and rescheduling for hearing.

c. If a plat is rejected, the new filing of a plat for the same tract, or any part thereof, shall follow the aforementioned procedure and be subject to the required fee.

(6) *Significance of preliminary approval*. Preliminary approval constitutes authorization for the subdivider to proceed with preparation of the final plat and the engineering plans and specifications for public improvements. Preliminary approval is based upon the following terms:

a. The basic conditions under which preliminary approval of the preliminary plat is granted will not be changed prior to expiration date.

b. Approval is valid for a period of twelve (12) months from date of commission or council approval, whichever is later.

c. Subdivider may request council approval of the preliminary plan within twelve (12) months from date of commission action.

d. Preliminary approval, in itself, does not assure final acceptance of streets for dedication or continuation of existing zoning requirements for the tract or its environs.

(7) *Information required for preliminary plat submittal and form of presentation*. The information hereinafter required as part of the preliminary plat submittal shall be shown graphically or by note on plans, or by letter, 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, said scale having not more than one hundred (100) feet to the inch. Whenever practical, scales shall be adjusted to produce an overall drawing measuring twenty-four (24) inches x thirty-six (36) inches.

(8) *Identification and descriptive data*. Identification and descriptive data shall include the following:

a. Proposed name of subdivision and its location by section, township, and range; reference by dimension and bearing to a section corner or quarter-section corner.

b. Name, address and phone number of subdivider.

c. Name, address and phone number of the person preparing plat.

d. Scale, north point and date of preparation including dates of any subsequent revisions.

e. A location map which shall show a title, scale, appropriate streets and north

arrow.

(9) *Existing conditions data*. Existing conditions and data shall include the following:

a. Topography by contours related to USGS survey datum, or other datum required by the city engineer, shown on the same map as the proposed subdivision layout. Contour interval shall be such as to adequately reflect the character and drainage of the land.

b. Location of water wells, streams, canals, irrigation laterals, private ditches, washes, special flood hazard areas, lakes, or other water features; direction of flow; location and extent of areas subject to inundation whether such inundation be frequent, periodic or occasional.

c. Location, widths, and names of all platted streets, alleys, railroads, utility right-of-way of public record, public areas, permanent structures to remain including water wells and municipal corporation lines within or adjacent to the tract.

d. By note, the existing zoning classification of the subject tract and adjacent tracts.

e. By note, the acreage of the tract.

f. Boundaries of the tract to be subdivided shall be fully dimensioned.

(10) *Proposed conditions data*. Proposed conditions data shall include the following:

a. Street layout, including location, width, and proposed names of public streets, alleys, walkways, multi-use paths, transit facilities, bicycle facilities, pedestrian facilities, easements and connections to adjoining platted tract.

b. Typical lot dimensions (scaled), dimensions of all corner lots and lots of curvilinear sections of streets, each lot numbered individually, total number of lots.

c. Location, width and use of easements.

d. Designation of all land to be dedicated or reserved for public use with use indicated.

e. If plat includes land for which multi-family, commercial, or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification and status of zoning change, if any.

(11) *Proposed utility methods*. Proposed utility methods shall include the following:

a. *Sewage disposal*. It shall be the responsibility of the subdivider to furnish the county health department such evidence as that department may require to its satisfaction as to design and operation of sanitary sewer facilities proposed. A statement as to the type of facilities proposed shall appear on the preliminary plat.

b. *Water supply*. Evidence of adequate volume and quality satisfactory to the county health department and substantiated by letter from that department.

c. *Storm water disposal*. Preliminary calculations and layout of proposed system and locations of outlets, subject to approval of the city engineer.

(12) *Engineering design criteria*. All data shall conform to the City of Tempe, public works department, division of engineering, "engineering design criteria" manual.

(Ord. No. 99.21, 8-12-99; Ord. No. 2001.17, 7-26-01; Ord. No. 2006.25, 4-6-06; Ord. No. 2010.02, 2-4-10)

Sec. 30-13. Stage III - final plat.

This stage includes the final design of the subdivision, engineering of public improvements, and submittal of the plat and plans by the subdivider for review and for action by the council as set forth below:

(1) *Zoning.* Zoning of the tract shall permit the proposed use, and any zoning amendment necessary shall have been adopted by the council prior to filing of the final plat.

(2) *Easements*. It shall be the responsibility of the subdivider to provide on the final plat such easements in such locations and width as required for utility purposes. Prior to filing the final plat, he shall have submitted the plat to the person(s) authorized to perform plat review for the utility interests.

(3) *Final plat preparation*. The final plat shall be prepared in accordance with requirements set forth in § 30-13 (7)—(10) of these regulations and shall conform closely to the approved preliminary plat.

(4) *Final plat submission*. The subdivider shall file with the department the final plat and eight (8) true copies thereof and other reproductions as required by the department, together with a letter of transmittal and recordation fee, at least twenty-one (21) days prior to the commission or council meeting at which the case will be heard.

(5) *Final plat review*. Final plat review shall be processed as follows:

a. The department, upon receipt of the final plat submittal, shall immediately record receipt and date of filing and check it for completeness. If incomplete, the date of filing shall be voided, and the submittal shall be returned to the subdivider. If complete, the department shall review the plat for substantial conformity to the approved preliminary plat and refer copies of the submittal to the following reviewing offices who shall make known their recommendations in writing:

1. Director of public works and city engineer.

2. Community services department, when applicable.

3. Arizona department of transportation, where the plat abuts a state

highway.

4. County health department.

b. The department shall assemble the recommendations of the various reviewing offices, prepare a concise summary of recommendations, and submit said summary together with the reviewer's recommendations to the council. In the event that the department finds that the final plat does not conform to the preliminary plat as approved by the commission or council, then the final plat shall be submitted to the commission for review and recommendations prior to submittal to the council.

(6) *Final plat approval*. If the council finds approval of the plat, the clerk shall transcribe a certificate of approval upon the plat, first making sure that the other required certifications (see § 30-13 (10) a, b, c, d and e) have been duly signed, and that engineering plans have been approved by the city engineer. When the certificate of approval by the council has been transcribed on the plat, the department shall record the approved final plat in the office of the county recorder of Maricopa County and cause copies of the recorded plat to be provided for the city engineer and the community development director, all at the expense of the subdivider.

(7) *Required final plan information*. The following information is required for final plan submittal and method and medium of presentation:

a. The record plat shall be drawn on plastic or other non-shrinking material on a sheet measuring twenty-four (24) inches x thirty-six (36) inches. The plan shall be drawn to a scale of one hundred (100) feet to the inch from an accurate survey. In certain unusual instances, for example where the area to be subdivided is of unusual size or shape, the department may permit a variation in the scale of the final plan. If more than two (2) sheets are required for the drafting of the final plan, an index sheet of the same dimensions shall be filed, showing the entire subdivision on one sheet and the portion thereof contained on each of the other sheets.

b. Copies of the record plat shall be reproduced in the form of blueline or blackline prints on a white background.

(8) *Identification, survey and descriptive data*. All identification, survey and descriptive data required on final plats shall conform to the City of Tempe, public works department, division of engineering, "engineering design criteria" manual.

(9) *Dedication and acknowledgment*. Statement of dedication of all streets, alleys, walkways, bikeways, multi-use paths, transit facilities, drainageways, pedestrian ways, and other easements for public use by the person holding title of record and by persons holding title as vendees under land contract. If lands dedicated are mortgaged, the mortgagee 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, public utility easements shall be dedicated on the plat. Execution of dedication shall be acknowledged and certified by a notary public.

(10) *Required certifications*. The following are required certifications:

a. Certification by the registered land surveyor making the plat that the plat is correct and accurate, and that the monuments described in it have been located as described.

b. Certificate of plat approval by the community development department.

c. Certificate of plat approval by the city engineer.

d. Certificate of plat approval by the city council.

e. Certificate of recordation by the county recorder.

(Ord. No. 99.21, 8-12-99; Ord. No. 2001.17, 7-26-01; Ord. No. 2006.25, 4-6-06; Ord. No. 2010.02, 2-4-10)

Secs. 30-14—30-19. Reserved.

ARTICLE III. SUBDIVISION DESIGN PRINCIPLES AND STANDARDS

Sec. 30-20. General.

(a) Every subdivision shall conform to the requirements and objectives of the general plan, or any parts thereof, as adopted by the commission and the city council, to the Zoning and Development Code and to other ordinances and regulations of the city, and to the Arizona Revised Statutes.

(b) Where the tract to be subdivided contains all or any part of the site of a park, school, flood control facility, or other public area as shown on the general plan or as recommended by the commission, such site should be dedicated to the public or reserved for acquisition by the public within a specified period of time. An agreement should be reached between the subdivider and the appropriate public agency regarding time, method and cost of such acquisition. In the event the commission determines that such an agreement has not been reached within a reasonable period of time, then the commission may make a determination that the requirements of this section have been met.

(c) Land which is subject to periodic flooding, land which cannot be properly drained, or other land which, in the opinion of the city, is unsuitable for any use shall not be subdivided; except that the city may approve subdivision of such land upon receipt of evidence from the city engineer that the construction of specific improvements can be expected to render the land suitable; thereafter, construction upon such land shall be prohibited until the specified improvements have been planned and construction guaranteed.
(Ord. No. 99.21, 8-12-99; Ord. No. 2004.42, 1-20-05)

Sec. 30-21. Street location and arrangement.

(a) Whenever a tract to be subdivided embraces any part of a street designated in an adopted city streets and highways plan, such street shall be platted in conformance therewith.

(b) Street layout shall provide for the continuation of such streets as the city may designate.

(c) Certain proposed streets, as designated by the city, shall be extended to the tract boundary to provide future connection with adjoining unplatted lands.

(d) Local streets shall be so arranged as to discourage their use by through traffic.

(e) Where a proposed subdivision abuts or contains an existing or proposed arterial route, the city may require marginal access streets or reverse frontage with non-access easements along the arterial route, or such other treatment as may be justified for protection of residential properties from the nuisance and hazard of high volume traffic, and to preserve the traffic function of the arterial route.

(f) Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility and streets of reasonable gradient, and to facilitate adequate drainage.

(g) Half-streets shall be discouraged except where necessary to complete a street pattern already begun, or to insure reasonable development of a number of adjoining parcels. Where there exists a platted half-street abutting the tract to be subdivided, and said half-street furnishes the sole access to residential lots, the remaining half shall be platted within the tract.
(Ord. No. 99.21, 8-12-99)

Sec. 30-22. Street and block design.

All street and block design shall conform to the City of Tempe, public works department, division of engineering, "engineering design criteria" manual.
(Ord. No. 99.21, 8-12-99)

Sec. 30-23. Pedestrian ways and multi-use paths.

Pedestrian ways and multi-use paths may be required where essential for circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities. Pedestrian ways and multi-use paths may be used for utility purposes.
(Ord. No. 99.21, 8-12-99)

Sec. 30-24. Lot planning.

(a) Lot width, depth, and area shall comply with the minimum requirements of the Zoning and Development Code and shall be appropriate for the location and character of development proposed, and for the type and extent of street and utility improvements being installed. In general, urban density of three (3) or more lots per gross acre must have urban street and utility improvements. "Urban improvements" is interpreted to mean paved and curbed streets, sidewalks, local storm drainage system, public water supply, and, wherever reasonably possible, public sanitary sewerage.

(b) Where steep topography, unusual soil conditions, or drainage problems exist or prevail, the commission may recommend special lot width, depth, and area requirements which exceed the minimum requirements of the particular zoning district.

(c) Lot depths shall conform to zoning ordinance standards.

(d) 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 city.

(e) Every lot shall abut upon a public street or furnish satisfactory access thereto.

(f) Single-family residential lots extending through the block and having frontage on two (2) parallel streets shall not be permitted; backing of lots to thoroughfares shall be prohibited except where expressly permitted by this chapter or where justified in the opinion of the city.
(Ord. No. 99.21, 8-12-99; Ord. No. 2004.42, 1-20-05)

Sec. 30-25. Easement planning.

(a) *Utility easements*. Easements for utilities shall be provided along side lot lines, three (3) feet on each side of lot lines for distribution facilities.

(b) *Utility easements on curvilinear streets*. For lots facing on curvilinear streets, utility easements or alleys may consist of a series of straight lines with points of deflection not less than one hundred twenty (120) feet apart. Points of deflection should always occur at the junction of side and rear lot lines on the side of the exterior angle. Curvilinear easements or alleys may be provided, providing that the minimum radius for the alley or easement shall be not less than eight hundred (800) feet.

(c) *Drainage easements.* Where a stream or important surface drainage course abuts or crosses the tract, dedication of a public drainage easement of a width sufficient to permit widening, deepening, relocating, or protecting said water course shall be required.

(d) *Lot areas*. Land within a public street or drain easement or land within a utility easement for major power transmission (tower) lines or pipelines shall not be considered a part of the minimum required lot area except where lots exceed one-half (1/2) acre in area. This shall not be construed as applicable to land involved in utility easements for distribution or service purposes.

(e) *Bus bay and shelter easements*. All lots at far side of arterial to arterial and arterial to collector intersections shall provide bus bay and shelter easements as shown in the City of Tempe Standard Details.

(f) *Multi-use path easements*. All lots abutting multi-use corridors as designated by the most recent update of the Tempe bikeway plan and map shall provide easements as shown in the City of Tempe Standard Details.
(Ord. No. 99.21, 8-12-99)

Sec. 30-26. Street naming.

Subdivider may propose the street names subject to approval by the city engineer at the preliminary plat stage.
(Ord. No. 99.21, 8-12-99)

Secs. 30-27—30-29. Reserved.

ARTICLE IV. STREET AND UTILITY IMPROVEMENT REQUIREMENTS

Sec. 30-30. Purpose.

It is the purpose of this article to establish the minimum acceptable standards for improvement of public streets and utilities, to define the responsibility of the subdivider in the planning, construction, and financing of public improvements, and to establish procedures for review and approval of engineering plans.
(Ord. No. 99.21, 8-12-99)

Sec. 30-31. Engineering plans.

(a) Engineering plans shall be submitted for all improvements required in streets, alleys or easements required as a condition to plat approval and shall be the responsibility of the subdivider; provided, however, that this requirement may be met by participation in an improvement district approved by the city.

(b) It shall be the responsibility of the subdivider to have prepared by an engineer, registered in the State of Arizona, a complete set of engineering plans, satisfactory to the city engineer, for construction of required improvements. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat. Engineering plans shall be approved by the city engineer prior to recordation of final plat.
(Ord. No. 99.21, 8-12-99)

Sec. 30-32. Construction and inspection.

(a) All relocation, tiling, and reconstruction of irrigation facilities shall be constructed to standards of the owning utility and the city engineer.

(b) All improvements in the public right-of-way shall be constructed under the inspection and approval of the city department having jurisdiction. Construction shall not be commenced until a permit has been issued for such construction, and if work has been discontinued for any reason, it shall not be recontinued until after notifying in advance the department having jurisdiction.

(c) All underground utilities to be installed in street shall be constructed prior to the surfacing of such street. Service stubs to platted lots within the subdivision for underground utilities shall be placed to such length as not to necessitate disturbance of street improvements when service connections are made.

Sec. 30-33. Required improvements.

(a) *Streets and alleys*. All streets and alleys within the subdivision shall be graded and surfaced to cross-sections, grades, and standards approved by the city engineer. Where there are existing streets adjacent to the subdivision, subdivision streets shall be improved to the intercepting paving line of such existing streets. Dead-end streets serving more than four (4) lots shall be provided a graded and surfaced temporary turning circle.

(b) *Curbs*. Where streets are to be paved, concrete curb, curb and gutter, or valley gutter as designated by the city engineer shall be installed in accordance with approved city standards.

(c) *Sidewalks*. Sidewalks shall normally be required on both sides of streets and shall be constructed with materials and a width, line, and grade approved by the city engineer in accordance with approved city standards.

(d) *Streets name signs.* 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 be in accordance with approved city standards.

(e) *Storm drainage*. Proper and adequate provision shall be made for disposal of storm waters; this shall apply equally to grading of private properties and to public streets. Existing major water courses shall be maintained and dedicated as drainage ways. The type, extent, location, and capacity of drainage facilities shall be determined for the individual subdivision by the city engineer and shall be constructed in accordance with approved city standards.

(f) *Sanitary sewage disposal*. Sewage disposal facilities shall be installed to serve each lot and be subject to the following standards and approvals:

(1) Individual systems may be constructed only in areas not reasonably accessible to a public sewer system, and then only when the following conditions are met to the satisfaction of the county health department.

a. Soil absorptivity is adequate.

b. Construction complies with approved standards.

c. Location of septic tank and seepage pits or leach lines or disposal beds in relation to property lines and buildings, and water supply wells and lines are acceptable. Location shall be such that efficient and economical connection can be made to a future public sewer.

(2) Public sanitary sewers shall be installed in areas which are reasonably accessible to an existing sewer system and shall be constructed to plans, profiles, and specifications approved by the county health department and city departments having jurisdiction.

(3) In areas where public sanitary sewers are not reasonably accessible but where the future owning agency agrees to effect temporary disposal of sewage, the subdivider shall plan and construct sewers within and for the subdivision for connection with a future public system.

(g) *Water supply*. Each lot shall be supplied with safe, pure, and potable water in sufficient volume and pressure for domestic use and fire protection, in accordance with city standards.

(h) *Irrigation facilities*. All irrigation facilities to remain within the boundaries of the tract or in an abutting one-half (1/2) street or alley right-of-way shall be tiled in accordance with standards of the owning agency and relocated or abandoned as directed by the city engineer and the owning agency. Where street improvement requires relocation of control gates or other structures, such relocation and reconstruction shall conform to city engineer and owning agency requirements.

(i) *Monuments*. Permanent monuments shall be installed in accordance with current city standards at all corners, angle points, and points of curve and at all street intersections. After all improvements have been installed, a registered land surveyor or engineer shall check the location of monuments and certify their accuracy.

(j) *Lot corners*. Iron pipe shall be set at all corners, angle points, and points of curve for each lot within the subdivision prior to the recording of the plat.

(k) *Underground utility lines*. All utility lines shall be placed underground. The requirement for underground electrical lines shall not apply to feeder lines from the substation to the subdivision.
(Ord. No. 99.21, 8-12-99)

Secs. 30-34—30-39. Reserved.

ARTICLE V. LAND SPLITS

Sec. 30-40. Land splits.

No person, firm, corporation or other legal entity shall divide land within the city into land splits unless there is endorsed upon the document which creates such land splits the approval of the community development director or his designee and such land splits shall not result in any violation of this code or the Zoning and Development Code of the city. The community development director may require a site plan showing the development potential of the parcel.
(Ord. No. 99.21, 8-12-99; Ord. No. 2001.17, 7-26-01; Ord. No. 2004.42, 1-20-05; Ord. No. 2010.02, 2-4-10)

Sec. 30-41. Boundary adjustments.

(a) A boundary adjustment to a lot within a recorded subdivision plat may be heard by the city council upon the filing of a preliminary/final plat if such amendment does not meet the definition of subdivision as defined herein.

(b) Any other boundary adjustment to a lease line or property line between adjoining parcels shall meet the requirements of § 30-40.
(Ord. No. 99.21, 8-12-99)

Sec. 30-42. Appeals.

The denial or approval of a land split may be appealed to the city council in writing within ten (10) days of issuance of the denial or approval.
(Ord. No. 99.21, 8-12-99)

Secs. 30-43—30-49. Reserved

ARTICLE VI. VARIANCES, VIOLATIONS AND PENALTIES

Sec. 30-50. Variances.

(a) Where, in the opinion of the council, there exist extraordinary conditions of topography, land ownership, or adjacent development, other circumstances not provided for in these regulations, the council may vary the requirements of this chapter in such 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 complete community or a complete neighborhood, the council may vary these requirements in such manner as appears necessary and desirable to provide adequate space and improvements for the circulation, recreation, light, air, and service needs of the tract when fully developed and populated, and may provide legal provisions as will assure conformity to and achievement of the plan.

(c) In varying the standards or requirements of these provisions, 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.
(Ord. No. 99.21, 8-12-99)

Sec. 30-51. Prohibition.

No person, firm, corporation, or other legal entity shall hereafter sell or offer for sale any lot, piece, or parcel of land which is within a subdivision as defined in § 30-2 of this chapter without first having recorded a plat thereof in accordance with the provisions of this chapter.
(Ord. No. 99.21, 8-12-99)

Sec. 30-52. Violations and penalties.

Any person, firm, corporation, or other legal entity who violates any provision of this chapter shall be guilty of a misdemeanor, as set forth in §1-7 of this code. Each day that a violation is permitted to exist may constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of these regulations.
(Ord. No. 99.21, 8-12-99)