



## LAND SPLIT APPLICATION AND SUBMITTAL REQUIREMENTS

**PARCELS 2.5> ACRES OR SMALLER:** THIS APPLICATION IS REQUIRED TO DIVIDE LAND INTO TWO OR THREE PARCELS.

**PARCELS LARGER THAN 2.5 ACRES:** THIS APPLICATION IS HIGHLY RECOMMENDED TO DIVIDE LAND INTO TWO OR THREE PARCELS TO ENSURE ACCESS AND ZONING REQUIREMENTS ARE MET, OTHERWISE IT MAY PROHIBIT OR DELAY FUTURE DEVELOPMENT OF THE PROPERTY.

IT IS THE SUBDIVIDER'S RESPONSIBILITY TO ENSURE ALL ACCESS AND ZONING REQUIREMENTS ARE BEING MET AT THE TIME OF DOING A LAND SPLIT.

### SUBMITTAL REQUIREMENTS:

1. APPLICATION: Please provide the completed application for a land split signed by all property owners.
2. CERTIFICATION FOR LAND SPLIT: Please complete and notarize the attached Certification for a Land Split.
3. RECORD OF SURVEY: Provided three (3) minimum 11 inch by 17 inch paper copies of a Record of Survey prepared by an Arizona registered land surveyor containing a certification as to accuracy and the surveyor's seal which reflects the lots or parcels created by the land split and the legal access. Include, at a minimum, the following information:
  - a. Existing buildings/structures and required setbacks.
  - b. If the property does not have frontage on a Public Street System and/or Public Use Access system, include an Access/Utility Easement for ingress, egress and public utilities established by deed, extending to the Public Street System and/or Public Use Access system, to provide permanent legal access. The easement shall be fifty feet (50') in width and include a Perpetual Offer of Dedication of such easement to the Town. The easement shall remain private property and the Town will have no duty of maintenance unless and until the Town formally accepts the offer of dedication by Town Council approved Resolution or Ordinance.
  - c. The location of the existing well, septic tank and leach field, if applicable. Both the easement and offer document forms will be provided by Town staff after the proposed survey document has been determined to meet access and zoning requirements.
4. DEEDS: Provide one (1) copy of the original deed.
5. TITLE REPORT: Please provide a current title report completed within the last thirty (30) days. The title report must include the legal description of the property to be divided.
  - a. LEGAL DESCRIPTIONS: A Microsoft Word document of the legal description must be supplied.



- b. If the legal description references any other recorded documents (i.e. easements, dedications, and restrictive covenants) a copy of the recorded documents must also be provided.
6. Provide the original notarized copy of the "Agreement to Waive Claims for Diminution in Value".
7. APPLICATION FEES: Minor Land Division requires a \$45.00 application fee plus \$15.00 for each newly created parcel.
8. RECORDING PROCEDURES: Land Splits shall be recorded with the Yavapai County Recorder's Office by the applicant. Both the Access/Utility Easement and the Perpetual Offer of Dedication documents must be successfully recorded prior to the filing of the land split at Yavapai County. Failure to do so may require the re-combining of the parcels until the documents are first recorded. No permits will be issued by the Town on property that has not been divided in compliance with the requirements set forth in this application.
9. The applicant shall take the Mylar which is signed by the Development Services Director to be recorded.

**Additional Information Requirements:** After review of the application, Town staff may determine that there is not sufficient information to adequately evaluate the proposal as submitted. The Town will contact the applicant to request additional information, if necessary, to complete the review.

- All land splits shall comply with the Town of Chino Valley's General Plan and Zoning Code, which included complying with the area and shape requirements of the specific zoning district(s) within which the property is located.
- All tracts, division lines, lots or parcels resulting from a land split shall comply with all applicable code provisions.
- Minor land divisions are reviewed to meet the following requirements:
  - Minimum lot area, width and frontage required for the specific zoning district.
  - Existing building setbacks.
  - Maximum lot coverage allowed.
  - Permanent legal access to the Public Street System and/or Public Use Access system.
  - Note that existing buildings/structures and setbacks are to be shown on the Record of Survey.



## LAND SPLIT / BUILDING PERMIT GUIDELINES

1. If a parcel was created prior to January 15 of 2001, and does not meet the minimum lot size requirement for the parcel's zoning district, then the lot is a legal non-conforming lot and a building permit may be issued (Unless documentation stating differently exists in the parcel file). The parcel must have frontage on a public street or have a minimum of a 25 foot wide point of ingress/egress.
  - a. The reasoning behind this guideline is that Ordinance No. 443 was approved in 2001, and set the policies, standards and procedures for lot splits within the Town. From that time forward the Planning Division monitored lot splits very closely.
2. If a parcel was created on or after January 15 of 2001, but prior to January 15 of 2007, then the parcel shall meet all development standards for the current zoning district and have frontage on a public street or have a minimum of a 25 foot wide point of ingress/egress.
3. If a parcel was created on or after January 15 of 2007, then the parcel shall meet all development standards for the current zoning designation and have frontage on a public street or have a minimum of a 50 foot wide point of ingress/egress. The 50 foot wide ingress/egress shall be in the form of a perpetual offer to dedicate (POD) if deemed necessary by the Town Engineer.



**LAND SPLIT APPLICATION**

- 1. Property Owner's Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_
  
- 2. Applicant's Name (If Other than  
Property Owner) \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_
  
- 3. Date \_\_\_\_\_  
Property Address (Site Location) \_\_\_\_\_  
Assessor's Parcel Number (APN) \_\_\_\_\_  
Current Zoning \_\_\_\_\_

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

**CERTIFICATE FOR LAND SPLIT**



Development Services Department  
1982 N. Voss Drive #203  
Chino Valley, AZ 86323

928-636-4427  
928-636-6937  
www.chinoaz.net

**Site Address:** \_\_\_\_\_

**Assessor's Parcel Number:** \_\_\_\_\_

**Subdivision:** \_\_\_\_\_ **Unit:** \_\_\_\_\_ **Lot:** \_\_\_\_\_  
**Section:** \_\_\_\_\_ **Township:** \_\_\_\_\_ **Range:** \_\_\_\_\_

I /We the undersigned thereby certify as (owner/agent) that the property located at the above address is not encumbered or obligated by recorded agreement, condition, covenant or restriction that would prohibit the proposed division of land; and that I/We understand that approval of the Planning Division is subject to all other easements, encumbrances, etc. or restrictions which may apply to said property by virtue of any Town Ordinances and/or State Statute and deed restrictions. The Town takes no responsibility for said restrictions or requirements and the burden to comply with such restrictions lies solely with the property owner.

Signed this \_\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(Property Owner)

(Property Owner)

State of Arizona     )  
                                  ) ss  
County of Yavapai    )

SUBSCRIBED and SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public: \_\_\_\_\_ My commission expires: \_\_\_\_\_



**THE FOLLOWING INFORMATION IS WRITTEN TO SUMMARIZE  
THE UNIFIED DEVELOPMENT ORDINANCE (UDO) SECTION  
REGARDING LAND SPLIT REQUESTS**

**DEFINITION:**

**LAND SPLIT:** The division of improved or unimproved land whose area is 2½ acres or less, whether immediate or future, into two or three tracts of parcels of land for the purpose of sale or lease.

**5.2.6. Land Splits Not Requiring a Subdivision**

Land splits do not require the submission and approval of preliminary and/or final plats and do not include or allow for a land split or further division of previously subdivided land but are subject to the following:

- A. All parcels or lots created in a land split must meet the minimum parcel size applicable under the current zoning of the lots or parcels created by the land split.
- B. The proposed land split may not create any new non-conforming structures related to building setbacks or increase the non-conformance of an already non-conforming structure relating to building setbacks.
- C. The parcels or lots created by the land split shall have permanent legal access by connecting to a Public Street, a street which is part of the Public Access system, a private street created by a properly recorded plat, or a Public Way. Those areas within the Public Way which are owned by the owner of a contiguous lot or parcel shall be included in the computation of the gross square footage of said parcel or lot and such inclusion will continue whether or not the Town thereafter formally accepts dedication of any portion of the public way but building setbacks will be measured from the frontage on said public way except as applicable to flag lots created in conformity with this Code.
- D. A person proposing a land split shall submit a Record of Survey prepared by a civil engineer or registered land surveyor licensed in Arizona which reflects the lots or parcels created by the land split and the legal access as referenced in the foregoing Paragraph C for the lots or parcels created. The access required to be depicted in the Record of Survey shall be only that portion leading to a Public Street, a Street which is part of the Public Access System or an existing Public Way. No building permit shall be issued for a lot or parcel created by a Land Split until the party seeking the building permit has provided the requisite Record of Survey reflecting compliance with Subsection 5.2.6, A., B., C. and D. and paid the required fees for review and approval of land splits as those fees may be established by the Town Council.
- E. A party seeking rezoning of property shall provide for dedication of those portions of the property which are within the future street system or public access system as then adopted by appropriate Resolution or Ordinance and shall, in any event, provide for sufficient and reasonable public ways to serve as access for all lots created by land splits that may thereafter occur on said property pursuant to the rezoning of such property.



## TOWN OF CHINO VALLEY AGREEMENT TO WAIVE CLAIMS FOR DIMINUTION IN VALUE

### PURSUANT TO A.R.S. §12-1134

I/We, \_\_\_\_\_, ("Owner") am/are all the owner(s) of real property ("Property") generally located at \_\_\_\_\_, consisting of approximately \_\_\_\_\_ acres, as shown in the evidence of ownership attached as Exhibit A and legally described in Exhibit B, both of which are attached to this Agreement.

The Property is subject to the land use laws of the Town of Chino Valley, Arizona or to be annexed by the Town. For purposes of this Waiver, "land use law" shall be defined as set forth in A.R.S. **§ 12-1136**.

I/We have requested that the Town take/approve the land use action ("Requested Action") as set forth in Exhibit C, which is attached to this Agreement.

I/We acknowledge that as the request is processed for approval, changes may be made to the details and requirements for approval of the request. Some of these changes may materially alter the request, so that the final approval may be substantially different than originally requested. I/We understand and agree that execution of an additional waiver will be required for approval if the request is altered.

I/We acknowledge that the Requested Action may alter my/our rights to use, divide, sell or possess our Property, and that, pursuant to A.R. S. **§ 12-1134**, as the owner of property directly regulated by a land use law, I/we may be entitled to compensation from the Town for diminution of value in the property if the action I/we have requested from the Town reduces the fair market value of the above described property.

By signing this Agreement, I/We together with Owner's heirs, successors or assignees, hereby voluntarily agree to waive any and all claims for diminution in value for the Property which may arise pursuant to A.R.S. **§ 12-1134** as a result of the Town's actions, including but not limited to approvals, denials or conditions of approvals with respect to the above-described Requested Action. Owner understands that this Agreement shall run with the Property and be binding upon subsequent landowners and shall be recorded by Owner.



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I/we hereby further understand that the Town is acting in reliance upon my/our representations in this waiver.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

State of Arizona            )  
  ) ss  
County of Yavapai        )

SUBSCRIBED and SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_





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**EXHIBIT A  
EVIDENCE OF OWNERSHIP**



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## EXHIBIT B LEGAL DESCRIPTION



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**EXHIBIT C**  
**REQUESTED LAND USE ACTION**