

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 98.39 ACRES OF REAL PROPERTY FROM RURAL RESIDENTIAL (40.47 ACRES) AND ESTATE RESIDENTIAL (57.92 ACRES) TO HIGHWAY COMMERCIAL (63.18 ACRES) AND PUBLIC FACILITIES (35.21 ACRES) AND ADDING THE RESOURCE PROTECTION OVERLAY TO APN 112-10-036, 112-10-037, AND 112-05-125 GENERALLY LOCATED AT 1120 W PURPLE SAGE TRAIL PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, Northern Arizona Healthcare Corporation, (“NAH”), has applied for a Concept Zoning Map Amendment to rezone approximately 98.39 acres of real property located within the City of Flagstaff, a legal description of which is provided in “Exhibit A” attached hereto and incorporated by this reference (“the Property”), from Rural Residential (RR) and Estate Residential (ER) zones to the Highway Commercial (HC) and Public Facilities (PF) zones and adding the Resource Protection Overlay (RPO) zone to APNs 112-10-036, 112-10-037, and 112-05-125 for the purpose of being developed with a regional hospital, ambulatory care center, and associated open space and civic space; and

WHEREAS, NAH conducted neighborhood meetings on January 6, 2022, January 18, 2022, and October 10, 2022 to discuss the proposed Concept Zoning Map Amendment with the surrounding community, as required by Section 10-20.50.40 of the Flagstaff Zoning Code; and

WHEREAS, the Planning and Zoning Commission has formally considered the proposed Concept Zoning Map Amendment application, following proper notice and a hearing on March 22, 2023, and April 12, 2023, and has recommended denial of the requested Zoning Map Amendment application; and

WHEREAS, the Council finds that NAH has complied with all application requirements set forth in Chapter 10-20 of the Flagstaff Zoning Code; and

WHEREAS, the Council has considered the recommendations of the Planning and Zoning Commission and has found it to be appropriate for the Property; and

WHEREAS, the Council has read and considered the staff reports prepared by the Planning & Development Services staff and all attachments to those reports, NAH’s application, the narrative provided by NAH, and all statements made by NAH and its representatives or agents during the presentation to Council, and the Council finds that the proposed Concept Zoning Map Amendment, subject to the conditions set forth below, meets the findings required by Section 10-20.50.040(F)(1)(a) of the Flagstaff Zoning Code.

ENACTMENTS:

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

FOLLOWS:

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

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

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

SECTION 4. The affected site is physically suitable in terms of location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities to ensure that the amendment requested in the application will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Zoning Map designation for the Property is hereby amended from the Rural Residential (RR) and Estate Residential (ER) zones to the Highway Commercial (HC) and Public Facilities (PF) zones as set forth in Exhibit A, and APNs 112-10-036, 112-10-037, and 112-05-125 are added to the Resource Protection Overlay (RPO) attached hereto and incorporated by reference.

SECTION 6. That the Zoning Map Amendment be further conditioned upon NAH's satisfaction of the following conditions:

CONDITIONS:

1. The subject property shall be developed in substantial conformance with the approved Specific Plan and concept zoning plan (included in the Specific Plan) and combined project narrative including but not limited to the density and intensity and general layout except as modified herein.
2. All on-site and off-site transportation improvements as identified in the approved TIA shall be completed prior to issuance of the first certificate of occupancy on the Property. Assurances shall be provided prior to the issuance of any building permits.
3. The intersection of Beulah Boulevard and Purple Sage Trail shall be designed and constructed to allow for the future underpass across I-17. Final design shall be approved by the City Engineer.
4. All intersections shall be designed and constructed as "protected intersections" for enhanced bicycle and pedestrian safety as feasible subject to the City Engineer's approval.
5. A fully staffed ladder company shall be relocated to Fire Station #6 per the approval of the Fire Department. If Fire Station #6 is not able to accommodate the new equipment and staff a new fire station shall be provided within the immediate vicinity of the existing station.
6. The Cosmic Ray Tunnel at Sheep's Trail Crossing shall be redesigned/reconstructed to work with the Beulah Boulevard improvements that include widening the road.
7. NAH shall provide at a minimum 20-minute shuttle service daily from the Property to the nearest transit stop. This shuttle service shall be open to the public (including employees) and shall not require additional fares.
8. Foundation landscaping may be located further than 25 feet from the building to comply

with Firewise landscaping requirements as recommended by the Wildfire Mitigation Analysis.

- 9. To mitigate the proposed building placement, a 60-foot front landscape buffer from Beulah Boulevard shall be provided with the intent of preserving as many mature Ponderosa Pine trees as possible.
- 10. All other requirements of the Zoning Code and other City codes, ordinances, and regulations shall be met by the proposed development as amended within the NAH Health Village Phase 1 Specific Plan.
- 11. All terms, conditions, and restrictions detailed within the "NAH Health Village Development Agreement" must be fully satisfied.
- 12. If the property is rezoned, and the applicant fails to obtain final Civil Plan approval within two (2) years of the effective date of the rezoning ordinance, then the City may schedule a public hearing before the City Council for the purpose of causing the zoning on the Property to revert to the former classification of Rural Residential (RR) and Estate Residential (ER) in accordance with A.R.S. § 9-462.01.

SECTION 7. That City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions, and intents of this Ordinance.

SECTION 8. If any section, subsection, sentence, clause, phrase, or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 9. Effective Date

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

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 16th day of May 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:
Legal Description