

17.20.050 Preliminary plat approval.

The preliminary plat approval stage involves the resubmission of the preliminary plat to address the TAC comments. Included in this stage are the review of the resubmitted plans, reports, and required studies and acceptance of the preliminary plat. The applicant shall provide the city with all information essential to determine the character and general acceptability of the proposed development.

A. Preliminary Plat Resubmission.

1. The applicant shall resubmit submittal items of the preliminary plat and each sheet/exhibit and all other required or requested supporting data to the city (see the city of Maricopa submittal requirement checklist submittal details).
 2. Preliminary plats that correctly contain all of the information requested or required by the TAC, as determined by the city
 3. As a prerequisite to approval of any preliminary plat a neighborhood meeting may be required to be conducted by the applicant, if determined by the zoning administrator to be necessary. The purpose of the meeting is to provide information to the adjacent property owners and citizens.
 4. The applicant shall submit documentation of the attendees and minutes of the meeting(s) to the zoning administrator. All meeting(s) shall be held within the city of Maricopa corporate limits.
 5. An applicant has six months from the date of the TAC meeting, or six months from the date of receipt of later comments, in which to resubmit said plans. All applications need to be actively pursued to a decision. If the city has completed any and all appropriate reviews and no activity has occurred for the continued processing of the application on behalf of the applicant for at least six months, the application will be considered inactive, deemed to be withdrawn, and the file will be closed. Thirty days prior to the inactive date, staff will notify the applicant in writing of the impending action. The applicant may submit a written request for the application to remain active along with an explanation for the inactivity. The director may grant an extension for up to six months for good cause if there is reasonable
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belief that the application will be actively pursued during the extension period. Failure to resubmit plans which address all of the TAC comments, or subsequent redline comments, within this deadline shall cause the application to be null and void and fees will not be refunded.

6. An applicant shall be required to submit a new preliminary plat application, including fees and another review of the subdivision by the TAC if the resubmittal is not in substantial conformance to the original submittal. Substantial nonconformance is considered to be, but not limited to, the following:

- a. An increase in the number of lots or units.
- b. A change in the size or configuration of the development parcel.

B. *Preliminary Plat Review.*

1. *Zoning.* The subdivision shall be designed to meet the specific requirements for the zoning district within which it is located. However, in the event that rezoning is necessary for the preliminary plat to conform with the zoning district regulations, or if a PAD approval is sought, said action shall be initiated concurrently with the preliminary plat by the property owner or his authorized agent. In any event, any such zoning amendment required in relation to the preliminary plat shall have been adopted prior to a preliminary plat approval.

2. *Planning.* The subdivision shall be designed to comply with the City of Maricopa, Design Standards Manual, MCC Title [18](#), Zoning, and the goals and objectives of the adopted Maricopa general plan. If the proposed subdivision is in conformance with existing zoning, the plat does not require an amendment to the general plan. In the event that an amendment to the general plan is necessary for the preliminary plat to conform with the specific land use, circulation, or open space elements, said amendment(s) required in relation to the preliminary plat shall have been adopted prior to a preliminary plat approval.

3. *Utilities and Services.* As a prerequisite of preliminary plat approval by the city, the applicant shall have reviewed tentative concepts with but not limited to, Pinal County Environmental Health Department, the Arizona Department of Water Resources (ADWR), appropriate city departments, Maricopa fire department, and the public utility companies

that serve the area proposed for development. The applicant shall have “will serve” letters from the water and sanitary sewer providers, and the electric, gas, and telecommunications companies servicing the development and general approval of the preliminary design to be used. The city may require additional documentation establishing the sufficiency of access and adequacy of service.

4. *Reports.* Reports should be resubmitted after two years with updated data based on current conditions. Any report at this level shall not be considered an approved document.

C. Requirements for Preliminary Plat Approval.

1. When all requirements of this title have been satisfied the Zoning Administrator shall consider the preliminary plat, TAC comments, and the development services and public works department report and recommendations. If satisfied that all objectives have been met, the Zoning Administrator may approve the preliminary plat and make a notation of the approval on the copy of the preliminary plat retained in the office of the City of Maricopa, Development Services Department.

2. If the plat is generally acceptable, but requires minor revisions, the Zoning Administrator may conditionally approve the preliminary plat and the required revisions, when it has been satisfactorily revised in accordance with the stated conditions.

3. If the Zoning Administrator finds that all of the objectives and requirements of this title have not been met, the Zoning Administrator may remit the preliminary plat to the applicant pending revisions or deny the preliminary plat. Resubmittals due to revisions, for the same parcel or any part thereof, shall follow the aforementioned procedure.

D. Significance of Preliminary Approval. Preliminary plat approval constitutes authorization for the applicant to proceed with preparation of the final plat and the improvement plans and specifications for public improvements. Preliminary plat approval does not authorize the applicant to cut roads or other easements, begin site preparation and grading, or any similar such work unless authorized in writing by the city. Preliminary approval is based on the following terms:

1. *Subject to the Basic Approval.* The basic conditions under which preliminary approval of the preliminary plat is granted will not be substantially changed prior to the expiration date.

2. *Approval.* Approval of a preliminary plat approved by the city of Maricopa shall be effective for two years in accordance with an approved phasing plan, but may be extended one time only, upon reapplication and review by staff and verification that the development is in compliance with all current applicable codes of the city, for an additional two years. For phased plats, the city has authority to grant additional extensions if it can be seen that there is progress being made on other phases.
3. *Multi-Phased Developments.* The use of block plats or platting by phases is allowed. The recording of a final plat of one phase shall extend the next phase preliminary plat approval for one year and each phase follows suit. Development of 75 percent of the project vests the remaining 25 percent.
4. *No Authority to Record.* Preliminary approval, in itself, does not assure final acceptance of streets for dedication nor continuation of existing zoning requirements for the development or its environs nor constitute authorization to record the plat.

17.20.060 Final plat and improvement plan approval.

This stage includes the final design of the subdivision, engineering of public improvements, and submittal by the applicant of the final plat, final reports, and plans for all of the required subdivision improvements, to the city, the state and county departments, and the utility companies for approval; including the submittal of the final plat for review and action by the city council.

A. Submittal Requirements.

1. Final Plat Preparation.

- a. *Presentation.* The final plat shall be presented in accordance with requirements set forth in this section and shall substantially conform to the approved preliminary plat and applicable zoning stipulations.
 - b. *Zoning.* The final plat shall meet all requirements of the zoning district in which it is located; and necessary zoning amendments shall have been adopted by the city council prior to filing the final plat with the zoning administrator.
 - c. *Pre-Final Review.* The applicant shall file blue or black line submittal items of the final plat with the city who in turn will distribute submittal items to the various reviewing
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agencies, including utilities (see the city of Maricopa Submittal Requirement Checklist for submittal requirements).

The reviewing agencies shall make known their recommendations in writing. The city shall review the plat for substantial conformity to the approved preliminary plat.

d. *Final Plat Submission.* Only after approval by the City of Maricopa, the applicant shall file with the city the full size copies, and any other plans/documents required by the City. The final plat shall measure exactly 24 inches by 36 inches with a left-hand margin of two inches and be drawn to an accurate engineering scale from an accurate survey. The applicant shall also submit an electronic copy of the final plat in a file format (.DWG) as required by the city of Maricopa.

2. *Improvement Plans and Reports.* Improvement plans and reports shall be submitted in accordance with the procedures and standards established in the Design Standards Manual. Complete sets of improvement plans shall be submitted to the city (see the city of Maricopa Submittal Requirement Checklist for the specific submittal requirements). If the submittal is complete, the city shall distribute sets of the plans to the appropriate reviewing departments, and agencies who shall make known their recommendations in writing.

3. *Environmental Assessment Data.* The purpose of the Environmental Site Assessment is to provide a written and graphic analysis of the environmental characteristics of the site so that the city of Maricopa can evaluate the future use of the site. The “Phase 1 Environmental Report” will identify any hazardous waste site within the proposed subdivision. Environmental site assessments are required for all preliminary plat applications. This study shall include written reports and maps that provide the information outlined below:

The “Phase 1 Environmental Report” shall:

- a. Describe the site and identify uses or activities which might indicate the presence of disposed hazardous substances; and
 - b. Be prepared through the review of readily available information, including but not limited to engineering, regulatory, and historical records of the site, and through interviews of the current and any past owners of the site, tenants and neighbors; and
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c. Be prepared through the review of the regional geology and hydrology of the site and the site's vicinity, available records of groundwater contamination up/and down gradient from the site, obtainable reports of compliance violations and/or containment discharges in the site's vicinity, and the proximity of the site to known environmental conditions or problems within approximately one mile of the site; and

d. Reference the data, records and source of information;

e. Follow report's guidelines and any state requirements when items are found on site.

4. *Submittal with Final Plat.* The following plans and reports, along with the required fees, shall be submitted to the development services department (see city of Maricopa Fee Schedule and Submittal Requirement Checklist for specific fees and requirements):

a. Improvement plan review fees (paid to city and utility companies);

b. Final plat review fee;

c. Final plat;

d. Water and sewer improvement plans;

e. Paving, grading, and drainage improvement plans;

f. Landscape and open space improvement plans;

g. Utility improvement plans (submitted directly to utility companies serving the development);

h. Final drainage report;

i. Final geotechnical/soils report;

j. Final traffic report;

k. Final water report;

l. Final sewer report;

m. Landscape preservation plan (if required by staff);

- n. Boundary closure report;
- o. Street lighting plan;
- p. Subdivision deed restrictions or covenants, conditions and restrictions (CC&Rs), if any;
- q. A.L.T.A. survey;
- r. Title report (conducted within the last two months);

5. *Covenants, Conditions and Restrictions (Deed Restrictions)*. The subdivision deed restrictions shall be submitted to the city for review as part of the final plat and improvement plan submittal package.

6. *Title Report*. The applicant shall, at the time of filing the application(s) for the final plat and improvement plans, submit Title Report, not more than two months old, certifying that the applicant has title, acceptable to the city attorney, for all of the land being subdivided.

7. *Filing Fees*. The applicant shall, at the time of filing the application(s) for the final plat and improvement plans, pay the city the final plat application fee, improvement plan review fee, and the recordation fee, which are established by the city council.

B. *Identification Data*. The following identification data shall be required as a part of the final plat submittal.

- 1. A title, which includes the name of the subdivision and its location by number of Section, Township, Range, and County.
- 2. Name, address and seal of the Arizona-Registered Land Surveyor preparing the final plat.
- 3. Scale, north arrow, and date of plat preparation.
- 4. The name, address and telephone number of the property owner.

C. *Survey Data*. The following survey data shall be required as a part of the final plat submittal.

- 1. The corners of the plat shall be located on the monument lines of abutting streets; boundaries of the parcel(s) to be subdivided fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field. The surveyor of record shall
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also provide a copy of the computer closure, properly stamped and signed showing registration number. All dimensions shall be expressed in feet and decimals thereof.

2. Any excepted parcel(s) within or surrounded by the plat boundaries shall be noted as "Not a Part of This Subdivision" and show all bearings and distances of the excepted parcel as determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.

3. Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two separate corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter-section corners. The Certifying Land Surveyor shall submit subdivision boundary and lot closure and area calculations to the city.

4. Location of all physical encroachments upon the boundaries of the plat.

5. Total subdivision gross acres.

6. Total number of lots and parcels, and the size, in square feet, of each lot or parcel. The size of lots or parcels greater than ten acres in size may be expressed in acres.

D. *Descriptive Data.* The following descriptive data shall be required as part of the final plat submittal.

1. Names, centerlines, right-of-way lines, courses, length and width of all public streets, alleys, pedestrian ways, and utility easements; radii, point of tangency, curve lengths, and central angles of all curvilinear streets, and alleys, radii of all rounded street line intersections.

2. All drainage easements shall be shown on the plat. No structure will be allowed in the easements that will obstruct drainage. The rights-of-way of all major drainage ways shall be dedicated drainage easements or right-of-way as determined by the city engineer.

3. All lots shall be numbered by consecutive numbers throughout the plat. All "tracts" and "parcels" shall be designated, lettered, or named and clearly dimensioned; parcels which are not part of the subdivision shall be so designated. Ownership and maintenance responsibility for open space and common open space areas shall be indicated on the plat.

4. Location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public with the use clearly indicated.
5. Location of all adjoining subdivisions with name, date, book, and page number of recordation noted, or if unrecorded, so noted.
6. Any proposed private deed restrictions to be imposed upon the plat or any part or parts thereof pertaining to the intended use of the land, and to be recognized by the city, shall be noted on the plat (see subsection [\(F\)](#) of this section for details).
7. All existing private easements within, on, or over the plat shall be indicated, dimensioned, and noted as to their use. The location and widths of all easements for right-of-way provided for public services, utilities, or drainage, and any limitations of the easements.
 - a. The following notation shall be placed on all final plats which provide drainage easements: "No structure of any kind shall be constructed or any inappropriate vegetation be planted nor be allowed to grow within, on or over the drainage easement, which would obstruct or divert the flow of storm water. The city may, if it so desires, construct and/or maintain drainage facilities on or under the land of the easement."

E. Final Plat Criteria for Approval.

1. Upon approval of the improvement plans and final reports; letters from all involved utility companies approving the utility installation plans and confirming the availability of services; all required certifications from state and county agencies; The Development Services Director shall approve or deny the plat.
 2. If the Development Services Director approves the plat, the Development Services Director shall sign the plat and the city clerk shall attest the signature.
 3. When the certificate of approval by the Development Services Director has been transcribed on the plat, the zoning administrator shall retain the recording copies until the city engineer certifies that the subdivision has been staked; the improvement plans and final reports have been approved; a computer closure of the plat has been received; recording fees submitted; that the subdivision improvement construction assurances are in the form and amount to the satisfaction of the city engineer and the city attorney, along
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with the engineer's estimated cost of said improvements has been received; and that any drainage or other restrictive covenants have been signed, notarized and received from the applicant.

4. Approval of the final plat is valid for a period of 12 months from the date of Development Services Director approval. If the applicant fails to provide the required material or perform the necessary work, as indicated in this section, within this 12-month period, the final plat approval shall become null and void. Any further action on said plat, after the expiration of the approval, shall require a complete resubmittal of the plat.

5. *Final Plat Expiration.* Final plat approval shall be valid for a period of 12 months from the date the Development Services Director approved the final plat.

6. The final plat must be recorded with Pinal County Recorder within 12 months of approval unless an extension has been obtained prior to the expiration of the plat as provided below.

- a. If the approval expires, any further attempt to subdivide the property will require the submittal of a new application and filing fee.

F. *Final Plat Extension.*

1. Final plat approval shall expire if the final plat is not recorded with the Pinal County Recorder within 12 months from the date Development Services Director approved the final plat except as provided below.

2. Prior to the expiration of the final plat approval, the applicant may request an extension of the final plat approval.

- a. If a request for extension is filed prior to the expiration of the final plat approval, the final plat approval shall continue in effect until the Development Services Director acts on the request.

- b. The Development Services Director may grant a maximum of one six month extension of the final plat approval if applicant demonstrates that there has been no significant substantive change in the engineering standards; that the final plat, including the supporting documents, continue to comply with all applicable requirements; and that the applicant has expended substantial effort and made
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substantial progress towards the completion of the engineering construction plans and required items, as indicated in this section.

c. If the extension is granted, the final plat approval shall be valid for six months from the date the Development Services Director approved the request for an extension, and the final plat approval shall expire if the final plat is not recorded with the Pinal County Recorder within six months from the date the Development Services Director approved the request for an extension of the final plat approval.

d. If the request for extension is denied, the final plat shall expire upon the date the Development Services Director denied the request for an extension or six months from the date the Development Services Director approved the final plat, whichever is later.

17.30.040 Open space and recreation requirements.

A. *General Open Space Requirements.* The purpose of these open space regulations is to provide for open space, recreational, and alternative transportation opportunities and trails within each subdivision and connectivity to the greater community.

1. Open space intended to fulfill these open space requirements shall be calculated upon the net acres of the subdivision whether residential, commercial, or industrial. Net acres for a residential project are defined as: total acres exclusive of the area required for arterial or collector street right-of-way dedications, reserved school sites, multifamily parcels, and all commercial and/or industrial acreage. Net acres for nonresidential projects are defined as: total acres exclusive of the area required for arterial or collector street right-of-way dedications. Required open space for all types of subdivisions shall be as prescribed in MCC Title [18](#), Zoning, following Table 2 or per the council-approved MPD or PAD.

2. For Planned Area Development (PAD) open space requirements, every PAD shall provide 20 percent open space in accordance with Table 18.60.060(A) and/or as approved by the city of Maricopa through the PAD review process. The design of the open space shall be integrated throughout the development and to adjacent developments and the community in general.

3. The development, through the Master Plan Development (MPD) process as described in MCC Title [18](#), Zoning, shall provide open space in accordance with Table 18.60.060(A) and/or as approved by the city of Maricopa through the MPD review process. The design of

the open space shall be integrated throughout the development and connect the development to adjacent developments and the community in general.

4. Residential developments, excluding multifamily residential developments, shall be responsible for developing seven acres of neighborhood/subdivision parks per 325 lots. These parks will be calculated as part of the required open space and shall be maintained by the homeowners association (HOA) as designated by the applicant during the final plat approval, except when the parks have been accepted into the city park system for maintenance responsibilities, by the city of Maricopa.

5. Public parks shall be designated as a separate tract and should not be combined with general tracts of a subdivision. Each public park parcel shall have an individual assessor's parcel number for addressing purposes and a name.

6. Those portions of the Maricopa trail system, as identified in the Parks, Trails and Open Space Master Plan, that are adjacent to, or within, the area proposed for development shall be incorporated by that development. Construction of those portions of the trail corridors shall be the responsibility of the applicant and shall be part of the subdivision improvements. Certain portions of the Maricopa trail system, more specifically the Santa Rosa Wash and the Santa Cruz Wash, shall be dedicated to the public upon completion of the improvements or as agreed upon by the city. Public access easements shall be required to provide access to the Maricopa trail system from public parks and open spaces and from the private parks within the residential developments when adjacent to the Maricopa trail system as directed by the zoning administrator.

B. *Open Space Design Standards.*

1. Neighborhood parks and those portions of an individual development's open space system should be developed adjacent to the Maricopa trail system, whenever possible, to provide linkages to the greater community. Construction of the development's neighborhood parks and/or the open space areas shall be the responsibility of the applicant and shall be part of the subdivision improvements. The open space areas within an individual development shall be part of a tract and maintained by a homeowners/property owners association as designated by the applicant during the final plat approval unless otherwise approved by the city of Maricopa.

2. The open space areas shall be designed in such a manner as to be easily accessible to all lots or units. Accessibility is encouraged so that there is no more than one-sixth of a mile or 880 feet of pedestrian travel between any one lot or unit and an entrance area allowing wildlife corridors, people, bikes or equestrians to enter into the open space area or view the open space area.
3. Retention or detention basins, which are required in accordance with the subdivision drainage report, shall qualify as open space only if they are landscaped, multi-tiered and designed to be used as an active multi-use area. Retention basins with a bottom area in excess of one-half acre, shall be designed, turfed and equipped to accommodate a play/sport field rather than being landscaped with decomposed granite.
4. All recreational facilities, tot lots, play equipment, and amenities within the basin shall be located at least one foot above the 50-year, two-hour storm level. The exception to this standard is for commercial and industrial developments, which shall be permitted to calculate the landscaped retention or detention area as part of the required open space area.
5. Terracing, berming and contouring may be required to naturalize and enhance the aesthetics of the basin. Basin slopes shall not exceed a four to one (4:1) slope.
6. All retention basins shall be designed to drain within 36 hours of a major storm event.
7. Existing watercourses or drainage ways shall qualify as open space if they are incorporated into the design of the subdivision in their historic (unaltered) location, given a natural character (not ditch-like in design), constructed with/of natural materials, such as grass, gravel, and other similar landscaping, and incorporated into the larger open space design.
8. If the applicant chooses to provide a detached sidewalk with a tree-lined street cross section, as the local street cross section, the landscape strip area shall be a minimum of 15 feet in order to be calculated as part of the required open space. Note that the landscape strip is inclusive of that portion of the public right-of-way starting from the back of curb and including any easement specifically granted for landscaping or pedestrian purposes.

C. Multi-Use Trails and Trail Requirements.

1. New developments shall incorporate, at a minimum, and where appropriate, multi-use trails as an integral component of the required open space of the developments. These trails must be located and designed to assure complete separation from vehicular traffic. Trails shall have an average minimum separation of five feet from the back of curb to where the trail is when adjacent to and parallel with a street.
 2. Multi-use trails shall be used to interconnect the various parks and tot lots of a development, the various neighborhoods of a larger development to each other, neighborhoods to commercial areas, and the overall development to the Maricopa trail system. Particular care should be given to linkages with adjacent subdivisions within a larger development to promote internal pedestrian and bicycle traffic without crossing arterial or collector streets as much as possible. Signs, crossings, vegetation, rest and staging areas, and surface materials shall be developed, designed, and installed in conjunction with the development and in a manner appropriate to the specific users intended.
 3. Pedestrian, bicycle and equestrian trails within and through a development shall connect to and be a part of the open space system of the neighborhoods and the city. These trails should be landscaped and minimally furnished to provide shade and rest areas in order to encourage their extensive use as a secondary mode of transportation, recreation, and access throughout the neighborhoods and the city.
 4. Utilizing crime prevention through environmental design (CPTED), natural access control should limit opportunities for criminal activity by incorporating design entrances, exists, fencing, lighting and landscape which are strategically placed to limit access or control flow of persons into, out of, and through a development or trail system
 5. Multi-use trails shall have a total right-of-way or easement width of not less than 20 feet to accommodate landscaping, seatwalls, and furnishings as well as a 13-foot wide path that is a combination of a 10-foot hard surface constructed of either concrete or an all-weather surface such as rubberized asphalt, or similar material and four feet of decomposed granite (see Figure 2). If the multi-use trails include an equestrian trail the total right-of-way or easement width should be not less than 25 feet with the additional 12-foot portion devoted to equestrians constructed of a softer surface treatment consisting of finely ground gravel or other compatible dense, yet soft material; but not cinders.
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6. When approved, unpaved trails shall be designated for limited and specific uses rather than for general use. The design and construction of these unpaved trails shall be in accordance with, and appropriate to, the specific uses allowed. Unpaved trails may also be within or over local utility easements/corridors in order to allow utility access while achieving neighborhood connectivity.

7. Those portions of the Santa Rosa Wash and the Santa Cruz Wash that are required, per the FEMA plan, to be retained as nonbuildable for floodplain purposes shall be dedicated to the public by the adjacent development and constructed in accordance with the city approved open space and recreation plans for the public. Trails within the Maricopa trail system associated with the Santa Rosa Wash and the Santa Cruz Wash shall be constructed in conjunction with the adjacent developments and credited towards the open space requirements (see Figure 3).

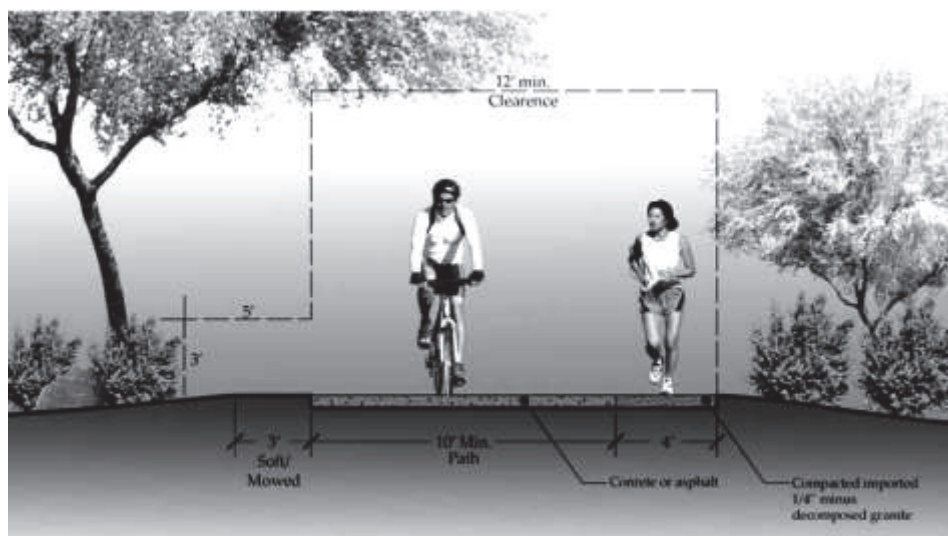


Figure 2. Multi-Use Trail

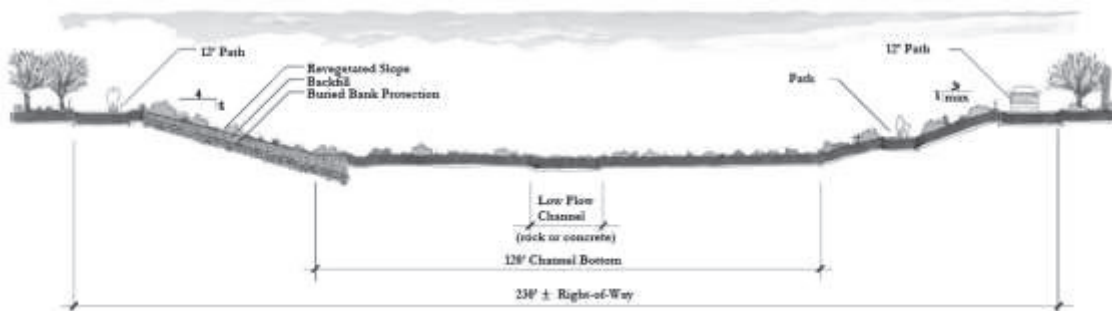


Figure 3. Flood Control Canal/Maricopa Trail System