



## La Paz County Health Department

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### Submission of Subdivision Maps for Approval by Health Department

In order for a subdivision map to be accepted for submittal by the Community Development Department, a written statement from the La Paz County Health Officer must be included about the water company, solid waste disposal, and sewage disposal for the subdivision.

The following items must be submitted to the Health Department for a determination about the suitability of the sanitary facilities of the subdivision:

- 1. \$100.00 review fee made payable to La Paz County Health Department,
- 2. A copy of the subdivision map and accompanying documents,
- 3. If the lots are under one acre, a statement from Arizona Department of Water Resources verifying the quantity and quality of the water (if drilling a well),
- 4. If the lots are under one acre, an agreement from an existing permitted water company to serve all lots in the subdivision, OR  
An acceptable application for a water company to serve the subdivision has been submitted to ADEQ for approval with a copy to La Paz County Health Department and a written description of the method by which the operation/maintenance will be accomplished, OR  
An agreement in writing from the subdivider stating their intention to form a domestic water company to serve the subdivision and a written description of the method by which the operation/maintenance will be accomplished and financed,
- 5. A letter of agreement with a solid waste disposal company under permit with La Paz County stating that garbage pickup will be provided by their company at least once a week to the subdivision,
- 6. If individual septic systems are proposed for each lot, percolation tests for the subdivision must be included, AND  
A copy of the Water Quality Management Plan 208 Consistency Review Form has been sent to ADEQ for their review and a copy is included with Health Department information, (Note: An amendment to the La Paz County Water Quality Management Plan may be required by ADEQ), AND  
Application for individual onsite systems must be made to ADEQ and a copy of that application must be included, (Note: The La Paz County Health Department does not have the authority to disregard flow rates of the Aquifer Protection Permit Rules. A variance to these flow rates must be obtained from ADEQ), OR
- 7. If sanitary sewer facilities and a sewage disposal plant are proposed, a written description of the method by which the operation/maintenance will be accomplished and financed must be included.

The water company must be constructed, permitted by ADEQ, and in compliance before septic systems will be permitted to be installed in the subdivision.

## AN ORDINANCE OF THE COUNTY OF LAPAZ REGULATING SUBDIVISIONS

The Board of Supervisors of the County of La Paz,  
State of Arizona, do ordain as follows:

### ARTICLE I SCOPE

#### SECTION 1.1 AUTHORITY

1. Provisions of this Ordinance are supplemental to those of A.R.S. 11-801 thru 11-806, as Amended, of the State of Arizona, as the same now exists or may hereafter be amended.
2. Any land or lands in the unincorporated territory of La Paz County coming within the definition of Subdivision as herein set forth shall be subject to all of the provisions of the Subdivision Ordinance.

#### SECTION 1.2 PLANNING COMMISSION

The La Paz County Planning Commission is hereby charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions, and is hereby authorized, subject to the provisions of this Ordinance, to APPROVE, CONDITIONALLY APPROVE, OR DISAPPROVE tentative maps of subdivisions prepared and filed according to this Ordinance, to designate the kinds, nature and extent of the improvements to be installed in subdivisions, and to report directly to the subdivider or owner, the action taken on tentative maps.

#### SECTION 1.3 SUBDIVISION COMMITTEE

1. There is hereby created a Subdivision Committee to act in an advisory capacity to the said Commission, and such Committee shall consist of:
  - Director or Assistant Director of Public Works
  - Health Officer
  - Chief Engineer of the County Flood Control District
  - Planning Director
  - Superintendent of Streets
  - General Manager - Chief Engineer Water Users Association and Irrigation Drainage Districts
  - Designated representatives of City, County, State or Federal Agency having Legislative Authority
  - Chairman, Board of Supervisors NRCDs
  - Chief Engineer, Utility Companies
  - Chief, Fire Department
  - School Superintendent
2. The Planning Director shall be Chairman of the Committee.
3. The Planning Director shall, as necessary, fix and publicize the time of meetings of the Subdivision Committee.
4. Members of the Subdivision Committee shall consider tentative maps and shall report findings and

recommendations to the Commission as appropriate.

## ARTICLE II DEFINITIONS

### SECTION 2.1 GENERAL

The following words, terms and phrases, when used in these regulations or in plans and specifications and other rules and regulations promulgated and adopted by the Board of Supervisors, shall have following meanings:

### SECTION 2.2 ASPHALT

Asphalt means a material made from bituminous materials and aggregates.

