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## TITLE 11

### SUBDIVISIONS

#### CHAPTER 11-1 – ADOPTION, PURPOSE, APPLICABILITY, PENALTY, SEVERABILITY, REPEALS, EFFECTIVE DATE

Article 11-1.01 - Adoption The City Council of Williams, Arizona adopts this title and ordains that this title shall be known and referred to as the "Subdivision Ordinance of Williams, Arizona." (Ord. 747 §2 (part), 1995)

Article 11-1.02 - Purpose The purpose of this title is to promote the health, safety, and general welfare of the residents of the City of Williams, to promote the efficient and orderly growth of the City, to establish adequate and accurate records of land subdivision, to provide for adequate, safe and efficient public utilities and improvements, and to provide for other general community facilities and land for public places. (Ord. 747 §2(part), 1995)

#### Article 11-1.03 – Applicability

- (a) Pursuant to Arizona Revised Statutes, Article 6.2 "Municipal Subdivision Regulations," this subdivision title shall apply to all land in the City limits of the City of Williams.
- (b) No person or agent of a person shall subdivide any parcel of land into four (4) or more parcels, or, if a new street is involved, two (2) or more lots, or, complete minor subdivisions, except in compliance with this title. No person shall offer for recording, in the office of the County Recorder, any deed conveying a parcel of land, or interest therein, unless such a parcel of land has been subdivided, or otherwise created, in compliance with the rules set forth in this title.
- (c) No lot within a subdivision created prior to the effective date of the ordinance codified in this title or approved by the City Council under the provisions of this title shall be further divided, rearranged or reduced in area, nor shall the perimeter boundaries of any subdivision, or any lot within a subdivision, be altered in any manner without the approval of the City Council as provided for in this title.
- (d) All officials and employees of the City of Williams who are vested with the authority to issue permits, shall not issue permits, record documents, conduct inspections or otherwise perform any duties or administrative actions that are not in conformance with the provisions of this title. (Ord. 747 §2(part), 1995)

Article 11-1.04 - Enforcement The Planning and Zoning Official for the City shall enforce this title. (Ord. 905, 2008; Ord. 747 §2(part), 1995)

#### Article 11-1.05 - Penalty

- (a) Anyone violating any provision of this title shall be guilty of a Class 1 misdemeanor punishable by a fine or imprisonment or both.
- (b) Conviction shall be punished by a fine of not more than three hundred dollars (\$300.00)

or by imprisonment for not more than ninety (90) days, or by both fine and imprisonment.

- (c) It is a separate offense for each and every day the violation is committed, continued or permitted.
- (d) The owner, lessee, tenant, and/or other person in possession of the property or use in violation are all and equally responsible for the violation(s).
- (e) In addition, the City may bring civil proceeding in a court of competent jurisdiction to enforce compliance with this title including the prevention, restraining and/or abatement of the violation(s).
- (f) In addition, any violation is declared to be a public nuisance and the City may enjoin or restrain said violation like any other nuisance under authority of any applicable city and state law. (Ord. 747 §2(part), 1995)

Article 11-1.06 - Severability If any section, subsection, sentence, clause or phrase of this title is held to be invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this title. (Ord. 747 §2(part), 1995)

Article 11-1.07 - Repeals All ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this title are repealed. (Ord. 747 §2(part), 1995)

Article 11-1.08 - Effective Date The ordinance codified in this title shall be in effect thirty (30) days from the date of adoption by the City Council. (Ord. 747 §2(part), 1995)

## CHAPTER 11-2 – AMENDMENT

Article 11-2.01 - Requests Amendments to this title may be requested by any person or agent of any person by filing an application with the Planning and Zoning Official. Amendments to this title may also be initiated by the City Council or the Planning and Zoning Commission. (Ord. 905, 2008; Ord. 747 §2(part), 1995)

Article 11-2.02 - Procedure The procedure for amending this title shall be in accordance with the City's development procedures ordinance. (Ord. 747 §2(part), 1995)

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## CHAPTER 11-3 – RULES OF CONSTRUCTION AND DEFINITIONS

Article 11-3.01 - Rules of Construction Certain words used in this title shall be interpreted as follows:

Article 11-3.02 - Definitions The following definitions shall apply:

"Block" means a segment of a platted subdivision usually containing one or more lots.

"Council" means the Mayor and Council of the City of Williams, Arizona.

"Commission" means the City of Williams Planning and Zoning Commission.

"Cul-de-sac" means a short minor street having one end open for motor traffic, the other being permanently terminated by a vehicular turnaround.

"Dedication" means the conveyance of land or a use of the land only (easement) to a public agency or to one or more persons for a general or specific purpose.

"Development master plan" means a comprehensive preliminary master plan for the development of a large or complicated land area, the platting of which may be expected in progressive steps. The area encompassed by a development master plan may include properties not owned by the applicant.

"Easement" means the right-to-use that a person or public entity may have on the land of another.

"Engineering plans" or "plans" means the plans, profiles, cross-sections, and other required details for the construction of public improvements and private lots (prepared by a civil engineer registered in the State of Arizona) in accordance with the approved preliminary plat and in compliance with standards of design as determined by the City. (Ord. 747 §2 (part), 1995)

"Floodplain" means any land area susceptible to being inundated by flood waters from any source. (Ord. 905, 2008; Ord. 747 §2 (part), 1995)

"Floodplain data" means information that defines the boundary of a floodplain, either mapped or given in elevations.

"Improvements" means the required installations, pursuant to this title, including grading, drainage, sewer and water utilities, streets, easements, street lighting, and traffic control devices, for which the final approved design of which is a prerequisite to the approval and acceptance of the final plat thereof. (Ord. 747 §2 (part), 1995)

"Lot" means a parcel or unit of land with a separate and distinct number or other designation shown on a plat recorded in the office of the county recorder of Coconino County and held or intended to be held in a separate lease or ownership, and having frontage on at least one street unless otherwise allowed by the Zoning Code.

"Lot depth" means the horizontal distance between the front and rear lot lines, measured along the median between the side lot lines. (Ord. 905, 2008; Ord. 747 §2 (part), 1995)

"Lot frontage" means that part of a front lot line that abuts a street. (Ord. 747 §2 (part), 1995)

"Lot line, front" means that lot boundary line which abuts a street, or in the case of a corner lot, that boundary line which abuts the narrowest street frontage of a lot and which the front of the building faces or will face.

"Lot width" means the width of a lot as measured at the minimum required front setback line. (Ord. 905, 2008; Ord. 747 §2 (part), 1995)

"Minor subdivision" means one or all of the following:

- (a) A land split which is 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;
- (b) The division of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future, into two (2) or three (3) lots, tracts or parcels of land, and when a new street is not involved;
- (c) The division of improved or unimproved land or lands for the purpose of financing, sale, or lease, whether immediate or future, into more than two (2) parts, and when the boundaries of such property have been fixed by a recorded plat.

"Parcel of record" means any lot, tract, parcel or other piece of land that was recorded by the Recorder of the appropriate County prior to the adoption of this title.

"Perimeter boundary" means a line around any piece of property such as a lot, block or subdivision which encloses and separates that piece from adjacent pieces.

"Plat" means a document which includes a map of certain described land together with certain certifications, notes, development data and other information which has been prepared in accordance with this title and which serves as an instrument for subdivision approval.

"Plat, final" means the official plat which is approved by the City Council and recorded with the County Recorder.

"Plat, preliminary" means the map or maps of a proposed subdivision, and specified supporting materials prepared in sufficient detail to permit the evaluation of the subdivision prior to final engineering design and survey. (Ord. 747 §2 (part), 1995)

"Proof of ownership" means a deed, title company certification, or some other document acceptable to the Planning and Zoning Official.

"Right-of-Way" means a right of road and/or utility access across or through one property to reach another property. (Ord. 905, 2008; Ord. 747 §2 (part), 1995)

"Sight distance triangle" means the area at the intersection of two streets or roads or where a driveway enters a street or road that is intended to allow a clear line of sight of oncoming vehicles.

"Subdivider" means any person or agent of a person who causes land to be subdivided.

"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. Plats of such condominium projects will show the location and dimensions of both vertical and horizontal boundaries of each unit and each unit's identifying number, said boundaries to be referenced to established benchmark and datum. Subdivision does not include the following:

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

"Subdivision design" means the street alignment, grades and widths, alignments and widths of easements and rights-of-way for drainage and sanitary sewers, and the dimensions, arrangement and orientation of lots and streets.

"Tract" means a designated parcel of land that is part of a large parcel. Sometimes used in lieu of "lot." (Ord. 747 §2 (part), 1995)

“Waterway” or “Watercourse” means a defined landform that carries water. (Ord. 905, 2008; Ord. 747 §2 (part), 1995)

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## CHAPTER 11-4 – DEVELOPMENT MASTER PLANS

Article 11-4.01 - Required A development master plan may be required as a condition precedent to the review and approval of a preliminary plat when:

- (a) The tract proposed for development comprises an entire neighborhood; or
- (b) The tract proposed for development is only a portion of a larger contiguous landholding of the subdivider, or when a tract proposed for development creates undesirable land splits or exceptions; or
- (c) The tract proposed for development is part of a larger tract or land area which is complicated by unusual topographic features, land use, land ownership or other conditions. The entire land area may not be under the subdivider's control. (Ord. 747 §2(part), 1995)

Article 11-4.02 - Requirements An application for development master plan approval shall include those items in accordance with the City's development procedures ordinance. (Ord. 747 §2 (part), 1995)

Article 11-4.03 - Procedure The development master plan shall be processed in accordance with the City's development procedures ordinance. (Ord. 747 §2(part), 1995)

## CHAPTER 11-5 – PRELIMINARY PLAT

Article 11-5.01 - Intent The preliminary plat is the first stage in the subdivision approval process. At this stage the subdivider is responsible for completing the necessary background studies and research to enable the delineation of a subdivision that meets all requirements of the City. All existing and proposed physical aspects of the property and adjacent properties are analyzed at this stage in the process. In addition, the need for and the availability of utility, services, and facilities will also be analyzed and projected. It is the intent of the City that all subdivisions are planned and designed to blend harmoniously into the existing development surrounding them. In addition, each subdivision should be carefully planned to ensure compatibility with existing utilities, streets, and other needed support infrastructure. (Ord. 905, 2008; Ord. 747 §2(part), 1995)

Article 11-5.02 - Requirements An application for preliminary plat approval shall include those items in accordance with the City's development procedures ordinance. (Ord. 747 §2(part), 1995)

Article 11-5.03 - Procedure The preliminary plat shall be processed in accordance with the City's development procedures ordinance. (Ord. 747 §2(part), 1995)

## CHAPTER 11-6 – REQUIREMENTS

Article 11-6.01 – Intent The final plat is the last stage in the subdivision approval process. At this stage the subdivider is responsible for delineation and dedication of all public rights-of-way and easements, dedication of other public lands, if required, and final lot and block configuration. In addition, all public improvements associated with the subdivision are identified and quantified, and the subdivider is required to enter into an agreement with the City which guarantees that the appropriate improvement costs are borne by the subdivider. These costs shall include the estimated cost of half-street improvements for any portion of a street that abuts the subdivision. (Ord. 905, 2008; Ord. 747 §2(part), 1995)

### Article 11-6.02 – Preliminary Plat Usually Required First

- (a) Except where a combined preliminary and final plat has been accepted, no request for final plat approval shall be considered until the preliminary plat has been approved and all conditions of approval of the preliminary plat have been satisfied.
- (b) The final plat approval process shall not be used to amend or revise the approved preliminary plat or the conditions of approval of the preliminary plat. Except for minor revisions any amendments to the preliminary plat, or to the conditions, must be approved by an amendment to the preliminary plat prior to proceeding to the final plat. (Ord. 747 §2(part), 1995)

### Article 11-6.03 – Requirements

- (a) The final plat shall conform in all respects to the approved preliminary plat and with all amendments to the preliminary plat.
- (b) An application for final plat approval shall include those items in accordance with the City's development procedures ordinance along with:
  - (1) A copy of the approved preliminary plat which has been signed by the Planning and Zoning Commission Chairman;
  - (2) A certification of the County Treasurer that all taxes on the property are paid. (Ord. 747 §2(part), 1995)

### Article 11-6.04 – Procedure

- (a) The Planning and Zoning Official shall review the application to determine whether it is consistent with the approved preliminary plat.
- (b) If the Planning and Zoning Official determines that the final plat application is not in compliance with the approved preliminary plat a list of the deficiencies will be given to the subdivider.
- (c) Upon determination that the application is complete and consistent with the approved preliminary plat the final plat shall be processed in accordance with the City's development procedures ordinance. (Ord. 905, 2008; Ord. 747 §2 (part), 1995)

## CHAPTER 11-7 – DESIGN STANDARDS

### Article 11-7.01 – General Requirements

- (a) Lots shall meet the width, depth, frontage, lot size and all other requirements of the specific zoning district in which the subdivision is located.
- (b) All streets or other rights-of-way designated for use, and all water, sewer and other public improvements shall be designed and constructed in accordance with the standards of the City of Williams in effect at the time the plat is submitted. In the absence of a specific ordinance the City Engineer shall determine the appropriate design standards in accordance with good engineering practices.
- (c) All lots created shall abut a dedicated public street and shall connect to the public street system unless otherwise allowed by the zoning ordinance. Private streets are not permitted unless specifically approved by the City Council.
- (d) Insofar as possible, the natural terrain, existing topography and natural vegetation shall be preserved.
- (e) Where the property to be subdivided is subject to natural or manmade hazards such as flooding, rock and mud slides, open quarries or abandoned mines, or where there exists shallow water table conditions or polluted water sources, such hazards or conditions shall be identified and the subdivider shall provide documentation as to how the hazards or conditions have been eliminated, or will be eliminated, through the design and construction of the subdivision.
- (f) No single lot shall be divided by a municipal or county boundary line, a public road or street, or a private road or street which can legally be used by property owners other than the owner of the lot.
- (g) Each lot in the subdivision shall be served with the City of Williams sanitary sewer system unless otherwise allowed by the zoning ordinance.
- (h) Each lot in the subdivision shall be served with the City of Williams public water system unless otherwise allowed by the zoning ordinance.
- (i) At the time of the application for preliminary plat, the subdivider shall provide a drainage system design which covers the entire subdivision. The design shall accommodate runoff from the entire subdivision and the historical runoff from areas adjacent to and "upstream" of the subdivision. The design shall insure that runoff from the developed subdivision shall not exceed the historical volumes and velocities discharged onto adjacent property. At the time of the final plat, the subdivider shall include final drainage design for the phase of the subdivision included in the final plat. The final drainage design shall show how the drainage is consistent with the overall drainage system design. (Ord. 747 §2(part), 1995)

### Article 11-7.02 – Lot Design

- (a) The depth to width ratio shall not be greater than three (3) to one (1).

- (b) Side lot lines shall be at right angles to street lines and should be straight unless otherwise dictated by topography or other physical reasons. Rear lot lines should avoid acute angles with side lot lines and should normally be straight.
- (c) No remnants of property shall be left in the subdivision which do not conform to the zoning ordinance. This includes lots to be uses for private or public utilities.
- (d) Residential corner lots should be platted wider than interior lots in order to permit conformance to required side yard setbacks.
- (f) Lots adjoining the interstate, railroad, other arterial or collector road should be deeper to provide appropriate protection from noise, air pollution and visual impacts of traffic.
- (g) All lots, except for those reserved for open space, shall be capable of being built upon. Any lands which are unsuitable due to size or shape, steepness of terrain, location of water courses, problems with sewerage or driveway grades, or other natural severe physical conditions should be preserved as natural open space. (Ord. 905, 2008; Ord. 747 §2(part), 1995)

#### Article 11-7.03 – Street Design

- (a) The minimum required street right-of-way widths for all streets shall be as required by the City and in accordance with any guidelines approved by the City Council for site development and infrastructure construction.
- (b) Cul-de-sacs shall be no longer than four hundred (400) feet and should terminate in a forty-five (45)-foot back-of-curb radius turnaround at the closed end.
- (c) Temporary dead-end streets may be approved by the City where necessary to give access to or permit a satisfactory subdivision of adjoining land. Streets shall extend to the boundary of the property and the resulting dead-end street may be approved with a temporary turnaround having a minimum pavement radius of forty-five (45) feet measured to the edge of pavement.
- (d) Street jogs shall have a minimum centerline offset of one hundred fifty (150) feet for local streets, four hundred (400) feet for collector streets, and five hundred (500) feet on arterials.
- (e) Street intersections should be carefully designed to eliminate dangerous traffic movements. The angle of the intersection shall not vary from ninety (90) degrees by more than fifteen (15) degrees. Streets intersecting an arterial street shall do so at a ninety (90)-degree angle.
- (f) Street grades, curves, and sight distances shall be subject to approval by the City to ensure proper drainage and safety for vehicles and pedestrians.
- (g) Utility locations shall be as required by the City.
- (h) Local streets shall be designed to minimize through traffic.

- (i) Names of streets shall be consistent with the natural alignments and extensions of existing streets. New street names shall not duplicate in whole or in part, or be confusing with existing names. Street names must be approved by the Coconino County Addressing Specialist, the Williams Postmaster and the Williams Police Department before inclusion in the final plat.
- (j) Local circulation systems and land development patterns shall be designed so that there will be no detracting from the efficiency of bordering roadways.
- (k) Proposed streets, as designated by the City, shall be extended to the tract boundary to provide future connection with adjoining unplatted lands.
- (l) Half streets shall be avoided except where essential to development of the subdivision and where the dedication of the other half is impractical, and then only if specifically approved by the City Council after reviewing a recommendation from the Planning and Zoning Commission.
- (m) The functional classifications of streets shall be assigned by the City and as included in the general plan. (Ord. 905, 2008; Ord. 747 §2(part), 1995)

#### Article 11-7.04 – Alley and Easement Design

- (a) Easements shall be provided and dedicated where deemed necessary for specific purposes for use by the general public, utility companies, or the City of Williams.
- (b) An easement prohibiting vehicular access from the arterial street side of double frontage lots is required. The minimum width for this easement is one foot.
- (c) The subdivision shall dedicate a right-of-way or easement for storm drainage conforming substantially with the line of any watercourse that traverses the land. (Ord. 747 §2(part), 1995)

#### Article 11-7.05 – Block Design

- (a) Blocks shall normally have sufficient width for an ultimate layer of two (2) tiers of lots of the size required by the provisions of the zoning ordinance.
- (b) Blocks shall not normally be less than three hundred (300) feet in length (measured from the property lines), except where it is necessary due to unusual conditions of the property being subdivided and not merely convenience. (Ord. 747 §2(part), 1995)

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## CHAPTER 11-8 – SUBDIVISION IMPROVEMENTS

### Article 11-8.01 – Improvements Required

- (a) It shall be the responsibility and the duty of the subdivider to improve or agree to improve all public improvements and all other subdivision improvements as specified herein, in the subdivision and adjacent thereto required to serve the subdivision. These shall include half-street improvements for any portion of a street that abuts the subdivision. No permanent improvement work shall be commenced until improvement plans and profiles have been approved by the City. Improvements shall be installed to the permanent line and grade and to the satisfaction of the City Engineer, and in accordance with guidelines approved by the City for site development and infrastructure construction. Cost of all inspections shall be paid by the subdivider. Improvements include the following:
- (1) Grading, curbs and gutters, paving, drainage, and drainage structures necessary for the proper use and drainage of streets, alleys, and pedestrian ways.
  - (2) Site grading and drainage, taking into consideration the drainage pattern of adjacent improved and unimproved property and treating upstream areas, where appropriate, as though fully improved.
  - (3) All streets, alleys, and pedestrian ways shall be constructed to widths and grades shown on the improvement plans and profiles. The subdivider shall improve the extension of all subdivision streets and pedestrian ways to any intercepting or intersecting streets. Access to and within subdivisions shall be provided by paved streets improved to City standards.
  - (4) Sidewalks shall be installed as shown on the improvement plans and profiles in accordance with City policy.
  - (5) Sanitary sewer facilities connecting with the existing City sewer system shall be installed to serve the subdivision with a separate private lateral for each lot and to grades and sizes shown on the plans.
  - (6) Stormwater drains and retention facilities shall be installed as shown on the plans.
  - (7) All irrigation facilities to remain within the boundaries of the subdivisions or in an abutting one-half street or alley right-of-way shall be tiled in accordance with the standards of the owning agency and or relocated as may be directed by the City and owning agency requirements.
  - (8) Water mains and fire hydrants connecting to the water system shall be installed per City standards and as per approved plans. Mains and individual lot services shall be of sufficient size to furnish adequate water supply for each lot or parcel in the subdivision and to provide adequate fire protection.
  - (9) Street name signs and other traffic control devices shall be installed by and at the sole expense of the subdivider.

- (10) Landscaping and irrigation systems shall be installed and approved by the City.
- (11) Permanent monuments, barricades and traffic safety devices shall be placed as required by the City Engineer.
- (12) Street lighting facilities shall be provided in accordance with the requirements of the City of Williams.
- (13) All existing and proposed telephone, electric power, cable television, or other wires or cables either within the development or within public rights-of-way immediately adjacent to the development shall be placed underground. Equipment appurtenant to the underground facilities, such as surface-mounted transformers, pedestal cabinets and concealed ducts may be above ground provided acceptable visual screening is provided. The developer shall make necessary arrangements with the parent utility companies for both the installation of new underground facilities and conversion of existing overhead facilities to underground facilities. Application for waiver of the underground utility conversion requirements may only be made for electrical facilities with line voltage of sixty-nine thousand (69,000) volts or higher, and only at the time of the subdivision plat approval process. Each such application for waiver shall be considered individually and acted upon by the City Council in conjunction with the subdivision approval process.
- (14) Provisions shall be made for any railroad crossings necessary to provide access to or circulation within the proposed subdivision, including grade crossing projections as may be required by the Arizona Corporation Commission.
- (15) A wall with decorative blocks and irregular alignment, or other screening materials, to be approved by the City, shall be required adjacent to arterial streets.
- (16) Streets, sewer and water utilities, and all other improvements shall comply with the requirements of the City of Williams.
- (17) All underground installations shall be constructed prior to surfacing the 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. (Ord. 905, 2008; Ord. 747 §2(part), 1995)

#### Article 11-8-02 – Engineering Plans

- (a) The subdivider shall be responsible for the preparation of complete engineering plans, prepared by an Arizona registered civil engineer, satisfactory to the City Engineer for construction of required improvements. The plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat.
- (b) The final plat shall not be presented to Council until all engineering plans for water, sanitary sewer, grading, street construction, street lighting, landscaping, and all other required improvements have been approved by the City Engineer. (Ord. 747 §2(part), 1995)

## CHAPTER 11-9 – RESUBDIVISION, VARIANCES, APPEAL

Article 11-9.01 - Resubdivisions Amending an approved preliminary or final plat is considered a resubdivision and must follow the same procedures as an original preliminary or final plat approval request. (Ord. 747 §2(part), 1995)

### Article 11-9-02 – Variances

- (a) A variance from specific requirements of this ordinance may be recommended by the Planning and Zoning Commission and approved by the City Council upon finding that due to unusual circumstances relating to the physical characteristics of the property or land adjacent to the property, conformance with the specific requirement would create an undue hardship on the property owner, and that the public health, safety and welfare would not be adversely affected by the granting of the variance. Variances shall not be granted on the basis of the financial status of the property owner or subdivider.
- (b) A request for a variance from one or more of the requirements of this title shall be made in writing along with other material as appropriate, to the Planning and Zoning Official who shall schedule the variance request for consideration and recommendation by the Planning and Zoning Commission and decision by the City Council after holding a public hearing.
- (c) The preliminary or final plat application which includes or is the subject of a variance request shall not be heard by the City Council until all variance requests have been either approved or denied. (Ord. 905, 2008; Ord. 747 §2 (part), 1995)

### Article 11-9.03 - Appeals

- (a) A subdivider/applicant or other citizen aggrieved by the interpretation of the provisions of this title may appeal any decision of the Planning and Zoning Official.
- (b) A request for an appeal shall be made in writing along with other material as appropriate, to the Planning and Zoning Official who shall schedule the appeal request for consideration and recommendation by the Planning and Zoning Commission after a public hearing and decision by the City Council after holding a public hearing.
- (c) The preliminary or final plat application which includes or is the subject of an appeal request shall not be heard by the City Council until all appeal requests have been either approved or denied. (Ord. 905, 2008; Ord. 747 §2(part), 1995)

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