

WORK SESSION AGENDA

CITY COUNCIL WORK SESSION
TUESDAY
OCTOBER 11, 2022

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
3:00 P.M.

All City Council Meetings are live streamed on the city's website
(<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

*****PUBLIC COMMENT*****

Verbal public comments may be given through a virtual public comment platform or in-person

If you want to provide a verbal comment during the Council Meeting, use the link below to join the virtual public comment room.

VIRTUAL PUBLIC COMMENT WAITING ROOM

Written comments may be submitted to publiccomment@flagstaffaz.gov. All comments submitted via email will be considered written comments and will be documented into the record as such.

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 work session, 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 through other technological means.

MAYOR DEASY
VICE MAYOR SWEET
COUNCILMEMBER ASLAN
COUNCILMEMBER HOUSE

COUNCILMEMBER MCCARTHY
COUNCILMEMBER SALAS
COUNCILMEMBER SHIMONI

3. Pledge of Allegiance, Mission Statement, and Land Acknowledgement

MISSION STATEMENT

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

LAND ACKNOWLEDGEMENT

The Flagstaff City Council humbly acknowledges the ancestral homelands of this area's Indigenous nations and original stewards. These lands, still inhabited by Native descendants, border mountains sacred to Indigenous peoples. We honor them, their legacies, their traditions, and their continued contributions. We celebrate their past, present, and future generations who will forever know this place as home.

4. Public Participation

Public Participation enables the public to address the council about items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. 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 to have 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. Review of Draft Agenda for the October 18, 2022 City Council Meeting

Citizens wishing to speak on agenda items not specifically called out by the City Council may submit a speaker card for their items of interest to the recording clerk.

6. October Work Anniversaries

Recognize employees who are celebrating their work anniversaries in October

7. City Manager Report

Information Only

8. Post-wildfire Flooding Update

For information only.

9. Short Term Rental Legislation Update

Staff is seeking direction from Council on the future regulation of short-term rentals

10. Informational update on Big Shift concepts

An informational update and direction.

11. Public Participation

12. Informational Items To/From Mayor, Council, and City Manager; 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 _____, 2022.

Stacy Saltzburg, MMC, City Clerk

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, City Clerk
Date: 10/06/2022
Meeting Date: 10/11/2022



TITLE:

October Work Anniversaries

DESIRED OUTCOME:

Recognize employees who are celebrating their work anniversaries in October

EXECUTIVE SUMMARY:

INFORMATION:

Attachments: [Presentation](#)



TEAM FLAGSTAFF



October Employee Work Anniversaries!



Five Year Anniversaries



Matthew Sedillo
Streets Operations Tech III



Jeremy DeGeyter
Project Manager Senior Lead



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Five Year Anniversaries



Michael Stauder
Streets Operations Tech II



April Webb
PECS Supervisor



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Five Year Anniversaries



Denton Schneider
Police Officer



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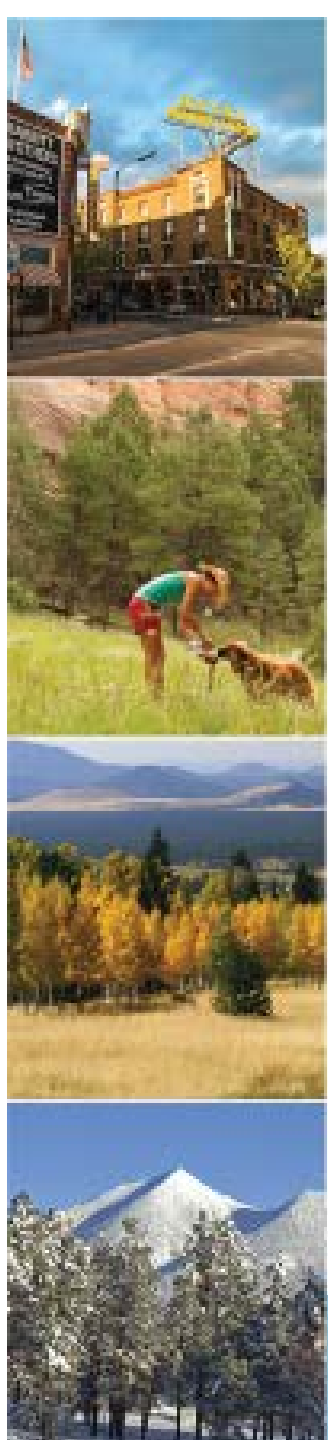
Ten Year Anniversaries



Phylicia Carrillo
Recreation Leader I



Heidi Hansen
Interim Deputy City Manager



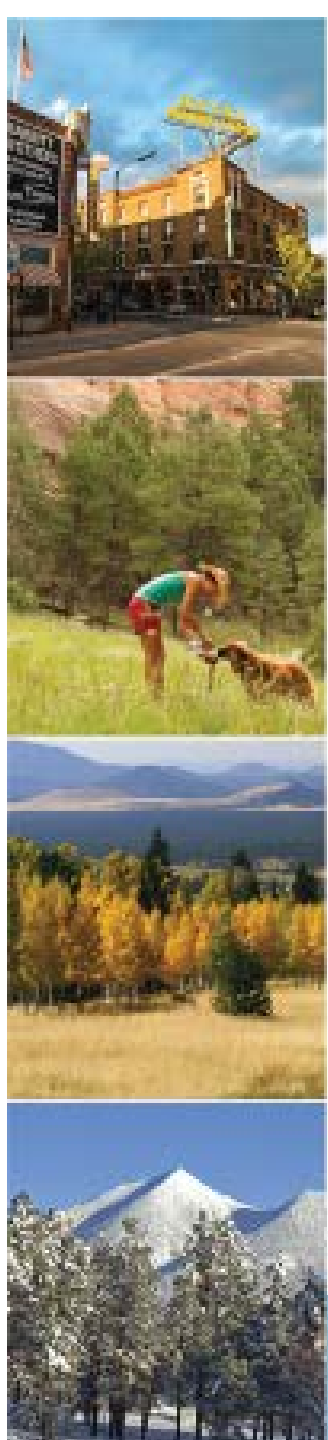
Fifteen Year Anniversaries



Brandi Suda
Finance Director



Caroline Olguin
Library Page



25 years plus!!!

Martin is celebrating 25 years with the City organization. Martin came to Flagstaff a Midwest transplant from Minnesota via Chicago. He has been a wonderful and versatile co-worker over his winding path through the City. Martin started with the City in 1997 in the Planning Division, working current planning cases like Boulder Pointe and Ponderosa Trails.

In 2005 Martin joined the Flagstaff Metropolitan Planning Organization as their second employee serving in the role as the Multi-modal Transportation Planner. With FMPO Martin hit his stride professionally as all things alternative modes are his true passion. While at FMPO Martin celebrated the completion of the 50th mile of FUTS, the planning and ultimate construction of multiple FUTS trails such as the Arizona Trail up the McMillan Mesa slope, and the Matt Kelley bridge over Cedar Avenue.

In 2019 Martin transitioned officially 'back' to the City organization joining the Engineering Division as their first Multi-modal Transportation Planner. Martin was instrumental in developing the pedestrian and bicycle plans that became the successful Proposition 419 pedestrian and bicycle initiatives. The Proposition 419 success at the ballot ensured that the City continues to have a reliable source of funding to implement the 20-year pedestrian and bike programs. Lately Martin has been pouring his time into the recently completed Active Transportation Master Plan, the City's first comprehensive plan for bicycle and pedestrian programming and facilities, a huge success!



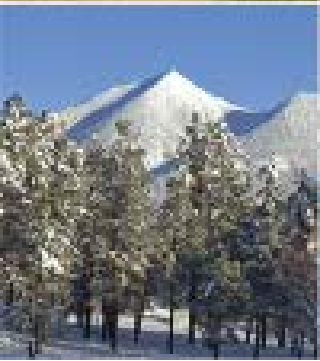
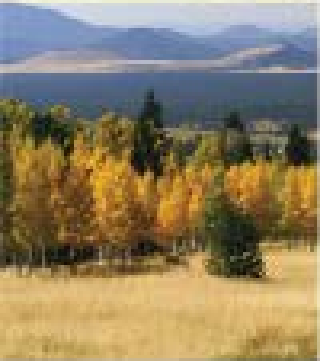
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25 years plus!!!

Bobby joined the Flagstaff Fire Department as a Firefighter in October 1997. He was promoted to Engineer in June 2001 and Captain in October 2008.

Captain Bobby Parker is one of the FFD senior leaders in the department. He has served in the leadership of the labor group as well.



TEAM FLAGSTAFF
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25 years plus!!!

Ralph started working for the City of Flagstaff 25 years ago for Wastewater Collections as a maintenance worker, then he started working on his ADEQ Wastewater collection certifications up to a grade 4.

He also obtained his Arizona Department of Agriculture Pest management certification and his class B commercial driver license.

Ralph would always volunteer to operate combo trucks and could probably tell you where every Manhole is in town.

He enjoys the outdoors , camping riding his quads, playing softball, driving and cleaning his corvette.



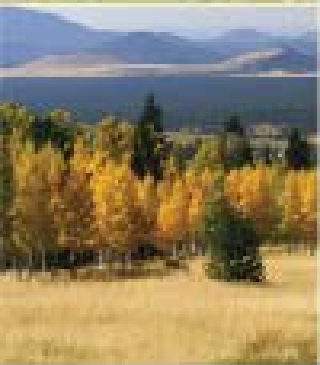
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25 years plus!!!

Darr was hired by the Police Department in October of 1996. Ryan completed a Criminal Justice Degree at NAU while finishing up an internship prior to his appointment. After completing the police academy, Ryan spent several years in patrol, and served as a Field Training Officer, a Phlebotomy Officer, and on the State Gang Taskforce. Ryan transferred in the Criminal Investigation section in 2005 and was promoted to Sergeant in 2012 and then to Lieutenant in 2021.

Today Ryan serves overseas our Criminal Investigation Section. Additionally, Ryan serves on the Executive Board for Victim Witness Services, Domestic Violence Fatality Review Board, and our Crime Free Multi-Housing Program. Ryan has several commendations in his file for performance and service to our community and he is a past recipient of the City Managers Excellence Award. We congratulate Ryan on 26 years of dedicated service to the Flagstaff community.



TEAM FLAGSTAFF
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25 years plus!!!

Erik Caputo began his City career with the Flagstaff Police Department as an Evidence Technician, Police Officer and Corporal/Detective. He moved to the Flagstaff Fire Department as a Firefighter in July 2001. He was later promoted to Engineer in October 2008, Captain in April 2011 and Battalion Chief in November 2018.

Erik served as a SWAT EMT, Fire Investigation Program Manager and managed the professional standards program as the Training Coordinator. He is a valued member of the command staff and are grateful for his contributions.



TEAM FLAGSTAFF
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25 years plus!!!

Martha has shown versatility and adaptation to meet many challenges over the course of her 32 years at the County Correctional Facility Library. Martha is committed to her work and is resourceful in carrying out her daily duties following the protocols as a City of Flagstaff employee. Martha makes selections for library materials while weeding outdated and damaged materials. She also ensures acquisitions are provided to inmates in a timely manner. Martha is courteous, patient, and respectful with both inmates and prison authorities. She is bilingual with a fluency in the Spanish language which is helpful wherein translations are requested among Spanish speaking inmates involving access to library materials and knowledge of library policies.

Martha resolves matters with a cool and calm demeanor and is always willing to help with tasks that arise including sorting out materials coming back from inmate shakedowns .

During the pandemic she has reallocated a portion of her time to work at the East Flagstaff library helping staff with curbside holds. This has been fortuitous for the local community so that they can receive library material in a timely manner.



“Martha is an invaluable asset to our organization performing library duties to an inmate population in need.”



TEAM FLAGSTAFF
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**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, City Clerk
Date: 10/06/2022
Meeting Date: 10/11/2022



TITLE:

City Manager Report

DESIRED OUTCOME:

Information Only

EXECUTIVE SUMMARY:

These reports will be included in the City Council packet for regularly scheduled Work Session meetings. The reports are intended to be informational, covering miscellaneous events and topics involving the City organization.

INFORMATION:

Attachments: [City Manager Report](#)
[Capital Projects Monthly Update](#)
[Capital Project Map](#)
[Sustainability Monthly Report](#)

City Manager's Report

October 7, 2022

Council and Colleagues, greetings. These reports will be included in the City Council packet for regularly scheduled Work Sessions. The reports are intended to be informational, covering miscellaneous events and topics involving the city organization.

Also, appended to this report are the monthly updates from City Engineering & Capital Projects (resubmitted as it was not discussed last time) and Sustainability. Please note that the Capital Projects Update is preceded by a map to assist you with locations.

In no particular order ...

Fire Department

- FFD conducted several public education events with Mt Calvary Lutheran School Preschool, community member ride- alongs, DeMiguel Elementary School, and Sechrist Elementary School.



Police Department

- Police Department staff helped prepare for the Oktoberfest Event and upcoming elections.
- Sgt Brockman taught drivers education at Coconino High School.
- Officer Stembridge will be attending the Arizona Black Law Enforcement Officers Association Conference.
- Chief Musselman and team helped in the presentation at the Noise Discussion Town Hall on Thursday, October 7, 2022.

Public Works

- Facilities is working on preparing gutters at City Hall for winter; updating circuit panels in City Hall; replaced ceiling tiles and addressed flooding at USGS; fixed an ice machine and inoperable door in Fire Stations; repaired hot water heater at NACET along with multiple new roof leaks; and replaced a water valve at the Airport.
- 27 streetlights were replaced by the signal and streetlighting team.
- Welcome to the team Steven Foreman a new Operations Technician I.
- Solid Waste is reviewing specifications and costs for a centrally located downtown trash compactor.
- Fleet Services welcomed Tanner Abeyta to the team.
- Work continues on the Shultz Creek Basins



Meetings, Etc.

- The **Alliance Meeting** occurred on Friday, September 30th. Topics included an update from the jurisdictions related to ballot measures, flooding update from FCD, and a discussion about recruitment.



- **Badging Ceremony** for FFD Administrative Personnel occurred on September 19th. The ceremony, including family, recognized Kyle Denham, who was promoted to the rank of Battalion Chief assigned to Operations; Earl Callander, who was promoted to the rank of Battalion Chief assigned to Training; and Christ Fennell, who was hired to the rank of Deputy Fire Chief of Operations. Nice images below.



- **City County Meeting** – the upcoming meeting has been set for 3pm on Monday, October 17th with an agenda that will include discussion of flooding (the FCD Board will convene); ballot measures; and Regional Plan update.
- **HCH Follow Up** – As noted by email, Kevin Fincel will be joining the Board of the High Country Humane organization, as City liaison. Thank you Mr. Fincel!
- **Recruitments** – an offer has been accepted by our new City Engineer, whose name and photo will be provided soon. We are excited. His start date is October 31st. Also, thanks to all who participated in the ‘meet and greet’ for our Water Services Director position, with four candidates presenting. It was very well attended, and we greatly

appreciate all the efforts by our four finalists. Stay tuned for an update on this important hiring. We are currently recruiting for Purchasing Manager, and on deck is the recruitment of our new Deputy City Manager. Stay tuned.

- **Guest Lecture:** On Wednesday, October 5th, I spoke to a graduate class of students in Environmental Studies, Political Science, and other emphases as part of the MPA program at NAU. The class is instructed by Professor Minzi Su. We spoke about city council / manager form of government, local / state relations and tensions, and a bit on ethics.



- **ECONA meeting** – the Board met on Wednesday the 5th. Focus was spent discussing upcoming ballot measures and other topics.
- **Lasagna with Public Works Employees** – thanks to the Vice Mayor for orchestrating the excellent lasagna lunch with Public Works employees on October 5th. It was well attended, and home-made lasagna was enjoyed by all.



- **Water Conference** – the AZ Water Association’s Wastewater Treatment Committee has its upcoming annual Technical Seminar, being held on November 2 at the City of Surprise’s Gateway Training Center. This will be the first time the seminar has been held since 2019. This seminar has drawn 70 – 100 attendees each year and has been one of AZ Water’s most successful events outside of the annual conference. Mr. Brad Hill will be presenting on behalf of the City of Flagstaff!

That’s a Wrap! Thank you.



CITY ENGINEERING DIVISION
Capital Improvements Section

Monthly Capital Projects Report
August 2022

Honorable Mayor, Vice Mayor and Council,

The August report was completed by our Project Managers on September 2nd and includes project updates for the month of August.

The attached map is a comprehensive view of all active capital improvements projects in our community that are assigned to the Capital Improvements Section of the City Engineering Division, inclusive of projects that are in planning, design, and construction phases.

We have tried to reduce the extent of information provided and focused on only those projects that had substantive progress from previous months or have key milestones to share.

If you would like to receive more information on a specific project, please reach out and we'd be glad to share more detailed information.

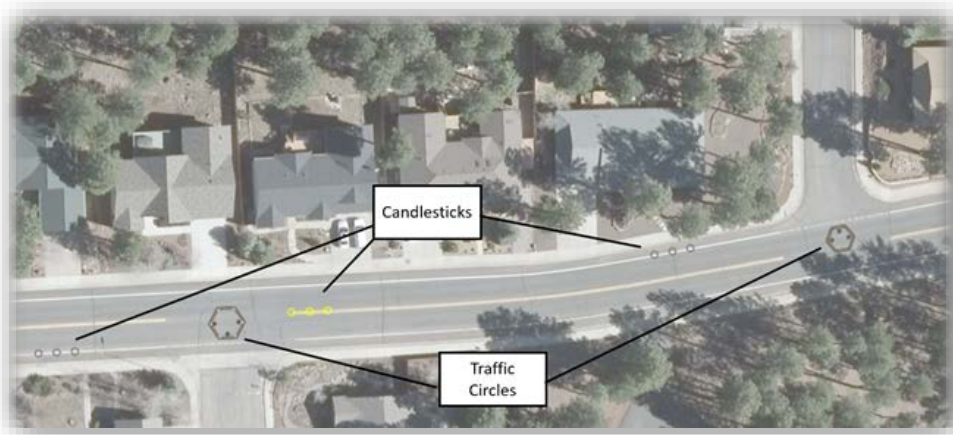
Boulder Point - University Ave Traffic Calming (DESIGN PHASE)

FUND: TRANSPORTATION TAX

Description – The Transportation Commission approved the traffic circle design at the intersections of University Ave/Majestic Rd and University Ave/Tombaugh Way on June 1st, 2022. This design, in temporary form, lowered the 85th percentile speed on University Ave to 27 mph, down from 31 mph. This brings the speeds down to a level that are below the threshold for traffic calming based on the worksheets in the Guidebook for Residential Traffic Management.

Project Update:

- The estimate for the permanent traffic calming in Boulder Pointe, which includes two traffic circles, bump outs, and raised crosswalks is \$387,600.
- A funding source has been identified, and the next step is to hire a designer to complete the final design. The final design must address concerns from citizens in the neighborhood regarding the traffic circle design, including vehicles traveling in the bicycle lane and sight distance issues for northbound vehicles on Majestic Rd.
- The design and construction of this project will be incorporated into the Woody Way improvements.



W University Ave Traffic Circles

Fremont Blvd Restriping (DESIGN PHASE)

FUND: TRANSPORTATION TAX

Description – The Transportation Commission approved investigating traffic calming measures on Fremont Blvd on February 2nd 2022. Staff determined that restriping the road from two lanes in each direction to one lane in each direction with additional parking and bike buffers was an appropriate solution. The new cross section can be seen below. Staff is currently working on finalizing the estimated cost of the restriping.



Fremont Blvd New Striping Configuration

Spruce Wash – Cedar to Dortha and Dortha Inlet (CONSTRUCTION PHASE)

FUND: STORMWATER

Description – Consists of improvements to the Spruce Wash Channel from Cedar Avenue to south of Dortha Avenue. This work is in response to the damage that occurred during the 2021 monsoon flooding from the Museum Fire burn scar.

Project Update:

- The project is substantially complete and Dortha Avenue is open to through traffic.
- Real estate acquisition for the drainage easement is proceeding.



Dortha Avenue - looking west

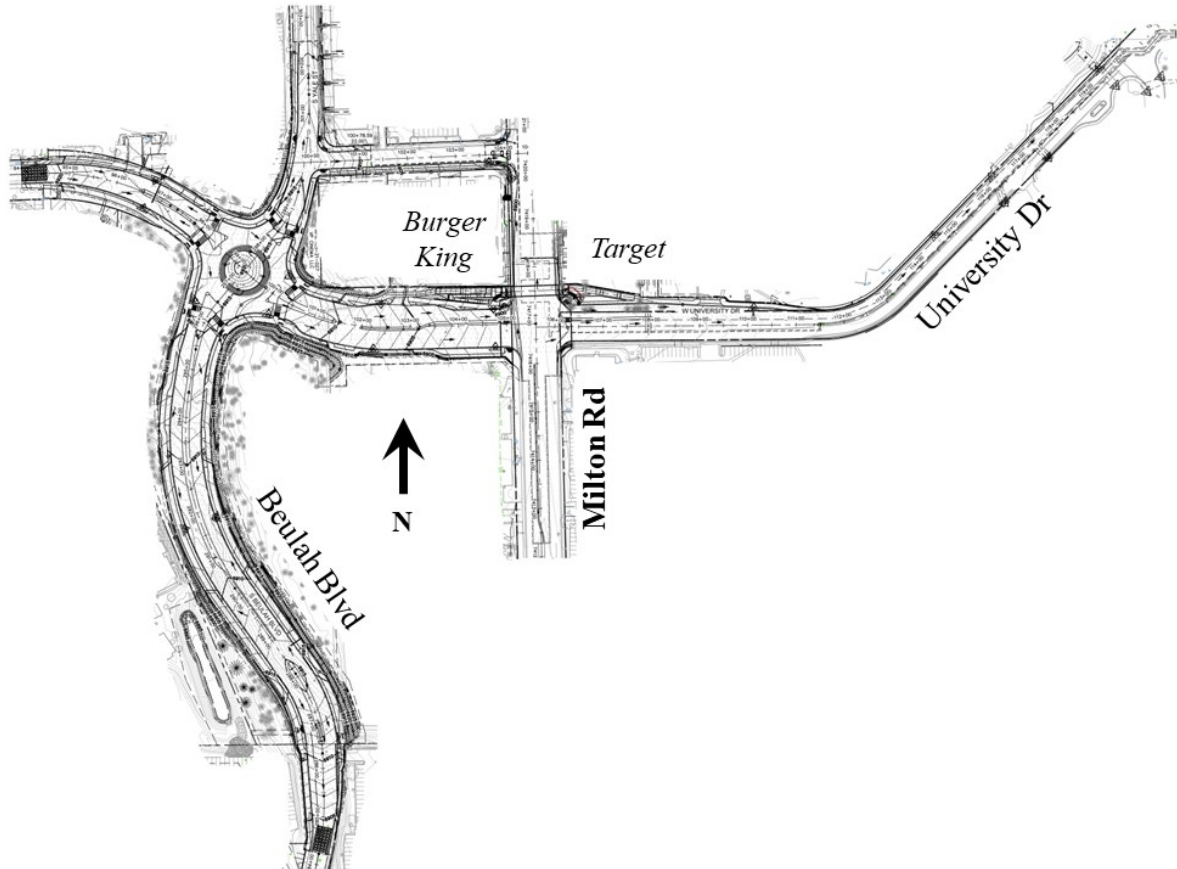
Beulah Boulevard Extension/University Drive Realignment (DESIGN PHASE)

FUND: TRANSPORTATION TAX (STREETS)

Description – This roadway improvement project extends the northern terminus of Beulah Boulevard to connect with University Avenue. Furthermore, University Avenue (west of Milton) will be realigned to match up with University Drive (east of Milton). A new roundabout will be constructed where Beulah Boulevard and University Avenue will intersect. Additionally, this project will also be constructing a new pedestrian underpass beneath Milton Road, just south of Burger King across to Target. Construction is expected to begin in spring 2023 and conclude in late 2024.

Project Update :

- Shephard-Wesnitzer, Inc. (SWI) is the design engineer.
- Eagle Mountain Construction (EMC) is the CMAR (Construction Manager at Risk) contractor.
- SWI has completed the final design plans.
- Value Engineering workshop with SWI, EMC, and City Staff is scheduled for 8 September. This meeting is to discuss and implement ways to reduce construction costs.
- Appraisals for right-of-way and easements are currently underway.



Extent map of new Beulah and University Roadway Project – taken from final plans.

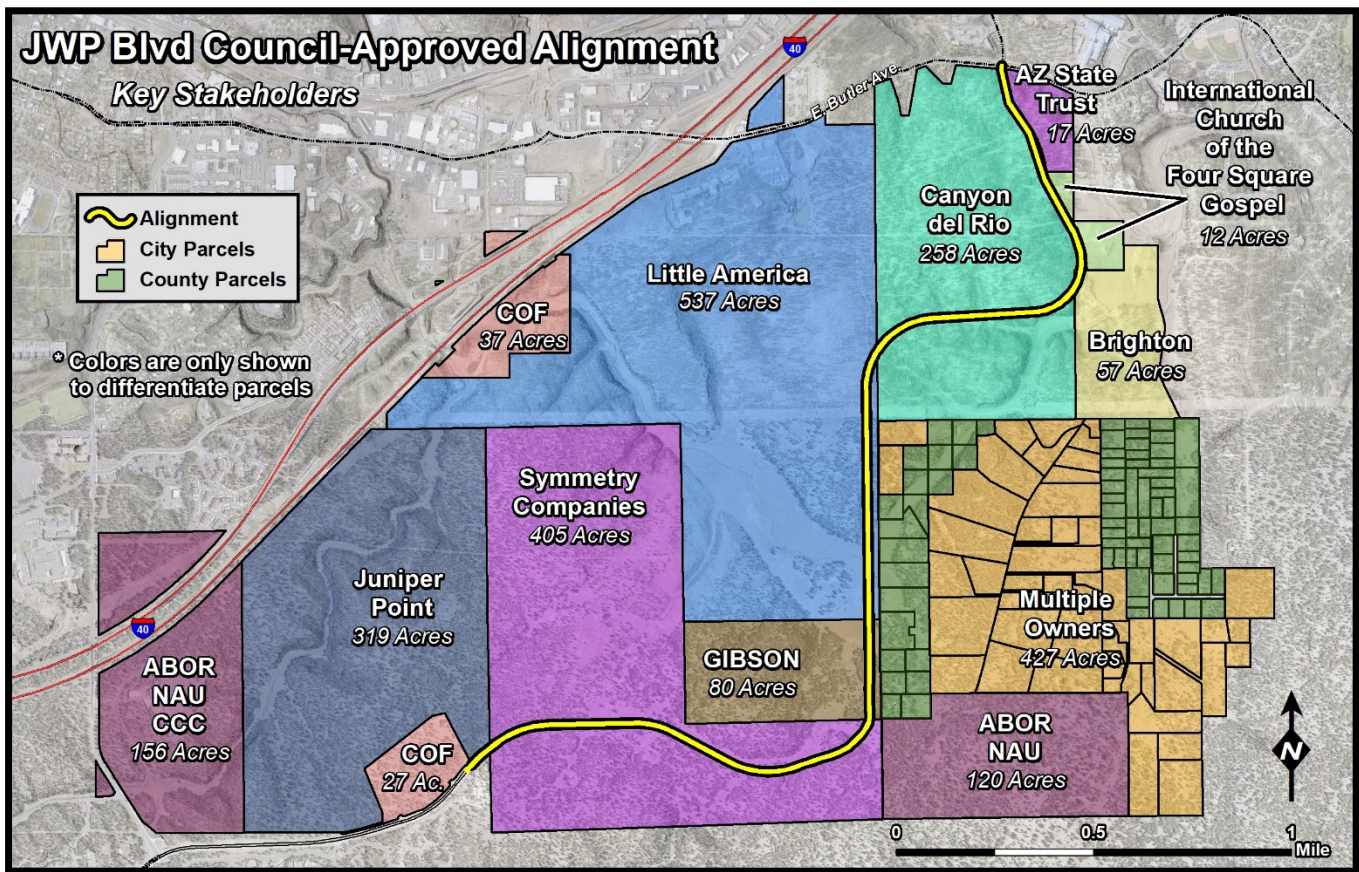
J.W. Powell Specific Plan Study (PLANNING PHASE)

FUND: GENERAL GOVERNMENT & TRANSPORTATION TAX

Description – The purpose of the John Wesley Powell Specific Plan Study (Study) is to develop a specific plan to guide the future private development of public infrastructure, utilities, and facilities. Phase 1 of the project is the conceptual design of the future public infrastructure (roads), public utilities and facilities location analysis. The conceptual design is required to meet the full City infrastructure standards including street improvements, potable water, sanitary sewer mains, storm drain systems, street lighting and associated appurtenances. Phase 1 of the Study includes a sanitary sewer system master plan for the area. A water system master plan was previously developed for the area. Phase 2 of the Study is development of the planning elements necessary to gain City Council approval of a Specific Plan.

Project Update:

- City Staff is working with Peak Engineering and their subconsultant, Swaback, to scope Change Order 5. This Change Order will come to Council in mid-October and the scope of work will be the Specific Plan.
- City Council selected the alternative alignment (shown below) as the final alignment on 7 July 2022.



Council-Approved alignment of new J.W. Powell Boulevard and Fourth Street; denoted by yellow line

Coconino Estates Improvements Phase I (CONSTRUCTION PHASE)

FUND: ROAD REPAIR & STREET SAFETY

Description – This is a utility and roadway improvements project located in the Coconino Estates neighborhood on Beal Road from Rockridge to Fort Valley, Navajo Drive from Navajo Road to Murray, Whipple Road from Navajo Drive to McMillan, and Navajo Road from Navajo Drive to Fort Valley. Improvements on the streets generally consist of replacing existing infrastructure with new, including water and sewer mains, water and sewer services, fire hydrants, storm drains, streetlights, the entire asphalt roadway, and defective select edge improvements (curb & gutter, sidewalk, etc.), except for Whipple Road which will only receive a new water main. There will also be new infrastructure added consisting of underground electric lines for streetlighting and sidewalk on both sides of the street where it does not currently exist on Beal Road, Navajo Drive south of Beal, and on Navajo Road. For additional information visit the Project website at www.coconinoestates.com.

Contractor – Eagle Mountain Construction

Project Update :

A new way of communicating project information has been started with the installation of a new project sign and banner prototype that include a QR code for the public to scan and view more information on the Project website.

Navajo Road and Navajo Drive south of Beal (Construction Zones #1 and #2)

- Utility and roadway improvements are complete including landscape restorations.
- Navajo Road and Navajo Drive south of Beal are open to all traffic.

Beal Road east of Rio de Flag (Construction Zone #3)

- Utility and roadway improvements are complete including landscape restorations.
- Minor striping improvements will be corrected at a later date.
- Beal is currently closed from Aztec to Navajo for construction activities in Zone #5.

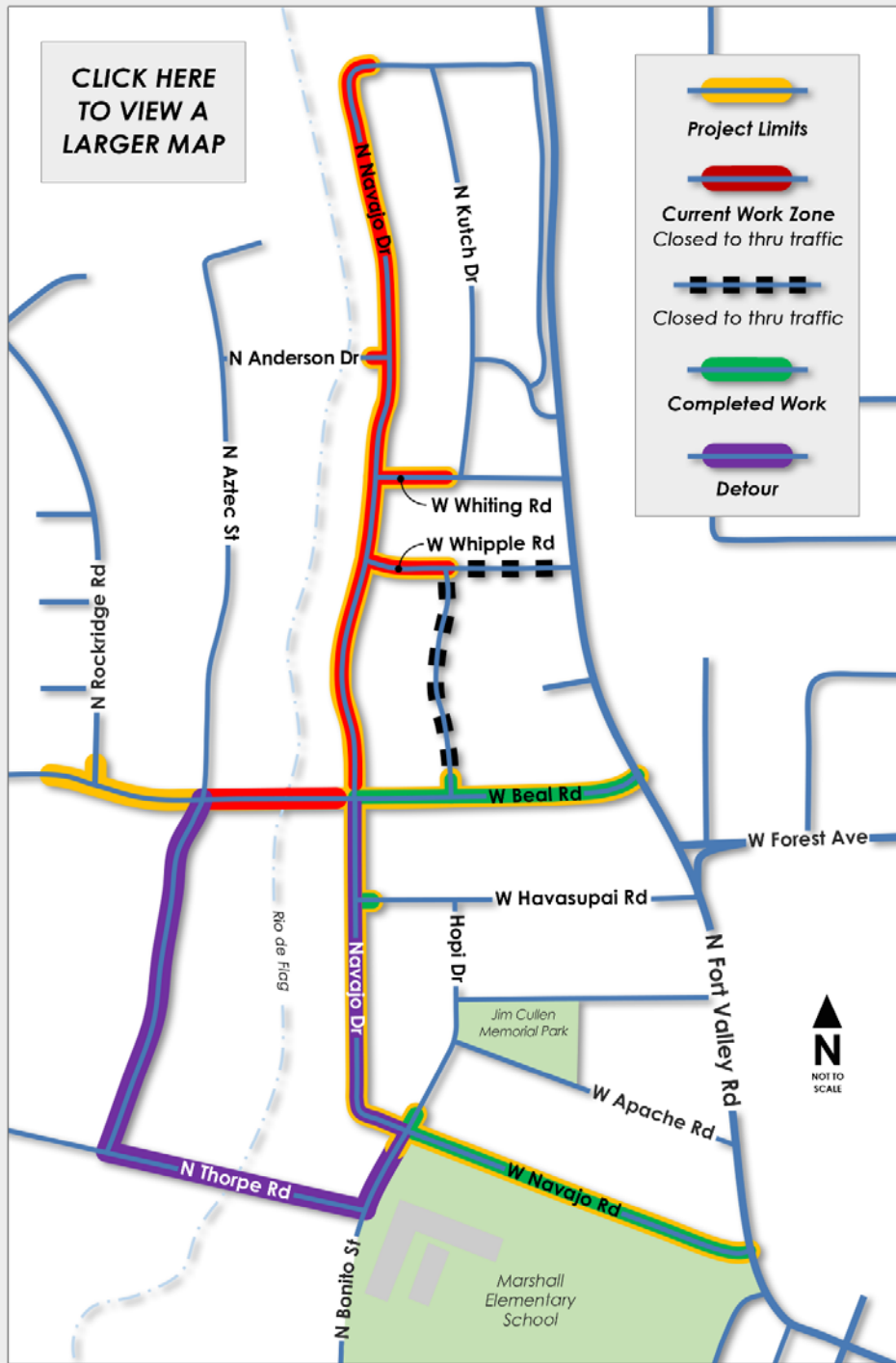
Navajo Drive north of Beal (Construction Zone #4)

- Utility improvements are complete from Beal to Murray and on Whipple from Navajo to McMillian.
- Underground power lines for streetlights are complete from Beal to Murray and new streetlight installations near completion.
- Concrete curb installations are complete from Beal to Murray.
- Concrete driveway installations continue from Beal to Murray.
- Significant roadway subgrade stabilization operation, currently at Whiting as of 9/1/2022, continues north prior to preparing the roadway for asphalt paving.
- The August 7th Pipeline Fire West Floodwaters brought a significant amount of flood waters, 6-8-inches above the newly installed top of curb, onto the project site resulting in cleanup and removal of flood debris, re-working ABC at curb locations, and potentially over saturating and further destabilizing the already unstable subgrade soils below the roadway area.
- Navajo from Beal to Murray is closed to thru traffic and closed to all traffic at the subgrade stabilization operation.
- Whiting from Navajo to Kutch is closed to thru traffic.
- Whipple from Navajo to HWY 180 is closed to thru traffic.
- McMillian from Beal to Whipple is closed to thru traffic.

Beal Road west of Rio de Flag (Construction Zone #5)

- Sewer main installations resumed the week of August 29th from the Rio de Flag working west.
- Beal is currently closed from Aztec to Navajo, with detours posted around the closure.

CLICK HERE
TO VIEW A
LARGER MAP



For general questions
and project
information, call the
**Project Hotline at
(928) 255-5153**
or email
news@coconinoestates.com



Residential access for mail, deliveries, trash, recycling, and emergency services will be maintained. No Mountain Line bus routes are affected during this time.

Project Map with current road closures and detours



N Navajo Dr. at Whiting Rd., looking north at streetlight installations.



N Navajo Dr. at Murray Rd., looking north at completed curb installations up to Murray.



N Navajo Dr. at Murray Rd., looking at water and sewer installations.



Navajo Dr. at Whiting Rd., looking north at the concrete curb and gutter installations

Coconino Estates Improvements Phase II (CONSTRUCTION PHASE)

FUND: ROAD REPAIR & STREET SAFETY & AGING WATER AND SEWER INFRASTRUCTURE REPLACEMENT PROGRAMS

Description - This is a utility and roadway improvements project located on several streets in the Coconino Estates neighborhood as seen in the map below. Improvements on the streets generally consist of replacing all existing utility and roadway infrastructure. The utility improvements include replacing the existing water and sewer mains, water and sewer services, fire hydrants, and manholes. The roadway improvements include replacing the existing asphalt roadway, replacing rolled curb with vertical curb, constructing driveway ramps at driveway entrances, and replacing select sidewalk only where it currently exists on Crescent Drive. Sidewalk will **NOT** be installed where it does not currently exist. For additional information visit the Project website at www.coconinoestates.com

Contractor – Standard Construction Company

Project Update:

Crescent Drive and Meade Lane

- Utility improvements are complete.
- Concrete curb installations are complete.
- Significant roadway subgrade stabilization operation is complete.
- Concrete driveway ramp installations will occur after roadway paving.
- The original roadway paving date of July 27-29 was canceled and delayed through August due to rain and is currently anticipated for September 7-9, pending weather conditions.
- Roadway paving limits are from Meade north around to the Talkington/Louise intersection and up Louise to HWY 180.
- Once roadway paving is complete the traffic control and concrete barriers on HWY 180 at Louise will be removed.
- The July 29th and August 7th Pipeline Fire West Floodwaters did not impact Crescent.
- Crescent is closed to non-residential traffic from Meade to Talkington.

Navajo Drive and Elizabeth Road

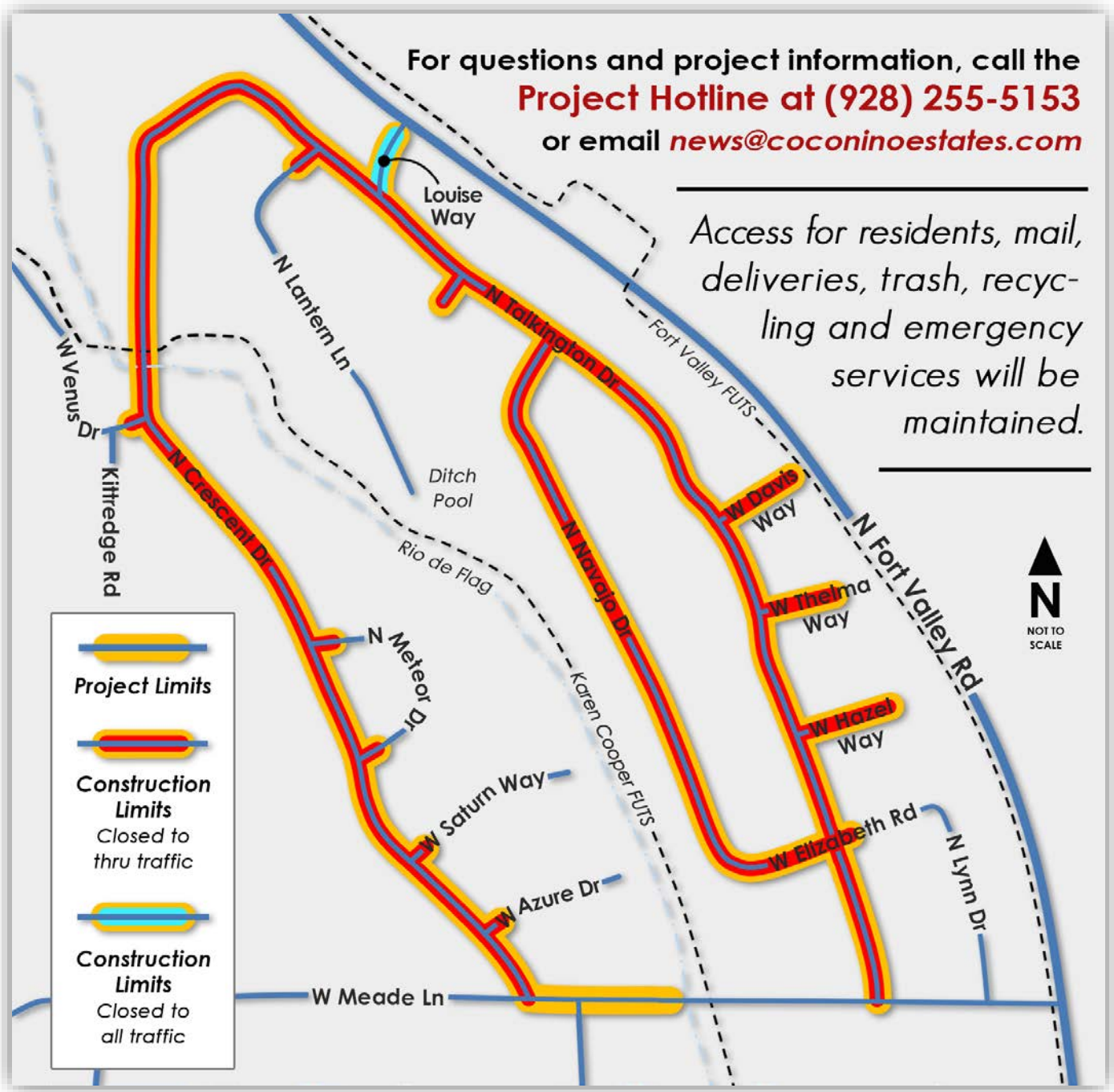
- Utility improvements are complete.
- Concrete curb installations are complete from Louis to Hazel continuing south to Meade.
- Concrete driveway ramp installations are anticipated to occur after roadway paving.
- The August 7th Pipeline Fire West Floodwaters made it down the west side of Navajo resulting in cleanup and removal of flood debris, re-working ABC at curb locations, and potentially over saturating and further destabilizing the already unstable subgrade soils below the roadway area. The July 29th Pipeline Fire West Floodwaters did not impact Navajo.
- Navajo is closed to non-residential traffic.

Talkington Drive and Side Streets

- Utility improvements are complete.
- Concrete curb installations are complete to approximately Hazel including side streets off Talkington.
- Concrete driveway ramp installations are anticipated to occur after roadway paving.
- The July 29th and August 7th August 7th Pipeline Fire West Floodwaters significantly impacting the Talkington and side streets portion of the project resulting in cleanup and removal of flood debris, removing and replacing compromised muddy ABC in roadway and curb trenches, resetting traffic control, checking and resetting survey stakes, removing and replacing compromised eroded curb, and potentially over saturating and further destabilizing the already unstable subgrade soils below the roadway area.
- Talkington Drive is closed to non-residential traffic from Meade to Crescent.

For questions and project information, call the
Project Hotline at (928) 255-5153
 or email news@coconinoestates.com

Access for residents, mail,
 deliveries, trash, recyc-
 ling and emergency
 services will be
 maintained.



Coconino Estates Improvements Phase II Project Map



Crescent/Azure intersection, looking north at final roadway grading prior to roadway paving on September 7-9



Talkington/Elizabeth intersection, looking south at concrete curb installations



Davis Way east of Talkington, looking west at August 7th floodwaters on Davis and Talkington.



Talkington at Thelma, looking north at August 7th floodwaters on Talkington

Flagstaff Downtown Mile Safety and Connectivity Improvement Project (PLANNING AND DESIGN PHASE)

FUND: TRANSPORTATION, STORMWATER, AGING INFRASTRUCTURE, BNSF RAILWAY, METROPLAN, GRANTS

Description – The Downtown Mile Project consists of a group of City and local agency projects located in Downtown Flagstaff and surrounding the BNSF Railway corridor. They include:

- The Rio de Flag Flood Control Project
- The Rio de Flag Pedestrian Tunnel
- The Lone Tree Overpass
- The Florence to Walnut Pedestrian Underpass
- The Florence to Walnut Pedestrian Underpass
- The Milton Bridge Reconstruction
- The Mountain Line Downtown Connection Center (DCC)



The city has partnered with ADOT, BNSF Railway, Mountain Line, Amtrak, and the Army Corps of Engineers for the overall Downtown Mile Project to coordinate existing funding, plan construction efficiencies surrounding the BNSF corridor, investigate multimodal connectivity, and to seek grant funding for unfunded BNSF mitigation measures to deliver these projects for the Flagstaff community.

In May 2022, the City applied for a Multimodal Program Discretionary Grant through the USDOT INFRA/Rural program for the Downtown Mile Safety and Connectivity Improvement Project to fund construction of the suite of projects, including a BNSF Railway corridor realignment and expansion. This grant will also facilitate completion of our Rio de Flag flood Control Project and integrate pedestrian and rail improvements with the Lone Tree Overpass Project and the future Mountain Line Downtown Connection Center.

The total project cost is estimated at \$56M and the amount of federal funding requested is \$32.5M (60%). The non-federal match (40%) is being provided from the City of Flagstaff in the amount of \$12.8M, which is funded through Proposition 419 partnership funding and allocated Transportation and Stormwater funding, and BNSF Railway is contributing \$11M in private funds. BNSF also provided expert consultant services in order to make this grant application possible. This contribution from BNSF demonstrates unprecedented support and partnership for our community.

Project Update:

- The Design Phase Services Contract scope and fee is under review with City staff, MetroPlan, and BNSF Railway.
- This item is tentatively scheduled for Council consideration on October 4.
- Legal and Grants Management staff coordinated development of the IGA with MetroPlan to execute receipt of a \$490,000 funding contribution that was approved for the project planning and design effort.
- On August 12, BNSF, City of Flagstaff, and the Army Corps held their regular coordination meeting for the Lone Tree Overpass, the Rio de Flag, and the overall Downtown Mile Project improvements.
- Award notifications of the Multimodal Program Discretionary Grant is anticipated before October 1.

The current updates for the projects included in the Downtown Mile are as follows:

Rio de Flag Flood Control Project (Design Phase)

FUND: STORMWATER & AGING INFRASTRUCTURE

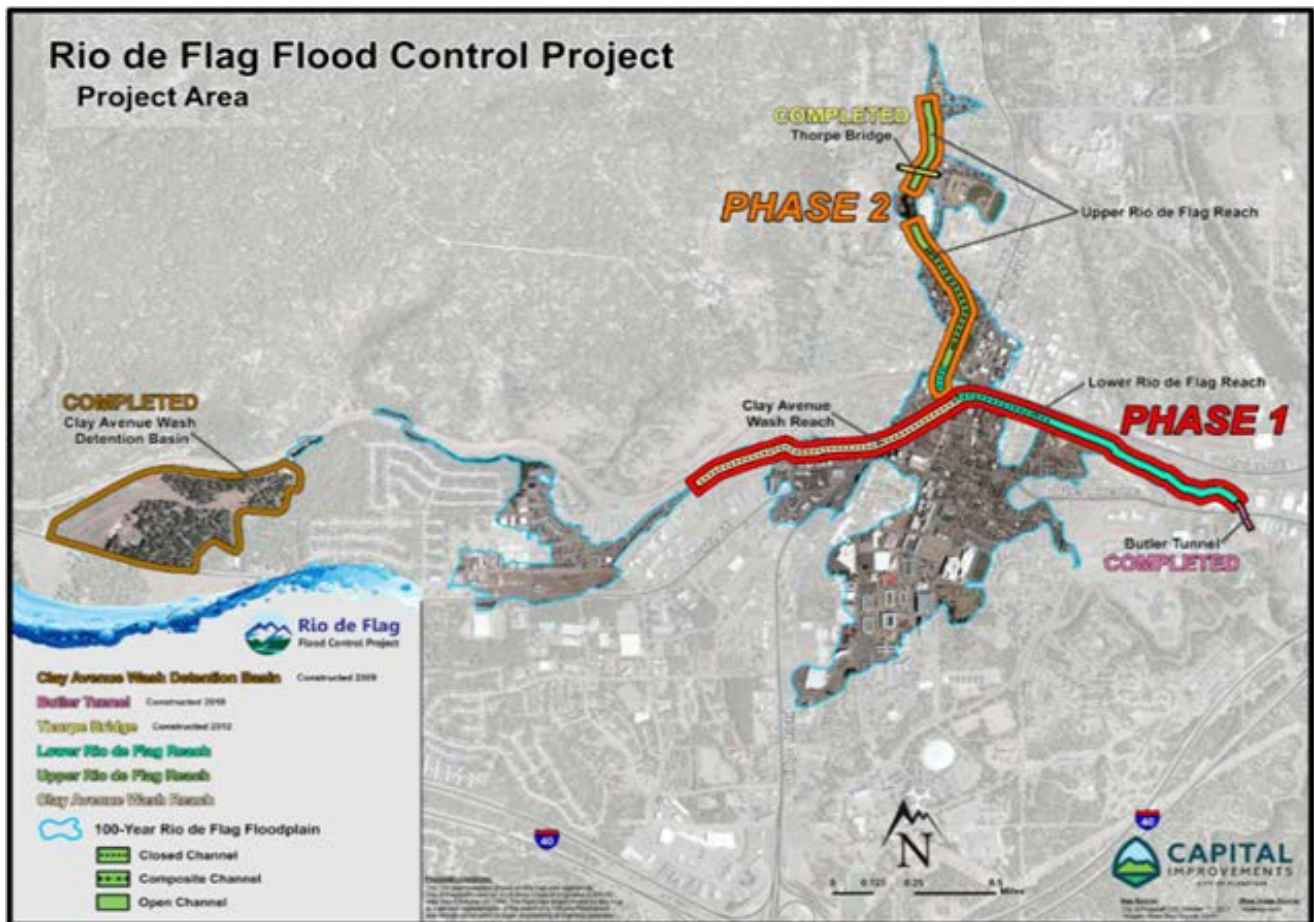
Description – Design consists of channel improvements along both the Rio de Flag and Clay Avenue Wash channels through central Flagstaff and includes a combination of underground concrete box culverts, open channel, and composite channel. The composite channel section has both an underground culvert to carry large volumes of water and a smaller open channel on top, which will provide an aesthetic element of flowing surface water during rainfall events. Total project length is approximately 15,000 feet.

The purpose of the Rio de Flag Flood Control Project is to remove the hazards associated with the hundred-year storm event, which include property damage, life safety concerns, and community economic impacts. From research conducted by the Army Corps, it was determined that a significant flood would damage approximately 1,500 structures valued at over \$916M and cause \$93M in economic damages, for a total impact of over \$1B.

Project Update:

- Work continued this month on refinement of the design plans and the real estate documents.
- The draft BNSF Construction and Maintenance Agreement is under review with City and Army Corps legal staff.
- On August 9, BNSF Director of Real Estate met with City staff to discuss the project property acquisition.

- On August 15, City and Army Corps staff met with local franchise utilities to review the utility relocation plan.
- On August 12, BNSF, City of Flagstaff, and the Army Corps held their bi-weekly coordination meeting for the Lone Tree Overpass, the Rio de Flag, and the overall Downtown Mile Project improvements.
- On August 24 and 25, the City held an all-agency workshop in Flagstaff to review the final project design and discuss coordination of the Lone Tree Overpass and the Rio de Flag.
- On August 31, Michael Connor, Assistant Secretary of the Army for Civil Works, visited Flagstaff with the LA District's Colonel Julie Balten. Councilmember Jim McCarthy and staff from Senator Mark Kelly's office were also in attendance. The City presented the Environmental Infrastructure Section 595 Projects and the Rio de Flag Flood Control Project to the group.



Assistant Secretary to the Army, Civil Works, Michael Connor with Flagstaff Councilmember Jim McCarthy

Lone Tree Overpass Project (DESIGN PHASE)

FUND: TRANSPORTATION

Description – The Lone Tree Overpass Project will provide a grade-separated crossing over the future Rio de Flag drainage and the BNSF Railway corridor from Butler Avenue to Route 66. Funding for this project is provided through voter approved bonds as designated in the 2018 Proposition 420. The project will also include improvements from Butler south to Sawmill Road, which will be funded by Proposition 419. The project will be delivered via the Design-Build process and the team includes Ames as the contractor and WSP as the prime design consultant.

Project Update:

- Work continued this month on project design in anticipation of the 60% design submittal scheduled for September 26.
- On August 9, BNSF Director of Real Estate met with City staff to discuss the project property acquisition.
- On August 9, Capital staff, Legal staff, and City Transportation Engineer Associate David Lemke participated in an Arizona Corporation Commission hearing with BNSF Railway to execute closure and removal of an unused rail spur on Cottage Avenue in the Southside neighborhood. Mr. Lemke provided testimony to support the closure and removal, which will facilitate future property acquisition of the roadway, development opportunity, and City transportation improvements. BNSF will be covering cost to remove the spur and reconstruct the asphalt.
- On August 24 and 25, the City held an all-agency workshop in Flagstaff to review project design and discuss coordination of the Lone Tree Overpass and the Rio de Flag.
- Additional information is posted on the project website. [Lone Tree Overpass Project](#)



Mountain Line Downtown Connection Center (Design Phase)

FUND: GRANT

Description – The Downtown Connection Center is included in the Downtown Mile project report due to the City’s partnership with Mountain Line for developing the site and the opportunity to plan the facility with multimodal connections with the rest of the Downtown Mile projects. There are also current discussions for future co-location of the Amtrak Station.

Project Update:

- The city is facilitating coordination of the DCC site improvements with the future Rio de Flag construction.
- Mountain Line continues its effort to the NEPA work as required by the Federal Transit Authority.
- Staff has begun to prepare an IGA that will be negotiated with Mountain Line following the completion of the NEPA. Mountain Line hopes to have the IGA before the City Council in May 2022 for approval.
- Mountain Line plans to begin construction of its building in Phase I this Summer (2022).

East Route 66 and El Paso Flagstaff Waterline Extension (CONSTRUCTION PHASE)

FUND: AGING INFRASTRUCTURE

Description – A utility improvements project that extends the 12” ductile iron waterline approximately 2,500 linear feet from approximately the intersection of Test Dr. and Rt. 66 to the intersection of El Paso Flagstaff Rd. The waterline extension continues north, up El Paso Flagstaff Road towards the Wildcat Hill Wastewater Treatment plant, with approximately 1,600 linear feet of new 8” ductile iron waterline. The project also calls for a repaving of El Paso Flagstaff Road for the extents of the waterline extension.

Contractor – Scholz Contracting, LLC

Project Update :

- The Project was determined to be substantially complete on August 14th.
- Staff is working to schedule a walkthrough with the Contractor in the next couple of weeks to develop a final project punch list.



E. Rt. 66, Installation of fiber conduit bank for IT's Fiber Masterplan

Library Entrance (CONSTRUCTION PHASE)

FUND: BBB - BEAUTIFICATION

Description – Project to bring Library Entrance into ADA compliance with new handicap ramp and new overall vision for the entrance. Public art will be incorporated into project and an artist is being brought onto the design team. Project includes upgrades to landscaping, handicap-accessible parking, parking lot, and hardscape.

Project Update :

- City Council awarded the construction contract to Scholz Contracting at the July 5th City Council meeting.
- The project is currently underway and working to establish a temporary alternate Library Entrance that will be utilized throughout construction. Closure of the main Library entrance is expected after Labor Day.
- ADA parking spaces and additional parking spaces will be signed in the City Hall parking lot and a pedestrian route to the alternate Library entrance will be established.



Library Entrance Project-Rendering of selected concept plan

LMWTP Flocculation and Sediment Basin Rehabilitation (DESIGN PHASE)

FUND: DRINKING WATER

Description – The flocculation and sedimentation basin structures and equipment that have been in operation for approximately 60 years are in deteriorated condition and require replacement and rehabilitation. The project consists of constructing a new static mixer installation, rehabilitation of the flocculation/sedimentation basin structures, replacement of electrical systems, and replacement of miscellaneous valves and piping.

Project Update :

- Staff is working with Brown and Caldwell to finalize 100% Construction Documents and bid package.
- The project will be advertised for bids in Fall of 2022 with construction spanning two years and starting in the Spring of 2023



Staff and Brown and Caldwell taking a tour of the LMWTP basins

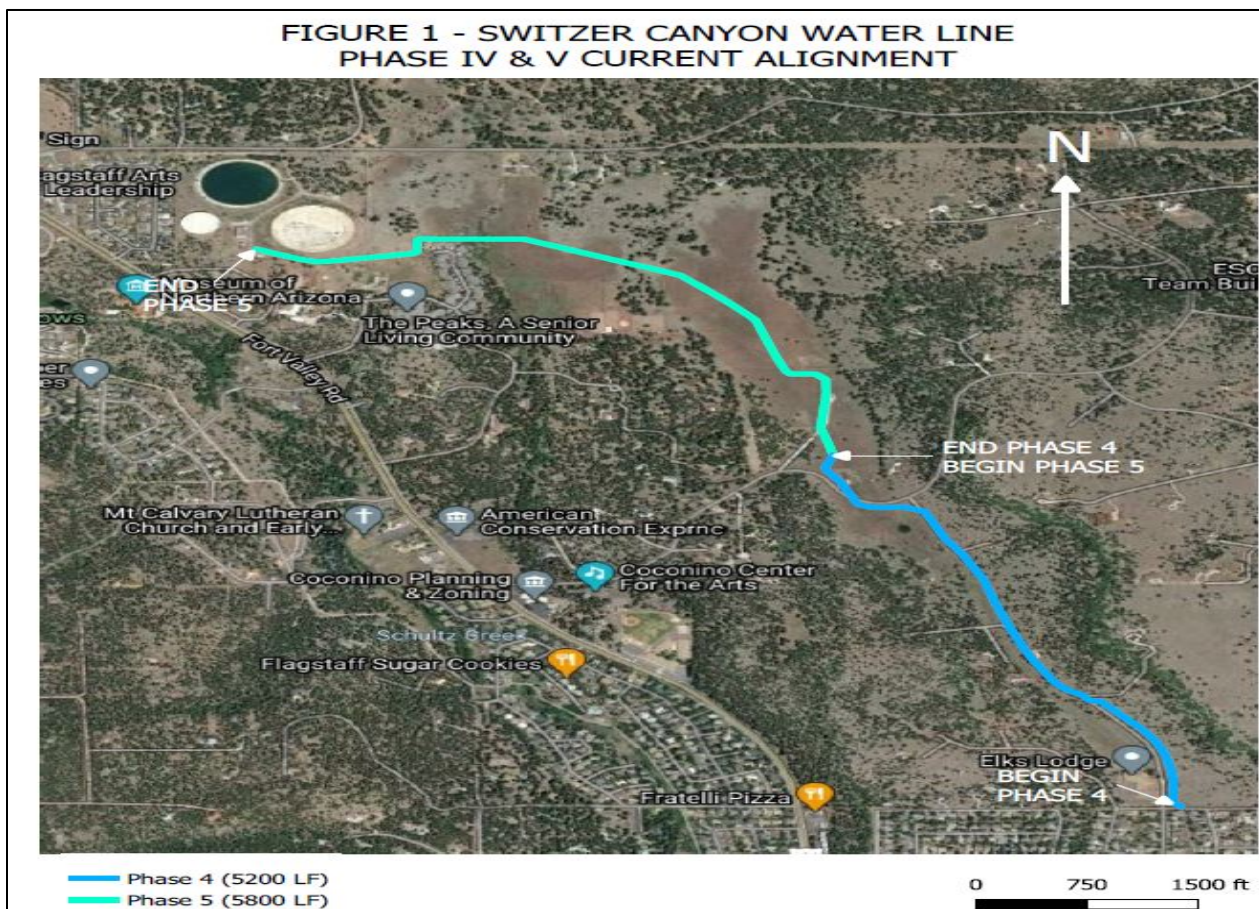
Switzer Canyon Transmission Main Phase IV & V (Design Phase)

FUND: AGING INFRASTRUCTURE

Description – The Project consists of installing two new water transmission mains, 24” and 16”, that will complete the distribution system, zone A and B, from the Downtown area to the City Reservoirs near Elden Lookout Road. The length of Phase IV and V is approximately 11,000 feet. The project area extends outside City limits. Included in the project will be the two water mains with appurtenances and fire hydrants.

Project Update:

- Decision made in December of 2021 to not exchange water service for property rights.
- Proposal requested for remaining Engineering services needed for completion of project in preparation for Contract Change Order.
- On September 6, 2022, approval will be sought for resolution to file condemnation proceedings for Phase IV property rights.
- Osprey nest will impact construction during breeding season (April through July) for 1,400 feet of Phase IV.
- Construction of Phase IV is currently planned for Spring of 2023 through Winter of 2023.
- Phase V is in the planning phase to define the final alignment.
- Construction of Phase V is anticipated for 2024.



Protected Intersections at Butler/Beaver and Butler/San Francisco (Design Phase)

FUND: UNKNOWN

Description – The Project consists of feasibility designs of protected intersections at two locations on Butler Avenue, Beaver Street and San Francisco. Protected intersections separate bicycle traffic from vehicular traffic.

Project Update:

- WSP Global, Inc. was chosen as Engineering firm for 15% designs protected intersections.
- WSP submitted proposal for design services.
- Final deliverables consist of Technical Memorandum and 15% level conceptual plans
- Expected completion is two months from Notice to Proceed.



Beaver Street and Butler Avenue



San Francisco Street and Butler Avenue

Wildcat Hill Wastewater Treatment Plant (WHWWTP) Digester Complex (DESIGN PHASE)

FUND: WATER SERVICES-SEWER

Description – Project includes the design and construction of one 60-ft concrete anaerobic digesters with a digester control building and gas handling system. The digester control building would include new boilers, heat exchangers, digested sludge pumps, and other appurtenances to support the increased capacity of the new digester facilities. The Wildcat Hill WRP treats residual solids from both the Rio De Flag and Wildcat facilities. These new digesters will increase solids treatment train capacity to accommodate the solids produced from the treatment at both facilities.

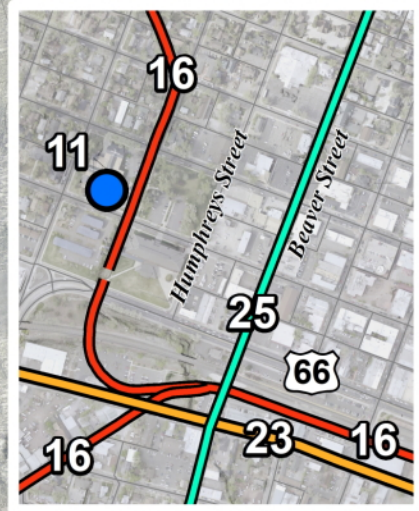
Project Update:

- A design contract with Carollo Engineers is up for consideration of approval on the September 20th Council meeting.
- Design is scheduled for 12 months with Construction starting in the Spring of 2024, and completion anticipated in the Fall of 2025.



Existing Wildcat Plant, red circles represent possible locations of the new digester

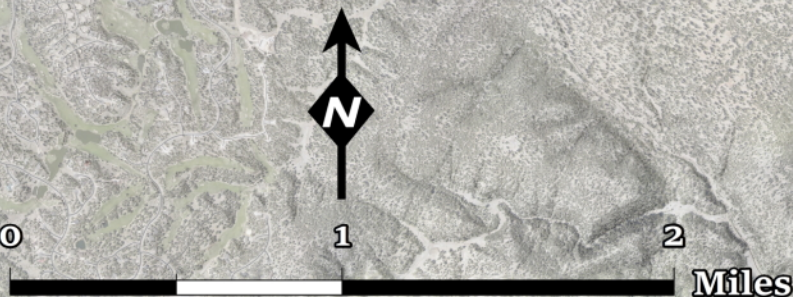
Capital Improvements Projects



● **Pre-Construction**
 ◆ **Under Construction**

July 2022

No.	Project Name	
1	J.W. Powell Specific Plan Study	
2	USGS Flagstaff Science Center Campus - Build to Suit	
3	LMWTP Flocculation and Sediment Rehabilitation	
4	Beulah Boulevard Extension / University Drive Realignment	
5	Coconino Estates Improvements Phase II	
6	West Flag Improvements - David and Hutcheson	
7	West Flag Improvements - Canyon Terrace	
8	Coconino Estates Improvements Phase I	
9	Lockett/Fourth Roundabout	
10	Lone Tree Overpass Project	
11	Library Entrance	
12	East Route 66 and El Paso Flagstaff Waterline Extension	
13	Boulder Pointe - University Avenue Traffic Calming	
14	Switzer Canyon Transmission Main Phase IV & V	
15	Route 66 at Fanning - Landscaping	
16	Rio de Flag Flood Control Project	
17	Steves Boulevard Wash at Soliere	
18	Wildcat Hill Wastewater Treatment Plant (WHWTP) Digester Complex	
19	Butler-Fourth Improvements	
20	Museum Fire Flood Mitigation/Division D	
21	Spruce Wash - Cedar to Dortha & Dortha Inlet	
22	Park Basins	
23	Downtown Mile	
24	Woody Way	
25	Protected Bike Lane Pilot Projects (Butler Ave. & Beaver St.)	
ATMP (Citywide) See website: www.flagstaff.az.gov/atmp		




Sustainability Section

Month in Review: September 2022

HOT TOPICS:

- The EV Charging Station project at the airport is complete! The 6 new stalls are available for public use, and, similar to all other City-sited EV Charging locations, there is no fee for charging at this time.
- The Climate Resilience Project, a collaborative initiative with the *Sustainability Office* and *Flagstaff City - Coconino County Community Library*, hosted our first event on September 13th. The event, *Climate Conversation*, was for community members to collaboratively learn and discuss Climate Impacts and Vulnerabilities in Flagstaff. Nearly 30 community members participated in the facilitated group discussion. The program was featured on the front page of the Daily Sun: [article](#).
- Sustainability launched the “Sustainability Minded Business Program” which is a free resource and consultation program that helps businesses conserve resources and save money. The first phase of the program includes resources targeted at short-term rental property managers and guests. Please visit our guides at [Property Manager Guide](#) and [Guest Guide](#)




Sustainability Minded


Short-Term Rental Management Guide

Become a more sustainable short-term rental host and save money by reducing waste, water usage, and energy usage at your accommodation. This guide, and the accompanying guest brochure, is designed to help you and future guests make a positive impact on our community!

WASTE: TAKE ACTION

 **Quick Fix**

- Provide recycling services on the property, including separate services for glass.
 - Call City of Flagstaff Solid Waste Department: (928) 213-2110.
- Educate guests on proper recycling practices:
 - Signage on bins:
 - Landfill
 - Recycling
- List available food recovery and donation locations within the house manual.
 - This allows guests to donate uneaten food items they may have left over from their stay.
 - A link is provided in the Guest Brochure provided by the Sustainability Office.
- Share a map of free city-led residential food scraps drop-off sites.
 - A link is included in the Guest Brochure provided by the Sustainability Office.
- Provide reusable shopping bags, water bottles, and to-go containers for guests when they are out and about. Many single use to-go items from businesses are not recyclable in Flagstaff and will go to the landfill.
- Promote drinking Flagstaff's tap water to deter guests from purchasing bottled water. Information is included in the guest brochure.




FLAGSTAFF SUSTAINABILITY GUIDE

Welcome to Flagstaff! The goal of this guide is to provide you with a list of simple actions that support the Flagstaff community's goal of reaching carbon neutrality by 2030. Thank you for doing your part to conserve resources.

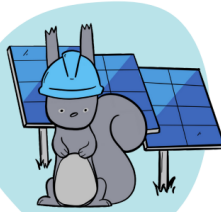
RETHINK WASTE

- ✓ **Recycle during your stay.** Learn more at recyclebycity.com/flagstaff
- ✓ **Reduce food waste by composting and donating excess food.** Free drop-off locations are listed on the last page.
- ✓ **Drink Flagstaff tap water, don't buy bottles!** Our tap water exceeds most bottled water ratings, so opt for a reusable bottle and tap water.
- ✓ **Bring Your Own (BYO)!** Check with your host to see if they have mugs, bottles, or utensils available for use on the go.



SAVE ENERGY

- ✓ **Turn off lights and unplug devices or chargers when not in use.**
- ✓ **Be thermostat conscious.** Keep the thermostat set at 68 °F / 20 °C during the winter and 78 °F / 26 °C during the summer.
- ✓ **Eco all the way!** Select the eco setting when using the washer, dryer, or dishwasher when possible.



CLIMATE ACTION:

- The Youth Climate Advisory Group is already making big plans! In addition to recruiting additional members to increase representation of the youth voice in Flagstaff, they are planning a Fall event, creating educational presentations on the Carbon Neutrality Plan

target areas, starting an inter-school climate action club, and preparing to review and respond to FUSD’s Climate Action Report.

- In partnership with the public library, staff are hosting a Youth Climate Book Club starting in October. This will be an opportunity for youth to read and discuss the book “All We Can Save”, and facilitate climate-focused conversations centered around youth voices.
- Staff met with the Flagstaff Unified School District (FUSD) Superintendent and new Assistant Superintendent of Curriculum and Instruction to discuss and plan climate action opportunities in Flagstaff schools.
- Sustainability staff are participating in a four-session Community Resilience Hub Training with Urban Sustainability Directors Network (USDN) designed for in-depth learning about implementation, financial and social returns, and community ownership.
 - Home Weatherization Rebate Program Update: Rebates paid or in process: Over \$12,000 in 2.5 months (6%). This would have been 60% of the funding in previous years. The approximate average rebate: \$1,100
 - IQRM uptake: 10% of applicants
- Staff presented as an invited expert during the APS Trade Ally webinar event on Commercial Electrification Opportunities.
- Staff presented to the Sustainable Cities Network Climate and Resilience Working Group monthly meeting, discussing Carbon Dioxide Removal and local government’s role in this emerging space.
- Staff was featured on the Reversing Climate Change podcast by Nori – episode release date TBD.
- Staff are working across the City of Flagstaff to plan the 2022 revisions to the Carbon Neutrality Plan, focusing on incorporating resilience target areas from the Climate Action and Adaptation Plan.
- Staff are working to support the development of the Flagstaff Regional Transportation Plan, a process led by MetroPlan Flagstaff. This Plan will include a scenario that would lead to the achievement of many of the transportation-related Carbon Neutrality Plan goals.
- Staff participated in the Lowell Observatory State of the Climate Panel on Sunday, September 25th for the Festival of Science. The panel presented to 40 people.

COMMUNITY STEWARDS/LITTER PREVENTION:

- AmeriCorps ELC service member Sanoma Boynton will be joining the Sustainability team for a second term as Stream Stewards Coordinator. Thank you, Sanoma.

September Litter Cleanup Data:

Date	# of Volunteers	Total Hours	Bags of Trash	Bags of Recycling
9/17/2022	10	10	3	0
9/10/2022	7	7	3	1
9/17/2022	8	8	3	1

9/17/2022	1	3	3	1
9/3/2022	11	14	10	0
9/3/2022	3	3	1	1
9/1/2022	153	2	5	5
Totals	193	351	28	9



FOOD SYSTEMS:

- The Flagstaff Sustainability Office was awarded a \$184,085.12 USDA Urban Agriculture and Innovative Production Grant, which was approved by City Council on September 6th.
- “The Sustainable FLG Series: Preparing Your Garden for Winter Workshop” was held at the Bonito St. Community Garden on Tuesday, September 20th. Staff teamed up with Terra BIRDS and Native Americans for Community Action (NACA) to teach 20 community members about seed saving, cover crops, and mulching for the winter.
- Sustainability Staff co-hosted a Fruit Gleaning event with Flagstaff Foodlink on September 18th in the Coconino Estates neighborhood. 14 community members collected over 60 lbs. of crab apples. The yield was donated and offered to volunteers.



MATERIALS MANAGEMENT:

- The Expert Composter Certification launched on September 12th. This free 5-week program provides Flagstaff residents with the skills they need to become effective composters, educators, and advocates within their communities.
- Sustainability Staff participated in the NAU Community Welcome, which fosters a sense of community and connection between local and student residents. Staff distributed recycling materials to 175 households.



- On Saturday, September 24th, from 9:00 am – 3:00 pm, the Sustainability Office co-hosted a Community Rummage Sale event in partnership with Radio Sunnyside at Pine Forest School. 12 vendors from the community sold gently used items and were able to divert over 650 lbs. from the landfill. Notable items included a dehydrator, an electric guitar, an original Nintendo gaming system and much more!



SUSTAINABILITY COMMISSION:

- In the September 22nd Sustainability Commission meeting, the Sustainability Commissioners heard Grand Canyon Youth's Neighborhood Sustainability Grant final report, discussed the Sustainable Building Resolution and Carbon Neutrality Plan revisions, elected a new Chair and Vice Chair to begin service in January, and picked a date to do a litter clean up on Aspen Avenue.
- Next meeting: Thursday, October 27th, 2022, 4:30 PM - 6:30 PM

UPCOMING EVENTS:

- 10/1, 5:00pm-6:30pm, Expert Composter Workshop
- 10/15, 10:15am, Flagstaff 15-minute Makeover
- 10/15, Noon-2:00pm, Sustainability Fall Festival Join us in celebrating our wonderful volunteers, contributors, and partners at the Sustainability Office Fall Festival and Appreciation Event on October 15 from Noon-2pm.
- 10/20, 5:30pm, Downtown Library - [Tools for Climate Resilience in Public Spaces](#)
- 10/22, Make a Difference Day, location and project TBD
- 10/29, 10:00 am – 2:00 pm, Flagstaff Police Department – [Drop-off Day](#)
- 11/1, 3:00 pm – 6:00 pm, Flagstaff Sustainability Office – [Pumpkin Drop-off](#)
- 11/5, 10:00 am – 2:00 pm, Joe C. Montoya Community and Senior Center – [Fix-it Clinic](#)



SOCIAL MEDIA:

- Our top post on Facebook was a post we were tagged in and shared from Killip Elementary about planting milkweed in their new Butterfly Garden.

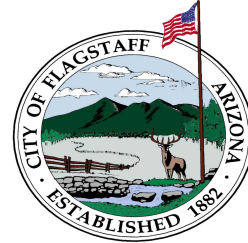


- Our top post on Instagram was a post about Radio Sunnyside’s Community Rummage Sale.



**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Sarah Langley, Management Analyst
Date: 10/03/2022
Meeting Date: 10/11/2022



TITLE:

Post-wildfire Flooding Update

DESIRED OUTCOME:

For information only.

EXECUTIVE SUMMARY:

Staff will present to the Council and community the latest information about the Museum and Pipeline West flood areas.

INFORMATION:

Staff will present an overview of flood mitigation efforts. A presentation will be attached prior to October 11.

Attachments: [Presentation](#)

Post-Wildfire Flooding Update

October 11, 2022





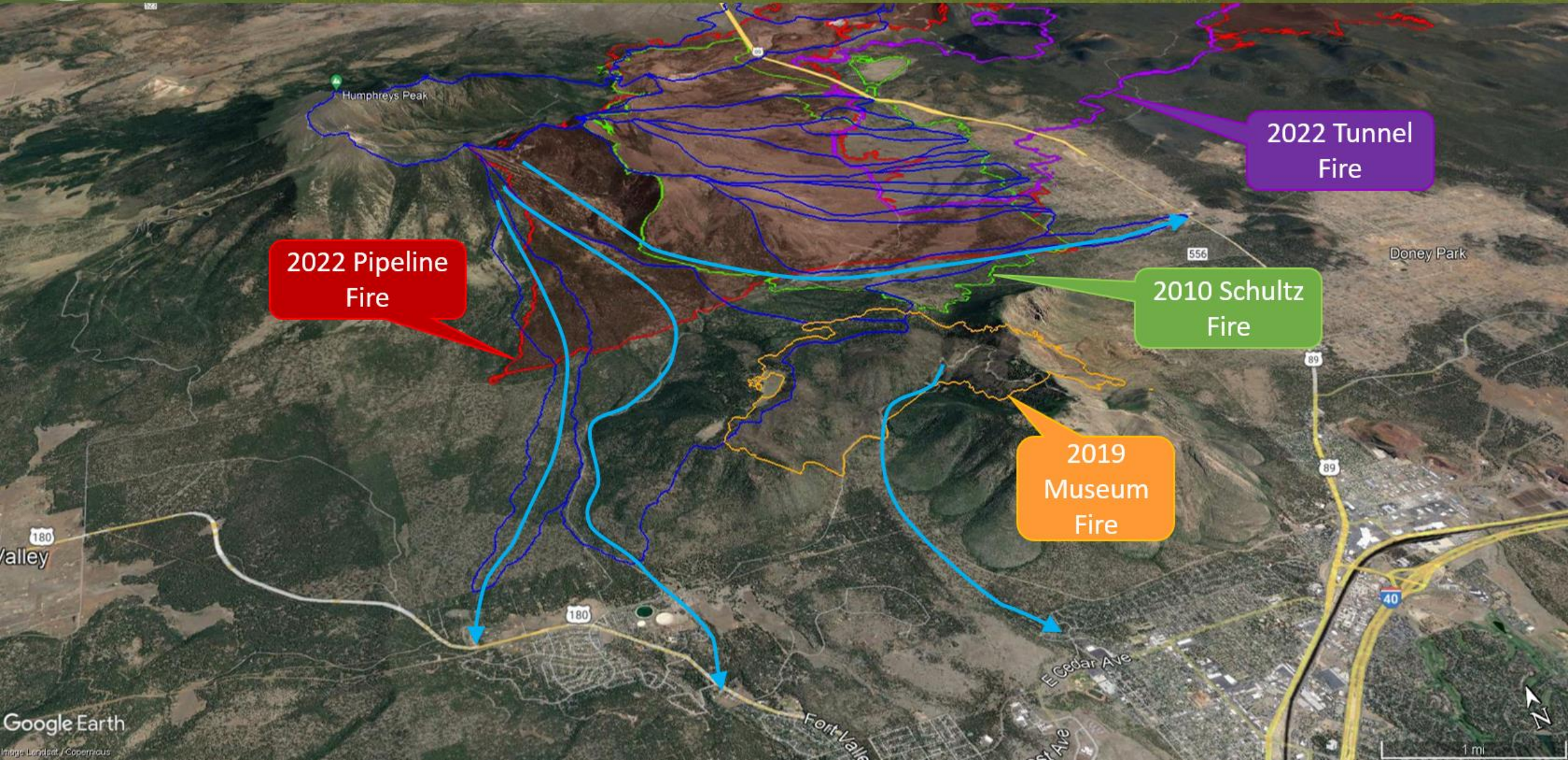
Agenda



- Museum Flood Area updates
 - 2022 monsoon season overview
 - Infrastructure projects
 - Phase 2 Feasibility Study
 - Prop 441
- Pipeline West Area updates
 - 2022 monsoon season overview
 - Infrastructure projects
 - Financial Update
- SBA Loans & communications



Flood Risk Assessment Overview



2022 Pipeline Fire

2022 Tunnel Fire

2010 Schultz Fire

2019 Museum Fire

Museum Flood Area





2022 Monsoon Season



- Risk of post-wildfire flooding in the Museum Flood Area remains high.
- Mitigation measures installed to lessen impacts of flooding – do not eliminate threat.
- Little heavy rain fell on Museum Fire burn scar in 2022, 1-year events at the 15 minute interval

Largest Events on Museum Fire Burn Scars for 2021			
Rainfall Event Date	Rainfall Totals (Inches)		
	Maximum 15 Minute	Maximum 60 Minute	Daily Total
7.13.2021	1.02	1.81	2.17
7.14.2021	0.67	1.15	1.22
7.16.2021	0.63	1.38	1.42
7.21.2021	0.60	1.26	1.26
8.17.2021	1.14	3.07	3.35

Largest Events on Museum Fire Burn Scars for 2022			
Rainfall Event Date	Rainfall Totals (Inches)		
	Maximum 15 Minute	Maximum 60 Minute	Daily Total
7.15.2022	0.67	1.10	1.14
7.27.2022	0.55	1.22	1.42
7.29.2022	0.83	1.06	1.46



Rainfall intensity, 2022

Date	Area	Max 15-Min Depth Measured (Inches)	Max @	Max Recurrence Interval (Years)
25-Jun	East Pipeline Fire	0.51	Thames - Brandis	1
26-Jun	East Pipeline Fire	0.71	Thames / Peaceful Way	2-5
29-Jun	East Pipeline Fire	0.51	Museum Fire South	1
14-Jul	East and West Pipeline Fire	0.71	Government Tank	2-5
15-Jul	East Pipeline Fire	0.87	Lenox-Wupatki Trails	5
23-Jul	East Pipeline Fire	0.98	Government Tank	5-10
24-Jul	East and West Pipeline Fire	0.12	Schultz Creek near Highway 180	1
26-Jul	East Pipeline Fire	0.47	Thames - Brandis	1
27-Jul	West Pipeline Fire	<0.50	Upper Schultz Creek	1
28-Jul	East Pipeline Fire	<0.40	Lenox-Wupatki Trails	1
29-Jul	West Pipeline Fire	0.71	Upper Schultz Creek	2-5
30-Jul	East Pipeline Fire	0.63	Schultz Basin 7 Upper Campbell	2
31-Jul	East Pipeline Fire	0.75	Thames / Peaceful Way	2-5
7-Aug	East & West Pipeline Fire	0.39	Schultz Creek Headwaters	1
11-Aug	East Pipeline Fire	0.39	Lenox-Wupatki Trails	1
13-Aug	East Pipeline Fire	0.79	Thames-Brandis	5
14-Aug	East Pipeline Fire	0.73	Government Tank	2-5
17-Aug	East Pipeline Fire	0.8	Thames-Brandis	5
24-Aug	East Pipeline Fire	0.4	Thames-Brandis	1
10-Sep	East Pipeline Fire	0.67	Thames-Brandis	2



Close of monsoon season

Short-term Mitigation

- End of 2022 monsoon clean-up
 - Resident access
 - Pallet requests for sandbags
 - Concrete barrier removal
 - Linda Vista Barrier removal
- Winter Preparation





On-forest Alluvial Fans

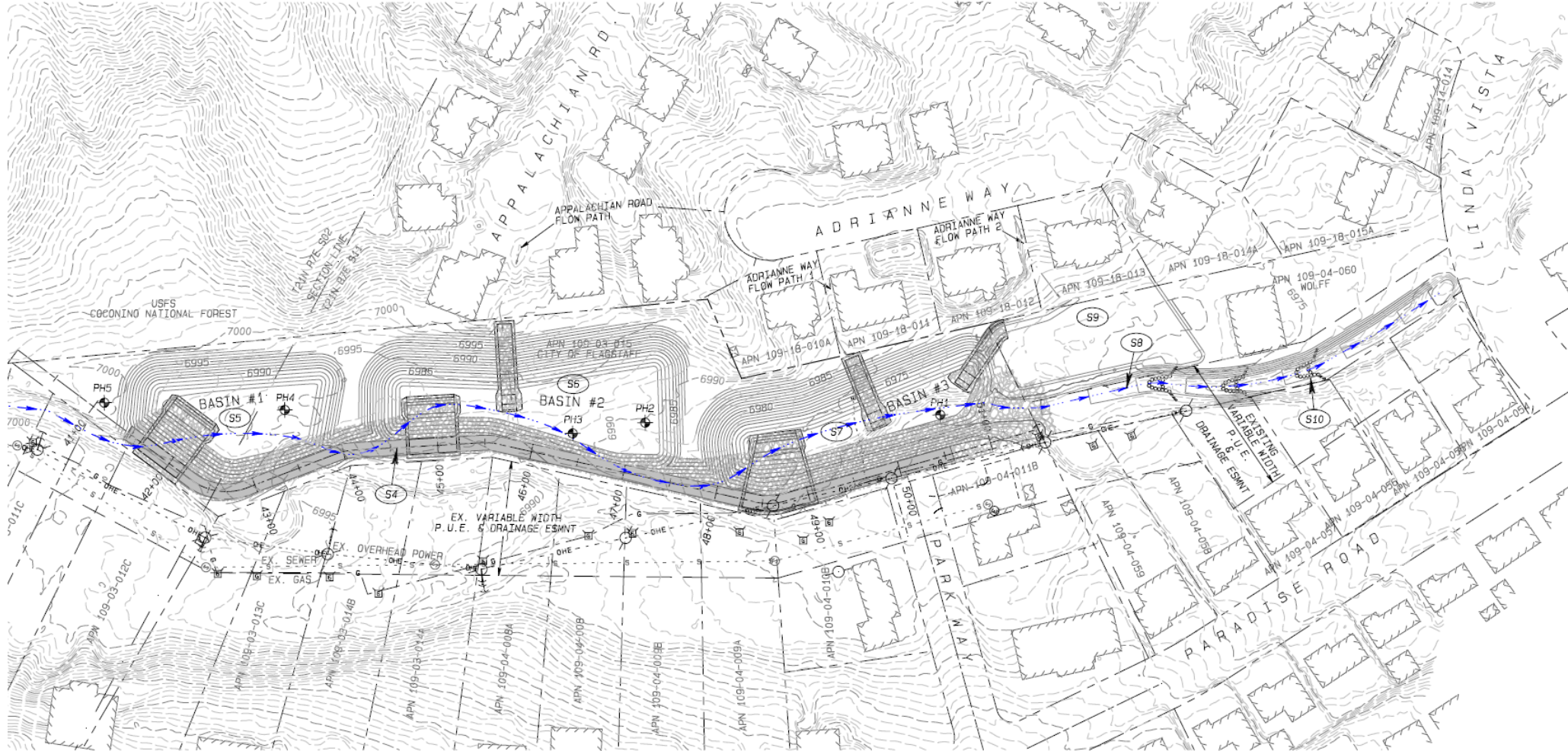
- Alluvial fans completed and functioning well;
 - West Tributary
 - Mount Elden Estates
 - End of Paradise
- New work on "north" fans
 - Two fans
 - Completed by November



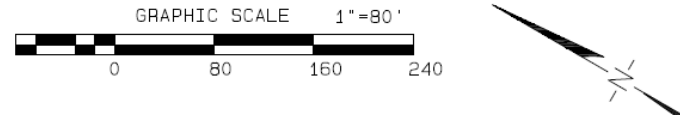
8/7/22, West Tributary



Parkway Basins



OVERVIEW MAP
SPRUCE WASH - PARK SITE SEDIMENT BASINS





Parkway Basins

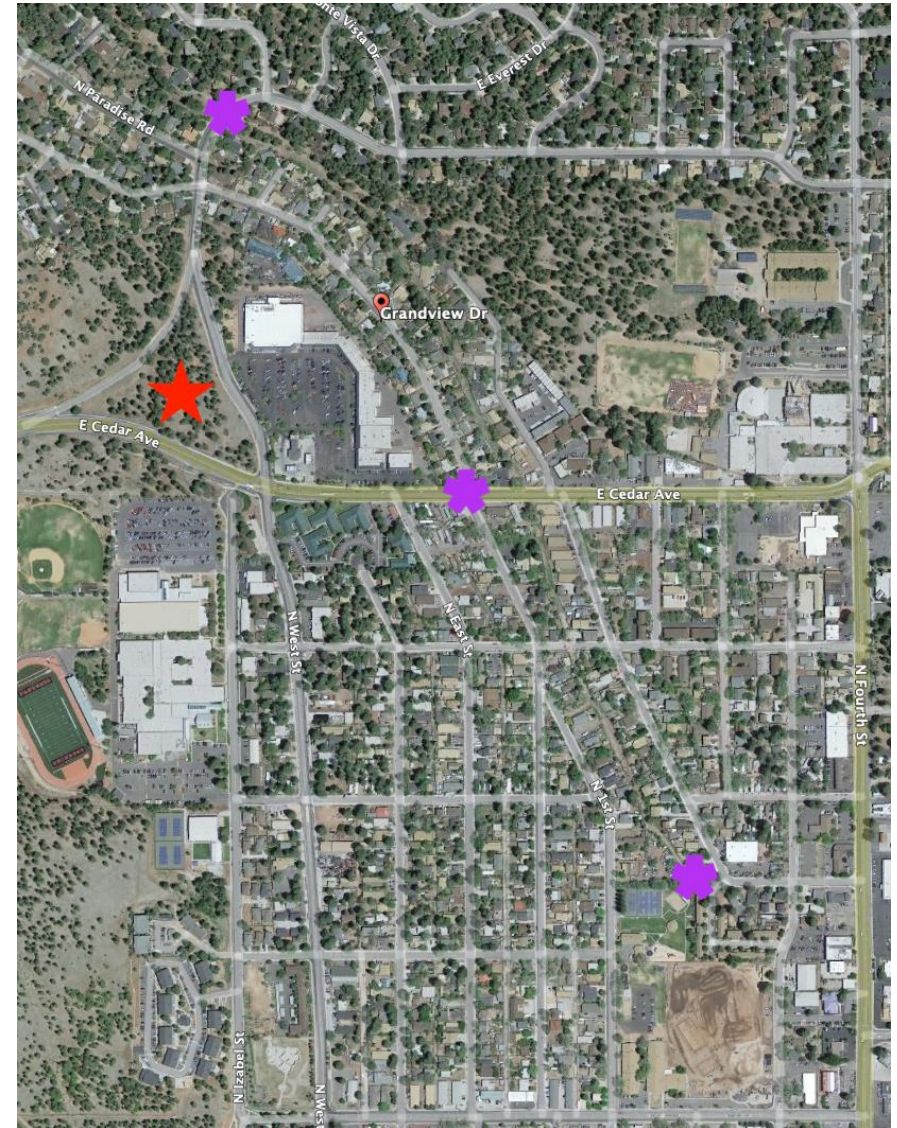


- Utility relocates scheduled for this fall.
- Tree removal would occur this fall.
- Construction in spring.
- Project will reduce sediment into Sunnyside and Grandview



Phase 2 Feasibility Study

- Peak Engineering
 - Proposed projects for reducing flood impacts:
 - Grandview Drive Improvements
 - West/Cedar Basin Development: "The Wedge"
 - Linda Vista & Cedar Avenue Crossing Upgrades
 - Channel Improvements
 - Arroyo Seco Inlet Modifications





Phase 2 Feasibility Study

- Peak Engineering & JE Fuller
 - Hydraulic modeling
 - Show benefit of completed projects: Killip Regional Detention Basins, Dortha Crossing and Dortha Channel
 - Show benefit of proposed projects
 - Identify sequencing of proposed projects
 - Inform policy for assessing impacts (future Council discussion)

Strong alignment with the bond education campaign and providing good detail to inform the community and move the best projects to final design and construction.



Prop 441

- Prop 441 would fund a series of projects to increase stormwater capacity in the Spruce Wash, including:
 - Channel improvements from Paradise to the Killip Retention Basins
 - Continued improvements towards Route 66
- Total cost is \$26,000,000

Flagstaffbonds2022.com

Propositions 441 and 442

are ballot measures that would authorize issuing general obligation bonds to fund infrastructure improvement projects and create rental and homeownership opportunities.



**PROJECTED TO BE FUNDED
WITHIN CURRENT TAX RATE.**



PROP 441

WILDFIRE, FLOOD, AND WASTEWATER INFRASTRUCTURE BOND

Will invest \$57 million dollars in infrastructure improvements to respond to wildfires, help lessen the impacts of flooding and capacity issues at the wastewater treatment facilities in Flagstaff.

PROP 442

RENTAL AND HOMEOWNERSHIP OPPORTUNITIES BOND

In 2020, the Flagstaff City Council declared a housing emergency in response to rising costs and limited supply. If approved, \$20 million dollars will be dedicated to creating rental and homeownership opportunities for Flagstaff residents.



Learn more, scan the QR code or visit flagstaffbonds2022.com. Props 441 & 442 were recommended for the November 8, 2022 election by the Flagstaff Citizen Bond Committee.



Pipeline West Flood Area



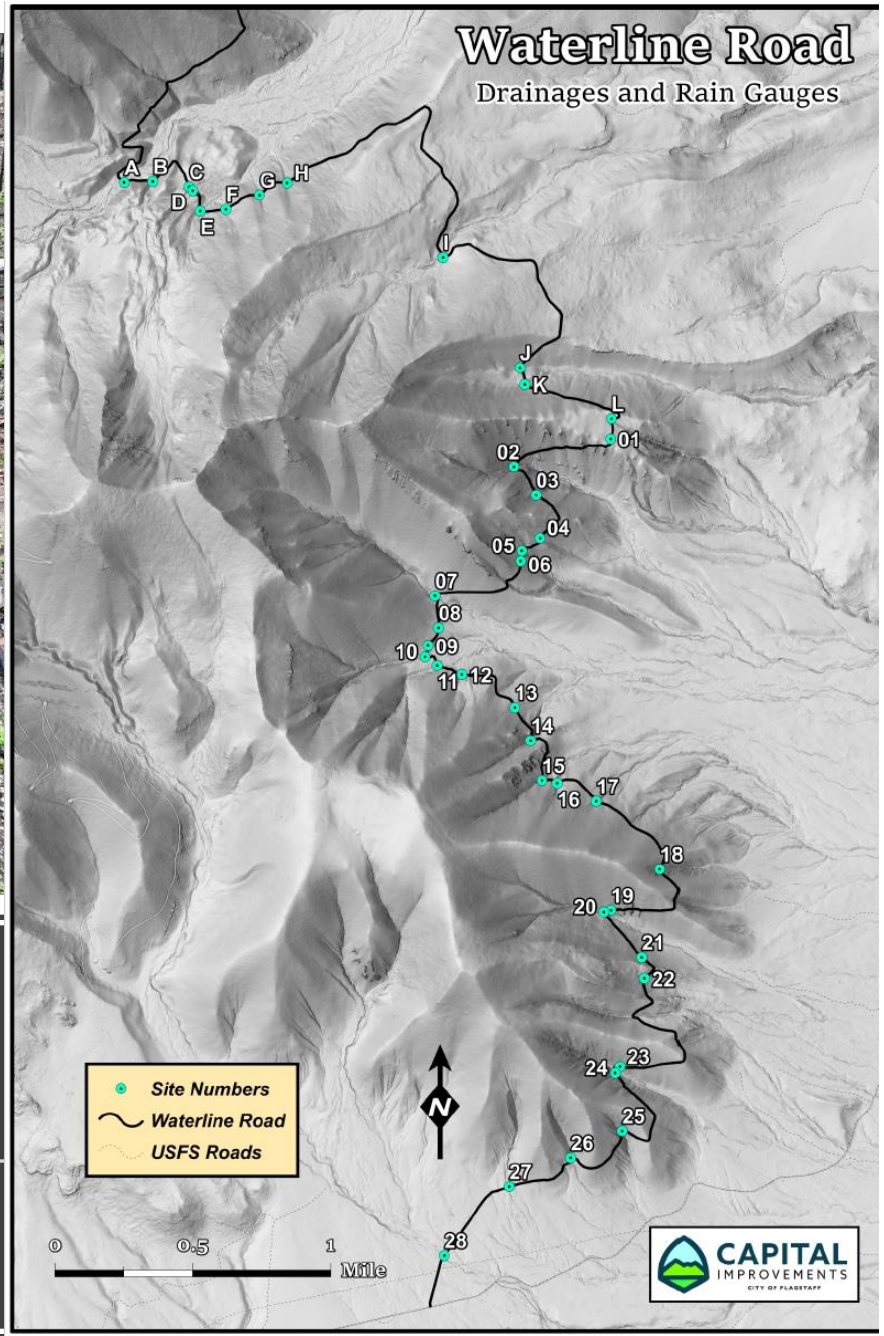


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23-Jul	East Pipeline Fire	0.98	Government Tank	5-10
24-Jul	East and West Pipeline Fire	0.12	Schultz Creek near Highway 180	1
26-Jul	East Pipeline Fire	0.47	Thames - Brandis	1
27-Jul	West Pipeline Fire	<0.50	Upper Schultz Creek	1
28-Jul	East Pipeline Fire	<0.40	Lenox-Wupatki Trails	1
29-Jul	West Pipeline Fire	0.71	Upper Schultz Creek	2-5
30-Jul	East Pipeline Fire	0.63	Schultz Basin 7 Upper Campbell	2
31-Jul	East Pipeline Fire	0.75	Thames / Peaceful Way	2-5
7-Aug	East & West Pipeline Fire	0.39	Schultz Creek Headwaters	1
11-Aug	East Pipeline Fire	0.39	Lenox-Wupatki Trails	1
13-Aug	East Pipeline Fire	0.79	Thames-Brandis	5
14-Aug	East Pipeline Fire	0.73	Government Tank	2-5
17-Aug	East Pipeline Fire	0.8	Thames-Brandis	5
24-Aug	East Pipeline Fire	0.4	Thames-Brandis	1



Inner Basin Pipeline





Long-term Projects

Immediate mitigation projects

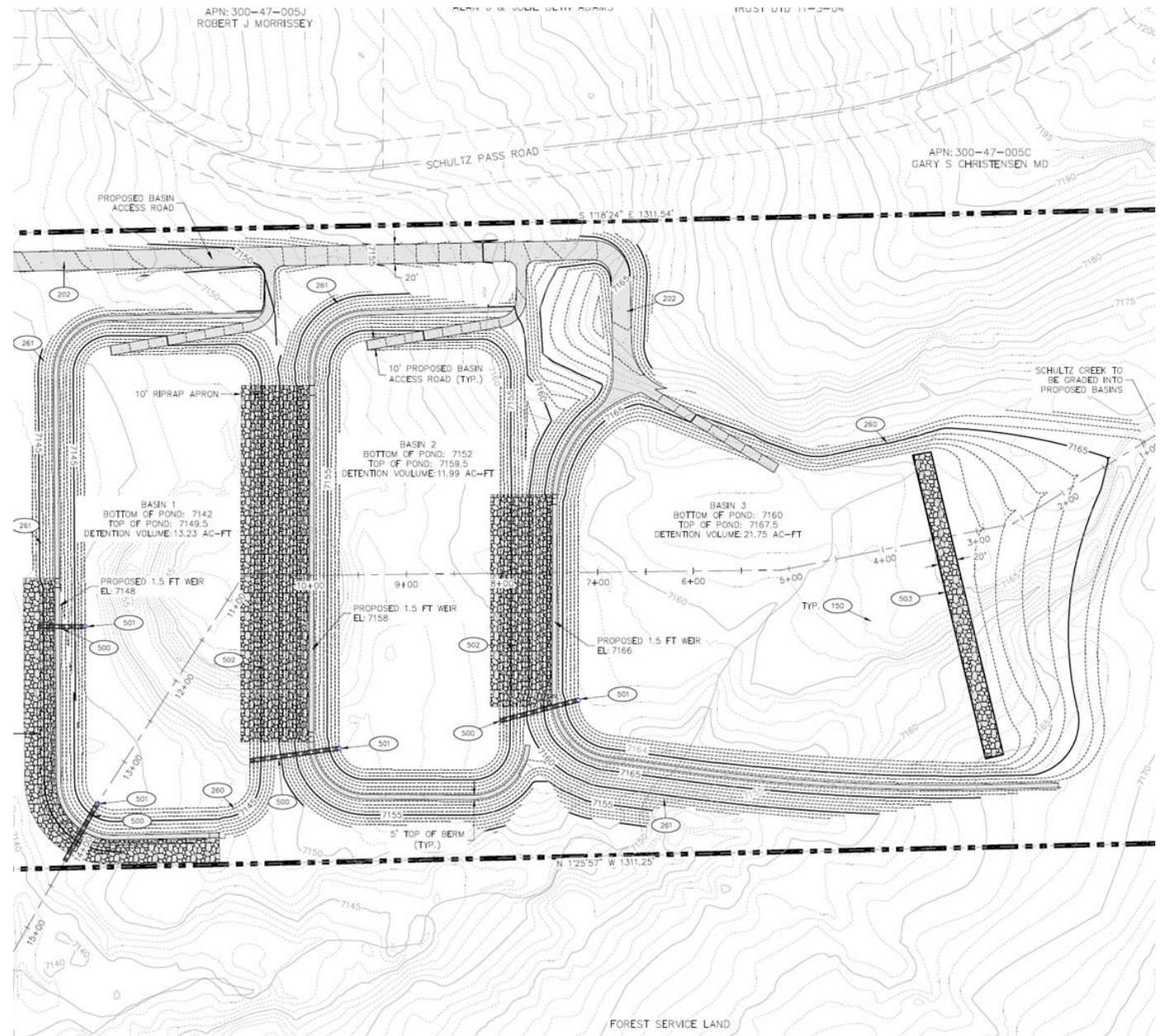
- 20-acre Schultz Creek Sediment & Detention Basins
- Schultz Creek Downstream Channel Stabilization

Long-term mitigations

- Box culvert improvements at Hwy 180
- Inner basin Pipeline repairs and mitigations

Schultz Creek Detention Basins

- 20-acre City owned Parcel
- Incorporating trail access, trailhead parking, historic interpretation, and landscaping.





Schultz Creek Detention Basins



- Complete by 10/26
- Functionally complete with work continuing on stabilization, concrete headwalls, overflow weir structures, and



180 Improvements

- The City has contracted with SWI to provide options and conceptual designs for an improvement of the culvert at Hwy 180.
- Considerable hurdles including multiple jurisdictions, private property owners, funding, and utility conflicts.
- After several meetings the options have been narrowed to two viable concepts.
- Both concepts allow for ~950 CFS which would fully contain the flow within channel from a 100 year event.


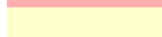
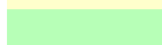


180 project – Decision Matrix



Decision Matrix					
ID	Construction Cost	Management Complexity	Constructibility	City Limits	Property Acquisition
Option 1	\$4.99 Million	A portion of project within City owned parcel. Coordination with multiple other property owners.	More complex closure of ADOT Hwy 180 for removal of existing box culvert and construction of new skewed box culvert	No	41,100 sf across 4 properties
Option 2					
Option 3	\$5.34 Million	Coordination with only 2 property owners.	Simplified closure of ADOT Hwy 180 for construction of new box culvert - existing infrastructure can remain in place and used as an overflow. Option provides no adverse impact to downstream properties.	Yes	47,600 sf across 2 properties

Legend

-  No / Worst
-  Yes / Best
-  Yes / Best



Season wrap-up

Short-term Mitigation

- End of 2022 monsoon clean-up
 - Resident access
 - Pallet requests for sandbags (928) 213-2102
 - Concrete barrier removal
- Winter Preparations





Pipeline West Financial Update

- 2022 Pre-season mitigation (Pipeline & Museum): \$471,040
- Flood Response cost estimates: \$351,000
- Private property damage estimate: \$95,500
- Water control facilities estimate: \$15.2M
 - Inner Basin Water Line
 - Rio Channel at Stevanna Way
 - Highway 180 Culvert
 - Frances Short Pond
- NRCS EWP 25% Grant Match: \$768,041
 - Funded by Dept of Forestry and Fire Management
- Schultz Creek Basin Design: \$68,000



Small Business Administration Loans



- For flooding that occurred July 23 – August 28, 2022
- Low interest loans available for homeowners, renters, non-profits and businesses
- 11/18 deadline
- Apply online at disasterloanassistance.sba.gov/ela

SBA Loans Available for Pipeline Fire Flood Damage



Fall 2022

Low-interest federal disaster loans through the U.S. Small Business Administration (SBA) are available to **homeowners, renters, non-profits and businesses** affected by the post-wildfire flooding that occurred between July 23 and August 28, 2022.

- Homeowners may borrow **up to \$200,000** to repair or replace their primary residence.
- Homeowners and renters may borrow **up to \$40,000** to replace personal property.
- Businesses may borrow **up to \$2 million** for any combination of property damage or economic injury.

Apply online at disasterloanassistance.sba.gov/ela. For more information or assistance, call **(800) 659-2955** or email disastercustomerservice@sba.gov. For people who are deaf, hard of hearing, or have a speech disability, please dial **7-1-1** to access telecommunications relay services.

The deadline to apply for a physical damage loan is **November 18, 2022**.



Museum Flood Area Communications

How to stay connected



For more information and to
sign up to receive updates, visit

[MuseumFloodProjects.com](https://www.museumfloodprojects.com)

Questions?

info@museumfloodprojects.com

928-213-2102



Pipeline West Communications

How to stay connected

For more information and to sign up to receive updates, visit

[Flagstaff.az.gov/PipelineWest](https://www.flagstaff.az.gov/PipelineWest)

Questions?

info@pipelinewestflooding.com

[928-213-2102](tel:928-213-2102)

SCAN ME

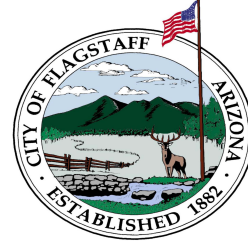


Questions?



**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Sarah Langley, Management Analyst
Date: 10/03/2022
Meeting Date: 10/11/2022



TITLE:

Short Term Rental Legislation Update

DESIRED OUTCOME:

Staff is seeking direction from Council on the future regulation of short-term rentals

EXECUTIVE SUMMARY:

The City currently regulates short-term rentals (STRs), as found in Flagstaff City Code Chapter 3-12. A short-term rental is a residential dwelling unit rented for 30 days or less. Current regulations are based on A.R.S. Section 9-500.39, as in effect prior to September 22, 2022. All STRs are required to register with the City and non-residential uses of STRs are prohibited.

During the spring of 2022, the state legislature passed SB1168 (vacation rentals; short-term rentals; enforcement). This piece of legislation outlines further regulations of vacation or short-term rentals that cities may impose, including the ability to create a license or permit to operate a STR, as well as defined criteria for when a city may deny or revoke a license or permit. The legislation also outlines allowable regulations related to notification, civil penalties and other areas. Staff is seeking direction from Council on the whether the Council desires to adopt new allowable regulations.

INFORMATION:

SB1168 is attached to this staff summary.

Attachments: [Presentation](#)
[SB1168](#)
[Current City STR Code](#)

Short Term Rentals

Legislation Update

October 11, 2022





Purpose



- Provide information about short term rentals (STRs)
- Inform Council about changes in state law
- Receive direction on regulation of STRs

Short Term Rentals Defined

- Any residential unit leased for less than 30 days





Legislative Background

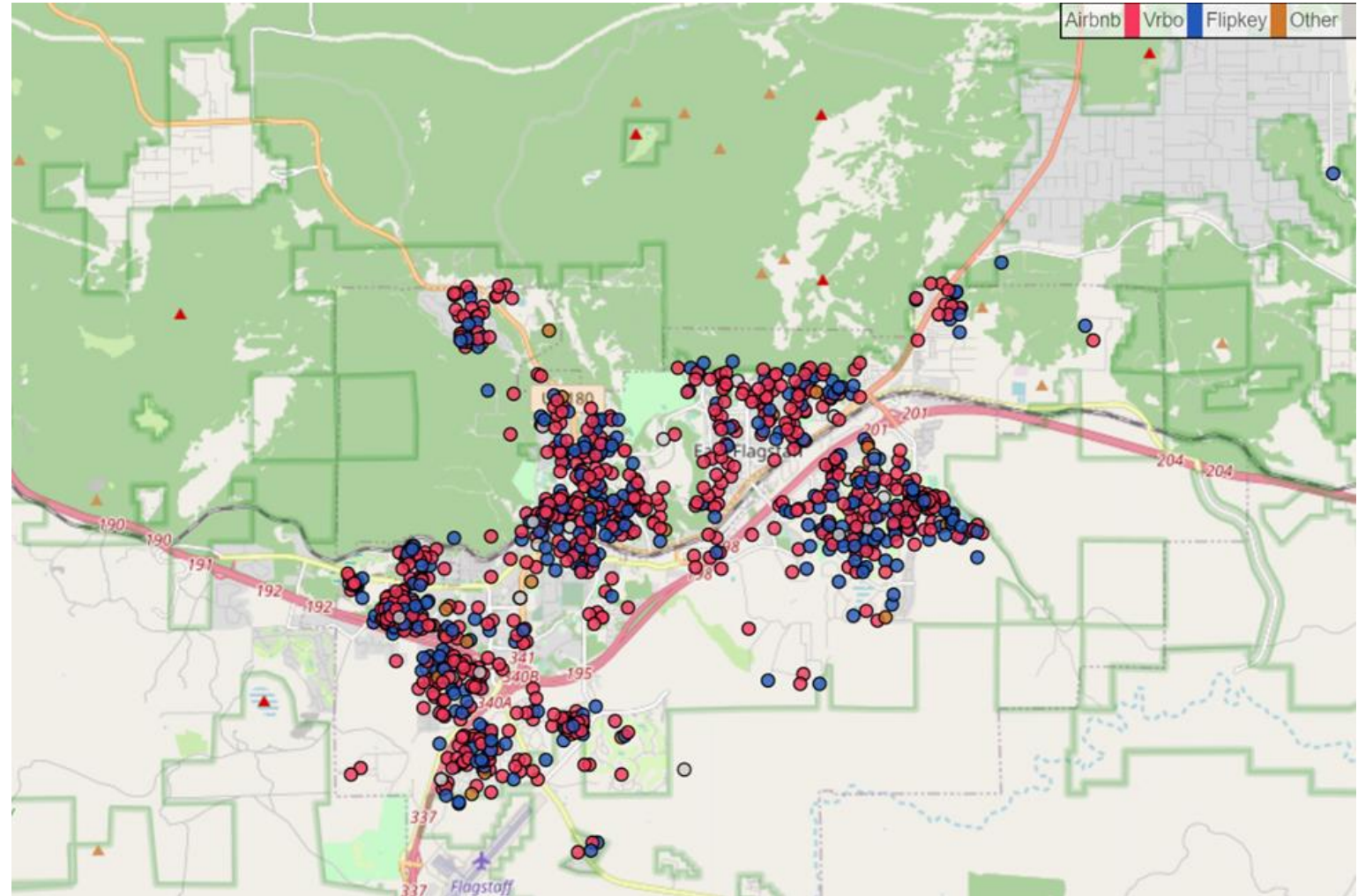
- 2016 – SB1350 passes
 - Legislature requires cities to allow STRs in residential zones
- 2019 – HB2672 passes
 - Legislature allows registration, requiring contact information, other minimal regulations
- 2022 – SB1168 passes
 - Legislature allows licensing, some increased regulation
 - Does not address the proliferation of STRs



STRs in Flagstaff



- Most are in single-family residential neighborhoods
- 887 unique properties, 636 registered
- About 2.8% of all residential units are STRs (including apartments)
 - Most Valley cities about 1-2% of all residential units
 - Sedona about 10% of all residential units





City's Current Regulations

- Became effective January 1, 2021 - Chapter 3-12 of City Code
- Matches A.R.S. § 9-500.39 (before it was amended in 2022) and includes:
 - Registration (free)
 - Emergency contact information
 - It is unlawful to use a STR for any nonresidential use, special events that require a permit or license, retail business, restaurant, event center, banquet hall or other uses prohibited by A.R.S. § 9-500.39 or in violation of public health and safety codes
 - All city codes apply (building codes, health and sanitation, party ordinance)
 - Must post notice of unlawful uses in the STR
 - Advertisements need to include Transaction Privilege Tax License #
 - No false advertising
 - Civil penalties for verified violations (related to owner, not occupants)



Flagstaff Zoning



- STRs are allowed in all zones where residential units exist
- STRs are allowed in primary unit or the accessory dwelling unit, but not both
- Temporary use permit may be required for special events (but not an event center)
- City may not require CC&Rs prohibiting STRs as condition of rezoning, but incentives and private restrictions possible



Flagstaff's Registration System

- Online registration system through LodgingRev
- Software costs approx. \$25,000 annually
- Software helps identify new STRs in Flagstaff
- City sends letters to any new STRs monthly re. registration
- Reminders to renew registration are sent in November
- The registration system could be converted to licensing



Complaints and Code Compliance

- Online [incident reporting form](#)
- Complaint hotline (928) 714-7951
- Number of complaints received last fiscal year:
 - 40 complaints received in system complaint line
 - 20-25 additional complaints received by email or phone call
 - Related to noise, strangers, litter and parking, occupancy
- Code Compliance works with residents and property owners
- Police enforces city codes and laws, eg. noise, disorderly conduct, party ordinance



What new regulations may be adopted?

SB1168 allows for a STR license or permit*

- Owner contact
- STR address
- Proof of compliance with A.R.S. § 42-5005 (TPT license)*
- \$1,000 civil penalty if owner fails to provide within 30 days of City notice*
- Agree to comply with laws
- Owner notice to residential neighbors of new STR, license #, emergency contact*
 - Notice again if emergency contact changes
 - Demonstrate compliance to City
- License fee up to \$250.00*



What new regulations may be adopted?

SB1168 license approval or denial criteria*

- City must issue or deny license within 7 business days
 - A.R.S. § 9-835 triggered
- Allowable grounds for denial
 - Failure to provide required information, or false information
 - Failure to pay license fee
 - License has been suspended
 - Owner is a registered sex offender or convicted of criminal act that resulted in death or serious injury or use of deadly weapon in last 5 years



What new regulations may be adopted?

SB1168 grounds for license suspension*

- Verified violation means "a final adjudication finding of guilt or civil responsibility for violating any City Code regulation relating to unlawful use of a short-term rental"
- 3 "verified violations" within 1 year
 - Must be serious threat to public health or safety (not aesthetic, trash, parking violations)
- 1 "verified violation"
 - Owner felony in or near STR
 - Owner's knowing, intentional or reckless conduct causes serious physical injury or wrongful death at or related to STR
 - Owner knowingly or intentionally allows rental of STR to sex offender, sexual oriented business, for sexual offenses or prostitution, or for sober living home
 - Owner knowingly or intentionally allows rental of STR for special event without a permit or license, or for retail, restaurant, banquet space



What new regulations may be adopted?

SB1168 advertisements and background checks

- Advertisement for STR to include TPT license #
- Advertisement for STR to also include and City STR license #*
- Sexual offender background check of owner*
- Sexual offender background check for booking guest*
- \$500,000 in liability insurance (undefined)*



What new regulations may be adopted?

Civil Penalties*

- Up to \$500 or one night's rent, 1 verified violation
- Up to \$1,000 or two nights' rent, 2nd verified violation
- Up to \$3,500 or three nights' rent, 3rd verified violation



What new regulations may be adopted?

Within the Zoning Code

- Could define a special event in a residential zone, examples:
 - Special event is an event where admission is charged
 - Special event is an event with more than XX people
 - (Would apply to all residential uses, including owner-occupied)
- Could require permit for special events in residential zones
- Could prohibit special events in residential zones (in conjunction with new definition)

Council Discussion/ Direction

- STR permit or license?
- Regulate special events in residential zones?



vacation rentals; short-term rentals; enforcement

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

CHAPTER 343

SENATE BILL 1168

AN ACT

AMENDING SECTIONS 9-500.39 AND 11-269.17, ARIZONA REVISED STATUTES;
REPEALING SECTION 42-1125.02, ARIZONA REVISED STATUTES; AMENDING SECTION
42-5042, ARIZONA REVISED STATUTES; RELATING TO VACATION RENTALS AND
SHORT-TERM RENTALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-500.39, Arizona Revised Statutes, is amended
3 to read:

4 9-500.39. Limits on regulation of vacation rentals and
5 short-term rentals; state preemption; civil
6 penalties; transaction privilege tax license
7 suspension; definitions

8 A. A city or town may not prohibit vacation rentals or short-term
9 rentals.

10 B. A city or town may not restrict the use of or regulate vacation
11 rentals or short-term rentals based on their classification, use or
12 occupancy except as provided in this section. A city or town may regulate
13 vacation rentals or short-term rentals ~~for the following purposes~~ AS
14 FOLLOWS:

15 1. ~~Protecting~~ TO PROTECT the public's health and safety, including
16 rules and regulations related to fire and building codes, health and
17 sanitation, transportation or traffic control, ~~AND~~ solid or hazardous
18 waste and pollution control, ~~and designation of an emergency point of~~
19 ~~contact~~, if the city or town demonstrates that the rule or regulation is
20 for the primary purpose of protecting the public's health and safety.

21 2. ~~Adopting~~ TO ADOPT and ~~enforcing residential~~ ENFORCE use and
22 zoning ordinances, including ordinances related to noise, protection of
23 welfare, property maintenance and other nuisance issues, if the ordinance
24 is applied in the same manner as other property classified under sections
25 42-12003 and 42-12004.

26 3. ~~Limiting~~ TO LIMIT or ~~prohibiting~~ PROHIBIT the use of a vacation
27 rental or short-term rental for the purposes of housing sex offenders,
28 operating or maintaining a sober living home, selling illegal drugs,
29 liquor control or pornography, obscenity, nude or topless dancing and
30 other adult-oriented businesses.

31 4. ~~Requiring~~ TO REQUIRE the owner of a vacation rental or
32 short-term rental to provide the city or town ~~with~~ AN EMERGENCY POINT OF
33 contact information for the owner or the owner's designee who is
34 responsible for responding to complaints OR EMERGENCIES in a timely manner
35 in person IF REQUIRED BY PUBLIC SAFETY PERSONNEL, over the phone or by
36 email at any time of day before offering for rent or renting the vacation
37 rental or short-term rental. IN ADDITION TO ANY OTHER PENALTY PURSUANT TO
38 THIS SECTION, THE CITY OR TOWN MAY IMPOSE A CIVIL PENALTY OF UP TO \$1,000
39 AGAINST THE OWNER FOR EVERY THIRTY DAYS THE OWNER FAILS TO PROVIDE CONTACT
40 INFORMATION AS PRESCRIBED BY THIS PARAGRAPH. THE CITY OR TOWN SHALL
41 PROVIDE THIRTY DAYS' NOTICE TO THE OWNER BEFORE IMPOSING THE INITIAL CIVIL
42 PENALTY.

43 5. TO REQUIRE AN OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL TO
44 OBTAIN AND MAINTAIN A LOCAL REGULATORY PERMIT OR LICENSE PURSUANT TO TITLE
45 9, CHAPTER 7, ARTICLE 4. AS A CONDITION OF ISSUANCE OF A PERMIT OR

1 LICENSE, THE APPLICATION FOR THE PERMIT OR LICENSE MAY ONLY REQUIRE AN
2 APPLICANT TO PROVIDE THE FOLLOWING:

3 (a) NAME, ADDRESS, PHONE NUMBER AND EMAIL ADDRESS FOR THE OWNER OR
4 OWNER'S AGENT.

5 (b) ADDRESS OF THE VACATION RENTAL OR SHORT-TERM RENTAL.

6 (c) PROOF OF COMPLIANCE WITH SECTION 42-5005.

7 (d) CONTACT INFORMATION REQUIRED PURSUANT TO PARAGRAPH 4 OF THIS
8 SUBSECTION.

9 (e) ACKNOWLEDGMENT OF AN AGREEMENT TO COMPLY WITH ALL APPLICABLE
10 LAWS, REGULATIONS AND ORDINANCES.

11 (f) A FEE NOT TO EXCEED THE ACTUAL COST OF ISSUING THE PERMIT OR
12 LICENSE OR \$250, WHICHEVER IS LESS.

13 6. TO REQUIRE, BEFORE OFFERING A VACATION RENTAL OR SHORT-TERM
14 RENTAL FOR RENT FOR THE FIRST TIME, THE OWNER OR THE OWNER'S DESIGNEE OF A
15 VACATION RENTAL OR SHORT-TERM RENTAL TO NOTIFY ALL SINGLE-FAMILY
16 RESIDENTIAL PROPERTIES ADJACENT TO, DIRECTLY AND DIAGONALLY ACROSS THE
17 STREET FROM THE VACATION RENTAL OR SHORT-TERM RENTAL. NOTICE SHALL BE
18 DEEMED SUFFICIENT IN A MULTI-FAMILY RESIDENTIAL BUILDING IF GIVEN TO
19 RESIDENTS ON THE SAME BUILDING FLOOR. A CITY OR TOWN MAY REQUIRE
20 ADDITIONAL NOTIFICATION PURSUANT TO THIS PARAGRAPH IF THE CONTACT
21 INFORMATION PREVIOUSLY PROVIDED CHANGES. NOTIFICATION PROVIDED IN
22 COMPLIANCE WITH THIS PARAGRAPH SHALL INCLUDE THE PERMIT OR LICENSE NUMBER
23 IF REQUIRED BY THE CITY OR TOWN, THE ADDRESS, AND THE INFORMATION REQUIRED
24 PURSUANT TO PARAGRAPH 4 OF THIS SUBSECTION. THE OWNER OR THE OWNER'S
25 DESIGNEE SHALL DEMONSTRATE COMPLIANCE WITH THIS PARAGRAPH BY PROVIDING THE
26 CITY OR TOWN WITH AN ATTESTATION OF NOTIFICATION COMPLIANCE THAT CONSISTS
27 OF THE FOLLOWING INFORMATION:

28 (a) THE PERMIT OR LICENSE NUMBER OF THE VACATION RENTAL OR
29 SHORT-TERM RENTAL, IF REQUIRED BY THE CITY OR TOWN.

30 (b) THE ADDRESS OF EACH PROPERTY NOTIFIED.

31 (c) A DESCRIPTION OF THE MANNER IN WHICH THE OWNER OR OWNER'S
32 DESIGNEE CHOSE TO PROVIDE NOTIFICATION TO EACH PROPERTY SUBJECT TO
33 NOTIFICATION.

34 (d) THE NAME AND CONTACT INFORMATION OF THE PERSON ATTESTING TO
35 COMPLIANCE WITH THIS PARAGRAPH.

36 7. TO REQUIRE THE OWNER OR OWNER'S DESIGNEE OF A VACATION RENTAL OR
37 SHORT-TERM RENTAL TO DISPLAY THE LOCAL REGULATORY PERMIT NUMBER OR LICENSE
38 NUMBER, IF ANY, ON EACH ADVERTISEMENT FOR A VACATION RENTAL OR SHORT-TERM
39 RENTAL THAT THE OWNER OR OWNER'S DESIGNEE MAINTAINS. A CITY OR TOWN THAT
40 DOES NOT REQUIRE A LOCAL REGULATORY PERMIT OR LICENSE MAY REQUIRE THE
41 OWNER OR OWNER'S DESIGNEE OF A VACATION RENTAL OR SHORT-TERM RENTAL TO
42 DISPLAY THE TRANSACTION PRIVILEGE TAX LICENSE REQUIRED BY SECTION 42-5042
43 ON EACH ADVERTISEMENT FOR A VACATION RENTAL OR SHORT-TERM RENTAL THAT THE
44 OWNER OR OWNER'S DESIGNEE MAINTAINS.

1 8. TO REQUIRE THE VACATION RENTAL OR SHORT-TERM RENTAL TO MAINTAIN
2 LIABILITY INSURANCE APPROPRIATE TO COVER THE VACATION RENTAL OR SHORT-TERM
3 RENTAL IN THE AGGREGATE OF AT LEAST \$500,000 OR TO ADVERTISE AND OFFER
4 EACH VACATION RENTAL OR SHORT-TERM RENTAL THROUGH AN ONLINE LODGING
5 MARKETPLACE THAT PROVIDES EQUAL OR GREATER COVERAGE.

6 ~~C. Within thirty days after a verified violation, a city or town
7 shall notify the department of revenue and the owner of the vacation
8 rental or short-term rental of the verified violation of the city's or
9 town's applicable laws, regulations or ordinances and, if the owner of the
10 vacation rental or short-term rental received the verified violation,
11 whether the city or town imposed a civil penalty on the owner of the
12 vacation rental or short-term rental and the amount of the civil penalty,
13 if assessed. If multiple verified violations arise out of the same
14 response to an incident at a vacation rental or short-term rental, those
15 verified violations are considered one verified violation for the purpose
16 of assessing civil penalties pursuant to section 42-1125.02, subsection B.~~

17 C. A CITY OR TOWN THAT REQUIRES A LOCAL REGULATORY PERMIT OR
18 LICENSE PURSUANT TO THIS SECTION SHALL ISSUE OR DENY THE PERMIT OR LICENSE
19 WITHIN SEVEN BUSINESS DAYS OF RECEIPT OF THE INFORMATION REQUIRED BY
20 SUBSECTION B, PARAGRAPH 5 OF THIS SECTION AND OTHERWISE IN ACCORDANCE WITH
21 SECTION 9-835, EXCEPT THAT A CITY OR TOWN MAY DENY ISSUANCE OF A PERMIT OR
22 LICENSE ONLY FOR ANY OF THE FOLLOWING:

- 23 1. FAILURE TO PROVIDE THE INFORMATION REQUIRED BY SUBSECTION B,
24 PARAGRAPH 5, SUBDIVISIONS (a) THROUGH (e) OF THIS SECTION.
- 25 2. FAILURE TO PAY THE REQUIRED PERMIT OR LICENSE FEE.
- 26 3. AT THE TIME OF APPLICATION THE OWNER HAS A SUSPENDED PERMIT OR
27 LICENSE FOR THE SAME VACATION RENTAL OR SHORT-TERM RENTAL.
- 28 4. THE APPLICANT PROVIDES FALSE INFORMATION.
- 29 5. THE OWNER OR OWNER'S DESIGNEE OF A VACATION RENTAL OR SHORT-TERM
30 RENTAL IS A REGISTERED SEX OFFENDER OR HAS BEEN CONVICTED OF ANY FELONY
31 ACT THAT RESULTED IN DEATH OR SERIOUS PHYSICAL INJURY OR ANY FELONY USE OF
32 A DEADLY WEAPON WITHIN THE PAST FIVE YEARS.

33 D. A CITY OR TOWN THAT REQUIRES A LOCAL REGULATORY PERMIT OR
34 LICENSE PURSUANT TO THIS SECTION SHALL ADOPT AN ORDINANCE TO ALLOW THE
35 CITY OR TOWN TO INITIATE AN ADMINISTRATIVE PROCESS TO SUSPEND A LOCAL
36 REGULATORY PERMIT OR LICENSE FOR A PERIOD OF UP TO TWELVE MONTHS FOR THE
37 FOLLOWING VERIFIED VIOLATIONS ASSOCIATED WITH A PROPERTY:

- 38 1. THREE VERIFIED VIOLATIONS WITHIN A TWELVE MONTH PERIOD, NOT
39 INCLUDING ANY VERIFIED VIOLATION BASED ON AN AESTHETIC, SOLID WASTE
40 DISPOSAL OR VEHICLE PARKING VIOLATION THAT IS NOT ALSO A SERIOUS THREAT TO
41 PUBLIC HEALTH AND SAFETY.
- 42 2. ONE VERIFIED VIOLATION THAT RESULTS IN OR CONSTITUTES ANY OF THE
43 FOLLOWING:

1 (a) A FELONY OFFENSE COMMITTED AT OR IN THE VICINITY OF A VACATION
2 RENTAL OR SHORT-TERM RENTAL BY THE VACATION RENTAL OR SHORT-TERM RENTAL
3 OWNER OR OWNER'S DESIGNEE.

4 (b) A SERIOUS PHYSICAL INJURY OR WRONGFUL DEATH AT OR RELATED TO A
5 VACATION RENTAL OR SHORT-TERM RENTAL RESULTING FROM THE KNOWING,
6 INTENTIONAL OR RECKLESS CONDUCT OF THE VACATION RENTAL OR SHORT-TERM
7 RENTAL OWNER OR OWNER'S DESIGNEE.

8 (c) AN OWNER OR OWNER'S DESIGNEE KNOWINGLY OR INTENTIONALLY HOUSING
9 A SEX OFFENDER, ALLOWING OFFENSES RELATED TO ADULT-ORIENTED BUSINESSES,
10 SEXUAL OFFENSES OR PROSTITUTION, OR OPERATING OR MAINTAINING A SOBER
11 LIVING HOME, IN VIOLATION OF A REGULATION OR ORDINANCE ADOPTED PURSUANT TO
12 SUBSECTION B, PARAGRAPH 3 OF THIS SECTION.

13 (d) AN OWNER OR OWNER'S DESIGNEE KNOWINGLY OR INTENTIONALLY
14 ALLOWING THE USE OF A VACATION RENTAL OR SHORT-TERM RENTAL FOR A SPECIAL
15 EVENT THAT WOULD OTHERWISE REQUIRE A PERMIT OR LICENSE PURSUANT TO A CITY
16 OR TOWN ORDINANCE OR A STATE LAW OR RULE OR FOR A RETAIL, RESTAURANT,
17 BANQUET SPACE OR OTHER SIMILAR USE.

18 3. NOTWITHSTANDING PARAGRAPHS 1 AND 2 OF THIS SUBSECTION, ANY
19 ATTEMPTED OR COMPLETED FELONY ACT, ARISING FROM THE OCCUPANCY OR USE OF A
20 VACATION RENTAL OR SHORT-TERM RENTAL, THAT RESULTS IN A DEATH, OR ACTUAL
21 OR ATTEMPTED SERIOUS PHYSICAL INJURY, SHALL BE GROUNDS FOR JUDICIAL RELIEF
22 IN THE FORM OF A SUSPENSION OF THE PROPERTY'S USE AS A VACATION RENTAL OR
23 SHORT-TERM RENTAL FOR A PERIOD OF TIME THAT SHALL NOT EXCEED TWELVE
24 MONTHS.

25 E. A CITY OR TOWN THAT REQUIRES SEX OFFENDER BACKGROUND CHECKS ON A
26 VACATION RENTAL OR SHORT-TERM RENTAL GUEST SHALL WAIVE THE REQUIREMENT IF
27 AN ONLINE LODGING MARKETPLACE PERFORMS A SEX OFFENDER BACKGROUND CHECK OF
28 THE BOOKING GUEST.

29 F. NOTWITHSTANDING ANY OTHER LAW, A CITY OR TOWN MAY IMPOSE A CIVIL
30 PENALTY OF THE FOLLOWING AMOUNTS AGAINST AN OWNER OF A VACATION RENTAL OR
31 SHORT-TERM RENTAL IF THE OWNER RECEIVES ONE OR MORE VERIFIED VIOLATIONS
32 RELATED TO THE SAME VACATION RENTAL OR SHORT-TERM RENTAL PROPERTY WITHIN
33 THE SAME TWELVE-MONTH PERIOD:

34 1. UP TO \$500 OR UP TO AN AMOUNT EQUAL TO ONE NIGHT'S RENT FOR THE
35 VACATION RENTAL OR SHORT-TERM RENTAL AS ADVERTISED, WHICHEVER IS GREATER,
36 FOR THE FIRST VERIFIED VIOLATION.

37 2. UP TO \$1,000 OR UP TO AN AMOUNT EQUAL TO TWO NIGHTS' RENT FOR
38 THE VACATION RENTAL OR SHORT-TERM RENTAL AS ADVERTISED, WHICHEVER IS
39 GREATER, FOR THE SECOND VERIFIED VIOLATION.

40 3. UP TO \$3,500 OR UP TO AN AMOUNT EQUAL TO THREE NIGHTS' RENT FOR
41 THE VACATION RENTAL OR SHORT-TERM RENTAL AS ADVERTISED, WHICHEVER IS
42 GREATER, FOR A THIRD AND ANY SUBSEQUENT VERIFIED VIOLATION.

43 G. A VACATION RENTAL OR SHORT-TERM RENTAL THAT FAILS TO APPLY FOR A
44 LOCAL REGULATORY PERMIT OR LICENSE IN ACCORDANCE WITH SUBSECTION B,
45 PARAGRAPH 5 OF THIS SECTION, WITHIN 30 DAYS OF THE LOCAL REGULATORY PERMIT

1 OR LICENSE APPLICATION PROCESS BEING MADE AVAILABLE BY THE CITY OR TOWN
2 ISSUING SUCH PERMITS OR LICENSES, MUST CEASE OPERATIONS. IN ADDITION TO
3 ANY FINES IMPOSED PURSUANT TO SUBSECTION F OF THIS SECTION, A CITY OR TOWN
4 MAY IMPOSE A CIVIL PENALTY OF UP TO \$1,000 PER MONTH AGAINST THE OWNER IF
5 THE OWNER OR OWNER'S DESIGNEE FAILS TO APPLY FOR A REGULATORY PERMIT OR
6 LICENSE WITHIN 30 DAYS AFTER RECEIVING WRITTEN NOTICE OF THE FAILURE TO
7 COMPLY WITH SUBSECTION B, PARAGRAPH 5 OF THIS SECTION.

8 H. IF MULTIPLE VERIFIED VIOLATIONS ARISE OUT OF THE SAME RESPONSE
9 TO AN INCIDENT AT A VACATION RENTAL OR SHORT-TERM RENTAL, THOSE VERIFIED
10 VIOLATIONS ARE CONSIDERED ONE VERIFIED VIOLATION FOR THE PURPOSE OF
11 ASSESSING CIVIL PENALTIES OR SUSPENDING THE REGULATORY PERMIT OR LICENSE
12 OF THE OWNER OR OWNER'S DESIGNEE PURSUANT TO THIS SECTION.

13 ~~F.~~ I. If the owner of a vacation rental or short-term rental has
14 provided contact information to a city or town pursuant to subsection B,
15 paragraph 4 of this section and if the city or town issues a citation for
16 a violation of the city's or town's applicable laws, regulations or
17 ordinances or a state law that occurred on the owner's vacation rental or
18 short-term rental property, the city or town shall make a reasonable
19 attempt to notify the owner or the owner's designee of the citation within
20 seven business days after the citation is issued using the contact
21 information provided pursuant to subsection B, paragraph 4 of this
22 section. If the owner of a vacation rental or short-term rental has not
23 provided contact information pursuant to subsection B, paragraph 4 of this
24 section, the city or town is not required to provide such notice.

25 ~~F.~~ J. This section does not exempt an owner of a residential
26 rental property, as defined in section 33-1901, from maintaining with the
27 assessor of the county in which the property is located information
28 required under title 33, chapter 17, article 1.

29 ~~F.~~ K. A vacation rental or short-term rental may not be used for
30 nonresidential uses, including for a special event that would otherwise
31 require a permit or license pursuant to a city or town ordinance or a
32 state law or rule or for a retail, restaurant, banquet space or other
33 similar use.

34 ~~F.~~ L. For the purposes of this section:

35 1. "ONLINE LODGING MARKETPLACE" HAS THE SAME MEANING PRESCRIBED IN
36 SECTION 42-5076.

37 ~~F.~~ 2. "Transient" has the same meaning prescribed in section
38 42-5070.

39 ~~F.~~ 3. "Vacation rental" or "short-term rental":

40 (a) Means any individually or collectively owned single-family or
41 one-to-four-family house or dwelling unit or any unit or group of units in
42 a condominium, ~~OR cooperative or timeshare,~~ that is also a transient
43 public lodging establishment or owner-occupied residential home offered
44 for transient use if the accommodations are not classified for property
45 taxation under section 42-12001. ~~Vacation rental and short-term rental do~~

1 (b) DOES not include a unit that is used for any nonresidential
2 use, including retail, restaurant, banquet space, event center or another
3 similar use.

4 ~~3.~~ 4. "Verified violation" means a finding of guilt or civil
5 responsibility for violating any state law or local ordinance relating to
6 a purpose prescribed in subsection B or ~~F~~ K of this section that has been
7 finally adjudicated.

8 Sec. 2. Section 11-269.17, Arizona Revised Statutes, is amended to
9 read:

10 11-269.17. Limits on regulation of vacation rentals and
11 short-term rentals; state preemption; civil
12 penalties; transaction privilege tax license
13 suspension; definitions

14 A. A county may not prohibit vacation rentals or short-term
15 rentals.

16 B. A county may not restrict the use of or regulate vacation
17 rentals or short-term rentals based on their classification, use or
18 occupancy except as provided in this section. A county may regulate
19 vacation rentals or short-term rentals ~~for the following purposes~~ WITHIN
20 THE UNINCORPORATED AREAS OF THE COUNTY AS FOLLOWS:

21 1. ~~Protecting~~ TO PROTECT the public's health and safety, including
22 rules and regulations related to fire and building codes, health and
23 sanitation, transportation or traffic control, ~~AND~~ solid or hazardous
24 waste and pollution control, ~~and designation of an emergency point of~~
25 ~~contact~~, if the county demonstrates that the rule or regulation is for the
26 primary purpose of protecting the public's health and safety.

27 2. ~~Adopting~~ TO ADOPT and ~~enforcing residential~~ ENFORCE use and
28 zoning ordinances, including ordinances related to noise, protection of
29 welfare, property maintenance and other nuisance issues, if the ordinance
30 is applied in the same manner as other property classified under sections
31 42-12003 and 42-12004.

32 3. ~~Limiting~~ TO LIMIT or ~~prohibiting~~ PROHIBIT the use of a vacation
33 rental or short-term rental for the purposes of housing sex offenders,
34 operating or maintaining a sober living home, selling illegal drugs,
35 liquor control or pornography, obscenity, nude or topless dancing and
36 other adult-oriented businesses.

37 4. ~~Requiring~~ TO REQUIRE the owner of a vacation rental or
38 short-term rental to provide the county with contact information for the
39 owner or the owner's designee who is responsible for responding to
40 complaints OR EMERGENCIES in a timely manner in person IF REQUIRED BY
41 PUBLIC SAFETY PERSONNEL, over the phone or by email at any time of day
42 before offering for rent or renting the vacation rental or short-term
43 rental. IN ADDITION TO ANY OTHER PENALTY PURSUANT TO THIS SECTION, THE
44 COUNTY MAY IMPOSE A CIVIL PENALTY OF UP TO \$1,000 AGAINST THE OWNER FOR
45 EVERY THIRTY DAYS THE OWNER FAILS TO PROVIDE CONTACT INFORMATION AS

1 PRESCRIBED BY THIS PARAGRAPH. THE COUNTY SHALL PROVIDE THIRTY DAYS'
2 NOTICE TO THE OWNER BEFORE IMPOSING THE INITIAL CIVIL PENALTY.

3 5. TO REQUIRE AN OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL TO
4 OBTAIN AND MAINTAIN A LOCAL REGULATORY PERMIT OR LICENSE. AS A CONDITION
5 OF ISSUANCE OF A PERMIT OR LICENSE, THE APPLICATION FOR THE PERMIT OR
6 LICENSE MAY ONLY REQUIRE AN APPLICANT TO PROVIDE THE FOLLOWING:

7 (a) NAME, ADDRESS, PHONE NUMBER AND EMAIL ADDRESS FOR THE OWNER OR
8 OWNER'S AGENT.

9 (b) ADDRESS OF THE VACATION RENTAL OR SHORT-TERM RENTAL.

10 (c) PROOF OF COMPLIANCE WITH SECTION 42-5005.

11 (d) CONTACT INFORMATION REQUIRED PURSUANT TO PARAGRAPH 4 OF THIS
12 SUBSECTION.

13 (e) ACKNOWLEDGMENT OF AN AGREEMENT TO COMPLY WITH ALL APPLICABLE
14 LAWS, REGULATIONS AND ORDINANCES.

15 (f) A FEE NOT TO EXCEED THE ACTUAL COST OF ISSUING THE PERMIT OR
16 LICENSE OR \$250, WHICHEVER IS LESS.

17 6. TO REQUIRE, BEFORE OFFERING A VACATION RENTAL OR SHORT-TERM
18 RENTAL FOR RENT FOR THE FIRST TIME, THE OWNER OR THE OWNER'S DESIGNEE OF A
19 VACATION RENTAL OR SHORT-TERM RENTAL TO NOTIFY ALL SINGLE-FAMILY
20 RESIDENTIAL PROPERTIES ADJACENT TO, DIRECTLY AND DIAGONALLY ACROSS THE
21 STREET FROM THE VACATION RENTAL OR SHORT-TERM RENTAL. NOTICE SHALL BE
22 DEEMED SUFFICIENT IN A MULTI-FAMILY RESIDENTIAL BUILDING IF GIVEN TO
23 RESIDENTS ON THE SAME BUILDING FLOOR. A COUNTY MAY REQUIRE ADDITIONAL
24 NOTIFICATION PURSUANT TO THIS PARAGRAPH IF THE CONTACT INFORMATION
25 PREVIOUSLY PROVIDED CHANGES. NOTIFICATION PROVIDED IN COMPLIANCE WITH
26 THIS PARAGRAPH SHALL INCLUDE THE PERMIT OR LICENSE NUMBER IF REQUIRED BY
27 THE COUNTY, THE ADDRESS, AND THE INFORMATION REQUIRED PURSUANT TO
28 PARAGRAPH 4 OF THIS SUBSECTION. THE OWNER OR THE OWNER'S DESIGNEE SHALL
29 DEMONSTRATE COMPLIANCE WITH THIS PARAGRAPH BY PROVIDING THE COUNTY WITH AN
30 ATTESTATION OF NOTIFICATION COMPLIANCE THAT CONSISTS OF THE FOLLOWING
31 INFORMATION:

32 (a) THE PERMIT OR LICENSE NUMBER OF THE VACATION RENTAL OR
33 SHORT-TERM RENTAL, IF REQUIRED BY THE COUNTY.

34 (b) THE ADDRESS OF EACH PROPERTY NOTIFIED.

35 (c) A DESCRIPTION OF THE MANNER IN WHICH THE OWNER OR OWNER'S
36 DESIGNEE CHOSE TO PROVIDE NOTIFICATION TO EACH PROPERTY SUBJECT TO
37 NOTIFICATION.

38 (d) THE NAME AND CONTACT INFORMATION OF THE PERSON ATTESTING TO
39 COMPLIANCE WITH THIS PARAGRAPH.

40 7. TO REQUIRE THE OWNER OR OWNER'S DESIGNEE OF A VACATION RENTAL OR
41 SHORT-TERM RENTAL TO DISPLAY THE LOCAL REGULATORY PERMIT NUMBER OR LICENSE
42 NUMBER, IF ANY, ON EACH ADVERTISEMENT FOR A VACATION RENTAL OR SHORT-TERM
43 RENTAL THAT THE OWNER OR OWNER'S DESIGNEE MAINTAINS. A COUNTY THAT DOES
44 NOT REQUIRE A LOCAL REGULATORY PERMIT OR LICENSE MAY REQUIRE THE OWNER OR
45 OWNER'S DESIGNEE OF A VACATION RENTAL OR SHORT-TERM RENTAL TO DISPLAY THE

1 TRANSACTION PRIVILEGE TAX LICENSE REQUIRED BY SECTION 42-5042 ON EACH
2 ADVERTISEMENT FOR A VACATION RENTAL OR SHORT-TERM RENTAL THAT THE OWNER OR
3 OWNER'S DESIGNEE MAINTAINS.

4 8. TO REQUIRE THE VACATION RENTAL OR SHORT-TERM RENTAL TO MAINTAIN
5 LIABILITY INSURANCE APPROPRIATE TO COVER THE VACATION RENTAL OR SHORT-TERM
6 RENTAL IN THE AGGREGATE OF AT LEAST \$500,000 OR TO ADVERTISE AND OFFER
7 EACH VACATION RENTAL OR SHORT-TERM RENTAL THROUGH AN ONLINE LODGING
8 MARKETPLACE THAT PROVIDES EQUAL OR GREATER COVERAGE.

9 ~~C. Within thirty days after a verified violation, a county shall~~
10 ~~notify the department of revenue and the owner of the vacation rental or~~
11 ~~short-term rental of the verified violation of the county's applicable~~
12 ~~laws, regulations or ordinances and, if the property owner received the~~
13 ~~verified violation, whether the county imposed a civil penalty on the~~
14 ~~owner of the vacation rental or short-term rental and the amount of the~~
15 ~~civil penalty, if assessed. If multiple verified violations arise out of~~
16 ~~the same response to an incident at a vacation rental or short-term~~
17 ~~rental, those verified violations are considered one verified violation~~
18 ~~for the purpose of assessing civil penalties pursuant to section~~
19 ~~42-1125.02, subsection B.~~

20 C. A COUNTY THAT REQUIRES A LOCAL REGULATORY PERMIT OR LICENSE
21 PURSUANT TO THIS SECTION SHALL ISSUE OR DENY THE PERMIT OR LICENSE WITHIN
22 SEVEN BUSINESS DAYS OF RECEIPT OF THE INFORMATION REQUIRED BY SUBSECTION
23 B, PARAGRAPH 5 OF THIS SECTION AND OTHERWISE IN ACCORDANCE WITH SECTION
24 11-1602, EXCEPT THAT A COUNTY MAY DENY ISSUANCE OF A PERMIT OR LICENSE
25 ONLY FOR ANY OF THE FOLLOWING:

- 26 1. FAILURE TO PROVIDE THE INFORMATION REQUIRED BY SUBSECTION B,
27 PARAGRAPH 5, SUBDIVISIONS (a) THROUGH (e) OF THIS SECTION.
- 28 2. FAILURE TO PAY THE REQUIRED PERMIT OR LICENSE FEE.
- 29 3. AT THE TIME OF APPLICATION THE OWNER HAS A SUSPENDED PERMIT OR
30 LICENSE FOR THE SAME VACATION RENTAL OR SHORT-TERM RENTAL.
- 31 4. THE APPLICANT PROVIDES FALSE INFORMATION.
- 32 5. THE OWNER OR OWNER'S DESIGNEE OF A VACATION RENTAL OR SHORT-TERM
33 RENTAL IS A REGISTERED SEX OFFENDER OR HAS BEEN CONVICTED OF ANY FELONY
34 ACT THAT RESULTS IN DEATH OR SERIOUS PHYSICAL INJURY OR ANY FELONY USE OF
35 A DEADLY WEAPON WITHIN THE PAST FIVE YEARS.

36 D. A COUNTY THAT REQUIRES A LOCAL REGULATORY PERMIT OR LICENSE
37 PURSUANT TO THIS SECTION SHALL ADOPT AN ORDINANCE TO ALLOW THE COUNTY TO
38 INITIATE AN ADMINISTRATIVE PROCESS TO SUSPEND A LOCAL REGULATORY PERMIT OR
39 LICENSE FOR A PERIOD OF UP TO TWELVE MONTHS FOR THE FOLLOWING VERIFIED
40 VIOLATIONS ASSOCIATED WITH A PROPERTY:

- 41 1. THREE VERIFIED VIOLATIONS WITHIN A TWELVE MONTH PERIOD, NOT
42 INCLUDING ANY VERIFIED VIOLATION BASED ON AN AESTHETIC, SOLID WASTE
43 DISPOSAL OR VEHICLE PARKING VIOLATION THAT IS NOT ALSO A SERIOUS THREAT TO
44 PUBLIC HEALTH OR SAFETY.

1 2. ONE VERIFIED VIOLATION THAT RESULTS IN OR CONSTITUTES ANY OF THE
2 FOLLOWING:

3 (a) A FELONY OFFENSE COMMITTED AT OR IN THE VICINITY OF A VACATION
4 RENTAL OR SHORT-TERM RENTAL BY THE VACATION RENTAL OR SHORT-TERM RENTAL
5 OWNER OR OWNER'S DESIGNEE.

6 (b) A SERIOUS PHYSICAL INJURY OR WRONGFUL DEATH AT OR RELATED TO A
7 VACATION RENTAL OR SHORT-TERM RENTAL RESULTING FROM THE KNOWING,
8 INTENTIONAL OR RECKLESS CONDUCT OF THE VACATION RENTAL OR SHORT-TERM
9 RENTAL OWNER OR OWNER'S DESIGNEE.

10 (c) AN OWNER OR OWNER'S DESIGNEE KNOWINGLY OR INTENTIONALLY HOUSING
11 A SEX OFFENDER, ALLOWING OFFENSES RELATED TO ADULT-ORIENTED BUSINESSES,
12 SEXUAL OFFENSES OR PROSTITUTION, OR OPERATING OR MAINTAINING A SOBER
13 LIVING HOME, IN VIOLATION OF REGULATION OR ORDINANCE ADOPTED PURSUANT TO
14 SUBSECTION B, PARAGRAPH 3 OF THIS SECTION.

15 (d) AN OWNER OR OWNER'S DESIGNEE KNOWINGLY OR INTENTIONALLY
16 ALLOWING THE USE OF A VACATION RENTAL OR SHORT-TERM RENTAL FOR A SPECIAL
17 EVENT THAT WOULD OTHERWISE REQUIRE A PERMIT OR LICENSE PURSUANT TO A
18 COUNTY OR A STATE LAW OR RULE OR FOR A RETAIL, RESTAURANT, BANQUET SPACE
19 OR OTHER SIMILAR USE.

20 3. NOTWITHSTANDING PARAGRAPHS 1 AND 2 OF THIS SUBSECTION, ANY
21 ATTEMPTED OR COMPLETED FELONY ACT, ARISING FROM THE OCCUPANCY OR USE OF A
22 VACATION RENTAL OR SHORT-TERM RENTAL, THAT RESULTS IN A DEATH, OR ACTUAL
23 OR ATTEMPTED SERIOUS PHYSICAL INJURY, SHALL BE GROUNDS FOR JUDICIAL RELIEF
24 IN THE FORM OF A SUSPENSION OF THE PROPERTY'S USE AS A VACATION RENTAL OR
25 SHORT-TERM RENTAL FOR A PERIOD OF TIME THAT SHALL NOT EXCEED TWELVE
26 MONTHS.

27 E. A COUNTY THAT REQUIRES SEX OFFENDER BACKGROUND CHECKS ON A
28 VACATION RENTAL OR SHORT-TERM RENTAL GUEST SHALL WAIVE THE REQUIREMENT IF
29 AN ONLINE LODGING MARKETPLACE PERFORMS A SEX OFFENDER BACKGROUND CHECK OF
30 THE BOOKING GUEST.

31 F. NOTWITHSTANDING ANY OTHER LAW, A COUNTY MAY IMPOSE A CIVIL
32 PENALTY OF THE FOLLOWING AMOUNTS AGAINST AN OWNER OF A VACATION RENTAL OR
33 SHORT-TERM RENTAL IF THE OWNER RECEIVES ONE OR MORE VERIFIED VIOLATIONS
34 RELATED TO THE SAME VACATION RENTAL OR SHORT-TERM RENTAL PROPERTY WITHIN
35 THE SAME TWELVE-MONTH PERIOD:

36 1. UP TO \$500 OR UP TO AN AMOUNT EQUAL TO ONE NIGHT'S RENT FOR THE
37 VACATION RENTAL OR SHORT-TERM RENTAL AS ADVERTISED, WHICHEVER IS GREATER,
38 FOR THE FIRST VERIFIED VIOLATION.

39 2. UP TO \$1,000 OR UP TO AN AMOUNT EQUAL TO TWO NIGHTS' RENT FOR
40 THE VACATION RENTAL OR SHORT-TERM RENTAL AS ADVERTISED, WHICHEVER IS
41 GREATER, FOR THE SECOND VERIFIED VIOLATION.

42 3. UP TO \$3,500 OR UP TO AN AMOUNT EQUAL TO THREE NIGHTS' RENT FOR
43 THE VACATION RENTAL OR SHORT-TERM RENTAL AS ADVERTISED, WHICHEVER IS
44 GREATER, FOR A THIRD AND ANY SUBSEQUENT VERIFIED VIOLATION.

1 G. A VACATION RENTAL OR SHORT-TERM RENTAL THAT FAILS TO APPLY FOR A
2 LOCAL REGULATORY PERMIT OR LICENSE IN ACCORDANCE WITH SUBSECTION B,
3 PARAGRAPH 5 OF THIS SECTION, WITHIN 30 DAYS OF THE LOCAL REGULATORY PERMIT
4 OR LICENSE APPLICATION PROCESS BEING MADE AVAILABLE BY THE COUNTY ISSUING
5 SUCH PERMITS OR LICENSES, MUST CEASE OPERATIONS. IN ADDITION TO ANY FINES
6 IMPOSED PURSUANT TO SUBSECTION F OF THIS SECTION, A COUNTY MAY IMPOSE A
7 CIVIL PENALTY OF UP TO \$1,000 PER MONTH AGAINST THE OWNER IF THE OWNER OR
8 OWNER'S DESIGNEE FAILS TO APPLY FOR A REGULATORY PERMIT OR LICENSE WITHIN
9 30 DAYS AFTER RECEIVING WRITTEN NOTICE OF THE FAILURE TO COMPLY WITH
10 SUBSECTION B, PARAGRAPH 5 OF THIS SECTION.

11 H. IF MULTIPLE VERIFIED VIOLATIONS ARISE OUT OF THE SAME RESPONSE
12 TO AN INCIDENT AT A VACATION RENTAL OR SHORT-TERM RENTAL, THOSE VERIFIED
13 VIOLATIONS ARE CONSIDERED ONE VERIFIED VIOLATION FOR THE PURPOSE OF
14 ASSESSING CIVIL PENALTIES OR SUSPENDING THE REGULATORY PERMIT OR LICENSE
15 OF THE OWNER OR OWNER'S DESIGNEE PURSUANT TO THIS SECTION.

16 ~~D.~~ I. If the owner of a vacation rental or short-term rental has
17 provided contact information to a county pursuant to subsection B,
18 paragraph 4 of this section and if the county issues a citation for a
19 violation of the county's applicable laws, regulations or ordinances or a
20 state law that occurred on the owner's vacation rental or short-term
21 rental property, the county shall make a reasonable attempt to notify the
22 owner or the owner's designee of the citation within seven business days
23 after the citation is issued using the contact information provided
24 pursuant to subsection B, paragraph 4 of this section. If the owner of a
25 vacation rental or short-term rental has not provided contact information
26 pursuant to subsection B, paragraph 4 of this section, the county is not
27 required to provide such notice.

28 ~~E.~~ J. This section does not exempt an owner of a residential
29 rental property, as defined in section 33-1901, from maintaining with the
30 assessor of the county in which the property is located information
31 required under title 33, chapter 17, article 1.

32 ~~F.~~ K. A vacation rental or short-term rental may not be used for
33 nonresidential uses, including for a special event that would otherwise
34 require a permit or license pursuant to a county ordinance or a state law
35 or rule or for a retail, restaurant, banquet space or other similar use.

36 ~~G.~~ L. For the purposes of this section:

37 1. "ONLINE LODGING MARKETPLACE" HAS THE SAME MEANING PRESCRIBED IN
38 SECTION 42-5076.

39 ~~H.~~ 2. "Transient" has the same meaning prescribed in section
40 42-5070.

41 ~~I.~~ 3. "Vacation rental" or "short-term rental":

42 (a) Means any individually or collectively owned single-family or
43 one-to-four-family house or dwelling unit or any unit or group of units in
44 a condominium, ~~OR~~ cooperative ~~or timeshare~~, that is also a transient
45 public lodging establishment or owner-occupied residential home offered

1 for transient use if the accommodations are not classified for property
2 taxation under section 42-12001. ~~Vacation rental and short-term rental do~~

3 (b) DOES not include a unit that is used for any nonresidential
4 use, including retail, restaurant, banquet space, event center or another
5 similar use.

6 ~~3.~~ 4. "Verified violation" means a finding of guilt or civil
7 responsibility for violating any state law or local ordinance relating to
8 a purpose prescribed in subsection B or ~~F~~ K of this section that has been
9 finally adjudicated.

10 Sec. 3. Repeal

11 Section 42-1125.02, Arizona Revised Statutes, is repealed.

12 Sec. 4. Section 42-5042, Arizona Revised Statutes, is amended to
13 read:

14 42-5042. Online lodging operators; requirements; civil
15 penalty; definitions

16 A. An online lodging operator may not offer for rent or rent a
17 lodging accommodation without a current transaction privilege tax license.
18 The online lodging operator shall list the transaction privilege tax
19 license number on each advertisement for each lodging accommodation the
20 online lodging operator maintains, including online lodging marketplace
21 postings. AN ONLINE LODGING OPERATOR THAT FAILS TO COMPLY WITH THIS
22 SUBSECTION SHALL PAY A CIVIL PENALTY OF \$250 FOR A FIRST OFFENSE AND
23 \$1,000 FOR A SECOND OR ANY SUBSEQUENT OFFENSE.

24 B. For the purposes of this section:

25 1. "Lodging accommodation" has the same meaning prescribed in
26 section 42-5076.

27 2. "Online lodging marketplace" has the same meaning prescribed in
28 section 42-5076.

29 3. "Online lodging operator" has the same meaning prescribed in
30 section 42-5076 and includes an owner of a vacation rental or short-term
31 rental, ~~as defined in section 9-500.39 or 11-269.17,~~ that is not offered
32 through an online lodging marketplace.

33 4. "VACATION RENTAL" AND "SHORT-TERM RENTAL" HAVE THE SAME MEANINGS
34 PRESCRIBED IN SECTION 9-500.39 OR 11-269.17.

35 5. "VERIFIED VIOLATION" HAS THE SAME MEANING PRESCRIBED IN SECTION
36 9-500.39 OR 11-269.17.

APPROVED BY THE GOVERNOR JULY 6, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 6, 2022.

CHAPTER 3-12 SHORT-TERM RENTALS

SECTIONS:

- [3-12-001-0001](#) DEFINITIONS
- [3-12-001-0002](#) STR REGISTRATION
- [3-12-001-0003](#) STR AND NOTICE TO BE POSTED
- [3-12-001-0004](#) STR COMPLIANCE, COMPLAINTS AND REPORTING
- [3-12-001-0005](#) STR AND LODGING ACCOMODATIONS: TAX COMPLIANCE
- [3-12-001-0006](#) STR AND LODGING ACCOMMODATIONS: ADVERTISING
- [3-12-001-0007](#) CIVIL PENALTIES

3-12-001-0001 DEFINITIONS

For purposes of this chapter:

"Lodging accommodation" has the same meaning as prescribed in A.R.S. Section [42-5076](#) and means any space offered to the public for lodging, including any hotel, motel, inn, tourist home or house, dude ranch, resort, campground, studio or bachelor hotel, lodging house, rooming house, residential home, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location in this State or other similar structure or space (such as a dwelling unit in a multiple-family development).

"Nonresidential use" means any use prohibited in a residentially zoned district of the City.

"Online lodging marketplace" has the same meaning as prescribed in A.R.S. Section [42-5076](#) and generally means a person that provides a digital platform for compensation through which an unaffiliated third party offers to rent lodging accommodations in this State to an occupant, including a transient.

"Online lodging operator" has the same meaning as prescribed in A.R.S. Section [42-5076](#) and means a person that is engaged in the business of renting to an occupant, including a transient as defined in A.R.S. Section [42-5070](#), any lodging accommodation in this State offered through an online lodging marketplace.

"Short-term rental" or "STR" means any individually or collectively owned single-family or one (1) to four (4) family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under A.R.S. Section [42-12001](#). A short-term rental shall also include a dwelling unit in a multiple-family development offered for rent as transient lodging.

"Transient" means thirty (30) days or less.

"Unlawful use of a short-term rental" means use of a short-term rental property for any nonresidential use, special events that require a permit or license, retail business, restaurant, event center, banquet hall or other uses prohibited by A.R.S. Section [9-500.39](#) as may be amended.

"Vacation rental" means a short-term rental.

"Verified violation" means a final adjudication finding of guilt or civil responsibility for violating any City Code regulation relating to unlawful use of a short-term rental.

Any Arizona Revised Statute ("A.R.S.") referenced in this City Code shall mean the law as may be amended from time to time. (Ord. 2020-27, Enacted, 11/03/2020)

3-12-001-0002 STR REGISTRATION

A. Before offering for rent or renting a short-term rental, the owner shall provide to the City the rental address; owner's name; and the name, telephone number, and email address of an emergency contact who can be reached at any time of day. The City may require use of an online registration system. There is no registration fee.

B. The owner of a transient lodging accommodation that is not a short-term rental may voluntarily register with the City in the same manner as the owner of a short-term rental. (Ord. 2020-27, Enacted, 11/03/2020)

3-12-001-0003 STR AND NOTICE TO BE POSTED

The owner of a short-term rental shall post and maintain a copy of the emergency contact registration which includes the following notice, in a conspicuous place within ten (10) feet from the primary entrance to the short-term rental:

NOTICE

It is unlawful to use this property for any nonresidential use, special events that require a permit or license, retail business, restaurant, event center, banquet hall or other uses prohibited by Arizona Revised Statutes, Section 9-500.39.B, as may be amended.

(Ord. 2020-27, Enacted, 11/03/2020)

3-12-001-0004 STR COMPLIANCE, COMPLAINTS AND REPORTING

- A. The City Police Department and City Code Compliance Manager or designee are delegated authority to enforce this chapter.
- B. The City may use emergency contact information to respond to complaints involving the short-term rental.
- C. The City will make a reasonable attempt to promptly notify the owner or the emergency contact regarding an alleged violation of City Code relating to an unlawful use of a short-term rental property.
- D. The City will issue citations for an alleged violation of a City Code regulation relating to an unlawful use of a short-term rental. For example, a building code occupancy violation occurring on a short-term rental property will be cited as a building code violation, and no separate citation will be issued for unlawful use of a short-term rental as defined in this chapter.
- E. Within thirty (30) days after a verified violation, the City will endeavor to notify the Arizona Department of Revenue and the owner of the short-term rental of the following:
 - 1. A description of the violation, legal authority, and responsible party;
 - 2. Date of violation;
 - 3. Any civil penalty amount assessed on the owner. (Ord. 2020-27, Enacted, 11/03/2020)

3-12-001-0005 STR AND LODGING ACCOMODATIONS: TAX COMPLIANCE  

It is unlawful to offer for rent or rent a short-term rental or lodging accommodation property, unless:

- A. The owner or online lodging operator has a current transaction privilege tax license for the property issued by the Arizona Department of Revenue; and
- B. The transaction privilege tax license number for the property is listed on each advertisement or offer to rent the property.

Possible violations of this section may be reported to the Arizona Department of Revenue for enforcement. (Ord. 2020-27, Enacted, 11/03/2020)

3-12-001-0006 STR AND LODGING ACCOMMODATIONS: ADVERTISING  

It is unlawful to offer for rent a short-term rental or lodging accommodation for any use that would be a violation of City Code. (Ord. 2020-27, Enacted, 11/03/2020)

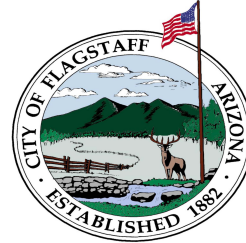
3-12-001-0007 CIVIL PENALTIES

A. Any person found in violation of Section [3-12-001-0002](#) (relating to short-term rental registration), [3-12-001-0003](#) (relating to short-term rental notices), or [3-12-001-0006](#) (relating to advertising) shall be guilty of a civil infraction and shall be fined a sum not to exceed five hundred dollars (\$500.00). Any violation which is continuing in nature shall constitute a separate offense on each successive date the violation continues, unless otherwise provided.

B. When an online lodging operator fails to comply with A.R.S. Section [42-5042](#) (relating to tax compliance), or an online lodging operator has received a verified violation, then A.R.S. Section [42-1125.02](#) establishes State penalties for such violations. The Arizona Department of Revenue will count City civil penalties towards the State penalties owed. (Ord. 2020-27, Enacted, 11/03/2020)

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Nicole Antonopoulos, Sustainability Director
Co-Submitter: Jeff Baumann, Traffic Engineer, Jenny Niemann, Climate Manager, David Lemcke, Traffic Engineer Associate
Date: 09/28/2022
Meeting Date: 10/11/2022



TITLE:
Informational update on Big Shift concepts

DESIRED OUTCOME:
An informational update and direction.

EXECUTIVE SUMMARY:
Staff will provide information on key Big Shift concepts as requested through the F.A.I.R. process.

INFORMATION:
The presentation will include information on the Vision Zero Action Plan, and Engineering and Design Standards as they pertain to Level of Service and Speed Limits. These two sections will each include a review of current practices, examples of aspiring communities, and a discussion of options for the City. The third section will include updates on actions underway to support the Big Shift.

Attachments: [Big Shift F.A.I.R](#)
[CCR Transportation Transformation 3_28_22](#)

Big Shift FAIR

October 11, 2022





Background

- This presentation is in response to a Future Agenda Item Request (FAIR) from **Council Member Adam Shimoni on November 2nd, 2021**
- Staff was tasked with investigating - "City's **Engineering Standards** as it relates to speed limits and design characteristics of roadways, **Vision Zero** approach, and **adjusting values/priorities** to serve Pedestrians first, Cyclists second, Public Transit, followed by car share/taxi, and then lastly private personal vehicle."



Outline

1. Transportation Safety

- Current practices, alternative approaches

2. Engineering Design Standards

- LOS and VMT, speed limits, mode prioritization

3. Supporting the Big Shift

- Identify codes that are barriers to the Regional Plan



Current Practices

- 1. City Crash Report – Annual**
 - Identify City crash patterns, apply for grants
- 2. Regional Strategic Transportation Safety Plan – 5 year**
 - Identify regional problem areas, apply for grants
- 3. ADOT State Highway – Rail Grade Crossing Action Plan**
 - Identify rail crossing improvements to prevent fatalities
- 4. Operation Life Saver – Non-Profit**
 - Rail safety education and awareness organization



Current Practices

5. Safe Streets For All (SS4A) Grant

- Will provide MetroPlan \$200,000 to develop a Safety Action Plan for Vulnerable Road Users

6. Crash Modification Factors (CMF) Clearinghouse

- Used to compute expected number of crashes after implementing a countermeasure on a road or intersection

7. Highway Safety Manual (HSM)

- Developed by AASHTO to provide guidance for incorporating quantitative safety analysis in the highway transportation project planning and development processes.



Current Practices

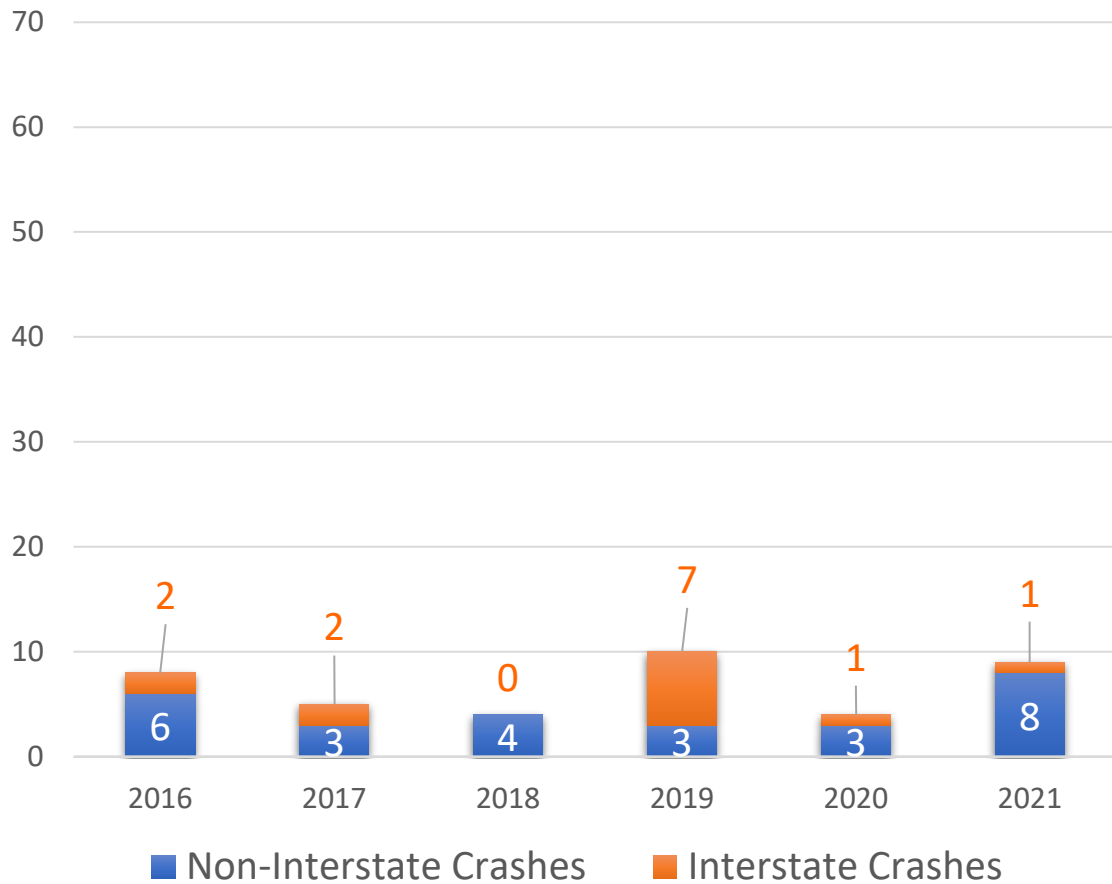
8. Highway Safety Improvement Program (HSIP) Grant

- Federal-aid program, reduce traffic fatalities and serious injuries on all public roads
 - Fourth/Cedar/Lockett roundabout
 - Sign replacement throughout city for better retro-reflectivity
 - Crosswalk crossing countdown
 - Guard rails
 - Turquoise & Switzer roundabout
 - Updated all crosswalks and stop bars with thermoplastic

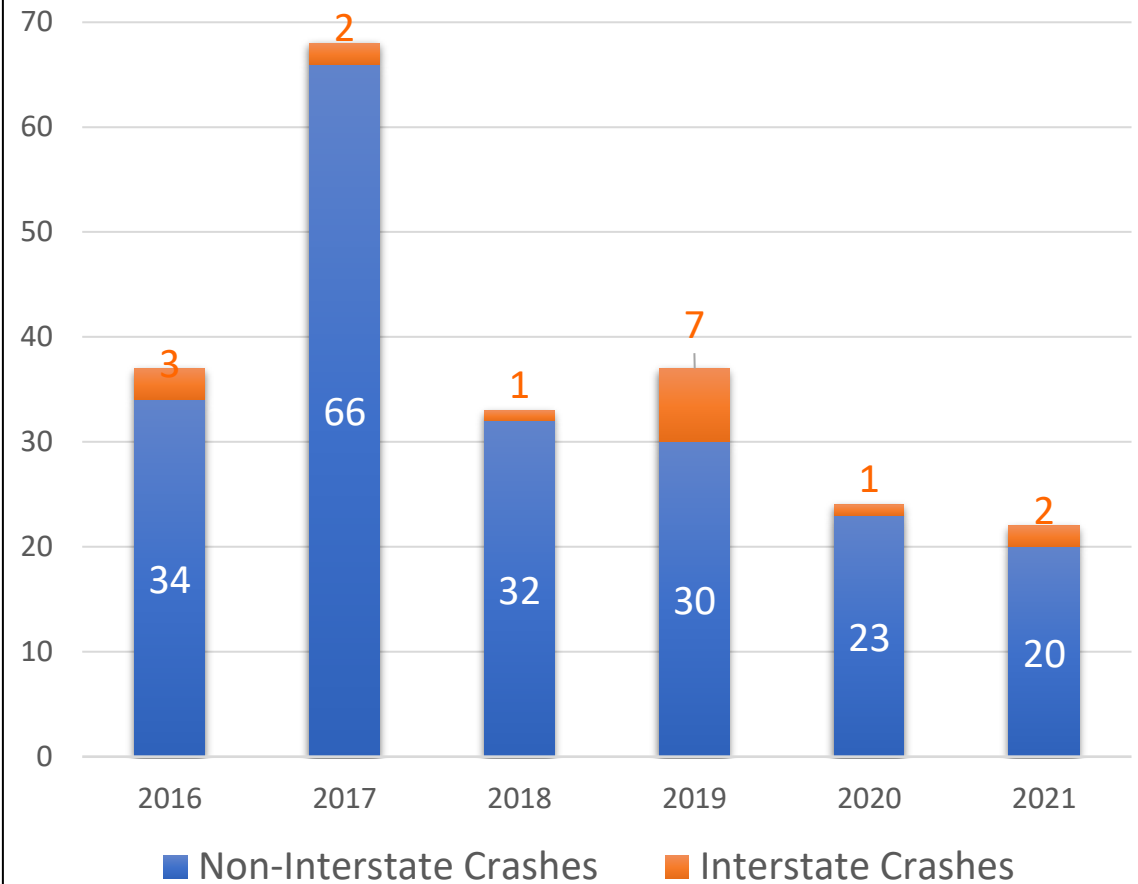


Interstate Crashes

Interstate vs Non-Interstate Fatal Crashes



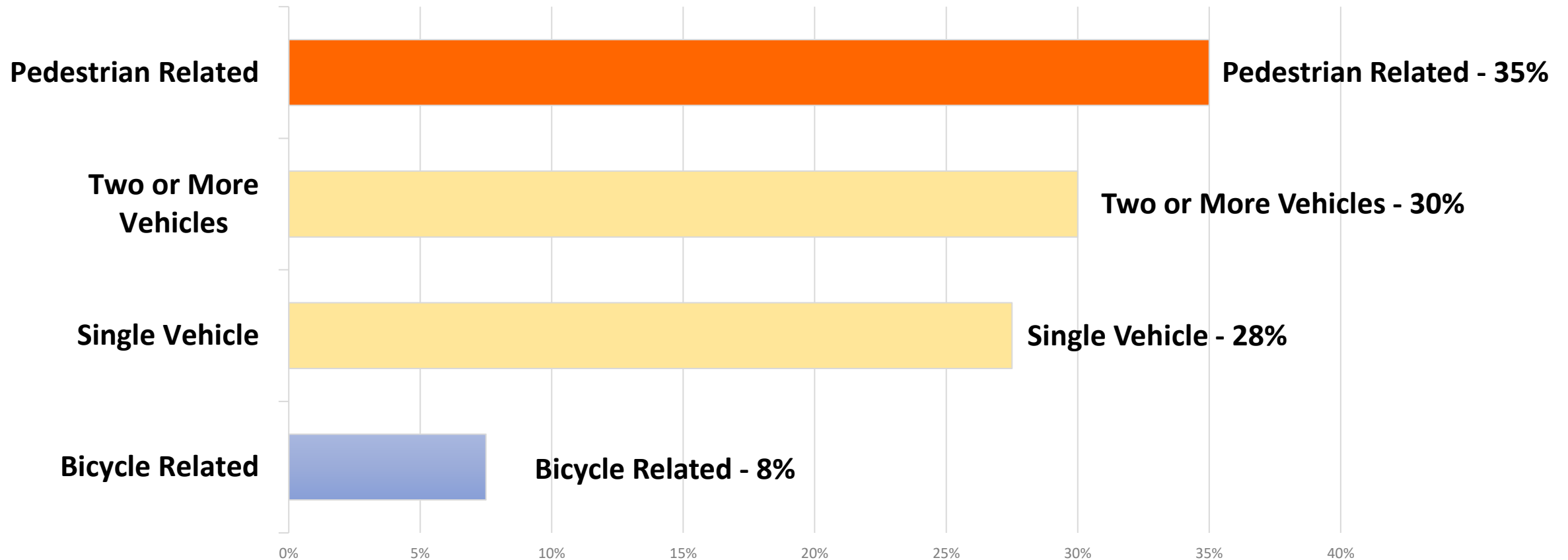
Interstate vs Non-Interstate Serious Injury Crashes





Fatal Crashes

Fatalities by Mode, 2016-2021





Safety Initiatives

1. Road to Zero

- Comprehensive 2018 report outlining strategies to eliminate traffic fatalities in the US by 2050

2. Vision Zero

- Campaign aimed at eliminating all traffic related fatalities and serious injuries. Originated in Sweden in the 1990s

3. Toward Zero Deaths

- 2014 report outlining strategies to eliminate all traffic related fatalities



Road to Zero

➤ **Three main initiatives**

1. Double down on what works through proven, evidence-based strategies
2. Advance life-saving technology in vehicles and infrastructure
3. Prioritize safety by adopting a safe systems approach and creating a positive safety culture

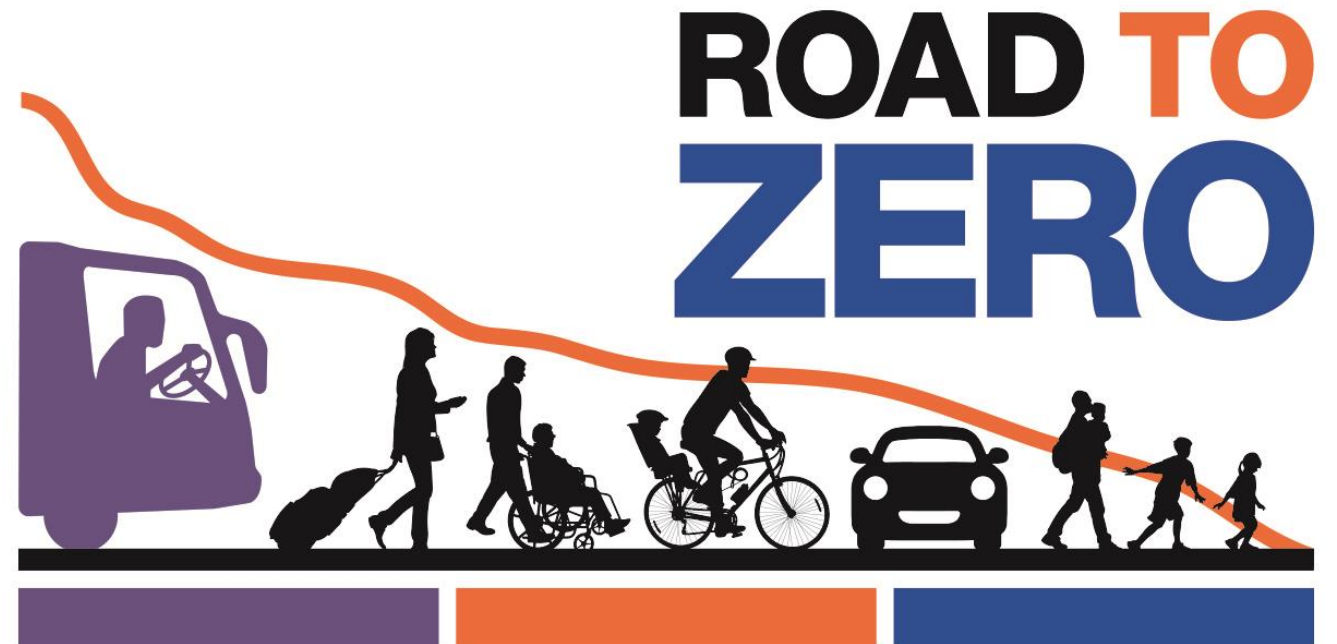
➤ **Road to Zero Coalition – Free to Join**

The coalition focuses on examining and promoting behavior-change strategies and developing a strategic plan for self-driving cars and human-vehicle-roadway communication.



Road to Zero

- The Road to Zero Coalition is managed by the National Safety Council, a nonprofit safety advocacy group





Vision Zero Network

➤ Requires Action Plan

- Example elements:
 - Manage speed
 - Multimodal planning
 - Public outreach



➤ Vision Zero City - Minimum Standards:

1. Clear goal of eliminating traffic fatalities and sever injuries
2. Top official (Mayor) has publicly committed to Vision Zero
3. Vision Zero action plan with clear objectives and schedule
4. Key City departments engaged (Police, Trans., Public Health)



Vision Zero Network



- In the United States, the Vision Zero Network is a nonprofit group that leads a collaborative campaign to help communities reach their Vision Zero goals



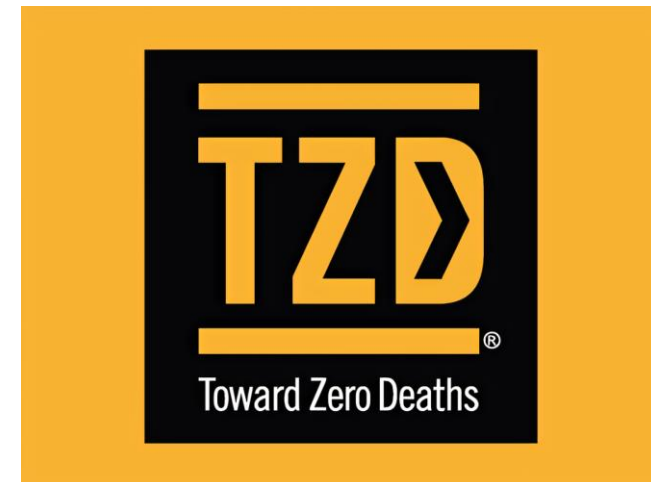


Toward Zero Deaths

➤ **Six Key Emphasis Areas**

1. Safer Drivers and Passengers
2. Safer Vulnerable Users
3. Safer Vehicles
4. Safer Infrastructure
5. Enhanced Emergency Medical Services
6. Improved Safety Management

- Encourages adopting an aggressive highway safety plan
- Plan should outline action items and a schedule
- National Strategy Recognized by AASHTO





Example: City of Boulder

- **Vision Zero goals were adopted in 2014 as part of Boulder's Transportation Master Plan**
 - Proactively applying for HSIP funding
 - Monitoring crashes across the city to identify improvement areas
 - Goal of eliminating all traffic fatalities

- **Comprehensive Vision Zero Action Plan released in 2019**
 - Example strategies:
 - Leading pedestrian intervals
 - Improved pedestrian crossings
 - Expanded red light camera program



Example: City of Boulder

- Approximately **\$450,000** annually devoted for stand alone Vision Zero projects
- Full Time Employees (FTEs) from four different divisions within the City share the work for Vision Zero activities:
 1. Transportation Operations Division – 14 FTEs
 2. Capital Projects – 13 FTEs
 3. Transportation Planning – 10 FTEs
 4. Transportation Maintenance – 19 FTEs



Example: City of Phoenix

- Released the **Safety Analysis and Strategies Report** in 2020 as part of the Key Corridors Master Plan
 - Identified crash statistics and trends.
 - Outlined strategies to increase safety on specific corridors and streets
- Approved **Vision Zero goals** on January 25th, 2022 into their comprehensive Road Safety Action Plan
- The Road Safety Action Plan should be finalized and approved in **Winter 2022**

Transportation Safety: Direction

1. Does City Council want staff to investigate development of a comprehensive transportation safety action plan:
 - Potential timeline
 - Staffing and resource requirements
 - Potential funding sources





Engineering Design Standards

Outline

1. Level of Service (LOS) and Vehicle Miles Traveled (VMT)
2. Roadway Design Speed
3. Mode Prioritization



Level of Service

- **Level of Service (LOS)** – A performance measure of roads, highways, intersections, and bicycle and pedestrian facilities determined by delay, density, and flow conditions with “A” being the best conditions and “F” the worst



Level of Service

- **Level of Service** at intersections, as defined by the Highway Capacity Manual, is measured by **delay and flow**.

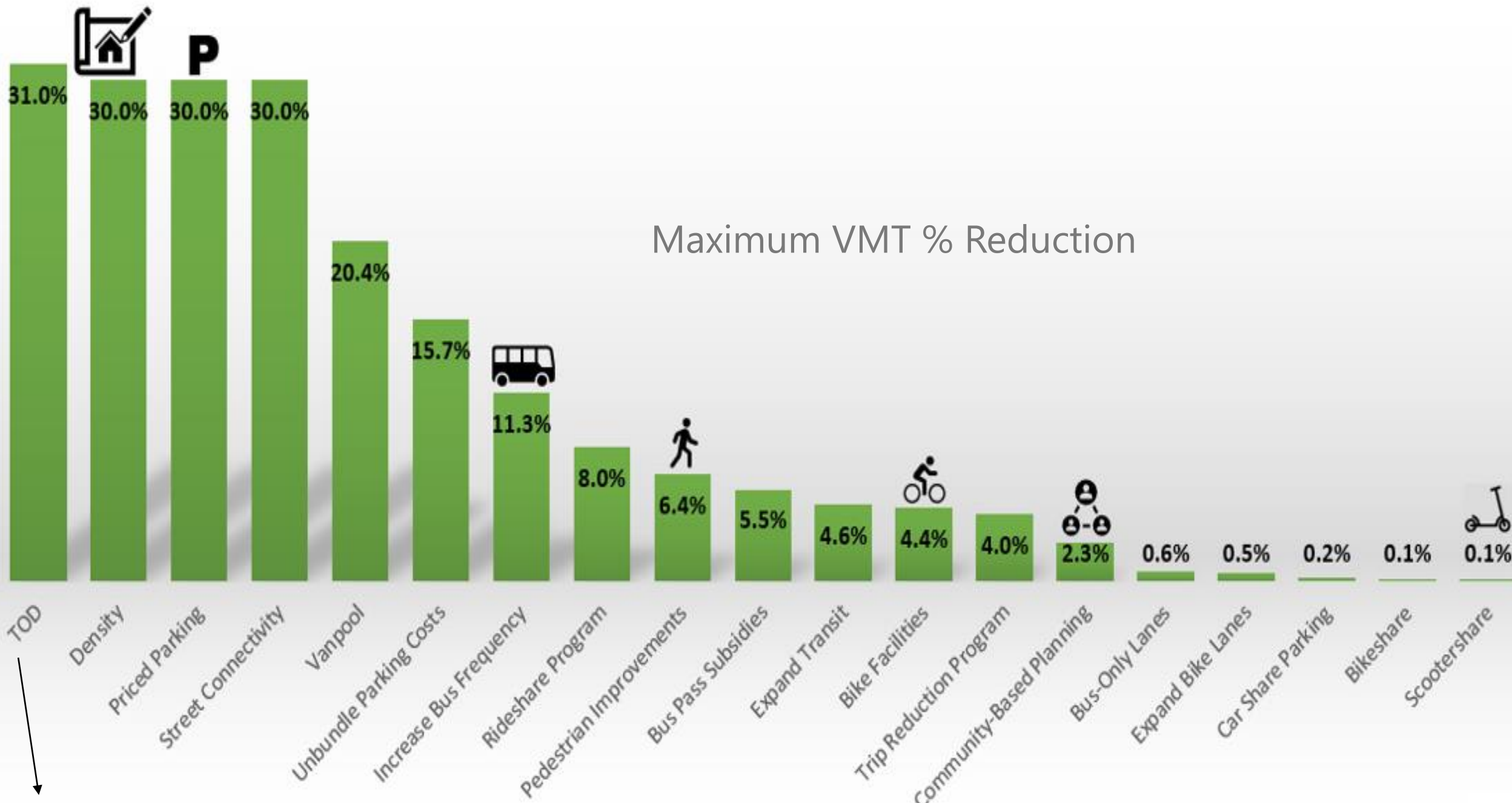
Table 1. Level of Service Criteria for Signalized Intersections

Level of Service	Average Control Delay (seconds/vehicle)	General Description
A	≤10	Free Flow
B	>10 – 20	Stable Flow (slight delays)
C	>20 – 35	Stable flow (acceptable delays)
D	>35 – 55	Approaching unstable flow (tolerable delay, occasionally wait through more than one signal cycle before proceeding)
E	>55 – 80	Unstable flow (intolerable delay)
F ¹	>80	Forced flow (congested and queues fail to clear)



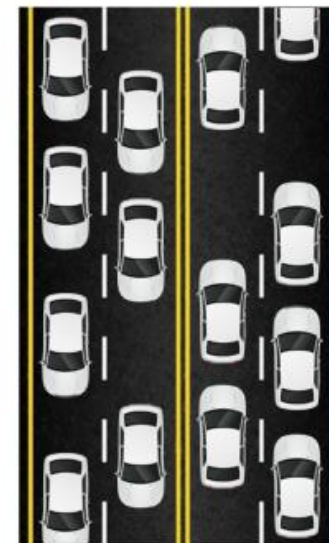
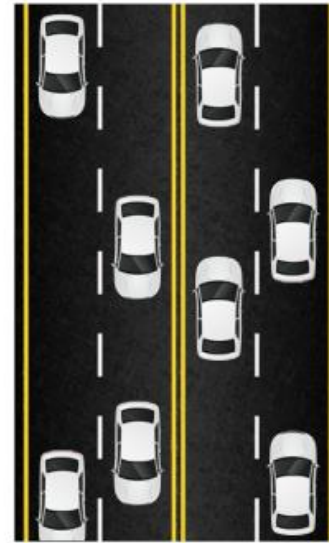
Vehicle Miles Traveled

- **Vehicle Miles Traveled:** Every trip multiplied by the length of each trip in a specific area
- Alternative mitigation strategies like **enhancing transit**, **expanding car share**, and implementing **parking costs** are used to reduce the **VMT growth** of new development applications based on established **VMT** reduction goals



(Transit Oriented Development)

Level of Service Approach



now

new development

no mitigation

typical mitigation

future conditions

Vehicle Miles Traveled Approach

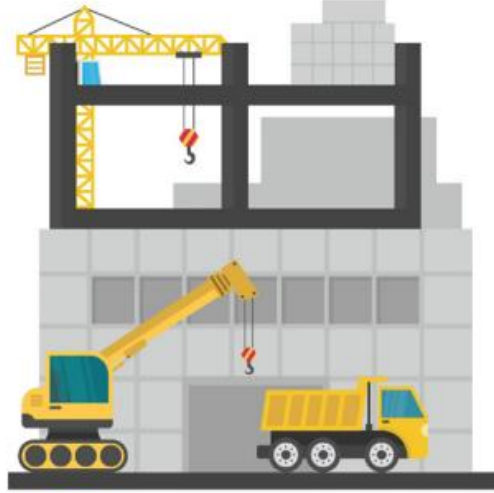


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LOS Exception Areas

Example: LOS Exception Areas, City of Scottsdale

- New performance measures as part of the 2022 Transportation Action Plan
- Maintain vehicular level of service (LOS) D or better at most signalized intersections, **except** in designated activity cores or urban roadway corridors where **walkability, transit access, and aesthetic or right-of-way considerations** are overriding.



Design Standards

Speed Types

- **Operating Speed:** The speed at which drivers are observed during free-flow conditions.
- **Design Speed:** The selected speed used to determine geometric design features of a roadway, such as horizontal/vertical curves and sight distance.
- **Posted Speed Limit:** The enforced speed on a roadway, typically reflects the 85th percentile speed along the road.





Design Standards

Factors that Affect Operating Speed

- Horizontal and vertical curves
- Road function/purpose
- Available sight distances
- Traffic volume:
vehicles, pedestrians, and bicycles
- Driveways with restricted visibility
and other roadside developments
- High driveway density
- Pavement conditions
- Weather and visibility
- A vehicle's mechanical condition
and characteristics
- Driving ability/capabilities
- Crash frequency and severity
- Rural, residential, or developed
areas
- Lane and shoulder width
- Paved or improved shoulders



Design Standards

Speed Limit Signs

- The speed chosen by drivers on roadways is determined by multiple factors, such as the design of the horizontal and vertical curves. The number on speed limit signs tend to have little to no effect on speeds - the design of the road is the critical determining factor.
- This is supported by a report from the City of Boulder, where all the 25 mph speed limit signs were changed to 20 mph, and the average, median and 85th percentile speeds saw no change



Design Speed

Design speed per functional classification for Urban Roadways

Urban							
Functional Classification	Major Arterial	Minor Arterial	Major Collector	Minor Collector	Commercial Local	Residential Local "Wide"	Residential Local
Design Speed	45 MPH	40 MPH	35–40 MPH	30 MPH	25 MPH	20 MPH	20 MPH
Horizontal Curve (ft)	900'	667'	667', 454'	300'	181'	100'	100'

Table 13-10-011-01 – Engineering Standards



Mode Prioritization



H = High Use Priority
(H) - High LOS

M = Medium Use Priority
(M) = Medium LOS

L = Low Use Priority
(L) = Low LOS

URBAN	Use Priority and Level of Service (LOS)									
	Automobiles*		Transit		Bicycle		Pedestrian		Parking	
	Activity Center	General	Activity Center	General	Activity Center	General	Activity Center	General	Activity Center	General
Area LOS	n/a	n/a	(H)	(M)	(H)	(H)	(H)	(H)	n/a	n/a
Arterials	M (L)	H (H)	H	H	M	M	H	M	M	M
Collectors	M (M)	M (M)	H	H	H	M	H	H	H	M
Locals	L	M	L	L	H	H	H	H	H	H

SUBURBAN	Use Priority and Level of Service (LOS)									
	Automobiles*		Transit		Bicycle		Pedestrian		Parking	
	Activity Center	General	Activity Center	General	Activity Center	General	Activity Center	General	Activity Center	General
Area LOS	n/a	n/a	(H)	(M)	(H)	(M)	(H)	(M)	n/a	n/a
Arterials	H (M)	H (M)	H	H	M	M	M	M	L	L
Collectors	M (M)	M (M)	H	M	H	H	H	H	H	M
Locals	L (H)	L (H)	L	L	H	H	H	H	H	H

RURAL	Use Priority and Level of Service (LOS)									
	Automobiles*		Transit		Bicycle		Pedestrian		Parking	
	Activity Center	General	Activity Center	General	Activity Center	General	Activity Center	General	Activity Center	General
Area LOS	n/a	n/a	(L)	n/a	(M)	(L)	(M)	(L)	n/a	n/a
Arterials	H (H)	H (H)	L	L	H	M	L	L	H	H
Collectors	H (H)	H (H)	n/a	n/a	H	M	M	M	M	M
Locals	M(H)	M(H)	n/a	n/a	M	M	M	M	M	M

The tables are used to determine which features to enhance when right-of-way is scarce or when different uses hinder the functionality of each other

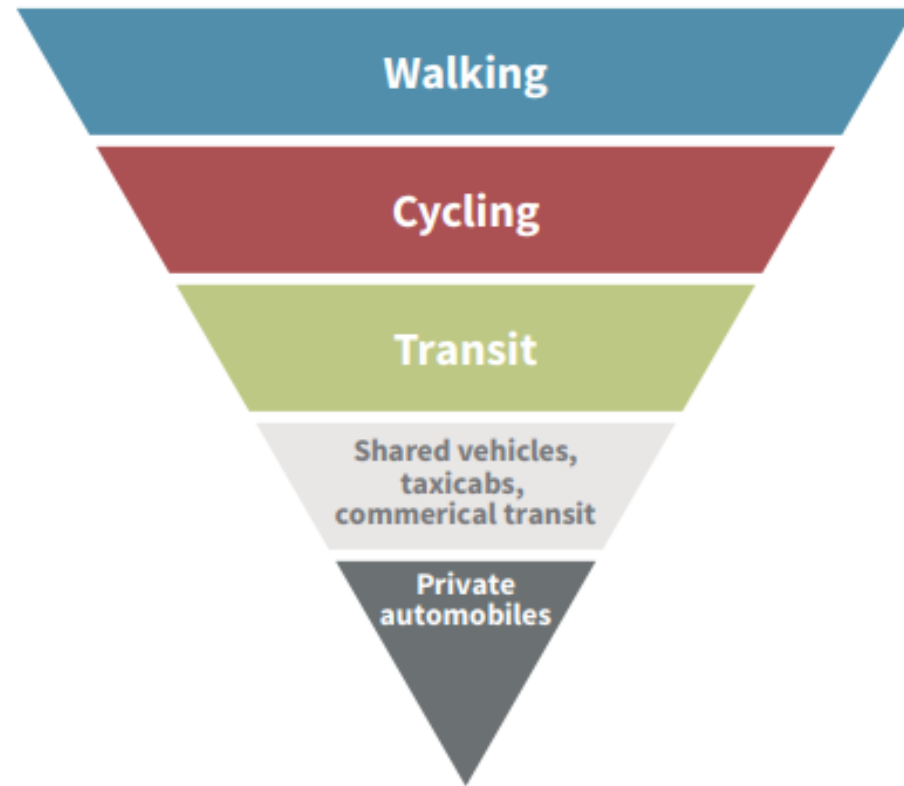


Example: City of Portland

Transportation hierarchy for people movement

The City will implement a hierarchy of modes for people movement by making transportation system decisions according to the following prioritization:

1. Walking
2. Cycling
3. Transit
4. Taxi, commercial transit, shared vehicles
5. Other private vehicles



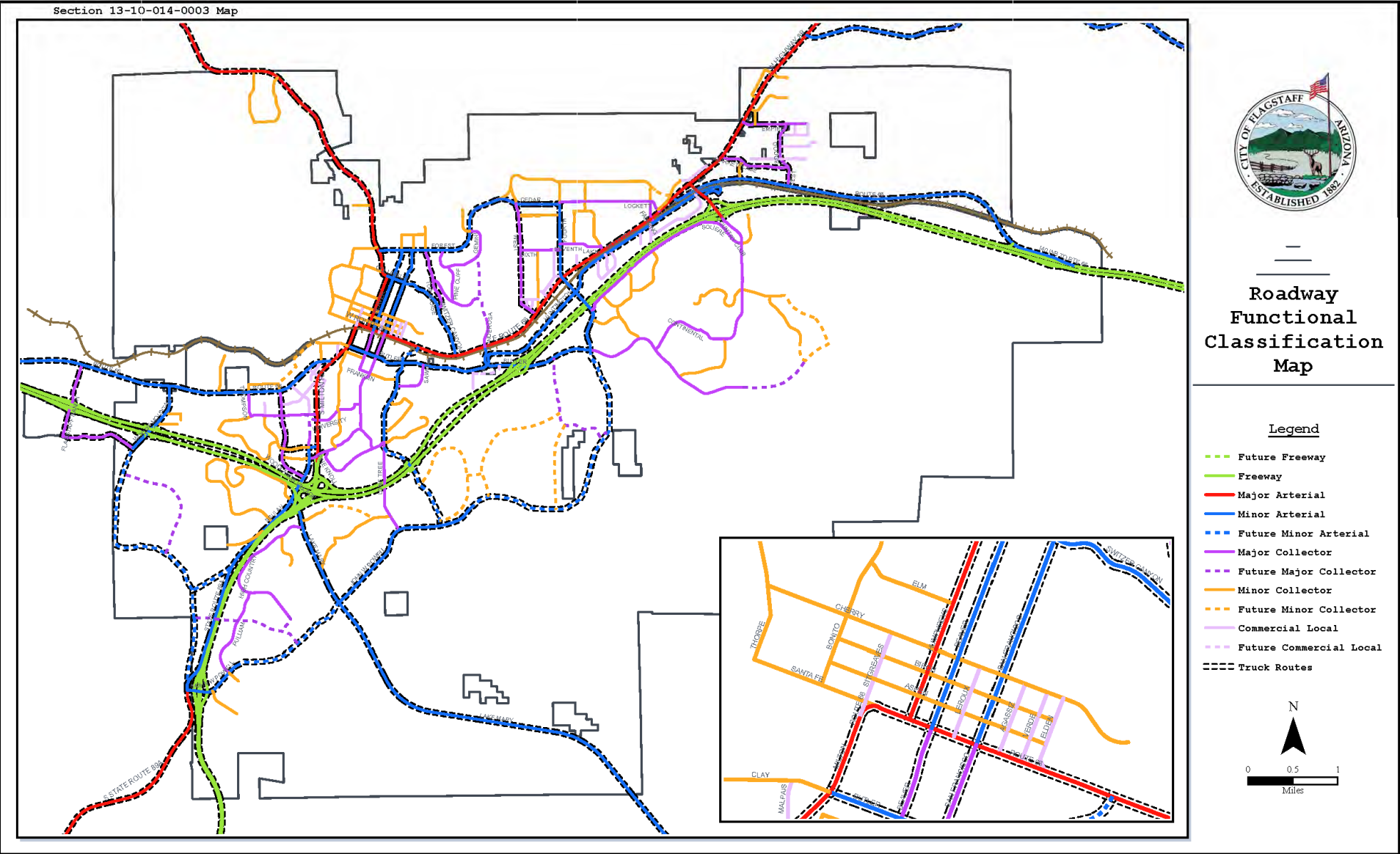


Example: City of Portland

When implementing this prioritization, ensure that:

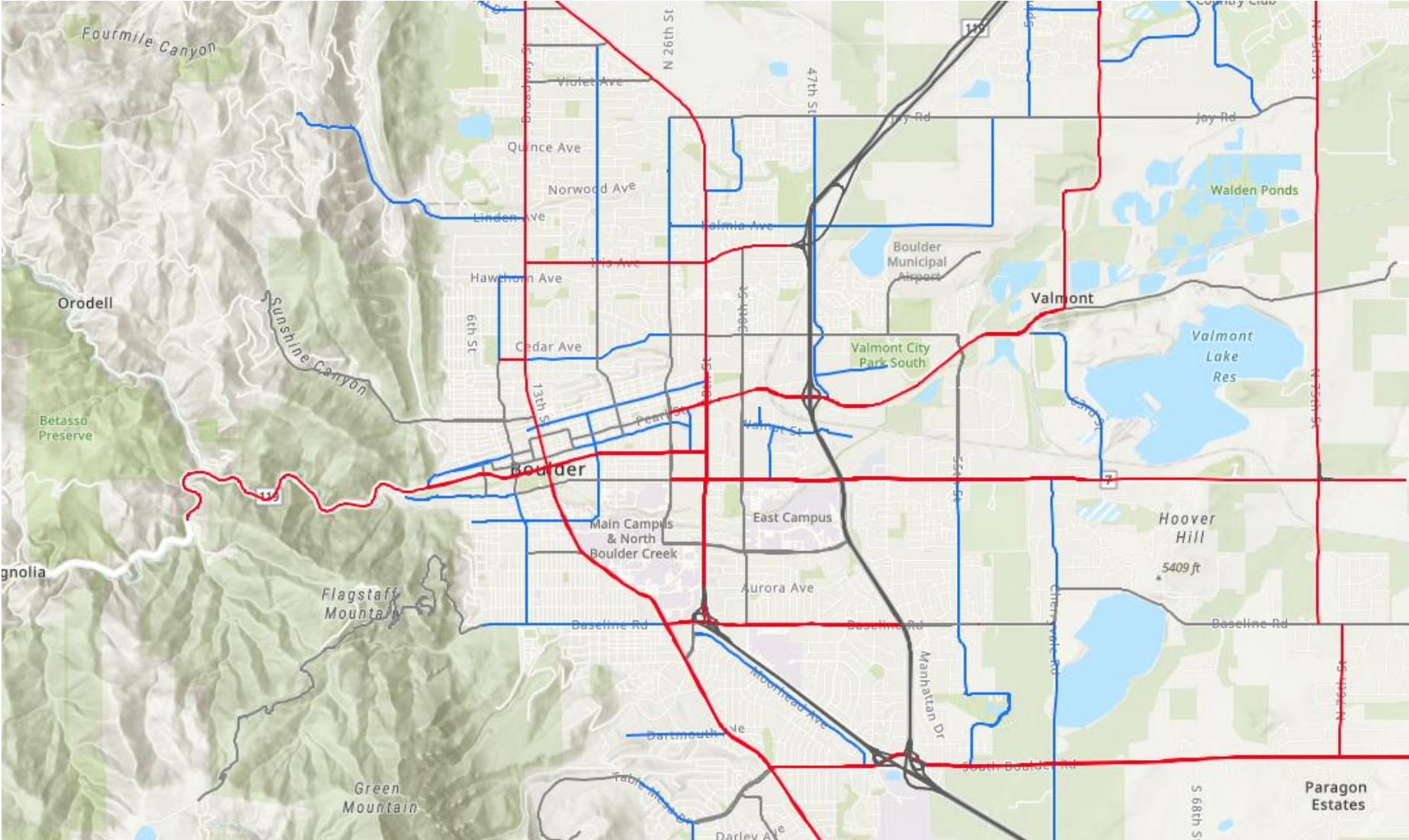
- The needs and safety of **each group** of users are considered, and changes do not make existing conditions worse for the most vulnerable users higher on the ordered list.
- **All users' needs are balanced** with the intent of optimizing the right of way for multiple modes on the same street.
- When necessary to ensure safety, **accommodate some users on parallel streets** as part of a multi-street corridor.
- Land use and system plans, network functionality for all modes, other street functions, and complete street policies, are maintained.
- Policy-based rationale is provided if **modes lower in the ordered list are prioritized.**

City of Flagstaff



All municipalities have a hierarchy of roads to serve the complex needs of the communities they serve

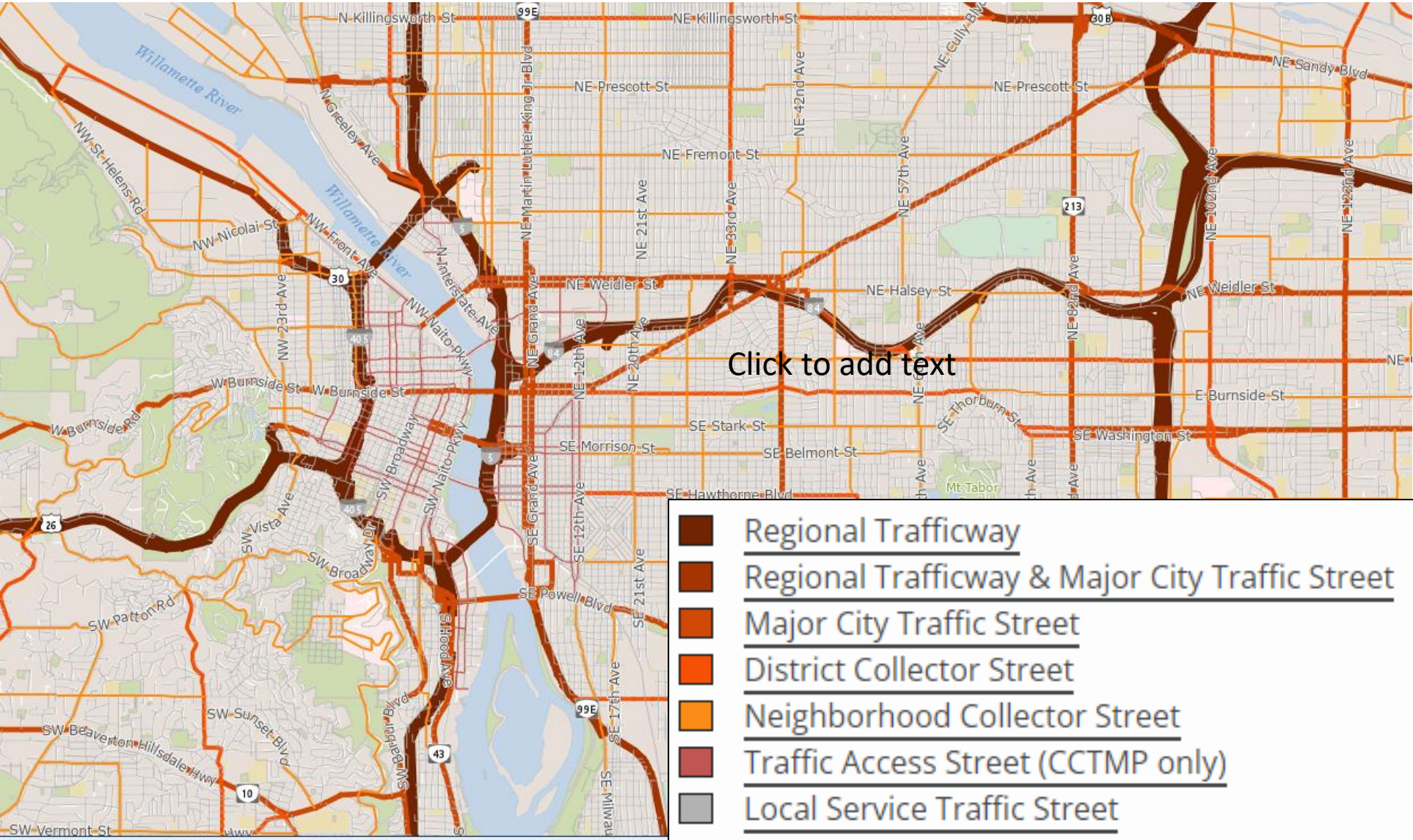
City of Boulder



Legend

- Expressway/Freeway**
 - 45-60 MPH
- Principal Arterial**
 - 35-45 MPH
- Minor Arterial**
 - 25-35 MPH
- Collector**
 - 25-30 MPH

City of Portland



Click to add text

	<u>Regional Trafficway</u>	
	<u>Regional Trafficway & Major City Traffic Street</u>	55-35 mph
	<u>Major City Traffic Street</u>	45 mph
	<u>District Collector Street</u>	25-35 mph
	<u>Neighborhood Collector Street</u>	25 mph
	<u>Traffic Access Street (CCTMP only)</u>	20-25 mph
	<u>Local Service Traffic Street</u>	

Engineering Design Standards: Direction



Engineering Design Standards Summary

1. Does City Council want us to further investigate VMT as a performance measure for future transportation impact analysis?
2. Does City Council want us to further investigate zones within the City that should be LOS exceptions?
3. Does City Council want us to further investigate changes to standard design speeds for future roadway planning?

Potential Regional Plan Changes

- Plan amendments
- Incorporation into Regional Plan Update



Supporting the Big Shift

1. City Code Analysis

- Scope
- Deliverables

2. Progress on the Big Shift CCR

- Transportation workshop
- MetroPlan Mini-grant
- Stride Forward Regional Transportation Plan

3. Stride Forward Regional Transportation Plan



Supporting the Big Shift

City Code Analysis Project

- **A collaborative process** with Housing, Sustainability, Engineering, and Community Development.
 - Also involving Economic Vitality, Water Services and IT.
- Designed to **accelerate** the achievement of the goals of the 10-year Housing Plan and the Carbon Neutrality Plan.
- **Paired** with the Land Availability and Suitability Analysis project.
- **Status:** Working now with procurement to develop the Scope of Work.



Supporting the Big Shift

City Code Analysis - Deliverables:

1. A report that systematically reviews all City development codes and processes.
2. Identification of codes that produce barriers to reducing greenhouse gas emissions, increasing community resilience, and/or improving community equity.
3. Recommendations for code revisions and policy changes that will better support the achievement of the Carbon Neutrality Plan and 10-year Housing Plan. Examples:
 - Recommendations for where to focus public investment, to enable and encourage development patterns such as 15-minute neighborhoods.
 - Revisions that will reduce auto-dependence and vehicle miles traveled.
 - Revisions that yield a wider variety of housing types and increased densities.
4. Testing of recommended changes on real projects in Flagstaff.



Supporting the Big Shift

Transforming Transportation Workshop

A chance to learn from national experts and get all regional transportation-related staff in the same room.



Key topics:

- Closing the planning ↔ implementation gap.
- Envisioning the next 1, 5, and 10 years.
- Learning how other cities are working to reduce vehicle miles traveled.

Transforming Transportation Workshops — Summary



Introduction

MetroPlan and the City of Flagstaff have policy positions supportive of and requiring the management of transportation demand, the encouragement of multi-modal transportation choices, and the reduction of transportation emissions in order to address climate change. A Sustainable Transportation Toolbox is being developed to direct and implement this effort. Phase 1 will build from the existing policies and develop performance targets for existing and new development that will help achieve carbon neutrality goals.

On May 3 and 4, 2022 a series of workshops focused on best practices and emerging trends were held as the first step in developing the Sustainable Transportation Toolbox. Workshop topics included:

- Changing Transportation Culture
- Vehicle Miles Traveled (VMT) Reduction Strategies
- Bicycle and Pedestrian Best Practices
- Transit Options

The workshop included attendees from MetroPlan, City of Flagstaff, Coconino County, the Arizona Department of Transportation (ADOT), Northern Arizona University (NAU), and Mountain Line.

The workshops focused on Jason Barger's Thermostat Culture and 6A's shown here. Attendees were encouraged to act not as thermometers reacting to their surroundings, but instead as thermostats actively setting their organization's cultural temperature.

Anchor...Our Values

What actions need to become habits?

- Sharing of facts
- Consistent messaging amongst plans



Assess... Where We Are

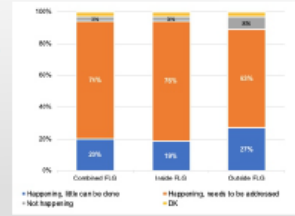
An overview of existing socioeconomic conditions, developments, barriers, and transportation network was presented. Results of an online public survey were shared.

What are we doing well?

- Planning and Policies in place
- Positive outlook
- Collaboration

What can we improve?

- Connectivity
- Planning to Implementation
- Public Engagement



Align... Our Thoughts

An overview of results from a random sample survey, and goals and strategies from existing plans were presented.

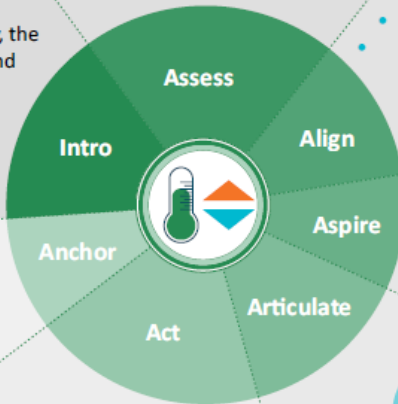
What is our WHY?

- Environment
- Health of Community
- Changing Lives

How can we better align our teams and the community?

- Partnerships
- Guidance for Planning to Implementation
- Update standards to policies

62% of respondents expressed a willingness to switch modes.



Aspire... Towards Stride Forward Sustainability Goals

Attendees were asked to describe the finest transportation system, how it can be created and promote our sustainability goals. Responses included: clean, convenient, safe, quiet, affordable, maintained, connected, beautiful, accessible, and one that serves all modes.

What do we want to be different in...?

- The next year? More signage, expanded micromobility, alternative routes during construction
- Five years? Travel demand management program, updated codes and standards, maintenance funding
 - Ten years? Land use changes away from decentralized development

Act... Bias Toward Action

Attendees discussed possible near-term options, obstacles, and changes that can be controlled and led to achieve Stride Forward Sustainability Goals.

- Clear Core Values
- Organizational Education
- City-wide Transportation Plan
- Street typology



Articulate ... Towards Stride Forward Sustainability Goals

Attendees discussed how the core values and WHY could be implemented across plans and disciplines. A need for a consistent WHY was identified as the first step. This would allow for policy implementation across codes and standards. Attendees also identified a need for consistent language and messaging for Management, Council, and public engagement.



Supporting the Big Shift

Citywide progress:

- Infrastructure Law funding for the Downtown Mile - CONGRATULATIONS!

Upcoming:

- Active Transportation Master Plan
- Incorporating vehicle miles traveled (VMT) into transportation modeling and analysis
- Developing performance standards to guide projects – will help us to incorporate transportation demand management, VMT calculations, etc.



Supporting the Big Shift



Stride Forward Regional Transportation Plan

- Close to completion!
- The Upward Concept will identify ways to meet the goals of the CNP.
- MetroPlan will present to City Council in early 2023.



Recap and Discussion

1. Direction requested:

- a. Transportation Safety initiative
- b. VMT as a performance measure for future transportation impact analysis
- c. LOS exception zones
- d. Standard design speeds for future roadways

2. Further Discussion?

Thank You!



CITY COUNCIL REPORT

DATE: March 18, 2022

TO: Mayor and Council Members

FROM: Nicole Antonopoulos, Sustainability Director, Rick Barrett, Engineering Director, Dan Folke, Community Development Director, Jeff Bauman, Traffic Engineer, Martin Ince, Multi-Modal Planner, and Jenny Niemann, Climate Program Manager

CC: Greg Clifton, Shannon Anderson, and Heidi Hanson

SUBJECT: Transforming Flagstaff's Transportation System

Summary

This report details how City staff are moving forward with transforming Flagstaff's transportation system to meet the City's climate action goals and address a variety of community needs. This is a collaborative effort that spans Engineering, Community Development, and Sustainability.

Background

Achieving Flagstaff's climate goals will require managing transportation demand, providing multi-modal transportation choices, reducing transportation emissions and maintaining vehicle miles traveled. These strategies are not new, nor unique to the Carbon Neutrality Plan. They are embedded in various policy positions highlighted below:

- The **Flagstaff Carbon Neutrality Plan** (CNP, 2021) calls for a Big Shift in transportation and land use planning, where Flagstaff would “fundamentally shift our approach to neighborhood design and transportation. We would build our transportation corridors with various forms of micro-mobility as primary goal, rather than supporting the continued growth of automobile travel.” The success of the CNP depends on vehicle miles traveled being reduced to 2019 levels and maintaining that level of vehicle travel over the coming decades. This will require a transformation in the way we plan development and transportation systems, and the way Flagstaff residents and visitors get around town.
- The **Blueprint 2040 Regional Transportation Plan** (2017) calls for a renewed commitment to multi-modalism, protecting the environment, and greater investments in managing transportation demand. It is important to note that MetroPlan: Stride Forward, the next iteration of the regional transportation plan, is underway and climate action is central to this effort.
- The **Flagstaff Regional Plan 2030** (2014) sets a vision for a sustainable, resilient community that encourages efficient transportation modes, better connectivity, and active stewardship. Policies relevant to a more balanced transportation system include, but are not limited to:
 - o The Policy E 1.5. Promote and encourage the expansion and use of energy-efficient modes of transportation: Public transportation, bicycles, pedestrians.
 - o Policy CC 4.1. Design streetscapes to be context sensitive and transportation systems to reflect the desired land use while balancing the needs of all modes for traffic safety and construction and maintenance costs.
 - o Policy T 1.2. Apply Complete Street Guidelines to accommodate all appropriate modes of travel in transportation improvement projects.
 - o Policy T 1.6. Provide and promote strategies that increase alternate modes of travel and demand for vehicular travel to reduce peak period traffic.
 - o Policy T 3.1. Design and assess transportation improvement plans, projects, and strategies to minimize negative impacts on air quality and maintain the region's current air quality.
 - o Policy T 3.2. Promote transportation systems that reduce the use of fossil fuels and eventually replace them with carbon neutral alternatives.
 - o Policy T 3.8. Promote transportation options such as increased public transit and more bike lanes to reduce congestion, fuel consumption, and overall carbon emissions and promote walkable community design.

- The draft **Active Transportation Master Plan** (pending adoption) sets a policy framework and guidance for developing regulations and standards that better support bike and pedestrian transportation and prioritizes key infrastructure investments.

To achieve these policy goals and accelerate implementation, new transportation planning and design methods are needed. This work will begin with a MetroPlan funded grant that staff refer to as *The Transforming Flagstaff's Transportation System Project* (The Project).

The Project:

1. Train staff in best practices and emerging trends in transportation and climate integration.
2. Develop tools for assessing the climate impacts of transportation and development projects.
3. Develop performance standards to guide development and infrastructure projects.
4. Revise existing development regulations and standards, guidelines, and processes, including the City of Flagstaff Zoning Code subdivision regulations, and Engineering Standards.

This work will be completed in three phases, as described below.

Project Team:

This work will be led jointly by the Sustainability Office and Engineering Division, with key involvement by the Community Development Division. Jeff Bauman, Traffic Engineer, and Jenny Niemann, Climate Program Manager, will be the project leads. Other divisions will be involved as necessarily, including but not limited to Community Investment and Public Works.

Phase One: Training and Tools

The Sustainability Office secured a \$100,000 grant through MetroPlan Greater Flagstaff's mini-grant program. This grant will enable the City of Flagstaff and MetroPlan to partner on The Project, which will complement the development of the Stride Forward Regional Transportation Plan. To execute the grant, MetroPlan Flagstaff will engage a consultant to deliver the following project components:

1. **A training workshop** for City staff and MetroPlan partner agencies, to review best practices and emerging trends in transportation and climate integration, transportation demand reduction, and tools to reimagine transportation. Led by national experts, this workshop will increase understanding of best practices, review results in peer communities, and analyze available tools for applicability in Flagstaff.
2. **Develop tools** for assessing the climate impacts of transportation and development projects. This task will include an evaluation of the Flagstaff Regional Transportation Model for how it can best evaluate vehicle miles traveled (VMT) and the associated impacts of both private developments and infrastructure investments. This task also includes the recommendation or development of additional tools that may be needed to evaluate VMT.
3. **Develop performance standards** to guide development and infrastructure projects. The development of the performance standards should align with or rely on the results from the MetroPlan Stride Forward Regional Transportation Plan (RTP) process. The performance standards will incorporate concepts such as measurements for vehicle miles traveled (VMT) production, strategies to reduce VMT, methods to incorporate transportation demand management (TDM), and new standards for the level of service provided to bikes and pedestrians.

Timing: Anticipated completion December 2022.

Funding: \$100,000 in funding provided through the MetroPlan mini grant.

External Collaboration: MetroPlan is partnering with the City on Phase One. Staff will work to communicate results to the development community.

Phase Two: Code and Standard Revisions

The City project team will analyze and develop revisions to existing City codes, standards and processes. Much of this work will be conducted by outside experts (consultants) who work closely City staff and City partners.

1. Develop revisions and amendments to development regulations, standards, and processes. These revisions will be designed to support and implement the performance objectives developed in Phase

One and align with City regulations and policies. The following regulations will be reviewed and revised as needed:

- The City of Flagstaff Zoning Code, including but not limited to:
 - Parking requirements
 - Development requirements, including specifications for providing connections to FUTS trails, parking lots, etc.
 - Subdivision codes, including but not limited to connectivity and/or system density standards.
 - May include density bonuses or other mechanisms to induce beneficial land use patterns
- City of Flagstaff Engineering Standards (including TIA processes) for contextually sensitive street cross-sections and intersection designs, including but not limited to:
 - Roadway standards, including lane widths and the presence of turn lanes;
 - Sidewalk standards;
 - Bike facility standards;
 - Bike and pedestrian crossing standards, warrants and locations;
 - Bus stop and pullout standards and warrants (coordinated with Mountain Line); and
 - Transportation impact analysis (TIA) and warrants processes.

2. Review City of Flagstaff transportation practices and processes that guide transportation and development projects and make recommendations for revisions based on the principles of complete transportation, context sensitive solutions, and complete transportation. Review, revise or create the following processes:

- Travel demand management (TDM) policies, processes, and programs.
 - Create recommendations for incorporating TDM into transportation and land use planning, and the creation of a TDM program.
- Transportation processes and practices, including but not limited to:
 - Temporary traffic control plans (i.e., for pedestrian or bike closures and detours)
 - Expanded use of right-of-way
 - Neighborhood traffic calming
 - Sidewalk replacement, maintenance and encroachments
 - School pick-up and drop-off
 - Winter parking ordinance
 - Speed limits
- Project review process, including City Commissions and inter-division staff (IDS) review.

3. In FY22-23, the City hopes to begin a separate project to analyze City Codes for alignment or conflict with the Carbon Neutrality Plan and the 10-year Flagstaff Housing Plan if funding is made available. This analysis is a critical step in implementation for both Plans, as it will help the City identify areas of conflict between adopted policies and existing Codes.

Timing: Phase Two will begin after the start of Phase One, as some elements of this work can be completed concurrently. Other elements will begin after the conclusion of Phase One.

Funding:

- Initial funding is proposed through Proposition 419 transportation funds (\$75,000), and a one-time \$25,000 FY22-23 budget request submitted by the Engineering Team.
- Supplemental funding will be needed in future budget years. Comprehensive code and process change is a multi-year endeavor and will span several budget cycles.
- The Sustainability and Housing Sections have submitted two requests totaling \$250,000 to provide consultant support for this project.

External Collaboration: MetroPlan and Mountain Line will be critical partners.

Phase Three: Public Review and Adoption

After the consultant teams develops recommendations, tools, and code revisions, City staff will work to engage the public and solicit feedback. This work fulfills the policy direction of the Regional Plan, Carbon Neutrality Plan, and draft Active Transportation Master Plan. Recognizing the solid foundations of public participation that created those Plans, City Staff will endeavor to engage the public at an informational level.

Public engagement will serve two purposes:

1. Engage the Flagstaff community in conversations on transportation policies and regulatory changes with the public. This project has the potential to dramatically change transportation policy and planning in Flagstaff; its success rests on building strong public support for implementing the transportation vision established in Flagstaff's many planning documents. City staff will create an outreach plan to reach all parts of the Flagstaff community, hosting conversations around transportation decisions, trade-offs, costs and benefits.
 - Engagement will include an education campaign to discuss the transportation transformation project with the public. This will include:
 - A project webpage with details about this overall project, policy support, and individual recommendations.
 - Informational media on 'the big shift'.
 - Events to discuss transportation decisions, community tensions, and trade-offs.
 - A summary of previous community engagement on transportation choices, compiling the numerous City surveys regarding transportation conducted over the last decade.
2. Update the Flagstaff community on the recommended regulatory and process revisions, to inform, solicit feedback, and develop support. This work will take place on an as-needed basis, following the achievement of project milestones and leading up to Council adoption. Some engagement may be concurrent with phases one and two.
 - The City will present proposed Code changes to the community and Council in staged revisions, to reduce confusion and efficiently pursue adoption. For each batch of proposed revisions, staff will engage the public through the following methods:
 - Presentations to the Transportation, Planning and Zoning, and Sustainability Commissions, among other Commissions as needed.
 - A Council work session.
 - An online Open House to review the recommended actions and solicit feedback.
 - Social media and newsletter campaigns to encourage residents to learn more.
 - After this engagement process, City staff will present the Code/standard revisions to Council for consideration.

Timing: Public engagement, review and adoption will occur prior to each element of code changes going to Council.

Funding: Existing funding and staff time will be used to support outreach activities if possible. Based on staff workloads, external consultant support (and related funding) may be necessary.

External Collaboration: Partner agencies and community organizations will be asked to assist in reaching community members.

Conclusion

The work highlighted in this report represents the beginning of the Big Shift. As discussed in the Carbon Neutrality Plan, pursuing the Big Shift and meeting our climate goals will require difficult conversations and an honest acknowledgement of the tensions among community priorities and needs. This Project will help us meet these tensions with open dialogue and creative thinking. Because this Project is far-reaching and represents significant change from the status quo, City staff and leadership should expect lively conversations. Regular dialogue with the community will help the City to build community trust and find opportunities for productive discourse.