### SECTION 2.3 ATTORNEY

Attorney means County Attorney of La Paz County.

### SECTION 2.4 BOARD

Board means the Board of Supervisors of La Paz County.

### SECTION 2.5 COMMISSION

Commission means the Planning and Zoning Commission of La Paz County.

### SECTION 2.5 (A) COMMON PROMOTIONAL PLAN

Common Promotional Plan shall mean a plan, undertaken by a person or a group of persons acting in concert to offer lots for sale or lease. If the land is offered for sale by a person or group of persons acting in concert and the land is contiguous or is known, designated or advertised as a common unit or by a common name, the land is presumed, without regard to the number of lots covered by each individual offering, as being offered for sale or lease as part of a common promotional plan. Separate subdividers selling lots or parcels in separately platted subdivisions within a master planned community shall not be deemed to be offering their combined lot for sale or lease as part of a common promotional plan.

### SECTION 2.6 CONCRETE

Concrete means a material made from Portland cement and natural or manufactured aggregate.

### SECTION 2.7 DEPARTMENT OF PUBLIC WORKS

Department of Public Works means the Department of Public Works of La Paz County.

### SECTION 2.8 DIRECTOR OF PUBLIC WORKS

Director of Public Works means Director of Public Works or Assistant Director of Public Works of La Paz County.

## SECTION 2.9 DIVISION OF HIGHWAYS

Division of Highways means the Arizona Highway Department, State of Arizona.

## SECTION 2.10 EASEMENT

Easement means a grant by the owner of the use of land for specific conditions, uses and purposes.

## SECTION 2.11 FLOOD CONTROL ENGINEER

Flood Control Engineer means the Chief Engineer of the La Paz County Flood Control District.

## SECTION 2.11 (A) FRACTIONAL INTEREST

Fractional Interest shall mean an undivided interest in improved or unimproved land, lots or parcels of any size created for the purpose of sale or lease and evidenced by a receipt, certificate, deed, or other document conveying such interest. Undivided interests in land, lots or parcels created in the names of a husband and wife as community property, joint tenants or tenants in common, or in the names of other persons who, acting together as part of a single transaction, acquire such interests without a purpose to divide such interests for present or future sale or lease shall be deemed to constitute only one fractional interest.

- a) Also, two new definitions are needed in order to put Senate bill 1038 into local context and provide basis for the review process:

## SECTION 2.12 HEALTH OFFICER

Health Officer means the Health Officer of La Paz County.

## SECTION 2.13 HIGHWAY TERMS

1. ALLEY means a secondary means of access to property and is located at the rear or side of the property.
2. AREA SERVICE HIGHWAYS means rural routes of countywide importance, spaced at intervals consistent with population density, to collect traffic from local roads and bring all developed rural areas within a reasonable distance of a higher level of service than the local roads. Additional area service roads may provide direct service to the communities not directly served by the freeway and major highway systems, and to other locally important traffic generators.
3. BELT HIGHWAY means an arterial highway for carrying traffic partially or entirely around an urban area or portion thereof for which the minimum right-of-way width shall be 110 feet.
4. COLLECTOR STREETS mean those streets which provide for traffic movement within neighborhoods of the county and between major streets and for direct access to abutting property. The spacing for collector streets is approximately one-half mile, and they may also serve secondary traffic generators, such as schools, parks, and apartment areas with high population density.
5. CONTROL OF ACCESS means the condition where the right of owners or occupants of abutting land or other persons to access, light, air or view in connection with a highway is fully or partially controlled by

public authority.

- a) FULL CONTROL of access means that the authority to control access is exercised to give through traffic by providing access connections with selected public roads only and by prohibiting crossings at grade or direct private driveway connections.
  - b) PARTIAL CONTROL of access means that the authority to control access is exercised to give to through traffic to a degree that, in addition to access connections with selected public roads, there may be some crossings at grade and some private driveway connections.
6. CUL-DE-SAC means a local street open at one end only without special provisions for turning around and the further extension of which is precluded by the subdivision design.
  7. DEAD-END STREET means a local street open at one end only without special provisions for turning around and which may be further extended into adjoining property.
  8. DIVIDED HIGHWAY means a highway with separated roadways for traffic in opposite directions.
  9. EXPRESSWAY means a divided arterial highway for through traffic with full or partial control of access and generally with grade separations at intersections.
  10. FREEWAY means those roads and streets with full control access and serve corridors of major traffic flow not already served by the interstate freeways.
  11. FRONTAGE STREET OR ROAD means a local street or road auxiliary to and located on the side of an Expressway, Freeway, Major Highway or Secondary Highway for service to abutting property and adjacent area and for control access.
  12. GOVERNING BODY means the city, town council, or other authority of a city, the Board of Supervisors or La Paz County, or the State Highway Commission for the State.
  13. LOCAL ROADS means roads primarily for access to abutting lands, such as farms, rural, subdivisions, or other low intensity purposes.
  14. LOCAL STREETS mean those streets providing direct access to commercial, industrial, or other abutting land and for local traffic service to collector and/or major streets.
    - a) COMMERICAL STREETS means access streets serving substantial traffic volumes on relatively short developed illumination and drainage and provisions for parking and pedestrian movements.
    - b) MAJOR COMMERCIAL STREETS means a street serving property intended for commercial use and carrying through traffic.
    - c) INDUSTRIAL STREETS means access streets serving substantial traffic volumes and particularly high proportions of commercial vehicles on areas where land use is predominantly industrial.

wholesale trade, and goods movement.

- d) MAJOR INDUSTRIAL STREETS means streets serving property intended for industrial use and carrying through traffic.
  - e) PRIVATE STREETS means streets serving only property within the subdivision which is not dedicated to public use, and to which access by the public is controlled by the subdivision design and "by either posting or grating.
  - f) RESIDENTIAL STREETS means other streets in municipalities. In general, these streets provide access to residential property.
  - g) RESTRICTED STREETS means short local streets where due to unusual conditions as determined by the Commission and approved by the Department of Public Works, it is impractical to provide a wider right-of-way.
15. MAJOR HIGHWAY means a highway so designated on the Master Plan for the minimum right-of way shall be 150 feet and gull access control.
16. ROADSIDE STRIP means the area adjoining the outer edge of the roadway or street and extending to the right-of-way line, and in which sidewalks, approved plantings, approved utility structures and bank slopes may be located.
17. ROADWAY means the portion of a street or highway, including shoulders and auxiliary lanes, for vehicular travel.
18. RIGHT-OF-WAY means a general term denoting land, property, or interest therein, usually in a strip acquired for or devoted to a highway, road, street, alley, utility drainage.
19. HIGHWAY means a right-of-way designated for vehicular traffic, including Expressway, Freeway, Road or Street.

#### SECTION 2.14 IMPROVEMENT

Improvement refers to such street work, sidewalks, utilities and flood and drainage work to be installed, or agreed to be installed by the subdivider on the land to be used for public or private streets, highways, ways and easements, as are necessary for the general use of the residents in the subdivision and local neighborhood traffic and drainage needs.

#### SECTION 2.14 (A) LAND DIVISION

Land Division shall mean improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into five or fewer lots, parcels, tracts, or fractional interests.

#### SECTION 2.14 (B) LEGAL ACCESS

Legal Access shall mean permanent vehicular easement or right-of-way, to the nearest county or state road or highway over terrain which may be traversed by conventional motor vehicle, the description and assignment of

which easement or right of ways have been recorded in the County Recorder's public records, and the described assignment runs with the land, has no reserved portion to prevent extension to future divisions, and includes clear title along all of its alignment. Legal access does not include such ways provided only by means of recorded or unrecorded contracts of sale; and legal access does not include ways where access is required over the property of others, where no easement or right-of-way has been recorded as legally available for access to the currently dividing property.

#### SECTION 2.15 MASTER PLAN

Master Plan means a Master or General Plan of the County of La Paz or any element thereof as described in A.R.A., Section 11-801 thru 11-806, as Amended, State of Arizona, as adopted by the Board of Supervisors.

#### SECTION 2.16 PERSON

Person means any of the following either singly or combination, but shall not be limited to one or more of any of the, individual, firm, co-partnership, joint venture, association, club, social club, fraternal organization, corporation, estate, trust.

#### SECTION 2.17 PLANNING DIRECTOR

Planning Director means the Planning Director of La Paz County.

#### SECTION 2.18 PUBLIC SALE

Public Sale means that point in transfer or exchange of property, at which time, title is transferred, or upon close of escrow.

#### SECTION 2.19 RECORDER

Recorder means the Recorder of the County.

#### SECTION 2.20 RESUBDIVISION

Resubdivision means the division of or the change in boundaries of a lot, lots, tracts or parcels, the boundaries of which have been fixed by a recorded subdivision map.

#### SECTION 2.21 SERVICE AREA

Service Area means an area provided for in the subdivision design at the rear of retail, commercial or multi-family dwelling use of sufficient size and accessibility to facilitate the provision of necessary services.

#### SECTION 2.22 SMOKE

Smoke means particulate matter resulting from incomplete combustion.

#### SECTION 2.23 STAFF

Staff means the officials, designated assistants or employees of the agencies comprising the Subdivision Committee.

SECTION 2.24 SUBDIVISION OR SUBDIVIDED LANDS (Adopted June 20, 1994)

Subdivision or Subdivided Lands shall mean improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into six or more lots, parcels or fractional interests. Subdivision or subdivided lands include a stock cooperative (as defined in ARS Title 32, Chapter 20 Article 1) and include lands divided or proposed to be divided as part of a common promotional plan. This paragraph shall not apply to leasehold offerings of one year or less or to the division or proposed division of land into lots or parcels each of which is, or will be, thirty-six acres or more in area including to the center line of dedicated roads and easements, if any, contiguous to the lot or parcel, and provided further that this definition shall not be deemed to include the leasing of agricultural lands, or of apartments, offices, stores, hotels, motels, or similar space within an apartment building, industrial building or commercial building; no shall this definition include the subdivision into, or development of, parcels, plots or fractional portions within the boundaries of a cemetery which has been formed and approved pursuant to ARS Title 32, Chapter 20.

Cooperatives, and other planned communities where the land is undivided, horizontally or vertically, shall be considered to be subdivisions insofar as this Ordinance is concerned. The sale of property to be used as lots, plots, or building sites in recorded subdivisions only to metes and bounds description shall be presumed to be an attempt to evade the provisions of this Ordinance, and such an instrument shall not be eligible for filing and recording in the office of the County Recorder.

SECTION 2.25 SUBDIVISION DEVELOPMENT PLAN

Subdivision Development Plan means a simple drawing of the proposed subdivision showing streets, alleys, utility and drainage easements. Subdivision will be shown in relation to existing and planned streets within 1000 feet of the subdivision prepared to a scale not smaller than one inch to three hundred feet.

SECTION 2.26 ONE HUNDRED YEAR FLOOD

One Hundred Year Flood means a flood that has a one percent chance<sup>C</sup> of occurring during any one year, based upon criteria established by the Arizona Water Commission. All hydrologic design shall be in conformance with the current Arizona Highway Department hydrologic design procedures.

SECTION 2.27 SUPERINTENDENT OF STREETS

Superintendent of Streets means the Superintendent of Streets of La Paz County.

SECTION 2.28 UTILITIES

Utilities mean the installation of facilities, furnished for the use of the public: electricity, gas, sewer, water, fire hydrants, steam, telephone, cable TV, or other facilities, owned and operated by any person, firm, corporation, municipal department or board duly authorized by State or Municipal regulations.

SECTION 2.29 VICINITY MAP

Vicinity Map means a simple drawing of the subdivision showing its location in relation to established City, County, State or Interstate Highways drawn to a legible scale.

## ARTICLE III STANDARDS OF SUBDIVISION DESIGN

### SECTION 3.1 GENERAL PROVISIONS

All subdivisions shall conform to the following standards of subdivision design, except in those cases where the Board of Supervisors has determined that a modification is justified due to unusual topographical conditions or other exceptional conditions.

### SECTION 3.2 MASTER PLAN

All subdivision plans shall conform to the requirements of any plan adopted by the County as a Master Plan, Land Use Plan or element thereof, and to all other requirements established by law or ordinance.

### SECTION 3.3 GENERAL STREET DESIGN

1. The street system in the proposed subdivision shall relate in alignment to the existing streets in the area adjoining the subdivision.
2. The proposed street plan shall give consideration to the future subdivision of adjoining unsubdivided property.
3. All streets shall be designed to serve the proposed use of land abutting them.
4. If a subdivision borders on a street, the subdivider shall be required to improve the near half of all perimeter streets in accordance with the requirements of the La Paz County Highway Department and the guide for improvements of the La Paz County Highway Department and the Guide for Improvement of Subdivision Perimeter Streets.

### SECTION 3.4 SPECIAL STREET DESIGN

1. Along Expressways and Major Highways, access to private property shall be provided by means of:
  - a) A Frontage Road.
  - b) A street separate from the Expressway or Major Highway by a tier of lots.
  - c) Cul-de-Sac streets entered from a street other than the Expressway or Major Highway.
2. Design of streets shall make provision for railroads, parkways, expressway, grade separations, flood control, channels irrigation facilities and hillside property.

### SECTION 3.5 PRIVATE STREETS

1. Private streets and ways may be platted with the approval and consent of the Commission when the Commission finds that:
  - a) Adequate performance bonds, assurances or other securities as may be appropriate and necessary to assure the installation of required improvements meeting established minimum standards of design

and construction have been posted.

- b) Continued maintenance for said improvements have adequate provisions such as the establishment of an Improvement District or Declaration of Covenants to be recorded for maintenance assessments acceptable to the Commission.
- c) The welfare of the occupants of the subdivision will be adequately served and
- d) The public's welfare will not be impaired.

### SECTION 3.6 CURB AND GUTTER REQUIREMENTS

1. The requirement for Schedule A, Subdivision Improvement Standards for curbs and gutters within a proposed residential subdivision may be waived when the subdivision meets the following criteria:
  - a) The subdivision will be developed on Hydrologic Soil Group A as specified in the Soil Conservation Service, Engineering Field Manual, Chapter 2, Page 2-3, or the subdivision design shall provide for the retention of storm waters on each lot when approved by the Flood Control Engineer.
  - b) The subdivision surface grade shall not be more than two percent.
  - c) The hydrologic design of the subdivision will preclude the flow of 100 year flood water from each block of the subdivision.
  - d) A pavement border as per Standard 16A, "Pavement Border" or such treatment as may be approved by the Department of Public Works, shall be installed on both edges of the pavement to prevent erosion of pavement edges.

### SECTION 3.7 STREET AND HIGHWAY WIDTHS

1. The minimum right-of-way for residential and secondary streets shall be as follows:
  - a) Area Service Highway: A highway so designed on the Master Plan for which the minimum right-of-way width shall be 100 feet.
  - b) Collector Street, High Volume: The minimum right-of-way width shall be 80 feet.
  - c) Collector Street, Residential: The minimum right-of-way width shall be 60 or more feet as approved by the Department of Public Works.
  - d) Cul-de-Sac Streets: Shall not serve more than 20 lots, or be longer than 1300 feet.
  - e) Expressways: The minimum right-of-ways where expressways are involved shall be 142 feet (not including frontage roads) except where a greater width is required to accommodate traffic in accordance with an approved design. Where abutters' access rights have not been relinquished to the State or County, access to the subdivision shall be provided from a frontage road, or as provided in Section 3.4.

- f) Major Commercial Streets: Shall have a minimum right-of-way width of 100 feet to provide for four 12-foot traffic lanes, two 8-foot parking lanes, 16-foot center separation for turning lanes and two 10-foot roadside strips.
- g) Major Industrial Streets: Shall have a minimum right-of-way width of 100 feet to provide for four 12-foot traffic lanes, two 12-foot parking lanes, and two 14-foot roadside strips.
- h) Secondary Industrial Streets: Shall have a minimum right-of-way width of 80 feet to provide for two 12-foot traffic lanes, two 12-foot parking lanes, and two 15-foot roadside strips.
- i) Residential Streets: Shall have a minimum right-of-way of 50 feet when the utilities are to be installed within the street right-of-way or in separate utility easements provided in the subdivision design. Additional right-of-way widths shall be required if the utilities are to be installed in roadside strips.
- j) Restricted Streets: Shall have a minimum right-of-way width of 40 feet. Two 10-foot traffic lanes and restricted parking.

### SECTION 3.8 FRONTAGE ROADS

1. The minimum right-of-way where frontage roads are involved shall be as follows:
  - a) Roads serving residential and agriculture uses: 40 feet.
  - b) Roads serving all other uses: 60 feet.

### SECTION 3.9 STREET GRADES

1. Street grades between six percent and ten percent will be approved only for such distances as topographical conditions make lesser grades impractical. A grade exceeding ten percent will be approved only when conclusive evidence shows that a lesser grade is impractical.
2. The minimum street grade should not be less than two-tenths of one percent.
3. Flat grades may be considered when adjacent lots or blocks are designed for ponding storm water.

### SECTION 3.10 STREET ALIGNMENT

1. Curves in residential streets in comparatively level locations shall have a preferred centerline radius of 300 feet, a minimum centerline radius of 200 feet, and in steep hillside locations, a minimum radius of 150 feet. All other streets and highways shall have a minimum centerline radius of 1000 feet.
2. Street jogs of less than 200 feet shall not be permitted.

### SECTION 3.11 INTERSECTIONS

1. All street connections shall be at approximate right angles.