

ORDINANCE NO. 06-26

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF  
THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, AMENDING  
THE TOWN OF DEWEY-HUMBOLDT SUBDIVISION CODE.**

**WHEREAS**, the Town of Dewey-Humboldt has adopted a Subdivision Code to regulate the division of land, and

**WHEREAS**, the Planning and Zoning Commission of the Town of Dewey-Humboldt has recommended amending the Subdivision Code to allow for more effective implementation, and

**WHEREAS**, this requested amendment has been properly noticed for public hearing and the necessary hearing was on June 6, 2006; and

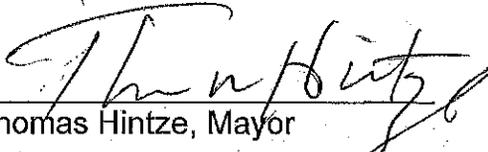
**WHEREAS**, the adoption of the Amended Subdivision Code for the Town of Dewey-Humboldt, Arizona will enhance the health, safety, and welfare of the community; and

**NOW THEREFORE**, be it ordained by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona that:

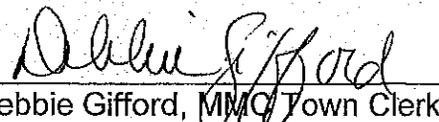
**Section 1: Adoption of an amendment to the Town of Dewey-Humboldt Subdivision Code.** The Town of Dewey-Humboldt Subdivision Code, a copy of which is on file with the Town Clerk, is hereby amended with text changes as listed in Exhibit A.

**Section 2: Authorization to Prepare Documents.** The Town Manager, Town Clerk, Town Engineer, Town Attorney and any other necessary persons are hereby authorized to prepare the agreements, forms and instruments contemplated to be used by the Town in implementing the provisions of the Town Subdivision Code.

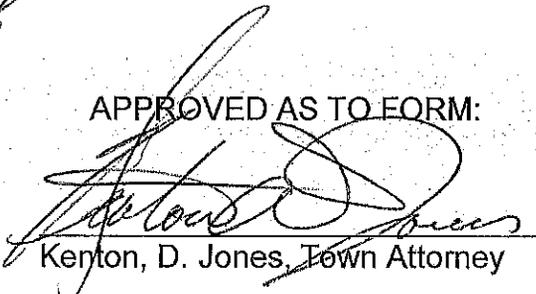
**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona, this 6 day of June, 2006.

  
Thomas Hintze, Mayor

ATTEST:

  
Debbie Gifford, MMC Town Clerk

APPROVED AS TO FORM:

  
Kenton, D. Jones, Town Attorney

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**EXHIBIT "A"**

**SECTION 3 LAND SPLITS**

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**A. PURPOSE**

Land Splits are regulated for the purpose of ensuring each parcel of land within the Town has sufficient public access, provision for water and waste disposal, adequate parcel size and dimensions for the use intended, and availability of public services.

This Ordinance will establish a review process for land divisions, other than subdivision, by which owners and prospective purchasers can be advised whether a proposed division of land complies with the Town of Dewey-Humboldt regulations relating to land splits. This review is intended to:

Protect and promote the public health, safety convenience and welfare.

Assure that newly created lots are of sufficient size to meet the requirements of the applicable zoning classification.

Assure that all lots resulting from a land split will have adequate access as specified by section B, below.

**B. APPLICABILITY**

Any proposed land split as defined by this ordinance shall be submitted to the Planning Manager for review.

1. Parcel size and dimensions shall meet the requirements of the underlying Land Use District.
2. Adequate access for ingress/egress shall be provided.
3. Adequate provision for utilities, including electric, water and wastewater service shall be available and such availability shall be indicated on a survey submitted with a request for a land split.

### C. REVIEW PROCEDURES

Application Submittal-Prior to recording any land split, a property owner shall submit an application containing the following information.

1. A completed application form.
2. A drawing or sketch showing the proposed land split. ***A preliminary sketch may be provided for preliminary approval of the split. Final approval is dependent on a drawing produced by a licensed Land Surveyor.*** The drawing should be fully dimensioned and prepared at a scale which maintains legibility. The drawing or sketch should show the following information:
  - a. Legal description
  - b. The boundaries of the original parcel prior to the land split.
  - c. Proposed lots, dimensioned.
  - d. The rights-of-way adjacent to or within the property, including streets and easements.
  - e. The locations and dimensions of any existing structures.
  - f. The setbacks of existing buildings and structures from existing and proposed property lines.
  - g. The placement of existing wells and septic systems will be identified on the scale map.
3. Documentation of the land division history of this parcel. Documentation may consist of assessor's maps and records, deeds, title history search, or any other information that would credibly show the number of land divisions that have occurred from the original parcel since **1986**.
4. If applicable, a copy of any easement and/or required agreement, or other legal document which permits shared facilities.

### D. DECISIONS AND FINDINGS

The applicant shall be notified within ten (10) working days after the land split application is filed.

1. If it is determined that the proposed land split constitutes a subdivision, compliance with division 1 or 2 of this Article, as applicable shall be required for the proposed land division.
2. If it is determined that the proposed land split complies with the minimum requirements of this division, a letter of approval shall be issued to the applicant, together with an

approved copy of the land split drawing. If it is determined that the proposed land split does not comply with the minimum requirements of this Division, a letter of denial shall be issued to the applicant.

3. If a decision is not issued within the ten (10) day time period for issuance of a decision as required by this Section, the land split shall be deemed not to constitute a subdivision requiring approval as a subdivision plat.
4. Compliances with Town ordinances and regulations not reviewed as part of the land split review process will be determined at the time of application for building permits when more detailed information is provided on the proposed development of each lot.

**E. COMPLIANCE**

No building permit or zoning compliance certificate shall be issued for development on any parcel that does not comply with the land split regulations of this Article.