



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 391

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING THE SAN LUIS CITY CODE ON BUILDING REGULATIONS SECTION 150.014 BY ADDING SUBSECTION 150.014(C) TRAFFIC IMPACT STUDIES; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, development of property is not confined to development of subdivisions;

WHEREAS, development of property can impact both the amount as well as the flow of traffic on adjacent and nearby streets and roads;

WHEREAS, the City Council finds that the impact of development of property can severely impact both traffic count and traffic flow on arterial roads, truck routes, and roadways of regional significance if appropriate improvements or infrastructure are not constructed contemporaneously with said property development;

WHEREAS, the City Council finds that the existence of school zones and school crossings pose a particular significant impediment to both count and flow of traffic on arterial roads, roads of regional significance, and truck routes;

WHEREAS, provision for proper infrastructure on streets and roads is necessary to provide for public health and safety;

WHEREAS, the City Council finds that the development of property should bear the burden of infrastructure needed or necessary to ameliorate the problems associated with traffic as a result of the aforementioned development of property; and

WHEREAS, property is not developed until the issuance of a building permit;

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of San Luis, Arizona, as follows:

Section 1. Section 150.014 of the San Luis City Code entitled Additional Regulations is amended to add subsection 150.014 (C) as follows:

(C) *Traffic Impact Studies.* As a building code requirement for the

development of any structure or subdivision, if a proposed development is expected to generate traffic requiring a traffic impact study as provided by the Public Works Standards of the City of San Luis, involves a public or private school or other educational institution, or other institution, such study shall be required. The property owner or the developer shall have such study conducted at their expense in accordance with said Public Works Standards and shall construct or provide for the construction and/or development of all improvements required by the said study as a condition for issuance of any permit authorizing construction or development. Improvements required by such study shall include such improvements as may be needed so that no school zone or school crossing shall be established or otherwise needed on a roadway of regional significance, an existing arterial road, or a future arterial road, as shown on Exhibit 4.1, the Transportation Circulation Plan to City of San Luis General Plan 2020.

Section 2. If a conflict arises between the provisions of this Ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance 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 4. Whereas, it is necessary for the preservation of the peace, health and safety of the City of San Luis, Arizona, an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting hereof.

PASSED, ADOPTED and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona this ____ day of July, 2019.

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

Kay Marion Macuil

Kay Marion Macuil, City Attorney