

ORDINANCE NO. 2019-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE , TITLE 10, FLAGSTAFF ZONING CODE, CHAPTERS 10-40 AND 10-80, AS PROVIDED IN THAT CERTAIN DOCUMENT ENTITLED “CASE NO. PZ-19-00095 UPDATES TO ZONING CODE 2019 – ACCESSORY DWELLING UNITS” DECLARED TO BE A PUBLIC RECORD BY RESOLUTION NO. 2019-48; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City of Flagstaff wishes to amend Title 10 of the Flagstaff City Code, Chapters 10-40 and 10-80, to ensure, among other things, correction of known errors, ease of use through simplified standards, consistency in interpretation and application of standards and procedures, and greater predictability in the application of the Zoning Code; and

WHEREAS, the Mayor and Council have, by resolution, previously declared that certain document entitled “*Case No. PZ-19-00095 Updates to Zoning Code 2019 - Accessory Dwelling Units*” (the “Proposed Zoning Code Text Amendments”) to be a public record by Resolution No. 2019-48 of the City of Flagstaff; and

WHEREAS, a citizen review session was held at the Planning Commission work session on June 26, 2019, to discuss the Proposed Zoning Code Text Amendments in accordance with Section 10-20.50.040 of the Flagstaff Zoning Code; and

WHEREAS, the Planning and Zoning Commission held a public meeting on August 14, 2019, and provided a recommendation to City Council on the Proposed Zoning Code Text Amendments; and

WHEREAS, the Council has determined that the Proposed Zoning Code Text Amendments are in conformance with the General Plan, and the findings of Section 10-20.50.040 of the Flagstaff Zoning Code have been met.

ENACTMENTS:

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

SECTION 1. That certain document known as “Case No. PZ-19-00095 Updates to Zoning Code 2019 – Accessory Dwelling Units”, one (1) paper copy and (1) electronic copy are on file in the office of the City Clerk of the City of Flagstaff, Arizona, which document is declared a public record by Resolution No. 2019-48 of the City of Flagstaff, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 2. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 3. 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 4. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 5. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 5th day of November, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY