

# **Rural Subdivision Regulations**

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# Chapter 1

## **Introduction:**

Throughout the country small towns and rural communities are facing growth pressure and that growth, when not managed correctly, can have a major negative impact on those communities. When small towns or rural areas begin to face growth pressures they are typically not prepared and are forced to react to that growth, rather than guide it. There are a number of tools that, if used correctly, can help to maintain the community's character as growth occurs. In many cases small communities simply copy the growth tools of close urban areas, when instead they should find growth controls that would be more applicable to their unique community. One such tool that communities have available to them is subdivision regulations. When written correctly and used in combination with other tools, subdivision regulations can help to ensure that the community grows in a positive manner.

## **General Discussion:**

Small towns across the United States are at risk of losing their identity and form as uncontrolled growth takes place because of inappropriate management tools. Growth can be beneficial to communities and is often welcomed but when the development takes place without being guided by the local officials it can cause a number of problems. Growth can lead to loss of community identity, traffic congestion, sprawled housing, strain on infrastructure, and noise pollution. Growth in small towns and rural

communities typically occurs over time and therefore it is not always addressed until many of the problems have already begun to occur. In small towns the growth will begin with a store or maybe a small new housing development and isn't recognized as a problem at first. As growth continues unmanaged it is one day too late and in many cases a sprawling pattern of growth has already begun. When the new pattern of growth does not fit in with the community then the community begins to lose its identity. New development typically has no resemblance to the older parts of the community. Small towns and rural communities need to enact development standards early on to avoid problems brought on by new development or they risk creating a lower quality of life and possibly lower property values in the community (Porter 1996).

Many people live in small towns and rural areas to escape the problems that are found in more urban areas. They enjoy the clean air, clean water, open space, less crime, and a sense of place that rural communities provide (Lapping 1989). People who live in small towns and rural areas commonly have different traditions and different attitudes toward the land (Getzels 1979). People who reside in rural areas are often thought of as stable in terms of being unlikely to leave their community and referred to as having tradition (Lapping 1989). As growth occurs, it brings new attitudes and new desires to the area along with new ideas of what the community needs. What has made the area unique to its residents is at risk when more rapid growth begins to take place.

The shape and form of a community is many times what makes that community unique. Many small towns are pedestrian friendly communities while also being accessible to automobiles. Typically, they also have a small downtown area where the shops are mixed with public gathering spots and this atmosphere helps to create a real

sense of community. Many people live within walking distance of the basic amenities such as school, shops, churches, and playgrounds (Arendt 1994). In more rural areas people are more spread out especially in agricultural areas but that same sense of community is found in the social institutions that serve as the gathering points for the community. All of these attributes need to be preserved and protected as growth occurs.

### **Problems in small town planning:**

Typically rural communities are not well prepared to guide growth because they do not have the staff or expertise to help manage growth. Many times small towns are forced to react to development after it has occurred rather than acting to manage it before it occurs. Reacting to growth can become very expensive for a community, especially if the growth that takes place is in the form of sprawl, which in many cases is actually what the existing regulations encourage. Small towns have less money and resources, making it often impossible to provide services to the new homes without increased capacity added to their systems or creating infrastructure where it does not already exist.

Small town and rural planners are also many times dealing with a different mindset of the community than found in urban areas. Residents of small towns are often less open to growth tools because it is harder for them to see the importance of them because things in the town have remained the same for so long. Therefore the planners or local official will have to approach things differently than they would in a more urban area. Planners attempting to use sophisticated growth controls may run into opposition from landowners who feel that they have a right to do whatever they want with their land

(Lapping 1989). Planners will have to find growth tools that can accomplish the goal without upsetting the land owners who feel like they are infringing on their rights.

Existing regulations are often a problem that needs to be dealt with. Commonly, in small towns there will be some form of land use regulation in place but many times they are generic and outdated. It may be the same zoning code or subdivision regulations that were in place 35 years ago and may have not ever been updated. It is also pretty common in these areas that the towns have failed in connecting the regulations that they have adopted to a vision or goal for their community (Arendt 1994). This happens because in small towns or rural communities typically there is no vision for where that growth should take place because they haven't thought about a future expansion of the town. The towns have often remained the same for so long that people really do not expect any new development to take place.

Rural communities and small towns often adopt zoning or subdivision regulations without any sort of plan to guide the creation of those regulations. Ordinances and regulations aren't based on a master plan. Many times the regulations that are adopted do not help the growth that is taking place fit with that of the rest of the community (Arendt 1994). This is usually caused by communities adopting subdivision regulations used by much larger urban communities. In most cases they have not looked into whether or not the subdivision regulations that they are adopting have been successful.

Ordinances that are adopted without a plan are not the only issues surrounding existing ordinances. Another problem that is found in small towns or rural communities is that sometimes the regulations will be thought of as just advisory and therefore are not updated very often. Out dated regulations often create the sprawl that regulations today

are trying to prevent. They often allow the growth to take place in a fashion that is not in sync with that of the older part of the community and begins to deteriorate the unique identity that the town once held (Arendt 1994).

It is important that small towns and rural communities have proper growth management tools in place because uncontrolled growth in small towns will quickly destroy the fabric of the community. Uncontrolled growth will lead to more traffic in the area as people are forced to drive further to get daily necessities. More traffic will lead to more noise pollution as well as air pollution and will also create a less enjoyable place to live. The first signs of these problems can be found often at the fringe or the edge of the town where typically bad land use decisions begin to occur. Developers know that it is easier to get their projects approved there because typically people think less about that land and it has fewer neighbors to contend with in getting a project approved. Land away from the core is the cheapest land available in the town (Ford 1990).

In order to protect this from happening in towns, the local officials, at the very least, should guide the growth that takes place on the outskirts of their towns. The ideal situation would be to involve both private and public parties in discussing different development schemes for the land. This would help ensure that the town grows in a pattern that does not have a negative impact on the community (Ford 1990).

When developers begin to look at small towns, a vision needs to be set by the community. The town staff will need to approach some things differently such as their daily activities, in terms of the long term plan that they have created for the community, based on that vision. For example, when a developer brings in a new development proposal the planner needs to think about how this development will impact the future of

the town in terms of economic, social and environmental impacts (Lapping 1989). This is important because even the smallest projects can be the starting point to reshaping the town in either a positive or negative manner. The planner or local official needs to ensure that as the town grows it is able to build and maintain a diverse economic base, while limiting the negative environmental impacts (Lapping 1989).

Small town and rural planners have many different issues and problems to deal with than do urban planners, however in order to effectively manage growth, small rural towns must act like much bigger towns in planning ahead for growth. It should start with the community defining what they value and creating a vision for the future. Guiding growth should do more than require certain infrastructure and design. It should help communities preserve those elements they value and enhance them. It needs to take place on a bigger picture and needs to try and envision how things could change the shape and face of the community.

In thinking like a bigger community in order to effectively manage growth, they must have more than one planning technique in place. There are a number of approaches a community can take in order to effectively begin to control growth. One approach would be to begin by first adopting a vision in order to decide how they want to grow. Small towns should then use that vision to create a comprehensive plan. Only when they have a guide to the future should they create regulations to help the community reach those goals of the comprehensive plan (Marano 2005).

The comprehensive plan is one of the growth control tools communities should use. It takes an inventory of everything in the town including the likes and dislikes of its citizens. Forecasts for the future of the town are included along with what the citizens

would like to see happen and put together to help guide where new development should take place, where new public facilities should be placed and where road improvements should be made (Ford 1990). In many cases concern of loss of character is at the head of the residents' concern. Defining this character can be an issue itself and therefore small rural towns need to include the general public in their planning for growth process to better understand what it is that really give the community it's character. The comprehensive plan is the building block for towns to guide how the land should be used (Ford 1990).

Communities should expect change to occur and use the possible changes to enhance rather than detract from the community. One approach to creating an ordinance is to look at all the other possibilities that are allowed under the current ordinances. It is highly likely that a number of those scenarios would be one that the town would like to avoid. This would help start them with the creation of a vision for the town by deciding what they would like to avoid in their community (Arendt 1994). Providing the citizens of the community with future possibilities and getting their feedback as well, may make it easier for the planner to get the support of the community.

Once a plan has been adopted by the Town, the elected officials can begin to implement it by creating ordinances and policies to regulate the land use. Two ways in which to do this are through Zoning Ordinances and Subdivision Regulations. Subdivision Regulations control the street design and therefore play an important role in the appearance of the community. Many times a small town will adopt street standards from a much more urban area, and thus, they are adopting street standards that are too

wide and too expensive than are necessary for their community. A major reason to limit growth is to limit the stress that is being placed on infrastructure.

In Arizona small towns can use impact fees to force the developer to pay for the additional infrastructure. Impact fees force new development to pay for the costs of growth by making them pay for the benefits that they will be receiving. Therefore new development would have to pay for the extension to the public infrastructure that the city would need to put in place in order to reach the new development.

Another way to manage growth for rural town is through zoning and the use of more progressive regulations (Campoli, 2002). Communities should update their zoning codes because many of the old zoning are what actually encourage development that will destroy a rural town. Creating zoning that fits in with the general plan and vision for the community will help to protect the town as growth occurs.

Often residential growth is addressed but commercial growth is allowed to proceed unchecked. Almost all communities are seeing the development of strip malls and the affect that these developments have on the landscape of the community. In small communities the town's commercial area typically serve as the social district and the strip mall developments begin to take away from that setting (Arendt 1994). There have been many well documented instances of big box stores moving into smaller communities and those communities quickly losing their character.

When faced with growth, rural communities and small towns should look to preserve the qualities that help to make the community unique. Small towns should approach managing growth with the same tools as larger urban communities would, but develop them in terms of what their communities need. In order to preserve those

qualities communities need strong growth management tools in place or those communities will begin to lose that sense of place like many other communities already have. This report looks at how creating subdivision regulations, as a means of managing growth for a small rural town differs from that of writing one for a larger urban community. It is focusing on subdivision regulations because subdivision regulations provide a means of dictating how that growth can take place. Even though the focus of the report is on subdivision regulations, they should be viewed as only one method of managing growth, which works best when coupled with other growth control mechanisms.

## **Chapter 2 Methodologies**

### **Introduction:**

In order to write subdivision regulations that would fit the needs of a rural town in Arizona three different subdivision regulations were chosen to serve as case studies. Those subdivision regulations were selected based on towns being small, rural communities or including some focus on rural communities, in order to reflect the Town of Pima which is a small rural town in Arizona. The intent of using these communities was to determine the mechanisms that those communities used, in order to create a set of regulations that would help Pima reach its goals as it grows.

### **Case Studies:**

#### **Coconino County:**

The report looks at the subdivision regulations for Coconino County, Arizona, because it recently adopted new amendments to its subdivision regulations that include a small subdivision option. In 2004, Coconino County added an amendment to the subdivision regulations that they had adopted in 1982. This amendment added a new section to their regulations that deals with minor subdivisions. The purpose of this amendment is to encourage smaller scale development by expediting the process. This option limits the requirements of developers who are building subdivisions that fall under a certain density or lot provision. For a rural town this can be a nice option because it allows some new subdivisions to maintain a more rural feel which can typically be found

in the older parts of the community. This also encourages the development of smaller subdivisions because the developers are required to pay for less and it also provides them with a quicker approval process. Coconino County's regulations also added an amendment in 1992 that dealt with the required improvements to subdivisions based on the different lot size involved in the Subdivision. The larger the lot involved in the subdivision, less required improvements. In subdivisions with over 5 acres of land per residential unit, improvements such as curbs and sidewalks are no longer required (Coconino County Subdivision Ordinance). This amendment will help areas that have large lots to maintain that rural feel because subdivisions that have large lot sizes, have limited traffic and do not need the same level of improvements that higher density urban areas do.

### **City of Maricopa:**

The City of Maricopa, Arizona, is used as a case study because it has been one of the fastest growing cities in the United States. Maricopa has been experiencing hyper growth in the last few years. The population in 2004 was 4,998 and by December 31<sup>st</sup> 2005 the population had grown to 15,934. Maricopa has just recently been adopting new regulations and has just established a proposed set of subdivision regulations to help it accomplish the goals that were recently established in a new Comprehensive Plan. The vision for Maricopa is one of maintaining the small town feel and reflecting its agricultural roots (**Maricopa 2006**). However by 2010 Maricopa is expected to have a population of over 100,000 people. How well these subdivision regulations have helped manage the growth in Maricopa and help them reach their vision for the community

cannot be measured, but their regulations provide an example of a community faced with the most extreme levels of growth.

Maricopa has adopted varying levels of improvement requirements based on the size of the lots in the subdivision in a similar manner to Coconino County. However, Maricopa breaks down their subdivision developments differently. Their rural residential and Estate Residential subdivisions may have modified public improvement requirements. These are both types of large lot subdivisions of at least two acres. Once again this feature can be useful in rural communities, but would be unnecessary in large cities. It allows the community to retain a rural feel by not requiring sidewalks or curbs in areas where homes are located on over two acre lots. Due to the growth pressures in Maricopa, the subdivision regulations include Planned Area Development regulations and Master Planned Developments. These regulations deal with large areas of land and mixed density development. This feature is important in larger cities but wouldn't need to be included in smaller communities who do not see development on that scale.

**Safford:**

The third set of regulations that are used as a case study is that of Safford, Arizona. Safford was chosen because it is the largest community in the vicinity of Pima. It is dealing with many of the same growth pressures that the Town of Pima is experiencing. Safford had a population of 8,932 according to 2005 estimates, so it is still a relatively small community. Safford's regulations are less detailed than those of Maricopa and Coconino County. Safford's regulations and the Town of Pima's regulations are very similar in that neither has been recently updated. Safford's

regulations do require that the subdivider provide assurance for required improvements, however, that requirement is placed in the final plat section of the requirements and does not provide the level of detail that other regulations do. Safford also requires that all streets have concrete curbs and paved sidewalks.

### **Process:**

The case studies serve as a starting point providing ideas of how other rural communities have tried to manage growth. Ideas were extracted from the subdivision regulations that served as case studies and incorporated into the new set of regulations for the Town of Pima. However, in order to write subdivision regulations that serve the needs of the community, the person writing the regulations needs to find out what it is that the community is looking for. As ideas were extracted from other regulations they were run by the Town Manager in order to get his feedback. Subdivision regulations cannot simply be copied from another community, as they need to reflect the vision of the community. In writing regulations for the Town of Pima discussions were held with the Town Manager to understand why the Town was looking to create new subdivision regulations. Interviews with the Town Engineer revealed the type of street standards that Pima was looking to include in their regulations. The Arizona Revised Statutes section discussing subdivision regulation was studied in order to make sure that everything that was being written was allowable under the state laws. After reviewing regulations from other comparable communities and reviewing the current regulations in place, a new draft for the Town of Pima was created. Throughout the process as aspects of other communities regulations became possibilities for the Town of Pima, dialogue with the Town Manager was a constant. A draft was given to Frank Cassidy the Town attorney for Marana. A

meeting took place discussing the draft and changes that could take place. A draft of the subdivision regulations was then submitted to the Town of Pima to be reviewed by the Town staff in order to get their feedback. Following the review of the draft by Town staff a meeting with the Planning and Zoning commission was attended so that their questions and feedback could be answered and discussed. The input and concerns of Town staff were then addressed in changes made to the draft.

## **Chapter 3 Subdivision Regulations as Policy**

### **Town of Pima Regulations:**

The text beginning on page 20 is the proposed subdivision regulations for the Town of Pima, Arizona, based on the methodologies discussed in Chapter 2. Article V found below was originally included in the text and was removed after a request from the Town planning and zoning board (Figure 1). The text was originally taken from the City of Maricopa, one of the communities that served as a case study. Article V deals with Minor Expediated Subdivisions, which are small subdivisions, and the text allows for a much shorter process than a typical subdivision would have to go through. The purpose of including that in the regulations is to allow development that includes a very small subdivision of land an easier review process and quicker approval. The intent is to encourage smaller subdivisions through the speeding up the review process.

### **Figure 1**

#### **Article V- Minor Expedited Residential Subdivision**

##### **5.00 Purpose**

- A. Provide a more cost effective option for property owners creating small subdivisions.
- B. Encourage landowners to participate in the subdivision process by minimizing processing costs and streamlining the review and approval process.

##### **5.01 Description**

- A. A minor subdivision is a subdivision that meets the following criteria:
  - 1. The subdivision consists of 10 lots or less
  - 2. Lot sizes are flexible so long as health and safety issues, including water and sanitation are properly addressed.
  - 3. Except for road crossings, construction is not proposed within a designated floodplain

**5.02 Exceptions to the general submittal, review procedures and requirements**  
**As noted below, certain general submittals, review procedures and requirements**  
**do not apply to the minor expedited residential subdivisions.**

- A. No processing fee is charged
- B. The tentative and final plat submittals are combined into a single plat. The plat can be scheduled for review and approval by the Board of Supervisors at the next available meeting after approval by the Planning and Zoning Commission
- C. Where the subdivision connects to a County maintained or ADOT paved road, off site road improvements are not required, except that the apron connection of any subdivision streets to public roads serving the subdivision shall be improved to Maricopa Association of Government Standards and specifications for Public Improvements.
- D. Lot sizes are flexible. The minimum lot size is 1 acre unless lots are connected to an approved water and sewer system.

A goal for rural communities in writing their subdivision regulations should be to help protect the rural nature of the town. Ideally in writing subdivision regulations for a rural community, the improvement section of the regulations (Article IV – Improvement requirements) should have included an extra set of requirements similar to what Coconino County and the City of Maricopa did, which is to have different improvement schedules for varying lot sizes. This would have allowed subdivisions with larger lot sizes to not be required to include sidewalks and curbs, but smaller lot subdivisions would still have to install those improvements. Areas of the town that do not need those additional improvements because of the lack of public safety issues with lower density, larger lot subdivisions would be able to look and feel more rural by not having to be held to the same standards as more dense subdivisions. This was not included in the subdivision regulations for the Town of Pima, because it was not something the Planning and Zoning Board or Town Manager was interested in. Below is an example of what this

would look like if included in the subdivision regulations as taken from the City of Maricopa (Maricopa Subdivision Ordinance)(Figure 2).

Figure 2

***Section 14-3-1 Rural Residential***

*May include detached single dwelling unit, ranching, farming, and agricultural uses within the appropriate zoning district. A rural subdivision may have modified public improvement requirements (i.e. street width, pavement section and sidewalks)with the following standards:*

***A. Lot widths of not less than 480 feet and a lot area minimum of 435,600 net square feet (10 acres)***

***B. Compliance with all regulations of the Zoning Ordinance shall be required***

This example shows how the text could be written to allow larger lots to have less stringent requirements. This would have been a good addition to the text to allow subdivisions with lot sizes that large to retain more rural character.

# **Subdivision Regulations Town of Pima, Arizona**

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## Article I - Title, Purpose, Administration and Application

### 1.00 Short Title

This ordinance shall be known and cited as the “Revised Town of Pima Subdivision Regulations”

### 1.02 Purpose

The purpose of these regulations is to provide for the orderly growth and harmonious development of the town of Pima; to secure adequate traffic circulation through properties having optimum utility and livability; to secure adequate provisions for water, supply, and distribution, drainage and flood control, sanitary sewerage, and other health requirements; to ensure and facilitate provision of sites for schools, recreation, and other public purposes; to promote conveyance of land by accurate legal description; and to establish procedures which will achieve a basis of mutual understanding and equitable relationships between public and private interests.

