



CITY OF KINGMAN
LAND SPLITTING REGULATIONS
Per City Code of Ordinance Section 2-146
And Amended per Ordinance No. 1416



(a) GENERAL STATEMENT

In order to control the division of lands inside the corporate limits of the City of Kingman, the hereinafter regulations have been developed. The purpose of these regulations is to ensure that the creation of any new parcels of land two and one-half (2½) acres or under in size shall be of such character that there is access to a dedicated public roadway, adequate easements are available for utility services, adequate access is available for emergency vehicles, minimum lot sizes are maintained in accordance with the City's zoning regulations and that the land split will not adversely affect the City's General Plan or other adopted development plans.

(b) AUTHORITY

The authority to regulate land splits within the corporate limits of cities and towns is given by Arizona Revised Statutes 9-463.01-L; "Land splits" being defined as the division of improved or unimproved land whose area is two and one-half (2½) acres or less into two (2) or three (3) tracts or parcels of land for the purpose of sale or lease.

(c) ENFORCEMENT, VIOLATIONS AND PENALTIES

(1) General.

- a. It shall be the duty of the City Development Services Director to enforce these regulations and to bring to the attention of the City Attorney any violations or lack of compliance herewith.
- b. No owner, or agent of the owner, of any parcel of land located within the corporate limits of the City of Kingman shall create any new parcel of land two and one-half (2½) acres or less without first complying with these regulations.
- c. No building permit shall be issued for the construction of any building or structure located on a lot or parcel created in violation of the provisions of these regulations nor shall the City provide water, sewer, or sanitation service to such parcel.
- d. Development Services Director shall notify any person in violation that they have sixty (60) days to correct any violation. Failure to correct a violation shall result in the matter being forwarded to the City Attorney for prosecution.

(2) Violations and Penalties.

Any person, firm, or corporation who fails to comply with, or violates, any of these regulations shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in section 1-8 of this Code. Each separate day or any part thereof during which any violation of this section occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein described. The imposition of any sentence shall not exempt the offender from compliance with the requirements of these regulations and provisions of these regulations.

(3) Civil Enforcement.

Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations; to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building structure or premise, and these remedies shall be in addition to the penalties described above.

(d) APPLICATION PROCEDURE AND APPROVAL PROCESS

(1) The division of any land, lot, or parcel for the purpose of sale or lease, whether immediate or future, into two (2) or three (3) lots or parcels, any one of which is two and one-half (2½) acres or less, shall require the submittal and approval of a parcel plat, as described hereinafter. Sale or lease includes every disposition, transfer, or offer or attempt to dispose of or transfer land or an interest or estate thereof.

(2) Before proceeding with the creation of any land split, the owner or his agent should submit to the Development Services Director in writing his proposal to split a parcel, and schedule a meeting with the Development Services Director or his staff for an informal discussion on the proposed land split.

(3) Land splits shall be reviewed by the Development Services Director and City Engineer or their designated agents, in order to assure that:

- (a)** Proper zoning is in effect;
- (b)** Necessary access and extension of streets, alleys, and/or easements are provided for in accordance with the city's plans and surrounding developments;
- (c)** That the land split conforms to the lot area and dimensions called out in the appropriate zoning district;
- (d)** That the land split conforms to the lot design standards called out in the subdivision ordinance;
- (e)** Access to public utilities can be accommodated;
- (f)** That the land split will not leave an unusable parcel, due to floodplain regulations.
- (g)** Street improvements are required for properties resulting from any land split with frontage on existing unimproved or partially improved streets. Street improvements will occur at the time of development of the property, or a cash payment shall be made equivalent to the value of the improvement which would fulfill any present or future obligation for street improvement. The required street improvements must be installed in accordance with the Street Classification of the surrounding area as designated in the Kingman General Plan, the Kingman Area Transportation Study and the following criteria:

(1) For lot splits within the Commercial, Industrial, and Multiple Family zoning districts, the owner/developer shall improve the street(s) abutting the property being developed to city standards in accordance with the Street and Sidewalk development Rules and Regulations.

(2) For all lot splits within any Residential zoning district:

- (a)** If the property being divided is directly adjoining, or opposite of a developed residential subdivision, then the owner/developer shall improve the street(s) abutting the property being developed similar to the adjacent developed subdivision,
- (b)** If the property being divided is within 500 feet of a developed residential subdivision, and more than half of the street abutting the property being developed have street improvements including pavement, and/or curb and gutter, and/or sidewalk, then the owner/developer shall improve the street(s) abutting the property being developed similar to the adjacent street improvements,
- (c)** If the property being divided is on a dedicated roadway that has not been opened and developed, the owner/developer shall improve the street(s) abutting the property being developed to provide Fire Department Access in accord with Fire Code 902 and Graded Access in accord with the Street and Sidewalk Development Rules and Regulations.
- (h)** That where there is no access to the City's sewer system (as defined by the Municipal Utility Regulations), any new parcel/lot must demonstrate the capacity to accommodate an individual waste water system and/or evapotranspiration area on site, with approvals from the Mohave County Environmental Health Department, in accordance with the Arizona State Health Regulations.

Upon satisfactory compliance with the above-cited requirements and conformance with the parcel plat format outlined hereinafter, the Development Services Director and City Engineer shall approve the land split and sign off on the parcel plat.

(4) In the event that the applicant is aggrieved by the decision of the Development Services Director and/or City Engineer, they may appeal the decision to the Kingman Planning and Zoning Commission and City Council. A written appeal should be submitted to the Development Services Director at least 15 working days prior to the next regularly scheduled Planning and Zoning Commission meeting date. In the event an appeal is requested, the matter shall be placed on the agenda for the next regularly scheduled Planning and Zoning Commission meeting. The Planning and Zoning Commission will forward a written recommendation to the Common Council, who will have the authority to take action on the appeal.

(5) Upon approval and after all lots or parcels have been staked by qualified Arizona registrant, the City Clerk shall have the parcel plat recorded in the office of the Mohave County recorder. The fee for recordation shall be paid by the applicant.

(e) FORM OF PARCEL PLAT

(1) The parcel plat shall be submitted on a transparent reproducible polyester film, or linen tracing cloth, drawn with India ink, or as a tracing reproduction on polyester film or linen for recording, and shall be on sheets eighteen (18) inches wide by twenty-four (24) inches long; and shall be at a scale of either one (1) inch equals two hundred (200) feet or larger.

(2) Parcel plats shall show:

- a. Name and legal description of tract or parcel in which the survey is located and ties to adjoining tracts or parcels.
- b. All monuments found, set, reset, replaced, or removed, describing their kind, size, and location, and giving other data relating thereto.
- c. Ties to witness monuments, basis of bearing, bearing and length of lines, north indicator, scale, date of survey, existing property lines, areas involved and owner of the property being divided.
- d. Each parcel shall be numbered or designated in some logical manner.
- e. All roadway and/or easements of record shall be shown and referenced.
- f. Delineation on the plat of any areas identified on the flood insurance rate maps as special flood hazard areas.
- g. The land being divided shall be indicated by a one-eighth-inch (1/8) colored border applied on the reverse side of the linen or mylar.
- h. Dedications for public utility easements and/or additional right-of-way width for public roadways may be made on the parcel plat. Offers of dedication shall be identified and dimensioned, and shall be presented to the common council for acceptance. A ratification statement shall be included when necessary.
- i. Any other data necessary for the interpretation of the various items and location of the points, lines and areas shown.

(3) Certificates which shall appear on the plan are as follows:

- a. Surveyor's or Engineer's certificate.

This is to certify that the survey of the attached land split was made under my direction and supervision and is accurately represented on this plat and that the property corners have been set as noted on the plat.

Signature

Date

Registration No.

Seal

- b.** A certificate for signature by the City Engineer and Development Services Director as follows:

This plat has been checked for conformance, with Ordinance No. 823-R and other applicable regulations and appears to comply with all requirements within my jurisdiction to check and evaluate.

By _____ Date _____
City Engineer

By _____ Date _____
City Development Services Director

- c.** County recorder block:

Filed and recorded at the request of the City of Kingman on _____, in Book of Parcel Plats, Page(s) _____, Records of Mohave County, Arizona.

By _____ Deputy Recorder Recorder

Reception No. _____

- d.** Offer of dedication (if applicable). A certificate signed and acknowledged, offering for dedication to the public any easements, and or additional right-of-way widths for public roadways, and a statement for acceptance of the dedication as follows:

I _____, Mayor of the City of Kingman, Arizona, hereby certify that the Kingman Common Council on the day of _____, 20_____, accepted on behalf of the public, all parcels of land offered for dedication for public use in conformity with the terms of the offer of dedication.

Mayor, City of Kingman

Attest:

Clerk, City of Kingman

Approved as to form:

Attorney, City of Kingman

- e.** When waiver allowable. In any case where a land split is for the purpose of adjusting the boundary line or for the transfer of land between two (2) adjacent property owners which does not result in the creation of any additional lots, parcels, or building sites or where the parcel split is the division of a lot within an existing subdivision that has provisions for access and easements, provided this split does not conflict with any covenants, conditions, or restrictions (CC&R's) affecting said lot, the procedure normally required by the regulations may be waived by the Development Services Director.



CITY OF KINGMAN
PARCEL PLAT (MINOR LOT SPLIT) APPLICATION FORM
CASE # PP-_____ - _____
APPLICATION FEE \$480.00

STAFF USE ONLY: FEE PAID? YES _____ NO _____ PAYMENT DATE _____

Application Date:

Description of Location and/or Legal Description:

Mohave County Tax Parcel Number(s):

Size of Parcel(s):

PROPERTY OWNER'S NAME: OWNER(S) MUST SIGN APPLICATION. ATTACH ADDITIONAL SIGNATURE PAGES FOR EACH OWNER (IF ANY) AND DATES OF SIGNATURE(S).

Mailing Address:

City/State/Zip:

Phone Number:

E-mail:

I (WE) THE UNDERSIGNED PROPERTY OWNER(S) REQUEST THE APPROVAL OF THE ABOVE DESCRIBED PRELIMINARY SUBDIVISION PLAT.

Signature:

Date:

OWNER'S SURVEYOR OR ENGINEER RESPONSIBLE FOR PREPARATION OF PLAT:

Mailing Address:

City/State/Zip:

Phone Number:

E-mail:

Signature:

Date:

ITEMS FROM SECTION 2-146(e) "FORM OF PARCEL" SHALL BE SUBMITTED WITH THIS PARCEL PLAT APPLICATION FORM.

Planning and Zoning Division

Permit Application Processing Time Frames Per ARS 9-835

Request	Administrative Time Frame	Substantive Time Frame
Major General Plan Amendment	10-working days	125-working days
Minor General Plan Amendment	10-working days	95-working days
Preliminary Plat	10-working days	95-working days
Preliminary Plat Extension	10-working days	80-working days
Parcel Map (Minor Lot Split)	10-working days	65-working days
Final Plat	10-working days	95-working days
Zoning Text or Zoning Map Amendment	10-working days	80-working days
Conditional Use Permit	10-working days	80-working days
Variance	10-working days	50-working days