

# **ATTENTION**

**IN-PERSON AUDIENCES AT CITY COUNCIL MEETINGS HAVE BEEN SUSPENDED UNTIL FURTHER NOTICE**

**PARTICIPATION FOR PUBLIC HEARING ITEMS WILL BE PERMITTED BY PHONE, PLEASE SEE INSTRUCTIONS IN THE PUBLIC HEARING SECTION OF THE AGENDA**

The meetings will continue to be live streamed on the city's website (<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

The public can submit comments that will be read at the dais by a staff member to [publiccomment@flagstaffaz.gov](mailto:publiccomment@flagstaffaz.gov).

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**REGULAR COUNCIL MEETING  
TUESDAY  
APRIL 21, 2020**

**STAFF CONFERENCE ROOM  
SECOND FLOOR - CITY HALL  
211 WEST ASPEN AVENUE  
3:00 P.M.**

## **AGENDA**

**1. CALL TO ORDER**

**NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION**

*Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).*

**2. ROLL CALL**

*NOTE: One or more Councilmembers may be in attendance telephonically or by other technological means.*

MAYOR EVANS

VICE MAYOR SHIMONI

COUNCILMEMBER ASLAN

COUNCILMEMBER MCCARTHY

COUNCILMEMBER ODEGAARD

COUNCILMEMBER SALAS

COUNCILMEMBER WHELAN

**3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT**

**MISSION STATEMENT**

*The mission of the City of Flagstaff is to protect and enhance the quality of life for all.*

4. **PUBLIC PARTICIPATION**

*Public Participation enables the public to address the Council about an item that is not on the agenda. Comments relating to items that are on the agenda will be taken at the time that the item is discussed. If you wish to address the Council at tonight's meeting, please complete a comment card and submit it to the recording clerk as soon as possible. Your name will be called when it is your turn to speak. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.*

5. **CONSENT ITEMS**

*All matters under Consent Agenda are considered by the City Council to be routine and will be enacted by one motion approving the recommendations listed on the agenda. Unless otherwise indicated, expenditures approved by Council are budgeted items.*

- A. **Consideration and Approval of Grant Application and Acceptance upon Award:** Between the City of Flagstaff and the Governor's Office of Highway Safety for Driving Under the Influence/Impaired Driving Enforcement and Equipment Grant

**STAFF RECOMMENDED ACTION:**

Approve the submission of the grant applications and acceptance upon award of the Grant from the Governor's Office of Highway Safety in the amount of \$170,971, for the Flagstaff Police Department to increase staffing in an attempt to reduce injury motor vehicle collisions caused by impaired drivers. The funds will also be used to purchase 300 reflective traffic safety cones and an electric motorcycle in the amount of \$29,221.

6. **PUBLIC HEARING ITEMS**

**IF YOU WISH TO PROVIDE PUBLIC COMMENT ON THE FOLLOWING TWO ITEMS PLEASE EMAIL [PUBLICCOMMENT@FLAGSTAFFAZ.GOV](mailto:PUBLICCOMMENT@FLAGSTAFFAZ.GOV) WITH YOUR NAME, ITEM NUMBER, AND PHONE NUMBER. STAFF WILL CONTACT YOU VIA PHONE TO PROVIDE YOUR COMMENTS TO COUNCIL AND THE PUBLIC, AT WHICH TIME COUNCIL MAY ASK YOU QUESTIONS IF COUNCIL DESIRES.**

- A. **Consideration and Action on Liquor License Application:** Craig Bouchard "Southside Tavern II," 117 S. San Francisco Street, Series 12 (restaurant), New License.

**STAFF RECOMMENDED ACTION:**

Open the public hearing.  
Receive citizen input.  
Close the public hearing.

The City Council has the option to:

- (1) Forward the application to the State with a recommendation for approval;
- (2) Forward the application to the State with a recommendation for denial based on information from staff, the testimony received at the public hearing and/or other factors.

- B. Consideration and Adoption of Resolution No. 2020-17 and Ordinance No. No. 2020-11:**  
A Resolution of the City Council of the City of Flagstaff, Coconino County, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "Case No. PZ-19-00125 Updates to Zoning Code 2020 – Miscellaneous Part 1"; and, an Ordinance of the City Council of the City of Flagstaff, Coconino County, Arizona, amending the Flagstaff City Code, Title 10, Flagstaff Zoning Code, to resolve conflicts, incorporate technical corrections and clarity, and modify existing and add new requirements, provisions, and definitions.

**STAFF RECOMMENDED ACTION:**

At the April 21, 2020, Council Meeting:

- 1) Hold a public hearing
- 2) Read Resolution No. 2020-17 by title only
- 3) City Clerk reads Resolution No. 2020-17 by title only (if approved above)
- 4) Read Ordinance No. 2020-11 by title only for the first time
- 5) City Clerk reads Ordinance No. 2020-11 by title only (if approved above)

At the May 5, 2020, Council Meeting:

- 6) Adopt Resolution No. 2020-17
- 7) Read Ordinance No. 2020-11 by title only for the final time
- 8) City Clerk reads Ordinance No. 2020-11 by title only (if approved above)
- 9) Adopt Ordinance No. 2020-11

**7. REGULAR AGENDA**

- A. Consideration and Adoption of Ordinance No. 2020-07:** An ordinance extending and increasing the corporate limits of the City of Flagstaff by annexing certain land totaling approximately .32 acres located at 4409 North Highway 89, and establishing city zoning for said land as Highway Commercial, HC. (***Annexation of property to facilitate the redevelopment of existing retail to a restaurant***)

**STAFF RECOMMENDED ACTION:**

At the April 21, 2020 Council Meeting:

- 1) Read Ordinance No. 2020-07 by title only for the first time
- 2) City Clerk reads Ordinance No. 2020-07 by title only (if approved above)

At the May 5, 2020 Council Meeting:

- 3) Read Ordinance No. 2020-07 by title only for the final time
- 4) City Clerk reads Ordinance No. 2020-07 by title only (if approved above)
- 5) Adopt Ordinance No. 2020-07

- B. Consideration and Adoption of Ordinance No. 2020-09:** An ordinance of the City Council of the City of Flagstaff, Arizona, amending the Flagstaff City Code, Chapter 1-14, Personnel System, by amending the Employee Handbook of Regulations relating to General Definitions, Working Hours and Pay, Overtime Pay, Compensatory Time, and Vacation Leave; providing for penalties; repeal of conflicting ordinances; severability; and establishing an effective date

**STAFF RECOMMENDED ACTION:**

At the April 21, 2020 Council Meeting:

- 1) Read Ordinance No. 2020-09 by title only for the first time
- 2) City Clerk reads Ordinance No. 2020-09 by title only (if approved above)

At the May 5, 2020 Council Meeting:

- 3) Read Ordinance No. 2020-09 by title only for the final time
- 4) City Clerk reads Ordinance No. 2020-09 by title only (if approved above)
- 5) Adopt Ordinance No. 2020-09

- C. **Consideration and Adoption of Ordinance No. 2020-08:** An ordinance amending the Employee Handbook of Regulations, Chapter 1-50 *Leave, Military Training Leave 1-50-061*

**STAFF RECOMMENDED ACTION:**

At the April 21, 2020 Council Meeting:

- 1) Read Ordinance No. 2020-08 by title only for the first time
- 2) City Clerk reads Ordinance No. 2020-08 by title only (if approved above)

At the May 5, 2020 Council Meeting:

- 3) Read Ordinance No. 2020-08 by title only for the final time
- 4) City Clerk reads Ordinance No. 2020-08 by title only (if approved above)
- 5) Adopt Ordinance No. 2020-08

- D. **Consideration and Adoption of Resolution No. 2020-20:** A resolution of the Flagstaff City Council, approving an Intergovernmental Agreement between the State of Arizona and the City of Flagstaff for the construction of a right-turn lane on Humphreys Street adjacent to City Hall.

**STAFF RECOMMENDED ACTION:**

- 1) Read Resolution No. 2020-20 by title only
- 2) City Clerk reads Resolution No. 2020-20 by title only (if approved above)
- 3) Adopt Resolution No. 2020-20

- E. **Discussion and Possible Approval:** Recession Plan and Other Budget Related Topics

**STAFF RECOMMENDED ACTION:**

Staff recommends Council approval of the Recession Plan as presented

8. **DISCUSSION ITEMS**

- A. **Flagstaff Airport Parking**
- B. **Streets – Sidewalk Replacement Program and Assessment Practices**
- C. **Rio de Flag Flood Control Project - Update**

9. **COUNCIL LIAISON REPORTS**

10. **CITY MANAGER REPORT**

- A. **City Manager Report**

11. **COVID-19 UPDATES**

12. **INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF, FUTURE AGENDA ITEM REQUESTS**

13. **ADJOURNMENT**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Stacy Saltzburg, MMC, City Clerk

**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Jennifer Brown, Special Services Manager  
**Co-Submitter:** Stacey Brechler-Knaggs  
**Co-Submitter:** Stacey Brechler-Knaggs  
**Date:** 04/14/2020  
**Meeting Date:** 04/21/2020



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**TITLE:**

**Consideration and Approval of Grant Application and Acceptance upon Award:** Between the City of Flagstaff and the Governor’s Office of Highway Safety for Driving Under the Influence/Impaired Driving Enforcement and Equipment Grant

**STAFF RECOMMENDED ACTION:**

Approve the submission of the grant applications and acceptance upon award of the Grant from the Governor’s Office of Highway Safety in the amount of \$170,971, for the Flagstaff Police Department to increase staffing in an attempt to reduce injury motor vehicle collisions caused by impaired drivers. The funds will also be used to purchase 300 reflective traffic safety cones and an electric motorcycle in the amount of \$29,221.

**Executive Summary:**

Approval of the grant applications and acceptance upon award of the grant will enable the Flagstaff Police Department to increase efforts in reducing injury motor vehicle collisions by locating impaired drivers and supplementing on-duty patrol officers with paid overtime officers on nights and weekends when impaired driving accidents historically occur. The grant will also assist in the safety of officers with the new equipment to be purchased.

**Financial Impact:**

There is no financial impact on the City of Flagstaff in terms of expenditures. This grant is budgeted within the Police Department budget. Grant applications submitted are as follows;

\$30,000 - DUI Abatement Council Overtime Package	\$23,823 - Zero Motorcycle Police
\$56,550 - DUI Task Force Overtime	\$5,398 - Safety Traffic Cones
\$55,200 - Youth Alcohol Prevention Overtime	

**Policy Impact:**

The grant allows us to provide additional funding to assist the Flagstaff Police Department in meeting the community's expectations in regard to reducing injury collisions and apprehending impaired drivers of motor vehicles.

**Connection to Council Goal, Regional Plan, CAAP, and/or Strategic Plan:**

Flagstaff Regional Plan Policy PF.3.1 Maintain high-quality effectiveness and efficiency in law enforcement, fire and emergency services to the extent that is consistent with governmental operations, plans, public policies, population served, and monies available.

**Has There Been Previous Council Decision on This:**

Yes: Council has approved multiple GOHS grants annually.

**Options and Alternatives:**

- 1.) Approve acceptance of the grant from the Governor's Office of Highway Safety.
- 2.) Disapprove acceptance of the grant from the Governor's Office of Highway Safety.

**Background/History:**

The Flagstaff Police Department has partnered with the Governor's Office of Highway Safety (GOHS) for the past twenty-five (25) years in efforts to reduce the amount of injury motor vehicle collisions in our community. GOHS has continuously provided grant monies used to staff details focused on finding impaired drivers, thus removing them from our highways and making our community safer.

**Key Considerations:**

Grant monies from the Governor's Office of Highway Safety allow us to schedule more officers on weekends and holidays when impaired drivers are more frequent. These additional officers are focused on finding and removing impaired drivers from our roadways, which reduces motor vehicle collisions making our community much safer.

**Expanded Financial Considerations:**

Approval of the grant will give the Flagstaff Police Department \$141,750 to be spent on overtime assignments to increase efforts in reducing injury motor vehicle collisions by locating impaired drivers and supplementing on-duty patrol officers with paid overtime officers on nights and weekends when impaired driving accidents historically occur. The grant will also assist in the safety of officers with the new equipment to be purchased. The grant also allows \$29,221 to purchase additional reflective traffic safety cones and an electric motorcycle. The traffic cones will be used for traffic events and to be used during major traffic accidents to prevent any further accidents from occurring. The electric motorcycle will continue to increase our efforts of sustainability while being able to achieve traffic education and enforcement.

**Community Benefits and Considerations:**

Approval of the grant award will enable the Flagstaff Police Department to increase efforts in reducing injury motor vehicle collisions by locating impaired drivers and supplementing on-duty patrol officers with paid overtime officers on nights, weekends and holiday when impaired driving accidents historically occur.

**Community Involvement:**

Inform the Council and public on the application of this grant and the intended use of these funds.

**Expanded Options and Alternatives:**

- 1.) Approve as recommended.
- 2.) Disapprove the grant award.

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**Attachments:**    [DUI Abatement Grant Proposal 2021](#)  
                          [DUI Task Force Proposal](#)  
                          [Youth Alcohol Prevention Proposal](#)  
                          [Police Motorcycle Proposal](#)  
                          [Safety Traffic Cones Proposal](#)



**DOUGLAS A. DUCEY**  
GOVERNOR  
**ALBERTO GUTIER**  
DIRECTOR  
GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE  
**VICKIE HILL**  
CHAIRMAN  
DUI ABATEMENT COUNCIL



## **DUI ABATEMENT COUNCIL PROPOSAL**

### **Flagstaff Police Department (DUI Task Force)**

The DUI Abatement Council provides State grant funding under two specific areas:

#### **Enforcement:**

The council shall make grants from the driving under the influence abatement fund established by A.R.S. 28-1304 to political subdivisions and tribal governments that apply for monies for enforcement purposes, prosecutorial and judicial activities and alcohol abuse treatment services related to preventing and abating driving or operating under the influence occurrences in a motor vehicle or a motorized watercraft as defined in section 5-301.

#### **Innovative:**

The council shall make grants from the driving under the influence abatement fund established by A.R.S. 28-1304 to innovative programs that use emerging technologies to educate, prevent or deter occurrences of driving or operating under the influence in a motor vehicle or a motorized watercraft.

## Contact Information

**Agency:** Agency Name: City of Flagstaff  
Address: 211 W. Aspen  
City, State, Zip: Flagstaff, AZ 86001  
Phone: (928) 213-2090

**Governmental Unit:** Governmental Name: Flagstaff Police Department  
Address: 211 W. Aspen  
City, State, Zip: Flagstaff, AZ 86001

**Project Director:** Name: Stacey Brechler-Knaggs  
Title: 211 W. Aspen  
Phone: (928) 213-2227  
Email: sknaggs@flagstaffaz.gov

**Project Administrator:** Name: Lance Roberts  
Title: Lieutenant Flagstaff Police Department  
Phone: (928) 214-2532  
Email: Lroberts@coconino.az.gov

**Financial Contact:** Name: Glorice Thousand  
Title: 211 W. Aspen  
Phone: (928) 213-2214  
Email: gthousand@flagstaffaz.gov

Please attach a cover letter addressed to the Chairman of the DUI Abatement Council on agency letterhead. This cover letter **must be signed** by a representative of your agency authorized to commit your agency to conduct the grant it be approved for funding.

**Traffic Data Summary – Law Enforcement Report**  
(Submitted to GOHS)

Please include the following traffic data to support the identified problem in your proposal.

DESCRIPTION	2018	2017	2016
Total Contacts (Traffic Stops)	18,692	14,262	16,152
Total Traffic Fatalities	4	2	6
Total Sober Designated Drivers Contacted			
<b>TOTAL DUI ARRESTS</b>	482	465	599
Total DUI Aggravated	87	98	119
Total DUI Misdemeanor	227	218	259
Total DUI Extreme (.15 or Above)	168	149	221
Under 21 DUI Arrests	44	38	45
Average BAC	.162	.168	.157
Minor Consumption / Possession Citations	190	217	250
Total DUI Drug Arrests	43	38	84
30-Day Vehicle Impounds	80	371	402
Seat Belt Citations	77	104	202
Child Restraint Citations	36	68	90
Criminal Speed Citations	12	15	15
Aggressive Driving Citations	7	11	7
Civil Speed Citations	1,779	1,721	2,034
Other Citations	4,472	5,346	7,065
Other Arrests			
Participating Officer/Deputies (Cumulative)			
Total Know Your Limit Contacts			

## **Proposal Summary**

Please include a summary of funding requested.

The Flagstaff Police Department, in partnership with our local community, is interested in obtaining grant funding to pay for officer overtime activities associated with increased D.U.I. enforcement. The mission of the Flagstaff Police Department is to preserve life and property. One of our departmental goals is to make our city streets safer by reducing traffic-related injuries and fatalities. We feel that this can best be accomplished by increasing D.U.I. awareness through education about the dangers of driving under the influence and by directed enforcement activities that remove impaired drivers from our streets. The Flagstaff Police Department is committed to making our city streets safer for motorists, bicyclists and pedestrians. Drunk drivers present a real threat to the safety of all persons on or near the highway. The costs associated with the loss of human life, injuries and property damage is an enormous burden on our community.

## **Agency Background**

Provide description of agency and work area including information on population and demographics. Also include a description of streets and highways in the agency's jurisdiction including road mileage.

**Number of sworn officers: 118**

**Total Population: 65,000**

**Total Road Mileage:**

<b>Highway:</b>	<b>35</b>
<b>Local:</b>	<b>634</b>
<b>Total:</b>	<b>669</b>

## Problem Statement

What problem is your agency looking to solve with this grant?

The City of Flagstaff is the county seat of Coconino County. The city sits at approximately 7000 feet above sea level; at this altitude weather conditions significantly affect driving. Snow, rain, wind and fog frequently contribute to hazardous road conditions and collisions. These facts are amplified when impaired drivers are thrown into the mix. There are currently 172,932 vehicles registered in Coconino County, not including the 20,000 plus students enrolled at the Northern Arizona University nor the high volume of tourist related traffic. Prior to July 2012 there was not an existing DRE program within the Flagstaff Police Department. In 2016 we had 8 DRE's and have lost 2 bringing our total for 2018 to 6 DRE's. Since 2016 there have been 155 D.U.I drug arrests in Flagstaff. In 2016 there were 84 D.U.I drug arrests and 65 DRE evaluations conducted. In 2017 there were 38 D.U.I drug arrests and 15 evaluations. In 2018 there were 43 D.U.I drug arrests and 15 of those were evaluated. Out of those 155 D.U.I drug arrests 50 were under age. Over the last three years out of the 155 D.U.I drug arrest 95 have had evaluations done. With the ever changing medical marijuana laws and the new ruling of carboxy not being allowed for impairment there is a greater need for DRE trained officers to respond and conduct an evaluation to call a drug category. With overtime funds we would have the ability to call out DRE'S to assist in impaired drivers under influence of drugs along with serious injury collisions and fatalities where drugs may be a factor. This will help identify D.U.I drug offenders that were not previously detected and assist with developing a strong case to aide in prosecution. During this three year period, we had 77 injury collisions and 1 fatal collision that were alcohol related, 98 injury collisions were speed related out of 1,243 total injury accidents. We feel there is a direct correlation between the removal of impaired drivers from the roadways and the reduction of alcohol and/or drug related injury or fatality motor vehicle accidents. Our proposal concerns the granting of overtime reimbursement funds for directed patrol efforts at interdiction of impaired drivers by alcohol or drugs. As listed above, our officers have achieved some success to date while working regular shifts and handling responsibilities for all calls for service. We would like to deploy enforcement specific officer's specifically on special weekends and holidays where an increase in impaired driving can be anticipated. In an effort to maintain our community partner initiatives, the Flagstaff police department has partnered with other city divisions as well as Coconino County, the Navajo Nation, the Guidance Center, and other community leaders to support the alcohol stabilization unit, which is a detoxification facility that promotes short and long term treatment for alcoholism. The Coconino County detention facility has an in-custody rehabilitation (EXODUS) program for DUI offenders. Coconino County has also established a DUI and drug court to hold offenders more accountable and get them more specialized sanctions and treatment options. The Criminal Justice Coordinating Committee (CJCC) is currently working with multiple community partners to maintain a serial inebriate program to help with treatment and accountability for those addicted to alcohol.

## **Project Objectives / Method of Procedure**

Project objectives in your proposal should follow the SMART method. They should be:

<b>S</b>	=	<b>Specific</b>
<b>M</b>	=	<b>Measurable</b>
<b>A</b>	=	<b>Action-Oriented</b>
<b>R</b>	=	<b>Realistic</b>
<b>T</b>	=	<b>Time-Framed</b>

State the project objectives in measurable terms that relate to the identified problem. Please detail how your agency will accomplish these objectives over the grant contract period.

To decrease the number of impaired driving-related crashes **5%** from **94** during calendar year 2016 to **89** by December 31, 2020.

To decrease fatalities in impaired driving-related crashes **100%** from **0** in calendar year 2016 to **0** by December 31, 2020.

To decrease serious injuries in impaired driving-related crashes **10%** from **30** in calendar year 2016 to **27** by December 31, 2020.

### **Contract Objectives:**

To participate in a minimum of **54** DUI saturation patrols during FFY 2020.

To participate in a minimum of **2** DUI task force operations per quarter during FFY 2020.

To participate in a minimum of **12** hours of DUI Education/Prevention per quarter during FFY 2020.

To participate in a minimum of **1** DUI/Alcohol Awareness campaign targeting local night clubs and liquor establishments per quarter during FFY 2020.

### **1<sup>st</sup> Quarter: 04/01/2020 - 06/30/2020**

#### **WEEKLY SPECIAL TRAFFIC ENFORCEMENT AND HOLIDAY DUI PATROLS:**

12 Saturation Patrols, including Cinco De Mayo, Memorial Day, Prom Weekend, End of Semester, Graduation and Independence Day Weekend.

#### **EDUCATION/PREVENTION:**

2 Hour presentation at the Law Enforcement Citizens Academy

6 Hours performing outreach at city sponsored events

8 Hours Staffing the graduation night alternative alcohol free venue

Conduct 1 DUI/Alcohol awareness campaign

**2<sup>nd</sup> Quarter: 07/01/2020 – 09/30/2020**

**WEEKLY SPECIAL TRAFFIC ENFORCEMENT AND HOLIDAY DUI PATROLS:**

11 Saturation patrols, including 4th of July, Labor Day Weekend and back to school weekends

**EDUCATION/PREVENTION:**

6 hours performing outreach at various city sponsored events

24 hours of alcohol abuse prevention outreach for the Coconino County Fair

Five 2 hour blocks for outreach at the City sponsored Concerts in the Park

Conduct 1 DUI/Alcohol awareness campaign

**3<sup>rd</sup> Quarter: 10/01/2020 – 12/31/2020**

**WEEKLY SPECIAL TRAFFIC ENFORCEMENT AND HOLIDAY DUI PATROLS:**

25 Saturation patrols, Halloween Weekend, Thanksgiving Weekend, December Holiday Weekend, New Year's Holiday Weekend and N.A.U. Graduation Weekend.

**EDUCATION/PREVENTION:**

Conduct 2 hour presentation at Law Enforcement Citizens Academy

Four hours performing outreach at various city sponsored events

Conduct 1 DUI/Alcohol awareness campaign

**DUI Abatement Grant  
Estimated Budget Costs**

Follow the template provided in the sample budget below for contract expenditures.

<b>Budget Item</b>	<b>Description</b>	<b>Total</b>
<b>Personnel Services (Overtime)</b>	DUI Enforcement Overtime	\$21,429.00
<b>Employee Related Expenses</b>	DUI Overtime ERE	\$8,571.00
<b>Materials and Supplies</b>		\$0.00
<b>Capital Outlay</b>		\$0.00
<b>Total Estimated Cost:</b>		<b>\$30,000.00</b>

## **Budget Narrative**

Include a narrative explanation and justification for each budget category expense outlined in the budget costs.

*Examples:*

### **Personnel Services & Employee Related Expenses:**

Funds will be used for Personnel Services (Overtime) and Employee Related Expenses (ERE) to support and enhance DUI enforcement throughout the City/County of City of Flagstaff. Based on the receiving agency's budget, the approximant ERE percentage will be 40%.

## **Attachments**

A resolution from your agency's board of supervisors or city/town council will be included in this section. Please attach any further documentation in PDF format when submitting your DUI Abatement Council proposal.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**  
**Grant Application for Law Enforcement Projects**

**Federal Fiscal Year: 2021**

**DUE DATE: March 13, 2020**

Grant application decisions are reviewed and decided upon by GOHS and include consideration of the following: analysis of crash data, need for the project, past performance with highway safety grants (if applicable), and Federal funding availability. Please contact the Arizona Governor's Office of Highway Safety at (602) 255-3216 if you need assistance with this application.

**SECTION A: Agency Application Information**

<b>Agency:</b>	<b>Agency Name:</b>	City of Flagstaff
	<b>Address:</b>	211 W. Aspen
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Fax:</b>	
	<b>Phone:</b>	(928) 213-2090
<b>Governmental Unit: (City, Town, County)</b>	<b>Governmental Name:</b>	Flagstaff Police Department
	<b>Mgr/Supvr Title &amp; Name:</b>	Greg Clifton City Manager
	<b>Address:</b>	911 E. Sawmill Road
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
<b>Project Director:</b>	<b>Chief/Sheriff Title &amp; Name:</b>	Stacey Brechler-Knaggs
	<b>Address:</b>	211 W. Aspen
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Phone:</b>	(928) 213-2227
	<b>Email:</b>	sknaggs@flagstaffaz.gov
<b>Project Admin:</b>	<b>Title &amp; Name:</b>	Lance Roberts
	<b>Address:</b>	911 E. Sawmill Road
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Phone:</b>	(928) 214-2532
	<b>Email:</b>	Lroberts@coconino.az.gov
<b>Financial Contact:</b>	<b>Title &amp; Name:</b>	Glorice Thousand
	<b>Address:</b>	211 W. Aspen
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Phone:</b>	(928) 213-2214
	<b>Email:</b>	gthousand@flagstaffaz.gov

Please attach a cover letter addressed to the Director of the Governor's Office of Highway Safety on agency letterhead. This cover letter **must be signed** by a representative of your agency authorized to commit your agency to conduct the grant should it be approved for funding.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION B-1: Agency Overview – LAW ENFORCEMENT PROJECTS**

Fill in the information and statistics in this section for your jurisdiction.

**Project Title:** Driving Under the Influence Task Force

**Project Description:** (1 or 2 paragraphs, brief overview)

The Flagstaff Police Department, in partnership with our local community, is interested in obtaining grant funding to pay for officer overtime activities associated with increased D.U.I. enforcement. The mission of the Flagstaff Police Department is to preserve life and property. One of our departmental goals is to make our city streets safer by reducing traffic-related injuries and fatalities. We feel that this can best be accomplished by increasing D.U.I. awareness through education about the dangers of driving under the influence and by directed enforcement activities that remove impaired drivers from our streets. The Flagstaff Police Department is committed to making our city streets safer for motorists, bicyclists and pedestrians. Drunk drivers present a real threat to the safety of all persons on or near the highway. The costs associated with the loss of human life, injuries and property damage is an enormous burden on our community. The total amount requested for the D.U.I. Task Force is \$56,550.00.

**Number of sworn officers:** 118

**Total Population in your city/town or county:** 65,000

**Total Road Mileage:** Highway 35 Local 634 Total 669

**Crash Data:** Include all data for your jurisdiction, not crashes only worked by your agency.

	2018	2017	2016
Total Crashes	2819	2814	2962
Total Injury Crashes	408	403	405
Total Fatal Crashes	4	4	6
Total Impaired-related Crashes	85	82	106
Total Impaired-related Serious Injuries	27	27	27
Total Impaired-related Fatalities	0	0	0
Total Speed-related Crashes	149	109	100
Total Speed-related Serious Injuries	40	36	28
Total Speed-related Fatalities	0	0	0

The data above represents: County  City/Town



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION B-1: Agency Overview (Continued) – LAW ENFORCEMENT PROJECTS**

**Enforcement Data:** Fill in the information and statistics below for your jurisdiction.

	2019	2018	2017
Total Contacts (Traffic Stops)			
Total Sober Designated Drivers Contacted			
Total Know Your Limit Contacts			
<b>TOTAL DUI ARRESTS</b>	<b>491</b>	<b>482</b>	<b>465</b>
Total DUI Aggravated	78	87	98
Total DUI Misdemeanor	229	227	218
Total DUI Extreme (.15 or Above)	184	168	149
Under 21 DUI Citations	46	44	38
Average BAC	0.215	0.162	0.168
Minor Consumption / Possession Citations	173	190	217
Total DUI Drug Arrests	48	43	38
30-Day Vehicle Impounds	20	80	371
Seat Belt Citations	44	77	104
Child Restraint Citations	32	36	68
Criminal Speed Citations	5	12	15
Reckless Driving Citations	6	7	11
Civil Speed Citations	1657	1779	1721
Other Citations (except speed)	4831	4472	5346
Other Arrests	6307		
Participating Officer/Deputies (Cumulative)			



## ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY Grant Application for Law Enforcement Projects

### SECTION B-2: Problem Identification

Provide a narrative of the highway safety problem in your community/jurisdiction. Describe the nature and magnitude of the problem using valid, up-to-date statistical data. Identify which program area(s) have the greatest need, (i.e., impaired driving, occupant protection, speeding and aggressive driving, pedestrian safety, etc.). Indicate what is happening, when it is happening, where it is happening, and the contributing factors.

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The City of Flagstaff is the county seat of Coconino County. The city sits at approximately 7000 feet above sea level; at this altitude weather conditions significantly effect driving. Snow, rain, wind and fog frequently contribute to hazardous road conditions and collisions. These facts are amplified when impaired drivers are thrown into the mix. There are currently 172,932 vehicles registered in Coconino County, not including the 20,000 plus students enrolled at the Northern Arizona University nor the high volume of tourist related traffic. Prior to July 2012 there was not an existing DRE program within the Flagstaff Police Department. In 2016 we had 8 DRE's and have lost 2 bringing our total for 2018 to 6 DRE's. In 2019 we added 2 DRE's bringing or total DRE's for 2019 to 8. Since 2017 there have been 129 D.U.I drug arrests in Flagstaff. In 2017 there were 38 D.U.I drug arrests and 15 evaluations. In 2018 there were 43 D.U.I drug arrests and 15 of those were evaluated. In 2019 there were 48 D.U.I. drug arrest and 8 were evaluated. Out of those 129 D.U.I drug arrests 39 were under age. Over the last three years out of the 129 D.U.I drug arrest 38 have had evaluations done. With the ever changing medical marijuana laws and the new ruling of Carboxy not being allowed for impairment there is a greater need for DRE trained officers to respond and conduct an evaluation to call a drug category. With overtime funds we would have the ability to call out DRE'S to assist in impaired drivers under influence of drugs along with serious injury collisions and fatalities where drugs may be a factor. This will help identify D.U.I drug offenders that were not previously detected and assist with developing a strong case to aide in prosecution. During this three year period, we had 81 injury collisions and 0 fatal collision that were alcohol related, 104 injury collisions were speed related out of 1,216 total injury accidents. We feel there is a direct correlation between the removal of impaired drivers from the roadways and the reduction of alcohol and/or drug related injury or fatality motor vehicle accidents. Our proposal concerns the granting of overtime reimbursement funds for directed patrol efforts at interdiction of impaired drivers by alcohol or drugs. As listed above, our officers have achieved some success to date while working regular shifts and handling responsibilities for all calls for service. We would like to deploy enforcement specific officer's specifically on special weekends and holidays where an increase in impaired driving can be anticipated. We will maintain our community partner initiatives: PD partnered with the City, County, Navajo Nation, Guidance Center, and other community leaders to support the Alcohol Stabilization Unit, which is a detoxification facility that promotes short and long term treatment for alcoholism. The CCSO Jail has an in-custody rehabilitation (EXODUS) program for DUI offenders. Coconino County has also established a DUI and Drug court to hold offenders more accountable and get them more specialized sanctions and treatment options. The CJCC is currently working with multiple community partners to maintain a Serial Inebriate program to help with treatment and accountability for those addicted to alcohol.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION C: Goals and Objectives – IMPAIRED DRIVING**

Based on your problem identification stated in Section B-2, fill in the blanks for each agency Goal and Contract Objective outlined below.

**Agency Goals:**

To decrease the number of impaired driving-related crashes 5 % from 85 in calendar year 2019 to 81 by December 31, 2021.

To decrease the number of serious injuries in impaired driving-related crashes 100 % from 0 in calendar year 2019 to 0 by December 31, 2021.

To decrease the number of fatalities in impaired driving-related crashes 5 % from 27 in calendar year 2019 to 26 by December 31, 2021.

**Contract Objectives:**

To participate in a minimum of 11 DUI saturation patrols per quarter during FFY 2021.

To participate in a minimum of 2 DUI task force operations per quarter during FFY 2021.

**Additional Contract Objectives:**

*In addition to the required goals and objectives, create two additional contract objectives that your agency can achieve by the end of FFY 2021.*

To participate in a minimum of 12 hours of DUI Education/Prevention per quarter during FFY 2021

To participate in a minimum of 1 DUI/Alcohol awareness campaign targeting local night clubs and liquor establishments per quarter during FFY 2021



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION D: Project Strategies and Activities (Method of Procedure)**

In the spaces below, list or describe specific planned activities that your agency will perform in order to achieve their project objectives on a quarterly basis. Activities should describe what will be done, who will do it, and when it will take place. Objectives and subsequent activities in your project should follow the SMART method:

- S = Specific**
- M = Measurable**
- A = Action-Oriented**
- R = Realistic**
- T = Time-Framed**

---

1st Quarter: 10/01/2020 - 12/31/2020

Estimated 1st Quarter Expenditures:

**WEEKLY SPECIAL TRAFFIC ENFORCEMENT AND HOLIDAY DUI PATROLS: 27 Saturation patrols, Halloween weekend, Thanksgiving weekend, December Holiday weekend, New Years Holiday weekend and N.A.U. Graduation weekend.**

**Education/Prevention**

**Conduct 2 hour presentation at  
Law Enforcement Citizens Academy**

**Four hours performing outreach at  
various city sponsored events**

**Conduct 1 DUI/Alcohol awareness campaign**

2nd Quarter: 01/01/2021 - 03/31/2021

Estimated 2nd Quarter Expenditures:

**WEEKLY SPECIAL ENFORCEMENT AND HOLIDAY DUI PATROLS: 3 Saturation patrols, Saint Patrick's Day and Spring Break**

**Education/Prevention**

**Six hours performing outreach at  
various city sponsored events.**

**Conduct 1 DUI/Alcohol awareness campaign**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION D: Project Strategies and Activities (Continued)**

3rd Quarter: 04/01/2021 - 06/30/2021

Estimated 3rd Quarter Expenditures:

**WEEKLY SPECAIL ENFORCEMENT AND HOLIDAY DUI PATROLS: 9 Saturation Patrols, including Cinco De Mayo, Memorial Day, Prom weekend, End of Semester, Graduation and Independence Day weekend.**  
Education/Prevention  
2 hour presentation at the Law Enforcement Citizens Academy  
6 hours performing outreach at city sponsored events  
8 hour staffing the Graduation night  
alternative alcohol free venue  
Conduct 1 DUI/Alcohol awareness campaign

4th Quarter: 07/01/2021 - 09/30/2021

Estimated 4th Quarter Expenditures:

**WEEKLY SPECIAL TRAFFIC ENFORCEMENT AND HOLIDAY DUI PATROLS: 7 saturation patrols, including 4th of July, Labor Day weekend, and back to school weekends**  
Education/Prevention  
6 hours performing outreach at various city sponsored events  
24 hours of alcohol abuse and prevention outreach for Coconino County Fair  
Five 2 hour blocks for outreach at the City sponsored Concerts in the Park  
Conduct 1 DUI/Alcohol awareness campaign.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION E: Detailed Project Budget**

Please fill in the budget category that relates to your agency's project proposal. Please note that GOHS only grants overtime projects at a maximum employee related expense (ERE) rate of 40%.

**Personnel Services**

**Description:**

**WEEKLY SPECIAL TRAFFIC ENFORCEMENT:**

Thursday, Friday and/or Saturday nights - \$75 per hour x 2 officers x 12 hours per week x 20 weeks = \$36,000

Total = \$36,000

**HOLIDAY DUI SATURATION PATROLS:**

Including: July 4th Weekend - \$75 per hour x 2 officers x 6 hours per day x 3 days = \$2,700

Labor Day Weekend - \$75 per hour x 2 officers x 6 hours per day x 3 days = \$2,700

Thanksgiving Weekend - \$75 per hour x 2 officers x 6 hours per day x 3 days = \$2,700

December Holiday Weekend - \$75 per hour x 2 officers x 6 hours per day x 3 days = \$2,700

New Years Weekend - \$75 per hour x 2 officers x 6 hours per day x 3 days = \$2,700

Total = \$13,500

**DUI PREVENTION OUTREACH:**

Quarter 1 - \$75 per hour x 14 hours = \$1,050 / Quarter 2 - \$75 per hour x 12 hours = \$900 / Quarter 3 - \$75 per hour x 22 hours = \$1,650 / Quarter 4 - \$75 per hour x 46 hours = \$3,450

Total = \$7,050

**Personnel Services:**

**Employee Related Expenses:**

<b>Description</b>	<b>Requested Amount</b>	<b>Overtime Amount</b>	<b>ERE Amount</b>	<b>ERE %</b>
Weekly Special Traffic Enforcement	36,000	25,714	10,286	40.00%
Holiday DUI Saturation Patrols	13,500	9,643	3,857	40.00%
DUI Prevention Outreach	7,050	5,036	2,014	39.99%
				0.00%
				0.00%

**Total:    \$ 56,550        \$ 40,393        \$ 16,157**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Professional & Outside Services**

**Description:**

**Professional & Outside Services:**

Description	Requested Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Travel  
In-state & Out-of-State**

**Description:**

**Travel:**

Description	Transport	Lodging	Per Diem	Misc.	Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Materials & Supplies**

**Description:**

**Materials & Supplies:** Designated for items with a per unit cost less than \$5,000.00.

Description	Quantity	Price Per Unit	Tax	Shipping	Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Capital Outlay**

**Description:**

**Capital Outlay:** Designated for any equipment with a per unit cost of \$5,000.00 or more without accessories, tax, or shipping. All other items should be placed in Materials & Supplies.

NOTE: It is the Agency's responsibility to confirm the equipment is Buy America compliant. A letter from the manufacturer may be required.

Description	Quantity	Price Per Unit	Tax	Shipping	Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Total Estimated Costs**

<b>Description</b>	<b>Requested Amount</b>
Personnel Services	\$ 40,393
Employee Related Expenses	\$ 16,157
Professional & Outside Services	\$ 0
Travel	\$ 0
Materials & Supplies	\$ 0
Capital Outlay	\$ 0
<b>Total:</b>	<b>\$ 56,550</b>

**ERE: 40.00%**

**SECTION F: Additional Proposal Information**

If there is any additional information that your agency would like to attach to their proposal, please include a PDF attachment with your proposal. Additional information may include: pictures, invoice estimates, City/Town/County resolutions, additional enforcement information, etc.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**  
**Grant Application for Law Enforcement Projects**

**Federal Fiscal Year: 2021**

**DUE DATE: March 13, 2020**

Grant application decisions are reviewed and decided upon by GOHS and include consideration of the following: analysis of crash data, need for the project, past performance with highway safety grants (if applicable), and Federal funding availability. Please contact the Arizona Governor's Office of Highway Safety at (602) 255-3216 if you need assistance with this application.

**SECTION A: Agency Application Information**

<b>Agency:</b>	<b>Agency Name:</b>	City of Flagstaff
	<b>Address:</b>	211 W. Aspen
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Fax:</b>	
	<b>Phone:</b>	(928) 213-2090
<b>Governmental Unit: (City, Town, County)</b>	<b>Governmental Name:</b>	Flagstaff Police Department
	<b>Mgr/Supvr Title &amp; Name:</b>	Greg Clifton City Manager
	<b>Address:</b>	911 E. Sawmill Road
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
<b>Project Director:</b>	<b>Chief/Sheriff Title &amp; Name:</b>	Stacey Brechler-Knaggs
	<b>Address:</b>	211 W. Aspen
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Phone:</b>	(928) 213-2227
	<b>Email:</b>	sknaggs@flagstaffaz.gov
<b>Project Admin:</b>	<b>Title &amp; Name:</b>	Lance Roberts
	<b>Address:</b>	911 E. Sawmill Road
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Phone:</b>	(928) 214-2532
	<b>Email:</b>	Lroberts@coconino.az.gov
<b>Financial Contact:</b>	<b>Title &amp; Name:</b>	Glorice Thousand
	<b>Address:</b>	211 W. Aspen
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Phone:</b>	(928) 213-2214
	<b>Email:</b>	gthousand@flagstaffaz.gov

Please attach a cover letter addressed to the Director of the Governor's Office of Highway Safety on agency letterhead. This cover letter **must be signed** by a representative of your agency authorized to commit your agency to conduct the grant should it be approved for funding.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION B-1: Agency Overview – LAW ENFORCEMENT PROJECTS**

Fill in the information and statistics in this section for your jurisdiction.

**Project Title:** Youth Alcohol Prevention and Interdiction

**Project Description:** (1 or 2 paragraphs, brief overview)

The Flagstaff Police Department (FPD) respectfully requests \$55,200 in grant funds from the Arizona Governor's Office of Highway Safety for the purpose of educating youth on the dangers on the dangers of alcohol and enforcing underage drinking laws. This enforcement and education campaign will continue once the grant funds are awarded and we receive authorization to proceed.

The City of Flagstaff is the county seat of Coconino County and the home of Northern Arizona University and Coconino Community College. With an enrollment of approximately 22,791+ students, that does not include our high volume of tourist related traffic during the winter and summer months. Major roadways within our community include: Interstate 17, Interstate 40, U.S. Highway 89, U.S. Highway 180 and Historic Route 66. The local economy is dependent on tourism.

**Number of sworn officers:** 118

**Total Population in your city/town or county:** 65,000

**Total Road Mileage:** Highway 35 Local 634 Total 669

**Crash Data:** Include all data for your jurisdiction, not crashes only worked by your agency.

	2018	2017	2016
Total Crashes	2819	2814	2962
Total Injury Crashes	408	403	405
Total Fatal Crashes	4	4	6
Total Impaired-related Crashes	85	82	106
Total Impaired-related Serious Injuries	27	27	27
Total Impaired-related Fatalities	0	0	0
Total Speed-related Crashes	149	109	100
Total Speed-related Serious Injuries	40	36	28
Total Speed-related Fatalities	0	0	0

The data above represents: County  City/Town



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION B-1: Agency Overview (Continued) – LAW ENFORCEMENT PROJECTS**

**Enforcement Data:** Fill in the information and statistics below for your jurisdiction.

	2019	2018	2017
Total Contacts (Traffic Stops)			
Total Sober Designated Drivers Contacted			
Total Know Your Limit Contacts			
<b>TOTAL DUI ARRESTS</b>	491	482	465
Total DUI Aggravated	78	87	98
Total DUI Misdemeanor	229	227	218
Total DUI Extreme (.15 or Above)	184	168	149
Under 21 DUI Citations	46	44	38
Average BAC	.215	.162	.168
Minor Consumption / Possession Citations	173	190	217
Total DUI Drug Arrests	48	43	38
30-Day Vehicle Impounds		80	371
Seat Belt Citations	44	77	104
Child Restraint Citations	32	36	68
Criminal Speed Citations	5	12	15
Reckless Driving Citations	6	7	11
Civil Speed Citations	1657	1779	1721
Other Citations (except speed)	4831	4472	5346
Other Arrests	6307		
Participating Officer/Deputies (Cumulative)			



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION B-2: Problem Identification**

Provide a narrative of the highway safety problem in your community/jurisdiction. Describe the nature and magnitude of the problem using valid, up-to-date statistical data. Identify which program area(s) have the greatest need, (i.e., impaired driving, occupant protection, speeding and aggressive driving, pedestrian safety, etc.). Indicate what is happening, when it is happening, where it is happening, and the contributing factors.

The City of Flagstaff has a visible underage population. There are two college campuses within the city limits: Northern Arizona University with an enrolled population of approximately 22,791 as of 2019, and Coconino Community College with an enrollment of 3,515. In addition to the two public high schools, there are also several charter schools. In Flagstaff, health, social and economic problems result from the use of alcohol by underage drinkers. Each year we experience a large amount of underage house parties that result in quality of life issues for law abiding citizen's within the community. This grant proposal will provide information on underage alcohol arrests in Flagstaff for the last three years. It will show the traditional and non-traditional strategies we have used to try and address the problem, and provide a breakdown of how these grant funds will be used in the future. For the years 2016 through 2018 the following statistics are provided. These figures represent alcohol related arrests made by officers of FPD for persons less than 21 years of age.

	2017	2018	2019
Underage DUI Arrests	38	45	46
Underage Liquor Violations	255	196	173

The direct and collateral consequences of underage drinking can't be over stated. These consequences include medical care, work loss, increased insurance premiums, and ultimately loss of life. Underage drinking causes multiple problems including injuries, homicides, suicides, sexual assault, date rape, and various other criminal behaviors. The FPD is determined to provide a safe environment for our citizens by increasing law enforcement efforts in the areas of education, interdiction and enforcement of underage drinking laws. We would continue to deploy enforcement specific officers, on weekends, holidays and specific school events/holidays/vacations where an increase in youth liquor violations are more likely to occur. The snapshot of the underage drinking problem in Flagstaff is apparent in looking at a study on social norms conducted in 2011. In 2011, the Coconino County Alliance against Drugs in collaboration with Citizen's Against Substance Abuse and Flagstaff Unified School District (FUSD) conducted a survey on FUSD students and found the following disturbing trends:

- 17.8 % of youth tried alcohol before the 6th grade (16.6% in 2010)
- Grades 7, 8, 9 and 10 documented the highest percentages of onset of alcohol use with percentages of 9.6%, 9.7%, 14.2% and 9.3%.
- 71.6% students of FUSD used alcohol at least once in the past 30 days.
- 11.2% of middle school youth believe that occasionally "getting drunk" is okay as long as it does not interfere with academics or responsibilities (17.8% in 2010).

The Flagstaff Police Department has instituted a zero tolerance policy towards alcohol related violations.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION C: Goals and Objectives – IMPAIRED DRIVING**

Based on your problem identification stated in Section B-2, fill in the blanks for each agency Goal and Contract Objective outlined below.

**Agency Goals:**

To decrease the number of impaired driving-related crashes 5 % from 85 in calendar year 2019 to 81 by December 31, 2021.

To decrease the number of serious injuries in impaired driving-related crashes 100 % from 0 in calendar year 2019 to 0 by December 31, 2021.

To decrease the number of fatalities in impaired driving-related crashes 5 % from 27 in calendar year 2019 to 26 by December 31, 2021.

**Contract Objectives:**

To participate in a minimum of 11 DUI saturation patrols per quarter during FFY 2021.

To participate in a minimum of 2 DUI task force operations per quarter during FFY 2021.

**Additional Contract Objectives:**

*In addition to the required goals and objectives, create two additional contract objectives that your agency can achieve by the end of FFY 2021.*

- To staff four party response patrols per quarter on the appropriate weekends.
- To conduct four downtown walking details either in uniform or undercover
  
- To conduct at least four educational or prevention events by the end of each quarter.
- To conduct eight "Covert Underage Buyer" Projects during the course of the grant.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**  
**Grant Application for Law Enforcement Projects**

**SECTION D: Project Strategies and Activities (Method of Procedure)**

In the spaces below, list or describe specific planned activities that your agency will perform in order to achieve their project objectives on a quarterly basis. Activities should describe what will be done, who will do it, and when it will take place. Objectives and subsequent activities in your project should follow the SMART method:

- S = Specific**
- M = Measurable**
- A = Action-Oriented**
- R = Realistic**
- T = Time-Framed**

---

1st Quarter: 10/01/2020 - 12/31/2020

Estimated 1st Quarter Expenditures:

- Receive and accept the grant award
- Conduct four nights of party response patrols including Homecoming and New Years Eve
- Staff four downtown bar patrols for liquor violations (Homecoming, Tequila Sunrise, Halloween, Christmas, New Years Eve).
- Conduct at least four educational or prevention presentations
- Conduct two "Covert Underage Buyer" operations

2nd Quarter: 01/01/2021 - 03/31/2021

Estimated 2nd Quarter Expenditures:

- Conduct four nights of party response patrols including opening weekend of NAU and St. Patrick's Day.
- Staff four downtown bar patrols for liquor violations (Spring Break, Martin Luther King Jr. weekend, and St. Patrick's Day).
- Conduct at least four educational or prevention presentations
- Conduct two "Covert Underage Buyer" operations



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION D: Project Strategies and Activities (Continued)**

3rd Quarter: 04/01/2021 - 06/30/2021

Estimated 3rd Quarter Expenditures:

- Conduct four nights of party response patrols including Prom and Graduation
- Staff four downtown bar patrols for liquor violations (Cinco De Mayo, Memorial weekend, High school graduation, NAU Graduation).
- Conduct at least four educational or prevention presentations
- Conduct two "Covert Underage Buyer" operations

4th Quarter: 07/01/2021 - 09/30/2021

Estimated 4th Quarter Expenditures:

- Conduct four nights of party response patrols including Fourth of July and Labor Day weekend.
- Staff four downtown bar patrols for liquor violations (Fourth of July, NAU back in Session, and Labor Day weekend).
- Conduct at least four educational or prevention presentations
- Conduct two "Covert Underage Buyer" operations



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION E: Detailed Project Budget**

Please fill in the budget category that relates to your agency's project proposal. Please note that GOHS only grants overtime projects at a maximum employee related expense (ERE) rate of 40%.

**Personnel Services**

**Description:**

- ALKING BEAT - Four walking beat patrols in the downtown bar area per quarter.  
\*\$75 per hour x 2 officers x 10 hours per week x 16 details = 320 hours {or \$24,000}
- PARTY RESPONSE PATROL - Teams to work high contact weekends, four per quarter including (but not limited to): the start of school, homecoming, spring break, graduation, St. Patrick's Day, New Years Eve .  
\*\$75 per hour x 2 officers x 10 hours per detail x 16 details = 320 hours {or \$24,000}
- EDUL PREVENTION OUTREACH - Conduct educational presentations to at risk populations at four per quarter.  
\*\$75 per hour x 1 officer x 8 hours per quarter x 4 quarters = 32 hours {or \$2,400}
- COVERT BUY STAFFING - Conduct covert buy operations, two per quarter.  
\*\$75 per hour x 2 officers x 8 hours per quarter x 4 quarters = 64 hours {or \$4,800}

Total amount of grant request : \$55,200

**Personnel Services: Employee Related Expenses:**

Description	Requested Amount	Overtime Amount	ERE Amount	ERE %
Waling Beat (Bar Areas)	24,000	17,143	6,857	40.00%
Party Response Patrol	24,000	17,143	6,857	40.00%
EDUL Prevention Outreach	2,400	1,714	686	40.02%
Covert Buy Staffing	4,800	3,429	1,371	39.98%
				0.00%

**Total:    \$ 55,200    \$ 39,429    \$ 15,771**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**  
**Grant Application for Law Enforcement Projects**

**Professional & Outside Services**

**Description:**

**Professional & Outside Services:**

Description	Requested Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Travel  
In-state & Out-of-State**

**Description:**

**Travel:**

Description	Transport	Lodging	Per Diem	Misc.	Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Materials & Supplies**

**Description:**

**Materials & Supplies:** Designated for items with a per unit cost less than \$5,000.00.

Description	Quantity	Price Per Unit	Tax	Shipping	Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Capital Outlay**

**Description:**

**Capital Outlay:** Designated for any equipment with a per unit cost of \$5,000.00 or more without accessories, tax, or shipping. All other items should be placed in Materials & Supplies.

NOTE: It is the Agency's responsibility to confirm the equipment is Buy America compliant. A letter from the manufacturer may be required.

Description	Quantity	Price Per Unit	Tax	Shipping	Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Total Estimated Costs**

<b>Description</b>	<b>Requested Amount</b>
Personnel Services	\$ 39,429
Employee Related Expenses	\$ 15,771
Professional & Outside Services	\$ 0
Travel	\$ 0
Materials & Supplies	\$ 0
Capital Outlay	\$ 0
<b>Total:</b>	\$ 55,200

ERE: 40.00%

**SECTION F: Additional Proposal Information**

If there is any additional information that your agency would like to attach to their proposal, please include a PDF attachment with your proposal. Additional information may include: pictures, invoice estimates, City/Town/County resolutions, additional enforcement information, etc.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Federal Fiscal Year: 2021**

**DUE DATE: March 13, 2020**

Grant application decisions are reviewed and decided upon by GOHS and include consideration of the following: analysis of crash data, need for the project, past performance with highway safety grants (if applicable), and Federal funding availability. Please contact the Arizona Governor's Office of Highway Safety at (602) 255-3216 if you need assistance with this application.

**SECTION A: Agency Application Information**

<b>Agency:</b>	<b>Agency Name:</b>	City of Flagstaff
	<b>Address:</b>	211 W. Aspen
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Fax:</b>	
	<b>Phone:</b>	(928) 213-2090
<b>Governmental Unit: (City, Town, County)</b>	<b>Governmental Name:</b>	Flagstaff Police Department
	<b>Mgr/Supvr Title &amp; Name:</b>	Greg Clifton City Manager
	<b>Address:</b>	911 E. Sawmill Road
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
<b>Project Director:</b>	<b>Chief/Sheriff Title &amp; Name:</b>	Stacey Brechler-Knaggs
	<b>Address:</b>	211 W. Aspen
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Phone:</b>	(928) 213-2227
	<b>Email:</b>	sknaggs@flagstaffaz.gov
<b>Project Admin:</b>	<b>Title &amp; Name:</b>	Kevin Treadway
	<b>Address:</b>	911 E. Sawmill Road
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Phone:</b>	(928) 556-2306
	<b>Email:</b>	KTreadway@coconino.az.gov
<b>Financial Contact:</b>	<b>Title &amp; Name:</b>	Glorice Thousand
	<b>Address:</b>	211 W. Aspen
	<b>City, State, Zip:</b>	Flagstaff, AZ 86001
	<b>Phone:</b>	(928) 213-2214
	<b>Email:</b>	gthousand@flagstaffaz.gov

Please attach a cover letter addressed to the Director of the Governor's Office of Highway Safety on agency letterhead. This cover letter **must be signed** by a representative of your agency authorized to commit your agency to conduct the grant should it be approved for funding.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION B-1: Agency Overview – LAW ENFORCEMENT PROJECTS**

Fill in the information and statistics in this section for your jurisdiction.

**Project Title:** Purchase of Zero Motorcycle Police Package

**Project Description:** (1 or 2 paragraphs, brief overview)

The Traffic Squad is an integral part of Flagstaff Police Department's traffic enforcement efforts. Officers on the Traffic -Squad are primarily designated to perform only traffic related functions. These functions include: collision investigations, apprehension of the impaired driver, giving presentations, and trainings to community groups on traffic related topics. They also provide funeral escorts, and enforcement of traffic laws with an emphasis on citizen complaint zones, school zones, and dangerous intersections. Officers working on police motorcycles have proven to be very successful performing these traffic functions. We would like to purchase a Zero Police Motorcycle package to also help with keeping in alignment of our council goals of being sustainable.

**Number of sworn officers:** 112

**Total Population in your city/town or county:** 65,000

**Total Road Mileage:** Highway 35 Local 634 Total 669

**Crash Data:** Include all data for your jurisdiction, not crashes only worked by your agency.

	2018	2017	2016
Total Crashes	2819	2814	2962
Total Injury Crashes	408	403	405
Total Fatal Crashes	4	4	6
Total Impaired-related Crashes	85	82	206
Total Impaired-related Serious Injuries	27	27	27
Total Impaired-related Fatalities	0	0	0
Total Speed-related Crashes	149	109	100
Total Speed-related Serious Injuries	40	36	28
Total Speed-related Fatalities	0	0	0

The data above represents: County  City/Town



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION B-1: Agency Overview (Continued) – LAW ENFORCEMENT PROJECTS**

**Enforcement Data:** Fill in the information and statistics below for your jurisdiction.

	2019	2018	2017
Total Contacts (Traffic Stops)			
Total Sober Designated Drivers Contacted			
Total Know Your Limit Contacts			
<b>TOTAL DUI ARRESTS</b>	491	482	465
Total DUI Aggravated	78	87	98
Total DUI Misdemeanor	229	227	218
Total DUI Extreme (.15 or Above)	184	168	149
Under 21 DUI Citations	46	44	38
Average BAC	0.215	0.162	0.168
Minor Consumption / Possession Citations	173	190	217
Total DUI Drug Arrests	48	43	38
30-Day Vehicle Impounds	20	80	371
Seat Belt Citations	44	77	104
Child Restraint Citations	32	36	68
Criminal Speed Citations	5	12	15
Reckless Driving Citations	6	7	11
Civil Speed Citations	1657	1779	1721
Other Citations (except speed)	4831	4472	5346
Other Arrests	6307		
Participating Officer/Deputies (Cumulative)			



## ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY Grant Application for Law Enforcement Projects

### SECTION B-2: Problem Identification

Provide a narrative of the highway safety problem in your community/jurisdiction. Describe the nature and magnitude of the problem using valid, up-to-date statistical data. Identify which program area(s) have the greatest need, (i.e., impaired driving, occupant protection, speeding and aggressive driving, pedestrian safety, etc.). Indicate what is happening, when it is happening, where it is happening, and the contributing factors.

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The Flagstaff Police Department is a law enforcement agency comprised of 114 sworn officers who serve approximately 60,000 residents. Also, Flagstaff is the county seat of Coconino County. The major roadways throughout the City of Flagstaff include: Interstate 17, Interstate 40, U.S. Highway 89, U.S. Highway 180, and Historic Route 66. There are approximately 35 miles of state owned highways in the City of Flagstaff. These highways account for large numbers of interstate vehicles in transit. The City of Flagstaff contains approximately 65 square miles, which is serviced by approximately 634 lane miles of surfaced roadways. The major commuter accessible corridors account for approximately 20 miles of road surface. The City of Flagstaff sits at approximately 7000 feet above sea level; at this altitude weather conditions frequently contribute to hazardous road conditions and collisions. Lastly, the Arizona Traffic Squad is an integral part of Flagstaff Police Department's traffic enforcement efforts. Officers on the Traffic Squad are primarily designated to perform only traffic related functions. These functions include: collision investigations, apprehension of the impaired driver, giving presentations, and trainings to community groups on traffic related topics. They also provide funeral escorts, and enforcement of traffic laws with an emphasis on citizen complaint zones, school zones, and dangerous intersections. Officers working on police motorcycles have proven to be very successful performing these traffic functions. If Flagstaff Police Department receives the necessary equipment, they will be able to allocate one additional Motorcycle Officers towards enhancing traffic safety throughout the City of Flagstaff. The Flagstaff Police Department attempts to reduce the number of motor vehicle collisions by working locations that have been identified as the most frequent locations for crashes. Each month, statistics are gathered to identify which intersections are the most dangerous. That list is kept current and posted in the patrol briefing room for the benefit of all officers. Members of the Traffic Unit are expected to spend at least an hour each shift working those listed intersections. These efforts have been mostly successful because officers are addressing violations that are the direct cause of collisions happening at these locations. As a result, Flagstaff PD has seen a reduction in the number of crashes at their top 10 dangerous intersections. The Flagstaff Police Department attempts to reduce the number of motor vehicle collisions by working locations that have been identified as the most frequent locations for crashes. Each month, statistics are gathered to identify which intersections are the most dangerous. That list is kept current and posted in the patrol briefing room for the benefit of all officers. Members of the Traffic Unit are expected to spend at least an hour each shift working those listed intersections. These efforts have been mostly successful because officers are addressing violations that are the direct cause of collisions happening at these locations. As a result, Flagstaff PD has seen a reduction in the number of crashes at their top 10 dangerous intersections.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION C: Goals and Objectives – Police Traffic Services**

Based on your problem identification stated in Section B-2, fill in the blanks for each agency Goal and Contract Objective outlined below.

**Agency Goals:**

To decrease the number of speeding-related crashes 5 % from 85 in calendar year 2019 to 81 by December 31, 2021.

To decrease the number of serious injuries in speeding-related crashes 100 % from 0 in calendar year 2019 to 0 by December 31, 2021.

To decrease the number of fatalities in speeding-related crashes 5 % from 27 in calendar year 2019 to 26 by December 31, 2021.

**Contract Objectives:**

To increase the number of speeding and aggressive driving citations 33 % from 6 in FFY 2019 to 8 during FFY 2021.

Conduct targeted speed enforcement efforts a minimum of 10 times per month during FFY 2021.

**Additional Contract Objectives:**

*In addition to the required goals and objectives, create two additional contract objectives that your Agency can achieve by the end of FFY 2021.*

The Flagstaff Police Department will also use the motorcycle as a tool for outreach to our community. The motorcycle will be taken to community events to educate the citizens.

The Flagstaff Police Department will utilize the motorcycles during peak hours and will be deployed when a DUI Task Force is in service. The traffic officers will be looking for any DUI or other violation.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION D: Project Strategies and Activities (Method of Procedure)**

In the spaces below, list or describe specific planned activities that your agency will perform in order to achieve their project objectives on a quarterly basis. Activities should describe what will be done, who will do it, and when it will take place. Objectives and subsequent activities in your project should follow the SMART method:

- S = Specific**
- M = Measurable**
- A = Action-Oriented**
- R = Realistic**
- T = Time-Framed**

---

1st Quarter: 10/01/2020 - 12/31/2020

Estimated 1st Quarter Expenditures:

The Flagstaff Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Contract award, determine procurement method, place order with vendor when funds encumbered.

Capital Outlay - To purchase/procure the following Capital Outlay for one (1) Zero Police Motorcycle package. Total costs for purchase of motorcycle \$23,822.90 including tax. The Flagstaff Police Department will provide a Press Release Upon Approval of grant.

2nd Quarter: 01/01/2021 - 03/31/2021

Estimated 2nd Quarter Expenditures: \$ 23,823

Receive motorcycle, build motorcycle with all appropriate accessories (lights, sirens, radio, decals). Vehicle will be prepared, motor sergeant will become familiar and assign motor to patrol motor member and placed into service.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION D: Project Strategies and Activities (Continued)**

3rd Quarter: 04/01/2021 - 06/30/2021

Estimated 3rd Quarter Expenditures: \$ 0

There will be no expenditures during this quarter. We will continue to have the unit in service and conduct traffic and education in the community on traffic laws.

4th Quarter: 07/01/2021 - 09/30/2021

Estimated 4th Quarter Expenditures:

There will be no expenditures during this quarter. We will continue to have the unit in service and conduct traffic and education in the community on traffic laws.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION E: Detailed Project Budget**

Please fill in the budget category that relates to your agency's project proposal. Please note that GOHS only grants overtime projects at a maximum employee related expense (ERE) rate of 40%.

**Personnel Services**

**Description:**

<b>Personnel Services:</b>	<b>Employee Related Expenses:</b>			
<b>Description</b>	<b>Requested Amount</b>	<b>Overtime Amount</b>	<b>ERE Amount</b>	<b>ERE %</b>
				0.00%
				0.00%
				0.00%
				0.00%
				0.00%

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**  
**Grant Application for Law Enforcement Projects**

**Professional & Outside Services**

**Description:**

**Professional & Outside Services:**

Description	Requested Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Travel  
In-state & Out-of-State**

**Description:**

**Travel:**

Description	Transport	Lodging	Per Diem	Misc.	Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Materials & Supplies**

**Description:**

**Materials & Supplies:** Designated for items with a per unit cost less than \$5,000.00.

Description	Quantity	Price Per Unit	Tax	Shipping	Amount

**Total:**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Capital Outlay**

**Description:**

The Flagstaff Police Department is requesting funds to purchase one (1) new 2020 Zero Police Motorcycle package. The motorcycle will be equipped with necessary police accessories. A price quote for the motorcycles came in at \$23,823 including tax.

**Capital Outlay:** Designated for any equipment with a per unit cost of \$5,000.00 or more without accessories, tax, or shipping. All other items should be placed in Materials & Supplies.

NOTE: It is the Agency's responsibility to confirm the equipment is Buy America compliant. A letter from the manufacturer may be required.

Description	Quantity	Price Per Unit	Tax	Shipping	Amount
Zero DSRP Motorcycle Base Police Package	1	22,135	1,688	0	23,823

**Total:**      \$ 23,823



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Total Estimated Costs**

Description	Requested Amount
Personnel Services	\$ 0
Employee Related Expenses	\$ 0
Professional & Outside Services	\$ 0
Travel	\$ 0
Materials & Supplies	\$ 0
Capital Outlay	\$ 23,823
<b>Total:</b>	\$ 23,823

ERE: 0.00%

**SECTION F: Additional Proposal Information**

If there is any additional information that your agency would like to attach to their proposal, please include a PDF attachment with your proposal. Additional information may include: pictures, invoice estimates, City/Town/County resolutions, additional enforcement information, etc.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**  
**Grant Application for Law Enforcement Projects**

**Federal Fiscal Year: 2021**

**DUE DATE: March 13, 2020**

Grant application decisions are reviewed and decided upon by GOHS and include consideration of the following: analysis of crash data, need for the project, past performance with highway safety grants (if applicable), and Federal funding availability. Please contact the Arizona Governor's Office of Highway Safety at (602) 255-3216 if you need assistance with this application.

**SECTION A: Agency Application Information**

**Agency:** Agency Name: City of Flagstaff  
Address: 211 W. Aspen  
City, State, Zip: Flagstaff, AZ 86001  
Fax:  
Phone: (928) 213-2090

**Governmental Unit:** Governmental Name: Flagstaff Police Department  
**(City, Town, County)** Mgr/Supvr Title & Name: Greg Clifton City Manager  
Address: 911 E. Sawmill Road  
City, State, Zip: Flagstaff, AZ 86001

**Project Director:** Chief/Sheriff Title & Name: Stacey Brechler-Knaggs  
Address: 211 W. Aspen  
City, State, Zip: Flagstaff, AZ 86001  
Phone: (928) 213-2227  
Email: sknaggs@flagstaffaz.gov

**Project Admin:** Title & Name: Kevin Treadway  
Address: 911 E. Sawmill Road  
City, State, Zip: Flagstaff, AZ 86001  
Phone: (928) 556-2306  
Email: KTreadway@coconino.az.gov

**Financial Contact:** Title & Name: Glorice Thousand  
Address: 211 W. Aspen  
City, State, Zip: 211 W. Aspen  
Phone: (928) 213-2214  
Email:

Please attach a cover letter addressed to the Director of the Governor's Office of Highway Safety on agency letterhead. This cover letter **must be signed** by a representative of your agency authorized to commit your agency to conduct the grant should it be approved for funding.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION B-1: Agency Overview – LAW ENFORCEMENT PROJECTS**

Fill in the information and statistics in this section for your jurisdiction.

**Project Title:** Safety Traffic Cones

**Project Description:** (1 or 2 paragraphs, brief overview)

The Flagstaff Police Department is requesting funds to purchase 200 Reflective Traffic Cones. These traffic tools designate critical safety parameters for officers conducting accident investigations. The cones will be used to help redirect traffic and prevent any additional traffic accidents or injury to emergency first responders. They are extremely useful on accident scenes, as well as any major events that cause traffic delays.

**Number of sworn officers:** 118

**Total Population in your city/town or county:** 65,000

**Total Road Mileage:** Highway 35 Local 634 Total 669

**Crash Data:** Include all data for your jurisdiction, not crashes only worked by your agency.

	2018	2017	2016
Total Crashes	2819	2814	2962
Total Injury Crashes	408	403	405
Total Fatal Crashes	4	4	6
Total Impaired-related Crashes	85	82	206
Total Impaired-related Serious Injuries	27	27	27
Total Impaired-related Fatalities	0	0	0
Total Speed-related Crashes	149	109	100
Total Speed-related Serious Injuries	40	36	28
Total Speed-related Fatalities	0	0	0

The data above represents: County  City/Town



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**  
**Grant Application for Law Enforcement Projects**

**SECTION B-1: Agency Overview (Continued) – LAW ENFORCEMENT PROJECTS**

**Enforcement Data:** Fill in the information and statistics below for your jurisdiction.

	2019	2018	2017
Total Contacts (Traffic Stops)			
Total Sober Designated Drivers Contacted			
Total Know Your Limit Contacts			
<b>TOTAL DUI ARRESTS</b>	491	482	465
Total DUI Aggravated	78	87	98
Total DUI Misdemeanor	229	227	218
Total DUI Extreme (.15 or Above)	184	168	149
Under 21 DUI Citations	46	44	38
Average BAC	0.215	0.162	0.168
Minor Consumption / Possession Citations	173	190	217
Total DUI Drug Arrests	48	43	38
30-Day Vehicle Impounds	20	80	371
Seat Belt Citations	44	77	104
Child Restraint Citations	32	36	68
Criminal Speed Citations	5	12	15
Reckless Driving Citations	6	7	11
Civil Speed Citations	1657	1779	1721
Other Citations (except speed)	4831	4472	5346
Other Arrests	6307		
Participating Officer/Deputies (Cumulative)			



## ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY Grant Application for Law Enforcement Projects

### SECTION B-2: Problem Identification

Provide a narrative of the highway safety problem in your community/jurisdiction. Describe the nature and magnitude of the problem using valid, up-to-date statistical data. Identify which program area(s) have the greatest need, (i.e., impaired driving, occupant protection, speeding and aggressive driving, pedestrian safety, etc.). Indicate what is happening, when it is happening, where it is happening, and the contributing factors.

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The City of Flagstaff is the county seat of Coconino County. The city sits at approximately 7000 feet above sea level; at this altitude weather conditions significantly effect driving. Snow, rain, wind and fog frequently contribute to hazardous road conditions and collisions. These facts are amplified when impaired drivers are thrown into the mix.

The reflective traffic cones are used as a tool to temporarily guide traffic on our public roads. They aid in keeping the scene visible, while providing a guide for redirecting traffic; due to accidents, major community events, drivers training for officers, firearms training, and for setup of DUI Task Force stations. Emergency Response Best Practices recommend that responders carry at least (5) five cones in their vehicle, for use in any roadside emergencies that we handle on a daily basis, such as accidents. This funding will allow us to outfit all vehicles with the appropriate amount of cones for quick deployment, when needed.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION C: Goals and Objectives – Police Traffic Services**

Based on your problem identification stated in Section B-2, fill in the blanks for each agency Goal and Contract Objective outlined below.

**Agency Goals:**

To decrease the number of speeding-related crashes 5 % from 85 in calendar year 2019 to 81 by December 31, 2021.

To decrease the number of serious injuries in speeding-related crashes 100 % from 0 in calendar year 2019 to 0 by December 31, 2021.

To decrease the number of fatalities in speeding-related crashes 5 % from 27 in calendar year 2019 to 26 by December 31, 2021.

**Contract Objectives:**

To increase the number of speeding and aggressive driving citations % from in FFY 2019 to during FFY 2021.

Conduct targeted speed enforcement efforts a minimum of times per month during FFY 2021.

**Additional Contract Objectives:**

*In addition to the required goals and objectives, create two additional contract objectives that your Agency can achieve by the end of FFY 2021.*

To decrease the number of impaired driving-related crashes by 5% from 408 during calendar year 2019 to 385 by December 31, 2020

To comply with Emergency Responder Best Practices recommendations to outfit all patrol vehicle units with the recommended number of five traffic cones per unit, by September 30, 2020.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION D: Project Strategies and Activities (Method of Procedure)**

In the spaces below, list or describe specific planned activities that your agency will perform in order to achieve their project objectives on a quarterly basis. Activities should describe what will be done, who will do it, and when it will take place. Objectives and subsequent activities in your project should follow the SMART method:

- S = Specific**
- M = Measurable**
- A = Action-Oriented**
- R = Realistic**
- T = Time-Framed**

---

1st Quarter: 10/01/2020 - 12/31/2020

Estimated 1st Quarter Expenditures: \$ 5,938

In accordance with approved procurement procedures, obtain quotes from Traffic Cone Vendors for MUTCD-compliant equipment. Two sizes of traffic cones (18" and 28") are identified in the scope of work.

Once Purchase Order is issued, delivery is estimated at one week.

Upon receipt and acceptance, the traffic cones will be inventoried, properly marked with AZ GOHS stickers, and assigned to patrol units for immediate use.

2nd Quarter: 01/01/2021 - 03/31/2021

Estimated 2nd Quarter Expenditures: \$ 0

Complete final grant statement and close out grant.



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION D: Project Strategies and Activities (Continued)**

3rd Quarter: 04/01/2021 - 06/30/2021

Estimated 3rd Quarter Expenditures: \$ 0

Grant Completed

4th Quarter: 07/01/2021 - 09/30/2021

Estimated 4th Quarter Expenditures: \$ 0

Grant completed



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**SECTION E: Detailed Project Budget**

Please fill in the budget category that relates to your agency's project proposal. Please note that GOHS only grants overtime projects at a maximum employee related expense (ERE) rate of 40%.

**Personnel Services**

**Description:**

N/A

**Personnel Services:**

**Employee Related  
Expenses:**

<b>Description</b>	<b>Requested Amount</b>	<b>Overtime Amount</b>	<b>ERE Amount</b>	<b>ERE%</b>
	0			0.00%
	0			0.00%
	0			0.00%
	0			0.00%
	0			0.00%

**Total:      \$ 0                  \$ 0                  \$ 0**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**  
**Grant Application for Law Enforcement Projects**

**Professional & Outside Services**

**Description:**

**Professional & Outside Services:**

Description	Requested Amount

**Total: \$ 0**



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Travel  
In-state & Out-of-State**

**Description:**

**Travel:**

Description	Transport	Lodging	Per Diem	Misc.	Amount
					0
					0
					0
					0
					0
<b>Total:</b>	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Materials & Supplies**

**Description:**

The project is for 300 traffic reflective cones, approved as channeling devices by the Manual for Uniform Traffic Control Devices (MUTCD). The cones will have a reflective collar. The 100 18" cones are for use on roadways with speed limit under 45 mph. The 28" cones have a 10 lb. base, and are designed for use on roadways with a speed limit over 45 mph. They are flow-molded, lightweight, easy to stack and meet all state and federal safety requirements.

**Materials & Supplies:** Designated for items with a per unit cost less than \$5,000.00.

Description	Quantity	Price Per Unit	Tax	Shipping	Amount
Reflective Traffic Cones 18"	300	15	469	415	5,398
					0
					0
					0
					0

**Total:** \$ 5,398



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**  
**Grant Application for Law Enforcement Projects**

**Capital Outlay**

**Description:**

**Capital Outlay:** Designated for any equipment with a per unit cost of \$5,000.00 or more without accessories, tax, or shipping. All other items should be placed in Materials & Supplies.

NOTE: It is the Agency's responsibility to confirm the equipment is Buy America compliant. A letter from the manufacturer may be required.

Description	Quantity	Price Per Unit	Tax	Shipping	Amount
					0
					0
					0
					0
					0

**Total:** \$ 0



**ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY  
Grant Application for Law Enforcement Projects**

**Total Estimated Costs**

<b>Description</b>	<b>Requested Amount</b>
Personnel Services	\$ 0
Employee Related Expenses	\$ 0
Professional & Outside Services	\$ 0
Travel	\$ 0
Materials & Supplies	\$ 5,398
Capital Outlay	\$ 0
<b>Total:</b>	<b>\$ 5,398</b>

**ERE: 0.00%**

**SECTION F: Additional Proposal Information**

If there is any additional information that your agency would like to attach to their proposal, please include a PDF attachment with your proposal. Additional information may include: pictures, invoice estimates, City/Town/County resolutions, additional enforcement information, etc.

**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Stacy Fobar, Deputy City Clerk  
**Date:** 04/14/2020  
**Meeting Date:** 04/21/2020



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**TITLE:**

**Consideration and Action on Liquor License Application:** Craig Bouchard "Southside Tavern II," 117 S. San Francisco Street, Series 12 (restaurant), New License.

**STAFF RECOMMENDED ACTION:**

Open the public hearing.  
Receive citizen input.  
Close the public hearing.

The City Council has the option to:

- (1) Forward the application to the State with a recommendation for approval;
- (2) Forward the application to the State with a recommendation for denial based on information from staff, the testimony received at the public hearing and/or other factors.

**Executive Summary:**

The liquor license process begins at the State level and applications are then forwarded to the respective municipality for posting at the property and holding a public hearing, after which the Council recommendation is forwarded back to the State. A Series 12 license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Southside Tavern II is an existing business in Flagstaff and is under new ownership. They are applying for a new series 12 restaurant license due to the change of owner. If approved it will be the 100th active series 12 license in Flagstaff. Series 12 licenses are non-quota licenses. To view surrounding liquor licenses, please refer to the online interactive [Liquor License Map](#).

The property has been posted as required, and the Police and Community Development divisions have reviewed the application and provided their respective reports.

**Financial Impact:**

There is no budgetary impact to the City of Flagstaff as this is a recommendation to the State.

**Policy Impact:**

Not applicable.

**Connection to Council Goal, Regional Plan, CAAP, and/or Strategic Plan:**

Liquor licenses are a regulatory action and there is no Council goal that applies.

**Has There Been Previous Council Decision on This:**

Not applicable.

**Key Considerations:**

Because the application is for a new license, consideration may be given to both the location and the applicant's personal qualifications.

The deadline for issuing a recommendation on this application is May 10, 2020.

**Community Benefits and Considerations:**

This business will contribute to the tax base of the community.

**Community Involvement:**

The application was properly posted on March 31, 2020. No written protests have been received to date.

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**Attachments:**    [Southside Tavern - Letter to Applicant](#)  
                          [Hearing Procedures](#)  
                          [Series 12 Description](#)  
                          [Southside Tavern - PD Memo](#)  
                          [Southside Tavern - Zoning Memo](#)  
                          [Southside Tavern - Map](#)

OFFICE OF THE CITY CLERK

April 8, 2020

Craig Bouchard  
Southside II  
2839 Sidewheel Drive  
Bullhead City, AZ 86429

Dear Mr. Bouchard:

Your application for a new Series 12 Liquor License for Southside II located at 117 S. San Francisco Street in Flagstaff, AZ was posted on March 3, 2020. The City Council will consider the application at a public hearing during their regularly scheduled City Council Meeting on **Tuesday, April 21, 2020 which will begin at 3:00 p.m.**

It is important that you or your representative attend this Council Meeting via phone and be prepared to answer any questions that the City Council may have. Failure to be available for questions could result in a recommendation for denial of your application. We suggest that you contact your legal counsel or the Department of Liquor Licenses and Control at 602-542-5141 to determine the criteria for your license. To help you understand how the public hearing process will be conducted, we are enclosing a copy of the City's liquor license application hearing procedures.

The twenty-day posting period for your liquor license application is set to expire on April 20, 2020 and the application may be removed from the premises at that time.

There is an \$815 application fee which needs to be received prior to the hearing date. Payment can be made online at <https://www.flagstaff.az.gov/2452/E--Services> under Business Licensing Payment Online Services by clicking Liquor License Request Payment, in person at the payment window, or you can send a check to my attention at 211 W. Aspen Ave., Flagstaff, AZ 86001.

If you have any questions, please feel free to call me at 928-213-2077.

Sincerely,

Stacy M. Fobar  
Deputy City Clerk

Enclosure



# City of Flagstaff

## Liquor License Application Hearing Procedures

1. When the matter is reached at the Council meeting, the presiding officer will open the public hearing on the item.
2. The presiding officer will request that the Applicant come forward to address the Council regarding the application in a presentation not exceeding ten (10) minutes. Council may question the Applicant regarding the testimony or other evidence provided by the Applicant.
3. The presiding officer will then ask whether City staff have information to present to the Council regarding the application. Staff should come forward at this point and present information to the Council in a presentation not exceeding ten (10) minutes. Council may question City staff regarding the testimony or other evidence provided by City staff.
4. Other parties, if any, may then testify, limited to three (3) minutes per person. Council may question these parties regarding the testimony they present to the Council.
5. The Applicant may make a concise closing statement to the Council, limited to five (5) minutes. During this statement, Council may ask additional questions of the Applicant.
6. City staff may make a concise closing statement to the Council, limited to five (5) minutes. During this statement, Council may ask additional questions of City Staff.
7. The presiding officer will then close the public hearing.
8. The Council will then, by motion, vote to forward the application to the State with a recommendation of approval, disapproval, or shall vote to forward with no recommendation.

## **R19-1-702. Determining Whether to Grant a License for a Certain Location**

- A. To determine whether public convenience requires and the best interest of the community will be substantially served by issuing or transferring a license at a particular unlicensed location, local governing authorities and the Board may consider the following criteria:
1. Petitions and testimony from individuals who favor or oppose issuance of a license and who reside in, own, or lease property within one mile of the proposed premises;
  2. Number and types of licenses within one mile of the proposed premises;
  3. Evidence that all necessary licenses and permits for which the applicant is eligible at the time of application have been obtained from the state and all other governing bodies;
  4. Residential and commercial population of the community and its likelihood of increasing, decreasing, or remaining static;
  5. Residential and commercial population density within one mile of the proposed premises;
  6. Evidence concerning the nature of the proposed business, its potential market, and its likely customers;
  7. Effect on vehicular traffic within one mile of the proposed premises;
  8. Compatibility of the proposed business with other activity within one mile of the proposed premises;
  9. Effect or impact on the activities of businesses or the residential neighborhood that might be affected by granting a license at the proposed premises;
  10. History for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant received a detailed report of the violations and criminal activity at least 20 days before the hearing by the Board;
  11. Comparison of the hours of operation at the proposed premises to the hours of operation of existing businesses within one mile of the proposed premises; and
  12. Proximity of the proposed premises to licensed childcare facilities as defined by A.R.S. § 36-881.
- B. This Section is authorized by A.R.S. § 4-201(I).

## License Types: Series 12 Restaurant License

Non-transferable

On-sale retail privileges

Note: Terms in **BOLD CAPITALS** are defined in the [glossary](#).

---

### PURPOSE:

Allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food.

### ADDITIONAL RIGHTS AND RESPONSIBILITIES:

An applicant for a restaurant license must file a copy of its restaurant menu and Restaurant Operation Plan with the application. The Plan must include listings of all restaurant equipment and service items, the restaurant seating capacity, and other information requested by the department to substantiate that the restaurant will operate in compliance with Title 4.

The licensee must notify the Department, in advance, of any proposed changes in the seating capacity of the restaurant or dimensions of a restaurant facility.

A restaurant licensee must maintain complete restaurant services continually during the hours of selling and serving of spirituous liquor, until at least 10:00 p.m. daily, if any spirituous liquor is to be sold and served up to 2:00 a.m.

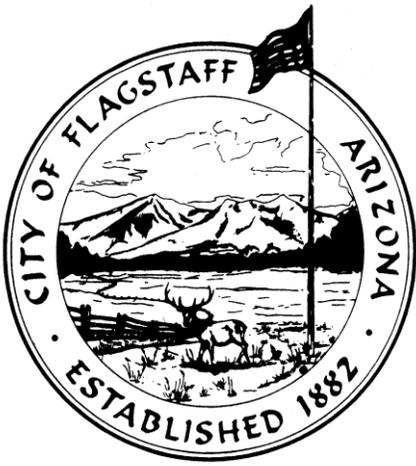
On any original applications, new managers and/or the person responsible for the day-to-day operations must attend a basic and management training class.

A licensee acting as a **RETAIL AGENT**, authorized to purchase and accept **DELIVERY** of spirituous liquor by other licensees, must receive a certificate of registration from the Department.

A **PREGNANCY WARNING SIGN** for pregnant women consuming spirituous liquor must be posted within twenty (20) feet of the cash register or behind the bar.

A log must be kept by the licensee of all persons employed at the premises including each employee's name, date and place of birth, address and responsibilities.

Bar, beer and wine bar, and restaurant licensees must pay an annual surcharge of \$20.00. The money collected from these licensees will be used by the Department for an auditor to review compliance by restaurants with the restaurant licensing provisions of ARS 4-205.02.



# FLAGSTAFF POLICE DEPARTMENT

911 SAWMILL RD • FLAGSTAFF, ARIZONA 86001 • (928) 779-3646

ADMIN FAX (928)213-3372

TDD 1-800-842-4681



Chief of Police  
Kevin D. Treadway

## MEMORANDUM

**Memo #20-027**

**TO: Chief Kevin Treadway**

**FROM: Sgt. Ryan Turley**

**DATE: March 31<sup>st</sup> 2020**

**RE: LIQUOR LICENSE APPLICATION – SERIES 12- FOR “Southside Tavern II”**

---

On March 31st, I initiated an investigation into an application for a series 12 (restaurant) liquor license filed by Craig Bouchard (Controlling Person and Agent), The Application number is 101786 and it is for the Southside Tavern II which is located at 117 S. San Francisco St.

I conducted a query through local systems and public access on Craig Bouchard and discovered no derogatory records on him. I found that Mr. Bouchard has taken the mandatory liquor law training. I conducted a search for any current and previous liquor licenses possessed by Mr. Bouchard and discovered that he has a current license for the Sundowner Saloon in Kingman, AZ.

I made contact with Mr. Bouchard over the phone, and he confirmed that he would be calling into the council meeting on April 21<sup>st</sup> and was already aware of the procedure on how to do so. He advised me the business hours would be from 11am to 1am Sunday through Thursday and open to 2am on Friday and Saturday. He advised the bar is currently closed due to the COVID-19 pandemic. He currently has a Title 6 interim license and will be applying for a full license in the near future for the bar.



## Planning and Development Services Memorandum

To: Stacy Fobar, Deputy City Clerk  
From: Reggie Eccleston, Code Compliance Manager  
CC: Tiffany Antol, Planning Director  
Date: March 25, 2020  
Re: Application for Liquor License #101786  
117 S. San Francisco St., Flagstaff, Arizona 86001  
Assessor's Parcel Number 103-08-024C  
Craig Bouchard on behalf of Southside Tavern II

---

This application is a request for a new Series 12 Restaurant liquor license by Craig Bouchard on behalf of Southside Tavern II. This business is located within the Community Commercial district. This district does allow for this use.

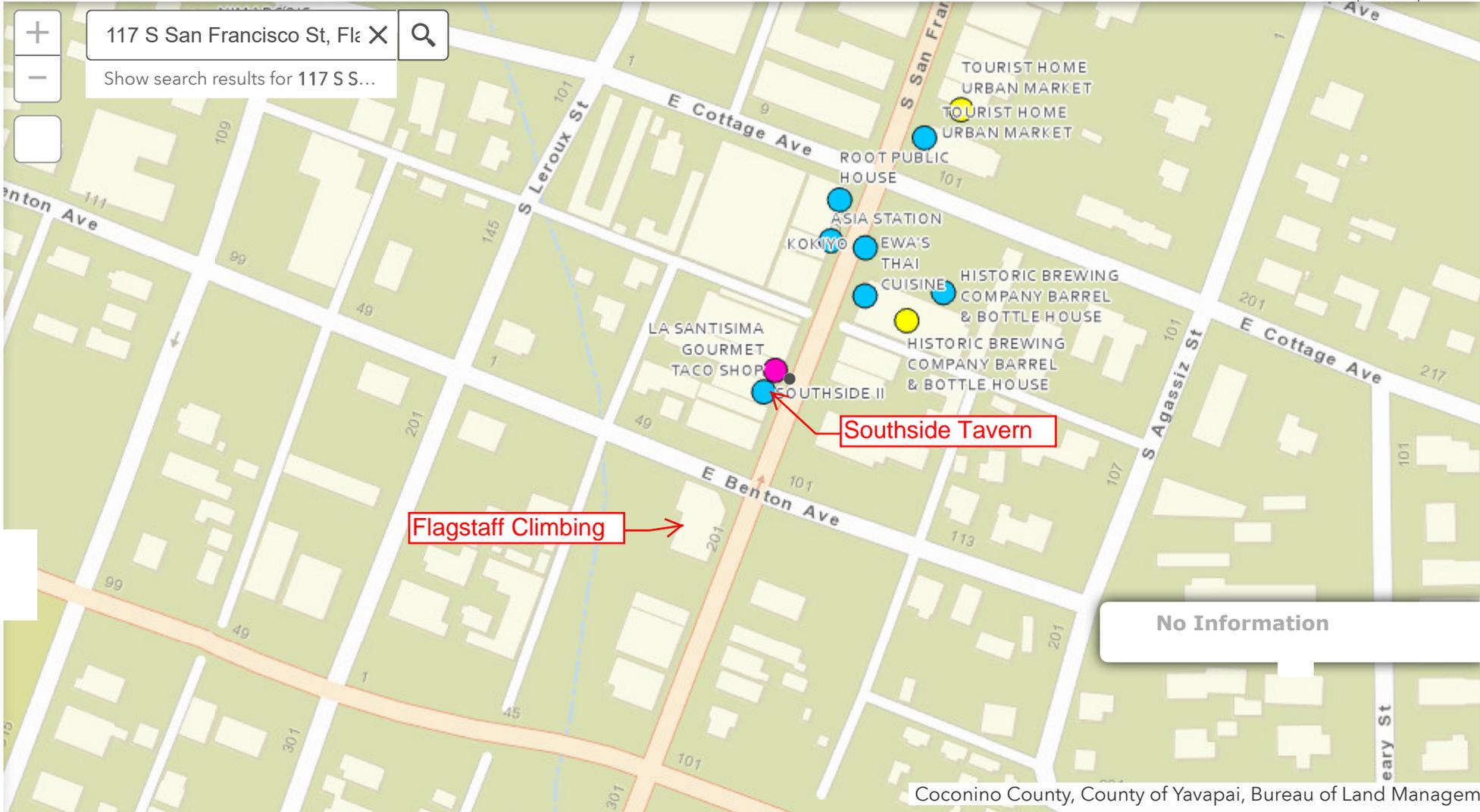
There are no active Zoning Code violations associated with the applicant or the property at this time.



117 S San Francisco St, Fl: X



Show search results for 117 S S...



**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Dan Symer, Zoning Code Manager  
**Date:** 04/14/2020  
**Meeting Date:** 04/21/2020



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**TITLE:**

**Consideration and Adoption of Resolution No. 2020-17 and Ordinance No. No. 2020-11:** A Resolution of the City Council of the City of Flagstaff, Coconino County, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "Case No. PZ-19-00125 Updates to Zoning Code 2020 – Miscellaneous Part 1"; and, an Ordinance of the City Council of the City of Flagstaff, Coconino County, Arizona, amending the Flagstaff City Code, Title 10, Flagstaff Zoning Code, to resolve conflicts, incorporate technical corrections and clarity, and modify existing and add new requirements, provisions, and definitions.

**STAFF RECOMMENDED ACTION:**

At the April 21, 2020, Council Meeting:

- 1) Hold a public hearing
- 2) Read Resolution No. 2020-17 by title only
- 3) City Clerk reads Resolution No. 2020-17 by title only (if approved above)
- 4) Read Ordinance No. 2020-11 by title only for the first time
- 5) City Clerk reads Ordinance No. 2020-11 by title only (if approved above)

At the May 5, 2020, Council Meeting:

- 6) Adopt Resolution No. 2020-17
- 7) Read Ordinance No. 2020-11 by title only for the final time
- 8) City Clerk reads Ordinance No. 2020-11 by title only (if approved above)
- 9) Adopt Ordinance No. 2020-11

**Executive Summary:**

The proposed amendment (Case No. PZ-19-00125) includes changes to the Zoning Code to resolve conflicts, incorporate technical corrections and clarity, and add new, and modify existing, requirements, provisions, and definitions.

On February 26, 2020, the Planning and Zoning Commission recommended approval of the proposed amendment to the City Council with a vote of 5-0.

**Financial Impact:**

There are no anticipated financial impacts affiliated with the proposed Zoning Code Text Amendment.

**Policy Impact:**

There are no anticipated policy impacts affiliated with the proposed Zoning Code Text Amendment.

## **Connection to Council Goal, Regional Plan, CAAP, and/or Strategic Plan:**

### **Council Goals:**

Revise the Zoning Code to remove ambiguities, and ensure it is consistent with the community values and the Regional Plan.

### **Team Flagstaff Strategic Plan:**

Work in partnership with to enhance a safe and livable community.

### **Regional Plan:**

Please refer to letter A of the Key Considerations section of this report.

## **Has There Been Previous Council Decision on This:**

The Zoning Code was adopted by the City Council on November 1, 2011, to replace the former Land Development Code. Since its adoption, the Code has been amended several times to address procedures, add clarity, resolve conflicts, address planning initiatives, incorporate private amendments, and to address changes in state law and U.S. Supreme Court decisions. As of the date of this report, the most recent amendments to the Zoning Code were approved by the City Council on November 5, 2019. The November amendments addressed accessory dwelling units and a series of miscellaneous modifications.

## **Options and Alternatives:**

The City Council may adopt, modify, or deny the amendment.

## **Background/History:**

The Zoning Code was adopted by the City Council on November 1, 2011, to replace the former Land Development Code. Since its adoption, the Code has been amended several times to address procedures, add clarity and new provisions, resolve conflicts, incorporate accessory dwelling units and applicant amendments, and to address changes in state law and U.S. Supreme Court decisions.

On March 10, 2020, the City Council held a work session on the proposed amendment. A majority of the comments and questions were general clarifications and editorial. Specific questions regarding the amendment included the following:

- Triplex lot size in the Transect Zones. The proposed amendment is to increase the lot size requirements for new and existing lots of a triplex development. The current triplex requirement is the same as the duplex standard in the Transect Zones, which is opined to be too small for a three-unit development. The purpose of the modification is to require additional lot width and depth to accommodate designs that may be more compatible with the existing context of a neighborhood. In addition, the modification to the lot area requirement is consistent with the requirements for a three-unit development in the non-transect zones.
- Density. The proposed amendment is to increase the maximum allowed density for properties in a pedestrian shed of an Activity Center (per the Regional Plan) that have a Commercial Zone designation and that are also located in a Resource Protection Overlay Zone. The existing allowance is 22 dwelling units per acre, and the proposed allowance is 29 dwelling units per acre. The proposed 29 dwelling units per acre is the current allowance of the Commercial Zones without the Resource Protection Overlay Zone.
- Gross Floor Area Ratio. The proposed amendment eliminates the multiple conflicting terms (Floor Area Ratio (FAR) Net Floor Area Ratio (net FAR), and Gross Floor Area Ratio (GFAR) and replaces all uses of these terms with Gross Floor Area Ratio. The proposed definition of Gross Floor Area Ratio is, "An intensity measured as a ratio derived by dividing the total floor area in square feet of all buildings or structures on a development site by the development site area in

square feet.” In accordance with the Zoning Code definition of Floor Area, the floor area used to calculate the Gross Floor Area Ratio is the “...sum of the gross floor area for each of a building’s stories measured from the exterior limits of the faces of the structure.”

- Screening. The existing roof-mounted screening provision in the Zoning Code includes the phrase “electrical services,” which can be interpreted to require the screening of antennas, satellite dishes, solar panels, and similar electrical devices. This provision applies to all zones and structure types, including single-family and duplex residential structures. To eliminate confusion and interpretation issues, it is proposed to delete the phrase “electrical services”.

### **Proposed Amendment:**

The proposed amendment includes multiple changes to the Zoning Code to resolve conflicts, incorporate technical corrections, add clarity, and to simplify the existing requirements. New provisions are being added, and several sections and divisions are being modified, relocated, or deleted.

The most significant of the modifications include:

- Clarifying when a Concept Plan application is required;
- Adding expiration time frames for Concept Plan and Site Plan applications and approvals;
- Clarifying when a property owner may submit a Zoning Map Amendment or Zoning Code Text Amendment;
- Allowing 29 dwelling units per acre in the Commercial Zones with the Resource Protection Overlay Zone that are also located in a pedestrian shed of an activity center per the Regional Plan (General Plan);
- Allowing the Heritage Preservation Commission to approve less restrictive standards or exceptions to the standards in order to maintain the historic integrity of a historic property in a Transect Zone;
- Increasing the lot width and depth requirements for new and existing lots of a triplex development a Transect Zone;
- Modifying the equipment screening requirements to require a parapet or roof feature be no shorter than the tallest object being screened, and to require wall-mounted equipment to be screened from surrounding properties, alleys and streets, or to be integrated into the architecture of the building;
- Clarifying and modifying the landscape buffer requirements, including the addition of new criteria to allow modifications to the required landscape street buffer; and
- Incorporating the building location requirements of the transect private street frontage types when these standards are used in the non-transect zones.

### *Summary of the Staff Revisions to the Zoning Code*

The proposed amendment includes:

1. **Concept Plan Review (Section 10-20.30.050):** The Concept Plan Review submittal requirements have been limited to structural modifications. Also, expiration timeframes of Concept Plan applications have been incorporated.
2. **Minor Improvement Permits (Section 10-20.40.080):** Changes have been incorporated to exempt animal keeping shelters that are less than 50 square feet from the Minor Improvement Permit application process.
3. **Site Plan Review and Approval (Section 10-20.40.140):** Expiration timeframes for Site Plan Review applications and associated approvals have been incorporated.
4. **Initiation of Amendments (Section 10-20.50.030):** Changes have been incorporated clarifying when a property owner may submit a Zoning Map Amendment or Zoning Code Text Amendment.
5. **Public Improvements Defined (Section 10-30.50.030):** Changes have been incorporated for parkways to be included as a public improvement requirement.
6. **Open Spaces, Civic Spaces, and Outdoor Public Spaces (Section 10-30.60.090):** Clarification has been incorporated that the area requirements of open spaces, civic spaces, and outdoor public spaces are based on the defined term of Development Site Area.
7. **Commercial Zones (Section 10-40.30.040):** The land use Kennel, Animal Keeping has been added to the list of allowed uses in the Highway Commercial (HC) zone with a Conditional Use

Permit.

8. **Building Form and Property Development Standards (Table 10-40.30.040.C.):** The density allowance in a pedestrian shed of an activity center with a Commercial Zone and a Resource Protection Overlay Zone designation has been increased from 22 dwelling units per acre to 29 dwelling units per acre.
9. **Building Form and Property Development Standards (Tables 10-40.30.030.C., 10-40.30.040.C., and 10-40.30.050.C. and Section 10-40.30.060.C.):** The building height allowances for pitched roofs, elevator and stairwell bulkheads, and architectural features have been incorporated into the property development standard tables. Currently, these provisions are in Section 10-50.30.030, How Building Height is Measured.
10. **Applicability (Section 10-40.40.020):** Provisions have been incorporated into the Transect Zone standards pertaining to conflicts with an overlay zone. These provisions specify that the more restrictive standards shall apply unless the overlay specifically indicates which standards govern. In addition, provisions have been incorporated that allow the Heritage Preservation Commission to determine if a less restrictive standard is necessary to maintain the historic nature or context of the property, structure, or area within a Historic Overlay Zone.
11. **Specific to Uses (Division 10-40.60):** Provisions have been incorporated for the Kennel, Animal Boarding land use.
12. **Supplemental to Zones, Divisions (Chapter 10-50): Division 10-50.25:** Basements, Basement Garages, Building Stem Walls, Crawl Spaces, and Podium Parking Structure Walls, including sections therein, have been incorporated. Currently, these provisions are located in Section 10-50.30.030, How Building Height is Measured. Also, new provisions have been incorporated to accommodate floodplain requirements and walls of a podium parking structure. These provisions require the exterior of the podium parking structure wall to have an architectural finish that is consistent with the rest of the building's architectural finishes. Also, the changes allow for greater wall heights when they are needed to raise a residential first floor above the lowest floor requirement in a floodplain.
13. **Applicability (Section 10-50.20.020):** Clarification has been incorporated pertaining to building and structure elevations that are subject to Section 10-20.40.140, Site Plan Review and Approval. These elevations shall comply with Section 10-50.20, Architectural Design Standards.
14. **How Building Height Is Measured (Section 10-50.30.030):** The methodology to measure building height has been modified. Also, several standards of this section are being modified and relocated.
15. **General Fencing and Screening Standards (Section 10-50.50.040):** The equipment screening requirements have been modified to require a parapet or roof feature be no shorter than the tallest object being screened, and to require wall-mounted equipment to be screened from surrounding properties, alleys and streets, or to be integrated into the architecture of the building.
16. **Landscape Location Requirements (Section 10-50.60.040):** The landscape buffer requirements have been clarified and modified. The modifications include the addition of criteria to allow the modification of the required landscape street buffer.
17. **Number of Motor Vehicle Parking Spaces Required (Table 10-50.80.040.A):** Parking requirements for a Tap Room have been incorporated.
18. **Specific to Building Types (Division 10-50.110):** The location requirements of the transect private street frontage have been clarified when the Forecourt, Shopfront, Terrace Shopfront, and Gallery are used in the non-transect zones.
19. **Stacked Triplex (Section 10-50.110.120):** The triplex development minimum lot width (existing: 50 feet, proposed: 75 feet) and depth (existing: 75 feet, proposed: 100 feet) requirements have been increased for new and existing lots.
20. **Definition of Specialized Terms, Phrases, and Building Functions (Division 10-80.20):** This division includes modifications, deletions, and the addition of various definitions of the Zoning Code, including: Acreage, Gross; Acreage, Net; Density; Density, Gross; Development, Multiple-Family; Development Site; Development Site Area; Duplex; Finished Grade; Floor Area Ratio; Gross (GFAR); Industrial, Heavy – General; Key Lot; Micro-brewery or Micro-distillery; Natural Grade; Outdoor Storage or Display; and Yard, Railroad Shop.
21. **Additional Enforcement, Technical, Figure and Term Modifications (Division 10-50.110 and**

**Sections: 10-20.40.090, 10-20.50.040, 10-40.30.030, 10-40.30.050, 10-40.50.030, 10-50.50.030, 10-50.60.010, 10-50.80.040, 10-50.100.050, 10-50.100.100, 10-50.90.060, and Appendix 2):**  
Various technical, enforcement, and cross reference corrections, clarifications, and modifications have been incorporated.

## **Key Considerations:**

### **Zoning Code Text Amendment**

An application for a Zoning Text Amendment shall be submitted to the Planning Director and shall be reviewed and a recommendation prepared. The Planning Director's recommendation shall be transmitted to the City Council in the form of a Staff Report prior to a scheduled public hearing. The recommendation shall include: an evaluation of the consistency and conformance of the proposed amendment with the goals and policies of the General Plan and any applicable specific plans; the grounds for the recommendation based on the standards and purposes of the zones set forth in Section 10-40.20 (Establishment of Zones) of the Zoning Code; and, whether the amendment should be granted, or denied.

A Zoning Code Text Amendment shall be evaluated based on the following findings:

#### **A. Finding #1:**

- **The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**

The proposed amendments are primarily to resolve conflicts, incorporate technical corrections, and add clarity to the Zoning Code. Mainly clerical in nature, the amendments do not substantively modify the existing provisions of the Zoning Code and maintain consistency and conformance with the objectives and policies of the Regional Plan (General Plan) and applicable specific plans.

In addition to the modifications summarized above, the proposed amendment includes:

- Adding the Kennel, Animal Keeping land use to the High Commercial (HC) zone as a permitted use with a Conditional Use Permit. The addition of the proposed land use is at the request of a local business owner to allow a café concept that would have pets living at the establishment. Any business with more than four dogs, cats, or other small animals that are kept, maintained, trained, or boarded is considered a Kennel, Animal Keeping land use. Due to the broad nature of the definition of Kennel, Animal Keeping and the accessory use provisions of the Zoning Code, some existing businesses in Highway Commercial (HC) would not be allowed (PetSmart, etc.).

Upon review of the land uses allowed in the High Commercial (HC) zone, and the zone's existing locations, it has been determined that the use could be allowed with reasonable restrictions. These restrictions include:

- a. A maximum floor area size of 10,000 square feet. For reference purposes, the old Arizona Department of Transportation building located directly north of the intersection of South Milton Road and West University Avenue is approximately 10,000 square feet.
- b. There shall be no outdoor activities allowed.
- c. The walls and ceiling shall include reasonable sound transmission attenuation.

The proposed addition of the Kennel, Animal Keeping land use to the Highway Commercial (HC) zone is consistent with and conforms to the objectives and policies of the Regional Plan (General Plan) and applicable specific plans. This modification will incorporate additional variety and flexibility in the allowed mix of uses that are near neighborhoods and within commercial developments (RP Policies ED.4.2., LU.13.6., and LU.15.3.). Also, the addition

of the Kennel, Animal Keeping land use to the Highway Commercial (HC) zone allows for additional locations of the use, which may assist in protecting industrial zoned properties from uses that would otherwise need to be located in an industrial zone (ED.3.8., and LU.16.1.).

- Increasing the maximum allowed density of Commercial Zones located in a pedestrian shed of an activity center that also has a Resource Protection Overlay Zone designation. The existing allowance is 22 dwelling units per acre, and the proposed allowance is 29 dwelling units per acre. The proposed amendment would allow a density that is consistent with the Commercial Zones (Community Commercial (CC), Highway Commercial (HC), Commercial Service (CS), and Central Business (CB)) without the Resource Protection Overlay Zone.

The proposed increase in density is consistent with and conforms to the objectives and policies of the Regional Plan (General Plan) and applicable specific plans. This modification will allow increased densities within an activity center's pedestrian shed, provide for greater flexibility, assist in promoting infill development with densities that could assist in the conservation of environmental resources, reduce the cost of providing infrastructure and services, and contribute to economic investments (RP Policies LU 1.6, LU 5.2, LU18.6, and LU 18.8.). Furthermore, the increase of the density in an activity center's pedestrian shed promotes the efficient use of existing roads, public and private utilities, facilities and services, alternative transportation options, and reduced vehicle trips and energy consumption (RP Policy LU 7.1.).

- Increasing the triplex development minimum lot width (existing: 50 feet, proposed: 75 feet) and depth (existing: 75 feet, proposed: 100 feet) requirements for new and existing lots.

The proposed increase in the triplex minimum lot size is consistent with and conforms to the objectives and policies of the Regional Plan (General Plan) and applicable specific plans. The proposed increase in the triplex minimum lot size requirement is to provide contextually proportional development relationships that respect the existing development patterns of neighborhoods where the triplex development type is allowed (RP CC.3.1., NH.1.2, NH.6.1).

## **B. Finding #2**

- **The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City;**

The proposed amendments are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the City. These amendments are primarily to resolve conflicts, incorporate technical corrections, add clarity, and incorporate public comments and considerations to the Zoning Code.

## **C. Finding #3**

- **The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**

The proposed amendments enhance the Zoning Code's internal consistency by resolving conflicts, adding clarity, addressing public comments and considerations, and incorporating new consistent provisions and technical corrections. Furthermore, the proposed amendments are intended to maintain the Zoning Code's purpose as a comprehensive contemporary set of land uses and requirements that are straightforward, usable, and easily understood.

## **Community Benefits and Considerations:**

Please refer to letter A of the Key Considerations section of this report.

## **Community Involvement:**

In accordance with State Statute and the Zoning Code, the Planning and Zoning Commission work session and public hearing for this amendment were advertised in the Arizona Daily Sun on December 21, 2019; and, the City Council public hearing was advertised on April 4, 2020. Persons of interest that are on file with the Planning and Development Services Department were notified of the work sessions and hearings via first class mail.

As of the date of this report, the City Staff has received a set of public comments and considerations. These are included as, Attachment 4. To address these comments, several revisions to the proposed amendment have been incorporated. These include:

1. Clarification pertaining to the density allowance for commercially zoned properties in the Resource Protection Overlay and inside of a pedestrian shed of an activity center delineated in the Regional Plan (General Plan) was added to Section 14. (Table 10-40.30.040.C. Gross Density) of Attachment #2.
2. Clarification pertaining to the building height exceptions for stairwells and elevators were relocated from the method of measuring building height and added to Section 12 (Table 10-40.30.030.C., End Notes 8 and 9), Section 14 (Table 10-40.30.040.C., End Notes 9 and 10), Section 16 (Table 10-40.30.050.C., End Notes 8 and 9), and Section 17 (Section 10-40.30.060.C., End Notes 4 and 5) of Attachment #2.
3. A modification has been made in Section 24 (Section 10-50.25.020. A.) of Attachment #1 to change the maximum height of an exposed basement and basement garage wall from nine feet to ten feet. Ten feet allows for an eight-foot floor-to-ceiling height and a two-foot floor depth. Additional heights would be inconsistent with the Zoning Code's Site Planning Design Standards and Architectural Design Guidelines that require a building to be stepped to follow the natural terrain.
4. A modification has been made in Section 24 (Section 10-50.25.020. A. and C.) of Attachment #2 to include provisions for materials and colors used on an exposed basement or basement garage wall and a podium parking structure exterior wall. The requirement for "consistent" materials and colors has been changed to allow the Planning Director to approve alternative materials and colors that are compatible with the design of the building, provided that the alternative materials and colors maintain a consistent design theme. This modification allows for additional flexibility in the designer's choice of materials and colors near street grade to address weather and similar environmental considerations while maintaining a consistent design theme.
5. Provisions that allow the Planning Director to approve additional stem wall and crawl space heights for residential buildings in a floodplain have been incorporated into Section 24 (Section 10-50.25.020. B.) of Attachment #2. In accordance with Title 12 Floodplains of the City Code, the lowest finished floor of a residential area is required to be elevated above the regulatory floodplain elevation. The addition of this provision will allow compliance with Title 12.

As it pertains to the comments received regarding the landscape buffer widths, with minimal exceptions adjacent to Route 66 in the Downtown, the City Staff opines that the proposed landscape buffer requirements are consistent with the suggested modifications. It is anticipated that the Zoning Code requirements pertaining to the Downtown, and adjacent to Route 66 will be reviewed as part of a future amendment.

In addition, the proposed modification to the triplex lot width and length requirement is in response to public comments that Staff has received during the Southside specific plan and the High Occupancy Housing text amendment public outreach meetings. Also, some members of the Planning and Zoning Commission and City Council have requested that the referenced requirements be reviewed. The existing lot size requirements for a triplex and duplex are the same. Due to having the same standards for different intensity developments, the general consensus among the public comments received during the outreach for the High Occupancy Housing Text Amendment, Southside Specific Plan, and City Staff is that the existing provisions have resulted in developments that are inconsistent and out of scale with the existing development patterns. The proposed modification to the lot width (from 50 feet to 75 feet) and

length (from 75 feet to 100 feet) will result in a lot area requirement that is consistent with other three-unit developments on a property with non-transect zoning. Based on public comments, the additional area would allow for a greater proportional lot width to height ratio that is perceived to be more compatible.

Finally, the Zoning Code currently requires all rooftop equipment to be screened. The public comments indicate that this requirement has caused existing roofs to be reconstructed to accommodate the wind loads on the screening. City Staff familiar with the methodology to accommodate the wind loads of the screening does agree with the public comment that there is a wind load transferred to the roof; but, Staff opines that the wind loads are insignificant. Wind loads need to be accommodated either on the equipment or the screen wall. When a screen wall is provided, and depending on the placement of the wall, the wind loads on the equipment are usually substantially less since the screen wall bears the wind load. The most common cause for a roof to be reconstructed in accordance with the current Building Code is to accommodate new or larger equipment that the roof was not designed for.

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**Attachments:**     [Res. 2020-17](#)  
                              [2. Exhibit A to Resolution 2020-17](#)  
                              [Ord. 2020-11](#)  
                              [4. Public Comments](#)  
                              [Staff Presentation](#)

**RESOLUTION NO. 2020-17**

**A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED “CASE NO. PZ-19-00125 UPDATES TO ZONING CODE 2020 – MISCELLANEOUS PART 1”**

**RECITALS:**

WHEREAS, pursuant to A.R.S. § 9-802 a municipality may enact or amend provisions of the City Code by reference to a public record, provided that the adopting ordinance is published in full;

WHEREAS, the City of Flagstaff wishes to incorporate by reference amendments to the Flagstaff Zoning Code, Ordinance No. 2020-11, by first declaring said amendments to be a public record.

**ENACTMENTS:**

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

SECTION 1. In General.

That certain document known as “*Case No. PZ-19-00125 Updates to Zoning Code 2020 – Miscellaneous Part 1*” attached hereto as Exhibit A is hereby declared to be a public record, and one (1) paper copy and one (1) electronic copy shall remain on file with the City Clerk in compliance with A.R.S. § 44-7041, and said copies shall remain on file with the City Clerk.

SECTION 2. Effective Date.

This resolution 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 5<sup>th</sup> day of May, 2020.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

Exhibits:

A. Case No. PZ-19-00125 Updates to Zoning Code 2020 – Miscellaneous Part 1

Case No. PZ-19-00125 Updates to Zoning Code 2020 – Miscellaneous Part 1

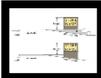
Amendment for Adoption in Flagstaff Zoning Code

**HOW TO READ THIS DOCUMENT**

Unless otherwise stated, provisions that are being deleted are shown in bold red strikethrough text, like this: ~~Provisions that are being deleted are shown with a bold red strikethroughs text.~~

Provisions that are being added are shown in bold blue text, like this: **Provisions that are being added are shown in bold blue text.**

Graphics/Figures that are being deleted are indicated with an “X” over the graphic/figure.

Graphics/Figures that are being added are indicated with a border  around the graphic/figure.

Tables that are being deleted are indicated with an “X” over the Tables.

Tables that are being added are indicated with a thick border  around the Tables.

Section 1. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-20.30 Common Procedures, Section 10-20.30.050 Concept Plan Review, to add Subsection B. Applicability, as follows:

**Section 10-20.30.050 Concept Plan Review**

- B. Applicability. Concept plan review is required for the following:
1. All developments requiring site plan review and approval (Section 10-20.40.140);
  2. Any change of use that triggers an increase in required parking;
  3. A proposed duplex;
  4. ~~Nonstructural remodeling~~ **Structural modifications to** ~~of~~ an exterior façade **that is visible from a public way, including, but not limited to, public and private streets, public trails and paths, and alleys;** and
  5. A proposed single-family residence located on a parcel that is not part of a platted subdivision.

Section 2. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-20.30 Common Procedures, Section 10-20.30.050 Concept Plan Review, to add Subsection E Expiration., as follows:

**Section 10-20.30.050 Concept Plan Review**

- E. Expiration.**
1. **A concept plan application shall expire one year from the date of the application approval unless the Director has issued a written notice of authorization to the applicant allowing the submittal of a site plan review application, or an application for the next stage in the development review.**

2. The concept plan application shall expire one year from the date that the Director has issued written authorization to the applicant allowing for the submittal of a site plan review application, or an application for the next stage in the development review.
3. The Director may authorize a one-time extension of 90 days of a concept plan application approval. The applicant shall submit a written request for an extension to the Director at least 14 days prior to the date of concept plan expiration.

Section 3. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-20.40 Permits and Approvals, Section 10-20.40.080 Minor Improvement, subsection D. Exemptions., as follows:

**10-20.40.080 Minor Improvement Permits**

- D. Exemptions. Children’s play houses and tree houses less than 200 square feet in floor area and animal keeping shelters less than 50 square feet do not require the approval of an application for a Minor Improvement Permit.

Section 4. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-20.40 Permits and Approvals, Section 10-20.40.090 Minor Modifications to Development Standards, Table 10-20.40.090.A, Types of Minor Modifications Allowed, Types of Minor Modifications Allowed number 6, as follows:

<b>Table 10-20.40.090.A Types of Minor Modifications Allowed</b>	
<b>Types of Minor Modifications Allowed</b>	<b>Maximum Modification</b>
6. An increase in the <del>floor area ratio (FAR)</del> <b>Gross Floor Area Ratio (GFAR)</b> for commercial or industrial developments.	10%

Section 5. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-20.40 Permits and Approvals, Section 10-20.40.140 Site Plan Review and Approval, sub-section C. Application for Site Plan Review., paragraph 4. Expiration., as follows:

**10-20.40.140 Site Plan Review and Approval**

- C. ~~Application for~~ **Site Plan Review Application.**
  4. ~~Expiration. An approved site plan shall be valid for a period of one year following the date upon which the final approval became effective. If, at the expiration of this period:~~
    - a. **A Site Plan Review application shall expire one year from the date that the application was submitted, unless the application has been approved. The Director may authorize a one-time 90 day extension beyond the original expiration date of an application that has**

not yet been approved or denied. The applicant shall submit a written request for an extension to the Director at least 14 days prior to the date of the Site Plan expiration.

- b. An approved Site Plan shall expire one year from the date the approval was issued if:
- ~~a. The subject property has not been improved for the development for which it was approved and construction permits have not been issued and construction commenced and diligently pursued toward completion of the site for which the site plan approval was originally granted; or~~
  - ~~b. A certificate of occupancy has not been issued for structure(s) which were the subject of the site plan approval; or~~
  - ~~c. The site has not actually been occupied for a permitted use if no building permit or certificate of occupancy is required;~~
  - i. A building or encroachment permit has not been issued for the improvements related to the site plan;
  - ii. The issued building or encroachment permit(s) has/have expired for site plan related improvement;
  - iii. A building or encroachment permit is not required, and the lot or parcel has not been used for purpose for which the site plan was approved; or
  - iv. The Director has not granted a request to extend the Site Plan approval.

~~Then the site plan approval shall expire, unless a request for an extension of time is made by the applicant to the Director at least 30 days prior to the date of the expiration of the original approval in accordance with established application submittal scheduling requirements. A site plan approval subject to expiration may be extended one time only for an additional one year by the Director; provided, that no revisions to the development are necessary to comply with amendments to the Zoning Code that may have taken effect since the time of the original approval. Upon the expiration of the original site plan approval, if no extension has been granted or no application for the same has been submitted, or a granted time extension has expired, then the original site plan approval shall be considered as expired, and a new site plan shall be submitted for approval in the same manner as an original application for site plan review and approval (Section 10-20.40.140).~~

The Director may authorize a one-time one-year, extension beyond the original expiration date of an approved site plan, provided that no revisions to the proposed development are necessary to comply with any amendments to the Zoning Code that may have taken effect since the time of the original approval. The applicant shall submit a written request for an extension to the Director at least 14 days prior to the date of the expiration.

Section 6. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-20.50 Amendments to the Zoning Code Text and the Zoning Map, Section 10-20.50.030 Initiation of Amendments, as follows:

**10-20.50.030 Initiation of Amendments**

**A. Owner Initiation.**

1. A property owner , or an agent authorized by the property owner in writing , may ~~apply for a Zoning Map or text amendment~~ submit:
    - a. a Zoning Map Amendment application for the owner’s property which is subject to the application; or
    - b. a Zoning Code Text Amendment to amend the zone and related provisions that directly regulate owner’s property.
  2. In the event that a real property owner files an application for a Zoning Map amendment that includes property other than that owned by the applicant, the applicant shall file, on a form provided by the Director, a petition in favor of the request signed by the real property owners representing at least 75 percent of the land area to be included in the application. The petition shall bear the property owners’ signatures and addresses, the legal description and land area of each property represented on the petition, the total land area represented by the petition, and the total land area of individual properties included in the application.
- B. **City Council.** The Director on behalf of the **City Council** may initiate ~~an amendment to the text of this a Zoning Code Text Amendment application or the a Zoning Map Amendment application.~~ **Applications for amendments An application** initiated by the **City Council** shall be signed by the Director.
- C. **Withdrawal.** An applicant may withdraw **a Zoning Code Text Amendment application or a Zoning Map Amendment** ~~an application for an amendment to this Zoning Code or the Zoning Map~~ at any time. **On behalf of the City Council, the Director may withdraw an application initiated by the City Council.**

Section 7. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-20.50 Amendments to the Zoning Code Text and the Zoning Map, Section 10-20.50.040 Procedures, to add Subsection N. Conditions of Approval. Paragraph 2, subparagraph c. as follows:

**10-20.50.040 Procedures**

**N. Conditions of Approval.**

2. Such conditions of approval may include, but are not limited to:
  - c. Limitations on the height, setbacks, **FAR GFAR**, or other standards specific to the approved zone which are more restrictive than the applicable requirements of Division 10-40.30, Non-Transsect Zones, or 10-40.40, Transsect Zones;

Section 8. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-20.50 Amendments to the Zoning Code Text and the Zoning Map, Section 10-20.50.040 Procedures, to add Subsection N. Conditions of Approval. Paragraph 4, as follows:

**10-20.50.040 Procedures**

**N. Conditions of Approval.**

4. The concept zoning plan upon which the Zoning Map amendment may be approved establishes the development entitlement for the subject property. As the approval is based on a concept zoning plan, some flexibility in the layout of the property may therefore be approved by the Director; provided, that no additional external impacts to surrounding uses and infrastructure will result and there is no increase or decrease in FAR GFAR, lot coverage, number of dwelling units, or building height in excess of that permitted in Table 10-20.40.090.A (Types of Minor Modifications Allowed). As an example, if the concept zoning plan shows a building placed in close proximity to a street so that it has a strong relationship to the street and with parking behind it, the location and shape of the building may be adjusted; provided, that the same relationship to the street with the parking area in the rear is maintained. Similarly, internal circulation or parking areas may be adjusted; provided, that there is no impact to the location or design of access driveways or streets, and no additional impacts on adjoining City streets.

Section 9. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-30.50: Public Improvements, Section 10-30.50.030 Public Improvements Defined, as follows:

**10-30.50.030 Public Improvements Defined**

- A. Public improvements mean any right-of-way, easement, access right or physical improvement that is required to mitigate the impacts of new development, as determined by an appropriate impact study, and which, upon formal acceptance by the City, becomes the responsibility of the City for ownership, maintenance and repair, unless provided by others, including the maintenance of sidewalks and certain landscaping. (See City Code Chapter 8-01.) Such public improvements may include, but are not limited to, roadways and alley sections including pavement, base course, street lights, curbs and gutters, parkway, sidewalks or urban trails and FUTS trails, traffic control improvements, right-of-way landscaping and irrigation systems, drainage facilities, fire hydrants and utilities, including water, sewer, gas, electric power, telephone, and cable television, and all other improvements which, upon completion, are intended to be for the use and enjoyment of the public.

Section 10. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-30.60: Site Planning Design Standards, Section 10-30.60.090 Open Spaces, Civic Spaces, and Outdoor Public Spaces, subsection B. Applicable to Non-Transect Zones., as follows:

**10-30.60.090 Open Spaces, Civic Spaces, and Outdoor Public Spaces**

**B. Applicable to Non-Transect Zones.** The following standards are additional standards that apply in non-transect zones.

1. Civic or Public Space Requirement.

- a. Nonresidential developments larger than 20,000 square feet in gross floor area shall provide a minimum of five percent of the **site Development Site Area** as an outdoor pedestrian amenity space that serves as a transition space between a parking area and the entrance(s) to a building. This outdoor pedestrian amenity space may include a landscape oasis area as defined in Section 10-50.60.050(C), Oasis Allowance, structures providing protection from the weather, benches, tables, or other pedestrian friendly features.
- b. Residential developments with 50 or more dwelling units shall provide a minimum of five percent of the **site Development Site Area** in civic spaces that are either privately held and open to the public or publicly owned and set aside as a civic space. Appropriate civic types are established in Chapter 10-70, Specific to Civic Spaces.
- c. Development sites that provide civic spaces are allowed the following:
  - (1) A five percent reduction of on-site forest and/or slope resource protection standards as required by Division 10-50.90, Resource Protection Standards, is permitted when on-site design conforms to the Flagstaff Area Open Spaces and Greenways Plan and public non-motorized pedestrian and bicycle access is included when applicable.
  - (2) A ~~2.5~~ **two-and-a-half** percent reduction of on-site forest or slope resource protection standards as required by Division 10-50.90, Resource Protection Standards, is permitted when resources are consolidated with adjacent properties and it can reasonably be determined that the resources on the adjacent property will be protected.
  - (3) A five percent reduction in required on-site landscaping as required by Division 10-50.60, Landscaping Standards, is permitted when public space is provided on-site.

Section 11. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30 Non-Transect Zones, Section 10-40.30.030 Residential Zones, Table 10-40.30.030.C. Residential Zones – Building Form and Property Development Standards., Residential development subdivided by a plat that was recorded before December 5, 2011 , as follows:

Table 10-40.30.030.C. Residential Zones – Building Form and Property Development Standards							
	Residential Zones						
	RR	ER	R1	R1N	MR	HR	MH
<b>Residential development subdivided by a plat <del>that was recorded before December 5, 2011</del></b>							
Lot sizes	(1) Lot sizes and setbacks shall be provided in accordance with the requirements delineated <del>on the recorded plat.</del> <b>on the final plat approved by the City Council and recorded.</b> When a recorded plat does not have setbacks delineated, the Building Placement Requirements of this table shall govern.						
Setbacks	(2) Any lot(s) created or reconfigured in accordance with the subdivision code <del>on or after December 5, 2011, from a lot(s) platted before December 5, 2011,</del> shall conform with the current requirements of the property's <del>zone</del> <b>zone, unless alternate lot sizes and setbacks are approved by the City Council on a final plat that is recorded.</b>						

Section 12. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30 Non-Transect Zones, Section 10-40.30.030 Residential Zones, Table 10-40.30.030.C. Residential Zones – Building Form and Property Development Standards., Building Form Requirements, Building Height (max.), to add reference notes 7, 8 and 9, to add an End Notes 7, 8 and 9, and to modify Other Requirements, Open Space (% of Gross Lot Area)<sup>11</sup>, as follows:

Table 10-40.30.030.C. Residential Zones – Building Form and Property Development Standards.							
	Residential Zones						
	RR	ER	R1	R1N	MR	HR	MH
<b>Building Form Requirements</b>							
<del>Building Height (max.)</del> <b>Building Height (max.)<sup>7, 8, and 9</sup></b>	35'	35'	35'	35'	35'	60' <sup>4</sup>	30'
<b>Other Requirements</b>							
Open Space (% of <del>Gross Lot Area Development Site Area</del> <sup>11</sup> )	--	--	--	--	See Table 10-40.30.030.A		
<b>End Notes</b>							

Table 10-40.30.030.C. Residential Zones – Building Form and Property Development Standards.							
	Residential Zones						
	RR	ER	R1	R1N	MR	HR	MH
7.	Primary structures, excluding accessory structures, with a roof pitch greater than, or equal to, 6:12 shall be allowed an additional five feet above the maximum building height.						
8.	The elevator and stairwell bulkheads shall be architecturally integrated with the building. Elevator and stairwells bulkheads are allowed an additional 15 feet above the maximum building height. The Director may approve a height greater than 15 feet when the additional height is necessary to accommodate an elevator or stairwell bulkhead, related equipment, or the requirements of the Building or Fire Code.						
9.	Steeple, solar collectors, towers and other unoccupied architectural features are allowed an additional height above the maximum building height equal to 20 percent multiplied by the maximum building height allowed for property's zone. The total area of the referenced allowances above the building height shall not exceed 20 percent of the total roof area.						

Section 13. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30 Non-Transect Zones, 10-40.30.040 Commercial Zones, Table 10-40.30.040.B. Commercial Zones – Allowed Uses, Services, to add Kennel, Animal Boarding in alphabetical order, modify note 9, and add note 11, as follows:

Table 10-40.30.040.B. Commercial Zones – Allowed Uses						
	Specific Use Regulations	Commercial Zones				
		SC	CC	HC	CS	CB
<b>Services</b>						
<b>Kennel, Animal Boarding</b>	<b>10-40.50.195</b>	--	--	<b>UP<sup>11</sup></b>	--	--
<b>End Notes</b>						
9. Single-family and duplex <b>land uses building types (see Division 10-50.110)</b> are permitted by right on lots ≤9,000 sf <b>and</b> existing prior to November 1, 2011, subject to the building placement and building form requirements of the MR zone. <del>A conditional use permit is required for all other building types and multifamily residential uses with three or more units regardless of the size of the lot or parcel.</del>						
11. <b>Outdoor kenneling of animals is prohibited.</b>						

Section 14. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30 Non-Transect Zones, 10-40.30.040 Commercial Zones, Table 10-40.30.040.C. Commercial Zones – Building Form and Property Development Standards., Building Form Requirements, Building Height (max.), amended reference note 6, and to add reference notes 8, 9 and 10, and to add an End Notes 8, 9 and 10, as follows:

<b>Table 10-40.30.040.C. Commercial Zones – Building Form and Property Development Standards.</b>					
	<b>Commercial Zones</b>				
	<b>SC</b>	<b>CC</b>	<b>HC</b>	<b>CS</b>	<b>CB</b>
<b>Building Form Requirements</b>					
<del>Building Height (max.)</del> Building Height (max.) <sup>8, 9 and 10</sup>	35'	60 <sup>14, 7</sup>	60 <sup>14</sup>	60 <sup>14</sup>	60 <sup>14</sup>
<b>Density Requirements</b>					
<b>Gross Density (units/acre) (max.) (Not Applicable to Mixed Use)</b>					
Areas of the City without the Resource Protection Overlay (RPO),	13	----- <del>29</del> -----			
Areas of the City inside of a pedestrian shed of an activity center delineated on the General Plan, with or without the RPO	13	----- <del>29</del> -----			
Areas of the City with RPO, excluding areas of the City inside of a pedestrian shed of an activity center delineated on the General Plan.	13	----- <del>22</del> -----			
<del>Gross Density (units/acre) (max.)</del> <del>(Not Applicable to Mixed Use)</del>	<del>13</del>	----- <del>29</del> -----			
<b>End Notes</b>					
6. Residential uses with more than two units are allowed as part of a mixed-use development located above or behind the commercial <del>uses and uses</del> , or as a planned residential development (Section 10-40.60.280).					
8. Primary structures, excluding accessory structures, with a roof pitch greater than, or equal to, 6:12 shall be allowed an additional five feet above the maximum building height.					
9. The elevator and stairwell bulkheads shall be architecturally integrated with the building. Elevator and stairwells bulkheads are allowed an additional 15 feet above the maximum building height. The Director may approve a height greater than 15 feet when the additional height is necessary to accommodate an elevator or stairwell bulkhead, related equipment, or the requirements of the Building or Fire Code.					

Table 10-40.30.040.C. Commercial Zones – Building Form and Property Development Standards.					
	Commercial Zones				
	SC	CC	HC	CS	CB
10. Steeples, solar collectors, towers and other unoccupied architectural features are allowed an additional height above the maximum building height equal to 20 percent multiplied by the maximum building height allowed for property's zone. The total area of the referenced allowances above the building height shall not exceed 20 percent of the total roof area.					

Section 15. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30 Non-Transect Zones, 10-40.30.050 Industrial Zones, Table 10-40.30.050.B. Industrial Zones – Allowed Uses, End Note 7, as follows:

Table 10-40.30.050.B. Industrial Zones – Allowed Uses	
<b>End Notes</b>	
7. Allowed use with applied <del>FAR</del> GFAR standards (see Table 10-40.30.050.C).	

Section 16. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30 Non-Transect Zones, 10-40.30.050 Industrial Zones, Table 10-40.30.050.C. Industrial Zones – Building Form and Property Development Standards, Building Form Requirements, to add notes reference 7, 8 and 9 to Building Height (max), delete FAR and add GFAR in the standards, to delete FAR and add GFAR in End Notes 3, 4, 5, and 6, and to add an End Notes 7, 8 and 9, as follows:

Table 10-40.30.050.C. Industrial Zones – Building Form and Property Development Standards			
	Industrial Zones		
	RD	LI/LI-O	HI/HI-O
<b>Building Form Requirements</b>			
<del>Building Height (max.)</del> Building Height (max.) <sup>7, 8, 9</sup>	60 <sup>1,2</sup>	60 <sup>1,2</sup>	60 <sup>1,2</sup>
Gross FAR (max. area of all uses on a property)	0.50	1.50 <sup>3</sup>	2.50 <sup>3</sup>
Indoor Commercial Recreation (max. <del>FAR</del> GFAR area) <sup>4, 5</sup>	--	0.30	--
Heavy Retail/Service (max. <del>FAR</del> GFAR area) <sup>4, 5</sup>	--	0.30	0.30

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**Table 10-40.30.050.C.  
Industrial Zones – Building Form and Property Development Standards**

	Industrial Zones		
	RD	LI/LI-O	HI/HI-O
Office/Lodging (max. FAR GFAR area) <sup>4, 5</sup>	-----	0.38	-----
All other commercial uses that are allowed in a corresponding industrial zone with a FAR GFAR limitation. (max. FAR GFAR area) <sup>4, 5</sup>	--	0.25	--
Live/Work (max. FAR GFAR area) <sup>4, 5</sup>	End Note 6	End Note 6	--
<b>End Notes</b>			
3. Retail use allowed in these industrial zones are subject to the additional FAR GFAR standards. See Section 10-40.30.050(F), Miscellaneous Requirements – LI-O and HI-O Zones.			
4. Where a development includes more than one commercial use, the total commercial floor area shall not exceed the greater of the maximum FAR GFAR areas allowed. The maximum FAR GFAR of the commercial uses allowed is not cumulative. An individual use that has a maximum FAR restriction shall not exceed the FAR GFAR allowed for the use.  Example: A development is proposed with two commercial uses, the first use (Services) has a maximum FAR GFAR restriction of 0.30 and the second use (Office) has maximum FAR GFAR restriction of 0.38. The total maximum FAR GFAR for all commercial use in the development is 0.38 since it is the greater of the two commercial uses. If Service uses of the development are to have a FAR GFAR of 0.30, then the remaining 0.08 FAR GFAR may be used for the Office use. The total maximum FAR GFAR of both uses shall not exceed 0.38, and the Service use shall not exceed 0.30 since it is restricted to an FAR GFAR of 0.30.			
5. The allowed commercial uses in the industrial zone that have a limitation on the max. FAR GFAR are specified in Table 10-40.30.050.B.			
6. The total commercial floor area of a Live/Work development shall be limited to the corresponding commercial use and related max. FAR GFAR specified for the property's corresponding zone.			
7. <b>Primary structures, excluding accessory structures, with a roof pitch greater than, or equal to, 6:12 shall be allowed an additional five feet above the maximum building height.</b>			
8. <b>The elevator and stairwell bulkheads shall be architecturally integrated with the building. Elevator and stairwells bulkheads are allowed an additional 15 feet above the maximum building height. The Director may approve a height greater than 15 feet when the additional height is necessary to accommodate an elevator or stairwell bulkhead, related equipment, or the requirements of the Building or Fire Code.</b>			
9. <b>Steeple, solar collectors, towers and other unoccupied architectural features are allowed an additional height above the maximum building height equal to 20 percent multiplied by the maximum building height allowed for property's zone. The total area of the referenced allowances above the building height shall not exceed 20 percent of the total roof area.</b>			

Section 17. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30 Non-Transect Zones, Section 10-40.30.060 Public and Open Space Zones, subsection C. Public and Open Space Zones – Building Form Standards, Building Form Requirements, Building Height (max.), to add reference notes 3, 4 and 5, and to add an End Notes 3, 4 and 5, as follows:

**C. Public and Open Space Zones – Building Form Standards**

<b>Building Form Requirements</b>			
<b>Building Height (max.)</b>	60' <sup>2</sup>	--	--
<b>Building Height (max.)<sup>3, 4, 5</sup></b>			

- End Notes**
- 
- 3. Primary structures, excluding accessory structures, with a roof pitch greater than, or equal to, 6:12 shall be allowed an additional five feet above the maximum building height.**

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  - 4. The elevator and stairwell bulkheads shall be architecturally integrated with the building. Elevator and stairwells bulkheads are allowed an additional 15 feet above the maximum building height. The Director may approve a height greater than 15 feet when the additional height is necessary to accommodate an elevator or stairwell bulkhead, related equipment, or the requirements of the Building or Fire Code.**

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  - 5. Steeples, solar collectors, towers and other unoccupied architectural features are allowed an additional height above the maximum building height equal to 20 percent multiplied by the maximum building height allowed for property’s zone. The total area of the referenced allowances above the building height shall not exceed 20 percent of the total roof area.**

Section 18. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.40 Transect Zones, Section 10-40.40.020 Applicability, subsection D. Exemptions., as follows:

**10-40.40.020 Applicability**

- A. The requirements of this division shall apply to all proposed development within transect zones, and shall be considered in combination with any applicable standards in Division 10-40.50, Overlay Zones, and the standards for the applicable zone in Chapter 10-50, Supplemental to Zones.
- B. In transect zones where ~~a historic~~ **an overlay district zone** applies (See Section 10-40.50.030, Overlay Zones), the ~~historic district overlay~~ standards shall apply in addition to those applied through the transect zones. **If there is a conflict between transect standards and the overlay standards, the more restrictive standard shall govern, unless:**
  - 1. The overlay zone requirements state that the overlay zone standards shall govern; or**

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**2. The Heritage Preservation Commission determines that the less restrictive standard is necessary to maintain the historic nature or context of the property, structure, or area within the Historic Overlay Zone.**

C. Based on the Zoning Map or an approved regulating plan, a parcel may be designated with both a non-transect and a transect zone designation. In this case, a property owner may apply either the standards of the non-transect zone or the transect zone, but in no case may the standards from both zones be applied at the same time. If a property owner decides to select a transect zone they must sign before a notary public a contractual agreement that runs with the land on a form prepared by the City and approved by the City Attorney’s Office, stating that transect zone standards hold precedence over the non-transect zone standards when in conflict. The City shall record the contractual agreement.

**D. The Historic Preservation Officer may recommend, and the Historic Preservation Commission may approve an exemption from the transect frontage provisions if the commission finds that the:**

- 1. Exemption is necessary to maintain the historic nature of the structure or property; and**
- 2. Property is eligible to be listed on the National Register of Historic Places.**

**If the Historic Preservation Commission approves an exemption, the Commission may require reasonable Conditionals of Approval to maintain the historic nature of the structure or property.**

Section 19. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.50: Overlay Zones, Section 10-40.50.030 Overlay Zones, subsection C. Building Form Standards., Density and Lot Size Requirements, to delete Net FAR, as follows:

**10-40.50.030 Overlay Zones**

**C. Building Form Standards.**

Building Form Standards	AO	DO	LO	RPO <sup>1</sup>	TO
<b>Density and Lot Size Requirements</b>					
<b>Net FAR</b>	<del>Refer to underlying zoning</del>				

Section 20. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.60: Specific to Uses, to add section 10-40.60.195 Kennel, Animal Boarding, to the list of sections of the Division, in numerical order, as follows:

**Division 10-40.60: Specific to Uses**

**10-40.60.195 Kennel, Animal Boarding**

Section 21. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.60: Specific to Uses, to add section 10-40.60.195 Kennel, Animal Boarding, as follows:

**10-40.60.195 Kennel, Animal Boarding**

- A. An Animal Boarding Kennel in the Highway Commercial (HC) zone shall comply with the following:**
- 1. Maximum Gross Floor Area: 10,000 square feet;**
  - 2. Prior to the issuance of a building permit, or occupancy of the building area if a building permit is not required, an Arizona Registrant shall certify that the perimeter walls and ceiling/roof of the Animal Boarding Kennel area will be, or have been (if a building permit is not required), constructed to comply with a sound transmission class of not less than 50, or an Arizona Registrant shall certify that the perimeter walls and ceiling/room of the Animal Boarding Kennel area were field tested and comply with a sound transmission class of not less than 45, in accordance with the American Standard Test Method publication ASTM E90 Standard Test Method for Laboratory Measurements of Airborne Sound Transmission Loss of Building Partitions and Elements, as amended; and**
  - 3. No outdoor activities shall be allowed.**

Section 22. Amend Title 10 FLAGSTAFF ZONING CODE, Chapter 10-40: Specific to Zones, to add Division 10-40.60 Specific to Uses, to add to the list of division of the Chapter, in numerical order, as follows:

**Chapter 10-50:  
Supplemental to Zones**

**Divisions:**

- 10-50.10 Purpose**
- 10-50.20 Architectural Design Standards**
- 10-50.25 Basements, Basement Garages, Building Stem Walls, Crawl Spaces, and Podium Parking Structure Walls**
- 10-50.30 Building Height**
- 10-50.40 Encroachments**
- 10-50.50 Fences and Screening**
- 10-50.60 Landscaping Standards**
- 10-50.70 Outdoor Lighting Standards**
- 10-50.80 Parking Standards**
- 10-50.90 Resource Protection Standards**
- 10-50.100 Sign Standards**
- 10-50.110 Specific to Building Types**
- 10-50.120 Specific to Private Frontages**

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Section 23. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.20: Architectural Design Standards, Section 10-50.20.020 Applicability, subsection A., as follows

**10-50.20.020 Applicability**

- A. The standards found within this division shall apply to all development within the City in accordance with the requirements and procedures established in Section 10-20.40.140, Site Plan Review and Approval, and as follows:
1. Applications for site plan review or expansions involving commercial, **duplex**, multifamily ~~(duplex and greater)~~, business park, and institutional uses that:
    - a. Contain greater than 1,000 square feet of gross floor area; or
    - b. Include expansions greater than 25 percent of gross floor area. Building additions, either with a single addition or cumulative additions subsequent to February 1, 2002 (the effective date of the Design Review Guidelines adopted into the 1991 Land Development Code), will count towards the 25 percent expansion of gross floor area;
  2. Applications for conditional use permits;
  3. Applications involving facade changes to ~~street frontage~~ building **and structure** elevations **that are visible from a public way, including, but not limited to, public and private streets, public trails and paths, and alleys;** and
  4. Applications for new development in historic districts which shall comply with these standards as well as any design standards established for the district.

Section 24. Amend Title 10 FLAGSTAFF ZONING CODE, Chapter 10-50: Supplemental to Zones, Divisions:, to add Division 10-50.25 Crawl Spaces and Building Stem Walls, and subsection therein, in numerical order, as follows:

**Chapter 10-50: Supplemental to Zones**

**10-50.25 Basements, Basement Garages, Building Stem Walls, Crawl Spaces, and Podium Parking Structure Walls**

**10-50.25.010 Applicability.**

**A. The standards found within this division shall apply to all development in the City of Flagstaff.**

**10-50.25.020 Development Standards.**

**A. Basements and Basement Garages. The portion of an exterior wall of a basement or basement garage that projects above grade and is visible from a public or private street, or a driveway, shall not exceed 10 feet in height, measured from the abutting finished grade to the finished floor of the first floor of the structure above the finished grade. The exterior of the walls shall be finished with architectural materials and colors consistent with the design of the building. The Director may approve alternative materials and color that are consistent with the design of the building, provided that the alternative materials and color maintains a consistent design theme.**

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**B. Building stem walls and crawl spaces:**

1. Shall not exceed five feet in height, except as allowed in subsection B.1.a. of this section, measured from the abutting finished grade to the first finished floor of the structure above the abutting finished grade.
  - a. The Director may approve a taller stem wall or crawl space up to height no greater than one-foot above the minimum regulatory flood elevation of the first lowest floor elevation that is required to comply with Title 12 Floodplains of the City Code. This allowance may only be approved for residential habitable areas of a development.
2. Exterior walls shall be finished with architectural materials and colors that consistent with the design of the building; and
3. Shall be screened from a public or private street, or driveway, with landscaping when taller than three feet.

**C. Podium parking structure exterior walls shall be designed as a building element that is cohesively integrated into the remainder of building’s architectural design, including the consistent use of detailing, fenestrations, architectural materials and colors. The Director may approve alternative materials and color that are consistent with the design of the building, provided that the alternative materials and color maintains a consistent design theme.**

Section 25. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.30 Building Height, Section 10-50.30.030 How Building Height Is Measured, as follows:

**10-50.30.030 How Building and Structure Height Is Measured**

~~This section provides the methodology used to measure the height of a building in terms of number of feet above grade and the number of floors. The methodology applies to primary and accessory buildings and structures. The maximum height of a building or structure is established in Chapter 10-40, Specific to Zones, and Section 10-40.60.020, Accessory Buildings and Structures.~~

~~A. Applicable to All Zones.~~

~~1. Building Height Plane.~~

~~a. The building height plane defines the maximum height that a building may be built. The building height plane follows the natural grade of the site and shall be measured as follows:~~

~~(1) Shall be an imaginary plane parallel to the natural grade;~~

~~(2) Shall be measured vertically at the maximum height allowed in the a zone as established in Chapter 10-40, Specific to Zones, and Section 10-40.60.020, Accessory Buildings and Structures; and~~

~~(3) The Applicants shall be responsible for compliance with the height requirements of this division and verification of the field accuracy of contour data.~~

~~b. Primary buildings with a roof pitch greater than 6:12 shall be allowed an additional five feet above the maximum building height in the zone. Accessory buildings and structures regardless of roof pitch shall not be allowed any additional building height.~~

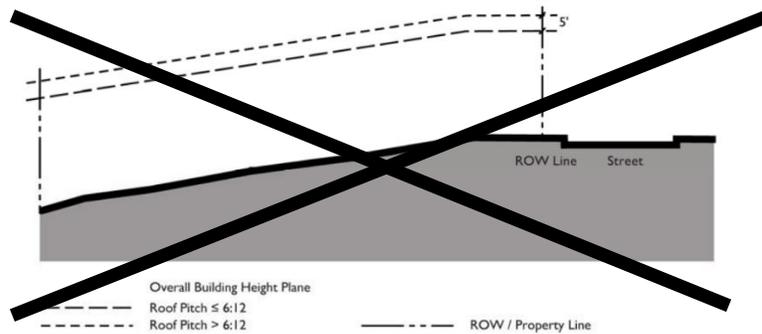
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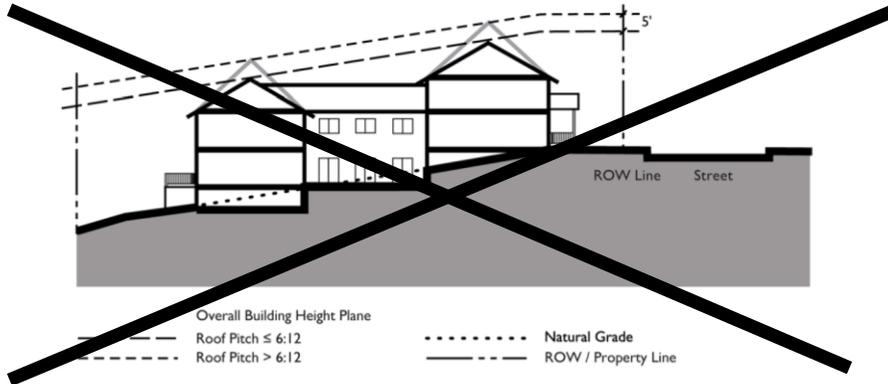
**2. Overall Building Height.**

- a. ~~Overall building height shall be measured vertically from the natural grade or finished grade adjacent to the building exterior to the highest point of any roof element, including the top of a parapet, the top of a mansard roof, or the highest point of the highest pitched roof, whichever yields the greatest height.~~
- b. ~~Overall building height shall not exceed the building height plane, described in subsection (A)(1) of this section, except as follows:~~
  - (1) ~~The following elements attached to a building shall be excluded from the height measurement with the limitation that the total area covered by such elements shall not exceed 20 percent of the roof area of the building:~~
    - (a) ~~Chimneys;~~
    - (b) ~~Stair and elevator towers;~~
    - (c) ~~Mechanical equipment; and~~
    - (d) ~~Steeple, towers and other unoccupied architectural features; provided, that such features may extend a maximum of 20 percent above the building height plane allowed for the zone.~~
  - (2) ~~The following elements attached to a building shall be excluded from the height measurement with no limitations on the roof area covered by such elements:~~
    - (a) ~~Flagpoles; and~~
    - (b) ~~Solar collectors.~~
  - (3) ~~The height of flagpoles shall be limited to the allowable building height of the zone in which it is located. (Refer to the Building Form Standards tables in Chapter 10-40, Specific to Zones.)~~

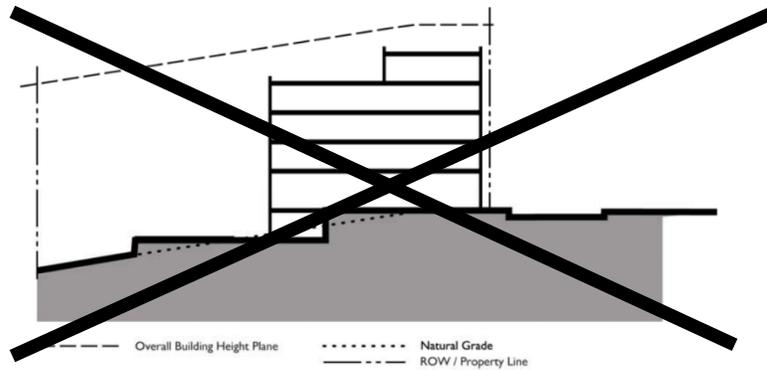
**Figure 10-50.30.030A. Building height plane for an undeveloped site (not drawn to scale).**



**Figure 10-50.30.030B. Pitched roof building height measurements (not drawn to scale).**



**Figure 10-50.30.030C. Flat roof building height measurements (not drawn to scale).**



**3. ~~Crawl Spaces.~~**

- ~~a. Unfinished crawl spaces shall be included in the height calculation.~~**
- ~~b. Unfinished crawl spaces taller than three feet shall be screened with landscaping from view of public streets or thoroughfares.~~**
- ~~c. Unfinished crawl spaces shall not exceed five feet in height measured from the exterior finished grade to the finished floor of the floor above.~~**

**4. ~~Basements/Basement Garages. Exterior walls of basements or basement garages visible from a street shall not exceed nine feet in height measured from the exterior finished grade to the finished floor of the floor above.~~**

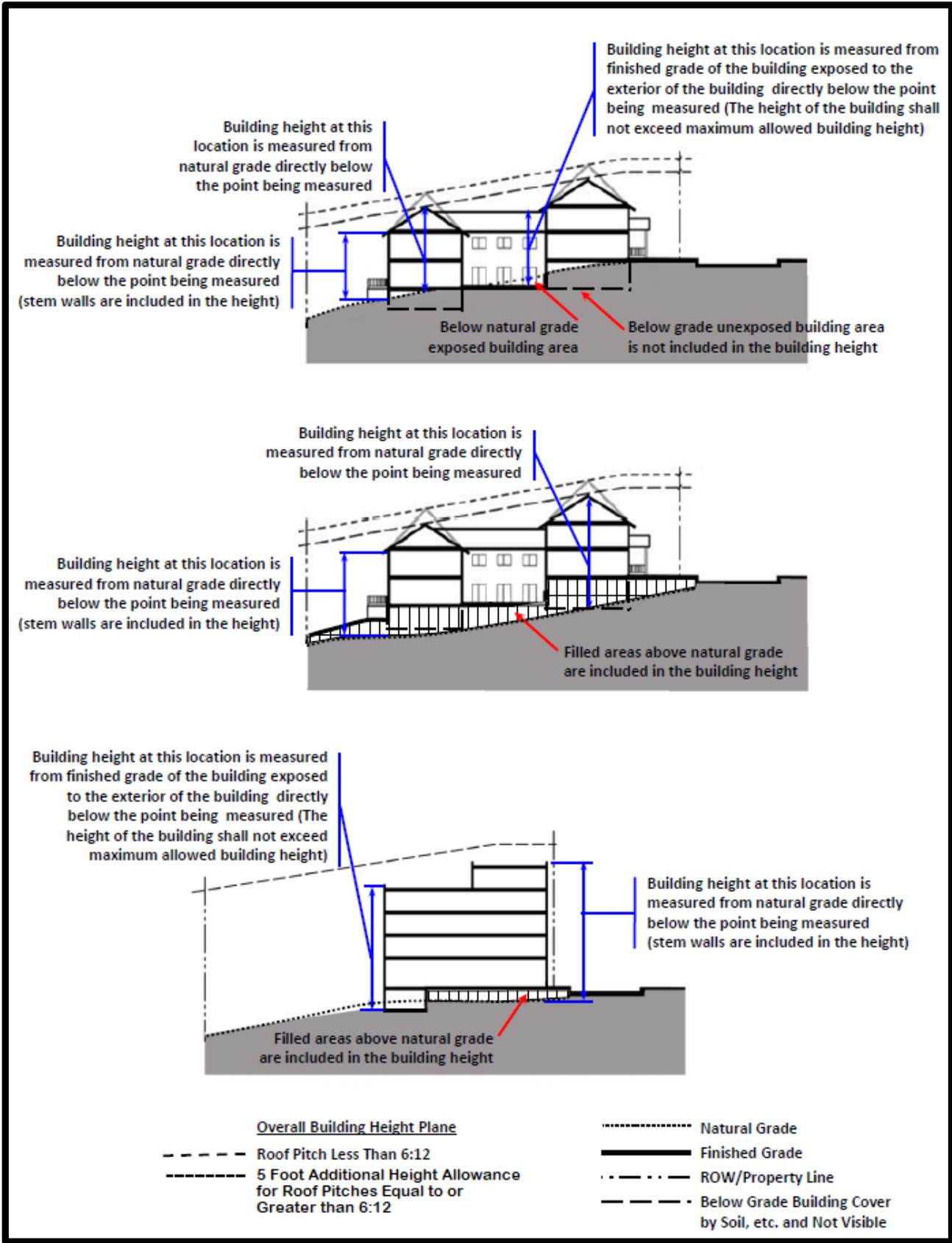
**A. Purpose.** This section provides the methodology used to measure the height of all structures.

**B. Building and Structure Height.**

- 1. The height of any building or structure shall be measure from the natural grade or finished grade in accordance with the following:**
  - a. Natural Grade.** The height shall be measured vertically from the top of any point of a structure or building element, including the top of a parapet, the top of a mansard roof, screen wall or pitched roof, to the natural grade directly beneath the point measured, unless the finished grade abutting the building or structure is below the natural grade.

When a height is measured to natural grade, it includes any material used to raise the grade to a finished grade above the natural grade.

- b. **Finished Grade.** When the finished grade abutting a building or structure is below the natural grade, the finished grade shall be used to measure the height.
    - (1) When the finished grade is used, the height shall be measured vertically from the top of any point of a structure or building element, including the top of a parapet, the top of a mansard roof, screen wall or pitched roof, to the lowest finished grade abutting the building or structure that is nearest to a point directly below the point measured. The finished grade outside of doors, landings, light wells, patios, stairways, windows, and similar below grade improvements that provide access or fenestrations to a below grade level are excluded from the building height, provide that the finished grade for these improvements does not extend more than eight feet horizontally from the building.
  - c. The height of all points a structure or building measured in accordance with applicable provisions of subsection B.1.a. or B.1.b. of this section, shall comply with the maximum allowed height of the property's zone.
- 2. Exposed crawl spaces, building stem walls (including stem walls of a basement) podium parking structure and building walls, shall be included in the height calculation.
  - 3. Flagpoles and spires, including similar structures, shall not exceed the maximum allowed building height of the property's zone.



**Figure 10-50.30.030.B.  
Method of Measuring Building Height**

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Section 26. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.50 Fences and Screening, 10-50.50.030 Siting and Building Standards, subsection C. Fences and Walls Between Different Land Uses., paragraph 2, as follows:

**Section 10-50.50.030 Siting and Building Standards**

**C. Fences and Walls Between Different Land Uses.**

2. Solid fences and walls between residential, recreation, education, public assembly, and retail uses may replace a portion of the required buffer requirements, as identified in Table 10-50.60.040.B, Buffer and Screening Requirements, with ~~vegetated fencing~~ **evergreen plant material** upon Director approval.

Section 27. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.50 Fences and Screening, , subsection D. Equipment Screening., as follows:

**Section 10-50.50.040 General Fencing and Screening Standards**

**D. Equipment Screening.**

1. In all zones, rooftop mounted mechanical ~~and electrical service~~ equipment ~~must be screened from public view to the height of the tallest equipment with materials architecturally compatible with the finishes and character of principal structures as shown in Figure 10-50.50.040B, Rooftop Equipment Screening.~~ shall be:
  - a. **Centrally located on the roof to the maximum extent feasible; and**
  - b. **Screened by a parapet or roof feature on all sides that is no shorter than the tallest object being screened as shown in Figure 10-50.50.040.D.1., Rooftop.**

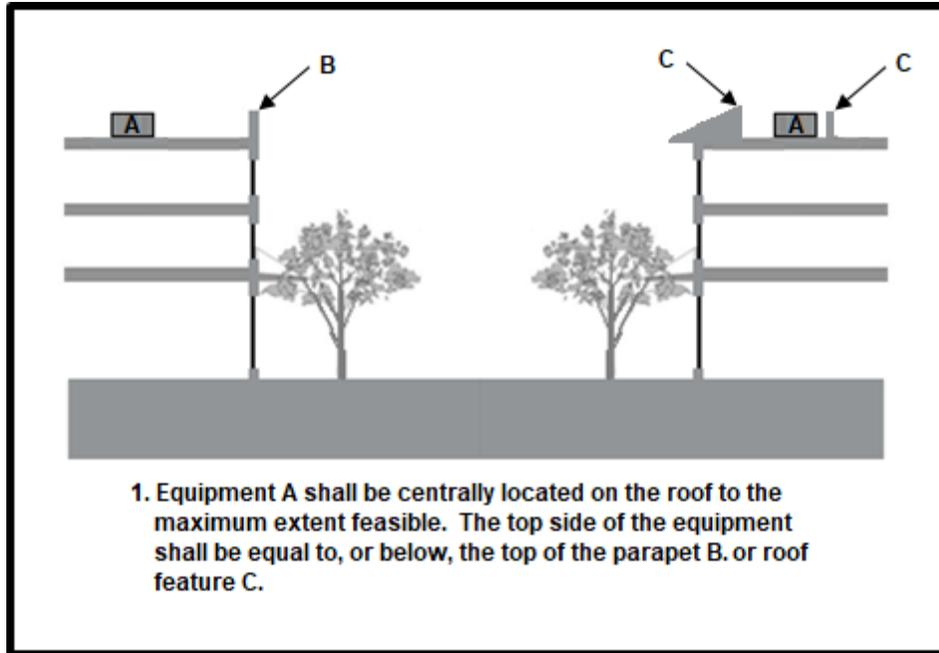
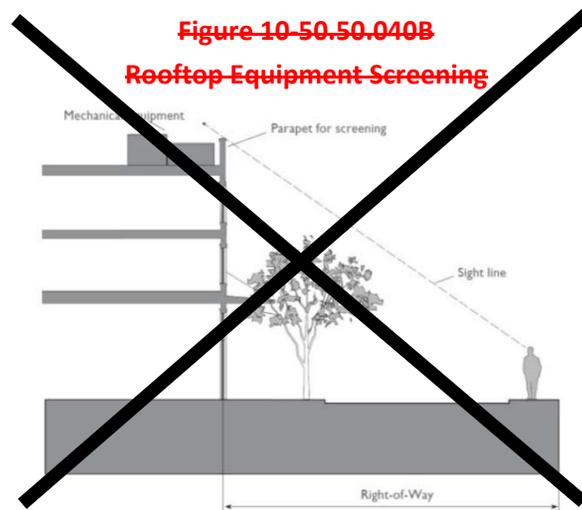


Figure 10-50.50.040.D.1.  
Rooftop Equipment Screening

2. Mixed-use, multiple-family, and non-residential Developments.

- ~~2.~~ a. ~~In all zones, ground-mounted-mechanical~~ Ground-mounted, or elevated, mechanical equipment must be screened from surrounding properties, alleys and streets, or enclosed within a building.



- b. Wall-mounted mechanical and electrical service equipment, satellite dishes, and utilities (hereafter the “Equipment”) shall be screened from surrounding properties, alleys and streets.
  - i. As an alternative to screening the Equipment, the Director may approve a design that integrates the Equipment into the architecture of the building if any of the following apply:
    - (a) The Equipment will not be visible from a surrounding property, alley or street at a location equal to, or less than, the height of the Equipment;
    - (b) The screening of the Equipment would prohibit wireless communication with the Equipment, and there is no other alternate location on the development site to place the Equipment;
    - (c) The screening would prohibit proper ventilation of the Equipment as required by the Building Code, Fire Code, or a public utility, and there is no other alternate location on the development site to place the Equipment; or
    - (d) Other similar condition as determined by the Director.

Section 28. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.60: Landscaping Standards, Section 10-50.60.010. Purpose and Benefits, Table 10-50.60.010.A: Benefits of Sustainable Landscaping, Screening, as follows:

**10-50.60.010 Purpose and Benefits**

**Table 10-50.60.010.A: Benefits of Sustainable Landscaping**

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Screening	<del>Plants can</del> Evergreen plants may be used to screen incompatible adjacent uses or above ground and on-site utilities.
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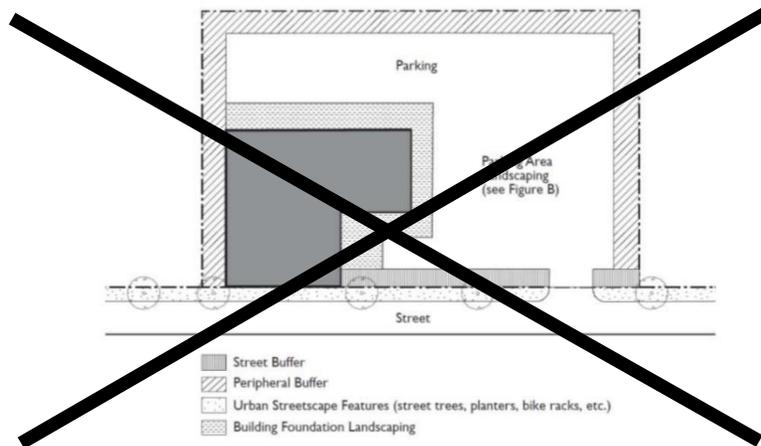
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Section 29. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.60: Landscaping Standards, Section 10-50.60.040 Landscape Location Requirements, subsection B. Nonresidential Zone Buffers, as follows:

**10-50.60.040 Landscape Location Requirements**

~~**B.—Nonresidential Zone Buffers. Landscaping shall be applied through landscaping buffers in nonresidential zones. There are two types of nonresidential landscaping buffers: street buffers and peripheral buffers. Foundation landscaping (see subsection (C) of this section) is also required (see Figure 10-50.60.040A). These buffers shall be landscaped in compliance with Section 10-50.60.050, Landscaping Standards.**~~

**Figure 10-50.60.040A**

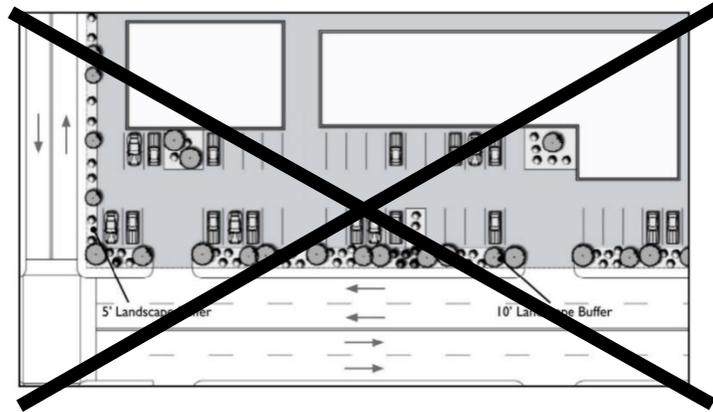


**Location of Required Landscape Areas**

- 1. Street Buffers.** A landscaped street buffer with a minimum width of 10 feet is required along the street frontage of a site as measured from the street property line (see Figure 10-50.60.040B), except:
  - a.** Street buffers fronting streets with two traffic lanes may be reduced to five feet. If the street buffer is reduced to five feet adjacent to industrial uses or heavy retail/services uses, a six-foot fence shall be located behind the buffer in compliance with Division 10-50.50, Fences and Screening.
  - b.** The City Engineer may approve the placement of up to five feet of the required 10-foot width of required landscaping within the adjacent right-of-way.
  - c.** In non-transect zones and transect zones T5 and T6, required street buffer landscaping along a frontage is not required where an urban form is proposed and buildings are located close to or at the back of the sidewalk or on a property line. However, consistent with the standards established for streets (thoroughfares) in Chapter 10-60, Specific to Thoroughfares, a wider sidewalk to accommodate active pedestrian uses and activities, sidewalk cafes, tree wells, planters, and the placement of such amenities as bike racks, potted plants, or benches is required.

**Figure 10-50.60.040B**

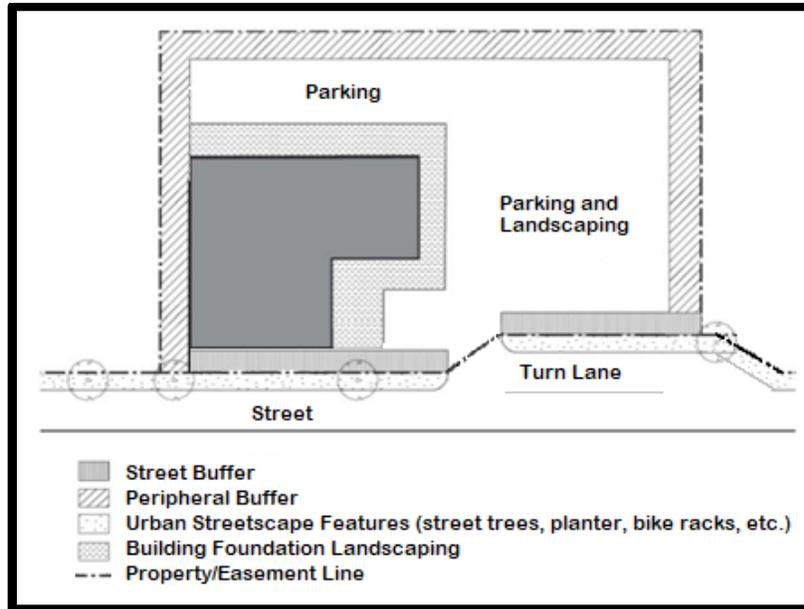
**Street Buffer**



**B. Nonresidential Zone Landscape Buffers.** There are two types of landscaping buffers requirements. The landscape buffers are: street landscape buffers and peripheral landscape buffers. The landscape buffers shall be planted in accordance with Section 10-50.60.050, Landscaping Standards.

- 1. Street Landscape Buffers.** The buffers shall be provided on the lot or parcel, and abutting the street property/easement line (see Figure 10-50.60.040.B.1.), unless the provisions of subsections B.2. or B.3. of this section, apply. The buffers shall conform with the following:
  - a. Transect and Non-Transect Zoned Properties Located Within the Area Delineated by the Downtown Regulating Plan.**
    - (1) Minimum buffer width abutting a street with a total of four travel lanes, or greater: 10 feet, unless a smaller width is allowed in B.1.a.(3), below.**
    - (2) Minimum buffer width abutting a street with a total of two travel lanes: 5 feet, unless a smaller width is allowed in B.1.a.(3), below.**
    - (3) Properties that are zoned Main Street (T5) and T6 Downtown (T6) do not require street landscape buffer abutting a street, although additional width is required for pedestrian improvements in accordance with Chapter 10-60, Specific to Thoroughfares.**
  - b. Properties with an Industrial Zone Designation.**
    - (1) Minimum buffer width abutting a street with a total of four travel lanes: 10 feet.**
    - (2) Minimum buffer width abutting a street with a total of two travel lanes: 10 feet, unless:**
      - (a) The director may approve a buffer width equal to, or great than, five feet, and less than ten feet, when the following criteria have been met:**

- i. The lot or parcel is a corner lot or parcel that does not abut a Key Lot or an alley that abuts a Key Lot;
  - ii. The reduced buffer would abut a street adjacent to the street side yard of a corner lot or parcel; and
  - iii. A six-foot fence or wall shall be provide abutting the buffer in compliance with Division 10-50.50, Fences and Screening.
- c. Street Landscape Buffers on All Other Properties.
- (1) Minimum buffer width abutting a street: 10 feet.



Location of Required Landscape Areas

Figure 10-50.60.040.B.1.

- 2. When a public sidewalk or other public improvements are located within the property boundaries, the landscape buffer shall be measured from the interior edge of the sidewalk or improvements, whichever is nearer to the interior of the property.
- 3. Upon review of an applicant's separate written request to the Planning Director, the Planning Director in consultation with the City Engineer may approve the reduction of a required 10-foot wide landscape street buffer to no less than five feet adjacent to the street property line(s), after any required dedications. To approve a request, the Planning Director in consultation with the City Engineer, shall find that:
  - a. The existing site constraints of the property substantially limit the ability to provided the buffer on the property;
  - b. The right-of-way adjacent to the property is at least 10 feet wider than the minimum right-of-way width of the corresponding street cross section specified in Title 13 of the City Code and is not needed for future public sidewalk, street, trail, or other city transportation or infrastructure improvements; and

- c. **At no time shall the building be closer than 10 feet from the interior side of a sidewalk or similar right-of-way improvements, as measured from the point nearest to the interior of the property.**

Section 30. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.60: Landscaping Standards, Section 10-50.60.040 Landscape Location Requirements, to modify the title of subsection D. Parking Area Landscape Standards, and modify paragraph 3. Screening Parking Areas., as follows:

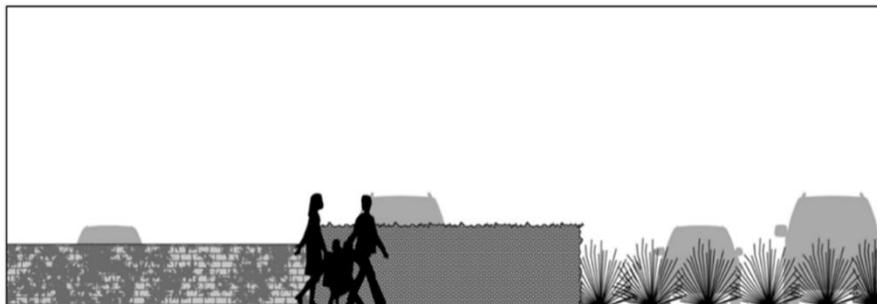
**10-50.60.040 Landscape Location Requirements**

**D. Parking Area Landscape Standards – Residential Multiple-Family Residential and Nonresidential-Nonresidential Development.**

**3. Screening Parking Areas.**

- a. In addition to subsection (D)(1) of this section, planting and screening along the boundaries of parking areas that are adjacent to a street shall be used to break up continuous parking areas by providing color and interest through the use of appropriate landscape materials and through the preservation of existing vegetation.
- b. Landscape screening along the perimeter of parking areas shall be a minimum of three and one-half feet in height. One of the following methods of forming a screen along the full length of the parking area located adjacent to a street shall be used, except where breaks are needed to provide access for pedestrians, bicycles, vehicles, or a required clear view zone (Refer to Engineering Standards, Section 13-10-06-0002, Intersection Sight Triangles, Clear View Zones). Figure 10-50.60.040F illustrates the methods for screening parking.
  - (1) Solid fencing or wall meeting the requirements of Division 10-50.50, Fences and Screening.
  - (2) ~~Shrubs~~ **Evergreen shrubs** planted at sufficient density to form a significant screen within three years of initial planting. Refer to Table 10-50.60.050.B, Required Plant Quantities, and Table 10-50.60.050.C, Plant Sizes, for required plant size and quantities for parking lot screening.
  - (3) Any combination of the above.

**Figure 10-50.60.040F  
Screening of Parking Areas**



**Figure 10-50.60.040F**  
**Screening of Parking Areas**

- (4) Landscaping Materials. Landscaping shall be a combination of ground cover, shrubs, and trees. (See Section 10-50.60.050, Landscaping Standards.)
- (5) Plant Protection. Landscape areas susceptible to damage by vehicular or pedestrian traffic must be protected by appropriate means, such as curbs, bollards or low walls provided they are not in conflict with applicable standards for intersection sight triangles as established in the Engineering Standards.

Section 31. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.80 Parking Standards, Section 10-50.80.040 Number of Motor Vehicle Parking Spaces Required, Table 10-50.80.040.A: Number of Motor Vehicle Parking Spaces Required, Retail Trade, to add: Tap Room, in alphabetical order, as follows:

Use	Number of Required Spaces
Retail Trade	
<b>Tap Room</b>	<b>1 per 300 gsf</b>

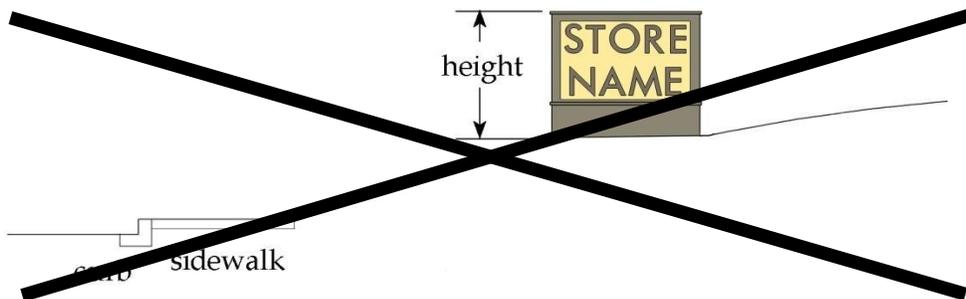
**50.80.040 Number of Motor Vehicle Parking Spaces Required**

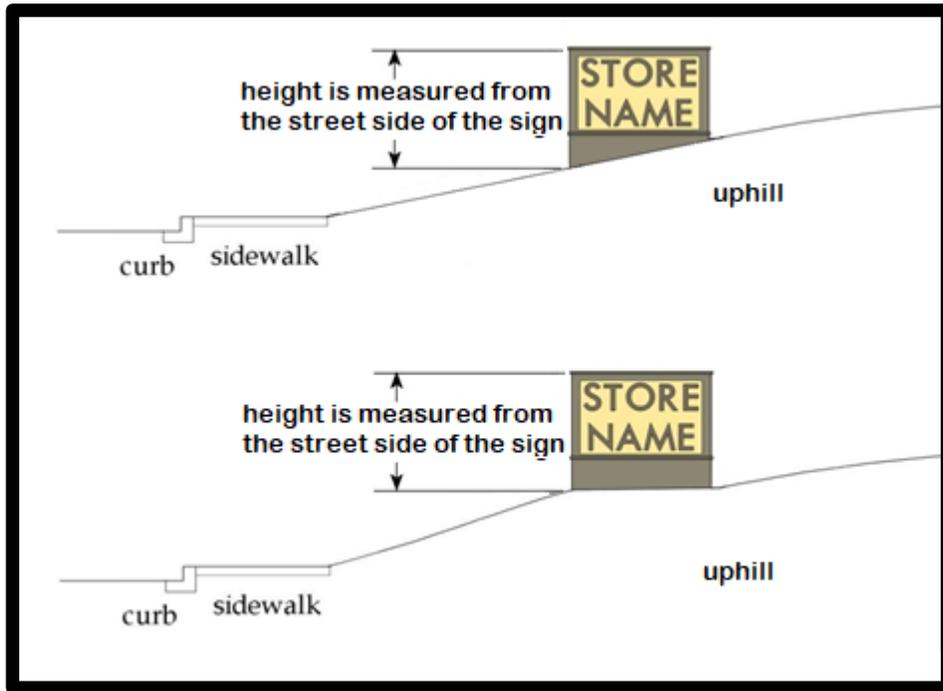
**Table 10-50.80.040.A: Number of Motor Vehicle Parking Spaces Required**

Section 32. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.100 Sign Standards, Section 10-50.100.050 General Requirements for All Signs, Figure 10-50.100.050E, as follows:

**10-50.100.050 General Requirements for All Signs**

~~**Figure 10-50.100.050E**~~  
~~**Freestanding Sign Height—Signs Higher than the Grade of an Adjacent Road**~~



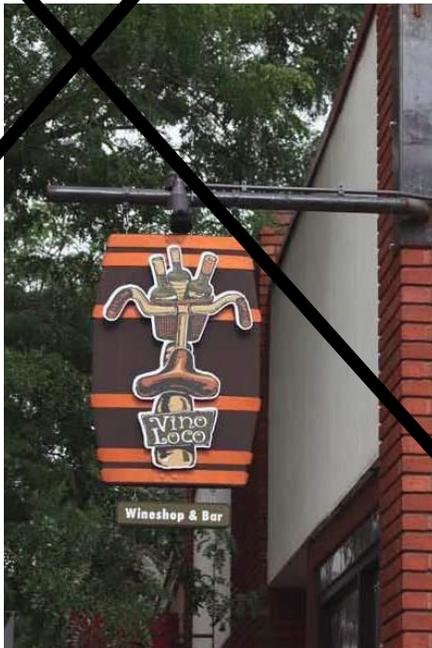


**Figure 10-50.100.050E**  
**Freestanding Sign Height – Signs Higher than the Grade of an Adjacent Road**

Section 33. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.100 Sign Standards, Section 10-50.100.100 Sign Districts of Special Designation, Table 10-50.100.100.A: Local Examples of Signs Appropriately Designed for the Flagstaff Central District, as follows:

**Section 10-50.100.100 Sign Districts of Special Designation**

**Figure 10-50.100.100A**  
**Local Examples of Signs Appropriately Designed for the Flagstaff Central District**



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**Figure 10-50.100.100A**  
**Local Examples of Signs Appropriately Designed for the Flagstaff Central District**

Section 34. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.100 Sign Standards, Section 10-50.100.100 Sign Districts of Special Designation, Figure 10-50.100.100A Standards for Building Mounted Signs in Flagstaff Central District, Individual Sign Area for Each Business, as follows – including adding gridlines and shading to the table:

<b>Table 10-50.100.100.A: Standards for Building Mounted Signs in Flagstaff Central District</b>	
<b>Standard</b>	<b>Standard Allowance</b>
Total Sign Area for <del>a the</del> <b>Multi- and Single-Tenant</b> Building	The greater of: (1) The number of building entries <sup>1</sup> + 1 sign X 30 sq. ft. (e.g. if a building has 6 entries the Total Sign Area = 6 + 1 X 30 = 210 sq. ft.); or (2) 100 sq. ft. max.
Individual Sign Area for Each Business <b>in a Multi-Tenant Building</b>	The lesser of: (1) 1 sq. ft. to 1 linear ft. of the width of the business space served by an entrance <sup>2</sup> ; or (2) 100 sq. ft. max. <del>;</del> <del>or</del> <del>(3) The total sign area for the building.</del>

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<b>Table 10-50.100.100.A: Standards for Building Mounted Signs in Flagstaff Central District</b>	
<b>Standard</b>	<b>Standard Allowance</b>
Number of Signs	Number of building <del>entries</del> <b>entries</b> <sup>1</sup> + 1.
Sign Placement	<p><b>(1)</b> No higher than the lesser of either:</p> <p><del>(1)</del> <b>(a)</b> The second story sill level; <del>or</del></p> <p><del>(2)</del> <b>(b)</b> On or above the expression line of any building; <del>or</del></p> <p><del>(3)</del> <b>(c)</b> Not above any visible roofing material on the building element; or</p> <p><del>(4)</del> <b>(d)</b> Max. 25 feet.</p> <p><b>(2)</b> At least 1 sign shall be associated with the building entry zone<sup>1</sup> (may be wall mounted, projecting, awning, etc.).</p> <p><b>(3)</b> Sign copy on awnings is only permitted on first story windows.</p> <p><b>(4)</b> Where multiple businesses use a common entrance, a common sign shall be placed adjacent to the sidewalk level building entry<sup>3</sup>.</p>
Painted Building Mounted Signs	<p><b>(1)</b> Shall comply with Table 10-50.100.060.C.</p> <p><b>(2)</b> The requirement for three dimensional form required in the Findings for Signs Proposed in the Central District shall not apply.</p>
Illumination	See Section 10-50.100.050(C).
Permitting	Sign permit is required.
<b>End Notes</b>	
<p><sup>1</sup> <b>1.</b> Building entries in this context do not include service entries or separate doors for lodging rooms. <b>A series of doors grouped together shall be considered one building entry.</b></p> <p><sup>2</sup> <b>2.</b> Where a building has multiple frontages (i.e., a corner building), the shortest frontage shall apply.</p> <p><sup>3</sup> <b>3.</b> Two or more businesses served by a common entrance are considered one business for sign computation purposes.</p>	

Section 35. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.110: Specific to Building Types, as follows:

**Division 10-50.110:  
Specific to Building Types**

**Sections:**

- 10-50.110.010 Purpose**
- 10-50.110.020 Applicability**
- 10-50.110.030 Building Types Overview**
- 10-50.110.040 Carriage House**
- 10-50.110.050 Single-Family Estate**
- 10-50.110.060 Single-Family House**
- 10-50.110.070 Single-Family Cottage**
- 10-50.110.080 Bungalow Court**
- 10-50.110.090 Duplex, Side-by-Side**
- 10-50.110.100 Duplex, Stacked**
- 10-50.110.110 Duplex, Front-and-Back**
- 10-50.110.120 Stacked Triplex**
- ~~10-50.110.120~~ **10-50.110.130 Townhouse**
- ~~10-50.110.130~~ **10-50.110.140 Apartment House**
- ~~10-50.110.140~~ **10-50.110.150 Courtyard Apartment**
- ~~10-50.110.150~~ **10-50.110.160 Live/Work**
- 10-50.110.170 Apartment Building**
- ~~10-50.110.160~~ **10-50.110.180 Commercial Block**

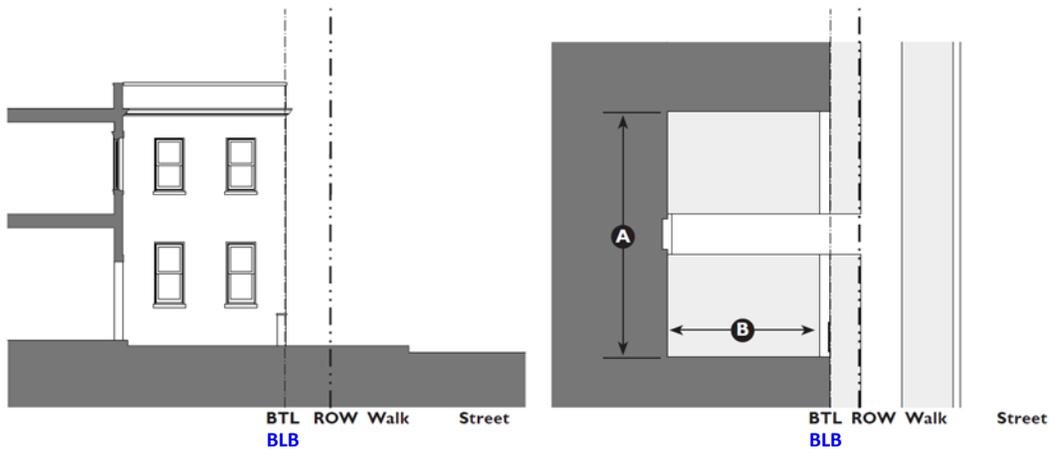
Section 36. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.110 Specific to Building Types, Section 10-50.110.120 Stacked Triplex, Subsection B. Lot, and delete End Note 1, as follows:

**Section 10-50.110.120 Stacked Triplex**

<b>B. Lot</b>	
<b>Lot</b>	<del>Size</del> <b>Size</b>
Width	<del>50' min.; 75' max.</del> 75' min.; 100' max.
Depth	100' min.; 150' max.
<b>End Note</b>	
<del><sup>1</sup>Applies to newly created lots.</del>	

Section 37. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.120 Specific to Private Frontages, Section 10-50.120.080 Forecourt, to amend graphic and the associated key, as follows – including adding gridlines and shading to the table:

**10-50.120.080 Forecourt**

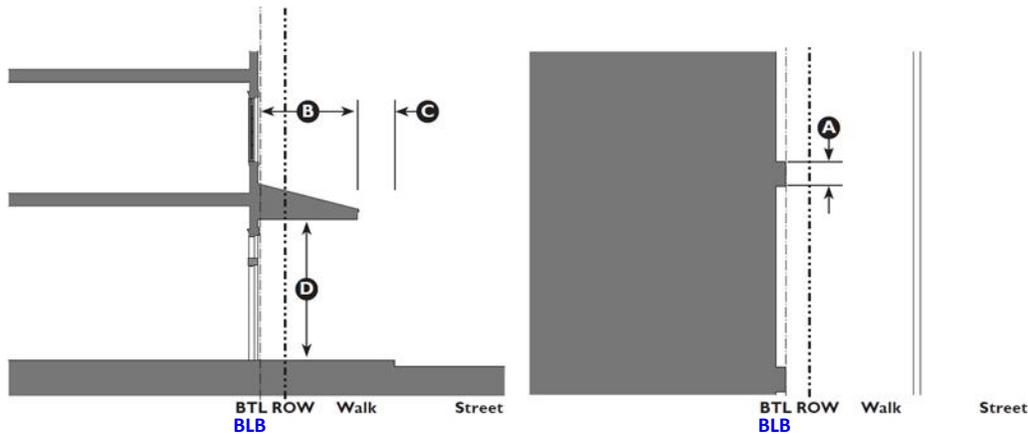


Key	
----	ROW/Property Line
----	<b>Setback-Line</b>
-----	<b>BLT BTL - Build to Line (Transect Zones)</b> <b>BLB-Back of Landscape Buffer (Non-Transect Zones), which shall be measured from the property line/right-of-way line in all situations, including Planned Residential Developments.</b>

Figure 10-50.120.080 Forecourt

Section 38. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.120 Specific to Private Frontages, 10-50.120.100 Shopfront, to amend the graphic and the associated key, as follows – including adding gridlines and shading to the table:

10-50.120.100 Shopfront

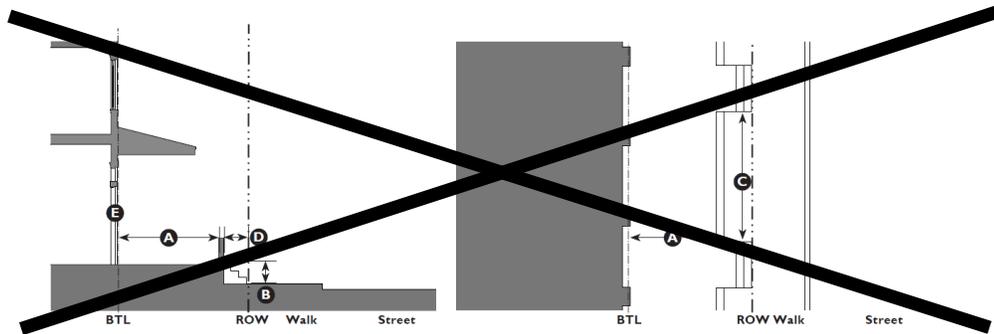


Key	
----	ROW/Property Line
<del>----</del>	<b>Setback-Line</b>
-----	<b>BLT BTL - Build to Line (Transect Zones)</b> <b>BLB-Back of Landscape Buffer (Non-Transect Zones), which shall be measured from the right-of-way line in all situations, including Planned Residential Developments.</b>

Figure 10-50.120.100 Shopfront

Section 39. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.120 Specific to Private Frontages, Section 10-50.120.110 Terrace Shopfront, to amend the graphic and the associated key, as follows – including adding gridlines and shading to the table:

**10-50.120.110 Terrace Shopfront**



Key	
----	ROW/Property Line
<del>---</del>	<b>Setback-Line</b>
<del>---</del>	<b>BTL</b> BTL- Build to Line (Transect Zones), unless a greater setback is required by the sum of the distance of A and D.
----	<b>BLB</b> -Back of Landscape Buffer (Non-Transect Zones), which shall be measured from the right-of-way line in all situations, including Planned Residential Developments, unless a greater setback is required by the sum of the distance of A and D.

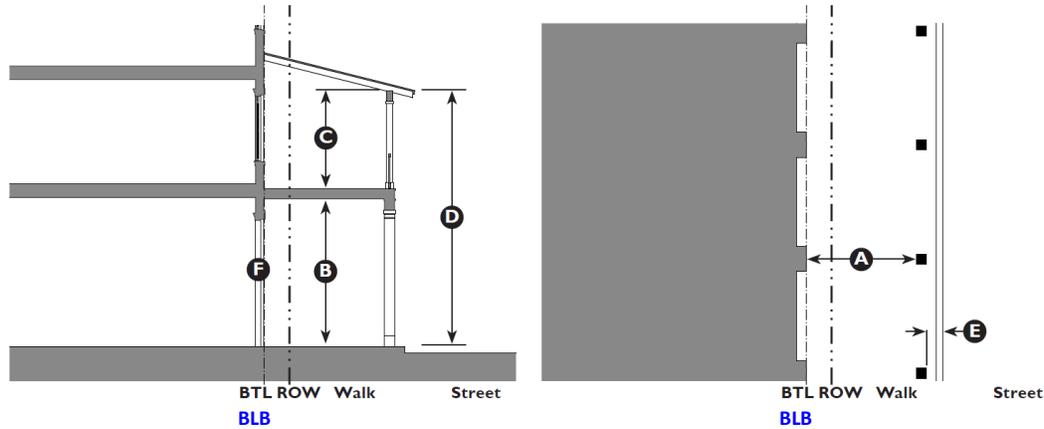
**Figure 10-50.120.110 Terrace Shopfront**

Revision Date: 03/25/2020

Exhibit A  
Resolution No. 2020-17

Section 40. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.120 Specific to Private Frontages, 10-50.120.120 Gallery, to amend the graphic and the associated key, as follows – including adding gridlines and shading to the table:

**10-50.120.120 Gallery**



Key	
---	ROW/Property Line
<del>---</del>	<b>Setback Line</b>
---	<b>BLT BTL - Build to Line (Transect Zones)</b>
---	<b>BLB-Back of Landscape Buffer (Non-Transect Zones), which shall be measured from the right-of-way line in all situations, including Planned Residential Developments.</b>

**Figure 10-50.120.120 Gallery**

Section 41. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, and Building Functions, 10-80.20.010 Definitions "A", to delete the terms "Acreage, Gross", and "Acreage, Net", as follows:

~~**Acreage, Gross: Ground area, including all proposed and existing streets within a development or subdivision.**~~

~~**Acreage, Net: The remaining ground area after deleting all portions for proposed and existing streets within a development or subdivision**~~

Section 42. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, and Building Functions, 10-80.20.040 Definitions “D”, to delete the terms “Density”, modify “Development Site”, “Development, Multiple-Family”, and “Duplex”, and to add the terms “Density, Gross” and “Development Site Area” in alphabetical order, as follows:

~~Density: The number of dwelling units within a standard measure of land area, usually given as units per acre.~~

- ~~1.— Density, Gross (GD): The quotient of the total number of dwelling units divided by the base site area of a site.~~
- ~~2.— Density, Net (ND): The quotient of the total number of dwelling units divided by the net buildable site area on a site.~~

**Density, Gross:** is the number of dwelling units allowed on one acre of a development site. The density of a development is calculated by the total number of dwelling units divided by the total acreage of the Development Site Area.

Development - Multiple-Family: Is a development (**including a residential condominium**) consisting of any number of structures, or portion thereof, that contains a total of three or more dwelling units on a lot or parcel

**Development Site:** ~~Any~~ **is any plot lot** or parcel of land, or combination of contiguous lots or parcels of land, whether under common ownership or multiple ownership, which constitutes a site on which development is proposed, ~~under construction,~~ or exists.

**Development Site Area:** **Is the total area of a development site, excluding all existing dedications for public rights-of-way or private street tract(s).**

**Duplex:** A residential building designed to be occupied by two families living independently of each other with two attached **or detached** dwelling units on one lot or parcel. ~~Said~~ If **attached, the** units may be attached front-to-back **or** side-to-side **with a common or party wall**, or stacked one atop the other **with a common ceiling-floor separating the units.**

- ~~1.— Front-to-Back: An attached building type with two independent living units with one unit placed behind the other and sharing a common or party wall.~~
- ~~2.— Side-by-Side: An attached building type with two side-by-side independent living units sharing a common or party wall.~~
- ~~3.— Stacked: An attached building type with two independent living units stacked one on top of the other~~

Section 43. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, and Building Functions, Section 10-80.20.060 Definitions, “F”, pertaining to the terms “Finished Grade”, “Floor Area Ratio, Gross (GFAR)”, and delete “Floor Area Ratio, Net (FAR)”, as follows:

**Finished Grade:** Existing is the man-made topography of a site at the completion of construction grading.

**Floor Area Ratio, Gross (GFAR):** An intensity measured as a ratio derived by dividing the total floor area in square feet of a building or structure all buildings or structures on a development site by the base development site area in square feet (or lot area as modified for established development districts).

**Floor Area Ratio, Net (FAR):** An intensity measured as a ratio derived by dividing the total floor area of a building or structure by the net buildable site area.

Section 44. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, Section 10-80.20.090 Definitions, “I”, the term Industrial, Heavy – General, as follows:

**Industrial, Heavy – General:** Construction, manufacturing, transportation, and public utilities, and those uses which that may have severe potential for negative impact on any uses located relatively close to them. Differs from light industrial uses in that it includes uses that require unenclosed structures that are large, tall, and unsightly, such as concrete batching plants. These uses also have enormous the potential for generation of dust, noise, and odor and may involve large amounts of exterior storage. Because of their scale, they are likely to have a regional impact. This term specifically includes, but is not limited to, the following uses:

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Chemicals and allied products (except drugs)	Primary metal industries
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Electrical distribution equipment	Processing of animal/fish oils and meat products
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Electrical industrial apparatus	Railroad transportation
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Heavy construction contractors	Rubber and miscellaneous plastics
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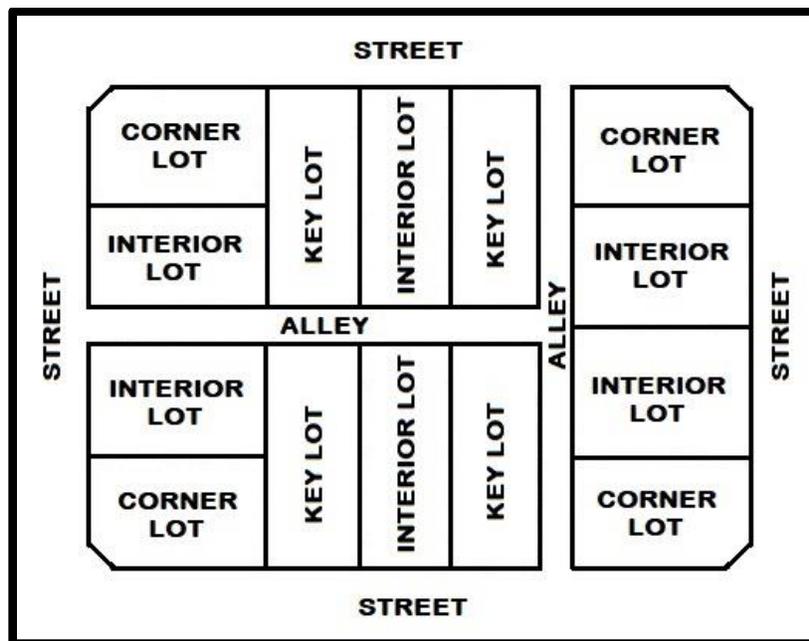
Leather tanning	Sawmills, planing mills and storage of logs, paper, pulp, or paperboard mills
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Manufacturing of alcoholic beverages	Stone, clay and glass products including concrete plants
Machinery	Transportation equipment
Petroleum and coal products	Utility, production or processing facilities, but not offices or transmission or distribution

Section 45. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, Section 10-80.20.110 Definitions “K”, to add the term “Key Lot” and the Figure 10-80.20.110. Key Lot., as follows:

**Key Lot: is a lot or parcel that abuts a corner lot that has its side lot line in common with the rear lot line of the corner lot, or alley abutting rear lot line of the corner lot, and the lot fronts on to a street that forms the street side of the corner lot.**



**Figure 10-80.20.110. Key Lot.**

Section 46. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, Section 10-80.20.130 Definitions, “M”, for the term “Micro-brewery or Micro-distillery”, as follows:

**10-80.20.130 Definitions, “M”**

**Micro-brewery or Micro-distillery:** A facility engaged in the production, bottling, and packaging of beer and other fermented ~~malt~~ beverages or spirituous beverages **that contain ethanol. on-site that may include a taproom in which guests/customers may sample or purchase the product. A taproom may be included in a Micro-brewery or Micro-distillery, subject to the requirements of the Zoning Code.**

Section 47. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, Section 10-80.20.140 Definitions, “N”, to add the term “Natural Grade”, as follows:

**Natural Grade: is the natural terrain elevation of the land prior to any grading that disturbs the land.**

Section 48. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, Section 10-80.20.150 Definitions, “O”, for the terms

**Outdoor ~~Storage or~~ Display:** The ~~storage or~~ display of any personal or business materials, products, or equipment outside of a building.

Section 49. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, Section 10-80.20.180 Definitions, “R”, to add the term “Railroad Shop”, as follows:

**Railroad Shop: is a facility that builds new and/or repairs locomotives and railroad cars, including the fabrication of parts.**

Section 50. Amend Title 10 FLAGSTAFF ZONING CODE, APPENDICES, to repeal Appendix 2.0 Planning Fee Schedule, and adopt Appendix 2.0 Planning Fee Schedule, as follows:

**Appendix 2  
Planning Fee Schedule**

- A. By separate ordinance, the City Council shall adopt applicable fees for planning and related applications and/or services.**
- B. The applicable fee schedule shall be available at the Community Development Division.**

**ORDINANCE NO. 2020-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “CASE NO. PZ-19-00125 UPDATES TO ZONING CODE 2020 – MISCELLANEOUS PART 1”; PROVIDING FOR PENALTIES, 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 10-20, 10-30, 10-40, 10-50, and 10-80, and Appendix 2, to ensure, among other things, to correct known errors and conflicts, incorporate technical corrections and clarity, modify existing and add new requirements, provisions, and definitions of the Zoning Code; and

WHEREAS, A citizen review session was held at the Planning Commission work session on January 22, 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 February 26, 2020, and provided a recommendation to City Council on proposed Zoning Code text amendment; and

WHEREAS, the Council has read and considered the staff report prepared by the Planning Division and all attachments to those reports, 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; and

WHEREAS, that certain document entitled *Case No. PZ-19-00125 Updates to Zoning Code 2020 – Miscellaneous Part 1*," one (1) paper copy and one (1) electronic copy of which are on file with the City Clerk in compliance with A.R.S. § 44-7041, was declared to be a public record by Resolution No. 2020-17.

**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. That certain document known as “*Case No. PZ-19-00125 Updates to Zoning Code 2020 – Miscellaneous Part 1*” 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. 2020-17 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 3. The Zoning Code text amendment is consistent with and conforms to the goals of

the Regional Plan.

SECTION 4. 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 5. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

**SECTION 6. Repeal of Conflicting Ordinances**

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

**SECTION 7. 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 8. 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 9. 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 May, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

## Daniel Symer

---

**From:** David Carpenter <dc@hopeaz.com>  
**Sent:** Friday, January 24, 2020 5:23 PM  
**To:** Daniel Symer  
**Cc:** Tiffany Antol  
**Subject:** Zoning Code Revisions

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dan-

I watched your P&Z presentation from the 22<sup>nd</sup> and I had a few comments and questions on the latest zoning code revisions:

- The new footnote in table 10-40.30.040.C seems to reduce the by right 29 units/acre to 22 for parcels that are outside of the ped shed in the general plan. Previously density is only reduced to 22 if the property was in the RPO, and I'm not aware of any reference to the general plan in that part of the code. But it also hard to read, so it's hard to tell if maybe you are trying to restrict density outside the ped shed, or to grant increased density in the RPO if you are also in the ped shed. This might need some clarification.
- In the new basement and crawl section 10-50.25.020
  - A. Creating a hard fast 9 foot rule seems like a no brainer on a flat lot but will be very hard to follow if the lot has any slope.
  - B. 1. Creating a hard fast 5 foot rule creates a catch 22 in the flood plain where a crawl space may need to be up to 6-7 feet to meet the FEMA rules
  - B.1. Creating a hard fast 5 foot rule will be very hard to comply on slopped lots. I've seen houses with crawl spaces that go from 3' to 15' over sometimes as little as 20 feet. Maybe you are trying to govern the amount of stem wall seen that is made out of concrete, but the stem walls would be OK if framed and had siding? Its hard to know what your intention is here but the outright banning of crawls spaces taller than 5' will create many issues in our highly topographic city.
  - B. 2. Craws spaces and stem walls are not traditionally building materials that are consistent with the design of a building (they are more complementary). For instance a building with all wood siding would not have wooden siding on the foundation walls. These walls should be block, concrete, stucco, or stone. Maybe list the appropriate materials you are trying to see more of... what are you trying to prevent here?
- In the section about building height in the last paragraph C Exceptions to the building height, you are changing the intent by combining stairwells and elevators in with the other elements that are subject to a 20% max height calculation. This will mean that only buildings that are 50' or greater will be able to exceed max height for a stairwell or elevator. This is because a stairwell or elevator is always going to be 10-15' tall to be able to serve the roof for a stairwell, or the top story in the case of an elevator. So, for instance if you have a 3 story building that is 35' tall, the way your draft is written now the stairwell or elevator can only be 7' tall. It is impossible to serve a rooftop with a 7' staircase and renders this section moot for anything less than 50'. Previously stairwells and elevators we allowed to exceed but limited to a % of the roof area not a height constraint.
- In 10-50.60.040 non-residential landscape requirements adding a min 10' from the back of sidewalk is a lot of land in an urban setting. This may make a lot of sense for a larger lot or in a suburban setting, but is there a way to waive this requirement when the parcel is urban in nature similar to the way T5 and T6 are waived? or

maybe reduce to a 5' minimum? A parkway, plus sidewalk, plus 10 feet just seems like a huge setback (and inconsistent with the actual setbacks) and inconsistent with the way the urban parts of the city look. Maybe parkway trees, planters, or street trees can take the place of this 10' buffer? There are thoughtful ways to get landscaping in an urban setting without pushing the building back an abnormal amount. I think a 5' minimum might be a good place to start.

- It does not make sense to require a 75' wide lot to build a triplex, we have proven that the triplex works fine on 50' x 130' lots (so long as there is an alley). All the lots in the urban part of the city are 50' wide, so you are effectively barring their construction and reducing density in the urban core of the city where we are trying to increase density. Maybe require alley loading parking as a new restriction to make them work better, but the 75' is really just a ban since the city lots are not that wide. You rational in justifying this change by saying that the triplex needs to have 2,500 SF per unit as noted in table/footnote 6 of the residential zone standards, does not make sense because the 2,500 SF requirement is for a residential building in a "non-transect" zone. There were always supposed to be advantages to switching to the transect zone built into the code on purpose. This increased density over the underlying zoning was the main incentive. What you get in trade off is 35' in height as apposed to 60' in the underlying HR zone.

If you could please respond and make my comments available to P&Z and council I would appreciate it.

Thank You,

*David Carpenter*



Hope Construction  
495 S River Run Rd.  
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Flagstaff, AZ 86001

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C 928-380-5808

## Daniel Symer

---

**From:** David Carpenter <dc@hopeaz.com>  
**Sent:** Friday, February 28, 2020 5:37 PM  
**To:** Daniel Symer  
**Subject:** Rooftop Equipment Screening

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dan-

So long as you are taking a moment to revise the code section on equipment screening I would like to offer a suggestion that this requirement in the code only apply to new construction. We have had several projects over the years where this requirement made it difficult and costly to simply install a vent or an AC condenser. On a project that we are designing right now the addition of an equipment screen, and more importantly the added wind loads that they must be designed for, was causing the load on the roof to exceed its original design parameters. This in turn was causing the removal of all the roofing, the reframing of the roof and then re-roofing the area, just to hide two air handlers. The cost was \$20,000.

The "section/sketch" shown as an example in the code is of a traditional commercial roof with parapet but most roofs in Flagstaff are gables, or a maybe old commercial roofs with little or no parapet wall. I think this would be a great time to brainstorm a little about if any accommodations can be made in the more typical (atypical) situations. There must be some way to allow remodeling or upgrading an old building without subjecting folks to this kind of expense. Maybe in some situations equipment can be painted like the Tourist Home did as an option for the applicant? This is a relatively newer rule in Flagstaff so now that we know about some of the unintended consequences I'm hopeful some ideas can be thrown around before the work session.

Thank You,

*David Carpenter*



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495 S River Run Rd.  
Suite 100  
Flagstaff, AZ 86001

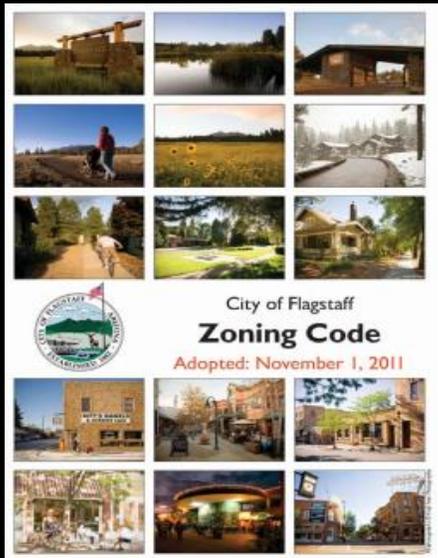
P 928-527-3159  
F 928-527-0357  
C 928-380-5808

# City Council

## City's Request to Amend the Zoning Code Case PZ-19-00125



**Dan Symer, AICP**  
**Zoning Code Manager**





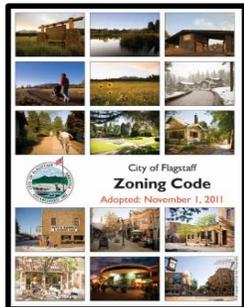
# City Council Public Hearing



## City's Proposed Zoning Code Text Amendment:

### Purpose:

- **Resolve conflicts, incorporating technical and clarity corrections, simplify and modify requirements and remove redundancy, and**
- **Clarify and add to the definitions.**





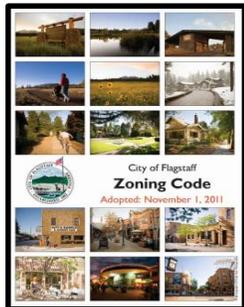
# City Council Public Hearing



## City's Proposed Zoning Code Text Amendment

### *Chapter 10-20: Administration, Procedures, and Enforcement:*

- **Expiration Timeframes:**
  - **Concept Plan Review**
  - **Site Plans**
- **Exempting animal keeping shelters less than 50 square feet**
- **Initiation of Zoning Code and Map Amendments**





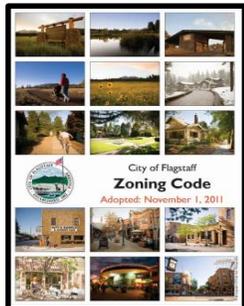
# City Council Public Hearing



## City's Proposed Zoning Code Text Amendment

### *Chapter 10-40: Specific to Zones:*

- **Non-Transect Zones,**
  - **Incorporated modifications to standards for residential lots**
  - **Relocated the building height allowance for pitched roofs**
  - **Clarified Gross Floor Area Ratio (GFAR) requirements**
  - **Added Kennel, Animal Boarding to the Highway Commercial (HC) zone**





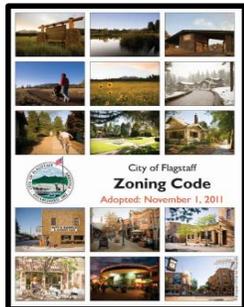
# City Council Public Hearing



## City's Proposed Zoning Code Text Amendment

### *Chapter 10-40: Specific to Zones:*

- **Commercial Non-Transect Zones,**
  - **Relocated the building height allowance for pitched roofs**
  - **Clarified Gross Floor Area Ratio (GFAR) requirements**
  - **Added Kennel, Animal Boarding to the Highway Commercial (HC) zone**





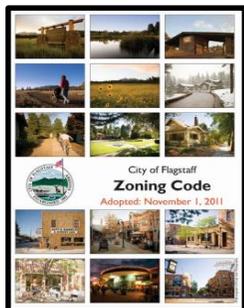
# City Council Public Hearing



## City's Proposed Zoning Code Text Amendment

### *Chapter 10-40: Specific to Zones:*

- **Transect Zones,**
  - **Address conflicts between overlays and transect requirements**
  - **Incorporated exceptions to preserve historic nature or context of the property**





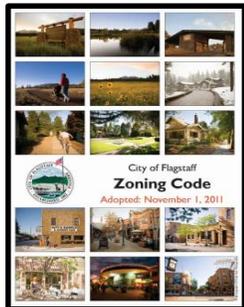
# City Council Public Hearing



## City's Proposed Zoning Code Text Amendment

### *Chapter 10-50: Supplemental to Zones*

- Clarified which façade changes are subject to Architectural Design Standards
  - Visible from a public way
- Relocated and clarified the design requirements for exterior walls.
- Clarified the building height measurement provision

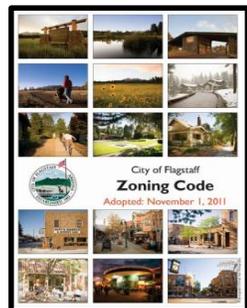
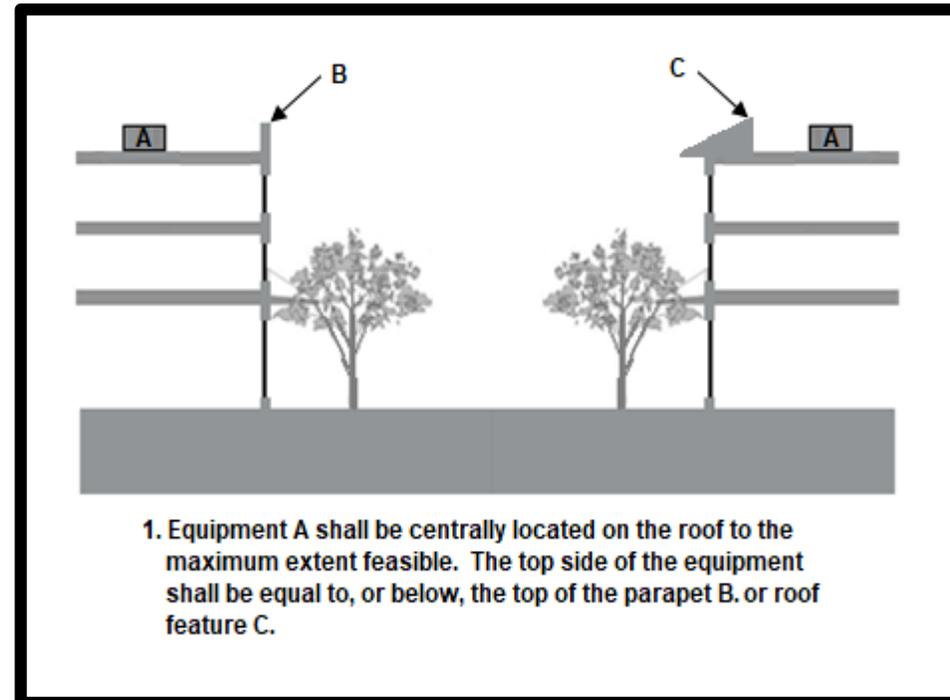
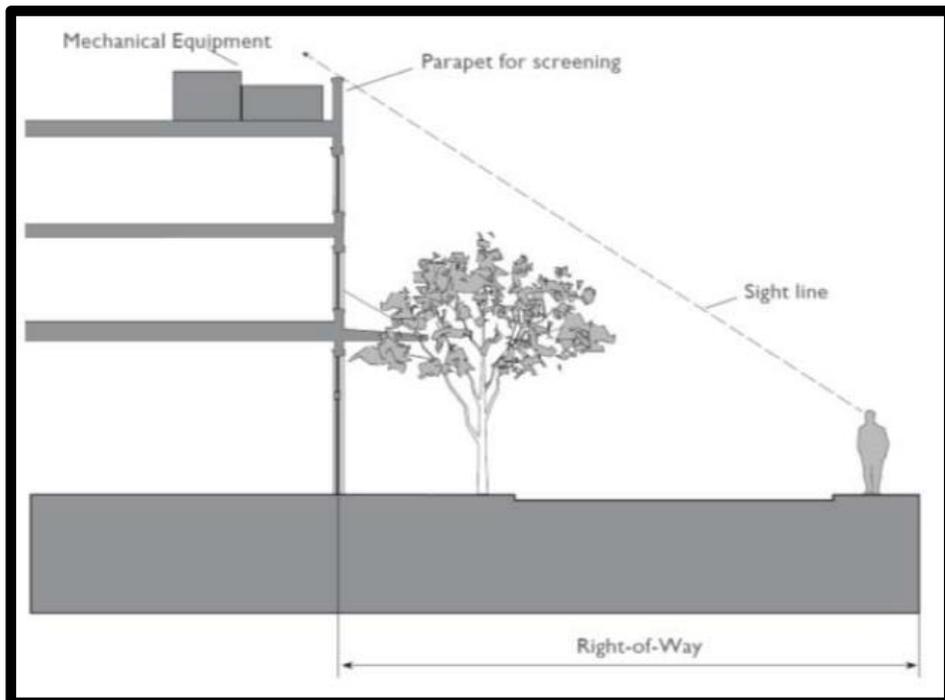




## City's Proposed Zoning Code Text Amendment

### Chapter 10-50: Supplemental to Zones

- Modified roof top equipment screening

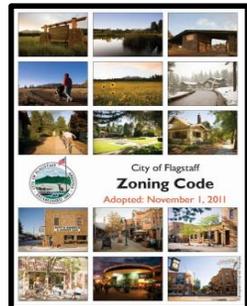




## City's Proposed Zoning Code Text Amendment

### *Section 10-50.60.040 Landscape Location Requirements:*

- **Clarified requirements adjacent to street in multi-family and commercial zones**
  - **5-foot landscape buffer adjacent to two lane roads**
  - **10-foot landscape buffer adjacent to 4 lane roads**
    - **Incorporated criteria to reduce width to 5-foot**
- **Clarified requirements adjacent to street in Industrial Zones**
  - **10-foot landscape buffer adjacent to any street, or**
  - **5-foot landscape buffer with a 6-foot wall or fence**

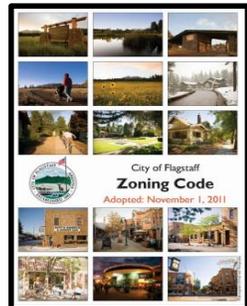
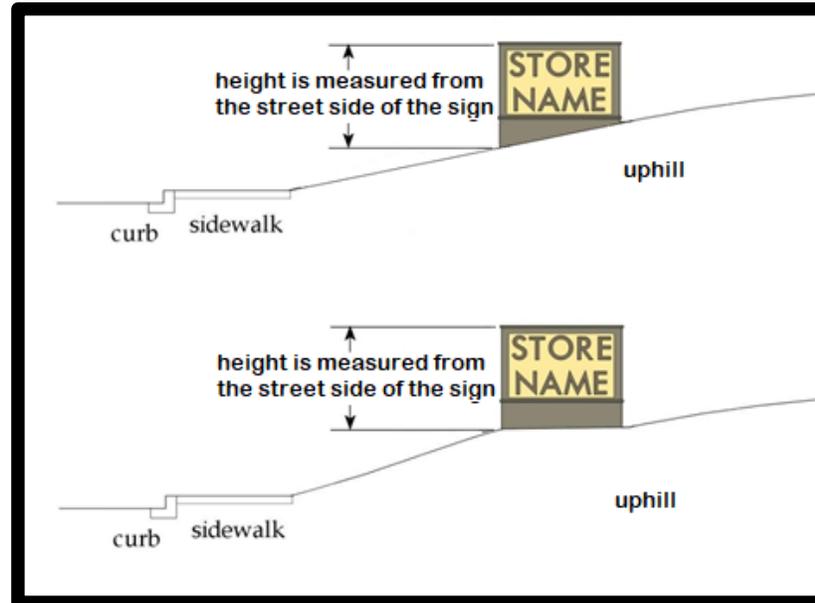




## City's Proposed Zoning Code Text Amendment

### *Chapter 10-50: Supplemental to Zone- Signs*

- Removed a sign image from the Central Sign District
- Clarified sign measurement provision





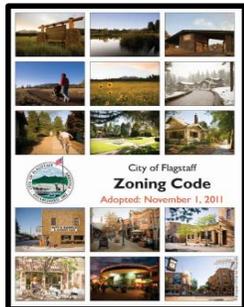
# City Council Public Hearing



## City's Proposed Zoning Code Text Amendment

### *Division 10-50.110: Specific to Building Types*

- **Modified the Stack Triplex lot size requirement.**
  - Existing 50 feet x 75 feet
  - Proposed 75 feet x 100 feet
  - This revision would apply to new and existing lots

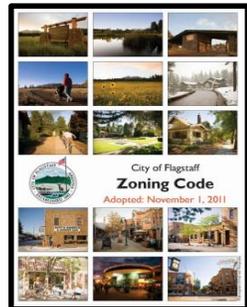
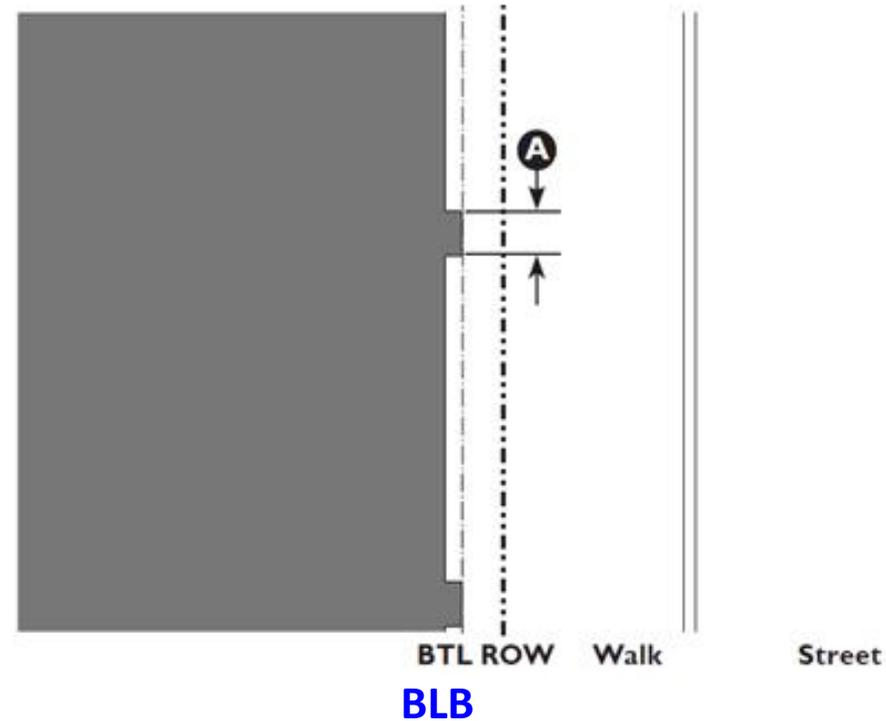
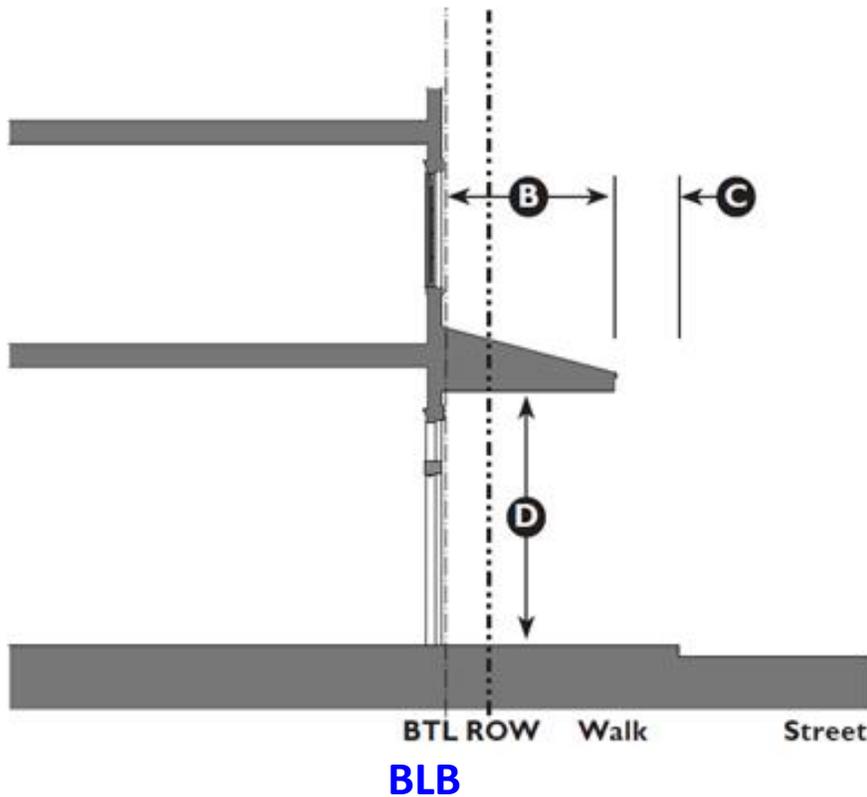




## City's Proposed Zoning Code Text Amendment

### *Division 10-50.110: Specific to Building Types*

- Clarified the building location requirements for non-transect developments





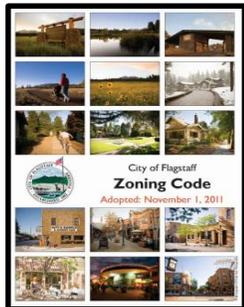
# City Council Public Hearing



## City's Proposed Zoning Code Text Amendment

***City Council***

***Comments, Questions and Discussion***



**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Neil Gullickson, Planning Development Manager  
**Date:** 04/14/2020  
**Meeting Date:** 04/21/2020



---

**TITLE:**

**Consideration and Adoption of Ordinance No. 2020-07:** An ordinance extending and increasing the corporate limits of the City of Flagstaff by annexing certain land totaling approximately .32 acres located at 4409 North Highway 89, and establishing city zoning for said land as Highway Commercial, HC. (***Annexation of property to facilitate the redevelopment of existing retail to a restaurant***)

**STAFF RECOMMENDED ACTION:**

At the April 21, 2020 Council Meeting:

- 1) Read Ordinance No. 2020-07 by title only for the first time
- 2) City Clerk reads Ordinance No. 2020-07 by title only (if approved above)

At the May 5, 2020 Council Meeting:

- 3) Read Ordinance No. 2020-07 by title only for the final time
- 4) City Clerk reads Ordinance No. 2020-07 by title only (if approved above)
- 5) Adopt Ordinance No. 2020-07

**Executive Summary:**

An annexation request by Amy McClaughry on behalf of KFH Route 66 & Cummings, LLC., for the annexation of approximately .32 acres, located at 4409 North Highway 89 and further described as Coconino County Assessor's Parcel Number 113-27-027B, into the corporate limits of the City of Flagstaff and establishing the Highway Commercial (HC) zoning district. If the annexation is approved, the City of Flagstaff will provide sewer service to this site for the redevelopment of a restaurant.

The Planning & Zoning Commission in a public hearing on February 26, 2020, recommended 5-0 to forward this Annexation to the City Council with a recommendation of approval.

**Financial Impact:**

The purpose of this annexation is to provide the subject property with sewer service. Currently, the site has access directly onto either City or ADOT maintained roadways. The property is currently served with City water. No additional maintenance costs will be incurred through the annexation of this County island.

**Policy Impact:**

None

**Connection to Council Goal, Regional Plan, CAAP, and/or Strategic Plan:**

## **Council Goals**

Economic Development (Grow and strengthen a more equitable and resilient local economy)  
Transportation and Other Public Infrastructure (Deliver quality infrastructure and continue to advocate and implement a highly performing multi-modal transportation system) **Flagstaff Regional Plan**  
The Flagstaff Regional Plan 2030 provides the following goal and policy guidance with respect to annexation:

LU.7.2 (page IX-32) - Require unincorporated properties to be annexed prior to the provision of City services, or that a pre-annexation agreement is executed when deemed appropriate.

Policy WR.4.3 (page VI-13) - Development requiring public utility services will be located within the Urban Growth Boundary.

## **Team Flagstaff Strategic Plan**

Foster a Resilient and Economically Prosperous City

## **Has There Been Previous Council Decision on This:**

None

## **Options and Alternatives:**

1. Approve the annexation with the conditions as recommended by the Planning and Zoning Commission.
2. Approve the annexation with additional conditions, modified conditions, or deleted conditions.
3. Deny the annexation for non-compliance with the Regional Plan, Zoning Code, and/or Arizona Revised Statutes.

## **Background/History:**

The request by KFH Flagstaff to annex .32 acres at 4409 North Highway 89 is a portion of two (2) platted lots of the Winifred Lynch Ranch Subdivision. The parcel, Assessor's parcel number 113-27-027B, is surrounded on four sides by existing parcels or right-of-way, and the adjacent parcels and ROW all are within existing City jurisdiction, making this parcel a "County island." Several County islands exist within the City limits. These islands are serviced by varying degrees of City services. This site accesses directly onto City streets: Highway 89 to the south and Lynch Avenue to the north. Water is currently provided by the City Water Services Division; sewer access (tap) will be allowed if the annexation is approved. The tap will be provided by the developer with the new development. The existing septic system will be abandoned.

The site plan review for the development was approved on January 7, 2020. The approval was conditioned on approval of this proposed annexation by the City Council. The development proposal includes the adjacent parcel where a Pizza Hut restaurant currently operates. If annexed, this parcel and the adjacent property will be combined into a single parcel. The Pizza Hut building will be converted to a Verizon retail store, and a new Dunkin Donuts (drive-thru only) restaurant will be constructed. The existing building on the parcel being annexed will be demolished, and a new Chipotle restaurant will be constructed in its place. Full access from North Lynch Avenue will be developed. A right-in right-out access from Highway 89 will also service this site.

## **Key Considerations:**

This annexation will increase the corporate limits of the City of Flagstaff and eliminate a parcel from being a County Island.

## **Community Benefits and Considerations:**



**ORDINANCE NO. 2020-07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARIZONA REVISED STATUTES, BY ANNEXING CERTAIN LAND TOTALING APPROXIMATELY .32 ACRES LOCATED AT 4409 NORTH HIGHWAY 89, WHICH LAND IS CONTIGUOUS TO THE EXISTING CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, AND ESTABLISHING CITY ZONING FOR SAID LAND AS HIGHWAY COMMERCIAL, HC.**

**RECITALS:**

WHEREAS, petitioner owns parcel APN 113-27-027B, consisting of .32 acres of land located within Coconino County, Arizona as property adjacent to the boundaries of the City of Flagstaff, and described in Exhibit A attached to and made a part hereof; and

WHEREAS, a petition in writing ("Petition") accompanied by a map or plot of said Property, having been filed and presented to the Mayor and Council of the city of Flagstaff, Arizona, signed by the owners of one-half or more in value of the real property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Flagstaff in the event of annexation of the territory and land hereinafter described as shown by the last assessment of said Property, which said territory is contiguous to the City of Flagstaff and not now embraced within its corporate limits, asking that the Property be annexed to the city of Flagstaff, and that the corporate limits of the City of Flagstaff be extended and increased so as to embrace the same, and

WHEREAS, The Mayor and Council of the City of Flagstaff, Arizona, are desirous of complying with said Petition and extending and increasing the corporate limits of the City of Flagstaff to include said territory, as described in Exhibit A; and

WHEREAS, said Petition set forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Flagstaff, and had attached thereto at all times an accurate map of the territory desired to be annexed; and

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after said Petition had been signed by an owner of real and personal property in such territory; and

WHEREAS, the provisions of Section 9-471, Arizona Revised Statutes, and amendments thereto have been fully observed; and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk of the City of Flagstaff, Arizona, together with a true and correct copy of the original Petition referred to herein, which is on file in the office of the Coconino County Recorder; and

WHEREAS, the development of the Property will be controlled by the conditions of approval of

the annexation application, other relevant provisions of the Zoning Code, and various other City codes regulating the development of the Property; and

WHEREAS, the Council finds that the proposed annexation for the Property has been considered by the Planning and Zoning commission and that the City staff and the Commission have each recommended that the Council proceed with the annexation at this time; and

WHEREAS, the council has reviewed the Staff Summary Report, which discusses the proposed annexation, and now finds that the annexation of the Property would be consistent with the objectives and policies of the Flagstaff Area Regional Plan 2030 ratified May 20, 2014 ("Regional Plan"); that the annexation of the Property would not be detrimental to the majority of the persons or property in the surrounding area or to the community in general; and the Council specifically further finds that the annexation of the Property and the existing and proposed uses thereon will further the objectives of the Regional Plan.

**ENACTMENTS:**

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

SECTION 1. That the following described territory be, and the same hereby is, annexed to the City of Flagstaff, and that the present corporate limits be, and the same hereby are, extended and increased to include the following described territory contiguous to the present City of Flagstaff corporate limits:

See attached Exhibit A which is incorporated herein by this reference.

SECTION 2. That the territory described in Exhibit A is annexed to the City of Flagstaff subject to the following condition:

That a copy of this Ordinance, together with an accurate map of the territory hereby annexed to the City of Flagstaff, certified by the Mayor of said City of Flagstaff, be forthwith filed and recorded in the office of the County Recorder of Coconino County, Arizona.

SECTION 3. That pursuant to the provisions of Section 9-471(L), Arizona Revised Statutes, upon this Ordinance becoming final under the provisions of Section 9-471(D), Arizona Revised Statutes, the municipal zoning designation for the Property under the Zoning Code shall be:

1. The entirety of APN 113-27-027B will be located within the Highway Commercial (HC) zoning district.
2. The annexed parcel shall be placed in the City of Flagstaff Lighting Zone 3 and shall comply with City of Flagstaff Zoning Code Lighting Standards.

SECTION 4. The Community Development Department of the City of Flagstaff is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with the ordinance.

SECTION 5. That the Flagstaff City Clerk shall provide a copy of the adopted annexation ordinance to the Clerk of the Coconino County Board of Supervisors within sixty (60) days of the annexation becoming final.

SECTION 6. 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 7. 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 as needed for purposes of clarity and form, or consistency, within thirty (30) days following adoption by the City Council.

SECTION 8. Effective Date

This Ordinance shall become effective thirty (30) days after adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 5th day of May, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Exhibits:  
Legal Description



**PLANNING AND DEVELOPMENT SERVICES DIVISION**  
**ANNEXATION REPORT**

**PUBLIC HEARING**  
**PZ-19-00055-03**  
**2020**

**DATE:** **January 28, 2020**  
**MEETING DATE:** **February 26,**  
**REPORT BY:** **Neil Gullickson**

**REQUEST:**

An annexation request by Amy McClaughry on behalf of KFH Route 66 & Cummings, LLC. to annex approximately .32 acres located at 4409 North Highway 89. The property is identified as Coconino County Assessor's Parcel Number 113-27-027B.

**STAFF RECOMMENDATION:**

Staff recommends in accordance with the findings presented in the staff report that the Planning and Zoning Commission forward the annexation request to the City Council with a recommendation for approval subject to conditions.

**PRESENT LAND USE:**

The subject site consists of a developed parcel of land in the CH-10,000 Commercial Heavy Zone under Coconino County jurisdiction.

**PROPOSED LAND USE:**

If this annexation is approved, the property will be designated with Highway Commercial (HC) zoning to facilitate the redevelopment of this site with a restaurant (Chipotle).

**NEIGHBORHOOD DEVELOPMENT:**

North: North Lynch Drive and single-family residential, Manufactured Housing (MH) Zone.  
East: Existing Pizza Hut restaurant, Highway Commercial (HC) Zone.  
South: Highway 89, Flagstaff Mall, Highway Commercial (HC) Zone.  
West: Commercial uses, Highway Commercial (HC) Zone.

**STAFF REVIEW:**

**INTRODUCTION/BACKGROUND:**

The request by KFH Flagstaff to annex .32 acres at 4409 North Highway 89 is a portion of two (2) platted lots of the Winifred Lynch Ranch Subdivision. The parcel, Assessor's parcel number 113-27-027B, is surrounded on four sides by existing parcels or right-of-way, and the adjacent parcels and ROW all are within existing City jurisdiction, making this parcel a "County island." Several County islands exist within the City limits. These islands are serviced by varying degrees of City services. This site accesses directly onto City streets: Highway 89 to the south and Lynch Avenue to the north. Water is currently provided by the City Water Services Division; sewer access (tap) will be allowed if the annexation is approved. The tap will be provided by the developer with the new development. The existing septic system will be abandoned.

The site plan review for the development was approved on January 7, 2020. The approval was conditioned on approval of this proposed annexation by the City Council. The development proposal includes the adjacent parcel where a Pizza Hut restaurant currently operates. If annexed, this parcel and the adjacent property will be combined into a single parcel. The Pizza Hut building will be converted to a Verizon retail store, and a new

Dunkin Donuts (drive-thru only) restaurant will be constructed. The existing building on the parcel being annexed will be demolished, and a new Chipotle restaurant will be constructed in its place. Full access from North Lynch Avenue will be developed. A right-in right-out access from Highway 89 will also service this site.

The current application is being reviewed against the policies of the *Flagstaff Regional Plan 2030 (FRP 2030)*. The *FRP 2030* (Maps 21 and 22 on pages IX-27 through IX-29) designates this parcel as Existing Suburban. The proposed retail sales and restaurant uses fit the Suburban description which envisions commercial uses along commercial corridors and encourages future development that has greater connectivity for walking and biking. Further discussion of regional plan conformance can be found below.

### **ARIZONA STATE STATUTE COMPLIANCE:**

State statutes require the City to adopt a zoning classification that permits densities and uses no greater than those permitted by the County immediately before the annexation. The current county zoning is CH-10,000 Commercial Heavy Zone that requires a 10,000 square foot minimum parcel size and allows auto repair use (most recent use at this site) by right. The closest City zoning classification is the Highway Commercial (HC) zone, which allows restaurant land uses by right with a 9,000 square foot minimum lot area. The maximum allowed Floor Area Ratio for the proposed city zoning is 3.0, which matches the current county zoning. Adoption of a similar zoning classification through annexation does not require a separate rezoning ordinance. Territory that is surrounded by the same city or town or that is bordered by the same city or town on a least three sides, as this request does, meets the “contiguous” requirement of state statute.

### **FLAGSTAFF REGIONAL PLAN 2030:**

#### **Policy/Analysis**

All proposed annexations shall be evaluated as to whether the application is consistent with the policies of the General Plan. For clarification, the City’s General Plan is titled *Flagstaff Regional Plan 2030 (FRP 2030)*. The proposed annexation should not be detrimental to the majority of the persons or property in the surrounding area or the community in general (FRP 2030, pg. III-10). This report will provide information on how the proposed annexation will provide positive improvements to the surrounding area and community. Additionally, the City’s basic position regarding annexation is that the annexation must demonstrate a favorable benefit to the taxpayers of the City. The property is currently assessed property tax. The redeveloped, combined parcels will continue to be assessed property tax following annexation at the appropriate rate. It is important to distinguish between an annexation that does not require a rezoning and is located within the Urban Growth Boundary (UGB) versus an annexation that requires a rezoning and/or is located outside of the UGB. In the first instance, staff is not required to analyze all the FRP 2030 goals and policies—just the basic annexation policies as outlined here. The UGB includes all the lands and future land uses that have been included in the City’s Arizona Department of Water Resources (ADWR) 100-year adequate water supply designation. Other goals and policies only come into play if it is a change in the expected (not current) intensity and density or mix of uses, or the property is outside of the UGB. The following policies are considered by staff to be the most pertinent to the annexation:

### **FRP 2030**

**LU.7.2 (page IX-32) - Require unincorporated properties to be annexed prior to the provision of City services, or that a pre-annexation agreement is executed when deemed appropriate.**

**Policy WR.4.3 (page VI-13) - Development requiring public utility services will be located within the Urban Growth Boundary.**

## **Summary of Regional Plan & Annexation Compliance**

The proposed development, which will be located on the currently unincorporated parcel, will require new City sewer services and will continue to use the existing City water service on APN 113-27-027B. The subject parcel owner is requesting to be annexed prior to the provision of sewer services.

This parcel is located within the Urban Growth Boundary. The proposed annexation is consistent with the goals and policies of the *Flagstaff Regional Plan 2030*; furthermore, the application complies with all the requirements set forth in the Arizona Revised Statutes related to annexations.

## **PUBLIC FACILITIES AND SERVICE IMPACT ANALYSIS:**

**Section 10-20.90 Annexations:** The purpose of this division is to provide procedures that comply with and implement A.R.S. subsection 9.471 et seq., the General Plan and other pertinent City policies and regulations for annexing real property to the City. The following sections discuss the require impact analysis reports and state statue requirements.

### **Traffic/Access/Pedestrian/Bicycle Impact:**

#### Traffic Impact Analysis

The Traffic Impact Analysis (TIA) was required and has been reviewed by the City's Traffic Engineer. The analysis focused on the intersections at Highway 89 and Cummings Street and at Cummings Street and Lynch Avenue. The analysis determined that neither intersection will be adversely affected by the proposed development. However, a right turn lane is warranted for the access driveway from Highway 89 onto the site. A right-of-way dedication of 942 square feet from the parcel to be annexed will be required. The dedication will be finalized as part of the civil plan review for the greater site.

The development site includes two new buildings (Chipotle and Dunkin Donuts) and remodel of the existing Pizza Hut and is bounded on three sides by City ROW, Lynch Avenue, Cummings Street, and Highway 89. Sidewalk currently exists on Cummings Street. New sidewalk, curb/gutter, and parkway will be provided on Lynch Avenue, and new relocated sidewalk and parkway will be provided on Highway 89. A full access driveway will be provided to Lynch Avenue and a right-in right-out only drive on to Highway 89. Pedestrian and bicycle access to the site is provided at three locations from the public sidewalk.

### **Water and Sewer System Analysis:**

The City of Flagstaff Water Services Division has waived the requirement of a Water and Sewer System Analysis for the proposed project. After reviewing the City water and sewer master model and previous impact studies conducted in this area, the City of Flagstaff Water Services Division concludes that the proposed project will have no significant impact to either the water or sewer infrastructure off-site as a result of this development. The land use and intensity proposed for this site is similar as that of the proposed development. There is adequate existing capacity and no additional analysis work will be required for this project. Water will be provided from an existing 8" water main located in Lynch Avenue. The City of Flagstaff will provide water and sewer service to this site upon acceptance and dedication of all required public improvements.

### **Stormwater:**

As part of the Drainage Impact Analysis (DIA) scoping meeting of September 13, 2019, it was determined that the post development off-site stormwater flows would be less than the pre-development flows and that a DIA would not be required. The City requires on-site detention for any commercial development greater than 1/4 acre in size. A waiver may be granted for developments with an increase in impervious area of

less than 5,000 square feet. Due to the site being previously developed, there is less impervious area purposed in the post-development condition than in the pre-development condition. Post development flows are less than pre-development flows; therefore, additional onsite detention for the project is not required. LID is required for this site and will be located in impervious areas. Most of the runoff from the site will surface flow towards the southwest corner of the site and eventually enter the existing storm drain system located in Highway 89.

**Schools:**

The proposed development of the subject site will not affect the local school district.

**Fire Protection:**

According to Fire Department staff, the site will be served by Fire Station 3's district. Station 3 is located at 4500 Purina Avenue and is within the desired response time.

**OTHER REQUIREMENTS:**

**Citizen Participation**

Public hearings before the Planning and Zoning Commission and City Council are conducted in conjunction with requests for annexation. In accordance with State statute, notice of the public hearing was provided by placing an ad in the Arizona Daily Sun, posting notices on the property, and mailing a notice to all property owners within 300 feet of the site, all HOAs within 1000 feet, and to the City's "Registry of Persons and Groups" as provided by the City. Annexation notices were also provided to the Coconino County Recorder, County Assessor, County Community Development Department, and the Chair of the Board of Supervisors.

As part of the Neighborhood Meeting public notification process required for annexations, the applicant held a neighborhood meeting on January 6, 2020 in the Flagstaff Subaru Dealership conference room at 4910 East Marketplace Drive. The applicant has developed a list of questions and responses (attached) from the meeting. Additionally, staff received one response from a member of the public (copy attached).

**RECOMMENDATION:**

Staff recommends that if the Commission feels the findings have been addressed, that the Commission forward the annexation request to the City Council with a recommendation of approval with the following condition:

1. Development of the project shall substantially conform to the approved plans as follows:
  - a. Site Plans (Sheets AS 1.1 and AS 1.2) prepared by smith Architects Inc. dated October 29, 2019.
  - b. Building Elevations (Sheets A1.1, A1.2 & A1.4) prepared by smith Architects Inc. dated October 29, 2019.

**ATTACHMENTS:**

- Application and narrative from applicant
- Proposed Annexation Map (24" x 36")
- Public Hearing Legal Advertisement ("Notice of Public Hearing" includes location map)
- Neighborhood meeting report and comments
- Development Site Plan



Shephard ▲ Wesnitzer, Inc.

110 West Dale Avenue

Flagstaff, AZ 86001

928.773.0354

928.774.8934 fax

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## **PROJECT NARRATIVE For HWY 89 & CUMMINGS ANNEXATION SUBMITTAL**

SWI Project #19051  
C.O.F. #PZ-19-00055

Located in Section 07, T 21 N, R 08 E, G&SRM  
City of Flagstaff,  
Coconino County, Arizona

Prepared for:  
KFH Flagstaff Route 66 & Cummings LLC  
2701 E. Camelback Road, #180  
Phoenix, AZ 85016

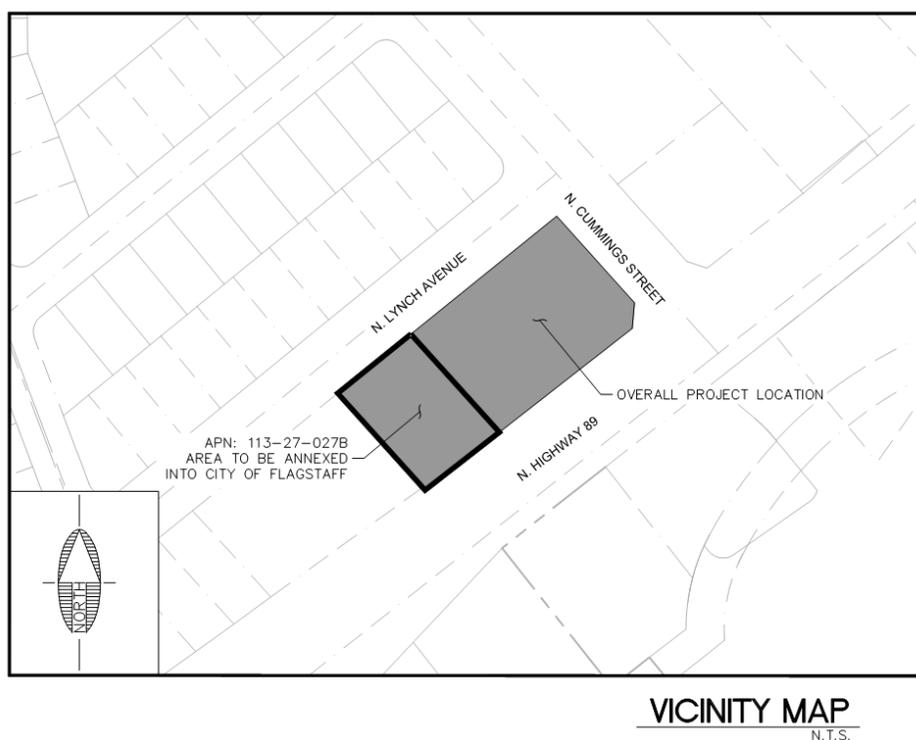
Prepared by:  
Shephard-Wesnitzer, Inc.  
110 W. Dale Avenue  
Flagstaff, AZ 86001  
(928) 773-0354

Revised: February 4, 2020  
Originally Prepared: January 9, 2020

## PROJECT SUMMARY

KFH Flagstaff Route 66 & Cummings LLC is proposing three commercial buildings that consist of a Chipotle, Dunkin Donuts, and Verizon store. The project is located on the northwest corner of the intersection of N. Highway 89 and N. Cummings Street, see the Vicinity Map below. The overall project is within two parcels APNs 113-27-027B and 113-27-029B. The project is positioned in Section 07, Township 21 North, Range 08 East, of the Gila and Salt River Base Meridian, City of Flagstaff, Coconino County, Arizona.

The annexation application is specifically for APN 113-27-027B ( $\pm 0.32$  acres). KFH has the intention of building a restaurant on the subject property, which is currently located within Coconino County CH-10,000 zone. KFH would like to annex this county parcel into the City limits in order to construct the restaurant as part of an overall development that is already within City limits. The proposed city zoning district is Highway Commercial (HC).



## LEGAL ANALYSIS

The parcel requested to be annexed adheres to ARS 9-471 subsection K. The subject parcel is surrounded by the City of Flagstaff on all four sides and is considered as a “county island”. Therefore, the parcel requested to be annexed complies with ARS 9-471. Refer to the Annexation Map in Appendix A for the parcel dimensions.

## LEGAL DESCRIPTION

The ALTA for the parcel requested to be annexed is included in Appendix A.

### **ECONOMIC IMPACT ANALYSIS**

The proposed development will have positive economic impacts to the City with the creation of new job positions and stimulation of commercial development. Chipotle will be located on the parcel requested to be annexed. The projected annual sales for Chipotle is approximately \$2.2M. The restaurant will employ three full-time and 20 part-time positions.

### **WATER/SEWER IMPACT ANALYSIS**

There is an existing development, which is currently located on the parcel requested to be annexed, with an existing water connection off of the existing 8" AC water main located in N. Lynch Avenue. The proposed development will not significantly increase the water demand. Therefore, the City of Flagstaff did not require a Water and Sewer Impact Analysis (WSIA) during the Site Plan process. Water to the Chipotle building will be provided by a connection to an existing 8" AC water main located in N. Lynch Avenue on the north side of the site. Sewer for this new development will be provided by a connection to the existing 8" PVC sewer main.

### **DRAINAGE/STORMWATER IMPACT ANALYSIS**

The City requires detention/LID for any commercial development greater than ¼ acre in size. A waiver may be granted for developments with an increase in impervious area of less than 5,000 square feet. Due to the site being currently developed, there is less impervious area proposed in post-development conditions than in pre-development conditions. According to the Drainage Statement provided on the Site Plan, post-development flows are less than pre-development flows; therefore, additional onsite detention for the project is not required. LID is required for this site and is provided by the reduction in post-development impervious area.

The site will be designed to provide positive drainage away from the proposed buildings while not negatively impacting drainage characteristics of the adjacent offsite properties. The majority of the runoff from the site will surface flow towards the southwest corner of the site and eventually enter the existing storm drain system located in N. Highway 89.

### **TRAFFIC IMPACT ANALYSIS**

A Traffic Impact Analysis (TIA) was performed to satisfy the annexation requirements. The intersections at N. Highway 89/N. Cummings Street and N. Cummings Street/N. Lynch Avenue were analyzed with the proposed development. The analysis determined that both intersections were not adversely affected by the proposed development. However, a right turn lane is warranted for the driveway on N. Highway 89. The adjacent right-of-way is currently being administered by the City of Flagstaff and no new right-of-way is part of the annexation.

### **NATURAL RESOURCE PROTECTION PLAN**

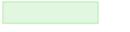
The project site does not fall within the resource protection overlay zone and does not require a Natural Resource Protection Plan (NRPP).

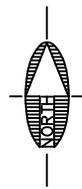
## Appendix A

PLOTTED: Jan 27, 2020-10:42am

FILE: P:\2019\19051\DRAWINGS\SITE PLAN\19051-ANNEXATION MAP 8.5X11.DWG CPHAM

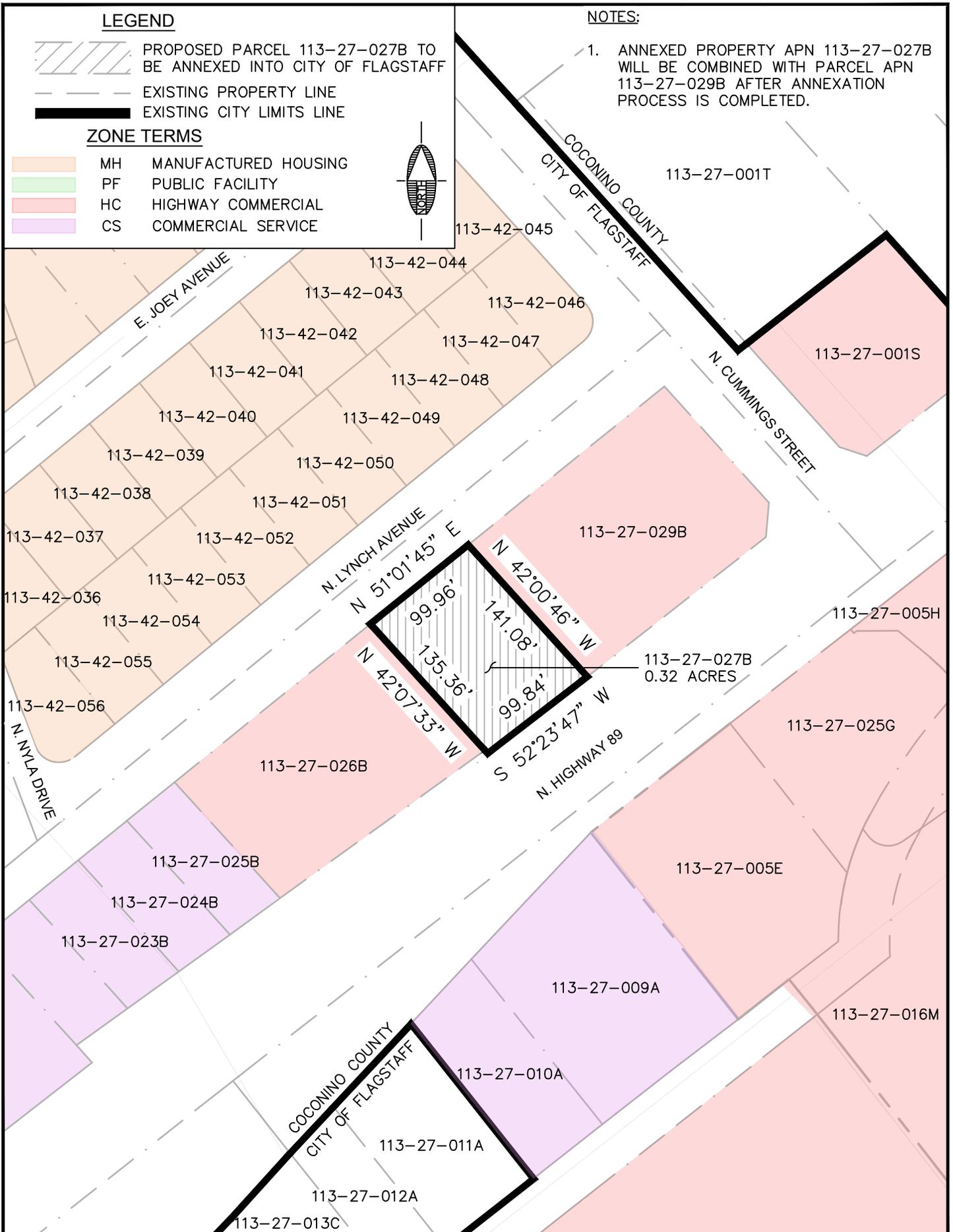
**LEGEND**

-  PROPOSED PARCEL 113-27-027B TO BE ANNEXED INTO CITY OF FLAGSTAFF
  -  EXISTING PROPERTY LINE
  -  EXISTING CITY LIMITS LINE
- ZONE TERMS**
-  MH MANUFACTURED HOUSING
  -  PF PUBLIC FACILITY
  -  HC HIGHWAY COMMERCIAL
  -  CS COMMERCIAL SERVICE



**NOTES:**

1. ANNEXED PROPERTY APN 113-27-027B WILL BE COMBINED WITH PARCEL APN 113-27-029B AFTER ANNEXATION PROCESS IS COMPLETED.



110 W. Dale Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swiaz.com

JOB NO.	19051
DATE	JAN 20
SCALE	1" = 100'
DRAWN	CNP
DESIGN	CNP
CHECKED	SCI

HWY 89 & CUMMINGS  
FLAGSTAFF ARIZONA  
**ANNEXATION MAP**

SHEET  
**1**  
OF 1

**Schedule "B" title Notes**

Item numbers per commitment for title insurance prepared by Pioneer Title Agency, Inc. Order No. 70506614-005-JRK dated April 15, 2019, and amended on July 9, 2014. The following are easements disclosed within said report. The reviewer should refer to the above stated title report for additional items of record that may affect said land.

Ⓢ Indicates plotted item hereon  
(Surveyor's comments in parentheses)

Ⓢ Easements and other matters which may be disclosed by Combination Request Form: Recorded in Instrument No. 14-3691724

Purpose: to combine lots 19 and 20 into one parcel for tax purposes.  
(Has no effect on the subject property except to combine lots 19 and 20 into one contiguous parcel)

**LEGAL DESCRIPTION** Order No. 70506614-005-JRK

The land referred to herein below is situated in the County of Coconino, State of Arizona, and is described as follows:

Lots 19 and 20, Winifred Lynch Ranch Subdivision, as shown on the plat thereof, recorded in Book 2 of Maps, Page 15, records of Coconino County, Arizona.

Excepting Therefrom the following described parcel:

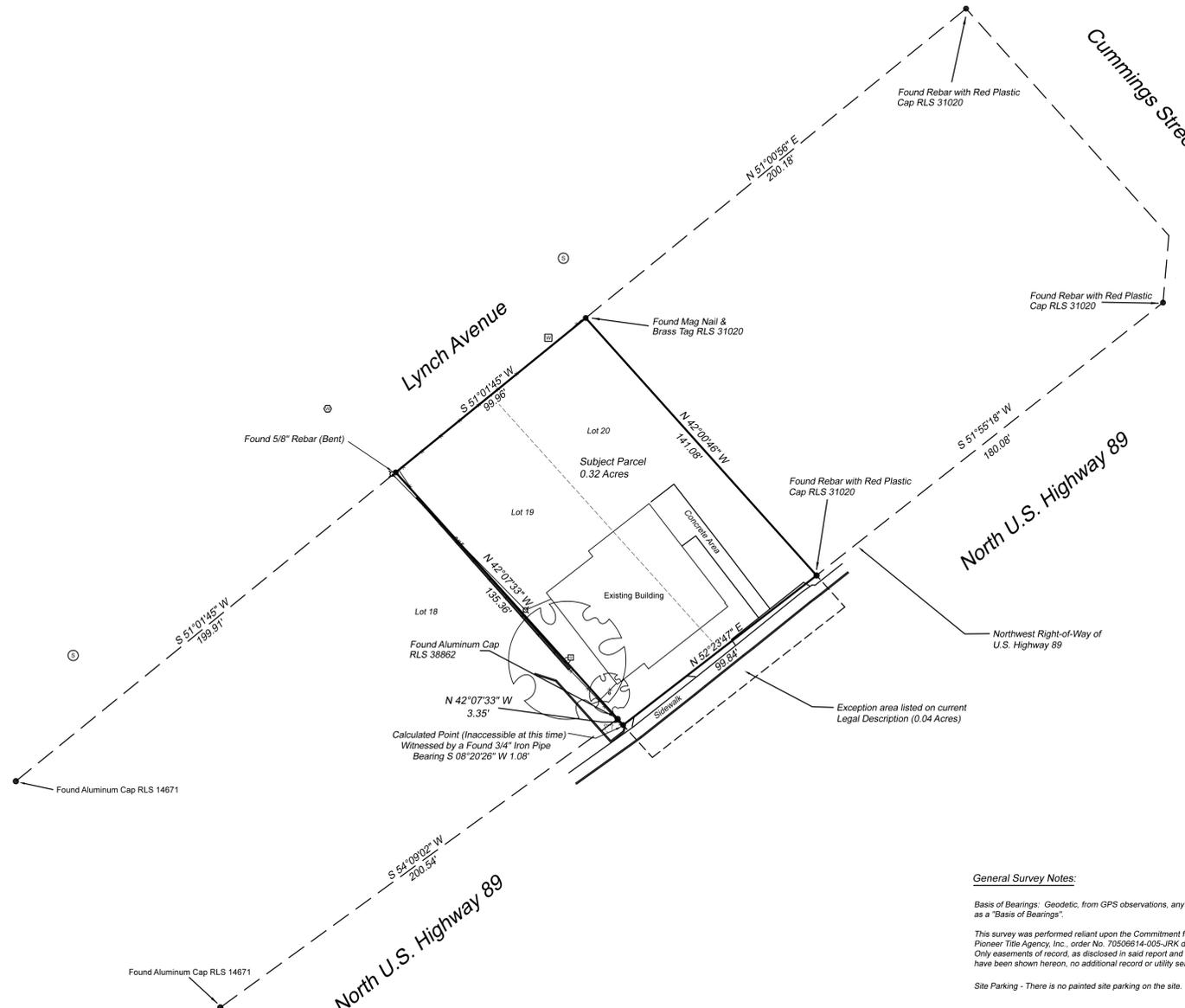
Beginning at the Southerly corner of said lot 19;  
Thence North 42°03'16" West, along the Southwesterly line of said lot, a distance of 17.20 feet;  
Thence North 52°00'55" East, a distance of 99.99 feet to the Northeasterly line of said lot 20;  
Thence South 42°00'28" East, along the Northeasterly lot line, a distance of 17.24 feet to the Easterly corner of said lot 20;  
Thence South 52°02'17" West (South 52°17' West, recorded), along the Southeasterly line of said lots 19 and 20, coincident with the existing Northwesterly right-of-way line of U.S. Highway 89, a distance of 99.99 feet to the Point of Beginning.

**ALTA/NSPS LAND TITLE SURVEY**  
Lots 19 and 20 of the Winifred Lynch Ranch Subdivision, Located in Section 7,  
Township 21 North, Range 8 East, Gila and Salt River Base and Meridian  
COCONINO COUNTY, ARIZONA

**LEGEND**

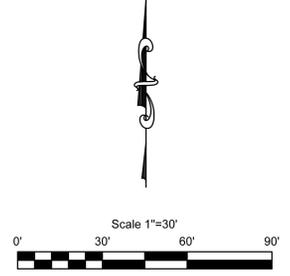
These standard symbols will be found in the drawing.

- ☐ Gas Meter
- ☐ FFE
- ☐ Fence Post
- ☐ Fire Hydrant
- ☐ Bollard
- ☐ Utility Poles/Light Poles
- ☐ Water Valves
- ☐ Sanitary Sewer Manhole
- ☐ ATT/Century Link Junction Box
- ☐ Electric Junction Box
- ☐ Water Meter
- ☐ Grease Trap Lids
- ☐ Traffic Signal Post
- ☐ FENCES
- Corner Monument (As Noted)
- ☐ Deciduous Tree
- ☐ Pine Tree (Decorative Not Ponderosa)



**Encroachment Notes:**  
No visible encroachments were observed during the course of this survey.

**General Survey Notes:**  
Basis of Bearings: Geodetic, from GPS observations, any line shown hereon can be used as a "Basis of Bearings".  
This survey was performed reliant upon the Commitment for Title Insurance prepared by Pioneer Title Agency, Inc. order No. 70506614-005-JRK dated 04/15/2019 and amended on 08/07/2019. Only easements of record, as disclosed in said report and surface evidence of utilities have been shown hereon, no additional record or utility searches were performed.  
Site Parking - There is no painted site parking on the site.



**ALTA/NSPS LAND TITLE SURVEY CERTIFICATE**

- To:
- Pioneer Title Agency, Inc.
  - Old Republic National Title Insurance Company, A Florida Corporation
  - Academy Bank, N.A. ISAOA/ATIMA
  - KFH Flagstaff Cummings II, LLC, an Arizona Limited Liability Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the with the 2016 minimum standard detail requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 4, 8, 11, 13, and 14 of table A thereof. The field work was completed on May 22, 2019.

Date of Plat or Map 8/14/2019.

Richard A. Reece  
Professional Land Surveyor, RLS 59307  
in the State of Arizona



Survey Conducted By: <b>APEX LAND SURVEYS</b> 5634 N. Juliane Drive Williams, Arizona 86046 Phone: (928) 863-5790	Survey Conducted For: <b>Pioneer Title Agency</b> 112 N. Elden Flagstaff, AZ 86001	Property Address: 4409 N. Highway 89 Flagstaff Coconino County, Arizona Assessor Parcel Number: 113-27-027B	Date: 08/14/2019 Drawn By: RAR Job No. 04-30-19RR_ALTA Sheet 1 of 1
---	---	--	--

# NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Flagstaff Planning and Zoning Commission will hold a Public Hearing on Wednesday, February 26 at 4:00 p.m. and the City Council will hold a Public Hearing on Tuesday, April 7 at 6:00 p.m. to consider the following:

## A. Explanation of Matters to be Considered:

1. A proposed annexation of approximately .32 acres of land to the City of Flagstaff as described in Part B below. The annexation is requested in order to incorporate one parcel of land into the City limit.

## B. General Description of the Affected Area:

Approximately .32 acres located at 4409 North Highway 89 County Assessor's Parcel Numbers 113-27-027B, located in section 7, T21N, R8E, of the G&SRM, Coconino County, Arizona, as shown on the adjacent map.

Interested parties may file comments in writing regarding the proposed annexation or may appear and be heard at the hearing date set forth above. Maps and information regarding the proposed annexation are available at the City of Flagstaff, Planning and Development Services Division, 211 West Aspen Avenue.

Unless otherwise posted, all Planning and Zoning Commission meetings are held in the Council Chambers of City Hall, 211 West Aspen Avenue, Flagstaff, Arizona. All City Council meetings are held in the Council Chambers of City Hall, 211 West Aspen Avenue, Flagstaff, Arizona.

**PROPOSED ANNEXATION MAP**



**ADDRESS:** 4409 North Highway 89  
**APNs:** 113-27-027B  
**ACRES:** Approximately .32 acres  
Coconino County

## For further information please contact:

Neil Gullickson  
Planning Development Manager  
Planning & Development Services Div.  
211 West Aspen Avenue  
Flagstaff, Arizona 86001

928-213-2614  
Email: [ngullickson@flagstaffaz.gov](mailto:ngullickson@flagstaffaz.gov)

**Publish: February 8, 2020**





Shephard ▲ Wesnitzer, Inc.

110 West Dale Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swiaz.com

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## **CITIZEN PARTICIPATION REPORT For HIGHWAY 89 & CUMMINGS**

SWI Project #19051  
C.O.F. #PZ-19-00055-03

Section 07, T 21 N, R 08 E, G&SRM  
City of Flagstaff,  
Coconino County, Arizona

Prepared for:  
KFH Flagstaff Route 66 & Cummings LLC  
2701 E. Camelback Road, #180  
Phoenix, AZ 85016

Prepared by:  
Shephard-Wesnitzer, Inc.  
110 W. Dale Avenue  
Flagstaff, AZ 86001  
(928) 773-0354

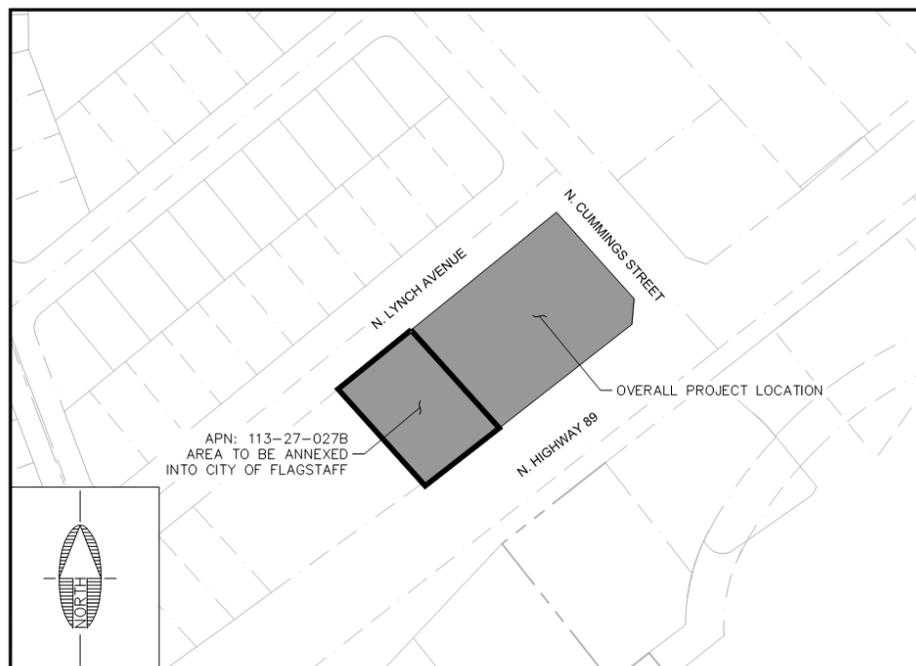
Revised: February 4, 2020  
Originally Prepared: January 9, 2020

## PROJECT SUMMARY

KFH Flagstaff Route 66 & Cummings LLC is proposing three commercial buildings that consist of a Chipotle, Dunkin Donuts, and Verizon store. The project is located on the northwest corner of the intersection of N. Highway 89 and N. Cummings Street, see the Vicinity Map below. The overall project is within two parcels APNs 113-27-027B and 113-27-029B.

The annexation application is specifically for APN 113-27-027B ( $\pm 0.32$  acres). KFH has the intention of building a Chipotle on the subject property, which is currently located within Coconino County CH-10,000 zone. KFH would like to annex this county parcel into the City limits in order to construct the restaurant as part of an overall development that is already within City limits. The proposed city zoning district is Highway Commercial (HC).

The Site Plan reflect the limits of the overall project. The net acreage of the subject parcel to be annexed after right-of-way dedication to the City of Flagstaff for the future full-build out of N. Highway 89 is approximately 0.31 acres. Access to the site will be provided by a full access driveway and an exit driveway on N. Highway 89.



**VICINITY MAP**  
N.T.S.

## PROJECT LOCATION

The project is located on the northwest corner of the intersection of N. Highway 89 and N. Cummings Street at 4409 and 4429 N. Highway 89 in Flagstaff, Arizona. The project is within two parcels APNs 113-27-027B and 113-27-029B. The parcel requested to be annexed is located on APN 113-27-027B at 4409 N. Highway 89. The project is

positioned in Section 07, Township 21 North, Range 08 East, of the Gila and Salt River Base Meridian, City of Flagstaff, Coconino County, Arizona.

### **NEIGHBORHOOD OUTREACH**

As part of the annexation, a “Citizen Participation Plan” is required in accordance with the Zoning Code. The main component of the plan is to hold a Neighborhood Meeting to introduce the project to surrounding property owners. We were required to send a letter to notify the neighbors of the upcoming request for the annexation and allow for time for feedback.

The first neighborhood meeting was held on January 6, 2020 at Flagstaff Subaru. The letters were mailed on December 13, 2019. The Neighborhood Outreach Letters were sent to all property owners, property owners’ associations (POA) within a 300-foot radius and homeowner’s associations (HOA) within a 1,000-foot radius. Letters were also sent to the City’s “Registry of Persons and Groups” as provided by the City. A copy of the notification letter and a 300-foot and 1,000-foot Mailing Buffer Exhibits are included in Appendices A and B, respectively. A copy of the mailing list is also included in Appendix B. In addition to the public outreach letters, signs were posted on December 18, 2019. The signs were posted at the entrance to the property on Highway 89 and Lynch Avenue. An image of the intended sign to be posted is included in Appendix C.

Appendix D includes the sign-in sheet and a summary of the concerns, issues, and problems that were expressed during the first neighborhood meeting. At this point in time, we have received one mailed response to the Neighborhood Outreach Letter, which is also included in Appendix D.

Due to the few responses that have been received as of January 9, 2020, low attendance and overall positive feedback at the first neighborhood meeting, the City of Flagstaff has approved the request to waive the requirement for the second neighborhood meeting.

### **PUBLIC HEARINGS**

The public hearings before the City of Flagstaff Planning and Zoning Commission and City Council will be held on February 26, 2020 and April 7, 2020, respectively, at the Flagstaff City Hall Council Chambers. The Public Hearing Letters will be sent to the same mailing list used for the neighborhood meetings. In addition to the public hearing letters, signs will be posted by February 3<sup>rd</sup>, 2020.

# **APPENDIX A**



Shephard ▲ Wesnitzer, Inc.

110 West Dale Avenue  
Flagstaff, AZ 86001

928.773.0354  
928.774.8934 fax

[www.swiaz.com](http://www.swiaz.com)

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December 13, 2019

Dear Neighbor,

KFH Flagstaff Cummings II LLC (KFH) would like to invite the surrounding neighbors to a Neighborhood Meeting to discuss the annexation application that will be submitted for a parcel of land that is currently located within Coconino County at 4409 N. Highway 89, which is near the intersection of N. Cummings Street and Highway 89. The meeting and presentation will be held on **Monday, January 6, 2020 at 6 pm at Flagstaff Subaru**, 4910 E. Marketplace Drive, Flagstaff, AZ 86004 to discuss the annexation of this property.

The annexation application is specifically for APN 113-27-027B ( $\pm 0.32$  acres). KFH has the intention of building a restaurant on the subject property, which is currently located within Coconino County CH-10,000 zone. KFH would like to annex this county parcel into the City limits in order to construct the restaurant as part of an overall development that is already within City limits. The proposed city zoning district is Highway Commercial (HC).

The plan sheets submitted in association with the Site Plan and attached herein reflect the limits of the overall project. The parcel to be annexed is a part of an overall project that is called Highway 89 & Cummings and will consist of three proposed commercial buildings. The net acreage of the project after right-of-way dedication to the City of Flagstaff for the future full-build out of N. Highway 89 is approximately 0.31 acres. Access to the site will be provided by a new full access driveway and an exit driveway on N. Highway 89.

Project material will be available for review starting at 6:00 pm with a presentation starting shortly after followed by a question and answer session. This will allow any neighborhood concerns to be identified and addressed prior to the project's public hearing before the City Planning and Zoning Commission. Concerns raised will be reported to the City Planning Department.

We hope to see you there. If you are unable to attend, please provide comments in the space below and mail to the developer's representative:

Mr. Stephen Irwin  
Shephard-Wesnitzer, Inc.  
110 West Dale Avenue  
Flagstaff, AZ 86001  
(928) 773-0354  
[sirwin@swiaz.com](mailto:sirwin@swiaz.com)

Please see below for the City of Flagstaff representative contact information:

Mr. Neil Gullickson  
Planning Development Manager  
211 West Aspen Avenue  
Flagstaff, AZ 86001  
(928) 213-2614  
[NGullickson@flagstaff.gov](mailto:NGullickson@flagstaff.gov)

Sincerely,  
Shephard – Wesnitzer, Inc.



Stephen C. Irwin, P.E.  
Project Engineer



Shephard ▲ Wesnitzer, Inc.

110 West Dale Avenue  
Flagstaff, Arizona 86001

928.773.0354 ph  
928.774.8934 fx

info@swiaz.com  
www.swiaz.com

SEDONA

COTTONWOOD

FLAGSTAFF

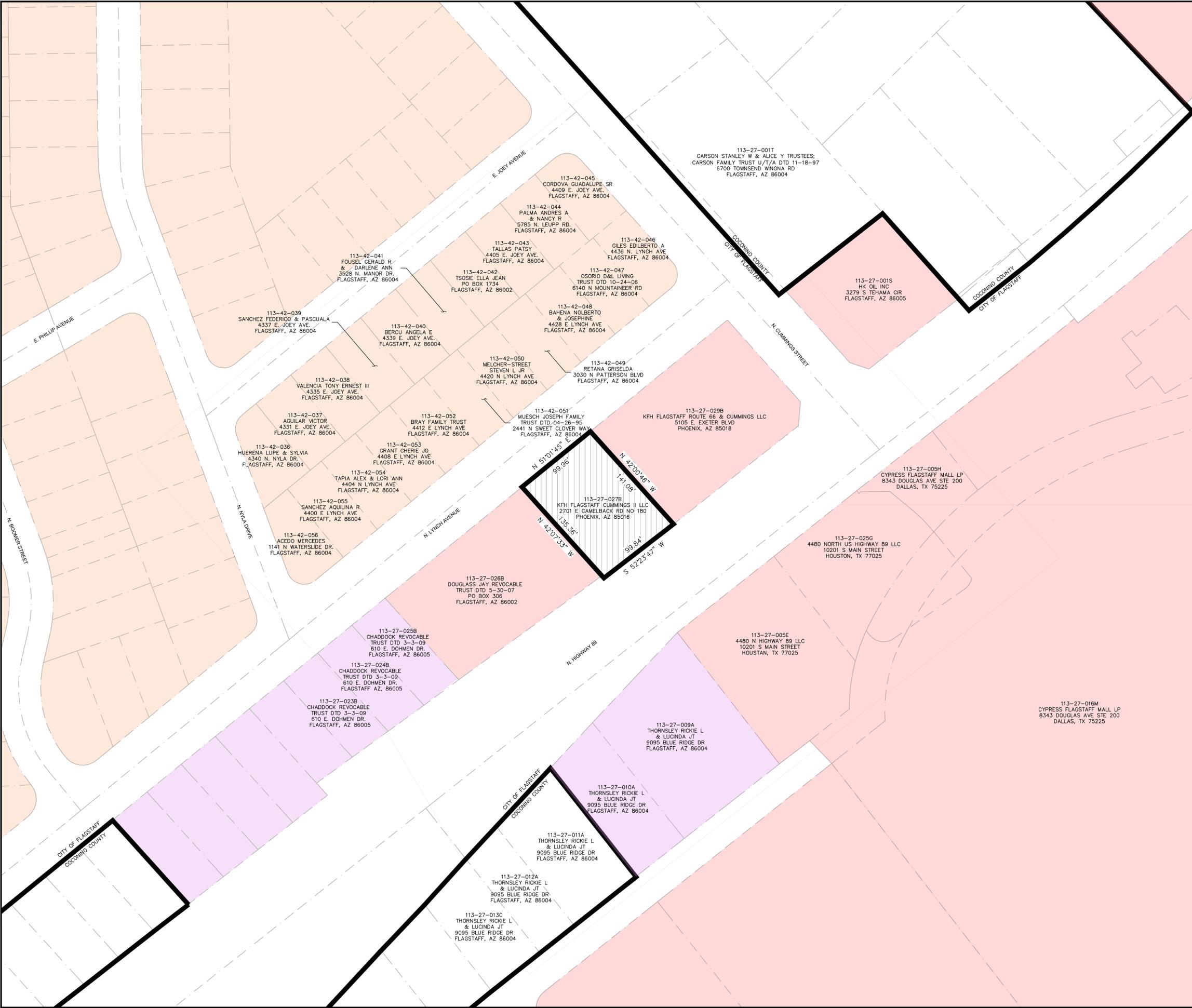
PRESCOTT





PLOTTED: Oct 28, 2019 - 9:10am

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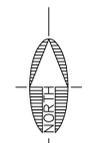


### LEGEND

- PROPOSED PORTION OF PARCEL 112-01-001C TO BE ANNEXED INTO CITY OF FLAGSTAFF
  - EXISTING CITY LIMITS LINE
  - EXISTING PROPERTY LINE
- ZONE TERMS**
- MH MANUFACTURED HOUSING
  - PF PUBLIC FACILITY
  - HC HIGHWAY COMMERCIAL
  - CS COMMERCIAL SERVICE
  - "CITY" CITY OF FLAGSTAFF
  - "COUNTY" COCONINO COUNTY

**NOTES:**

- ANNEXED PROPERTY APN 113-27-027B WILL BE COMBINED WITH PARCEL APN 113-27-029B AFTER ANNEXATION PROCESS IS COMPLETED.



SCALE: 1" = 60'



**PRELIMINARY**

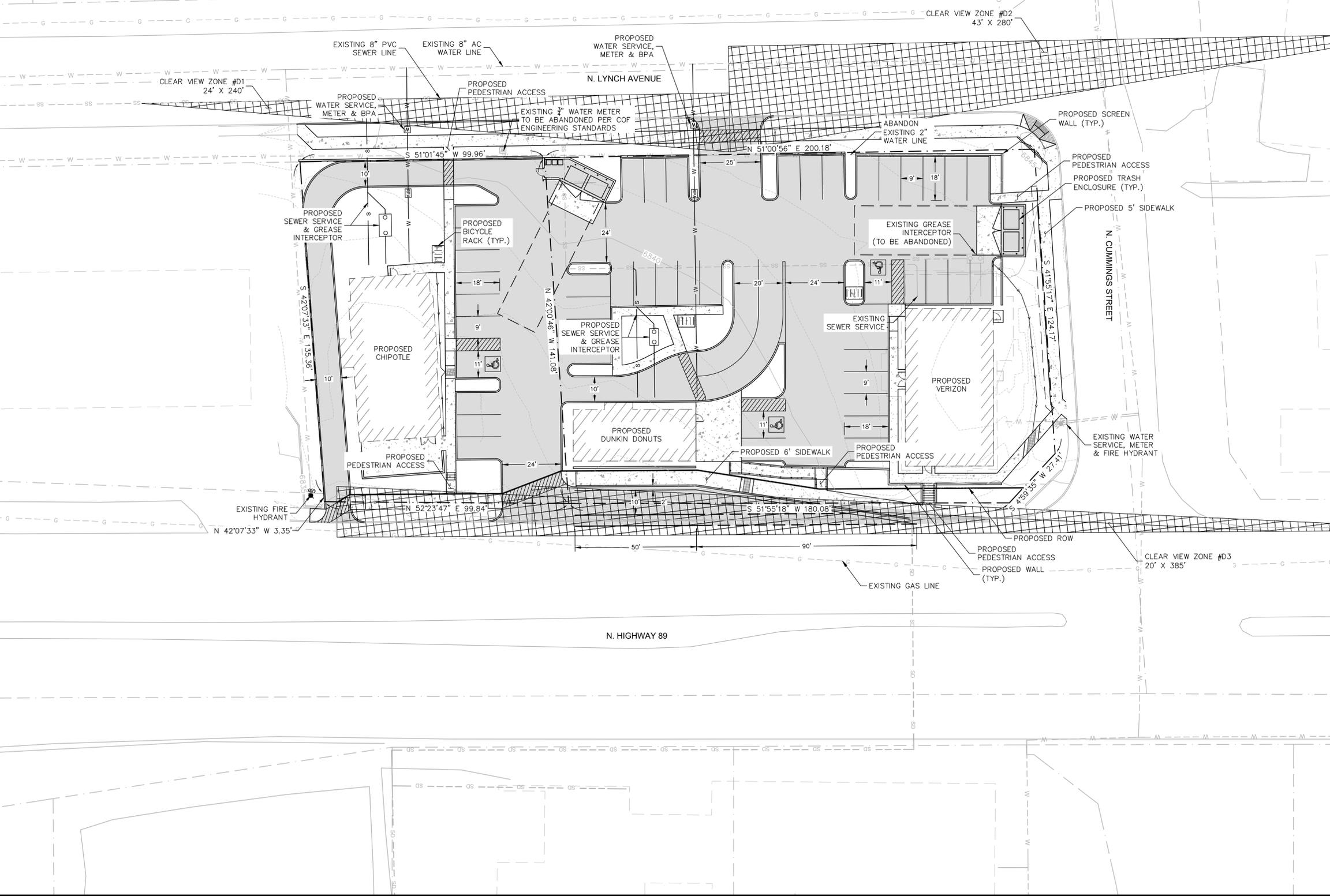
NOT FOR CONSTRUCTION, BIDDING OR RECORDING

C.O.F. #PZ-19-00055

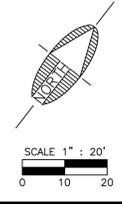
ANNEXATION MAP															
JOB NO: 19051 DATE: OCT 19 SCALE: AS SHOWN DRAWN: CNP DESIGN: CNP CHECKED: SCI	FLAGSTAFF ARIZONA HWY 89 & CUMMINGS														
110 W. Dole Avenue Flagstaff, AZ 86001 928.773.0354 928.774.8934 fax www.swigz.com															
<b>Shephard Wesnitzer, Inc.</b>															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE	BY									<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">           DRAWING NO.  <b>AM01</b> </td> <td style="width: 50%;">           SHT NO. OF            2 OF 4         </td> </tr> </table>	DRAWING NO. <b>AM01</b>	SHT NO. OF 2 OF 4
NO.	DESCRIPTION	DATE	BY												
DRAWING NO. <b>AM01</b>	SHT NO. OF 2 OF 4														

CLEAR VIEW ZONE CALCULATIONS											
ID #	MAJOR STREET	MANEUVER DIRECTION	DESIGN SPEED (VMAJOR)1	TIME GAP tg (unadjusted)2	GRADE ≤ 3%	ACTUAL GRADES	MULTIPLE LANE CROSSINGS	NO. OF LANES4	TIME GAP tg(adj)2	INTERSECTION SIGHT DISTANCE (ISD3)	STOPPING SIGHT DISTANCE (SSD)
D1	Lynch	Right	25	6.5	Yes	2%	No	1	6.5	240	155
D2	Lynch	Left	25	7.5	Yes	2%	No	1	7.5	280	155
D3	Hwy 89	Right	45	6.5	Yes	2%	No	1	6.5	385	155

- Notes:
- (1) The major road speed limits (VMAJOR in MPH) are based on existing conditions in the project vicinity.
  - (2) The time gap values, adjusted (tg (adjusted) in seconds) and unadjusted (tg (unadjusted) in seconds), are based on the current site plan and the AASHTO-Geometric Design of Highways and Streets Exhibits 9-54 and 9-57 for D1 and D2 and Exhibits 9-66 and 9-67 for M1. The first lane crossed does not warrant an adjustment to the time gap.
  - (3) The intersection site distance (ISD in feet) calculations are based on Equation 9-1 in the AASHTO-Geometric Design of Highways and Streets. Equation 9-1:  $ISD=1.47 \cdot VMAJOR \cdot tg$
  - (4) The number of lanes crossed may include medians converted to equivalent lanes. The number of lanes provided in the table includes the first lane crossed.
  - (5) If the approach grade is greater than 3%, add 0.1 seconds for each percent grade.



- NOTES:
- BIKE LANE STRIPING IS ONLY SHOWN TO DEMONSTRATE PROPOSED ROW IS WIDE ENOUGH TO ACCOMMODATE A FUTURE BIKE LANE.



**PRELIMINARY**  
NOT FOR CONSTRUCTION,  
BIDDING OR RECORDING

C.O.F. #PZ-19-00055

FLAGSTAFF ARIZONA

HWY 89 & CUMMINGS

**CIVIL SITE PLAN**

JOB NO: 19051 DATE: NOV 19  
 SCALE: AS SHOWN  
 DRAWN: CNP  
 DESIGN: CNP  
 CHECKED: SCI

110 W. Dole Avenue  
 Flagstaff, AZ 86001  
 928.774.8934  
 928.774.8934 fax  
 www.swiqz.com

**SWI**  
**Shephard Wesnitzer, Inc.**

NO.	DESCRIPTION	DATE	BY

REVISIONS

Call out least two full working days before you begin excavation.

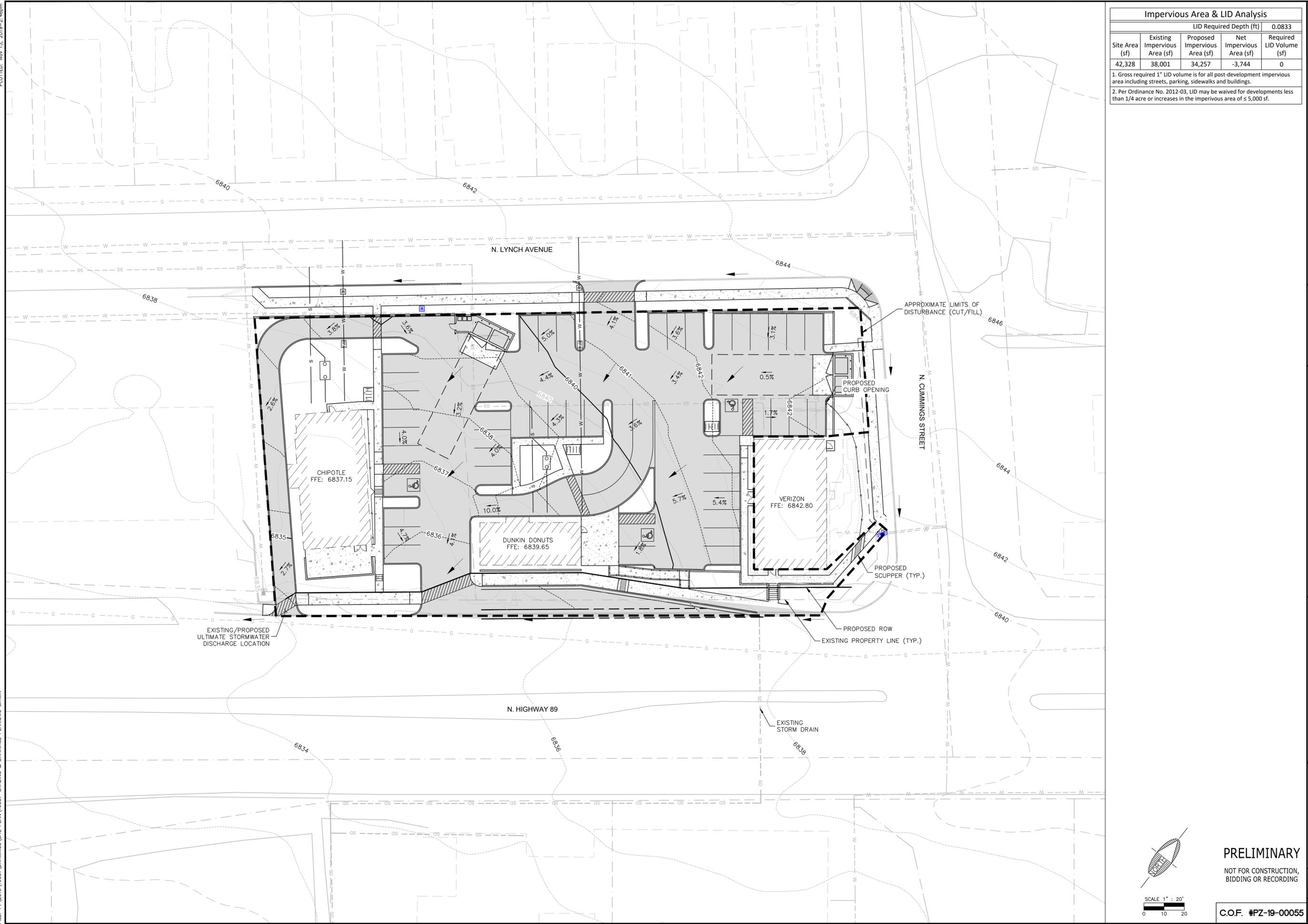
**ARIZONA 811**  
 Arizona Blue Stakes, Inc.  
 888 84-1111 or 1-800-514-1111 (782-5348)

DRAWING NO. **SP01**

SHT NO. 3 OF 4

PLOTTED: Nov 13, 2019 - 2:46pm

FILE: P:\2019\1905\DRAWINGS\SITE PLAN\1905-GRADING & DRAINAGE PLAN.DWG SIRWM



Impervious Area & LID Analysis				
LID Required Depth (ft)				0.0833
Site Area (sf)	Existing Impervious Area (sf)	Proposed Impervious Area (sf)	Net Impervious Area (sf)	Required LID Volume (sf)
42,328	38,001	34,257	-3,744	0

1. Gross required 1" LID volume is for all post-development impervious area including streets, parking, sidewalks and buildings.  
 2. Per Ordinance No. 2012-03, LID may be waived for developments less than 1/4 acre or increases in the impervious area of ≤ 5,000 sf.

FLAGSTAFF ARIZONA

HWY 89 & CUMMINGS

GRADING & DRAINAGE PLAN

JOB NO: 19051  
 DATE: NOV 19  
 SCALE: AS SHOWN  
 DRAWN: CNP  
 DESIGN: CNP  
 CHECKED: SCI

110 W. Dole Avenue  
 Flagstaff, AZ 86001  
 928.774.8934  
 928.774.8934 fax  
 www.swiqz.com

**SWI**  
 Shephard Wesnitzer, Inc.

NO.	DESCRIPTION	DATE	BY

REVISIONS

Call out least two full working days before you begin excavation.

**ARIZONA 811**  
 Arizona Blue Stakes, Inc.  
 888 8-1-1 or 1-800-514E-11 (928-5348)

**PRELIMINARY**  
 NOT FOR CONSTRUCTION, BIDDING OR RECORDING

DRAWING NO. **GD01**

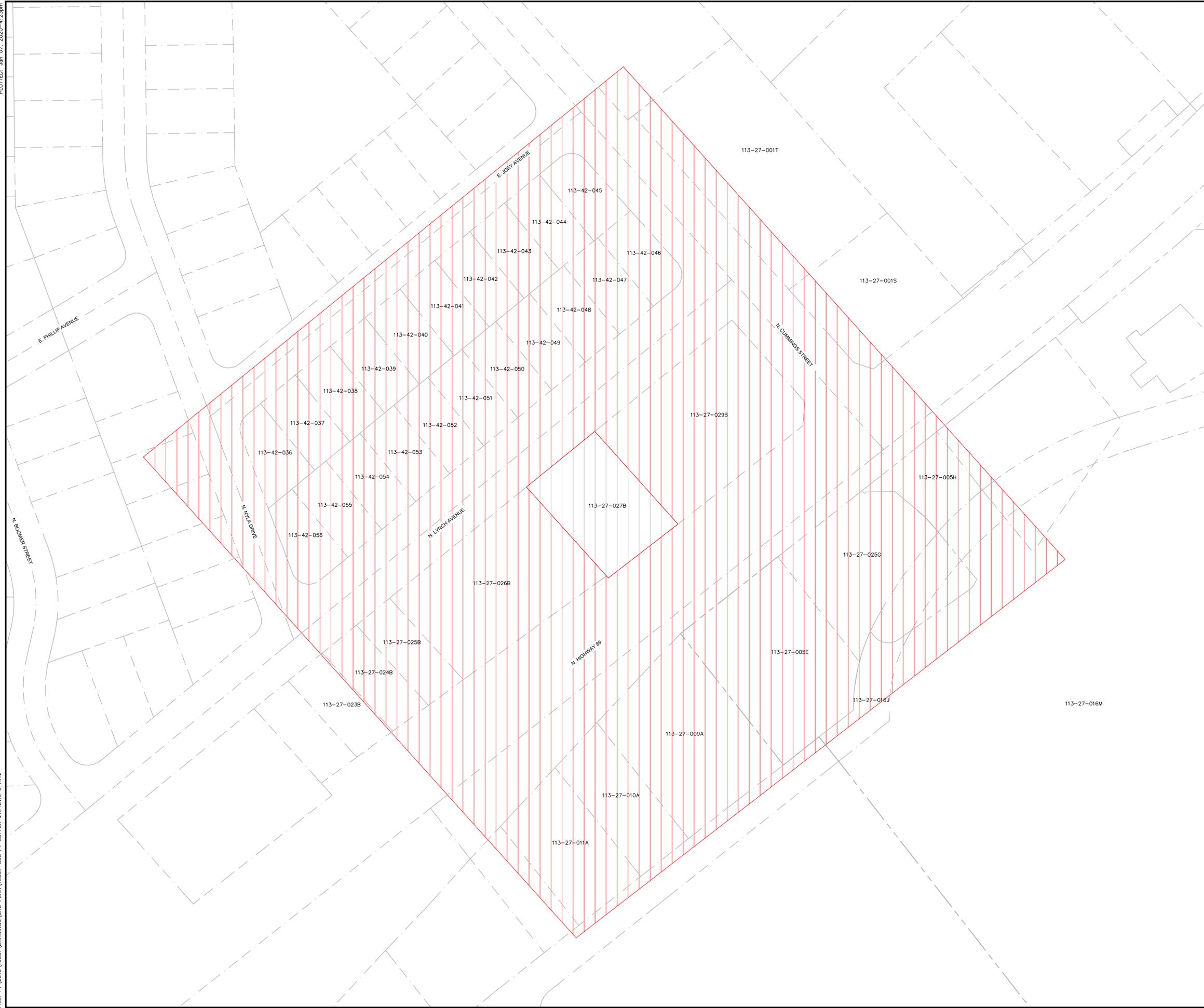
SHT NO. 4 OF 4

C.O.F. #PZ-19-00055

# APPENDIX B

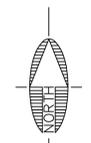
PLOTTED: Jan 07, 2020-4:23pm

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**LEGEND**

-  PROPERTY TO BE ANNEXED
-  300 FT BUFFER
-  EXISTING PROPERTY LINE



SCALE: 1" = 50'



**PRELIMINARY**

NOT FOR CONSTRUCTION,  
BIDDING OR RECORDING

C.O.F. #PZ-19-00055

FLAGSTAFF  
ARIZONA

HWY 89 & CUMMINGS

**300 FT BUFFER MAP**

JOB NO:	19051
DATE:	JAN 20
SCALE:	AS SHOWN
DRAWN:	CNP
DESIGN:	CNP
CHECKED:	SCI

110 W. Dole Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swiagz.com



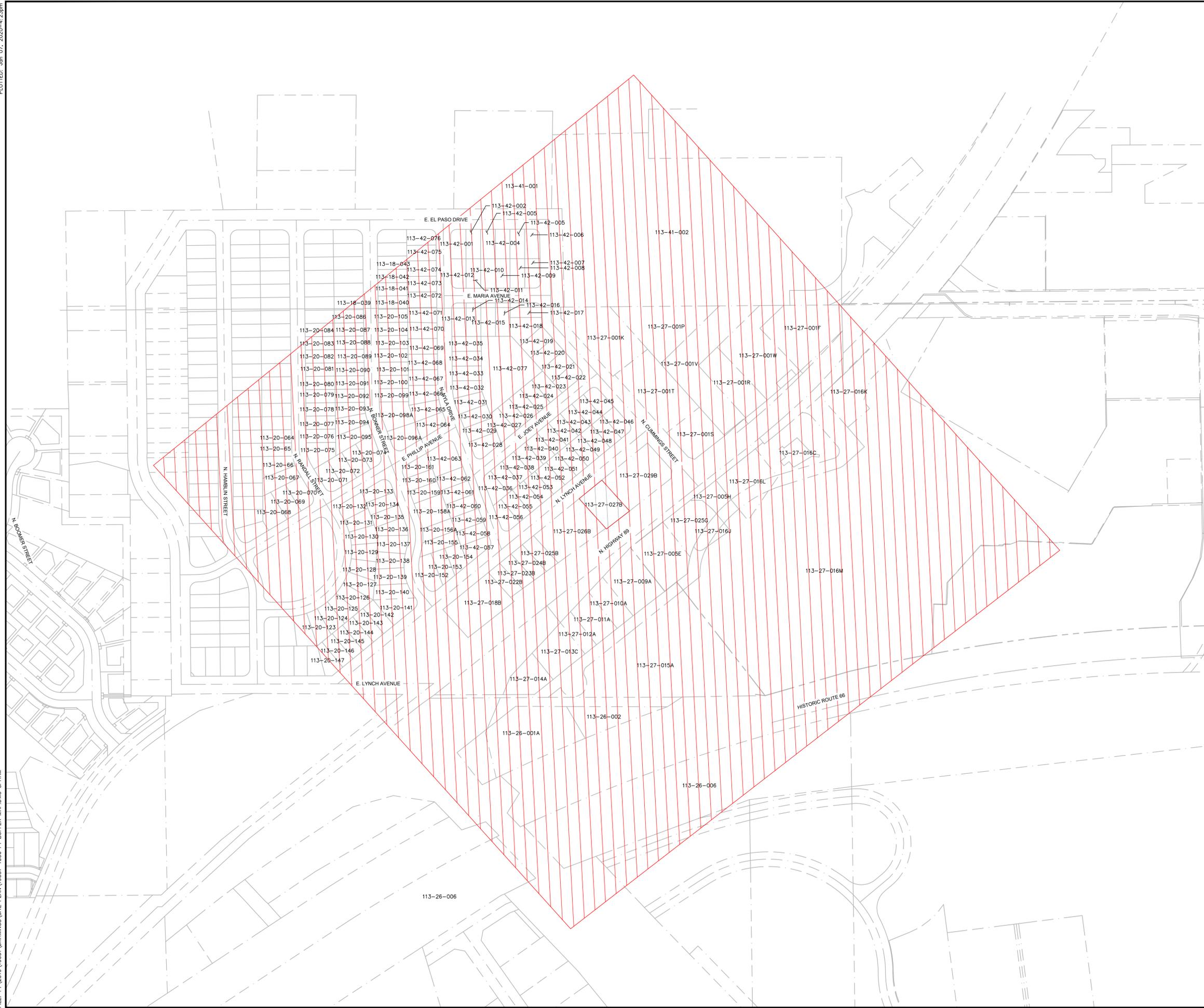
NO.	DESCRIPTION	DATE	BY

Call at least two full working days before you begin excavation.

**ARIZONA 811**  
Arizona Blue Stakes, Inc. (928-5348)  
888-841-1111 or 1-800-514-1111 (928-5348)

DRAWING NO. **BM01**

SHT NO.	OF
1	3



LEGEND

- PROPERTY TO BE ANNEXED
- 1000 FT BUFFER
- EXISTING PROPERTY LINE

FLAGSTAFF  
ARIZONA

HWY 89 & CUMMINGS

1000 FT BUFFER MAP

JOB NO:	19051
DATE:	JAN 20
SCALE:	AS SHOWN
DRAWN:	CNP
DESIGN:	CNP
CHECKED:	SCI

110 W. Dole Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swiagz.com



NO.	DESCRIPTION	DATE	BY

Call at least two full working days before you begin excavation.

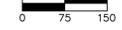
ARIZONA 811  
Arizona Blue Stakes, Inc. (928-5348)  
888-8-1-1 or 1-800-541-1111 (928-5348)

PRELIMINARY

NOT FOR CONSTRUCTION, BIDDING OR RECORDING

DRAWING NO. **BM02**

SCALE: 1" = 150'



C.O.F. #PZ-19-00055

SHT NO.	2	OF	3
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# APPENDIX C



**ANNEXATION NEIGHBORHOOD MEETING**

**NEIGHBORHOOD MEETING:** January 6, 2020 at 6 pm

**LOCATION OF MEETING:** Flagstaff Subaru Conference Room, 4910 East Marketplace Drive, Flagstaff, Arizona 86004

**REQUEST:** An Annexation for KFH Flagstaff Cummings II LLC to allow annexation of a commercial property located on a 0.32-acre parcel at 4409 North Highway 89 within Coconino County CH-10,000 zone. The proposed city zoning district is Highway Commercial (HC).

**AREA TO BE ANNEXED:** 4409 North Highway 89, Flagstaff, Arizona 86004 (APN 113-27-027B)

**SIZE OF SITE:** 0.32 Acres

**CONTACT:** Stephen Irwin, Shephard-Wesnitzer, Inc., 928-773-0354  
or  
Neil Gullickson, City of Flagstaff, 928-213-2614

Dec 18, 2019 4:01:53 PM  
4420 North Lynch Avenue  
Flagstaff  
Coconino County  
Arizona

**ANNEXATION NEIGHBORHOOD MEETING**  
NEIGHBORHOOD MEETING: January 6, 2020 at 6 pm  
LOCATION OF MEETING: Flagstaff Subaru Conference Room, 4910 East Marketplace Drive, Flagstaff, Arizona 86004  
REQUEST: An Annexation for KFH Flagstaff Cummings II LLC to allow annexation of a commercial property located on a 0.32-acre parcel at 4409 North Highway 89 within Coconino County CH-10,000 zone. The proposed city zoning district is Highway Commercial (HC).  
AREA TO BE ANNEXED: 4409 North Highway 89, Flagstaff, Arizona 86004 (APN 113-27-027B)  
SIZE OF SITE: 0.32 Acres  
CONTACT: Stephen Irwin, Shepard-Weanitzer, Inc., 928-773-0354  
or  
Neil Gulickson, City of Flagstaff, 928-213-2814

**INFOBOX**



Dec 18, 2019 4:14:47 PM  
4409 U.S. 89  
Flagstaff  
Coconino County  
Arizona

# APPENDIX D



**Shephard ▲ Wesnitzer, Inc.**  
Engineering an environment of excellence

110 West Dale Avenue

Flagstaff, AZ 86001

928.773.0354

www.swiaz.com

*Engineering an environment of excellence.*

## Highway 89 & Cummings – Annexation Neighborhood Meeting

January 6, 2020 at 6:00PM

### Sign-In Sheet

Name	Address	Phone	Email
MIKE PATEL	4501 N. HWY 89	928-527-6972	
RICK THORNSLEY	9095 BLUE RIDGE FLAG	928-699-3055	
ROBERT E GRAY	4412 LYNCH AVE	928-699-2786	
Jim + Timi Brooks	5301 Tellis Trail	253-350-8400	
Douglas Miller	42182 N 105th St	612 710 8899	
DAVID SWAIN		928-600-4012	
Vinthe Danapalan		928 907 3267	

**Highway 89 & Cummings**  
**SWI Project #17113**  
**Neighborhood Meeting Questions**  
**Monday, January 6, 2020**  
**Flagstaff Subaru**

QUESTION/COMMENT	ANSWER
<b>Presentation officially started at 6:00pm.</b>	
What is the annexation procedure?	The annexation procedure requires to host two neighborhood meetings, prepare a citizen participation plan, submit to the City for review, and attend the P&Z and City Council meetings.
Why did the City not think there would be a large turnout for this first neighborhood meeting?	Us and the City did not anticipate a large turnout because this project does not involve affordable or student housing, which has been a popular subject among the community as of lately.
Is Highway 89 not owned by ADOT?	The City of Flagstaff maintains the roadway. Therefore, the plans will not need to be reviewed by ADOT. It will only be reviewed and approved through the City.
Is the City of Flagstaff ok with the driveways on Highway 89?	The plans have already gone through several design iterations and submittals to the City and currently meet code. There are currently three thru-lanes in both directions on Highway 89, and the proposed driveways do not interfere with the existing median.
Can you provide more explanation on the existing building on the parcel to be annexed?	There is an existing abandoned car stereo building on the subject parcel to be annexed.
What are the extents of the overall project?	The project limits are from the existing Pizza Hut at the intersection of Cummings and Highway 89 to the existing Sounds Good building. The project will terminate before the ADOT Motor Vehicle Service Center.
What are the existing utility connections to the building?	The existing building currently has a water connection to the City water main in Lynch.
What will be the new water connections?	The proposed Chipotle will have a new water connection off of the water main in Lynch.
Why is the water connection not grandfathered into this parcel?	Whenever there is a change in use, it requires a new water connection. Annexation of the parcel is required in order for the proposed development on this parcel to connect to the City utilities. This parcel is also part of a

	<p>holistic project with shared parking and access and would only work with an annexation. The parcel can remain as part of the County; however, it would be extremely difficult to develop.</p>
<p>What are the other buildings, and how are they affiliated with the Chipotle?</p>	<p>The overall project will also include a Dunkin Donuts, which will not have indoor seating, and a Verizon, which will utilize the existing Pizza Hut building. The project will have shared parking and access.</p>
<p>How many parking spots will be proposed? Will the parking for these proposed developments take over neighborhood parking?</p>	<p>There are 45 parking spaces proposed for this project. The number of spaces was calculated using the City of Flagstaff Zoning Code. The City also requires frontage edge improvements with this project; therefore, there is proposed parkway and sidewalk along the frontages of this project. The proposed edge improvement along Lynch will remove the existing parking along the edge of the roadway. This existing parking along Lynch is not technically legal. There is a lot of right-of-way on Lynch, and the roadway takes up only a portion of the right-of-way. People have taken advantage of this available space and parked their vehicles on the side of the roadway.</p>
<p>Will the Dunkin Donuts owner be the same owner of the Dunkin Donuts on Milton?</p>	<p>No, Aaron and his partner developed and have since sold the Dunkin Donuts on the Milton Road site. Another Dunkin Donuts franchisee will build and operate the one on US 89 &amp; Cummings.</p>
<p>What is next in the process?</p>	<p>After this meeting, we will need to prepare a citizen participation plan that summarizes this meeting, submit the annexation package for the City’s review, host a second neighborhood meeting (if necessary), attend the P&amp;Z and City Council meetings, annex the parcel, and proceed to construction plans.</p>
<p>Does a change in use not dictate a rezone or CUP?</p>	<p>State law dictates the requirements for the annexation process. A rezone happens in conjunction with the annexation process.</p>
<p>Is this parcel not subject to be annexed?</p>	<p>The City is in the process on cleaning up all “county islands”. As stated earlier, this parcel does not technically need to be annexed; however, it would be extremely difficult to develop if it was not annexed. Some projects</p>

	have a pre-annexation agreement if the parcel cannot be annexed.
Who purchased the J. Douglas property?	We do not know specifically who purchased the property. The only information we know is that the parcel was recently sold. KFH has discussed possible acquirement of the parcel; however, no action has been taken.
How quickly will construction begin?	We plan to go at-risk with construction documents and break ground in May 2020. We anticipate four months of construction. Dunkin Donuts will be responsible for the construction of their building and will be on a land lease.
Does KFH own any other businesses in town?	The Milton property has been sold and KFH does not own any other properties in Flagstaff.
This looks like a good project.	Thank you for your feedback.
<b>Meeting adjourned at 7:00pm.</b>	



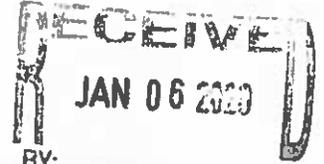
Shephard ▲ Wesnitzer, Inc.

To City ✓ 2020

Lynch \* Cummings  
Hwy 89

110 West Dale Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swiaz.com

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BY: \_\_\_\_\_  
December 13, 2019

Dear Neighbor,

KFH Flagstaff Cummings II LLC (KFH) would like to invite the surrounding neighbors to a Neighborhood Meeting to discuss the annexation application that will be submitted for a parcel of land that is currently located within Coconino County at 4409 N. Highway 89, which is near the intersection of N. Cummings Street and Highway 89. The meeting and presentation will be held on **Monday, January 6, 2020 at 6 pm at Flagstaff Subaru, 4910 E. Marketplace Drive, Flagstaff, AZ 86004** to discuss the annexation of this property.

The annexation application is specifically for APN 113-27-027B (±0.32 acres). KFH has the intention of building a restaurant on the subject property, which is currently located within Coconino County CH-10,000 zone. KFH would like to annex this county parcel into the City limits in order to construct the restaurant as part of an overall development that is already within City limits. The proposed city zoning district is Highway Commercial (HC).

The plan sheets submitted in association with the Site Plan and attached herein reflect the limits of the overall project. The parcel to be annexed is a part of an overall project that is called Highway 89 & Cummings and will consist of three proposed commercial buildings. The net acreage of the project after right-of-way dedication to the City of Flagstaff for the future full-build out of N. Highway 89 is approximately 0.31 acres. Access to the site will be provided by a ~~new~~ full access driveway and an exit driveway on N. Highway 89.

Project material will be available for review starting at 6:00 pm with a presentation starting shortly after followed by a question and answer session. This will allow any neighborhood concerns to be identified and addressed prior to the project's public hearing before the City Planning and Zoning Commission. Concerns raised will be reported to the City Planning Department.

-neo  
HO HO HO

We hope to see you there. If you are unable to attend, please provide comments in the space below and mail to the developer's representative:

Mr. Stephen Irwin  
Shephard-Wesnitzer, Inc.  
110 West Dale Avenue  
Flagstaff, AZ 86001  
(928) 773-0354  
[sirwin@swiaz.com](mailto:sirwin@swiaz.com)

Please see below for the City of Flagstaff representative contact information:

Mr. Neil Gullickson  
Planning Development Manager  
211 West Aspen Avenue  
Flagstaff, AZ 86001  
(928) 213-2614  
[NGullickson@flagstaff.gov](mailto:NGullickson@flagstaff.gov)

Sincerely,  
Shephard – Wesnitzer, Inc.



Stephen C. Irwin, P.E.  
Project Engineer



Shephard ▲ Wesnitzer, Inc.

110 West Dale Avenue  
Flagstaff, Arizona 86001

928.773.0354 ph  
928.774.8934 fx

[info@swiaz.com](mailto:info@swiaz.com)  
[www.swiaz.com](http://www.swiaz.com)

SEDONA

COTTONWOOD

FLAGSTAFF

PRESCOTT







NEW BUILDING FOR  
**DUNKIN DONUTS**  
 4429 N. HIGHWAY 89  
 FLAGSTAFF, ARIZONA

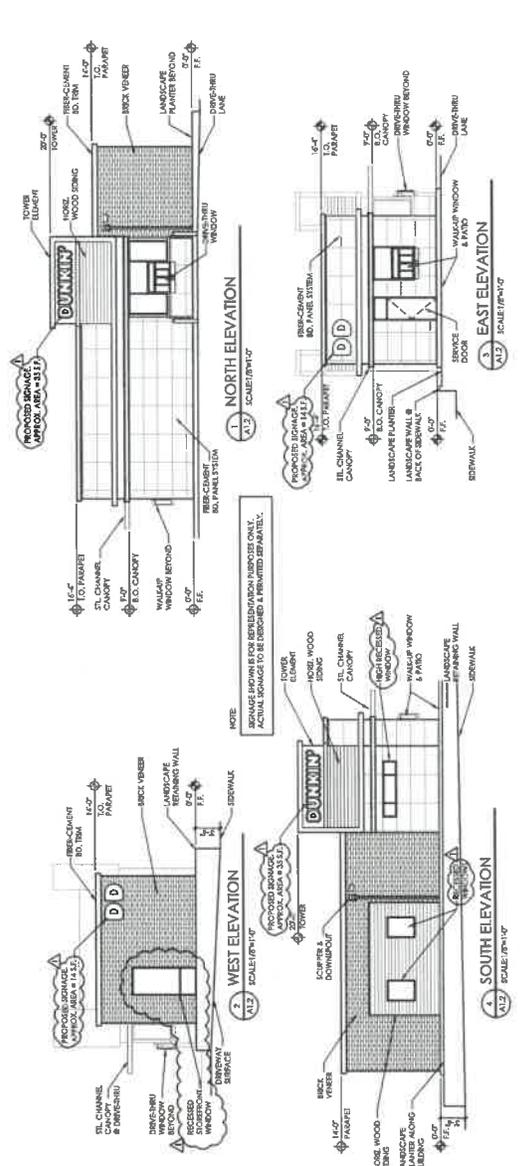
1001 S. VALLEY STREET, SUITE 200  
 FLAGSTAFF, ARIZONA 86001  
**Smith ARCHITECTS Inc.**  
 ARCHITECTURE | PLANNING | COLLABORATION

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**PRELIMINARY**  
 NOT FOR CONSTRUCTION

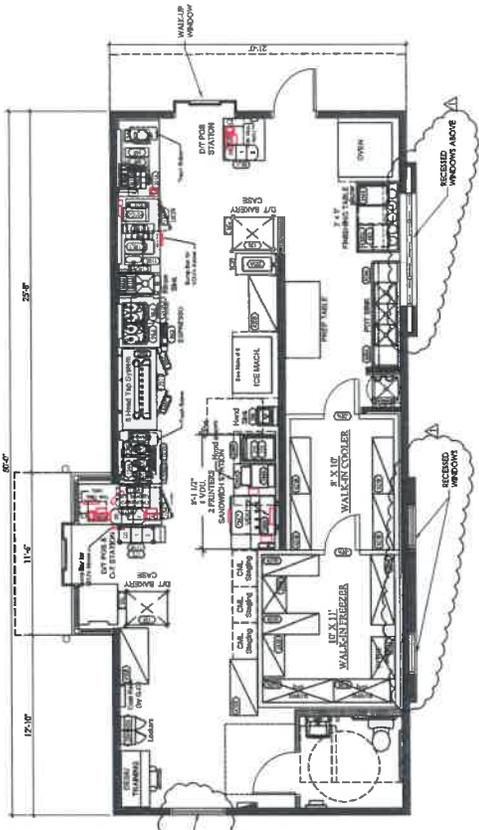
DRAWN BY: REGHEE BY:  
 JSM/ML JSM/ML  
 PROJECT NO.: 1709  
 DATE: DECEMBER 16, 2019  
 SHEET: A1.2

**A1.2**  
 DUNKIN DONUTS  
 PRELIMINARY ELEVATIONS  
 PRELIMINARY FLOOR PLAN



**EXTERIOR FINISH SCHEDULE**

MATERIAL	DESCRIPTION/COLOR
PAINT	INTERIOR: ADVANTAGE 2.4" FIBER CEMENT PANELS EXTERIOR: ADVANTAGE 2.4" FIBER CEMENT PANELS COLOR: "TUFF PINK" 10192
BRICK	INTERIOR: "DUNKIN" 2" BRICK VENEER EXTERIOR: "DUNKIN" 2" BRICK VENEER COLOR: "WALKERBOARD"
WOOD	INTERIOR: "DUNKIN" 2" BRICK VENEER EXTERIOR: "DUNKIN" 2" BRICK VENEER COLOR: "WALKERBOARD"
CORNICE	FIBER CEMENT TRIM BOARD - PRIME FOR PAINT COLOR: "TREE HOUSE" - DUNKIN ONE COLLECTION FINISH: "TUFF PINK" 10192
METAL	INTERIOR: "DUNKIN" 2" BRICK VENEER EXTERIOR: "DUNKIN" 2" BRICK VENEER FINISH: "TUFF PINK" 10192
AWNINGS	FIBER CEMENT AWNING - PRIME FOR PAINT COLOR: "DUNKIN" - DUNKIN ONE COLLECTION 10192 FINISH: "TUFF PINK" 10192
STORAGE	ALUMINUM STORAGE SYSTEM - ANCHOR OR SIMILAR COLOR: "DUNKIN" - DUNKIN ONE COLLECTION 10192



**PRELIMINARY FLOOR PLAN**  
 SCALE: 1/8"=1'-0"  
 1.17



# Highway 89 & Cummings Annexation

April 7, 2020



# Site



- Located at 4409 North Highway 89
- Coconino County parcel zoned Commercial Heavy-10,000 sq. ft. minimum lot size. Site is .32 acres (13,939 sq. ft.) in size.
- Recently used as car audio sales/repair and truck rental.
- County Island: Surrounded by City Jurisdiction.

# Location Map

## 4409 North Highway 89





# BACKGROUND



- Site consists of portions of 2 platted lots, one parcel.
- County Island.
- Water is currently provided by the City.
- Sewer service is needed.
- Site plan review for development approved 1/2020.  
Conditioned on annexation.

# Review

## State Statute

- Similar zoning CH-10,000 to Highway Commercial (HC) 9,000 sq. ft. minimum lot size. Restaurant uses allowed.
- Meets contiguous requirement, adjacent on a minimum of 3 sides.
- The site meets the State statutes for annexation.





## Regional Plan

- Annex or pre-annexation before services provided.
- Site located within the Urban Growth Boundary.
- Proposal not detrimental to neighborhood properties.
  
- Site meets the City policies regarding annexation.

# Impact Analyses



## Analyses were based on development site

- Traffic: Dedicated right-turn lane on Highway 89. Dedication of 942 sq. ft. of land across Hwy 89 frontage for ROW.
- Water and Sewer Analysis: Waived, adequate capacity in existing water and sewer public mains to support development and annexation site.
- Drainage Impact scoping determined post annexation development less impervious area than pre- development. Low Impact Design required for pervious areas.



# Citizen Participation



- Neighborhood meeting held on January 6, 2020. Report attached.
- Public hearing with:
  - Planning and Zoning Commission; February 26, 2020
  - City Council; April 7, 2020
  - First Reading of Ordinance April 21 (if signed petition is returned)
  - Second Reading of Ordinance May 5

# Recommendation



- Staff recommends the Commission forward the annexation proposal to the City Council with a recommendation of approval.
- Staff recommends that the approval be subject to the Site Plan approval for the Highway 89 & Cummings development of January 7, 2020 .

**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Jeanie Gallagher, Human Resources Director  
**Co-Submitter:** Brandi Suda  
**Date:** 04/14/2020  
**Meeting Date:** 04/21/2020



---

**TITLE:**

**Consideration and Adoption of Ordinance No. 2020-09:** An ordinance of the City Council of the City of Flagstaff, Arizona, amending the Flagstaff City Code, Chapter 1-14, Personnel System, by amending the Employee Handbook of Regulations relating to General Definitions, Working Hours and Pay, Overtime Pay, Compensatory Time, and Vacation Leave; providing for penalties; repeal of conflicting ordinances; severability; and establishing an effective date

**STAFF RECOMMENDED ACTION:**

At the April 21, 2020 Council Meeting:

- 1) Read Ordinance No. 2020-09 by title only for the first time
- 2) City Clerk reads Ordinance No. 2020-09 by title only (if approved above)

At the May 5, 2020 Council Meeting:

- 3) Read Ordinance No. 2020-09 by title only for the final time
- 4) City Clerk reads Ordinance No. 2020-09 by title only (if approved above)
- 5) Adopt Ordinance No. 2020-09

**Executive Summary:**

Management Services and Fire Division Leadership have agreed to implement a 12-day work period (versus the standard 14-day pay period) to better accommodate the scheduling and pay practices for Fire suppression staff. The desired results are to make it easier for Fire suppression staff to interpret their paycheck stubs and reduce onerous manual timekeeping for managing pay practices. Several policies in the Employee Handbook of Regulations need to be modified to reflect this change.

**Financial Impact:**

While, these policy changes should have minimum financial impacts, these changes help ensure employees are properly and accurately compensated for their work.

**Policy Impact:**

These policy recommendations will not impact any other City policies.

**Connection to Council Goal, Regional Plan, CAAP, and/or Strategic Plan:**

The policy recommendation may impact the attraction and retention of City personnel related to the Council Goal - Personnel.

**Has There Been Previous Council Decision on This:**

No

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**Attachments:** Ord. 2020-09

ORDINANCE NO. 2020-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, CHAPTER 1-14, PERSONNEL SYSTEM BY AMENDING THE EMPLOYEE HANDBOOK OF REGULATIONS RELATING TO GENERAL DEFINITIONS, WORKING HOURS AND PAY, OVERTIME PAY, COMPENSATORY TIME AND VACATION LEAVE; PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City Council has authority to approve this Addendum 24 of the Flagstaff Employee Handbook of Regulations pursuant to the Flagstaff City Charter, Article IV.

ENACTMENTS:

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

SECTION 1. In General

The Flagstaff City Code, Chapter 1-14 *Personnel System* is amended by adopting amendments (Addendum 24) to the Employee Handbook of Regulations ("Handbook") as follows:

The Employee Handbook of Regulations, Section 1-10-010.01 *General Definitions (Renumbered)*, Section 1-20-030 *Working Hours and Pay*, Section 1-20-040 *Overtime Pay*, section 1-20-041 *Compensatory Time*, ~~s~~Section 1-50-020 *Vacation Leave*, is hereby amended by as shown below (additions are underlined and in caps, deletions are stricken):

**1-10-010.01 *General Definitions (Renumbered)*** is hereby amended as shown below:

"Fire Suppression Employees" are Commissioned, Non-Exempt employees who engage in fire protection activities as defined by the Fair Labor Standards Act 29 U.S.C. § 203(y) and who work ~~over ninety-one (91) hours in~~ a twelve (12) day work period.

**1-20-030 *Working Hours and Pay, Subsection A and Subsection E*** is hereby amended as shown below:

- A. The average regular work week for full-time classified employees shall be forty (40) hours. The work week for all employees begins on Sunday morning at 12:01 a.m. and ends the following Saturday at midnight. The average regular work ~~week~~ SCHEDULE for fire suppression employees shall ~~be fifty-six (56) hours per week~~ CONSIST OF A TWELVE (12) DAY WORK PERIOD WHICH BEGINS AND ENDS AT 8:00 A.M. DAILY AND IS NINETY-SIX (96) HOURS PER WORK PERIOD.
- E. Regular salaries and compensation for all City employees shall be paid on a bi-weekly

basis. FIRE SUPPRESSION EMPLOYEES WILL BE PAID AN AVERAGE OF EVERY TWELVE (12) DAYS.

**1-20-040 Overtime Pay, Subsection A and Subsection A.5.** is hereby amended as shown below:

- A. A full-time classified employee who performs authorized work in excess of their regular work week, work day, WORK PERIOD, or shift, shall be compensated for such overtime at the rate of one-and-one-half (1 ½) times their regular rate of pay.
- 5. Fire suppression employees working in excess of ~~fifty-six (56)~~ NINETY-ONE (91) hours ~~per week~~ IN A WORK PERIOD shall be compensated pursuant to Section 1-20-040(~~A~~), except when they are engaged in emergency operations at the end of a shift or while engaged in emergency operations on call back, in which case overtime compensation for emergency scene responses only will be paid at an hourly rate calculated on a forty(40) hour work week. Emergency operations are those circumstances that create a medical, fire, or hazardous material incidents.

**1-20-041 Compensatory Time, Subsection B.3. and B.4.** is hereby amended as shown below:

- B. Compensatory time will not be earned during a ~~a~~-work week when an employee is using paid time off such as sick, vacation, personal, holiday or compensatory time. Compensatory time may only be earned when
  - 3. Any fire suppression commissioned employee works over ~~one hundred eighty-two (182)~~ NINETY-SIX (96) hours in the ~~twenty-four (24)~~ TWELVE (12) day work period per Section 7(k) of the FLSA.
  - 4. Any wild land fire non-commissioned employee works over ~~one hundred and six (106)~~ FORTY (40) hours in the ~~fourteen (14)~~ -SEVEN (7) day work period per Section 7(k) of the FLSA.

**1-50-20 Vacation Leave, Subsection A.4.** is hereby amended as shown below:

A. Eligibility

- 4. Fire Suppression Employees will accrue vacation leave as set forth in Table B:

Fire Suppression Commissioned Non-Exempt Employees Years of Service	Fire Suppression Commissioned Exempt Employees Years of Service	Days Accrued Per Year of Service	Percent Accrued Per Pay Period	Hours Accrued Per Pay Period	Vacation Hours Maximum
1-4		11	4.24%	<del>4.75</del> <u>07</u>	185
5-9		13	5.01%	<del>5.61</del> <u>4.81</u>	219
10-14	1-4	16	6.16%	<del>6.90</del> <u>5.91</u>	269
15-19	5-9	18	6.92%	<del>7.75</del> <u>6.64</u>	302
20-24	10-14	21	8.08%	<del>9.05</del> <u>7.76</u>	353

25-29	15-19	23	8.85%	<del>9.91</del> <u>8.50</u>	386
30+	20-24	26	10.00%	<del>11.20</del> <u>9.60</u>	437
	25-29	28	10.77%	<del>12.06</del> <u>10.34</u>	470
	30+	31	11.92%	<del>13.35</del> <u>11.44</u>	521

SECTION 2. Penalties

Any person found in violation of any provision of the Handbook may be subject to discipline, as set forth in such Handbook and Flagstaff City Code Section 1-14-001-0001, *Personnel System Adopted*.

Section 3. Repeal of Conflicting Ordinances.

All ordinances, parts of ordinances, and any sections of the Handbook in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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 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 May, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Jeanie Gallagher, Human Resources Director  
**Co-Submitter:** Brandi Suda  
**Date:** 04/14/2020  
**Meeting Date:** 04/21/2020



---

**TITLE:**

**Consideration and Adoption of Ordinance No. 2020-08:** An ordinance amending the Employee Handbook of Regulations, Chapter 1-50 *Leave, Military Training Leave 1-50-061*

**STAFF RECOMMENDED ACTION:**

At the April 21, 2020 Council Meeting:

- 1) Read Ordinance No. 2020-08 by title only for the first time
- 2) City Clerk reads Ordinance No. 2020-08 by title only (if approved above)

At the May 5, 2020 Council Meeting:

- 3) Read Ordinance No. 2020-08 by title only for the final time
- 4) City Clerk reads Ordinance No. 2020-08 by title only (if approved above)
- 5) Adopt Ordinance No. 2020-08

**Executive Summary:**

The Employee Handbook of Regulations is revised to comply with Arizona Revised Statute 38-610 regarding Military Training Leave.

Military Training Leave

For the purposes of determining leave eligibility and utilization a "day" must be defined as a shift of work. Paid Military Training Leave will no longer be pro-rated for Part Time employees.

Leave may be requested for partial shifts of work by Quarter Shift, a partial shift equaling less than a quarter of the employee's scheduled shift will not be counted towards their 30 eligible shifts per 2 consecutive years.

Added language requiring the submission of written orders (or other valid communication) as documentation of the request for leave.

**Financial Impact:**

Fire personnel are assigned to 48-hour shifts. Under the revised statute this 48 hours will constitute one (1) shift instead of two (2) days under the former statute. Depending on the employee's work schedule for the period of their Military Training Leave(s) over each 2-year period this could dramatically increase their hours of eligibility for paid Military Training Leave.

**Policy Impact:**

These policy recommendations will not impact any other City policies.

**Connection to Council Goal, Regional Plan, CAAP, and/or Strategic Plan:**

The policy recommendation may impact the attraction and retention of City personnel related to the Council Goal - Personnel.

**Has There Been Previous Council Decision on This:**

No.

**Options and Alternatives:**

The City Council may choose to approve the recommended changes or to amend this ordinance prior to the ordinance's adoption.

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**Attachments:**     Ord. 2020-08

**ORDINANCE NO. 2020-08**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, CHAPTER 1-14, PERSONNEL SYSTEM BY AMENDING THE EMPLOYEE HANDBOOK OF REGULATIONS RELATING TO MILITARY TRAINING LEAVE; PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, the City Council has authority to approve this Addendum 25 of the Employee Handbook of Regulations pursuant to the Flagstaff City Charter, Article IV.

**ENACTMENTS:**

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

SECTION 1. In General

The Flagstaff City Code, Chapter 1-14 Personnel System is amended by adopting amendments (Addendum 25) to the Employee Handbook of Regulations (“Handbook”) as follows:

The Employee Handbook of Regulations, Section 1-50-061, Military Training Leave, is hereby amended by as shown below (additions are underlined and in caps, deletions are stricken):

**1-50-061. MILITARY TRAINING LEAVE**

Employees shall be granted a paid military **TRAINING** leave for training duty or to attend camps, maneuvers, formations, or drills under orders with any branch or reserve of the armed forces of the United States.

A. DEFINITIONS

1. “Year” means the fiscal year of the United States government (i.e., October 1<sup>st</sup> through September 30<sup>th</sup>).
2. “Paid Military **TRAINING** Leave” is paid leave entitling the employee to receive his or her regular rate of compensation WITHOUT A LOSS OF TIME, PAY, OR EFFICIENCY RATING.
3. “DAY” MEANS SHIFT OF WORK.
4. “SHIFT(S) OF WORK” IS THE SCHEDULED SHIFT OF THE EMPLOYEE ON THE DATE OR DATES THE EMPLOYEE IS ORDERED TO TRAINING DUTY OR TO ATTEND CAMPS, MANEUVERS, FORMATIONS, OR DRILLS.

## B. ELIGIBILITY

1. All Non-Exempt and Exempt employees are eligible for PAID ~~m~~Military ~~t~~TRAINING ~~l~~Leave.
2. Some temporary employees may be eligible for such PAID MILITARY TRAINING ~~l~~Leave if the military service falls within a previously designated period of employment.
3. Employees shall be granted a Paid Military TRAINING Leave ~~for training~~ for a period not to exceed thirty (30) ~~working days~~ SHIFTS OF WORK in any two (2) consecutive years in accordance with the provisions of ARIZONA REVISED STATUTE Section 38-610.
4. ~~Paid Military Leave will be pro-rated for Part-Time Benefit Eligible Employees by dividing the number of hours worked per week by five (5) and rounding to the next whole number.~~
4. EMPLOYEES MAY REQUEST PAID MILITARY TRAINING LEAVE FOR A PARTIAL SHIFT OF WORK.
  - A. LEAVE REQUESTS FOR A PARTIAL SHIFT OF WORK WILL BE TRACKED BY QUARTER SHIFTS. FOR EXAMPLE, IF AN EMPLOYEE IS SCHEDULED TO WORK AN EIGHT-HOUR SHIFT, BUT HE OR SHE NEEDS TO BE RELIEVED EARLY TO ATTEND MILITARY TRAINING AND REQUESTS FOUR HOURS OF PAID MILITARY TRAINING LEAVE, HE OR SHE WILL BE CHARGED ONE-HALF OF A SHIFT OF WORK.
  - B. A LEAVE REQUEST FOR A PARTIAL SHIFT OF WORK WILL ALWAYS BE ROUNDED TO THE NEAREST QUARTER SHIFT.
  - C. A PARTIAL SHIFT OF WORK EQUALLING LESS THAN A QUARTER OF THE EMPLOYEE'S SCHEDULED SHIFT OF WORK WILL NOT BE COUNTED TOWARDS THE THIRTY (30) SHIFTS OF WORK THE EMPLOYEE IS ELIGIBLE FOR IN THE TWO (2) CONSECUTIVE YEARS.
5. ~~Employees may use Paid Military Leave in fifteen (15) minute increments.~~

## C. PROCEDURES

1. All employees eligible for ~~p~~PAID ~~m~~Military TRAINING ~~l~~Leave shall give their supervisors an opportunity, within the limits of military regulations, to determine when such leave shall be taken.
2. ~~An employee shall submit a Leave of Absence Form to the immediate supervisor to record the employee's military training leave through the City's payroll procedures.~~
2. AN EMPLOYEE SHALL SUBMIT ~~v~~valid evidence of orders OR WRITTEN COMMUNICATION FROM THE COMMANDING OFFICER FOR THE MILITARY TRAINING DUTY OR TO ATTEND CAMPS, MANEUVERS, FORMATIONS, OR

~~DRILLS must be submitted~~ to the employee's supervisor AND HUMAN RESOURCES along with a ~~Leave~~ of ~~a~~Absence REQUEST ~~Form~~.

- 3. The supervisor shall submit a Personnel Action Form for the beginning and ending of the ~~PAID~~ ~~m~~Military ~~t~~Training ~~l~~Leave.
- 4. THE EMPLOYEE SHALL USE THE DESIGNATED HOURS TYPE CODES WHEN SUBMITTING PAID MILITARY TRAINING LEAVE HOURS ON THEIR TIMESHEET.

SECTION 2. Penalties

Any person found in violation of any provision of the Handbook may be subject to discipline, as set forth in such Handbook and Flagstaff City Code Section 1-14-001-0001, *Personnel System Adopted*.

Section 3. Repeal of Conflicting Ordinances.

All ordinances, parts of ordinances, and any sections of the Handbook in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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 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 May, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Bret Petersen, Capital Imp Engineer - BP  
**Date:** 04/13/2020  
**Meeting Date:** 04/21/2020



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**TITLE:**

**Consideration and Adoption of Resolution No. 2020-20:** A resolution of the Flagstaff City Council, approving an Intergovernmental Agreement between the State of Arizona and the City of Flagstaff for the construction of a right-turn lane on Humphreys Street adjacent to City Hall.

**STAFF RECOMMENDED ACTION:**

- 1) Read Resolution No. 2020-20 by title only
- 2) City Clerk reads Resolution No. 2020-20 by title only (if approved above)
- 3) Adopt Resolution No. 2020-20

**Executive Summary:**

The State of Arizona will design, advertise, award and administer the construction of the right-turn lane in Humphreys Street, which will require the relocation and reconstruction of the sidewalk, drainage inlet, stairs and the retaining wall adjacent to City Hall.

The City will transfer the property to ADOT by special warranty deed, in accordance with Ordinance 2019-23, prior to construction proceeding. In the IGA, upon completion, final inspection and acceptance of the project, the City agrees to maintain and assume full responsibility of the project stairs located near the intersection of Humphreys and Route 66.

**Financial Impact:**

None.

**Policy Impact:**

None.

**Connection to Council Goal, Regional Plan, CAAP, and/or Strategic Plan:**

Council Goal: Transportation and other Public Infrastructure - Deliver quality community assets and continue to advocate and implement a highly performing multi-modal transportation system.

Regional Plan: Transportation - Safe and Efficient Multimodal Transportation Goals and Policies; Policy T.2.1-Design infrastructure to provide safe and efficient movement of vehicles, bicycles, and pedestrians.

Strategic Plan: Work in Partnership to Enhance a Safe and Livable Community - Cultivate community partnerships through civic engagement and participation.

**Has There Been Previous Council Decision on This:**

Yes, Council previously approved Ordinance 2019-23 which authorizes the transfer of real property located on the west side of Humphreys Street adjacent to City Hall.

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**Attachments:**     Res. 2020-20  
                          IGA  
                          Conceptual Layout

**RESOLUTION NO. 2020-20**

**A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE STATE OF ARIZONA AND THE CITY OF FLAGSTAFF FOR THE CONSTRUCTION OF A RIGHT-TURN LANE ON HUMPHREYS STREET ADJACENT TO CITY HALL.**

**RECITALS:**

WHEREAS, the State of Arizona, acting by and through its Department of Transportation (ADOT), and the City of Flagstaff desire to enter into an intergovernmental agreement for the purpose of constructing a right-turn lane on Humphreys Street adjacent to City Hall;

WHEREAS, through Ordinance 2019-23, the City authorized the transfer of real property located along the west side of Humphreys Street adjacent to City Hall to ADOT for construction of the right-turn lane;

WHEREAS, the City will transfer the property to ADOT by special warranty deed prior to start of the project;

WHEREAS, the State will design, advertise, award and administer construction of the right-turn lane, which will require relocation and reconstruction of the sidewalk, drainage inlet, stairs to City Hall, and the retaining wall adjacent to City Hall.

**ENACTMENTS:**

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

SECTION 1. In General.

The Flagstaff City Council hereby authorizes the Mayor to execute the Intergovernmental Agreement between the State of Arizona and the City of Flagstaff, Arizona, attached hereto as Exhibit A.

SECTION 2. Effective Date.

This resolution shall be immediately effective upon adoption.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 21st 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:  
IGA

ADOT CAR No.: IGA 19-0007389-I  
AG Contract No.: P001 2019 003645  
Project Location/Name: SR 40B-Aspen  
Avenue  
Type of Work: Maintenance  
Federal-aid No.: STBG-180-A(205)S  
ADOT Project No.: F0060 01D  
TIP/STIP No.: NA  
CFDA No.: 20.205 - Highway Planning and  
Construction  
Budget Source Item No.: 8319

## **INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF FLAGSTAFF

**THIS AGREEMENT** is entered into this date \_\_\_\_\_, pursuant to the Arizona Revised Statutes (“A.R.S.”) §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the “State” or “ADOT”) and the CITY OF FLAGSTAFF, acting by and through its Mayor and City Council (the “City”). The State and the City are collectively referred to as “Parties.”

### **I. RECITALS**

1. The State is empowered by A.R.S. § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The City is empowered by A.R.S. § 11-952 to enter into this Agreement and has by resolution, a copy of which is attached and made a part of, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.
3. The State will design, advertise, award and administer construction of a right-turn lane on US 180 at the Interstate 40 Business Route (“I-40B”) intersection. The addition of this right-turn lane will require relocation and reconstruction of the sidewalk, drainage inlet, stairs to the City of Flagstaff Hall, and the retaining wall adjacent to the west side of US 180, (the “Project”). The Project will also include updating the turnaround ramp of the existing sidewalks to Americans with Disabilities Act (ADA) standards at the US 180 and I-40B intersection. The State will obtain federal funds for the design and construction costs associated with the Project.
4. Through Ordinance 2019-23, the City authorized the transfer of certain real property located along the west side of Humphreys Street (US 180) adjacent to City Hall to ADOT for public right-of-way purposes and the construction of a right-turn lane on Humphreys Street at the I-40B intersection. The City will transfer the property to ADOT by special warranty deed prior to start of the Project.

**THEREFORE**, in consideration of the mutual terms expressed in this Agreement, it is agreed as follows:

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**II. SCOPE OF WORK**

1. The Parties agree:
  - a. The Project will be performed, completed, accepted and paid for in accordance with the requirements of the Project plans and specifications.
2. The State will:
  - a. Prepare and provide the design plans, specifications and other such documents and services required for the construction bidding and construction of the Project and incorporate comments from the City as appropriate.
  - b. With FHWA authorization, proceed to administer construction: advertise, receive and open bids, award, and enter into a contract with the firm for the construction of the Project. Administer contract(s) for the Project and make all payments to the contractor(s).
  - c. Confirm per established procedures of the State's Northcentral District Permit Office, that the City has a valid annual blanket encroachment permit on file for only routine/minor maintenance and emergency maintenance work provided by the City within the State's rights-of-way. Agree that any new construction or installation shall require a separate encroachment permit through the State's Northcentral District Permits Office, and shall issue those encroachment permits in accordance with established regulations and procedures based on scope of work.
  - d. Notify the City of final inspection and acceptance of the Project improvements.
3. The City will:
  - a. Review the design documents required for construction of the Project and provide comments to the State as appropriate.
  - b. Not permit or allow any encroachments upon or private use of the public right-of-way, except those authorized by permit. In the event of any unauthorized encroachment or improper use, the City shall take all necessary steps to remove or prevent any such encroachment or use.
  - c. Grant to the State, its agents and/or contractors, by way of right-of-way permit, without cost, the temporary right to enter City rights-of-way, as required, to conduct any and all construction and preconstruction related activities for the Project, on, to and over said City rights-of-way. This temporary right will expire with completion of the Project.

- d. Investigate and document utilities within the Project limits; submit findings to ADOT determining prior rights or no prior rights; approve an easement within the final right-of-way to re-establish the prior right location for those utilities with prior rights.
- e. Maintain and follow requirements of a valid annual blanket encroachment permit for the routine/minor maintenance and emergency maintenance work provided by the City within the State's rights-of-way. Any new construction or installation shall require a separate encroachment permit as per the State's established procedures, which may be obtained through the State's Northcentral District Permits Office. Notify the State's Northcentral District Permit Office of any emergency maintenance work affecting the State right-of-way.
- f. After final inspection and acceptance of the Project is complete, agree to maintain and assume full responsibility of the Project stairs located on the City's right-of-way, at its sole expense.
- g. Perform maintenance to those portions of the completed Project required under Master Maintenance Agreement 81-007-I or any subsequent maintenance agreements, at its sole expense.

### **III. MISCELLANEOUS PROVISIONS**

- 1. This Agreement shall become effective upon signing and dating of the Determination Letter by the State's Attorney General.
- 2. Any change or modification to the Project will only occur with the mutual written consent of both Parties.
- 3. The terms, conditions and provisions of this Agreement shall remain in full force and effect until completion of the Project. Any provisions for maintenance shall be perpetual, unless assumed by another competent entity.
- 4. This Agreement may be cancelled at any time up to 30 days before the award of the Project contract, so long as the cancelling Party provides at least 30 days' prior written notice to the other Party. It is understood and agreed that, in the event the City terminates this Agreement, the City shall be responsible for all costs incurred by the State up to the time of termination. It is further understood and agreed that in the event the City terminates this Agreement, the State shall in no way be obligated to complete or maintain the Project.
- 5. The City shall indemnify, defend, and hold harmless the State, any of its departments, agencies, officers or employees (collectively referred to in this paragraph as the "State") from any and all claims, demands, suits, actions, proceedings, loss, cost and damages of every kind and description, including reasonable attorneys' fees and/or litigation expenses (collectively referred to in this paragraph as the "Claims"), which may be brought or made against or incurred by the State on account of loss of or damage to any property or for injuries to or death of any person, to the extent caused by, arising out of, or contributed to, by reasons of any alleged act, omission, professional error, fault, mistake, or negligence of the City, its employees, officers, directors, agents, representatives, or contractors, their

employees, agents, or representatives in connection with or incident to the performance of this Agreement. The City's obligations under this paragraph shall not extend to any Claims to the extent caused by the negligence of the State, except the obligation does apply to any negligence of the City which may be legally imputed to the State by virtue of the State's ownership or possession of land. The City's obligations under this paragraph shall survive the termination of this Agreement.

6. The State shall include Section 107.13 of the 2008 version of the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, incorporated into this Agreement by reference, in the State's contract with any and all contractors, of which the City shall be specifically named as a third-party beneficiary. This provision may not be amended without the approval of the City.
7. Should the federal funding related to this Project be terminated or reduced by the federal government, or Congress rescinds, fails to renew, or otherwise reduces apportionments or obligation authority, the State shall in no way be obligated for funding or liable for any past, current or future expenses under this Agreement.
8. The cost of the Project under this Agreement includes indirect costs approved by the FHWA, as applicable.
9. The Parties warrant compliance with the Federal Funding Accountability and Transparency Act of 2006 and associated 2008 Amendments (the "Act"). Additionally, in a timely manner, the City shall provide information that is requested by the State to enable the State to comply with the requirements of the Act, as may be applicable.
10. The City acknowledges and will comply with Title VI of the Civil Rights Act Of 1964.
11. This Agreement shall be governed by and construed in accordance with Arizona laws.
12. This Agreement may be cancelled in accordance with A.R.S. § 38-511.
13. The City shall retain all books, accounts, reports, files and other records relating to the Agreement for five years after completion of the Project. These documents shall be subject at all reasonable times to inspection and audit by the State. Such records shall be produced by the City at the request of ADOT.
14. This Agreement is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable Federal regulations under the Act, including 28 CFR Parts 35 and 36. The Parties to this Agreement shall comply with Executive Order Number 2009-09 issued by the Governor of the State of Arizona and incorporated by reference regarding "Non-Discrimination."
15. Non-Availability of Funds: Every obligation of the State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the fulfillment of such obligations. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised,

and the State shall not be obligated or liable for any future payments as a result of termination under this paragraph.

16. In the event of any controversy, which may arise out of this Agreement, the Parties agree to abide by arbitration as is set forth for public works contracts if required by A.R.S. § 12-1518.
17. The Parties shall comply with the applicable requirements of A.R.S. § 41-4401.
18. The Parties shall certify that all contractors comply with the applicable requirements of A.R.S. §35-393.01.
19. The Parties shall comply with all applicable laws, rules, regulations and ordinances, as may be amended.
20. All notices or demands upon any Party to this Agreement shall be in writing and shall be delivered electronically, in person, or sent by mail, addressed as follows:

**For Agreement Administration:**

Arizona Department of Transportation  
Joint Project Administration  
205 S. 17<sup>th</sup> Avenue, Mail Drop 637E  
Phoenix, Arizona 85007  
[JPABranch@azdot.gov](mailto:JPABranch@azdot.gov)

City of Flagstaff  
Attn: Bret Petersen  
211 W. Aspen Avenue  
Flagstaff, AZ 86001  
928.213.2680

**For Project Administration:**

Arizona Department of Transportation  
Project Management Group  
205 S. 17<sup>th</sup> Avenue, Mail Drop 614E  
Phoenix, AZ 85007  
[PMG@azdot.gov](mailto:PMG@azdot.gov)

City of Flagstaff  
Attn: Bret Petersen  
211 W. Aspen Avenue  
Flagstaff, AZ 86001  
928.213.2680

21. Any revisions to the names and addresses above may be updated administratively by either Party and shall be in writing.
  22. In accordance with A.R.S. § 11-952 (D), attached and incorporated in this Agreement is the written determination of each Party's legal counsel that the Parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form.
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**IN WITNESS WHEREOF**, the Parties have executed this Agreement the day and year first above written.

**CITY OF FLAGSTAFF**

**STATE OF ARIZONA**  
Department of Transportation

By \_\_\_\_\_  
**CORAL EVANS**  
Mayor

By \_\_\_\_\_  
**STEVE BOSCHEN, PE**  
Division Director

ATTEST:

By \_\_\_\_\_  
**STACY SALTZBURG**  
City Clerk

**ATTORNEY APPROVAL FORM FOR THE CITY OF FLAGSTAFF**

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the CITY OF FLAGSTAFF, an agreement among public agencies which, has been reviewed pursuant to Arizona Revised Statutes §§ 11-951 through 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date



**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Greg Clifton, City Manager  
**Co-Submitter:** Budget Team  
**Date:** 04/14/2020  
**Meeting Date:** 04/21/2020



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**TITLE:**

**Discussion and Possible Approval:** Recession Plan and Other Budget Related Topics

**STAFF RECOMMENDED ACTION:**

Staff recommends Council approval of the Recession Plan as presented

**Executive Summary:**

The Recession Plan is modeled after a similar tool that has been implemented in another jurisdiction (and applied during the Great Recession). As such, it does have some history of success. It has been tailored specifically to the City of Flagstaff. While much effort and analysis has been placed into the development of the Plan, it is relatively simple in scope.

The Plan is based upon an incremental application of five remedial action steps (stages) in a progressive fashion. The first stage is relatively minor, while the fifth and final stage presupposes a crisis situation. The intervening stages become progressively more impacting, as declining revenues worsen. The Plan is intended to be proactively applied, utilizing economic forecasts and indicators as enumerated. Notably, formulation of the Plan commenced during healthy economic times, well in advance of the current pandemic and its resulting economic downturn.

Procedurally, the Plan is a tool that can be considered and implemented at the administrative level during the early stages of a recession or economic downturn (first two stages), with Council action being required for more stringent measures (third, fourth, and fifth stages). The Budget Team, comprised of members of Management Services, City Managers Office, Human Resources, Economic Vitality, and the Employee Advisory Committee, serves as the working body to evaluate the economic indicators and recommend the correlating remedial measures. While the formulation of this Plan was conducted through members of the Budget Team, transparency of the process was achieved through presentation before the Leadership Team, Extended Leadership Team, and the Employee Advisory Committee.

This Plan is formulated to endure the test of time, utilizing a sliding-scale approach to both its implementation and suspension as necessary. This is important to allow for the necessary fluidity to changing economic situations. The current pandemic, with its rapid spread, uncertain severity, and unknown duration, illustrates the need for this adaptiveness.

**Financial Impact:**



# 2020 City of Flagstaff Economic Recession Plan



## Purpose

The City and US has seen over ten years of economic growth since the great recession of 2008. We are currently in the longest stretch of economic growth in US history. The chances for economic downturns become more likely as expansion continues. Taking measures to be prepared for economic downturns is critical to how well the City financially responds to a reduction in resources to provide ongoing services to the community. It is imperative to have these strategic measures in place, proactively, in order to plan and prepare for such downturns well in advance. Toward that objective, the formulation of this Plan commenced in the Fall of 2019 with the intention of adoption prior to the 2020-21 Budget Year.

The purpose of this Recession Plan is to provide financial guidance and remedial measures during negative changes in the City's economic status. There are multiple stages of the Plan, that equate to anticipated incremental reduction in available City revenues.

## Understanding Indicators and Impacts

Since the City's economy is heavily dependent on discretionary spending of visitors and discretionary purchasing surrounding the tourism, real estate, and construction markets, projecting revenues and expenditures is challenging. Adding to this challenge is our reliance upon many national and regional variables. A plan to manage the financial impacts of economic recession and net revenue shortfalls is paramount.

With those challenges in mind, this Plan, in conjunction with the City's policy on maintaining reserves, can be used to address a variety of economic uncertainties and identify potential corrective actions when revenues or reserves are jeopardized.

- A. Negative Indicators are warnings that potential budget impacts are an increasing probability based on the monitoring of key revenue sources such as sales taxes, building activity, utility usage, and tourism related indicators. Inflation indicators, interest rates, and state and national trends may also be considered. State, national and global issues and crises should also be considered.
- B. Economic downturns can fluctuate in severity and in duration. Implementation of the strategies in this Plan should coincide with the duration of such events, and beyond as may be warranted to ensure full recovery economically.
- C. Stages represent the degree of the economic downturn and serve to classify and communicate the severity of the situation to the City Council, staff, and the public. There are five stages accordingly. As the severity of the economic downturn increases (or are expected to increase in severity) the Plan's tiered approach will guide the City's actions accordingly.

**Funds have different Indicators and Impacts**

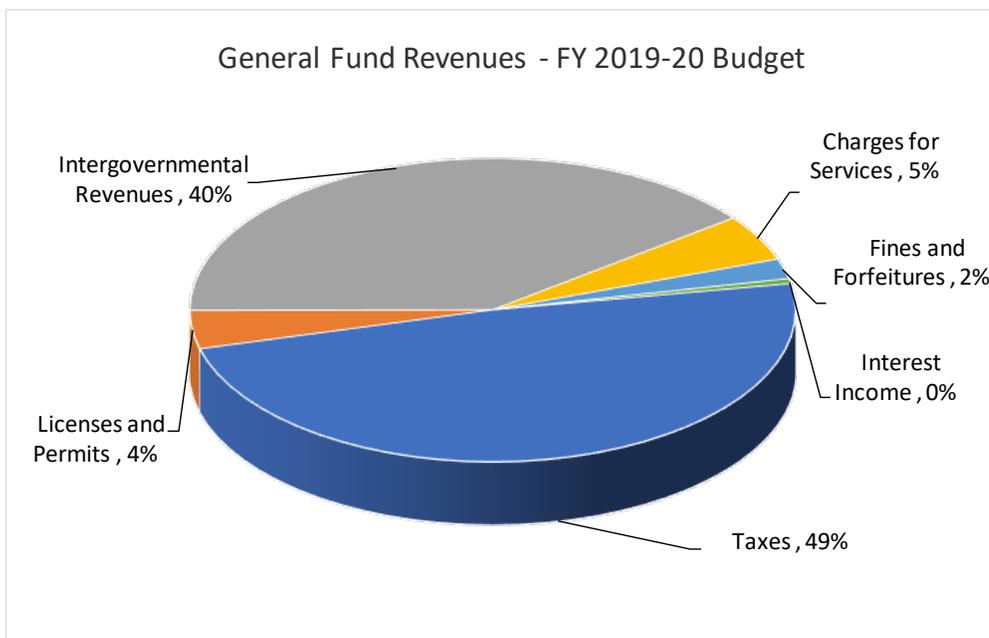
The City has multiple funds which have different revenue streams that have different indicators to be aware of. The largest of the funds is the City’s General Fund which is largely used for general City services and labor. Some of the funds operate as enterprise funds premised upon self-sustaining revenues generated through the operation of an enterprise – essentially treated as government-operated businesses. All of the City’s funds are summarized in Appendix A.

The indicators as noted above will basically apply to all City funds, noting that some funds, such as the General Fund, may be more vulnerable than other funds to economic fluctuation. Therefore, the Plan places significant focus on the General Fund. All the funds are summarized in Appendix A. In addition, the General fund may need to sustain further cuts to assist other smaller/non self-sufficient funds (such as the Airport and Library Funds).

Below is a table of some of the major revenues in the General Fund that would be impacted during an economic downturn along with the impact based on a percentage of change:

		Decline: Up to 2%	Decline: Up to 5%	Decline: Up to 10%	Decline: Up to 20%
<b>001 : General Fund</b>	<b>Total Budget</b>				
Taxes	\$ 32,274,000	\$ 645,000	\$ 1,614,000	\$ 3,227,000	\$ 6,455,000
Licenses and Permits	2,707,000	54,000	135,000	271,000	541,000
Intergovernmental Revenues	26,334,000	527,000	1,317,000	2,633,000	5,267,000
Charges for Services	3,267,000	65,000	163,000	327,000	653,000
Fines and Forfeitures	1,420,000	28,000	71,000	142,000	284,000
Interest Income	350,000	7,000	18,000	35,000	70,000
<b>Total</b>	<b>\$ 66,352,000</b>	<b>\$ 1,326,000</b>	<b>\$ 3,318,000</b>	<b>\$ 6,635,000</b>	<b>\$ 13,270,000</b>

Excludes: Lease revenues, contributions, miscellaneous, financing resources and transfers.



In the General Fund for FY 2019-20, 81% (\$56.2 Million) of the base ongoing budget is personnel, 14% (\$9.8 Million) is contractual, 3.4% (\$2.4 Million) is commodities and 1.6% (\$1.1 Million) is capital. Most capital purchases are funded with one-time resources or funded with resources outside of the General Fund. Of the total General Fund base budget in FY 2019-20, 57% (\$39.2 Million) is related to public safety (police, fire and court), of which 31% (\$12.3 Million) is public safety pension contributions.

### **General Fund Unrestricted Fund Balance and Contingencies Play a Role in Economic Financial Planning**

A critical part of long-term financial planning is to assure an adequate fund balance is maintained in the General Fund. Outside of economic downturns, the City will strive to have a minimum unreserved fund balance of 20%. During downturns, the City could make strategic reductions in the fund balance. For FY 2019-20, 20% is equal to \$12,500,000. Reduction of fund balance will impact the security of the General Fund and could have an adverse impact on debt ratings.

There are proactive administrative tools that will ensure the maintenance of the 20% fund balance. Such tools include the centralization of various administrative services that may bring about economies by minimizing fragmentation. Cross-training and resource sharing between the divisions and sections should likewise be encouraged.

Revenue streams to fund programs and services that can be made sustainable through sources outside of the General Fund should be explored. Similarly, the General Fund is greatly encumbered by a public safety pension liability and efforts should be explored to see an independent funding stream lessen this burden, thereby making the fund less vulnerable to economic downswings.

Minimum fund balance policy for all other City funds is 10%, except the Highway User Revenue Fund (HURF) which has a minimum 20% fund balance policy and the Water Services Funds which has a minimum 25% fund balance policy.

### **Taking Remedial Action Based upon Revenue and Fund Balance Reductions**

Planning what action steps will be taken positions an organization to proactively and responsibly plan for economic downturns.

The City has designed the following action plan based upon multiple stages of an economic downturn. The five stages set forth below equate to anticipated reductions in available revenues (the higher stages representing more severe reductions) and the resulting measures to be taken in each stage.

## Five Stages:

**Alert/Minor** - An anticipated, unbudgeted, net reduction in available revenues up to 2%, less than \$1.4M

**Action:** Under this scenario, expenditures will be reduced where reasonably possible. Most services can be maintained without reduction or public impact, but some services may be scaled down. Recruitment for vacant positions may be prolonged for short periods, and unexpended operating appropriations will be diverted back into the General Fund. Efficiencies to reduce expenditures will be pursued with emphasis. Divisions and Sections are responsible for monitoring budgets and reducing expenditures.

**Moderate** - A projected and unbudgeted reduction in revenues in excess of 2% but less than 5%, \$1.4M to \$3.4M

**Action:** The City will maintain essential services, but non-essential services may be curtailed and the review of expenditures is intensified to include the deferment of large purchases, cancellation of contracts and consulting services, reduction/postponement of capital expenditures that are not mandatory or urgent, postponement of expenditures related to travel, meetings, and discretionary training, and delaying the recruitment for vacant positions when reasonable, including a partial hiring freeze, or relying upon other strategies to fill current or projected vacancies.

**Significant** - A projected and unbudgeted reduction in revenues in excess of 5% but less than 10%, \$3.4M-6.7M.

**Action:** Requires strong justification for large purchases, elimination of expenditures related to travel, meetings, and discretionary training, deferring a significant number of capital projects, implementation of a hiring freeze on all but essential health, safety, and welfare positions, and the suspension or reduction of services and programs or decrease level of service in programs that are not deemed essential to the community. A possible reduction of workforce with initial emphasis upon temporary, part-time, and contract employees. A possible draw down of reserves may be considered. The City will consider reduction of hours and/or temporary closures of facilities and/or increases in fees to maintain services. Possible deferral or postponement of salary increases (rezones, merits, COLAs and QSIs).

**Major** - A projected and unbudgeted reduction in revenues in excess of 10% but less than 20%, \$6.7M-\$13.3M plus

**Action:** This phase requires actions aimed at major service cuts, continuation of a total hiring freeze, a reduction of workforce with emphasis upon temporary, part-time, and contract employees, suspend all types of salary increases, and may consider additional employee cost reduction policies, further reductions in capital expenditures, and development of a further reduction in workforce strategy. A draw down of reserves would be required to maintain essential or mandatory services. Longer term closures of non-essential city facilities will occur.

**Crisis** - This phase assumes that revenues have been almost entirely depleted, with reductions in excess of 20%. The potential for an overall budget deficit is present.

**Action:** At this point, the City implements its reduction in workforce and employee cost reduction policies, eliminates programs and services, and stops all capital improvement projects and purchasing. Further reductions in reserves will be required.

The initiation of any of these strategies and actions originate with the Budget Team. Implementation of the First and Second Stages (Minor/Moderate) can be performed administratively. Implementation of additional Stages (Significant through Crisis) will require the consent and resolution of the City Council. The subsequent termination or reduction of these actions will be subject to the same approval requirements.

If the conditions leading to implementation of the Economic Recession Plan are likely to continue for multiple years, the cumulative effect of the reduction in revenues or reserves should be considered in determining the appropriate phased response.

## Appendix A: Summary of Impact by Funds

	Revenues	Decline: Up to 2%	Decline: Up to 5%	Decline: Up to 10%	Decline: Up to 20%
General Fund	\$ 66,352,000	\$ 1,326,000	\$ 3,318,000	\$ 6,635,000	\$ 13,270,000
Special Revenue Funds					
Library	3,982,000	80,000	199,000	398,000	796,000
HURF	8,635,000	173,000	432,000	863,000	1,727,000
Transportation Tax	27,108,000	543,000	1,355,000	2,710,000	5,422,000
BBB Funds	9,798,000	196,000	490,000	981,000	1,960,000
Parking District	1,480,000	30,000	74,000	148,000	296,000
Total Special Revenue	51,003,000	1,022,000	2,550,000	5,100,000	10,201,000
Debt Service Funds	7,302,000	146,000	365,000	730,000	1,460,000
Enterprise Funds					
Water	17,815,000	356,000	891,000	1,781,000	3,563,000
Wastewater	10,539,000	211,000	527,000	1,054,000	2,108,000
Reclaim	1,040,000	21,000	52,000	104,000	208,000
Stormwater	4,277,000	86,000	214,000	428,000	855,000
Solid Waste	12,236,000	245,000	612,000	1,224,000	2,447,000
SEMS	1,064,000	21,000	53,000	106,000	213,000
Airport	2,219,000	44,000	111,000	222,000	444,000
FHA	1,803,000	37,000	90,000	181,000	361,000
Total Enterprise	50,993,000	1,021,000	2,550,000	5,100,000	10,199,000
All other funds	\$ 109,298,000	\$ 2,189,000	\$ 5,465,000	\$ 10,930,000	\$ 21,860,000

# Memo

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To: Leadership and Extended Leadership  
From: Budget Team  
Date: April 6, 2020  
Subject: Immediate Steps in Response to the Financial Impacts Related to the COVID-19 Pandemic

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As we continue to respond to the COVID-19 pandemic, and the impact on the City's financial position, the Budget Team is implementing the following immediate steps. While we do not currently know the complete impacts to the City, we are implementing the following steps immediately in line with the City's Recession Plan, which will be discussed at the staff level in the near future and presented to Council on April 21<sup>st</sup>. As we continue to evaluate the City's reduced revenues, and the associated impacts, further action items may be required.

### *Suspend Recruitment and Implement a Hiring Freeze*

This is a general policy to be followed immediately. Any exceptions will be reviewed by the Budget Team for approval:

- Divisions must evaluate what positions are critical and may be considered for Budget Team review
- Division directors will submit critical positions, including an explanation supporting the critical nature of the request, electronically to Heidi Derryberry
- Current recruitments will be returned by Human Resources to division directors for review and submission as stated above
- FY 2020-2021 approved positions will follow the same guidelines as stated above

### *Eliminate All Travel and Training*

- Exceptions may include requirements for mandatory certifications, etc.

### *Suspend All Non-Essential Purchases*

- Reduce FY 2019-2020 unspent commodities budgets unless required for COVID-19

### *Postpone Fleet Purchases*

Any exceptions will be reviewed by the Budget Team for approval:

- Divisions must evaluate what purchases are critical and may be considered for Budget Team review
- Division directors will submit critical purchases, including an explanation supporting the critical nature of the request, electronically to Heidi Derryberry
- FY 2020-2021 approved purchases will follow the same guidelines as stated above

### *Postpone Operating Capital Purchases*

Any exceptions will be reviewed by the Budget Team for approval:

- Divisions must evaluate what purchases are critical and may be considered for Budget Team review
- Division directors will submit critical purchases, including an explanation supporting the critical nature of the request, electronically to Heidi Derryberry
- FY 2020-2021 approved purchases will follow the same guidelines as stated above

### *Review and Re-Negotiate Contracts If Applicable*

- Reduce consultant related expenses
- Reduce and/or eliminate contracts for services (i.e. custodial services)
- Reduce maintenance contracts

We are asking that divisions implement these action items effective immediately and continue until further notice. We are very grateful for your assistance in these matters and recognize the difficulties that will be placed upon all divisions. As Team Flagstaff your commitment to reduce costs will help us succeed as an organization.

If you have any questions, please feel free to contact the Budget Team.

**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Barney Helmick, Airport Director  
**Co-Submitter:** Adam Miele  
**Date:** 04/14/2020  
**Meeting Date:** 04/21/2020



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**TITLE**

**Flagstaff Airport Parking**

**STAFF RECOMMENDED ACTION:**

Staff Recommendation: To select one parking design concept and approve staff to proceed with engineering designs. Staff is also looking for discussion on airport patron cost for a pay-to-park program.

**EXECUTIVE SUMMARY:**

The Flagstaff Airport has a free parking program with 398 parking spaces in the existing terminal lot. This lot served the airport from 1993 to 2018 only exceeding capacity during holidays, and summer peak months. In 2019, new air service to Denver and Dallas increased our passenger counts by 78%. Year-to-date figures show enplanements are up 94%. The increase has resulted in a daily average of over 500 cars parking at the airport. Airport Staff was tasked, by the City Council and City Manager's office, to come up with a plan to meet the current and future needs for our airport parking.

When the City completed the Airport Master Plan in 2018, the plan identified a location for future parking expansion, and identified parking growth compared to passenger levels. The location, as well as the entire Airport Master Plan, was approved by the Federal Aviation Administration. The Plan identified 396 marked parking spaces, and a recommendation for long term parking needs to reach 962 public, employee, and rental car parking spaces.

Facilities Project Manager under a Job Order Contract reached out to Peak Engineering to develop three concept parking lots on the Master Plan identified location. Staff will provide three concepts sharing the pros and cons of each during this council meeting. We are seeking guidance on proceeding with a final lot choice and to provide engineering plans for the final build. We are also looking to discuss the paid-to-park program and possible pricing for patrons.

**INFORMATION:**

Council Goal: Transportation and Public Infrastructure.

Flagstaff Regional Plan

Policy T.3.4. Actively manage parking, including cost and supply, to support land use, transportation, and economic development goals.

Goal T.10. Strengthen and expand the role of Flagstaff Pulliam Airport as the dominant hub for passenger, air freight, public safety flights, and other services in northern Arizona.

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**Attachments:**     Flagstaff Airport Parking

# Flagstaff Airport PARKING







# Existing Airport Parking Lot



- 398 striped parking spaces
- The master plan indicates the existing parking lot is undersized for the number of enplanements
  - Recommendation of doubling the existing number of spaces
  - Additional routes have been incorporated following the completion of the master plan





# Second Parking Lot



- Design Phase services
  - Peak Engineering, Inc.
    - General Scope of services;
      - Provide 3 design concepts
        - With a minimum of 350 spaces
      - Incorporate into the final concept:
        - Fencing
        - Lighting
        - Pedestrian access to the terminal
        - Bus pullout
        - Line widening (bike lane)
        - Paid parking equipment (gates, ticket machines...)
    - Submit the final design for City site plan review (incorporating all City of Flagstaff development standards into the design)



# Second Parking Lot



- Vicinity map of the new second permanent parking lot
- The project site was selected utilizing the recommendations from the recently updated airport master plan (Dec. 2018)



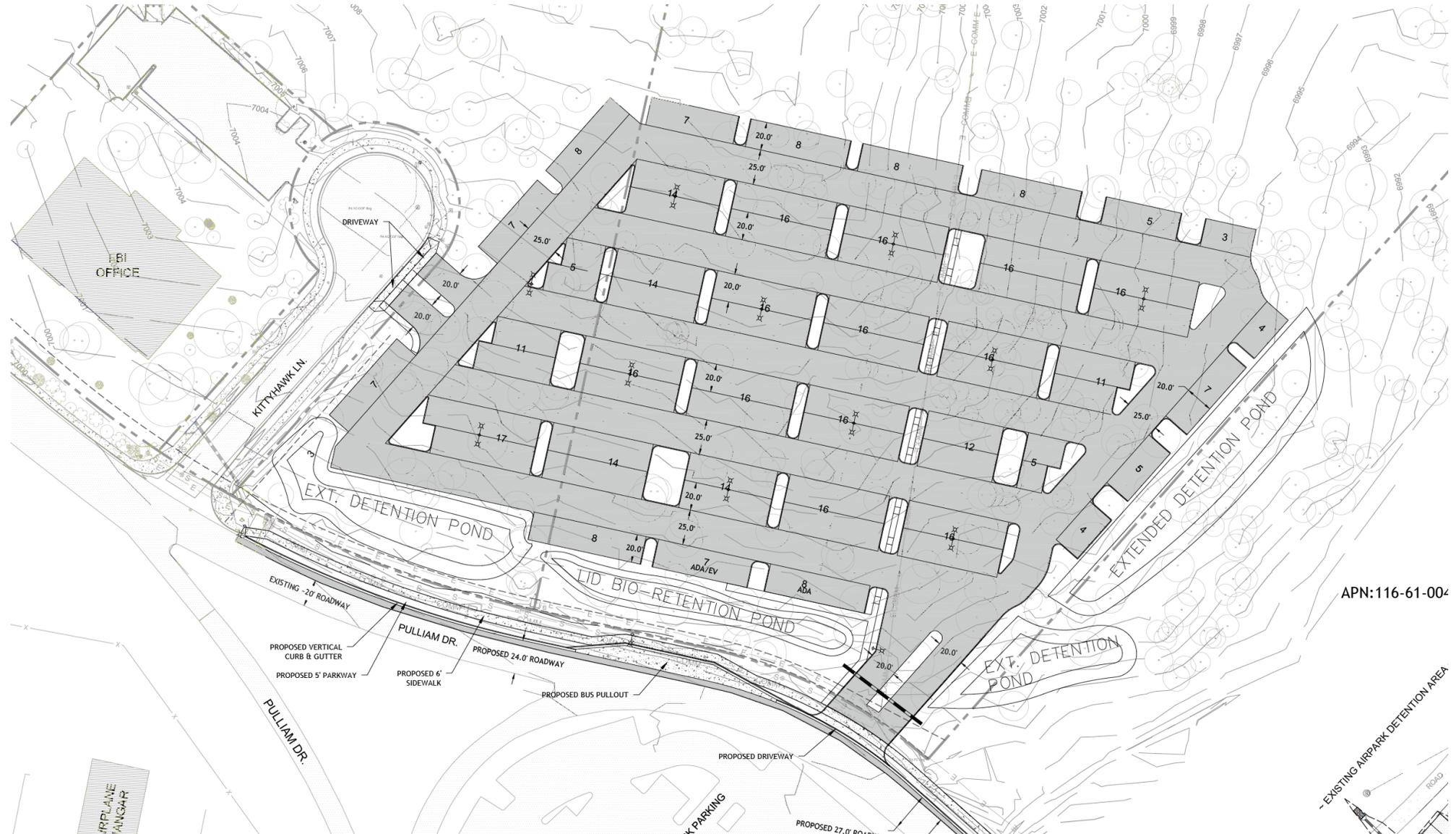


# Second Parking Lot



## Concept A

- Approx. 413 parking stalls
- Approx. 16,988 S.Y.
- 41.1 S.Y./stall
- Staff's preferred concept



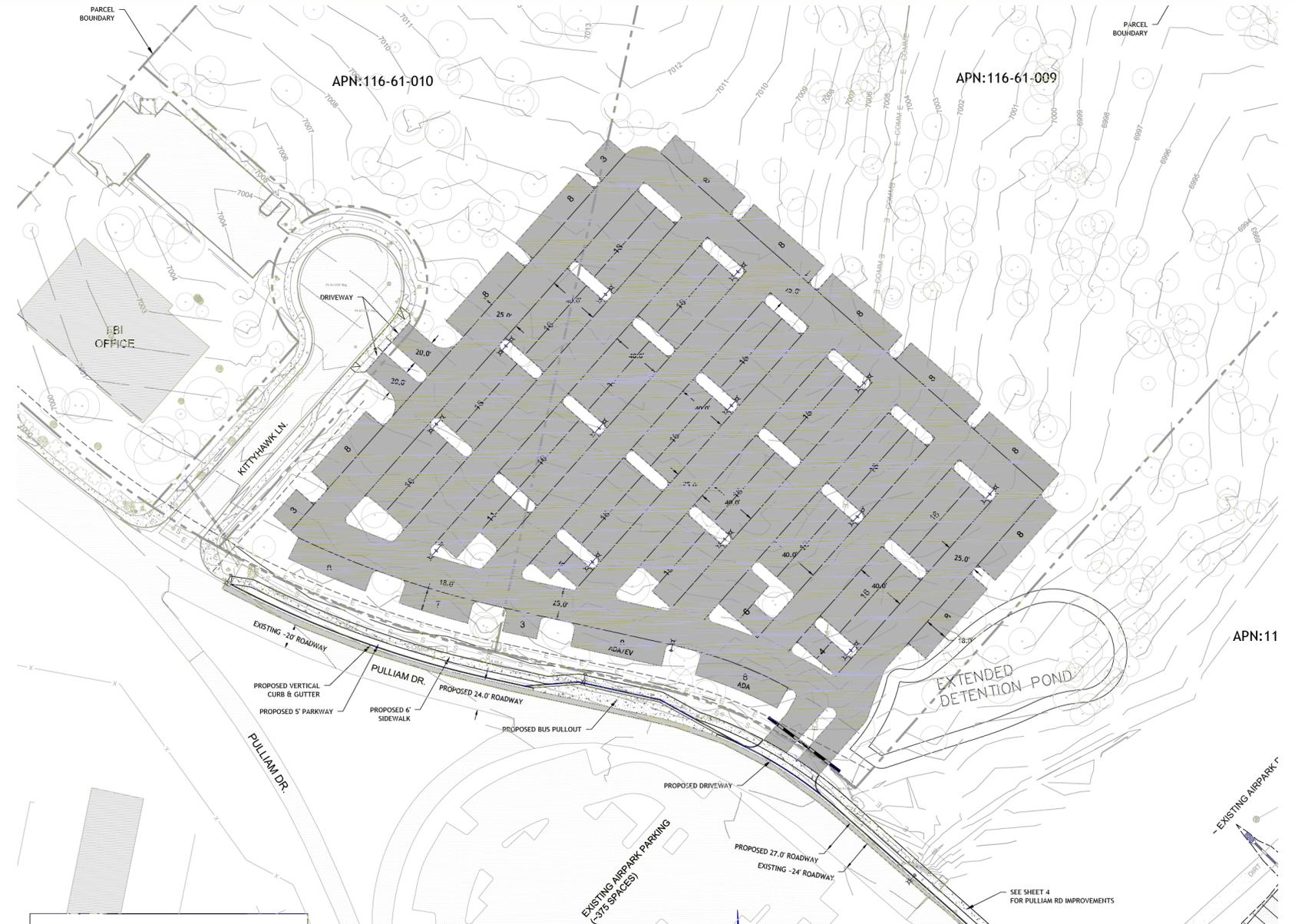


# Second Parking Lot



## Concept B

- Approx. 370 parking stalls
- Approx. 16,135 S.Y.
- 43.6 S.Y./stall





# Second Parking Lot



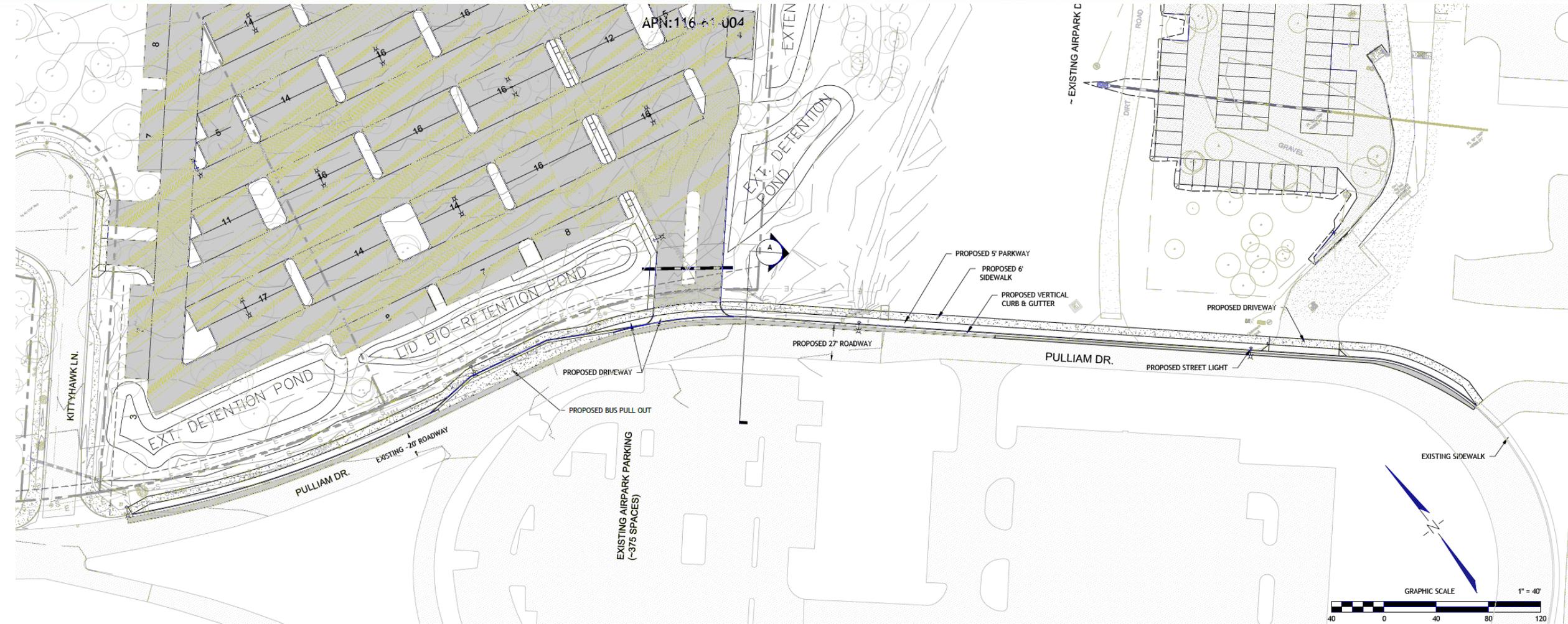
## Concept C

- Approx. 457 parking stalls
- Approx. 21,920 S.Y.
- 47.9 S.Y./stall





# Second Parking Lot



- Regardless of the concept chosen, there will be improvements from the new parking lot to the terminal. These improvements will be focused towards pedestrian travel.



# Second Parking Lot – Concept Discussion



Staff seeking Council guidance on which concept to use moving forward:

## Concept A

- Approx. 413 parking stalls
- Approx. 16,988 S.Y.
- 41.1 S.Y./stall
- Staff's preferred concept

## Concept B

- Approx. 370 parking stalls
- Approx. 16,135 S.Y.
- 43.6 S.Y./stall

## Concept C

- Approx. 457 parking stalls
- Approx. 21,920 S.Y.
- 47.9 S.Y./stall

Concept A – Concept C:  
Cost estimate is \$2.5 million to \$3 million depending on which concept is chosen.



# Paid Parking System



- After construction of permanent lot is completed, we will implement a paid parking system.
- Looking at a gate arm system where the parking patron receives a parking voucher but will continue to explore all options.
- Airport Parking Management is still in discussion.



# Paid Parking System



## Paid parking price discussion:

- Based on which concept is chosen, parking per patron per day will be determined.
- Staff looking to include economy and premium pricing.

# Questions?

THANK YOU  
FOR  
**'ALWAYS FLYING  
FLAGSTAFF  
FIRST!'**



**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Scott Overton, Streets Section Director  
**Date:** 04/13/2020  
**Meeting Date:** 04/21/2020



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**TITLE**

**Streets – Sidewalk Replacement Program and Assessment Practices**

**STAFF RECOMMENDED ACTION:**

Discuss the upcoming Streets Maintenance Program as it relates to sidewalk replacement and property owner cost assessments as outlined in Ordinance 2020-02.

Option 1 - Proceed with the directives of Ordinance 2020-02 and assess adjacent property owners for the costs of sidewalk replacement.

Option 2 - Suspend the ordinance clauses related to cost assessments for 120 days and proceed with the Streets Maintenance Program without participation of the adjacent property owner.

**EXECUTIVE SUMMARY:**

The recently adopted Ordinance 2020-02 ("Sidewalk Ordinance") outlines the procedures to replace damaged sidewalks adjacent to private property. The Sidewalk Ordinance provides guidance and articulates the financial requirements of adjacent property owners. Commercial property owners are responsible for 100% of the cost to repair/replace damaged sidewalks, while residential property owners can request that the City contribute up to 50% of the cost of repair/replacement. The City contribution is contingent on funding being allocated in the annual City budget.

The Streets Section is preparing to implement the annual Overlay and Chip Seal program, which is set to begin this Summer. In addition to street repairs, staff have identified portions of adjacent sidewalks in need of repair. Pursuant to the Sidewalk Ordinance, staff is preparing to notify the estimated 250 adjacent property owners of their respective share of the cost to repair/replace the adjacent sidewalks. However, staff also understands that the COVID-19 pandemic has caused some Flagstaff residents to experience unexpected economic hardship, which may impact their ability to cover the cost of sidewalk repair/replacement.

Staff is requesting direction from the Council on how to proceed.

**INFORMATION:**

The final Streets Maintenance Program Construction Manager at Risk award is currently scheduled for May 5, 2020 and this information is critical if adjustments are to be made.

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**Attachments:**     [2020-02 Sidewalk Ord](#)

**ORDINANCE NO. 2020-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE BY REPEALING CHAPTER 8-01, *SIDEWALKS*, AND ADOPTING A NEW CHAPTER 8-01, *SIDEWALKS*, TO PROVIDE FOR REVISED STANDARDS AND PROCEDURES; AND PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, the Regional Plan encourages a variety of community mobilities and the upkeep of sidewalk infrastructure to promote walkability; and

WHEREAS, the Zoning Code promotes the development and planning of sidewalk infrastructure; and

WHEREAS, the Climate Action and Adaptation Plan encourages multi-model behaviors of residents and has established goals to promote less reliance on automobiles; and

WHEREAS, well maintained sidewalk infrastructure promotes the usage and safe passage of residents and visitors to our community; and

WHEREAS, providing clear and reasonable expectations and duties of the City and property owners will result in maintained sidewalk infrastructure.

**ENACTMENTS:**

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

SECTION 1. The Flagstaff City Code, Title 8 *Public Ways and Property*, Chapter 8-01 *Sidewalks*, is hereby repealed in its entirety, and replaced with the following language:

**CHAPTER 8-01  
SIDEWALKS**

**SECTIONS:**

<b>8-01-001-0001</b>	<b>DUTY OF PROPERTY OWNER TO REPAIR ADJACENT SIDEWALKS</b>
<b>8-01-001-0002</b>	<b>NOTICE, PERMITTING, AND REPAIR OF SIDEWALKS</b>
<b>8-01-001-0003</b>	<b>DUTIES OF STREETS DIRECTOR</b>
<b>8-01-001-0004</b>	<b>CITY COST SHARE FUND</b>

**8-01-001-0001 DUTY OF PROPERTY OWNER TO REPAIR ADJACENT SIDEWALKS**

A. It shall be the duty of the owner of any lot or parcel adjacent to any sidewalk within the corporate limits of the City to keep and maintain such sidewalk in good order and repair.

1. It shall not be the responsibility of property owners to repair a sidewalk adjacent to their property where a City-owned tree located in the City right-of-way is the primary cause of the damage to or need for repair of the sidewalk.

#### **8-01-001-0002 NOTICE, PERMITTING, AND REPAIR OF SIDEWALKS**

A. Notice. Whenever the condition of any sidewalk in the City is in disrepair, the Streets Director or designee (“Director”) shall notify the owner of the adjacent property of such defective condition in writing and request that the owner repair the sidewalk within thirty (30) days after service of such notice or as weather permits, as determined by the Director.

1. The notice shall identify the repairs needed and be sent via certified mail to the owner of the property (or legal agent of the owner) adjacent to the sidewalk in need of repair.

B. Permit Required. The property owner shall be required to obtain a permit from the City prior to making repairs to any sidewalk pursuant to this chapter. However, there will be no charge for such permit unless the proposed work makes a change in the grade, location, or dimensions of the sidewalk.

C. Inspection. The alteration or repair of all sidewalks as called for pursuant to this chapter shall be subject to inspection by the City during construction and upon completion. All work must conform to City of Flagstaff Engineering Standards.

D. Repair by City. If the property owner fails to make the repairs identified in the notice within the time period specified in such notice, the City may repair the sidewalk and assess the cost of such repair to the adjacent property owner. Any such repairs will be contingent on the City’s available funding resources for sidewalk repair in any given fiscal year.

E. Cost; Lien. In the event that the City makes any repairs to a sidewalk after failure of the responsible party to do so, the Director shall file in the office of the City Clerk a verified, itemized statement of the cost of such repairs, which statement when so filed shall be deemed and taken as prima facie evidence of the cost of such repairs or renewals. The Director shall deliver via certified mail to the property owner a copy of the itemized statement of the cost repairs. If the property owner fails to pay the assessment within forty-five (45) days after receiving notice, a lien may be filed against the adjacent property and filed with the Coconino County assessor. The City may also pursue additional collection methods and any civil remedies available to obtain restitution for the costs of said repair.

#### **8-01-001-0003 DUTIES OF STREETS DIRECTOR**

A. It shall be the duty of the Streets Director or designee (“Director”) to receive and maintain a record of all complaints regarding sidewalks within the corporate limits of the City in need of repair. Within a reasonable time after receipt of said complaint, the Director shall notify the owner of the property adjacent to the sidewalk in need of repair pursuant to section 8-01-001-0002(A) above.

B. It shall be the duty of the Director to develop an inspection program that proactively identifies sidewalks in need of repair.

**8-01-001-0004 CITY COST SHARE FUND**

A. The City Council may provide an annual fund to assist residential property owners with the cost to repair sidewalks adjacent to their property. The cost share fund shall be contingent on the City’s available funding resources for sidewalk repair in any given fiscal year.

B. Residential property owners who identify an adjacent sidewalk in need of repair, or receive notice from the City that an adjacent sidewalk is in need of repair, may request assistance from the City’s cost share fund not to exceed fifty percent (50%) of the total cost of the repair.

**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 21st day of January, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Trevor Henry, Project Manager  
**Date:** 04/13/2020  
**Meeting Date:** 04/21/2020



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**TITLE**

**Rio de Flag Flood Control Project - Update**

**STAFF RECOMMENDED ACTION:**

**Desired Outcome:**

Facilitate Council discussion with an update on the project

**EXECUTIVE SUMMARY:**

- The US Army Corps of Engineers continues to move forward with the project design of the Flood Control Project. US Army Corps of Engineers received \$52M for their FY 20 Budget.
- The project plans are in the review process through the US Army Corps of Engineers. The completion of the project design is anticipated for summer 2020.
- The City of Flagstaff is continuing the work on property acquisition and environmental clearances.
- The City of Flagstaff continues the discussion with BNSF Railway for agreements and options to cross their rights-of-way with the Rio de Flag Flood Control Project.
- The City of Flagstaff is coordinating with the local franchise utilities on the relocation of their respective facilities for the Project construction.
- The May 2020 deadline as discussed with Council in the past is no longer realistic based on the status of the current plan review conducted by the US Army Corps of Engineers.
- The City of Flagstaff's lobbyist is working to schedule a meeting with the US Army Corps of Engineers to establish critical milestones to ensure timely coordination of all City of Flagstaff responsibilities, and to ensure we are positioned to proceed with construction in accordance with the US Army Corps of Engineers' criteria.
- The City of Flagstaff's current schedule for activities for the project has to come from the US Army Corps of Engineers, and we are working to establish this critical information.

**INFORMATION:**

**Connection to Council Goal, Regional Plan and/or Team Flagstaff Strategic Plan:**

**Council Goal 2017 – 2019 - Transportation and Other Public Infrastructure**

Deliver quality community assets and continue to advocate and implement a highly performing multi-modal transportation system.

**Council Goal 2017 – 2019 - Environmental and Natural Resources**

Actively manage and protect all environmental and natural resources

**Regional Plan – Policy WR 5**



# Rio de Flag Flood Control Project

## Project Area

**COMPLETED**  
Clay Avenue Wash  
Detention Basin

**COMPLETED**  
Thorpe Bridge

Upper Rio de Flag Reach

Lower Rio de Flag Reach

Clay Avenue Wash Reach

Butler Tunnel  
**COMPLETED**



**Clay Avenue Wash Detention Basin** Constructed 2009

**Butler Tunnel** Constructed 2010

**Thorpe Bridge** Constructed 2012

**Lower Rio de Flag Reach**

**Upper Rio de Flag Reach**

**Clay Avenue Wash Reach**

100-Year Rio de Flag Floodplain

Closed Channel

Composite Channel

Open Channel

**VICINITY MAP**

Disclaimer:  
The 100-year floodplain shown on this map was derived by  
City of Flagstaff based on a US Army Corps of Engineers (USACE)  
Map dated October 15, 1999. The floodplain shape shown on this map  
is a general representation of the extent of a 100-year flood event  
and should not be used for legal, engineering or planning purposes.



# City of Flagstaff

Rio de Flag Flood Control  
Project Update April 21, 2020





# Project Update



- **USACE**
- **Project Design**
- **Real Estate**
- **Environmental**
- **BNSF**



# USACE



- **Federal FY 20 Work Plan Funding, \$52M**
- **Project Construction**
  - Phase I – Lower and Clay Wash
  - Phase II – Upper
- **Agency Technical Review of Project Plans**
  - May 2020
- **Advertise Phase I – July 2020**
- **Award Phase I Contract – September 2020**
- **Debrief with Army Corps of Engineers**
  - Team discussion regarding Project coordination



# Project Design



- **City Council consideration of Change Order No. 13**
  - March 17, 2020 approval
  - City's Design Consultant progressing on the work tasks
- **USACE and their Design Consultant**
  - Comments from the November 2019 submittal returned, April 16, 2020
  - Next submittal (Third) **May** for City review
- **City to complete the Utility Relocations, finalize the Storm Sewer Design and Street Reconstruction Plans**
  - Working with City's Design Consultant
  - Coordinating with USACE and their Design Consultant
- **USACE schedule for Completion of Design, Summer 2020**



# Real Estate



- **Legal Descriptions for Affected Properties**
  - Finalization of documents for Lower and Clay Wash
  - Project team has worked to minimized Legal Descriptions
- **Appraisals**
  - Appraisals ordered as legal descriptions completed
  - BNSF and commercial properties – submitted to USACE
  - City leased properties have been requested
  - Army Corps of Engineers needs to review all appraisals – First batch submitted on April 6<sup>th</sup>



# Environmental



- **BNSF has Permitted Access**
  - Testing and investigation has been completed
  - Revised permitting for final remediation
- **Revision to Phase I Documents**
  - Lower and Clay Wash – Phase I
- **Environmental Health and Safety Plan Development**
  - Consultant submitted Environmental report
  - Continuing the development of the Work Plan
- **Army Corps of Engineers Certification**
  - Coordination with Army Corps of Engineers



# BNSF RAILWAY CO.



- **Working on Real Estate and Environmental**
- **Working with BSNF to review the Project Plans**
  - Coordinate utility relocations
  - BNSF Operations as related to the Project
  - Work pre-requisites as Project plans being reviewed
- **Technical Meetings BNSF-COF**
  - Meetings from Dec 2019, Jan 2020 and Feb 2020
  - Next meeting April 23, 2020
  - Construction and Maintenance Agreements
  - Council Action for Agreements

**CITY OF FLAGSTAFF  
STAFF SUMMARY REPORT**

**To:** The Honorable Mayor and Council  
**From:** Stacy Saltzburg, City Clerk  
**Date:** 04/16/2020  
**Meeting Date:** 04/21/2020



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**TITLE**

**City Manager Report**

**STAFF RECOMMENDED ACTION:**

Information Only

**EXECUTIVE SUMMARY:**

These reports will be included in the City Council packet for regularly scheduled Council meetings, excluding Work Session meetings. The reports are intended to be informational, covering miscellaneous events and topics involving the City organization.

**INFORMATION:**

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**Attachments:** City Manager Report

## City Manager's Report

April 16, 2020

Council and Colleagues, Greetings.

These reports will be included in the City Council packet for regularly scheduled Council meetings, excluding Work Session meetings. The reports are intended to be informational, covering miscellaneous events and topics involving the City organization. In no particular order...

### **Fire**

FFD began tracking COVID-19 on March 19, 2020. Since this time, there have been 82 responses with an average of 3 per 24-hour period, as of the date of this writing. Special COVID response bags were put together for each front-line unit and distributed. Efforts are underway to try to secure more PPE for the responders.

DPS Ranger Department called FFD Special Operations for assistance in removing a woman from a steep canyon at Lake Mead. See picture at right.



Thinning and hazard reduction work is on-going, with current operations within the Kit Carson RV Park. This work is fairly technical, with obstacles including trailers, infrastructure, and utilities. The work being partially funded through grant dollars, enabling the crews to assist private landowners throughout the City and District.

### **Human Resources**

Human Resources is working with Purchasing on replacing the City's online evaluation system to NEOGov Perform.

### **Police**

PD officers received training on reasonable suspicion for traffic stops and the appropriate time to run registration and license checks.

Recently, a family with twin seven-year-old boys asked if patrol vehicles could drive by their residence with lights to help celebrate their birthday event, which apparently was lacking in festivities due to the 'stay at home' restrictions. The Department obliged with full regalia (absent blaring sirens of course), allowing for photo ops with the two celebrants. Sometimes it's the small things...

### **Public Works**

Recreation staff are developing a COVID-19 Emergency Childcare Plan for First Responders and a First Responder Quarantine location plan if needed.

The Norton MRF facility has experienced some impact from COVID-19 and Todd Hanson, Solid Waste Manager, is negotiating an agreement to deliver recyclables to the Waste Management Transfer Station in preparation for a possible MRF shutdown.

Tyrone Johnson, Recreation Supervisor for Athletics and the Hal Jensen Recreation Center completed the certification process by passing the exam to become a Certified Youth Sports Administrator. Congratulations to Tyrone! Athletics is processing refunds and credits for the recently cancelled Adult Volleyball Leagues, Adult Coed Hockey League, and the Chillin' in the Pines Hockey Tournament.

Joe C. Montoya Community and Senior Center staff continue to assist with congregate meal program by distributing meals to seniors via the drive-up system. Over 200 patrons have been served with the drive up.

All staff are working on "Virtual Recreation" programs with how-to videos such as craft projects, cooking classes, and exercise classes. They can be located on Facebook page at <https://www.facebook.com/COFrecreation/> and will soon be posted to City's website recreation page.

Major milestone for our lighting crew this week; the residential areas city wide are now all fully functional and in working order using final stocks of bulbs. PW has received numerous comments about the positive results.

### **Grant Funding**

A grant for \$65.9K was received from the Department of Justice and Bureau of Justice Assistance. This was much needed assistance that is being used for Police and Fire PPE, such as N95 face masks, nitrile gloves, protective goggles, spit hoods, isolation gowns and booties. Props to Sarah Langley and Stacey BK for their successful efforts.

### **Budget Team**

Pasted below is a narrative from Jeanie Gallagher, HR Director and member of our Budget Team, summarizing actions both taken and denied, administratively, related to the Pandemic and its impact upon our Work Force. Some of the proactive measures were vetted with our Leadership Team.



**CITY OF FLAGSTAFF  
HUMAN RESOURCES DIVISION**

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**TO: Greg Clifton, City Manager**

**FROM: Jeanie Gallagher, Director of Human Resources**

**DATE: April 16, 2020**

**RE: COVID-19 Staff and Interim Policy Impacts**

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Greg, thank you for the opportunity to provide a summary of this information that reflects the impacts and decisions we have made to this point.

Implemented

1. March 16, 2020 City of Flagstaff Public Health Emergency Leave
  - a. Up to 2 weeks of pay, pro-rated for part time extended to all staff
2. April 1, 2020 Families First Coronavirus Resource Act effective
  - a. Emergency Paid Sick Leave and Extended Family Medical Leave Acts implemented for defined staff
  - b. City of Flagstaff decision to extend both Acts to Fire and Police personnel (not required by regulation)
  - c. City of Flagstaff decision to allow eligible staff to utilize applicable accrued leave banks to continue their pay OR to elect the 2/3 regular pay as provided in the Acts
3. April 6, 2020 Policy Exceptions Granted for Fire and Police to:
  - a. Extend deadline to spend down 2019-2020 PTO to October 31, 2020
  - b. Extend deadline for Maximum Vacation Carryover to October 31, 2020
  - c. Permission to submit consecutive year carry-over requests
  - d. Extend deadline to utilize accrued Compensatory time to October 31, 2020
4. Week of April 12 – Issue Temporary Furlough Notices to Inactive Staff
  - a. 167 total staff – almost all are temporary or seasonal
  - b. Recreation, Library, Tourism, Visitor Center
  - c. Staff are still employed and place on Temporary Leave of Absence
  - d. Staff provided information on process for applying for unemployment
  - e. City of Flagstaff decision to allow furloughed staff to leave accrued time off banks intact (not normally permitted by policy)
  - f. City of Flagstaff decision to allow furloughed staff to self-pay insurance premiums with the City of Flagstaff continuing to pay the employer contributions (would normally be subject to COBRA)
5. April 14, 2020 Extend Vacation Maximum Carryover
  - a. Applies to all staff
  - b. Extended through October 31, 2020

Requests NOT Approved/Initiatives not implemented:

1. Request to offer Hazard Pay to additional staff (specific request from Courts)
  - a. Additional and unknown budget impact
  - b. Currently lack specific criteria (unlike is stipulated for emergency services personnel)
  - c. Placed on the Budget Team Parking Lot
2. Request to allow those that have Purchased Vacation for 2019-2020 to extend the use of those purchased days past June 30
  - a. This is a Section 125 plan under ERISA and such extensions are not permitted
  - b. All staff with remaining hours contacted individually by HR to advise
3. Temporary Labor Pool
  - a. Requested divisions to submit available work
  - b. Decision not to implement based on:
    - i. Uncertainty of timing – how long might COVID closures continue?
    - ii. Mixed messaging – none of these opportunities are tele-work and we have encouraged staying at home
    - iii. Although some of this work is necessary, a concern about the perception of creating work for this group – and not knowing what future impacts we may have on the core staff for these areas
    - iv. Funding complications (as several of us discussed yesterday)
    - v. And last, but certainly not least, not confusing the message that messaging to our staff the opportunity to apply for Federal and State unemployment benefits to which they may be entitled

It's been a busy month as we all try to navigate our way through this pandemic. Setting aside our internal challenges, our hearts go out to the many whose health have been impacted by this terrible virus. We continue to serve this community in every way possible, especially during these trying times.

Onward and upward.