### 1.03 Authority

This ordinance is adopted pursuant to the authority contained in the Arizona Revised Statutes (A.R.S.) § 9-463.01, *et seq.*.

### 1.03 Definitions

- A. **Alleys:** A passage or way open to public travel which are used for vehicular access to the back or side of properties otherwise abutting on a street.
- B. **Arterial Street:** A contiguous street tying together two or more traffic generating areas, or portions of any officially projected streets, used primarily for through traffic between separate areas to collect and distribute all traffic to any terminal served by the street and to the lesser streets in between.
- C. **Collector Streets:** A street carrying traffic from local or minor streets and feeding an arterial street or highway.
- D. **Council:** shall mean the Pima Town Council.
- E. **Commission:** shall mean the Pima Planning and Zoning Commission.
- F. **Cul-de-sac:** A minor residential street having one end permanently terminated in a vehicular turnaround;
- G. **Easement:** shall mean a grant by the owner of the use of a strip of land by the public, a corporation, or persons for specific uses and purposes.

- H. **Engineer:** The Town Engineer of Pima or his designated representative.
- I. **Fifty (50) year frequency storms:** means a flood that has a two percent chance of occurring, based upon the criteria established by the Arizona Water Commission
- J. **Final Plat:** A map of all or part of a subdivision essentially conforming to an approved preliminary plat, prepared in accordance with the provision of this article, those of any local applicable ordinance and other state statute.
- K. **Floodplain:** Low lands adjoining the channel of a river, stream or watercourse, lake or other body of water, which have been or may be inundated by floodwater, and those other areas subject to flooding. A floodplain may be that area further defined by the Drainage Policy of the City of Maricopa and as shown on Federal Emergency Management Agency (FEMA) flood insurance rate maps (FIRM) or an approved flood control study.
- L. **Improvements:** Required installations, pursuant to this Subdivision Ordinance and any zoning stipulations, including but not limited to: grading, sewer, water, utilities, streets, curbs, gutters, sidewalks, trails, alleys, street lights, traffic control devices and landscaping; as a condition to the approval and signing of the final plat, before recordation.
- M. **Improvement Plans:** A set of plans setting forth the profiles, cross-sections, details, specifications, and instructions and procedures to be followed in the construction of public or private improvements in the Town of Pima that are prepared and bear the seal of an Arizona - Registered Land Surveyor, Engineer, Architect or Landscape Architect in accordance with the approved preliminary plat, and zoning stipulations, and in compliance with standards of design and construction that are to be approved by the Town Engineer, other Town Departments, and all applicable utilities.
- N. **Lot:** Any lot, parcel, tract of land, or combination thereof, shown on a plat or described by metes and bounds, having frontage on a public or private street or on a permanent roadway easement which adjoins a street, and intended for transfer of ownership or intended or used for building development.
- O. **Local Street:** A street used primarily for access to abutting properties.
- P. **MAG Standards:** Maricopa Association of Government Standards
- Q. **One hundred (100) year frequency storm:** A flood that has a one percent chance of occurring, based upon the criteria established by the Arizona Water Commission.

- R. **Owner:** The person or persons holding title by deed to land, or holding title as vendor under a land contract, or holding any other title of record.
- S. **Pre-Application Meeting:** An initial meeting between developer and municipal representatives that affords developer the opportunity to present their proposals informally and discuss the project and address any items of controversy or requirements before the preliminary plat is submitted.
- T. **Preliminary Approval:** Affirmative action on a preliminary plat, noted upon prints of the plat, indicating that approval of a final plat will be forthcoming upon satisfaction of specified stipulations; and which constitutes authorization to submit final engineering plans and the final plat.
- U. **Preliminary Plat:** A preliminary map, including supporting data, indicating a proposed subdivision design prepared in accordance with the provisions of this article and those of any local applicable ordinance.
- V. **Recorded Plat:** A Final Plat bearing all of the certificates of approval required in Section of these Regulations and duly recorded in the Graham County Recorder's Office.
- W. **Right-of-Way:** Any public or private access way required for ingress or egress, including any area required for public use pursuant to any official plan; rights-of-way may consist of fee title dedications or easements.
- X. **Sidewalk:** A hard surfaced path, course, route, track, or footway constructed of but not limited to: concrete, asphalt, decomposed granite or decorative pavers.
- Y. **Street:** Any existing or proposed street, avenue, boulevard, road, lane, parkway, place, bridge, viaduct or easement for public vehicular access or a street shown in a plat heretofore approved pursuant to law or a street in a plat duly filed and recorded in the county recorder's office. A street includes all land within the street right-of-way whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking space, bridges and viaducts.
- Z. **Subdivision:** Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four 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.

AA. **Subdivider:** A person, firm, corporation, partnership, association, syndicate, trust or other legal entity that files application and initiates proceedings for the subdivision of land in accordance with the provisions of this article, any local applicable ordinance and other state statute, except that an individual serving as agent for such legal entity is not a subdivider.

## **Article II – Platting Procedures**

### **2.00 Outline of Procedures and Requirements.**

- A. The preparation submittal, review and approval of all subdivision plats located inside the limits of the Town of Pima shall proceed through the following progressive stages.
- B. Stage 1 – Pre-application Conference  
Stage II – Preliminary Plat Application  
Stage III – Review of Plat  
Stage IV – Preliminary Plat Approval  
Stage V – Final Plat/Improvement Plans
- C. If a submittal is determined to be incomplete or inaccurate at/or during any of the different stages of the process the developer shall be required to correct the inaccuracy and/or produce the omitted information before proceeding any further through the process.

### **2.01 Stage 1 Pre-Application Conference**

- A. Actions By the Developer
  - 1. The subdivider shall meet informally with the Council, Planning and Zoning Board and any other interested parties and provide a general outline of the proposal including but not limited to.
    - a. Sketch plans and ideas regarding land use, street and lot arrangement, tentative lot sizes; and
    - b. Tentative proposals regarding water supply, sewage disposal, irrigation (if any), surface drainage, flood hazard, and street improvements.
- B. Actions by the Town
  - 1. The Council and Planning and Zoning Board will discuss the proposal with the subdivider and advise him 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 to determine if subdivision is in conformance with existing zoning regulations.
    - b. Determine the relationship of existing or proposed school sites, parks, and other public spaces in the subdivision of any adopted or proposed general or master plan of schools, parks, and recreation areas.

- c. Determine relationship of the subdivision to any adopted or proposed Town plan, development master plan, or neighborhood plan that embraces the subject subdivision.

