

ORDINANCE NO. 2014-23

AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL SETTING ASIDE, PRESERVING AND DESIGNATING APPROXIMATELY 26.03 ACRES OF SPECIFIC CITY OWNED REAL PROPERTY, AS OPEN SPACE FOR PASSIVE PARK PURPOSES, WHICH PROPERTY IS COMMONLY KNOWN AS THE NORTH SAN FRANCISCO PROPERTY GENERALLY LOCATED NEAR FIR AVENUE AND NORTH SAN FRANCISCO STREET (COCONINO COUNTY ASSESSOR'S PARCEL NUMBER 110-03-001B), TO BE INCLUDED AS PART OF BUFFALO PARK IMMEDIATELY ADJACENT THERETO, AND PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY AND AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the acquisition, provision and development of parks, trails and opens space are goals set forth in Chapter V of the Flagstaff Regional Plan; and

WHEREAS, preservation of real property as a passive park is considered a form of open space in the 1998 Flagstaff Area Open Spaces and Greenways Plan; and

WHEREAS, open space for passive park purposes makes a significant contribution to the well-being of the citizens of the City of Flagstaff; and

WHEREAS, the City maintains an interest in enhancing the beauty and recreational elements within the community, and open space for passive parks purposes contribute to those efforts; and

WHEREAS, the Parks and Recreation Commission and Open Space Commission support the incorporation of the land into Buffalo Park exclusively for passive park use;

WHEREAS, On January 21, 2014, City Council approved Resolution 2014-04, which provided city staff with the direction to bring this specific parcel of real property forward for consideration and possible action by the City Council to preserve it as open space;

ENACTMENTS:

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1: Dedication.

The portion of real property owned by the City of Flagstaff as described in the attached Exhibit A and incorporated by this reference is hereby set aside, preserved and designated as open space for passive park purposes and included as part of Buffalo Park immediately adjacent thereto.

SECTION 2: Zoning

The appropriate process will occur for a rezoning of the property to the zoning best reflective of the designation of the property as open space for passive park purposes..

SECTION 3: Limited Uses and Improvements.

The property being incorporated by this reference shall be open space for passive park purposes with improvements consistent with the the Neighborhoods category of Open Space as outlined in the 1998 Flagstaff Area Open Spaces and Greenways Plan.

SECTION 4. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

SECTION 5. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6. Clerical Corrections.

The City Clerk is hereby authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary related to this ordinance as amended herein, and to make formatting changes needed for purposes of clarity and form, or consistency, within thirty (30) days following adoption by the City Council.

SECTION 7. Effective Date.

This ordinance shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 2nd September, 2014.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY