

ORDINANCE NO. 2021-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 0.82 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 922 E ROUTE 66 BY ADDING A LANDMARKS OVERLAY DISTRICT DESIGNATION (“LO”) TO THE EXISTING HIGHWAY COMMERCIAL DISTRICT (“HC”) ZONING CLASSIFICATION; PROVIDING FOR SEVERABILITY, CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, WW.66 LLC (“Owner”) is the owner of approximately 0.82 acres of the land in the City of Flagstaff, Coconino County, Arizona, currently zoned HC, located at 922 E Route 66, Flagstaff, Coconino County, Arizona, generally known as the Whispering Winds Motel, and specifically described and depicted in attached Exhibit A, incorporated herein by this reference (“Property”); and

WHEREAS, pursuant to Flagstaff Zoning Code Division 10-30.30, et seq., an application (“Application”) has been submitted by the Owner to amend the Zoning Map classification of the Property by adding an LO designation for the individual sign of historic significance to the existing HC classification; and

WHEREAS, the use of the Property as a motel exemplifies mid-century modern motel architectural design features that includes distinctive signage, as a significant movement in Flagstaff history; and

WHEREAS, the Mother Road, Route 66, a Nationally recognized scenic road retains historic resources with the Whispering Winds Motels as an intact example of such a motel; and

WHEREAS, the community of Flagstaff transformed along Route 66 with auto-related services and motels adding distinctive historic resources to the City of Flagstaff; and

WHEREAS, the preservation and continued use of historic resources meet the goals and programs of the Heritage Preservation program of Flagstaff; and

WHEREAS, pursuant to Flagstaff Zoning Code Section 10-30.30.050.B, Determination of Significance of Cultural Resources, the Property meets the established criteria for amending the Zoning Map classification of a property to the LO designation; and

WHEREAS, on February 3, 2021 the Historic Preservation Commission, having considered the Application and the recommendation of the City’s Historic Preservation Officer, unanimously passed a motion recommending that the City Council add the LO designation to the Property; and

WHEREAS, on February 24, 2021, the Planning and Zoning Commission, having considered the recommendation of the Historic Preservation Commission, passed a motion recommending that the City Council amend the Zoning Map classification of the Property by adding an LO designation to the existing HC zoning classification; and

WHEREAS, the City Council has considered the recommendations of the Historic Preservation Commission and the Planning and Zoning Commission; and

WHEREAS, the City Council also has considered the Application and the staff summary prepared by the Community Development Division, Heritage Preservation, and finds that the proposed amendment meets the findings in Flagstaff Zoning Code Sections 10-20.50.040.F and 10-30.30.040.E; and

WHEREAS, the City Council finds that, in accordance with A.R.S. Section 9-462.01(F), the proposed amendment is consistent with and conforms to the Flagstaff Regional Plan 2030.

ENACTMENTS:

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

SECTION 1. That the Flagstaff Zoning Map designation of approximately 0.82 acres of the real property located at 922 E Route 66, and specifically described and depicted in Exhibit A, be amended by adding an LO designation to the existing HC classification.

SECTION 2. That only the portion of the Property within the historic sign's footprint will be subject to the landmark overlay criteria and review.

SECTION 3. That, prior to the City Council's final adoption of this Ordinance, the Owner shall execute an Agreement for the Waiver of Claims for Diminution of Value of Property with the City of Flagstaff, as authorized by Arizona Revised Statutes Section 12-1134(I).

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. 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 6. 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 16th day of March 2021.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:

A – Legal Description and Area Context Map