

ORDINANCE NO. 2014-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA AMENDING THE FLAGSTAFF CITY CODE, TITLE 3, SECTION 3-11-007-0001, DEVELOPMENT FEE FOR RESIDENTIAL DEVELOPMENT, AND SECTION 3-11-007-0002, DEVELOPMENT FEE FOR NONRESIDENTIAL DEVELOPMENT, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, under Arizona Revised Statutes §9-463.05, an Arizona municipality may assess development fees to offset costs associated with providing necessary public services to a development; and

WHEREAS, in 2011 the Arizona State Legislature adopted (and on April 26, 2011 Governor Jan Brewer signed into law) SB 1525, a bill that amended A.R.S. §9-463.05 by changing how fees are calculated and how municipalities may administer said fees; and

WHEREAS, A.R.S. §9-463.05, as amended by SB 1525, requires that any development fees in place when SB 1525 became effective shall be replaced by development fees compliant with SB 1525 no later than August 1, 2014; and

WHEREAS, on December 20, 2011, the City Council adopted Ordinance No. 2011-32, an ordinance that, among other things, revised development fees pursuant to SB 1525; and

WHEREAS, the City has determined that additional revisions pursuant to SB 1525 are necessary.

ENACTMENTS:

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

SECTION 1. In General.

The Flagstaff City Code, Title 3, Section 3-11-007-0001, Development Fee For Residential Development, and Section 3-11-007-0002, Development Fee for Nonresidential Development, are hereby amended as set forth below (deletions shown as stricken, and additions shown as underlined text in italics):

Division 3-11-007
Police and Fire Protection Development Fee

Sections:

3-11-007 -0001 Development Fee for Residential Development

3-11-007-0002 Development Fee for Nonresidential Development

3-11-007-0001 Development Fee for Residential Development

Residential (per housing unit)	Police	Fire	TOTAL
Single Family Detached	\$234	\$444	\$675
Multi-Family	\$184	\$352	\$536
All Other Housing	\$223	\$428	\$651
<i>Single family residential:</i>	<i>\$182</i>	<i>\$366</i>	<i>\$548</i>
<i>Multi-family residential:</i>	<i>\$170</i>	<i>\$342</i>	<i>\$512</i>

3-11-007-0002 Development Fee for Nonresidential Development

Nonresidential (per sq. ft. unless otherwise noted)	Police	Fire	TOTAL
Commercial/Shopping Center 25,000 SF or less	\$0.91	\$1.09	\$2.00
Commercial/Shopping Center 25,001-50,000 SF	\$0.79	\$0.94	\$1.73
Commercial/Shopping Center 50,001-100,000 SF	\$0.66	\$0.79	\$1.45
Commercial/Shopping Center 100,001-200,000 SF	\$0.56	\$0.67	\$1.24
Commercial/Shopping Center over 200,000 SF	\$0.48	\$0.57	\$1.05
Office/Institutional 10,000 SF or less	\$0.33	\$0.40	\$0.73
Office/Institutional 10,001-25,000 SF	\$0.27	\$0.32	\$0.59
Office/Institutional 25,001-50,000 SF	\$0.23	\$0.28	\$0.51
Office/Institutional 50,001-100,000 SF	\$0.20	\$0.23	\$0.43
Office/Institutional over 100,000 SF	\$0.17	\$0.20	\$0.37
Business Park	\$0.19	\$0.22	\$0.41
Light Industrial	\$0.10	\$0.12	\$0.23
Warehousing	\$0.07	\$0.09	\$0.16
Manufacturing	\$0.06	\$0.07	\$0.12
Hotel (per room)	\$83	\$99	\$182

<i>Commercial:</i>	<i>\$0.29</i>	<i>\$0.59</i>	<i>\$0.88</i>
<i>Office:</i>	<i>\$0.11</i>	<i>\$0.23</i>	<i>\$0.34</i>
<i>Industrial Flex:</i>	<i>\$0.03</i>	<i>\$0.08</i>	<i>\$0.11</i>

SECTION 2. 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 3. 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 4. Effective Date.

This ordinance shall become effective August 1, 2014.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2014.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY