

## Ordinance No. 830

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING SECTION 14-03-030 "STREET DESIGN" IN ARTICLE 14-03 "SUBDIVISION DESIGN STANDARDS AND PRINCIPLES" IN CHAPTER 14 "SUBDIVISIONS" OF THE TOWN CODE TO CONFORM TO STANDARDS RECENTLY ADOPTED BY THE CENTRAL YAVAPAI FIRE DISTRICT FOR THE DESIGN OF CUL-DE-SACS WITHIN YAVAPAI COUNTY, PROVIDING THAT ALL OTHER CHAPTERS, ARTICLES AND SECTIONS OF THE TOWN CODE, NOT HEREIN AMENDED, SHALL REMAIN IN FULL FORCE AND EFFECT, PROVIDING THAT, IF ANY PROVISION IN THIS ORDINANCE IS HELD INVALID BY A COURT OF COMPETENT JURISDICTION, THE REMAINING PROVISIONS SHALL NOT BE AFFECTED BUT SHALL CONTINUE IN FULL FORCE AND EFFECT, AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW

WHEREAS, Arizona municipalities are required by A R S §9-463 01 to regulate the subdivision of lands within their corporate limits in accordance with the prescriptions of that Section, and

WHEREAS, on March 27, 1980, the Town Council approved and adopted Ordinance No 25 enacting the Town's subdivision regulations, and

WHEREAS, on August 9, 2012, Town Council approved the *General Plan 2025* which updated all of the planning elements of the former General Plan and amended the Circulation Elements related to the design, location and arrangement of streets within subdivisions, and

WHEREAS, at present Town Code Section 14-03-030(B)(3) sets forth the minimum drivable surface for cul-de-sacs within the Town as 46' radius (92' diameter), and

WHEREAS, on June 18, 2013, the Central Yavapai Fire District ("CYFD") adopted the 2012 International Fire Code ("2012 IFC"), as amended, and

WHEREAS, pursuant to Appendix D, Table D103 4 of the 2012 IFC ("Appendix D"), the minimum drivable surface for cul-de-sacs on roads over 150' in length should be 96' in diameter (48' radius), and

WHEREAS, many of the streets and cul-de-sacs in Yavapai County were constructed under previous codes and do not meet 2012 IFC standards, and

WHEREAS, to help provide for uniform practice and enforcement of cul-de-sac standards in Yavapai County, on October 18, 2016, CYFD adopted an amendment to

Appendix D giving the fire code official discretion to approve cul-de-sacs with a minimum drivable surface of 82' diameter (41' radius), and

WHEREAS, the Town desires to conform its subdivision standard for cul-de-sacs to the standards adopted by CYFD, and

WHEREAS, the Prescott Valley Planning and Zoning Commission held a public hearing on the proposed amendments at its regular meeting held April 13, 2017, and voted thereafter to forward the same to the Town Council with a recommendation of approval, and

WHEREAS, the Town Council has considered this recommendation at its regular meetings held on April 13, 2017, and April 27, 2017, and

WHEREAS, the Town Council finds that the proposed amendments conform to the Town's *General Plan 2025* and are designed to help preserve the peace, health and safety of the community, and

WHEREAS, the Town Council further finds that the procedures required by A R S §§9-462 03 and 9-462 04 (and by Article 13-30 of the Prescott Valley Town Code) have been complied with in connection with this zoning action,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA, AS FOLLOWS

**SECTION ONE** That Section 14-03-030 "Street Design" in Article 14-03 "SUBDIVISION DESIGN STANDARDS AND PRINCIPLES" in Chapter 14 "SUBDIVISIONS" of the Town Code of the Town of Prescott Valley, Arizona, is hereby amended to read as follows

**14-03-030 Street Design.**

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**B Minimum Required Right-of-Way Widths**

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3 Local Streets - sixty (60) feet wide adjacent to park and school sites, otherwise as required by applicable Town standards

a Cul-de-Sacs - terminate in a circular Right-of-Way ~~forty six~~forty-eight (4648) feet in radius (96' diameter) (with a three (3) foot utility easement around the turnaround) ~~The Department may recommend an equally convenient form of turning and backing areas where extreme conditions justify~~

b A fire code official with the Central Yavapai Fire District may, as part of a preliminary development plan approval process, approve a Cul-de-Sac terminating in a circular Right-of-Way with a minimum forty-one (41) feet in radius (82' diameter) (with a three (3) foot utility easement around the turnaround) with No Parking / Fire Lane signs posted in the Cul-de-Sac.

bc Note dead-end streets will not be approved except in locations recommended by the Department as necessary to future extension in development of adjacent lands. In such cases, a dead-end street extending two hundred (200) feet or more shall include an easement for a temporary turning circle with a forty (40) foot radius (or other acceptable design to accomplish adequate access).

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(Ord No 25, Enacted, 03/27/80, Ord No 178, Ren&Amd, 05/26/88, 17-03-030, Ord No 772, Amended, 03/28/13, Ord No 801, Amended, 02/12/15, Ord. No.830, Amended, 4/27/17)

**SECTION TWO** That all other Chapters, Articles and Sections of the Town Code, not herein amended, shall remain in full force and effect

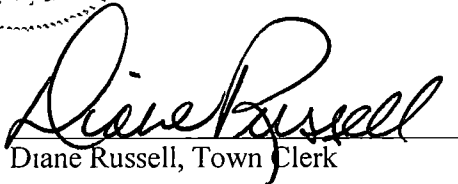
**SECTION THREE** That, if any provision in this Ordinance is held invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect

**SECTION FOUR** That this Ordinance shall be effective thirty (30) days after its passage and approval according to law

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 27th day of April, 2017



  
Harvey C. Scoog, Mayor

  
Diane Russell, Town Clerk

APPROVED AS TO FORM

  
Ivan Legler, Town Attorney