

**ORDINANCE NO. 2024-22**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “PZ-24-00008 – CONCEPT PLAN REVIEW, ACCESSORY STRUCTURES, ACCESSORY USES, HOME OCCUPATIONS, AND BASEMENT, BASEMENT GARAGES, BUILDING STEM WALLS, CRAWL SPACES AND PODIUM PARKING”; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, the City of Flagstaff wishes to amend the following sections of the Flagstaff Zoning Code: Section 10-20.30.050, Concept Plan Review, to remove the requirements for Duplex Dwelling to go through Concept Plan Review; Section 10-40.60.020, Accessory Structures, to clarify requirements for accessory structures; Section 10-40.60.020, Accessory Uses, to clarify requirements for accessory uses; Section 10-40.60.180, Home Occupations, to align size allowances with building codes; Section 10-50.20.030, Architectural Standards, to incorporate standards for Basements, Basement Garages, Building Stem Walls, Crawl Spaces, and Podium Parking Structures, and to delete Division 10-50.25: Basements, Basement Garages, Building Stem Walls, Crawl Spaces, and Podium Parking Structure Walls; and

WHEREAS, a citizen review session was held at the Planning Commission work session on September 11, 2024, to discuss the proposed Zoning Code text amendments in accordance with Section 10-20.50.040 of the Flagstaff Zoning Code; and

WHEREAS, the Planning and Zoning Commission held a public hearing on September 25, 2024, and provided a recommendation to City Council on the proposed Zoning Code text amendments; and

WHEREAS, the Council has read and considered the staff report prepared by the Planning and Development Services section of the Community Development division and all attachments to those reports, and the Council finds that the proposed Zoning Code text amendments are in conformance with the General Plan, and the findings of Section 10- 20.50.040 of the Flagstaff Zoning Code have been met; and

WHEREAS, that certain document known as “PZ-24-00008 – *Concept Plan Review, Accessory Structures, Accessory Uses, Home Occupations, and Basement, Basement Garages, Building Stem Walls, Crawl Spaces and Podium Parking*”, one (1) paper copy and one (1) electronic copy of which are on file with the City Clerk in compliance with A.R.S. § 44-7041, was declared to be a public record by Resolution No. 2024-37.

**ENACTMENTS:**

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

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

SECTION 2. That certain document known as “PZ-24-00008 – *Concept Plan Review, Accessory Structures, Accessory Uses, Home Occupations, and Basement, Basement Garages, Building Stem Walls, Crawl Spaces and Podium Parking*”, one (1) paper copy and (1) electronic copy of which are on file in the office of the City Clerk of the City of Flagstaff, Arizona, and which document is declared a public record by Resolution No. 2024-37 of the City of Flagstaff, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance and its provisions are hereby declared to amend the Flagstaff City Code, replacing and superseding the existing relevant provisions of the City Code, as set forth therein.

SECTION 3. The amendment is consistent with and conforms to the goals of the Regional Plan (General Plan).

SECTION 4. The amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, and will add to the public good as described in the General Plan.

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

SECTION 6. Repeal of Conflicting Ordinances

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

SECTION 7. Severability

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

SECTION 8. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 9. Effective Date

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

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 15th day of October 2024.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY