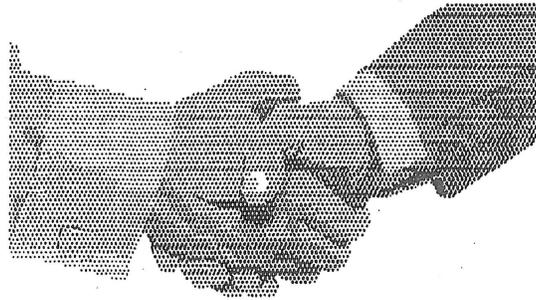


TOWN OF QUARTZSITE, ARIZONA



DEVELOPMENT PROCEDURES ORDINANCE

DECEMBER 1995

Revised November 1997

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1995

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ARTICLE I. APPLICABILITY AND DEFINITIONS

Section 1. Appeal	To appeal an administrative decision concerning the zoning ordinance
Section 2. Applicant	The owner, mortgagee or lessee of the property which is the subject of one of these procedures; or an authorized official acting on behalf of the Town.
Section 3. Conditional Use	A process to review conditional uses as listed in the zoning ordinance.
Section 4. Departmental Review Team	A Town staff committee chaired by the Chief Building Official and consisting of the following standing members: Town Manager, Police Chief, Fire Chief, Water Superintendent, Street Superintendent and Town Engineer
Section 5. Development Procedures, Subdivision or Zoning Ordinance Amendment	To change the provisions of the Development Procedures, Subdivision or Zoning Ordinance.
Section 6. Minor Subdivision	The process required by the Town to accomplish a land split; or the division of land into two (2) to five (5) lots when a new street is not involved; or the division of land into more than two (2) parts when the boundaries of such property have been fixed by recorded plat.
Section 7. Plot Plan	Required for all building permit requests for a new building or an addition to an existing building.
Section 8. Property Line Adjustment	To move the location of a property line in a platted subdivision provided the remaining parcels meet all zoning requirements.
Section 9. Rezoning	To change the zoning of a parcel of land.
Section 10. Site Plan	Required for any request that involves more than one principal building on a single lot.
Section 11. Subdivision	To divide a lot, tract or parcel of land into six (6) or more lots, plats, sites or other divisions for the purpose of sale or building development.
Section 12. Vacation	To rescind easement and right-of-way dedications.
Section 13. Variance	To request a variance from the provisions of the zoning ordinance.

ARTICLE II. PROCEDURES

Section 1. Conditional Use Permit, Minor Subdivision, Rezoning, Subdivision, Site Plan and Vacation.

Paragraph 1. The applicant shall submit the necessary application (Article III), plans (Article III) and fees (Article IV) to the Town.

Paragraph 2. The Town will review the information to ensure that all submittal requirements have been met. The applicant will be notified in writing of any deficiencies within five (5) working days. The application will not be processed until it includes all submittal requirements.

Paragraph 3. The Chief Building Official shall refer the application to the Departmental Review Team and shall schedule the completed application for a Departmental Review Team meeting to be held within five (5) working days of the submittal of the completed application.

Paragraph 4. The applicant must be present at the review meeting to present and explain the application. If the applicant does not attend the meeting, the application will not be considered.

Paragraph 5. All Departmental Review Team recommendations, practical concerns and technical requirements shall be in writing and shall be presented to the applicant at the Departmental Review Team meeting. If any Town department does not present written comments at this meeting, the Chief Building Official will notify the applicant that the subject department has no concerns or comments. The subject department will not be able to develop comments or concerns later in the process without a written authorization from the Town Manager.

Paragraph 6. Minor Subdivisions

- A) *For minor subdivisions a public hearing by the Planning and Zoning Commission or Town Council is not required.*
- B) *The Departmental Review Team shall approve or disapprove applications for minor subdivisions.*
- C) *The applicant will have the option of amending the application to satisfy all of the issues raised by the Departmental Review Team or submit a letter of appeal to the Town Council which will explain which of the concerns are not being satisfied and why.*
- D) *Upon approval of the minor subdivision the applicant shall comply with all engineering plans and financial security agreements as required by Article III, Section 2, paragraph 4 of this ordinance.*
- E) *Upon approval of the above, the Chief Building Official shall cause the original minor subdivision plat to be signed, and recorded with the LaPaz County clerk and recorder.*

Paragraph 7. For all other applications, the applicant will have the option of amending the application to satisfy all of the issues raised by the Departmental Review Team or submit a letter addressed to the Planning and Zoning Commission which will explain which of the concerns are not being satisfied and why.

Paragraph 8. As soon as the Chief Building Official receives an amended application, if applicable, and/or

Section 2. Development Procedures, Subdivision or Zoning Ordinance Amendment

Paragraph 1. The applicant shall submit a written request detailing the requested amendment and fees (Article IV) to the Chief Building Official.

Paragraph 2. The Chief Building Official will review the information to ensure that all submittal requirements have been met. The applicant will be notified in writing of any deficiencies within five (5) working days. The application will not be processed until it includes all submittal requirements.

Paragraph 3. The Chief Building Official shall refer the application to the Departmental Review Team and shall schedule the completed application for a Departmental Review Team meeting to be held within five (5) working days of the submittal of the completed application.

Paragraph 4. The applicant must be present at the review meeting to present and explain the application. If the applicant does not attend the meeting, the application will not be considered.

Paragraph 5. All Departmental Review Team recommendations, practical concerns and technical requirements shall be in writing and shall be presented to the applicant at the Departmental Review Team meeting. If any Town department does not present written comments at this meeting, the Chief Building Official will notify the applicant that the subject department has no concerns or comments. The subject department will not be able to develop comments or concerns later in the process without a written authorization from the Town Manager.

Paragraph 6. The applicant will have the option of amending the application to satisfy all of the issues raised by the Departmental Review Team or submit a letter addressed to the Planning and Zoning Commission which will explain which of the concerns are not being satisfied and why.

Paragraph 7. As soon as the Chief Building Official receives an amended application, if applicable, and/or letter of explanation, both of which combined address all of the issues raised by the Departmental Review Team, the application shall be scheduled for the next available Planning and Zoning Commission meeting.

Paragraph 8. The Chief Building Official shall publish a legal notice of the public hearing a minimum of fifteen (15) days prior to the Planning and Zoning Commission public hearing. In addition the Chief Building Official shall place a public hearing notice on the property a minimum of fifteen (15) days prior to the public hearing. In addition, in proceedings involving one or more of the following proposed changes or related series of changes to the zoning ordinance, notice shall be provided in the manner prescribed in paragraph 9 of this section:

- A) *A ten per cent or more increase or decrease in the number of square feet or units that may be developed.*
- B) *A ten per cent or more increase or reduction in the allowable height of buildings.*
- C) *An increase or reduction in the allowable number of stories of buildings.*
- D) *A ten percent or more increase or decrease in setback or open space requirements.*
- E) *An increase or reduction in permitted uses.*

letter of explanation, both of which combined address all of the issues raised by the Departmental Review Team, the application shall be scheduled for the next available Planning and Zoning Commission meeting.

Paragraph 9. The Chief Building Official shall send notice of public hearing to all property owners within the property and within three hundred (300') feet of the request (list of names and addresses and stamped, addressed envelopes to be provided by the applicant) and shall publish a legal notice of the public hearing a minimum of fifteen (15) days prior to the Planning and Zoning Commission public hearing. In addition the Chief Building Official shall place a public hearing notice on the property a minimum of fifteen (15) days prior to the public hearing.

Paragraph 10. If more than one (1) year elapsed between the Departmental Review Team decision date and the time when all concerns are met or a written statement is provided, the application must be reviewed again by the Departmental Review Team to insure that the prior issues, concerns and technical requirements are still applicable.

Paragraph 11. The Chief Building Official shall prepare a staff report for the Planning and Zoning Commission. This report shall be forwarded to the Planning and Zoning Commission and the applicant a minimum of five (5) days prior to the Commission meeting. The report shall contain a summary and a copy of the written comments received from the reviewing departments. In addition, the report at a minimum, shall review the extent to which the application is consistent with the General Plan, other adopted Town regulations, policies and procedures, and a recommendation for approval or denial, conditions if applicable, and reasons for the recommendation.

Paragraph 12. The Planning and Zoning Commission shall hear the application at public hearing and make recommendation at a regularly scheduled or special meeting. Any decision by the Planning and Zoning Commission shall be made and recorded by motion.

Paragraph 13. The Chief Building Official shall not forward the application in final form to the Town Council until all concerns of the Planning and Zoning Commission have been met unless the applicant submit a detailed written statement to the Town Council explaining why the conditions or concerns are not or cannot be met. Upon compliance, the Chief Building Official shall schedule the application for the next available Town Council meeting.

Paragraph 14. The Town Council shall hear the application at public hearing and make a decision on the application at a regularly scheduled or special meeting. The Town Council may approve, approve with conditions, or deny the application request. If the Town Council decides to approve the application request, the the Town Attorney will be directed to prepare an ordinance approving the application request. In addition the Town Engineer will be directed to prepare a memorandum of agreement for public improvements (Article VII) setting forth the applicants financial assurance that all required public improvements will be completed to Town standards, requirements and specifications. The memorandum of agreement for public improvements must be signed by the applicant prior to final decision by the Town Council. Town Council approval shall be made and recorded by ordinance.

Paragraph 15. Upon approval, the Chief building Official shall cause the original Subdivision Plat, Site Plat, Vacation, or Annexation map to be signed, and recorded with the LaPaz County clerk and recorder.

of their property without due process of law. Wood v. Town of Avondale (1951) 72 Ariz. 217, 232 P.2d 963.

2. Subdivision zoning

Grant of power to municipalities to zone land and regulate subdivision of land does not include power to overrule specific statutory en-

abling zoning provisions, such as municipality did when it imposed new zoning restrictions on land by denying plat application for sole reason that plat did not conform with proposed zoning and thus effectively changed property from one zone to another without following statutory requirements of A.R.S. §§ 9-462.03, 9-462.04. Folsom Investments, Inc. v. City of Scottsdale, D.C.Ariz.1985, 620 F.Supp. 1372.

§ 9-462.04. Public hearing required

A. If the municipality has a planning commission or a hearing officer, the planning commission or hearing officer shall hold a public hearing on any zoning ordinance. Notice of the time and place of the hearing including a general explanation of the matter to be considered and including a general description of the area affected shall be given at least fifteen days before the hearing in the following manner:

1. The notice shall be published at least once in a newspaper of general circulation published or circulated in the municipality, or if there is none, it shall be posted on the affected property in such a manner as to be legible from the public right-of-way and in at least ten public places in the municipality. A posted notice shall be printed so that the following are visible from a distance of one hundred feet: the word "zoning," the present zoning district classification, the proposed zoning district classification and the date and time of the hearing.

2. In proceedings involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice of public hearing shall be transmitted to the planning agency of such governmental unit abutting such land. In addition to notice by publication, a municipality may give notice of the hearing in such other manner as it may deem necessary or desirable.

3. In proceedings that are not initiated by the property owner involving rezoning of land which may change the zoning classification, notice by first class mail shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be rezoned and all property owners, as shown on the last assessment of the property, within three hundred feet of the property, to be rezoned.

4. In proceedings involving one or more of the following proposed changes or related series of changes in the standards governing land uses, notice shall be provided in the manner prescribed by subsection A, paragraph 5 of this section:

(a) A ten per cent or more increase or decrease in the number of square feet or units that may be developed.

(b) A ten per cent or more increase or reduction in the allowable height of buildings.

(c) An increase or reduction in the allowable number of stories of buildings.

(d) A ten per cent or more increase or decrease in setback or open space requirements.

(e) An increase or reduction in permitted uses.

5. In proceedings governed by subsection A, paragraph 4 of this section, the municipality shall provide notice to real property owners pursuant to at least one of the following notification procedures:

(a) Notice shall be sent by first class mail to each real property owner, as shown on the last assessment, whose real property is directly governed by the changes.

(b) If the municipality issues utility bills or other mass mailings that periodically include notices or other informational or advertising materials, the municipality shall include notice of such changes with such utility bills or other mailings.

(c) The municipality shall publish such changes prior to the first hearing on such changes in a newspaper of general circulation in the municipality. The changes shall be published in a "display ad" covering not less than one-eighth of a full page.

6. If notice is provided pursuant to subdivisions (b) or (c) of paragraph 5, the municipality shall also send notice by first class mail to persons who register their names and addresses with the municipality as being interested in receiving such notice. The municipality may charge a fee not to exceed five dollars per year for providing this service and may adopt procedures to implement this provision.

7. Notwithstanding the notice requirements set forth in subsection A, paragraph 4 of this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the actions of a municipality for which the notice was given.

B. After the hearing, the planning commission or hearing officer shall render a decision in the form of a written recommendation to the legislative body. The recommendation shall include the reasons for the recommendation and be transmitted to the legislative body in such form and manner as may be specified by the legislative body.

C. If the planning commission or hearing officer has held a public hearing, the governing body may adopt the recommendations of the planning commission or hearing officer without holding a second public hearing if there is no objection, request for public hearing, or other protest. The governing body shall hold a public hearing if requested by the party aggrieved or any member of the public or of the governing body, or, in any case, if no public hearing has been held by the planning commission or hearing officer. Notice of the time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the planning commission as specified in

subsection A. In addition a municipality may give notice of the hearing in such other manner as it may deem necessary or desirable.

D. A municipality may enact an ordinance authorizing county zoning to continue in effect until municipal zoning is applied to land previously zoned by the county and annexed by the municipality, but in no event for longer than six months after the annexation.

E. A municipality is not required to adopt a general plan prior to the adoption of a zoning ordinance.

F. If there is no planning commission or hearing officer, the legislative body of the municipality shall perform the functions assigned to the planning commission or hearing officer.

G. If the owners of twenty per cent or more either of the area of the lots included in a proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of the opposite lots, file a protest in writing against a proposed amendment, it shall not become effective except by the favorable vote of three-fourths of all members of the governing body of the municipality. If any members of the governing body are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the governing body, provided that such required number of votes shall in no event be less than a majority of the full membership of the legally established governing body.

H. Notwithstanding the provisions of § 19-142, subsection B, a decision by the governing body involving rezoning of land which is not owned by the municipality and which changes the zoning classification of such land may not be enacted as an emergency measure and such change shall not be effective for at least thirty days after final approval of the change in classification by the governing body.

Added by Laws 1973, Ch. 178, § 2, eff. Jan. 1, 1974. Amended by Laws 1978, Ch. 94, § 4; Laws 1987, Ch. 225, § 1, eff. May 6, 1987; Laws 1988, Ch. 345, § 1.

Historical and Statutory Notes

For effective date provision of Laws 1973, Ch. 178, see Historical and Statutory Notes following § 9-461.

The 1978 amendment inserted references to a hearing officer throughout; and made nonsubstantive changes.

The 1987 amendment inserted subsec. A, par. 1, added subsec. H; and made nonsubstantive changes in subssecs. A, par. 1, and G.

The 1988 amendment, in subsec. A, par. 3, inserted "as shown on the last assessment of the property", substituted the third "the property" for "said property", inserted the paragraphs relating to notice in proceedings involving changes in land use standards; and in subsec. H, inserted "is not owned by the municipality and which".

Cross References

Publication or posting, see §§ 9-812, 99-201 et seq., 48-535, 48-578, 48-613, 48-655.
Proof, see §§ 48-578, 48-613.

Paragraph 9. In proceedings governed by paragraph 9 of this section, the Chief Building Official shall provide notice to real property owners pursuant to at least one of the following notification procedures:

- A) *Notice shall be sent by first class mail to each real property owner, as shown on the last County assessment whose real property is directly governed by the changes and those within 300 feet of those directly effected.*
- B) *Include notice of such changes with utility bills or other mailings.*
- C) *The Town shall publish such changes prior to the first hearing on such changes in a newspaper of general circulation in the municipality. The changes shall be published in a "display ad" covering not less than one-eighth of a full page.*

Paragraph 10. The Chief Building Official shall prepare a staff report for the Planning and Zoning Commission. This report shall be forwarded to the Planning and Zoning Commission and the applicant a minimum of five (5) days prior to the Commission meeting. The report shall contain a summary and copy of the written comments received from the reviewing departments. In addition, the report at a minimum shall review the extent to which the applicant is consistent with the General Plan, other adopted Town regulations, policies and procedures, and a recommendation for approval or denial and reasons for the recommendation.

Paragraph 11. The Planning and Zoning Commission shall hear the application at public hearing and make recommendation at a regularly scheduled or special meeting. Any decision by the Planning and Zoning Commission shall be made and recorded by motion.

Paragraph 12. The Chief Building Official shall schedule the application for the next available Town Council meeting.

Paragraph 13. The Town Council shall hear the application at public hearing and make a decision on the application at a regularly scheduled or special meeting. The Town Council may approve, approve with conditions, or deny the application request. If the Town Council decides to approve the application request, the Town Attorney will be directed to prepare an ordinance approving the application request. Town Council approval shall be made and recorded by ordinance.

Section 3. Appeal, Variance

Paragraph 1. The applicant shall submit a written request explaining the appeal/variance and fees (Article IV) to the Chief Building Official.

Paragraph 2. As soon as the Chief Building Official receives a complete application, the application shall be scheduled for the next available Board of Adjustment meeting.

Paragraph 3. The Chief Building Official shall send notice of public hearing to all property owners within the subject property and within three hundred (300') feet of the request (list of names and addresses and stamped, addressed envelopes to be provided by the applicant) and shall publish a legal notice of the public hearing a minimum of fifteen (15) days prior to the Board of Adjustment public hearing. In addition the Chief Building Official shall place a public hearing notice on the property a minimum of fifteen (15) days prior to

the Board of Adjustment public hearing.

Paragraph 4. The Chief Building Official shall prepare a staff report for the Board of Adjustment. This report shall be forwarded to the Board of Adjustment and the applicant a minimum of five (5) days prior to Board of Adjustment meeting. The report at a minimum, shall review the extent to which the application is consistent with the General Plan, other adopted Town regulations, policies and procedures, including the Board of Adjustment provisions contained within the zoning ordinance, and a recommendation for approval, denial, conditions if applicable, and reasons for the recommendation.

Paragraph 5. The Board of Adjustment shall hear the application at public hearing and make a decision at regularly scheduled or special meeting. Any decisions by the Board of Adjustment shall be made and recorded by motion and shall be consistent with the Board of Adjustment section of the zoning ordinance.

Paragraph 6. Appeals from the Board of Adjustment decision shall be consistent with the Board of Adjustment section of the zoning ordinance.

Section 4. Plot Plan And Building Permit

Paragraph 1. A plot plan (Article III, Section 1) along with required fees (Article IV) shall be submitted to the Chief Building Official.

Paragraph 2. The applicant shall consult with the Chief Building Official for general information regarding requirements for plot plan and building permit applications and special considerations pertaining to the site. sketch plan should be brought in for more complex projects to show the concept of the site development.

Paragraph 3. Each reviewing Town Department shall review all plot plan applications on Monday and /or Tuesday of each week and upon review shall approve or shall approve subject to specific conditions being met. This insures that all applications shall be reviewed by staff within six (6) working days.

Paragraph 4. Applicant meets with the Chief Building Official to review recommendations of the various departments. Further consultation with the various reviewing departments may be necessary to reach agreement on changes in the plot plan. Design and service oriented issues (not code or ordinance requirements) may be appealed to the Planning and Zoning Commission for final determination.

Paragraph 5. The applicant shall make final changes as agreed and submit four copies of the approved plot plan to the Chief Building Official.

Paragraph 6. The Town Engineer will then prepare a memorandum of agreement for public improvement setting forth the applicant's financial assurance that all required public improvements will be completed to Town standards, requirements and specifications (Article VII). The memorandum of agreement for public improvements must be signed by the applicant prior to issuance of the building permit.

Paragraph 7. The applicant is now eligible for a building permit and submits the following to the Chief Building Official:

A) *Building permit application form.*

Two sets of building plans.

Paragraph 8. The building plans will then be reviewed by the Town Staff or referred to the City's architecture or engineering consultant.

Paragraph 9. The building permit is issued by the Chief Building Official upon approval of the application and building plans and payment of the required fees.

Section 5. Property Line Adjustment

Paragraph 1. A property line in a platted subdivision may be adjusted by any amount if the following conditions are met:

- A) *The adjustment will only affect two adjacent lots.*
- B) *Both adjusted lots will meet all requirements of the zoning code.*

Paragraph 2. An improvement survey is filed with the Chief Building Official showing the original lot line, the new lot lines, square footage of each lot, any improvements on either lot, all setback dimensions and other information that is necessary to insure that both new lots will conform to the provisions of the zoning code.

Paragraph 3. The Chief Building Official will review the improvement survey and will approve the property line adjustment if both adjusted lots meet all requirements of the zoning code.

ARTICLE III. APPLICATION REQUIREMENTS

Section 1. Plot Plan Requirements For One - Four Family Residential Structures, Signs And All Other Requests.

	1-4 Family Residence	Sign Permit	Other
Sheet size of 24"x36"			X
North arrow, date of plan, date of plan revision, engineer scale, legend	X	X	X
Name of Project		X	X
Address of Project	X	X	X
Legal Description	X		X
Name, address & phone number of owner	X	X	X
Name, address & phone number of person or firm responsible for plan	X	X	X
Authorization letter from owner	X	X	X
Lot size	X	X	X
Existing uses adjacent		X	X
Existing zoning adjacent		X	X
Existing curb cuts on both sides of perimeter streets			X
All easements and R.O.W.	X	X	X
New easements and R.O.W.		X	X
Existing paved areas			X
Proposed curb cuts, paved areas, parking areas and sidewalks	X		X
Landscaping plan including existing vegetation to remain, and new vegetation with common name and botanical name, planting size and mature size	X		X
Landscape installation and material costs if costs are to be guaranteed			X
Existing two (2') foot contours or other topography acceptable to town engineer			X
Proposed two (2') foot contours or other topography acceptable to town engineer			X
Waterways on or adjacent to the site	X		X
Drainage plan			X
Lot grading plan	X		
Existing and proposed structures and their use with their dimensions and locations from planned property lines	X	X	X
Square footage of proposed structures			X
Proposed use and number of employees			X
Number of units by type if residential			X
Location and description of all signs and exterior lights		X	X
Parking lot layout			X
Trash disposal areas and enclosures			X
Location and size of proposed water and sewer service connections	X		X
Elevation drawings showing all views of existing and proposed structures including height, color, and textures			X
Graphic information for all exterior materials, colors, architectural detail including trim and hardware, illumination and security features			
A detail sign plan showing size, color, letter, style, location and method of attachment		X	X
Study of capacity and need for water and sewer services			X

Section 2. Application Requirements For Conditional Use Permit (CU), Minor Subdivision (MS), Rezoning (Z), Subdivision including Preliminary Plat (PP) and Final Plat (FP), Site Plan including Preliminary Site Plan (PSP) and Final Site Plan (FSP) And Vacation (V) Requests.

Paragraph 1. Information required at the time of application (one copy of each)

	Subdivision				Site Plan		V	Z
	CU	MS	PP	FP	PSP	FSP		
Completed application and fees	X	X	X		X		X	X
Petition							X	X
Proof of ownership (Title Policy) & Owner's OK	X	X	X		X		X	X

Paragraph 2. Information required directly on plans (six copies of each to be submitted with application)

	Subdivision				Site Plan		V	Z
	CU	MS	PP	FP	PSP	FSP		
Sheet size 24" x 36"	X	X	X	X	X	X	X	X
North arrow	X	X	X	X	X	X	X	X
Date	X	X	X	X	X	X	X	X
Engineers scale	X	X	X	X	X	X	X	X
Name of project	X	X	X	X	X	X	X	X
Vicinity map @ 1/2 mile radius	X	X	X		X		X	X
Legal description complete	X	X	X	X	X	X	X	X
Survey-name and address of registered surveyor	X	X	X	X	X	X	X	X
Total acreage	X	X	X	X	X	X	X	X
Requested zoning districts with size of each								X
Signature blocks (see Article 5)		X		X		X		
Zoning on site and adjacent	X	X	X		X	X	X	X
Names of adjacent streets and dimensions	X	X	X	X	X	X	X	X
Proposed lots & approximate dimensions		X	X					X
Dimensions and square footage of each lot	X	X		X		X	X	X
Lot and block numbers	X	X	X	X	X	X	X	X
Proposed street names	X	X	X	X	X	X	X	X
Location of survey monuments	X	X		X			X	X
Bearings, distances, chords, radii, central angles, tangent lines, etc., for all lots, blocks perimeter and R.O.W.	X	X		X		X	X	X

Paragraph 2. Information required directly on plans (continued)

	Subdivision				Site Plan			
	CU	MS	PP	FP	PSP	FSP	V	Z
Existing/proposed adjacent street improvements showing pavement width and intersecting streets	X	X	X		X	X		X
Existing/proposed R.O.W. in and adjacent	X	X	X		X	X	X	X
Location and width of sidewalks			X	X	X	X		
Existing/proposed easements in and adjacent	X	X	X		X	X	X	X
Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent	X	X	X		X	X	X	X
Existing/proposed curb cuts in and adjacent	X	X	X		X	X	X	X
Existing/proposed waterways and ditches in and adjacent	X	X	X		X	X		X
Topography acceptable to Town Engineer	X	X	X		X			X
Statement on how drainage will be handled	X	X	X		X			X
Existing/proposed flood plain lines on and adjacent	X	X	X		X	X		X
A statement: all, part, or none of the property is in the flood plain	X	X	X	X	X	X		X
Existing/proposed structures and paved areas on the site	X	X	X		X	X	X	X
Proposed height of all structures					X	X		X
All public sites to be reserved or dedicated (parks, streets, etc.)	X	X	X	X	X	X	X	X
Landscape plan	X				X	X		
% Of land devoted to buildings, parking and drives, streets, sidewalks, landscaping in table form	X				X	X		
Number of employees for non-residential uses	X	X	X		X	X	X	
Proposed use of site	X	X	X		X		X	
Gross and net residential densities of each parcel	X	X	X		X			
Phasing plan	X		X		X		X	

Paragraph 3. Additional information required for review (one copy of each to be submitted with application)

	Subdivision				Site Plan			V	Z
	CU	MS	PP	FP	PSP	FSP			
Capacity and need for water and sewer	X	X	X		X				X
Boundary closure	X	X	X	X		X	X	X	X
Stamped self addressed envelopes for all property owners within 300 feet of proposal	X		X		X			X	X
Construction schedule	X		X		X				X
Protective Covenants if proposed			X		X				
Letter from County Treasurer verifying payment of taxes				X		X			
Traffic impact analysis	X	X	X		X		X	X	X
Drainage report	X	X	X		X		X	X	X
Soil report sealed by a registered engineer	X	X		X		X			

Paragraph 4. Additional information required prior to recording (one copy of each to be submitted to Chief Building Official after final Town Council approval)

	Subdivision				Site Plan			V	Z
	CU	DMP	MS	PP	FP	PSP	FSP		
Final street plans and profiles stamped by a registered engineer	X		X		X		X		
Final drainage plan stamped by a registered engineer	X		X		X		X		
Final utility plan stamped by a registered engineer	X		X		X		X		
Final landscaping plan	X		X		X		X		
Financial security agreements	X		X		X		X		

ARTICLE IV. FEES

Section 1. Appeal or Variance	\$250.00 PER EACH APPEAL OR VARIANCE
Section 2. Conditional Use Permit	\$250.00 PLUS \$250.00 PER PRINCIPAL BUILDING OVER TWO (2) PLUS \$100.00 PER SHEET OVER ONE (1)
Section 3. Development Procedures Zoning or Subdivision Ordinance Amendment	\$250.00 PER EACH REQUEST
Section 4. Final Site Plan	\$250.00 PLUS \$250.00 PER PRINCIPAL BUILDING OVER TWO (2) PLUS \$100.00 PER SHEET OVER ONE (1)
Section 5. Final Subdivision Plat	\$250.00 PLUS \$25.00 PER LOT OVER FIVE (5) PLUS \$100.00 PER SHEET OVER ONE (1)
Section 6. Minor Subdivision	\$250.00
Section 7. Plot Plan	\$25.00 FOR EACH PLOT PLAN \$25.00 FOR EACH SINGLE FAMILY AND TWO-FAMILY RESIDENCE \$150.00 EACH FOR ALL OTHERS
Section 8. Preliminary Site Plan	\$250.00 PLUS \$250.00 PER PRINCIPAL BUILDING OVER TWO (2) PLUS \$100.00 PER SHEET OVER ONE (1)
Section 9. Preliminary Subdivision Plat	\$250.00 PLUS \$25.00 PER LOT OVER FIVE (5) PLUS \$100.00 PER SHEET OVER ONE (1)
Section 10. Rezoning	\$250.00 PER EACH ZONING DISTRICT PLUS \$100.00 PER SHEET OVER ONE (1)
Section 11. Vacation	\$500.00 PER EACH

ARTICLE V. PETITION FORMATS

Section 1. Rezoning Petition

(I, We) the undersigned, being the landowners of the property described as: _____

hereby request a change of zoning from _____ to _____ and do herewith pay the required zoning fee.

Date

Owner's Signature

Property Description

Section 2. Petition To Vacate Right-Of-Way

(I, We) the undersigned, being th eowners of the property, described as: _____

hereby request that the Town of Quartzsite vacate the R.O.W. located _____
and known as _____ for the following reasons: _____

Date	Signature	Address	Property Description
_____	_____	_____	_____
_____	_____	_____	_____

We, being property owners adjacent to the above mentioned property or adjacent to a part of the R.O.W. not to be vacated, are NOT opposed to the above described R.O.W. being vacated.

Date	Signature	Address	Property Description
_____	_____	_____	_____
_____	_____	_____	_____

ARTICLE VI. CERTIFICATION BLOCKS

Section 1. Certification Blocks For Subdivision And Site Plan

(LEGAL NAME OF SUBDIVISION OR SITE PLAN)

Description: _____

A plat/site plan of a parcel of land in the town of Quartzsite, Arizona located in the ___ 1/4 ___ 1/4, Section _____, T ___ N ___ R ___ E ___ of the ___ P.M. and more prticularly described as follows:

Beginning at the(LEGAL DESCRIPTION).....containing _____ acres.

Dedication:

Know all men by these presents, that we (Names of all the landowners)being the sole owners of the la described herein, have caused said land to be laid out and platted/site planned under the name of _____

_____ and do hereby dedicate to the public forever all streets, alleys and utility easements as indicated hereon.

In witness whereof, we have hereunto set our hands and seals this ____ day of _____, 19__

John Doe

Mary Doe

Notarial Certificate:

STATE OF ARIZONA) COUNTY OF _____)

The foregoing instrument was acknowledged before me by _____
this _____ day of _____ 19 _____. Witness my hand and seal.

My commission expires _____.

Surveyor's Certificate:

I certify this plat/site plan accurately represents the results of a survey made by me or under my direct supervision and done in accord with applicable State of Arizona requirements.

_____ Arizona Reg. No. _____

Easement Approval:

Utility easements are adequate as shown and are hereby approved.

Town Engineer's Approval:

Approved this the ____ day of _____, 19 ____.

Town Engineer _____

Planning and Zoning Commission Approval:

Approved this the ____ day of _____, 19 ____.

Chairman, Quartzsite Planning Commission

Mayor's Certificate

This is to certify that a plat/site plan of the above described property was approved by Ordinance No _____ of the Town of Quartzsite, passed and adopted on the ____ day of _____ A.D. 19 ____ and that the Mayor of the Town of Quartzsite, as authorized by said ordinance, on behalf of the City, hereby acknowledges and adopts the said plat/site plan upon which this certificate is endorsed for all purposes indicated thereon.

Mayor

Attest

Seal

Clerk and Recorder's Certificate

STATE OF ARIZONA) COUNTY OF LA PAZ)

I hereby certify that this instrument was filed in my office at _____ o'clock ___ M this the _____ date of _____ A.D. 19 ____, and is recorded in plat book No. _____, page No. _____ reception No. _____.

Deputy

Recorder

Fees

ARTICLE VII. FINANCIAL SECURITY FOR COMPLETION OF PUBLIC IMPROVEMENTS

Section 1. Applicability

Paragraph 1. Any person requesting approval of a Subdivision, Sit Plan, Rezoning or Building Permit application within the Town of Quartzsite shall give the Town full (100%) financial assurance that all public improvements including utilities, streets, walks, curbs and gutters, drainage facilities, paths, open space, sprinkling systems and landscaping, as may be required, shall be completed to Town requirements, standard and specifications.

Section 2. Acceptable Forms Of Financial Security

Paragraph 1. Such financial security shall be in the sum as the Town staff may estimate to be adequate for the completions of the required improvements. Such financial security shall be in the form of:

- A) *Cash deposit with the town of Quartzsite, or*
- B) *Guarantee from a Lender based upon a cash deposit, in a form acceptable to the Town Attorney, or*
- C) *Irrevocable letter of credit in a form acceptable to the Town Attorney.*

Section 3. Procedure

Paragraph 1. Development Plans which require approval by Town Council:

- A) *Any person subdividing or developing lands within the Town of Quartzsite shall enter into a contract with the Town, which contract shall give the Town full assurance that all improvements shall be completed by the developer to Town standards.*
- B) *Any Subdivision Plat, site Plan or Rezoning which requires approval by Town Council may be divided into phases, each phase providing all necessary improvements. No Building Permit shall be issued on any segment of development until all utilities, storm drainage facilities, curbs and gutters, sidewalks, and aggregate base material have been installed per the approved Engineering plans on file with the Engineer Office of the Town, unless specifically approved by the Town Council.*

- C) *Up to 90% of said funds shall be released to the Developer as improvements are completed as determined by the Town Staff, and authorized by the Director of Finance. The Town of Quartzsite shall reserve a deposit of ten percent (10%) of the total estimated cost of public improvements for any one development or phase, and in no event shall any portion of the 10% be released until after the improvements as installed have been finally accepted by the Town Council, by formal Resolution or Motion, which acceptance shall not be given until at least one (1) year after a written statement of construction acceptance in accord with Town Standards has been given the Developer.*

- D) *It shall be the duty of the Developer to request both construction and final inspections, in writing, and the Town shall be under no obligation to release any funds until said inspections are made and the improvements found to comply with Town Standards. Any repairs required to be made at time of final inspection will be made by the Developer within 90 days of notice to repair or the cost thereof shall be withheld from the financial security and the Town will contract to have the repairs made. In the event that the cost of required repairs exceeds the financial security, the Developer shall be liable for such costs.*

Paragraph 2. Development Plans which DO NOT require approval by Town Council:

- A) *Such financial security shall be in the sum as the Town Staff may estimate to be adequate for the completion of the required improvements. Such financial security shall be in the form of: Cash deposit with the Town of Quartzsite, or; Guarantee from a Lender based upon a cash deposit, in form acceptable to the Town Attorney, or; Irrevocable letter of credit in a form acceptable to the Town Attorney.*

- B) *Upon completion of all necessary public improvements found to be in compliance with Town Standards, financial security may be released in whole or in part upon written request by the Developer to the Town Engineer, who is authorized to release same.*

ARTICLE VIII. DEDICATIONS AND EXACTIONS

Section 1. Right of Appeal

Paragraph 1. Notwithstanding anything in this ordinance, or any Town ordinance, to the contrary, the Town shall not take, exact or require the dedication of any property without complying with the requirements of A.R.S. 9-500.12 et seq.

Paragraph 2. In the event any person believes that a dedication or exaction of property is being required by the Town to use, develop or improve land, in violation of A.r.S. 9-500.12 et seq., such person shall have a right to appeal the decision made by any official or agency of the Town to the Board of Adjustment. The

appeal procedure will be in conformity with A.R.S. 9-500.12 et seq.

Paragraph 3. In order to provide notice of this ordinance and the appeal rights provided herein to all state property owners who apply to the Town to use, improve or develop their property, the policy provisions of Section 2 below will be provided to all property owners who apply to the Town for any use, improvement or development of their property.

Section 2. Town Policy Concerning Appeals From Required Dedications or Exactions

Paragraph 1. In addition to other rights granted to you by the US and Arizona Constitution, federal and state law and Town ordinances or regulations, you are hereby notified of your right to appeal any dedication or exaction which is required of you by an administrative agency or official of the Town as a condition of granting approval of your request to use, improve or develop your property.

Section 3. Appeal Procedure

Paragraph 1. The appeal must be in writing and filed with or mailed to the Board of Adjustment, (c/o Town Clerk, 465 North Plymouth, P.O. Box 2812, Quartzsite, Arizona 85346) within thirty (30) days of the administrative agency or other official determination requiring the dedication or exaction.

Paragraph 2. No fee will be charged for the filing.

Paragraph 3. Your hearing will be scheduled within thirty (30) days of receipt of your request. The Town will bear the burden of proving that the dedications or exactions to be imposed on your property bear an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development proposed by you.

Paragraph 4. Ten days notice will be given to you of the date, time and place of the hearing.

Paragraph 5. The Board of Adjustment must render their decision in a public meeting either at the first hearing or no later than their next regular meeting but in no event longer than thirty (30) days from the first hearing date.

Paragraph 6. The Board of Adjustment can affirm the decision or exaction, modify it or delete the requirement.

Paragraph 7. If you are dissatisfied with the decision of the Board of Adjustment, you may file a complaint for a trial de novo with the Superior Court within thirty (30) days of the Board of Adjustment decision.