## **2.02. Stage II Preliminary Plat Application**

- A. The preliminary plat state of land subdivision includes detailed subdivision planning, submittal, review and approval of the preliminary plat by the Council and Planning and Zoning Board. Application for approval of the preliminary plat is made to the Council. To avoid delay in processing his/her application, the subdivider should provide the Council with all information requested here in.
- B. The subdivision shall be designed to comply with the requirements of the specific zoning district within which it is located. If a change of zoning is necessary, the zoning application and subdivision may be processed concurrently, but in no event will the preliminary plat be heard by the Council until the change of zoning is adopted by the Council.
- C. The subdivider (or his/her engineer) shall submit five (5) copies of the preliminary plat, one 8 ½" x 11" copy of the plat and required supporting data (including application form) to the Town at least twenty-five (25) working days prior to the Council meeting at which the applicant desires to be heard. However, the plat will not be scheduled to be heard unless it contains all of the required information and responses have been received from all the departments that the preliminary plat is in satisfactory form. Scheduling of a plat for a Council hearing will be dependent upon adequacy of data presented and completion of review by all departments concerned. The subdivision files will be available for examination by the developer or their representative in the office of the Town Council by prearranged appointment.
- D. The information here in required as part of the preliminary plat submitted shall be shown graphically or by note on plans, or by letter, and may comprise several sheets showing various elements or required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, said scale being not greater than 100 feet to an inch. Whenever practical, scales shall be adjusted to produce an overall drawing not exceeding 24" x 36" in size. Text no smaller than 1/10" in size. The preliminary plat shall be prepared by a professional engineer or land surveyor registered to practice in the State of Arizona.

## **2.03 Contents of Preliminary Plat.**

A. Preliminary plat shall contain the following information and data.

1. Proposed name of the subdivision, gross acreage, legal description of the property, North point, scale and date of preparation;
2. Names and addresses of the subdivider, owner, and designer of the plat, and the engineer and surveyor;
3. Boundary lines of the tract to be subdivided, with reference to survey markers or monuments.
4. The location, names, width, and purpose of all existing streets, bridges, right-of-ways, utilities, easements, and drain channels existing within the proposed subdivision and within 200 feet of the tract.
5. Approximate boundaries, if any, of all areas subject to storm water overflow and the location and width of all water courses in which water may flow continuously, intermittently or sporadically. Arrows should indicate general flow in all water courses and streets.
6. The approximate lot boundaries (location and dimension) and the proposed lot number.
7. The approximate location of proposed streets, alleys, sanitary sewer lines, water supply mains, fire hydrants, storm drains, and other easements, parks and other open spaces, with proper labeling of spaces to be dedicated to the public.
8. Building sites, if any, for multi-family dwelling, shopping centers, churches, industry or other non residential uses.
9. Topography by contour lines as related to U.S.G.S. datum or approved equal. The contour interval shall be noted on the same map as the subdivision layout and shall adequately reflect character and drainage patterns of the land.
10. Location of fences, existing structures, wells, ditches (open or covered), washes, trees, all significant vegetation and significant rock outcroppings, and all other features or characteristics that could have a bearing on the review.
11. Location, frequency and extent of areas subject to flooding or storm runoff must be defined.
12. Location, widths, and names of all private and public streets, utility right of ways of public record which may exist around the perimeter of the site boundaries, through or across it. Show any permanent structures that are to remain including water wells and public or private utility lines within, adjacent to, or extending from the proposed development.
13. Engineers' calculations for each tributary area of the runoff for 10 year, 50-year and 100-year frequency storms. The values to be indicated along the boundary of the parcel for all points of drainage entering and exiting the property.

14. Reference by note to source of proposed electricity, gas, and telephone service.
15. Water supply: shall be the responsibility of the subdivider to furnish Town engineer with such evidence as that department may require for their satisfaction as to the facilities for supplying domestic water.
16. Irrigation. If lots are proposed to be irrigated, all easements, the preliminary location of valves, and the tentative line of the underground pipe should be shown.

#### **2.04 Plat Review**

- A. The Town Council shall obtain recommendations from the city engineer, county health department, private utility companies, and other groups that the Town Council might wish to consult. The Town Council shall then review and approve, disapprove or approve the plan with modifications. Approval of the preliminary plat shall be based upon compliance with standards specified in this ordinance and the “Zoning Ordinance of Pima” and other conditions deemed necessary by the Town Council.
- B. Action of the Council shall be written on the face of two copies of the plat, one to be maintained in the files of the Town Clerk and the other returned to the subdivider. Approval of the preliminary plat authorizes the subdivider to proceed with the preparation of the final plat. If disapproved, the Town council shall express its reasons therefore to the subdivider.

#### **2.05 Preliminary Plat Approval**

- A. After the preliminary plat has been approved, the subdivider shall then prepare and submit one tracing, one permanently reproducible copy, and three prints of the final plat of the subdivision to the Town Council. The permanently reproducible copy shall be permanently filed in the office of the Town clerk. Information to be submitted with the final plat is outlined in section 05.00.
- B. At the same time the final plat is submitted to the Town Council, the subdivider will submit a letter addressed to the Mayor and Town Council outlining in detail the extent, nature, and schedule for the completion of all the proposed improvements within the subdivision. All such improvements must comply with Town standards.

#### **2.06 Final Plat/Improvement Plans**

- A. This stage includes the final design of the subdivision, engineering of public improvements, and submittal by the subdivider of improvement plans to the Town engineer, water company, Sewer Company and other utilities for

approval, including the submittal of the final plat for review and action by the Town Council.

- B. Final Plat Preparation. The final plat shall be prepared in accordance with requirements set forth in this section and shall conform to the approved preliminary plat.
- C. Improvement Plans. Improvement plans shall be submitted in accordance with the procedures and standards established in Article IV “Improvement Requirements” of this ordinance.
- D. Filing Fee. The subdivider shall, at the time of filing the application for the final plat and improvement plans, pay the town the final plat application fee and any improvement plan review, permit and inspection fees that are established by the town council.
  - a. \$ 300.00 per sheet for final plat. Fee is good for two reviews.
  - b. \$ 150.00 per sheet for 3<sup>rd</sup> review
- E. With the recommendation of the Town engineer, the Town Council shall review, approve or disapprove, or approve the plat with modifications. Approval of the final Plat shall be based on compliance with the preliminary plat and the standards and conditions of approval set forth therein. The final plat will not be approved until assurances have been provided for the required improvements. If the plat is approved, the mayor or his representative shall sign the plat and return a copy to the subdivider.

## **2.07 Replats**

- A. Any division of a lot in a recorded subdivision, or any change in lot lines in a recorded subdivision, shall be processed in accordance with Section 2.04 of this Ordinance, after a pre-application conference with Town staff as provided in Section 2.02 of this Ordinance.
- B. Any replat involving the dedication of land for a public street or any off-site public improvements shall comply with all procedures set forth in Article IV of this Ordinance.

## **2.08 Abandonment of a recorded plat**

- A. Pursuant to provisions of A.R.S. 28-7201 et. Seq., the abandonment of all or part of a recorded subdivision may be initiated by written petition to the Council, said petition to be signed by all owners of real property in said subdivision requesting abandonment of all streets, alleys and easements within said subdivision and giving the legal description and recording information thereof.

- B. Applications for abandonment are filed with the Town Clerk and referred for recommendation to the Town Staff concerned. After approval of the abandonment of the streets, alleys and easements by the Council and upon recordation of the abandonment Resolution and a subsequent Town road map in the Town Clerk's Office, the subdivision is removed from official maps.

## **Article III – Subdivision Design Principles and Standards**

### **3.00 Purpose and Design Principles**

- A. The purpose of this subdivision ordinance is to create functional, attractive developments, while minimizing the adverse impacts on the community and to ensure that future subdivisions will conform to the community's expectations. To accommodate this purpose, all subdivision plats shall conform to the following standards which are designed to result in a well-planned community without adding unnecessarily to development costs.

### **3.01 General**

- A. Every subdivision shall conform to this ordinance, the regulations of the town and the Arizona Revised Statutes.
- B. Consideration should be given in all Subdivisions to conserve natural features such as trees, watercourses, historical and archaeological sites and similar community assets which add value and beauty to the community.
- C. Any contiguous property owned by the Subdivider shall be included in the boundaries of a Subdivision when needed or required for traffic, drainage or flood control facility for the Subdivision.
- D. All public improvements shown on the preliminary plat, and any additional improvements that may be required by the Commission as a condition for approval of the preliminary plat shall be the responsibility of the subdivider. All public improvements shown on the final plat and the improvement plans, and any additional improvements that may be required by the Town Council as a condition for approval of the final plat, shall be the responsibility of the subdivider.

### **3.02 Subdivision Design Standards**

- A. Land subject to periodic flooding or land which cannot be properly drained or land which, in the opinion of the Town Council, is unsuitable for the proposed use, shall not be subdivided; however, the Town Council may approve subdivision of such land upon receipt of evidence from a registered civil engineer,

- that the construction of specific improvements can be expected to render the land useable, in which event construction upon such land shall be prohibited until the specified improvements have been planned in an acceptable manner and construction has been planned in an acceptable manner and construction has been guaranteed. All requirements of the Town's Floodplain Chapter shall be met.
- B. Regardless of the density of the individual developments residential subdivisions may be required to provide open space.

### **3.03 Street location and Arrangement**

- A. The road system shall be designed to permit the safe, efficient, and orderly movement of traffic and pedestrians; meet, but not to exceed the needs of present and future population served; have a simple and logical pattern; respect natural features and topography; and; present an attractive streetscape.
- B. In residential subdivisions, the road system shall be designed to serve the needs of the greater neighborhood.
- C. Street layout shall provide for the continuation of such streets as the Town Engineer may designate.
- D. Certain proposed streets, as designated by the Town, shall be extended to the subdivision boundary to provide future connection with adjoining unsubdivided land.

### **3.04 Street Design**

- A. Streets shall be constructed in accordance with good engineering practices as well as the following design criteria:
  - 1. All streets within the subdivision including perimeter streets shall be paved according to Maricopa County Roadway Design manual.
  - 2. All commercial areas shall be fully paved with curbs, gutters and sidewalks.
  - 3. Surface Treatment: The traveled way of all streets shall be surfaced with asphaltic concrete. The placing of asphaltic concrete shall be accomplished under generally accepted construction techniques provided in Section 321 of the Maricopa Association of Governments Standard.
  - 4. Structural Section: The thickness of base and surface treatment for all streets shall be based on the geotechnical/soil report and pavement thickness design provided by the developer. In no case will base be less than six (6") inches and the surface treatment be less than two (2") inches (compacted thickness).
  - 5. Aggregate Base Course: All developments will be required to submit a geotechnical/ soils report and pavement recommendation prepared by an

Arizona Registered Geotechnical Engineer. The pavement report will recommend at least two alternative structural sections for each street classification. Additional asphalt may be substituted for untreated base at the ratio of one (1") inch to three (3") inches. The top four (4") inches must be ABC, the balance may be ABC or select material.

6. All construction within the public right-of-way shall conform to the latest edition of the Uniform Standard Details for Public Works Construction and the Uniform Standard Specifications for Public Works Construction published by the Maricopa Association of Governments (MAG).

<b>Street Type</b>	<b>Pavement Width</b>	<b>R.O.W. Width</b>
Local Street	26	50
Minor Collector	40	60
Major Collector	56	100
Minor Arterial	80	150
Arterial	108	160
Cul-de-sacs	50	36

### **3.05 Lot Planning**

- A. All proposed lots must be developable without the need of a variance, waiver or further discretionary approvals from the Town. Prior to final plat approval the Town may require additional documentation, including but not limited to engineered concept plans, for lots with questionable development ability.
- B. Every lot shall conform to the lot area, width, depth, and frontage requirements of the applicable zoning regulations.
- C. Corner lots shall be wider than minimum to provide adequate usable area where lots are designed with minimum areas.

### **3.06 Blocks**

- A. A block shall not be more than one thousand three hundred twenty feet (1,320') in length unless the Commission considers it necessary to increase it to secure efficient use of land.
- B. A block shall be wide enough to allow two (2) tiers of lots of minimum depth. The Town Council may approve a single tier of lots of minimum depth if conditions justify it.

### **3.07 Drainage**

- A. Proper and adequate provision shall be made for disposal of storm water; subdivisions shall retain 100% of their water. This shall apply equally to grading of private properties and to public streets. Existing major water courses shall be maintained as drainage ways. Drainage shall meet the requirements of the "Drainage Design Manual" for Maricopa County Arizona.
- B. Post Development flows shall not exceed pre-development flows in peak runoff, volume, or velocity and may not concentrate sheet flows without down stream off-site control.

### **3.08 Sewage Disposal**

- A. All subdivisions within the Town of Pima shall install sewer collection lines, and all dwelling units shall be required to connect to the sanitary sewer collection system. If there is no sewer main available then the developer must apply to the Sanitary Sewer Provider for sewer extension information. If sewer service is not available and the Sanitary Sewer Provider issues a written waiver approving the use of an alternative sewage disposal system, an alternative sewage disposal system may be approved by the Town.
- B. All subdivisions not in the Sanitary Sewer Provider service area shall submit a sewer service plan acceptable to Graham County Health Department, Arizona Department of Environmental Quality (A.D.E.Q.), and the Sanitary Sewer Provider for possible annexation into the district's service area.
- C. Sewer lines shall be reviewed by the City Engineer and approved by the Sanitary Sewer Provider, A.D.E.Q., and by Graham County Health Department.
- D. Septic tanks shall be approved by the Graham County Health Department
- E. Sanitary sewer lines shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.

### **3.09 Water System**

- A. Each lot shall be supplied with potable water in sufficient volume and pressure for domestic use and for fire protection purposes. Design and construction of

any and all facilities relating to the supply, storage, and transmission, treatment of potable water within or outside of any subdivision must meet with the written approval of the Town Engineer, water provider and fire department.

- B. All design and construction must meet all applicable specifications in force at the time of plan renewal and approval. If it is necessary for the Town to apply specifications or requirements not in force at the time of plan review, but necessary to achieve the orderly and proper development of any portion of the public/private water system according to best engineering practices, the Town reserves the right to enforce such specifications and requirements to ensure and protect the public welfare.

### **3.10 Utility Easements**

- A. The plat shall indicate all utility easements for electrical, gas, water, cable television, sewer and other such services. The design of such easements shall meet the standards and specifications according to best engineering practice of the utility service provider and the Town Engineer

## **Article IV – Improvement Requirements**

### **4.0 Purpose**

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

### **4.01 General**

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

- A. Streets. All streets within the subdivision, including perimeter streets, shall be paved including concrete curbs installed to lines, grades and dimensions as described by the Maricopa Association of Governments 2007 Uniform Standard Details for Public Works Construction and as approved by the town engineer

- B. Sidewalks. Sidewalks shall be constructed in accordance with the Maricopa Association of Government Standards as described in the 2007 Uniform Standard Details for Public Works Construction.
- C. Water and Sewer Lines and Services. Water and sewer lines shall be installed within the subdivision to the lines, grades, sizes, locations, and lengths as described in the Maricopa Association of Governments 2007 Uniform Standard Details for Public Works Construction, and approved by the Town Engineer and the appropriate agency.
- D. All electric lines, except those of greater than twelve thousand five hundred (12,500) KVA capacity, and all telephone lines, cable television lines, and other communication and utility lines necessary to serve the subdivision shall be installed underground. The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility. When as a result of the subdivision development, it is necessary to relocate, renew or expand existing facilities within or adjacent to the platted area, the developer shall make the necessary arrangements with the serving utility for these installations to be placed underground at the time of development of the property as part of the required off-site and on-site improvements. Underground utilities shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.
- E. Fire Hydrants and Emergency Access roads. Fire hydrants shall be installed within the subdivision and along perimeter streets of the subdivision at locations and to lines and grades described in the Maricopa Association of Governments 2007 Uniform Standard Details for Public Works Construction and as approved by the Town Engineer and the local fire district.
- F. Storm Drainage
- G. Street Name signs. Street name signs shall be placed in all streets intersections. The subdivider shall install sign posts and street name signs meeting MAG standards and town standards, at locations designated by the Town Engineer. The sign posts shall be in place prior to the completion of street paving.
- H. Monuments. Permanent survey monuments shall be installed along the easement and right-of-way lines, including drainage easements, and in accordance with current Town standards at all corners, angle points, and points of curve and in the center at all street intersections. After all improvements have been installed, an Arizona Registered Land Surveyor shall check the locations of the monuments and certify their accuracy.

#### **4.02 Submittal Requirements**

- A. A registered professional engineer shall prepare, at the subdivider's expense, a complete set of engineering plans and reports, for construction of all required improvements. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat and in accordance, with all applicable Town, County, and State standards.

- B. All improvement plans submitted to the Town of Pima for approval must be submitted on 24" x 36" paper.
- C. No final plat shall be approved until the improvement plans have been approved by the town and subdivision construction assurances have been secured, to the satisfaction of the Town Engineer and Town Attorney.
- D. Drainage report. A final drainage report shall be submitted as a part of the improvement plan submittal for all developments. The report shall be a complete report and not an addendum to the preliminary drainage report.
- E. Geotechnical report shall be submitted which identifies any special geotechnical hazards, and develops recommendations regarding the hazards, grading foundations and pavement.

#### **4.03 Improvement Plan Review Process**

- A. Copies of the plan shall be submitted to the Town and shall be distributed by the Town to the appropriate agencies
- B. The Town staff will review the submittal for accuracy, completeness, compliance with stipulations made by the Commission or Town Council, and conformance with all Town codes.
- C. Prior to the recording of the plat the following items must be submitted with the final plat.
  - 1. A certificate of approval of engineering plans signed by the Town Engineer
  - 2. A certification that the agreement between the Town and subdivider has been executed
  - 3. A letter of agreement with serving utilities
  - 4. Required assurance for construction

If the engineering plans have not been submitted within 90 days, the council may require that the final plat be resubmitted.

#### **4.04 Assurances by Subdivider**

##### **A. Agreement by Subdivider**

- 1. Subdivider shall construct and install, at no expense to Town, all subdivision improvements shown on the approved preliminary plat (if applicable), final plat and improvement plans for the Subdivision that the Town reasonably determines are required to serve the property ("the improvements").
- 2. The subdivision improvements in an approved development may be constructed in practical increments in accordance with a Council approved Phasing Plan subject to provisions for satisfactory drainage, traffic circulation, utilities and other elements of the total development plan.

3. The improvements shall be constructed in accordance with plans approved by the Town Engineer and shall be completed within an agreed specific time period.
4. The subdivider shall give adequate Assurance for construction for each phase in accordance with this ordinance and to the satisfaction of the Town Engineer and Town Attorney.
5. Once a construction permit has been issued for improvements under the Assurance of Construction, work shall proceed without interruption until the improvements are accepted by the Town Engineer.
6. Any work shown on approved plans that has been abandoned for a period of sixty days, or not completed by the subdivider in accordance with an agreed upon time period, may be completed by the Town which shall recover the construction costs from the subdivider.
7. When in the opinion of the Town and the developer it is in the best interest of both parties to delay installation of development required improvements to coincide with adjacent work the town council may elect to accept the estimated cost of said improvements in lieu of construction by the developer. The timing of this payment will be specified in a Council approved phasing plan.
8. The Town Council shall require that the applicant provide cash, a performance bond from a corporate surety licensed to do business as a surety in Arizona, an irrevocable letter of credit, or funds in escrow at the time of application for final subdivision approval in the amount sufficient to secure to the Town the satisfactory construction, installation, and dedication of the required improvements. The amount of financial guarantee shall be 100 hundred (100 %) percent of the cost of the installation and materials necessary to complete the subdivision.
9. A lot may not be sold until the improvements necessary have been completed to serve that lot.

#### B. Construction and Inspection.

1. All improvements whether public or private shall be constructed to the 2007 Uniform Standard Specifications for Public Works Construction as written by the Maricopa Association of Governments or the latest standards and specifications adopted by the Town.
2. All improvements shall be constructed with the inspection and approval of the Town Engineer. All construction shall require a Town construction permit. Construction shall not begin until a permit has been issued for such construction, and if work has been discontinued for any reason, it shall not be resumed until after notifying the Town Engineer.
3. Utilities must be installed either in public dedicated rights of ways or public utility easements dedicated specifically by the land owner for such usage and maintenance.

4. All underground utilities to be installed in streets and public access ways, shall be constructed prior to the surfacing of such street or private access way.
5. The developer shall provide for an Arizona Registered Engineer to be present on the site for sufficient time to assess compliance with the plans and specifications for each element of construction and no less than once a day when construction is in progress.

## **Chapter 4 Recommendations for writing Subdivision Regulations:**

### **Recommendations:**

Writing subdivision regulations for a community involves understanding the needs of that community as well as an understanding of what is taking place in and around that community. That level of understanding could include whether or not the community is looking to update their regulations due to growth pressure or maybe they are unhappy with what is allowed under the current regulations.

The first important issue is to find out exactly what the town is looking for in their new regulations. The easiest way to accomplish this is to have a good discussion with the town staff and discuss what issues they have with their current regulations and what direction they are hoping to see the town go in the future. This will help to gauge how much the town staff understands their current regulations and how much attention is paid to the regulations that are currently in place. Encouraging the town to adopt a vision through a community plan or comprehensive plan would definitely help to ensure that the new regulations will fit with the goals of the community. This would provide an opportunity to understand what the community really wants and what the community definitely does not want to see. Setting up a meeting with the town engineer and the rest of the town staff is important to make sure that everyone is on the same page. After meeting with the town staff the next logical step is to look through the town's current regulations and see what they are missing that would address their concerns. This will

help to create a clearer picture of what needs to be addressed in the new regulations that are missing from the current regulations.

Studying different communities' regulations, as well as the state statutes, ensure that the best wording that is legally viable is used. It also allows for the best practices to be continued and utilized. Trying to gain an understanding of why each sentence in the regulations is written is a great way to approach creating a new ordinance. Figuring out how to make changes begins with a study of similar communities and their regulations. Looking to see if any of those regulations have been recently updated and what ways they have attempted to address similar problems. One way to approach this is by putting community regulations side by side and comparing all details. Where there are differences in wording or context, it is essential to understand why one community included something that the other community did not. Most important, it is imperative to listen to residents and staff to make sure that proposed changes address what a community wants.

The new subdivision regulations will have to be written in the way the Town wants even if that is not the best way to write them for the community. While writing those regulations an attempt can be made to try and influence the Town to consider different options. Different strategies could be used to try and educate the staff of the direction the community is headed in, if they adopt regulations that they are currently asking for.

One approach would be to have the town staff point out subdivisions that they like or that they would like to see in their town as well as point out subdivisions that they do not like or are not interested in seeing in their town. If there has been no growth in the

town than a trip to a neighboring community where there has been growth could help create a clearer picture of the towns concerns.

In those cases where the community is only interested in having standards that are easy for developers and easy for staff the person writing the regulations could interest them in other possibilities by providing them with examples of what their community may look like. Providing the staff with the names of communities or pictures showing what the streets will look like following the adoption of the new regulations may help them to grasp what impact the new standards will have on the rural character of their community. The lack of expertise may be the reason that they believe that their community needs to adopt standards that are not appropriate for a rural community.

### **Differences between Rural communities and Big Cities:**

When writing subdivision regulations for a rural community, as opposed to a big city, there are numerous things to be considered. Those differences range across a number of issues from size of the staff, expertise of the staff, growth pressures, to level of impact. Changes to subdivision regulations in a rural town can have a greater and more noticeable impact on the future of the community than changes made to larger communities, because small, rural towns may not have seen change in years.

In rural communities the person writing the regulations is dealing with a very small number of town employees. Small rural towns will very likely not have a planning staff and not even necessarily have a planner. It is quite possible that the people working for the town do not have an understanding of the subdivision regulations that are currently in place. Therefore, it is quite possible that the direction that the town wants to go in terms of subdivision regulation is not entirely clear. Educating staff to existing

regulations and possible changes is essential to the process. Providing them with options that other communities are trying out or have practiced allows the community to make a more informed decision. The town staff may choose not to adopt any of the new policies because they may be looking to encourage growth and may not be interested in much else except basic regulations that are easy for developers and town staff.

The more rural and small the community is, the more basic the regulations tend to be. This is due to the fact that small communities have not seen the impact of growth and think of it as mostly a positive for their community. Providing the staff with an understanding of what options other communities are using or have used or showing examples from communities of the impact that growth has had, could encourage the town staff to try some of those new ideas. However, due to the fact that rural communities are not facing the growth pressure that bigger communities are, many times the rural community is more interested in making the process easy for developers. In order to write subdivision regulations that a rural community wants, it is important to understand what their stance on development is. One consideration here is whether or not the community is looking to annex land from the county, and what effect the subdivision regulations will have on the willingness of those land owners to agree to be annexed. This same issue could play a role when writing regulations for bigger communities, but typically does not have the same impact it would in a small rural community.

Residents of rural communities, in most cases, enjoy the rural life and therefore looking at how to maintain that rural appeal while the community grows is another important issue in writing regulations. Creating regulations that are identical to larger cities and using street standards of large cities could result in losing that rural feel. Rural

communities where houses are on large lots do not need to have curbs and paved sidewalks. There is limited traffic running down those streets. In large communities that have higher densities, it is necessary to provide sidewalks and paved roads for public safety.

The communities that are updating their regulations may not understand what impact some of the features that they are looking for will have on the appearance of their community. A difficulty in writing regulations for rural communities is that with the growth that has taken place in their community so far, being so limited, they can not begin to understand what impact growth could have when it does occur. This report attempts to show how regulations can be written to protect these valued rural communities by going through a process of listening to the concerns of the community and staff and at the same time trying to educate them on the impact of growth on their community.

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