

**ORDINANCE NO. 2020-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, SECTION 10-90.40.030 RURAL FLOODPLAIN MAP, TO CHANGE THE MAP DESIGNATION OF APPROXIMATELY 1.47 ACRES FROM RURAL FLOODPLAIN TO URBAN FLOODPLAIN ON APPROXIMATELY 4.46 ACRES OF REAL PROPERTY LOCATED AT 3451 EAST LAKE MARY ROAD; PROVIDING FOR SEVERABILITY; AUTHORITY FOR CLERICAL CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

**RECITALS:**

WHEREAS, Preston Family Trust (the "Applicant"), applied for a Zoning Code Text Amendment to amend Title 10 of the Flagstaff City Code, Section 10-90.40.030 Rural Floodplain Map (the "Rural Floodplain Map") to change the map designation of approximately 1.47 acres from Rural Floodplain to Urban Floodplain, in the area marked "Change from Rural Floodplain to Urban Floodplain" on Exhibit "A", incorporated herein by reference, on approximately 4.46 acres of real property located 3451 East Lake Mary Road and marked as "Site" (the "Property"), on the map attached as Exhibit "A"; and

WHEREAS, A citizen review session was held at the Planning Commission work session on January 8, 2020, to discuss the proposed Zoning Code text amendment in accordance with Section 10-20.50.040 of the Flagstaff Zoning Code; and

WHEREAS, the Planning and Zoning Commission held public hearing on January 22, 2020, and provided a recommendation to City Council on proposed Zoning Code text amendment; and

WHEREAS, the Council has read and considered the staff reports prepared by the Planning Division and all attachments to those reports, the narrative provided by the Applicant, and the Council finds that the proposed Zoning Code text amendment is 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. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. The amendment requested in the application is consistent with and conforms to the goals of the Regional Plan.

SECTION 3. The amendment requested in the application will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, and will add to the public good as described in the General Plan.

SECTION 4. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

SECTION 5. That the designation on the Rural Floodplain Map for approximately 1.47 acres of the Property is hereby amended from Rural Floodplain to Urban Floodplain, as set forth in Exhibit A.

SECTION 6. That City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions, and intents of this Ordinance.

**SECTION 7. Repeal of Conflicting Ordinances**

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

**SECTION 8. 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 9. 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 10. 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 7th day of April, 2020.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

Exhibits:  
Exhibit A – Rural Floodplain Map