



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-10

Supersedes: DD-2001-16

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To define and determine procedures for subdivisions, replats and lot splits.

REFERENCES:

1. Maricopa County Subdivision Regulations (and A.R.S. Section 32-2101.56) define a **Subdivision (or subdivided lands)** as: Improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into six or more lots, parcels or fractional interests. Subdivision or subdivided lands include a stock cooperative and include divided or proposed to be divided as part of a common promotional plan. This paragraph shall not apply to leasehold offerings of one year or less, or to the division or proposed division of land located in the State of Arizona into lots or parcels each of which is or will be thirty-six acres or more in area including to the center line of dedicated roads or easements, if any, contiguous to the lot or parcel and provided further that this definition shall not be deemed to include the leasing of agricultural lands, or of apartments, offices, stores, hotels, motels, pads or similar space within an apartment building, rental recreational vehicle community, rental manufactured home community, rental mobile home park or commercial building, except that residential condominiums as defined in Arizona Revised Statutes, Title 33, Chapter 9 shall be included in this definition nor shall this definition include the subdivision into or development of parcels, plots, or fractional portions within the boundaries of a cemetery that has been formed and approved pursuant to State Statutes.
2. Maricopa County Subdivision Regulations define **Minor Land Division** as: Improved or unimproved lands which are divided or proposed to be divided for purposes of sale or lease, whether immediate or future, into **five or fewer lots** or parcels all of which have or will have a gross area less than thirty-six acres, measured to the center line of contiguous roads and easements, including residential condominiums as defined in Arizona Revised Statutes, Title 33, Chapter 9. This definition shall not include the financing or leasing of apartments, offices, stores or similar space within apartment buildings, industrial buildings, commercial buildings; mobile home parks or trailer parks; land dedicated for cemetery purposes; or parcels leased or sold for agricultural purposes pursuant to Section 11-830, Arizona Revised Statutes.
3. Maricopa County Subdivision Regulations, Section 204 Replats states: Any division of a lot or lots in a recorded subdivision into **six (6) or more adjoining lots** in a recorded subdivision, or in altering a tract specified for a specific use within the subdivision, but creating no new street, shall be processed in accordance with Section 203 (Final Plats) of these Regulations.
4. The effective date for Maricopa County Subdivision Regulations was March 1, 1973.

Policy/Procedure:

1. **Subdivision** of land into **six or more** parcels must be done in accordance with all requirements of the Maricopa County Subdivision Regulations.



2. **Minor Land Division (Lot Split)** of land into **five or fewer** parcels may be done without meeting the requirements of the Maricopa County Subdivision Regulations but must be done by proper deeds and must comply with Maricopa County Zoning Ordinance and Arizona Revised Statutes.
3. **The creation of six or more adjoining lots** in subdivisions signed and approved by the Board of Supervisors and recorded after **March 1, 1973**, must comply with Section 204 of the Maricopa County Subdivision Regulations. **The creation of five or fewer adjoining lots** may be accomplished as a Minor Land Division.
4. When reviewing site plans staff will check Zoning and Assessor's records. If evidence exists of a violation of Maricopa County Regulations then no Zoning approval shall be granted. If there is evidence of a violation of Arizona Revised Statutes then Code Enforcement shall be notified by email and no Zoning approval shall be granted unless the applicant can provide written correspondence from the State of Arizona Dept. of Real Estate indicating that the lot split is allowed by law.