RESOLUTION NO. 2026-2465

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, RESCINDING ASSESSMENT OF DEVELOPMENT IMPACT FEES AS APPROVED IN RESOLUTION #2023-2300, ENACTING NEW DEVELOPMENT IMPACT FEES, AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW

WHEREAS, ARS §9-463.05 provides for imposition of development impact fees by Arizona cities and towns to offset costs associated with providing "necessary public services" to new development; and

WHEREAS, on March 22, 1995, the Town Council adopted Ordinance No. 357 establishing a procedure for adoption of development impact fees in accordance with ARS §9-463.05; and

WHEREAS, beginning with Resolution No. 624 (April 27, 1995), the Council has implemented certain development impact fees from time to time in order to provide necessary public services related to new development; and

WHEREAS, by Resolution No. 1461 (September 14, 2006), the Council adopted development impact fees, including a Circulation System Fee, a Public Safety Fee, a Recreation, Parks & Open Space Fee, a Civic Fee, and a Library Fee, but continued the prior suspension of the application of the Circulation System, Public Safety and Civic Fees against non-residential development (which suspension was subsequently extended by Resolutions No. 1590, No. 1712, and No. 1775); and

WHEREAS, to comply with revisions to ARS §9-463.05 made by the state legislature at the behest of home builders in SB 1525, the Town Council adopted Resolution No. 1775 on Dec 8, 2011 which rescinded assessment of the civic development impact fee and discontinued application of any development impact fees on schools (as of January 1, 2012), reconfirmed assessment of the library development impact fee until such time as the town’s certificates of participation, series 2007, have been paid in full and the General Fund reimbursed for any loans made to the library impact fee fund, and extended the suspension of assessment of the circulation system and public safety development impact fees against non-residential development until August 1, 2014; and

WHEREAS, ARS §9-463.05 no longer permits collection of development impact fees for large library facilities similar to the Town's "joint facility", but expressly provides for continuation of assessing such fees if they have previously been used to pay financing costs for such facilities for so long as such financing obligations may continue; and

WHEREAS, ARS §9-463.05 requires that certain development impact fees apply to all categories of development (unless the costs thereof are reimbursed from the general fund); and

WHEREAS, on May 15, 2014 the Town Council adopted Resolution 1878, providing revised development impact fees for Circulation System, Public Safety, and Parks fees and continuing the Library Fee until such time that related debt service payments and loans made by the General Fund to the Library Impact Fee Fund were repaid; and

WHEREAS, the Town Council adopted Amendment #1 to the 2014 Infrastructure Improvement Plan on July 27, 2017 (and subsequently adopted Amendment #2 on September 27, 2018); and

WHEREAS, on November 6, 2018 the Town posted a notice of "Determination of No Change to Infrastructure Improvement Plan (With Minor Amendments), Land Use Assumptions, or Fee Report" on the Town's website; and

WHEREAS, on February 23, 2023 the Town Council adopted Resolution 2023-2300, providing revised development impact fees for Circulation System, Public Safety, and Parks fees and continuing the Library Fee until such time that related debt service payments and loans made by the General Fund to the Library Impact Fee Fund were repaid; and

WHEREAS, the Council desires now to take certain actions required by ARS §9-463.05 with regard to its current development impact fees;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA, AS FOLLOWS:

SECTION 1. That the development impact fees assessed in Resolution No. 2023-2300 are hereby repealed as of January 25th, 2029 at close of business.

SECTION 2. That development impact fees shall be assessed for the following categories:

1. That a Circulation System Fee is hereby assessed on all development within the corporate limits of the Town of Prescott Valley. Said fee shall be –

Residential	
Single-Family	$3,616.00 per unit
Multi-Family	$2,457.00 per unit

Non-Residential	
Retail	$ 3.26 per square foot
Commercial/Office	$ 2.13 per square foot
Industrial	$ 0.98 per square foot

and shall be applicable on and after the effective date established hereinafter.

2. That a Public Safety Fee is hereby assessed on all development within the corporate limits of the Town of Prescott Valley. Said fee shall be –

Residential	
Single-Family	$ 676.00 per unit
Multi-Family	$ 596.00 per unit

Non-Residential	
Retail	$ 1.74 per square foot
Commercial/Office	$ 0.52 per square foot
Industrial	$ 0.24 per square foot

and shall be applicable on and after the effective date established hereinafter.

3. That a Parks fee is hereby assessed on all development within the corporate limits of the Town of Prescott Valley. Said fee shall be–

Residential	
Single-Family	$ 1,654.00 per unit
Multi-Family	$ 1,458.00 per unit

Non-Residential	
Retail	$0.52 per square foot
Commercial/Office	$0.69 per square foot
Industrial	$0.27 per square foot

and shall be applicable on and after the effective date established hereinafter.

4. That a Library Fee is hereby assessed on all residential development within the corporate limits of the Town of Prescott Valley. Said fee shall be –

Residential	
Single-Family	$ 1,589.00 per unit
Multi-Family	$ 998.00 per unit

Non-Residential	
Retail	NA
Commercial/Office	NA
Industrial	NA

and shall be applicable on and after the effective date established hereinafter.

However, said fee shall no longer be assessed hereby upon the payment in full of those certain Town Certificates of Participation, Series 2007, heretofore issued for financing of the Town's Joint Facilities Building, or any refunding bonds issued to obtain lower financing rates, and the General Fund repaid for any loans made to the Library Impact Fee Fund.

5. That, with respect to administration of these development impact fees, an individualized determination shall be made as to what credits or offsets (if any) shall be applied to the allocated fees in accordance with Town Code Article 7-11 (as amended).

6. That payment of the development impact fees adopted herein shall be required at the time of issuance of the first building/zoning permit required of development by §301 of the Uniform Administrative Code (as adopted and amended in Chapter 7 of the Town Code) and § 13-27-020 of the Town Code (as amended), expressly excluding grading and drainage permit~ or any other preliminary permits not related to actual construction of buildings or structures.

7. That the development impact fees adopted herein shall be effective on and after January 26th, 2029, and shall therefore apply to required building/zoning permits for which a complete application is submitted on or after that date.

SECTION 3. That this Resolution shall be effective after its passage and approval according to law.

RESOLVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona this 12th day of November, 2026.

_____
Kell Palguta, Mayor

ATTEST:

_____
Fatima Fernandez, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney