

ORDINANCE NUMBER 622

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING MAP OF THE CITY OF COTTONWOOD, ARIZONA, FOR FIVE PARCELS OF LAND TOTALING APPROXIMATELY 100.83 ACRES, LOCATED EAST OF THE INTERSECTION OF GROSETA RANCH ROAD AND STATE ROUTE 89A, APN 406-32-080P; 406-23-036V, 406-32-036W, 406-32-174B, AND 406-32-174C, SO AS TO CHANGE CERTAIN DISTRICT BOUNDARIES AND CLASSIFICATIONS THEREOF FROM THE PRESENT ZONING OF PAD (PLANNED AREA DEVELOPMENT) AS APPROVED PER ORDINANCE NUMBER 408, ON NOVEMBER 20, 2001, TO PAD (PLANNED AREA DEVELOPMENT) ZONE.

WHEREAS, the Planning & Zoning Commission considered the proposed PAD rezoning at their July 18, 2016, meeting and recommended approval subject to 23 conditions; and

WHEREAS, additional technical conditions were added by staff for Public Works, Utilities, and Fire Department requirements; and

WHEREAS, the City Council considered the 555 unit residential Planned Area Development at a work session held on September 13, 2016; and

WHEREAS, the requirements of A.R.S. § 9-462.04 have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the following described parcels of land APN 406-32-080P; 406-23-036V, 406-32-036W, 406-32-174B, AND 406-32-174C, lying within the City of Cottonwood, Yavapai County, Arizona, shall be and are hereby reclassified from PAD to PAD, subject to the applicant's compliance with the conditions and stipulations set forth below under Section 2.

Legal Description

Parcel Number 1:

That portion of Sections 28 and 33, Township 16 North, Range 3 East, Gila and Salt River Meridian, Yavapai County, Arizona, being portions of those certain parcels described in Book 3984 of Official Records at Page 64 and Book 3984 of Official Records at Page 67, records of Yavapai County, more particularly described as follows:

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COMMENCING at the south quarter corner of said Section 28 marked with a found ½ inch rebar with set tag "LS 48100" (from which the southwest corner of said Section 28, marked with a found, bent, rebar with aluminum cap "RLS 40622", bears North 88°51'34" West, along the Basis of Bearing, a distance of 2648.46 feet);

Thence North 88°51'35" West, along the south line of the southwest quarter of said Section 28 a distance of 1645.61 feet to a point;

Thence South 05°37'52" East a distance of 407.23 feet to a point; Thence South 57°33'17" West a distance of 204.00 feet to a point;

Thence North 86°33'06" West a distance of 335.72 feet to a point on the easterly right-of-way of the PRESCOTT-FLAGSTAFF HIGHWAY per Drawing Number D-13-T-464 on file with the Arizona Department of Transportation and the Warranty Deed re-recorded in Book 4768 of Official Records at Page 553, records of Yavapai County marked with a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 51°07'57" West, along said easterly right-of-way, a distance of 230.49 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622", the TRUE POINT OF BEGINNING;

Thence North 40°41'19" West, along said easterly right-of-way, a distance of 449.08 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 01°41' 55" East, along said easterly right-of-way, a distance of 28.05 feet to a point on said south line of the southwest quarter of said Section 28 marked with a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 01°47'45" East, along said easterly right-of-way, a distance of 31.34 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 56°54'34" East, along said easterly right-of-way, a distance of 259.24 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 25°08'18" West, along said easterly right-of-way, a distance of 13.31 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 24°52'54" West, along said easterly right-of-way, a distance of 25.00 feet to a point on the southerly line of that certain exception described as PARCEL 1 in said Book 3984 at Page 67 marked with a set 1/2 inch rebar with plastic cap "LS 48100" in pavement;

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Thence North $64^{\circ}15'46''$ East, along said southerly line of exception, a distance of 90.24 feet to a found spindle with washer "LS 13015" in pavement;

Thence North $63^{\circ}56'12''$ East, along said southerly line of exception, a distance of 28.82 feet to a point on the southerly line of that certain right-of-way granted to the City of Cottonwood and described on EXHIBIT B in Book 4217 of Official Records at Page 577 marked with a set 1/2 inch rebar with plastic cap "LS 48100" in pavement;

Thence North $73^{\circ}50'09''$ East, along said southerly line of right-of-way, a distance of 252.98 feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence easterly, along said southerly line of right-of-way, along a curve to the right having a radius of 360.00 feet, a central angle of $17^{\circ}50'56''$, a chord of North $82^{\circ}45'37''$ East, 111.70 feet, for an arc length of 112.15 feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South $88^{\circ}18'55''$ East, along said southerly line of right-of-way, a distance of 10.84 feet to a point;

Thence South $00^{\circ}41'18''$ East a distance of 145.53 feet to a point; Thence South $01^{\circ}08'25''$ West a distance of 249.50 feet to a point;

Thence South $50^{\circ}02'37''$ West a distance of 493.65 feet to the TRUE POINT OF BEGINNING.

Parcel Number 2:

That portion of Sections 28 and 33, Township 16 North, Range 3 East, Gila and Salt River Meridian, Yavapai County, Arizona, being portions of those certain parcels described in Book 3984 of Official Records at Page 64 and Book 3984 of Official Records at Page 67, records of Yavapai County, more particularly described as follows:

BEGINNING at the south quarter corner of said Section 28 marked with a found 1/2 inch rebar with set tag "LS 48100" (from which the southwest corner of said Section 28, marked with a found, bent, rebar with aluminum cap "RLS 40622", bears North $88^{\circ}51'34''$ West, along the Basis of Bearing, a distance of 2648.46 feet);

Thence North $88^{\circ}51'35''$ West, along the south line of the southwest quarter of said Section 28 a distance of 1645.61 feet to a point;

Thence South $05^{\circ}37'52''$ East a distance of 407.23 feet to a point; Thence South $57^{\circ}33'17''$ West a distance of 204.00 feet to a point;

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Thence North $86^{\circ}33'06''$ West a distance of 335.72 feet to a point on the easterly right-of-way of the PRESCOTT-FLAGSTAFF HIGHWAY per Drawing Number D-13-T-464 on file with the Arizona Department of Transportation and the Warranty Deed re-recorded in Book 4768 of Official records at Page 553, records of Yavapai County marked with a found aluminum cap "ADOT ROW 2009 RL 40622";

Thence North $51^{\circ}07'57''$ West, along said easterly right-of-way, a distance of 230.49 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North $50^{\circ}02'37''$ East a distance of 493.95 feet to a point; Thence North $01^{\circ}08'25''$ East a distance of 249.50 feet to a point;

Thence North $00^{\circ}41'18''$ West a distance of 145.53 feet to a point on the southerly line of that certain right-of-way granted to the City of Cottonwood and described on EXHIBIT B in Book 4217 of Official Records at Page 577;

Thence South $88^{\circ}18'55''$ East, along said southerly line of right-of-way, a distance of 844.00 feet to a point marked with a set 1/2 Inch rebar with plastic cap "LS 48100";

Thence northeasterly, along said southerly line of right-of-way, along a curve to the left having a radius of 440.00 feet, a central angle of $34^{\circ}07'26''$, a chord of North $74^{\circ}37'22''$ East, 258.20 feet, for an arc length of 262.05 feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence North $57^{\circ}33'39''$ East, along said southerly line of right-of-way, a distance of 686.9g feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence northeasterly, along said southerly line of right-of-way, along a curve to the left having a radius of 440.00 feet, a central angle of $04^{\circ}25'16''$, a chord of North $55^{\circ}21'01''$ East, 33.94 feet, for an arc length of 33.95 feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence North $53^{\circ}08'23''$ East, along said southerly line of right-of-way, a distance of 263.69 feet to a point on the locally accepted north-south mid-section line of said Section 28 marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South $00^{\circ}01'22''$ West, along said mid-section line, a distance of 834.67 feet to a found 1/2 inch rebar with tag "LS 32224";

Thence South $00^{\circ}17'19''$ West, along said mid-section line, a distance of 150.03 feet to the POINT OF BEGINNING.

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That portion of Section 29, Township 16 North, Range 3 East, Gila and Salt River Meridian, Yavapai County, Arizona, being a portion of that certain parcel described as PARCEL 2 in Book 3984 of Official Records at Page 66, records of Yavapai County, more particularly described as follows:

COMMENCING at the south quarter corner of Section 28, said Township and Range marked with a found 1/2 inch rebar with set tag "LS 48100";

Thence North 88°51'34" West along the south line of the southwest quarter of said Section 28 and the Basis of Bearing, a distance of 2648.46 feet to the southeast corner of said Section 29 marked with a found, bent, rebar with aluminum cap "RLS 40622";

Thence North 00°01'30" West a distance of 150.74 feet to a point on the easterly right-of-way of the PRESCOTT-FLAGSTAFF HIGHWAY per Drawing Number D-13-T-464 on file with the Arizona Department of Transportation and the Warranty Deed re-recorded in Book 4768 of official Records at Page 553, records of Yavapai County marked with a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence South 65°35'15" West, along said easterly right-of-way, a distance of 50.75 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 74°40'47" West, along said easterly right-of-way, a distance of 155.85 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 44°38'55" West, along said easterly right-of-way, a distance of 405.00 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 05°18'05" West, along said easterly right-of-way, a distance of 91.04 feet to a point on the southerly line of said PARCEL 2 marked with a set 1/2 inch rebar with plastic cap "LS 48100", the TRUE POINT OF BEGINNING;

Thence North 05°18'05" West, continuing along said easterly right-of-way, a distance of 86 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 61°45'06" West, along said easterly right-of-way, a distance of 220.77 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 44°39'12" West, along said easterly right-of-way, a distance of 431.99 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 07°00'05" East, along said easterly right-of-way, a distance of 48.39 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

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Thence North 35°09'52" West, along said easterly right-of-way, a distance of 164.23 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 44°39'27" West, along said easterly right-of-way, a distance of 127.33 feet to a point on the north line of said PARCEL 2 marked with a set 1/2 inch rebar with plastic cap "LS48100";

Thence North 82°38'00" East, leaving said right-of-way, along said north line, a distance of 721.71 feet to the end of the westerly line of that certain right-of-way granted to the City of Cottonwood and described on EXHIBIT B in Book 4217 of Official Records at Page 577 marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 44°41'05" East, along said westerly line of right-of-way, a distance of 628.44 feet to a point on the southerly line of said PARCEL 2 marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 55°45'19" West, along said southerly line, a distance of 110.11 feet to a found 5/8 inch rebar with illegible plastic cap and set tag "LS 48100";

Thence South 51°42'35" West, along said southerly line, a distance of 259.86 feet to a found 5/8 inch rebar with set tag "LS 48100";

Thence South 61°30'43" West, along said southerly line, a distance of 192.34 feet to a found 5/8 inch rebar with plastic cap "LS 13015";

Thence south 32°52'33" West, along said southerly line, a distance of 30.33 feet to the TRUE POINT OF BEGINNING.

Parcel Number 4:

That portion of Sections 28 and 29, Township 16 North, Range 3 East, Gila and Salt River Meridian, Yavapai County, Arizona, being a portion of that certain parcel described as PARCEL 1 in Book 3984 of Official Records at Page 66, records of Yavapai County, more particularly described as follows:

COMMENCING at the south quarter corner of said Section 28 marked with a found 1/2 inch rebar with set tag "LS 48100";

Thence North 88°51'34" West along the south line of the southwest quarter of said Section 28 and the Basis of Bearing, a distance of 2648.46 feet to the southwest corner of said Section 28 marked with a found, bent, rebar with aluminum cap "RLS 40622";

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Thence North 00°01'30" West a distance of 150.74 feet to a point on the easterly right-of-way of the PRESCOTT-FLAGSTAFF HIGHWAY per Drawing Number D-13-T-464 on file with the Arizona Department of Transportation and the Warranty Deed re-recorded in Book 4768 of Official Records at Page 553, records of Yavapai County marked with a found aluminum cap "ADOT ROW 2009 RLS 40622", the TRUE POINT OF BEGINNING;

Thence South 65°35'15" West, along said easterly right-of-way, a distance of 50.75 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 74°40'47" West, along said easterly right-of-way, a distance of 155.85 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 44°38'55" West, along said easterly right-of-way, a distance of 405.00 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 05°18'05" West, along said easterly right-of-way, a distance of 91.04 feet to a point on the northerly line of said PARCEL 1 marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence North 32°52'33" East, along said northerly line, a distance of 30.33 feet to a found 5/8 inch rebar with plastic cap "LS 13015";

Thence North 61°30'43" East, along said northerly line, a distance of 192.34 feet to a found 5/8 inch rebar with set tag "LS 48100";

Thence North 51°42'35" East, along said northerly line, a distance of 259.86 feet to a found 5/8 inch rebar with illegible plastic cap and set tag "LS 48100";

Thence North 55°45'19" East, along said northerly line, a distance of 110.11 feet to a point on the westerly line of that certain right-of-way granted to the City of Cottonwood and described on EXHIBIT B in Book 4217 of Official Records at Page 577 marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 44°41'05" East, along said westerly line of right-of-way, a distance of 266.82 feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence southeasterly, along said westerly line of right-of-way, along a curve to the left having a radius of 440.00 feet, a central angle of 11°18'53", a chord of South 50°20'32" East, 86.75 feet, for an arc length of 86.89 feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 55°59'58" East, along said westerly line of right-of-way, a distance of 160.73

feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence southerly, along said westerly line of right-of-way, along a curve to the right having a radius of 260.00 feet, a central angle of 39°50'07", a chord of South 36°04'55" East, 177.15 feet, for an arc length of 180.77 feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 16°09'51" East, along said westerly line of right-of-way, a distance of 37.03 feet to an angle point (the intersection of said westerly line of right-of-way and the northerly line of the same right-of-way) marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 73°50'09" West, along said northerly line of right-of-way, a distance of 252.15 feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence southwestwardly, along said northerly line of right-of-way, along a curve to the left having a radius of 540.00 feet, a central angle of 28°29'01", a chord of South 59°35'39" West, 265.70 feet, for an arc length of 268.45 feet to a point marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 45°21'09" West, along said northerly line of right-of-way, a distance of 28.66 feet to a point on the easterly right-of-way of said PRESCOTT-FLAGSTAFF HIGHWAY marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 65°34'31" West, along said easterly right-of-way, a distance of 1.68 feet to the TRUE POINT OF BEGINNING.

Parcel Number 5:

That portion of Section 33, Township 16 North, Range 3 East, Gila and Salt River Meridian, Yavapai County, Arizona, being a portion of that certain parcel described in Book 3984 of Official Records at Page 65 and a portion of that certain parcel described in Book 3984 of Official Records at Page 67, records of Yavapai County, more particularly described as follows:

BEGINNING at the south quarter corner of Section 28, said Township and Range, also being the north quarter corner of said Section 33 marked with a found 1/2 inch rebar with set tag "LS 48100 (from which the southwest corner of said Section 23, marked with a found, bent, rebar with aluminum cap "RLS 40622", bears North 88°51'34" West, along the Basis of Bearing, a distance of 2648.46 feet);

Thence South 00°12'53" West, along the locally accepted north-south mid-section line of

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said Section 33, a distance of 267.02 feet to a found 5/8 inch rod with set tag "LS 48100";

Thence South 00°09'20" West, along said mid-section line, a distance of 50.71 feet to a found 5/8 inch rod with set tag "LS 48100";

Thence South 00°03'34" West, along said mid-section line, a distance of 255.61 feet to a found 5/8 inch rod with set tag "LS 48100";

Thence South 00°03'40" West, along said mid-section line, a distance of 232.00 feet to a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 51°19'27" West, leaving said mid-section line, a distance of 314.55 feet to a set 1/2 inch rebar with plastic cap "LS 48100";

Thence North 82°42'30" West a distance of 365.30 feet to a set 1/2 inch rebar with plastic cap "LS 48100";

Thence South 50°11'05" West a distance of 788.61 feet to a point on the easterly right-of-way line of the PRESCOTT-FLAGSTAFF HIGHWAY per Drawing Number D-13-T-464 on file with the Arizona Department of Transportation and the Warranty Deed re-recorded in Book 4768 of Official Records at Page 553, records of Yavapai County marked with a set 1/2 inch rebar with plastic cap "LS 48100";

Thence North 40°37'27" West, along said easterly right-of-way, a distance of 98.00 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 54°34'50" West, along said easterly right-of-way, a distance of 145.28 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 33°34'45" West, along said easterly right-of-way, a distance of 195.46 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 47°31'02" West, along said easterly right-of-way, a distance of 142.00 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 39°20'00" West, along said easterly right-of-way, a distance of 212.52 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 23°02'27" West, along said easterly right-of-way, a distance of 60.45 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 34°04'27" West, along said easterly right-of-way, a distance of 45.50 feet to

a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 62°30'25" West, along said easterly right-of-way, a distance of 102.18 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 45°29'21" West, along said easterly right-of-way, a distance of 251.85 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence North 25°43'20" West, along said easterly right-of-way, a distance of 110.99 feet to a found aluminum cap "ADOT ROW 2009 RLS 40622";

Thence South 86°33'06" East, leaving said easterly right-of-way, a distance of 335.72 feet to a point;

Thence North 57°33'17" East a distance 204.00 feet to a point;

Thence North 05°37'52" West a distance of 407.23 feet to a point on the north line of the northwest quarter of said Section 33;

Thence South 88°51'35" East along said north line of the northwest quarter, a distance of 1645.61 feet to the POINT OF BEGINNING.

Section 2: That staff has determined the following items necessary as conditions of the zoning approval to protect the public health, safety and general welfare:

1. Prior to or concurrent with the subdivision platting process, the Developer and the City shall negotiate and execute a Development Agreement (DA) which, among other things, shall outline the residential phasing plan and infrastructure plan for the Master Development Plan (MDP); and provide for the payment of a capacity fee of \$4,000.00 per residential unit at the time of building permit issuance for access to and use of the City's existing water and wastewater infrastructure.
2. The development standards, master site plan and residential densities described in the MDP dated August 2016 shall supersede any previously approved PUD, PAD or MDP.
3. The Project shall be consistent with the Master Development Plan (MDP) as revised August 2016. There shall be no more than 555 residential dwelling units approved for the development, as described in the MDP. The developer shall attempt to provide the residential diversity through the mix of housing types described in the MDP.

4. The Project shall be consistent with the comments from the Code Review Board meeting of March 15, 2016 (attached Exhibit A.)
5. The Project shall be consistent with the comments received from the Fire & Medical Department dated June 28, 2016 (attached Exhibit B.)
6. The Project shall be consistent with the comments from Engineering Department dated July 8, 2016 (attached Exhibit C.)
7. The Project shall be consistent with the requirements of the Utility Department regarding installation of water and sewer improvements, including timelines, scheduling, standards and fees.
8. The Project shall conform to the requirements of the Public Works Department regarding grading and drainage plans, stormwater management and street engineering.
9. A Traffic Impact Study (TIS) shall be submitted with Phase 2 or at 50 homes, whichever comes first, with plans to be approved by staff and ADOT. All streets, public and private, shall be built to City standards. The Developer shall provide written approval from ADOT prior to the construction of each phase.
10. Indicate one (1) foot vehicular non-access easements for detached single-unit residential parcels abutting designated collector streets and along state highways.
11. All site grading activity shall be subject to City requirements for dust control, including use of treated effluent for dust suppression.
12. For trails that are located along drainage washes, locate the trail along the top or upper side of slope and not within the floodway or drainage bottom. Non-motorized trails shall be located within open space tracts and designated public access easements; and the homeowners association shall be responsible for maintenance of all park, open space and trail improvements. Trail alignments shall be shown on the Preliminary Plat with access points indicated. Trails shall be designed with a minimum six (6) foot width tread or travel surface.
13. The Developer shall be required to submit all required future plans to the Planning and Zoning Commission for Design Review prior to or concurrent with the applicable phase of the Preliminary Plat for all areas and features not included as part of the Master Development Plan, including any condominium development, multi-unit residential, town homes, commercial uses, community facilities, parks and trails,

landscaping and project signs, as well as any additional or modified site features or building designs.

14. Prior to or concurrent with each phase of development as submitted for the applicable Preliminary Plat application, the Developer shall provide landscape plans, as per Zoning Ordinance Section 407, for areas and uses subject to design review. Indicate that the homeowners association shall be responsible for maintaining the landscaping in public right-of-ways and other areas as proposed.
15. All public infrastructure (streets, water, sanitary sewer, storm drainage, reclaimed water, etc.) shall be constructed in accordance with the current edition of the Maricopa Association of Governments, Uniform Standard Details for Public Works Construction, Maricopa Association of Governments, Uniform Standard Specifications for Public Works Construction, Article 6 of the City of Cottonwood Subdivision Ordinance, the approved Traffic Impact Analysis (TIA), the Water and Wastewater Master Plan for the subdivision, and generally accepted engineering principles. Additional requirements may be required at the discretion of the City of Cottonwood Engineer.
16. Drainage improvements shall be designed in accordance with the Drainage Design Manual for Yavapai County and City Ordinances 172 & 615. Additional requirements may be required at the discretion of the City of Cottonwood Engineer.
17. Public and private roads shall be constructed per the subdivision ordinance or the most current applicable city standards.
18. No parking will be allowed on any streets (private) that are 20' wide. Parking on one side of the road will be allowed on streets that are 26' wide, except where Fire Hydrants are located.
19. All road/street heights, widths, cul-de-sac and hammerhead turn around distances shall meet the requirements in the 2012 International Fire Code appendix D and the City of Cottonwood conditions.
20. A secondary approved temporary access road shall be installed before phase II construction is started. A permanent approved collector street accessing North Main Street shall be installed and fully accepted by the City of Cottonwood before phase II is 25% completed.
21. Construction of the roadway extension for Groseta Ranch Road north to Main Street shall be started as soon as practicable ensuring that the road is completely constructed and accepted by the City of Cottonwood no later than March 1, 2020. The

developer shall fund the construction of Groseta Ranch Road to City collector street standards from SR 89A to N. Main Street.

22. At the gated entrance to the On the Greens subdivision, from Anna's Ave., the Cottonwood Fire and Medical Department has an emergency vehicle preemption signal device on the coded gate system that requires a clear visible path from Groseta Ranch Road in order to operate correctly. The developer shall coordinate any future placement of trees and shrubs within this corridor that may prevent this device from working correctly.
23. The Developer shall dedicate an Aviation Easement to the City of Cottonwood due to subject property's proximity to the Cottonwood Airport. This easement shall be identified on the subdivision plat.
24. A Certificate of Zoning Compliance documenting the completion of conditions of approval as specified by the Master Development Plan shall be issued prior to approval of any Certificate of Occupancy for the project. A Certificate of Zoning Compliance may be issued for individual Phases, as defined in the MDP.
25. The plat shall display all 100 year flood plains. All lots adjacent to or including any flood plain designation shall include a base floor elevation shown on the plat.
26. City connection point will be into a manhole on the gravity sewer at Kindra Heights and N. Main Streets designated on Utility Department maps as 3-26-7 or a comparable point to be determined by mutual agreement between the Developer and the City. The connection point manhole shall be coated with a material specifically designed to prevent concrete manhole degradation caused by hydrogen sulfide or other corrosive materials.
27. Prior to issuance of the first Certificate of Occupancy for the project, the Developer shall be required to construct the sewer main line from the subdivision to the designated and approved tie-in point.
28. Residents shall be charged the standard monthly sewer rates, charges and fees per household. These fees are set by the City Council and are subject to annual review.
29. All work within City rights of way, or on City systems or property will be coordinated with the appropriate City Department(s), utilizing the most current specifications, techniques and materials. All work shall be performed by individuals or firms properly licensed or registered within the State of Arizona to perform such work. Companies or individuals working within the City of Cottonwood rights of way shall obtain and keep current a City of Cottonwood business license for the

duration of the project.

30. Developer shall install domestic water services utilizing only Utility Department approved materials and supplies.
31. Meter box type, size and materials shall be approved by the City Utility Department prior to installation. Installation type shall mate with the appropriately sized Utility Department meter.
32. Per Arizona statute and City Code, backflow devices if required shall be installed, tested and certified prior to initiation of water service.
33. Fire hydrant type and manufacturer shall be approved by City prior to installation.
34. All sewer manholes shall be readily accessible by truck mounted equipment typically required to maintain municipal sewer systems.
35. If manholes are constructed as part of a trail system, the trail shall be constructed utilizing methods and materials to allow routine access by sewer maintenance equipment.
36. If the utility improvements specified within the Development Agreement and the approved plans are not complete within 5 years of the signed date of the Development Agreement, the Development Agreement shall be subject to cancellation by the City Council unless adjusted or extended by the City Council.
37. Fees shall be applied per section 15.52 of the Cottonwood Municipal Code and/or as otherwise provided by the Development Agreement, the City Code, and these stipulations.

Section 3: The zoning map shall be amended to reflect this zone change only upon compliance with all zoning conditions set forth herein.

Section 4: That at least three (3) copies of the zoning map of the City of Cottonwood, Arizona, as hereby amended be kept in the office of the City Clerk for public use and inspection.

Section 5: Severability: That if any section, subsection, sentence, clause, phrase or portion of this ordinance adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE

Ordinance Number 622
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MAYOR OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, THIS ____ DAY OF
NOVEMBER 2016.

Diane Joens, Mayor

APPROVED AS TO FORM:

Steve Horton, Esq, City Attorney