

**ORDINANCE NO. 2024-28**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF AMENDING THE FLAGSTAFF CITY CODE, TITLE 11, GENERAL PLANS AND SUBDIVISIONS, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “PZ-24-00009 – SUBDIVISION PROCESS”; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, the City of Flagstaff wishes to amend Flagstaff City Code Title 11: General Plans and Subdivisions, Chapter 11-20: Subdivision and Land Split Regulations; and

WHEREAS, a citizen review session was held at the Planning and Zoning Commission work session on October 9, 2024, to discuss the proposed City Code amendment; and

WHEREAS, the Planning and Zoning Commission held a public hearing on October 23, 2024, and provided a recommendation to City Council on the proposed City Code text amendment; 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 City Code amendment is in conformance with the General Plan, and the findings of Section 10- 20.50.040 of the Flagstaff Zoning Code have been met; and

WHEREAS, that certain document known as “PZ-24-00009 – Subdivision Process”, 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. 2024-45.

**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-24-00009 – Subdivision Process,” one (1) paper copy and one (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. 2024-45 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 City Code.

SECTION 6. The criminal penalties for violations of Chapter 11-20 are as follows:

11-20.120.010 Violations

A. It shall be a Class 1 misdemeanor to achieve or attempt to achieve a land split or combination or to establish or attempt to establish a subdivision of any land within the City of Flagstaff without first having obtained the approval of the City Council or Director as required by this Chapter.

B. It shall be a Class 1 misdemeanor to record or attempt to record a subdivision plat or land spit or combination map with the Coconino County Recorder if such plat or map includes any land within the City and such plat or map has not been given approval by the City Council or Director, or the necessary certifications and signatures of approval have not been obtained as required by this Chapter.

SECTION 7. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 8. 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 9. 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 10. 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 3rd day of December 2024.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY