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TITLE 10

DEVELOPMENT PROCEDURES

CHAPTER 10-1 – APPLICABILITY AND DEFINITIONS

Article 10-1.01 - Appeal To appeal an administrative decision concerning the zoning ordinance.

Article 10-1.02 - Applicant The owner, mortgagee, or lessee of the property which is the subject of one of these procedures; or an authorized official acting on behalf of the City.

Article 10-1.03 - Conditional Use A process to review conditional uses as listed in the zoning ordinance. (Ord. 747 §3(part), 1995)

Article 10-1.04 - Departmental Review Team A City staff committee chaired by the Planning and Zoning Official and consisting of the following standing members: City Manager, Police Chief, Fire Chief, Water Superintendent, Street Superintendent, and Sanitation Superintendent. The following Ex Officio members will also serve as needed when requested by the Chairman: Contract Planner, Contract City Engineer, City Clerk, Parks and Recreation Director, Golf Course Superintendent, three (3) members of the Historic Preservation Commission, one (1) representative from the Main Street Design Committee and the Airport Advisory Commission Chairman. (Ord. 895, 2008; Ord. 747 §3(part), 1995)

Article 10-1.05 - Development Master Plan To provide for a general plan for development of a large or complicated tract of land.

Article 10-1.06 - Development Procedures, Subdivision or Zoning Ordinance Amendment To change the provisions of the Development Procedures, Subdivision or Zoning Ordinance.

Article 10-1.07 - Minor Subdivision The process required by the City to accomplish a land split; or the division of land into two (2) or three (3) lots when a new street is not involved; or the division of land into more than two (2) parts and when the boundaries of such property have been fixed by a recorded plat.

Article 10-1.08 - Plot Plan Regular and Plot Plan Historic District Required for all building permit requests for a new building or an addition to an existing building; and/or any construction or modification or demolition of a parking lot or an existing structure which would affect the exterior appearance of an existing building or sign within a historic preservation zoning district.

Article 10-1.09 - Property Line Adjustment To move the location of a property line in a platted subdivision provided the remaining parcels meet all zoning requirements.

Article 10-1.10 - Rezoning To change the zoning of a parcel of land.

Article 10-1.11 - Special Use Permit A process to review special uses. Special uses are those uses that are temporary, or do not require a building permit, and are not specifically prohibited in the zoning district in which located.

Article 10-1.12 - Site Plan Required for any request that involves more than one principal building on a single lot.

Article 10-1.13 - Subdivision To divide a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions for the purpose of sale or building development.

Article 10-1.14 - Vacation To rescind easement and right-of-way dedications.

Article 10-1.15 - Variance To request a variance from the provisions of the zoning ordinance. (Ord. 747 §3(part), 1995)

CHAPTER 10-2 – PROCEDURES

Article 10-2.01 - Conditional Use Permit, Development Master Plan, Minor Subdivision, Plot Plan Historic District, Rezoning, Subdivision, Site Plan, and Vacation.

- (a) The applicant shall submit the necessary application (Chapter 10-3), plans (Chapter 10-3), and fees (Chapter 10-4) to the City.
- (b) The City will review the information to ensure that all submittal requirements have been met. The applicant will be notified in writing of any deficiencies within five (5) working days. The application will not be processed until it includes all submittal requirements. (Ord. 747 §3(part), 1995)
- (c) The Planning & Zoning Official shall refer the application to the Departmental Review Team and shall schedule the completed application for a Departmental Review Team meeting to be held within thirty (30) days of the submittal of the completed application. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (d) The applicant must be present at the review meeting to present and explain the application. If the applicant does not attend the meeting, the application will not be considered. (Ord. 747 §3(part), 1995)
- (e) All Departmental Review Team recommendations, practical concerns and technical requirements shall be in writing and shall be presented to the applicant at the Departmental Review Team meeting. If any City department does not present written comments at this meeting, the Planning & Zoning Official will notify the applicant that the subject department has no concerns or comments. The subject department will not be able to develop comments or concerns later in the process without a written authorization from the City Manager. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (f) Plot Plan Historic District
 - (1) Applicant meets with the Planning & Zoning Official to review recommendations of the various departments. Further consultation with the various reviewing departments may be necessary to reach agreement on changes in the plot plan. Design and service oriented issues (not code or ordinance requirements) may be appealed to the Planning and Zoning Commission for final determination. Requirements dealing with Historic Preservation issues may be appealed to the Historic Preservation Commission. Requirements dealing with Main Street issues may be appealed to the Main Street Design Committee. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
 - (2) The applicant shall make final changes as agreed and submit four copies of the approved plot plan to the Planning & Zoning Official. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
 - (3) The City Engineer will then prepare a memorandum of agreement for public improvements setting forth the applicant's financial assurance that all required public improvements will be completed to City standards, requirements, and specifications (Chapter 10-7). These shall include half-street improvements for any portion of a street that abuts the property. The memorandum of agreement for public

- improvements must be signed by the applicant prior to issuance of the building permit. (Ord. 904, 2008; Ord. 747 §3(part), 1995)
- (4) The applicant is then eligible for a building permit and submits the following to the Chief Building Official:
 - (A) Building permit application form.
 - (B) Two sets of building plans. (Ord. 747 §3(part), 1995)
 - (5) The building plans will then be reviewed by the City Staff or referred to the City's architecture or engineering consultant. (Ord. 747 §3(part), 1995)
 - (6) The building permit is issued by the Chief Building Official upon approval of the application and building plans and payment of the required fees. (Ord. 747 §3(part), 1995)
- (g) Minor Subdivisions
- (1) For minor subdivisions a public hearing by the Planning and Zoning Commission or City Council is not required.
 - (2) The Departmental Review Team shall approve or disapprove applications for minor subdivisions.
 - (3) The applicant will have the option of amending the application to satisfy all of the issues raised by the Departmental Review Team or submitting a letter of appeal to the City Council that will explain which of the concerns are not being satisfied and why.
 - (4) Upon approval of the minor subdivision the applicant shall comply with all engineering plans and financial security agreements as required by Chapter 10-3, Article 10-3.03 of this title.
 - (5) Upon approval of the above, the City Planner shall cause the original minor subdivision plat to be signed, and recorded with the Coconino County Clerk and Recorder. (Ord. 747 §3(part), 1995)
- (h) For all other applications, the applicant will have the option of amending the application to satisfy all of the issues raised by the Departmental Review Team or submit a letter addressed to the Planning and Zoning Commission which will explain which of the concerns are not being satisfied and why. (Ord. 747 §3(part), 1995)
- (i) As soon as the Planning & Zoning Official receives an amended application, if applicable, and/or a letter of explanation, both of which combined address all of the issues raised by the Departmental Review Team, the application shall be scheduled for the next available Planning and Zoning Commission meeting. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
 - (j) The Planning & Zoning Official shall send notice of public hearing to all property owners within the property and within three hundred (300') feet of the request (list of names and addresses and stamped, addressed envelopes to be provided by the applicant) and shall publish a legal notice of the public hearing a minimum of fifteen (15) days prior to the Planning and Zoning Commission public hearing. In addition the Planning & Zoning

Official shall place a public hearing notice on the property a minimum of fifteen (15) days prior to the public hearing. (Ord. 895, 2008; Ord. 747 §3(part), 1995)

- (k) If more than one (1) year elapses between the Departmental Review Team decision date and the time when all concerns are met or a written statement is provided, the application must be reviewed again by the Departmental Review Team to ensure that the prior issues, concerns and technical requirements are still applicable. (Ord. 747 §3(part), 1995)
- (l) The Planning & Zoning Official shall prepare a staff report for the Planning and Zoning Commission. This report shall be forwarded to the Planning and Zoning Commission and the applicant a minimum of five (5) days prior to the Commission meeting. The report shall contain a summary and copy of the written comments received from the reviewing departments. In addition, the report at a minimum, shall review the extent to which the application is consistent with the General Plan, other adopted City regulations, policies and procedures, and a recommendation for approval or denial, conditions if applicable, and reasons for the recommendation. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (m) The Planning and Zoning Commission shall hear the application at public hearing and make a recommendation at a regularly scheduled or special meeting. Any decision by the Planning and Zoning Commission shall be made and recorded by motion. (Ord. 747 §3(part), 1995)
- (n) The Planning & Zoning Official shall not forward the application in final form to the City Council until all concerns of the Planning and Zoning Commission have been met unless the applicant submits a detailed written statement to the City Council explaining why the conditions or concerns are not or cannot be met. Upon compliance, the Planning & Zoning Official shall schedule the application for the next available City Council meeting. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (o) The City Council shall hear the application at public hearing and make a decision on the application at a regularly scheduled or special meeting. The City Council may approve, approve with conditions, or deny the application request. If the City Council decides to approve the application request, the City Attorney will be directed to prepare an ordinance approving the application request. In addition, the City Engineer will be directed to prepare a memorandum of agreement for public improvements (Chapter 10-7) setting forth the applicants financial assurance that all required public improvements will be completed to City standards, requirements, and specifications. These shall include half-street improvements for any portion of a street that abuts the property. The memorandum of agreement for public improvements must be signed by the applicant prior to final decision by the City Council. City Council approval shall be made and recorded by ordinance. (Ord. 904, 2008; Ord. 747 §3(part), 1995)
- (p) Upon approval, the Planning & Zoning Official shall cause the original Subdivision Plat, Site Plan, Vacation or Annexation map to be signed, and recorded with the Coconino County Clerk and Recorder. (Ord. 895, 2008; Ord. 747 §3(part), 1995)

Article 10-2.02 - Development Procedures, Subdivision or Zoning Ordinance Amendment

- (a) The applicant shall submit a written request detailing the requested amendment and fees (Chapter 10-4) to the Planning & Zoning Official. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (b) The City will review the information to ensure that all submittal requirements have been met. The applicant will be notified in writing of any deficiencies within five (5) working days. The application will not be processed until it includes all submittal requirements. (Ord. 747 §3(part), 1995)
- (c) The Planning & Zoning Official shall refer the application to the Departmental Review Team and shall schedule the completed application for a Departmental Review Team meeting to be held within thirty (30) days of the submittal of the completed application. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (d) The applicant must be present at the review meeting to present and explain the application. If the applicant does not attend the meeting, the application will not be considered. (Ord. 747 §3(part), 1995)
- (e) All Departmental Review Team recommendations, practical concerns and technical requirements shall be in writing and shall be presented to the applicant at the Departmental Review Team meeting. If any City department does not present written comments at this meeting, the Planning & Zoning Official will notify the applicant that the subject department has no concerns or comments. The subject department will not be able to develop comments or concerns later in the process without a written authorization from the City Manager. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (f) The applicant will have the option of amending the application to satisfy all of the issues raised by the Departmental Review Team or submitting a letter addressed to the Planning and Zoning Commission that will explain which of the concerns are not being satisfied and why. (Ord. 747 §3(part), 1995)
- (g) As soon as the Planning & Zoning Official receives an amended application, if applicable, and/or a letter of explanation, both of which combined address all of the issues raised by the Departmental Review Team, the application shall be scheduled for the next available Planning and Zoning Commission meeting. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (h) The Planning & Zoning Official shall publish a legal notice of the public hearing a minimum of fifteen (15) days prior to the Planning and Zoning Commission public hearing. In addition the Planning & Zoning Official shall place a public hearing notice on the property a minimum of fifteen (15) days prior to the public hearing. In addition, in proceedings involving one or more of the following proposed changes or related series of changes to the zoning ordinance, notice shall be provided in the manner prescribed in subsection (i) of this section:
 - (1) An increase or reduction of ten per cent (10%) or more in the number of square feet or units that may be developed.

- (2) An increase or reduction of ten per cent (10%) or more in the allowable height of buildings.
 - (3) An increase or reduction in the allowable number of stories of buildings.
 - (4) An increase or reduction of ten per cent (10%) or more in setback or open space requirements.
 - (5) An increase or reduction in permitted uses. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (i) In proceedings governed by subsection (i) of this section, the Planning & Zoning Official shall provide notice to real property owners pursuant to at least one of the following notification procedures:
 - (1) Notice shall be sent by first class mail to each real property owner, as shown on the last County assessment, whose real property is directly governed by the changes and those within 300 feet of those directly affected;
 - (2) Include notice of such changes with utility bills or other mailings;
 - (3) The City shall publish such changes prior to the first hearing on such changes in a newspaper of general circulation in the municipality. The changes shall be published in a “display ad” covering not less than one-eighth of a full page. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
 - (j) The Planning & Zoning Official shall prepare a staff report for the Planning and Zoning Commission. This report shall be forwarded to the Planning and Zoning Commission and the applicant a minimum of five (5) days prior to the Commission meeting. The report shall contain a summary and copy of the written comments received from the reviewing departments. In addition, the report at a minimum, shall review the extent to which the application is consistent with the General Plan, other adopted City regulations, policies and procedures, and a recommendation for approval or denial and reasons for the recommendation. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
 - (k) The Planning and Zoning Commission shall hear the application at public hearing and make a recommendation at a regularly scheduled or special meeting. Any decision by the Planning and Zoning Commission shall be made and recorded by motion. (Ord. 747 §3(part), 1995)
 - (l) The Planning & Zoning Official shall schedule the application for the next available City Council meeting. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
 - (m) The City Council shall hear the application at public hearing and make a decision on the application at a regularly scheduled or special meeting. The City Council may approve, approve with conditions, or deny the application request. If the City Council decides to approve the application request, the City Attorney will be directed to prepare an ordinance approving the application request. City Council approval shall be made and recorded by ordinance. (Ord. 747 §3(part), 1995)

Article 10-2.03 - Appeal, Variance

- (a) The applicant shall submit the required fees, (Chapter 10-4), and a written request explaining the appeal/variance, to the City Planner. (Ord. 747 §3(part), 1995)
- (b) As soon as the Planning & Zoning Official receives a complete application, the application shall be scheduled for the next available Board of Adjustment meeting. If the application concerns property located within the Historic Preservation Zoning District, a copy of the application shall also be forwarded to the Historic Preservation Commission and to the Main Street Design Committee for their review and recommendation(s), if any, which must be provided a minimum of seven (7) days prior to the Board of Adjustment meeting. This will allow their recommendation(s) to be included in the required staff report. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (c) The Planning & Zoning Official shall send notice of public hearing to all property owners within the subject property and within three hundred (300') feet of the request (list of names and addresses and stamped, addressed envelopes to be provided by the applicant) and shall publish a legal notice of the public hearing a minimum of fifteen (15) days prior to the Board of Adjustment public hearing. In addition the Planning & Zoning Official shall place a public hearing notice on the property a minimum of fifteen (15) days prior to the Board of Adjustment public hearing. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (d) The Planning & Zoning Official shall prepare a staff report for the Board of Adjustment. This report shall be forwarded to the Board of Adjustment and the applicant a minimum of five (5) days prior to the Board of Adjustment meeting. The report at a minimum, shall review the extent to which the application is consistent with the General Plan, other adopted City regulations, policies and procedures, including the Board of Adjustment provisions contained within the zoning ordinance, and shall include a recommendation for approval or denial, conditions if applicable, and reasons for the recommendation. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (e) The Board of Adjustment shall hear the application at public hearing and make a decision at a regularly scheduled or special meeting. Any decision by the Board of Adjustment shall be made and recorded by motion and shall be consistent with the Board of Adjustment section of the zoning ordinance. (Ord. 747 §3(part), 1995)
- (f) Appeals from the Board of Adjustment decision shall be consistent with the Board of Adjustment section of the zoning ordinance. (Ord. 747 §3(part), 1995)

Article 10-2.04 - Plot Plan and Building Permit

- (a) A plot plan (Chapter 10-3, Section 1) along with required fees (Chapter 10-4) shall be submitted to the City Planner. (Ord. 747 §3(part), 1995)
- (b) For work within the Main Street District, including the Historic Preservation District, copies of the plot plan and supporting documents shall be forwarded to the Main Street Design Committee for review. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (c) The applicant shall consult with the Chief Building Official for general information regarding requirements for plot plan and building permit applications and special

considerations pertaining to the site. A sketch plan should be brought in for more complex projects to show the concept of the site development. (Ord. 747 §3(part), 1995)

- (d) Each reviewing City Department shall review all plot plan applications on Monday and/or Tuesday of each week and upon review shall approve or shall approve subject to specific conditions being met. This ensures that all applications shall be reviewed by staff within six (6) working days. (Ord. 747 §3(part), 1995)
- (e) Applicant meets with the Chief Building Official to review recommendations of the various departments. Further consultation with the various reviewing departments may be necessary to reach agreement on changes in the plot plan. Design and service oriented issues (not code or ordinance requirements) may be appealed to the Planning and Zoning Commission for final determination. (Ord. 747 §3(part), 1995)
- (f) The applicant shall make final changes as agreed and submit four copies of the approved plot plan to the Chief Building Official. (Ord. 747 §3(part), 1995)
- (g) The City Engineer will then prepare a memorandum of agreement for public improvements setting forth the applicant's financial assurance that all required public improvements will be completed to City standards, requirements, and specifications (Chapter 10-7). The memorandum of agreement for public improvements must be signed by the applicant prior to issuance of the building permit. (Ord. 747 §3(part), 1995)
- (h) The applicant is then eligible for a building permit and submits the following to the Chief Building Official:
 - (1) Building permit application form.
 - (2) Two sets of building plans. (Ord. 747 §3(part), 1995)
- (i) The building plans will then be reviewed by the City Staff or referred to the City's architecture or engineering consultant. (Ord. 747 §3(part), 1995)
- (j) The building permit is issued by the Chief Building Official upon approval of the application and building plans and payment of the required fees. (Ord. 747 §3(part), 1995)

Article 10-2.05 - Property Line Adjustment

- (a) A property line in a platted subdivision may be adjusted by any amount if the following conditions are met:
 - (1) The adjustment will only affect two adjacent lots.
 - (2) Both adjusted lots will meet all requirements of the zoning code. (Ord. 747 §3(part), 1995)
- (b) An improvement survey is filed with the Planning & Zoning Official showing the original lot lines, the new lot lines, square footage of each lot, any improvements on either lot, all setback dimensions and other information that is necessary to ensure that both new lots will conform to the provisions of the zoning code. (Ord. 895, 2008; Ord. 747 §3(part), 1995)

- (c) The Planning & Zoning Official will review the improvement survey and will approve the property line adjustment if both adjusted lots meet all requirements of the zoning code. (Ord. 895, 2008; Ord. 747 §3(part), 1995)

Article 10-2.06 - Subdivision Final Plat

- (a) The applicant shall submit the necessary application (Chapter 10-3), plans (Chapter 10-3) and fees (Chapter (10-4) to the City. (Ord. 747 §3(part), 1995)
- (b) The City will review the information to ensure that all submittal requirements have been met. The applicant will be notified in writing of any deficiencies within five (5) working days. The application will not be processed until it includes all submittal requirements. (Ord. 747 §3(part), 1995)
- (c) The Planning & Zoning Official shall refer the application to the Departmental Review Team and shall schedule the completed application for a Departmental Review Team hearing to be held within thirty (30) days of the submittal of the completed application. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (d) The applicant must attend the review meeting to present and explain the application. If the applicant does not attend the meeting, the application will not be considered. (Ord. 747 §3(part), 1995)
- (e) All Departmental Review Team recommendations, practical concerns and technical requirements shall be in writing and shall be presented to the applicant at the Departmental Review Team meeting. If any City department fails to present written comments at this meeting, the Planning & Zoning Official will notify the applicant that the subject department has no concerns or comments. The subject department be able to develop comments or concerns later in the process only with written authorization from the City Manager. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (f) If more than one (1) year elapses between the Departmental Review Team decision date and the time when all concerns are met or explained in writing, the application must be reviewed again by the Departmental Review Team to ensure that the prior issues, concerns and technical requirements are still applicable. (Ord. 747 §3(part), 1995)
- (g) The Planning & Zoning Official shall not forward the application in final form to the City Council until all concerns of the Departmental Review Team have been met unless the applicant submits a detailed written statement to the City Council explaining why the conditions or concerns are not or cannot be met. Upon compliance, the Planning & Zoning Official shall schedule the application for the next available City Council meeting. (Ord. 895, 2008; Ord. 747 §3(part), 1995)
- (h) The City Council shall hear the application and make a decision on the application at a regularly scheduled or special meeting. The City Council may approve, approve with conditions or deny the application request. If the City Council decides to approve the application request, the City Attorney will be directed to prepare an ordinance approving the application request. In addition, the City Engineer will be directed to prepare a memorandum of agreement for public improvements (Chapter 10-7) setting forth the

applicant's financial assurance that all required public improvements will be completed to City standards, requirements and specifications. These shall include half-street improvements for any portion of a street that abuts the property. The memorandum of agreement for public improvements must be signed by the applicant prior to final decision by the City Council. City Council approval shall be made and recorded by ordinance. (Ord. 904, 2008; Ord. 747 §3(part), 1995; Ord. 773 §1, 1997)

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CHAPTER 10-3 – APPLICATION REQUIREMENTS

Article 10-3.01 - Water Agreement requirement

- (a) For Conditional Use Permits, Development Master Plans, Minor Subdivisions, Rezoning, Subdivision (including both Preliminary and Final Plat), Preliminary and Final Site Plans and Vacation Requests, in addition to the information required for review as set forth below, there must be a water agreement between the applicant and the City.
- (b) Water agreements will be prepared in accordance with policies established by the City Council, as may be amended from time to time.

Article 10-3.02 - Conditional Use Permit

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed application and fees
 - (2) Proof of ownership (title policy) and owner's written authorization
- (b) Information required directly on plans (twenty-five [25] copies of each to be submitted with application -
Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")
 - (1) Date, north arrow and engineer's scale, 1" = 200' or larger
 - (2) Name of project
 - (3) Property address or location
 - (4) Vicinity map at ½ mile radius
 - (5) Legal description complete
 - (6) Registered surveyor's name and address
 - (7) Total acreage
 - (8) Latitude, longitude and elevation of property corners
 - (9) Zoning on and adjacent to site
 - (10) Names and dimensions of adjacent streets
 - (11) Dimensions and square footage of each lot
 - (12) Lot and block numbers
 - (13) Proposed street names
 - (14) Existing/proposed adjacent street improvements showing pavement widths and intersecting streets
 - (15) Existing/proposed rights-of-way in and adjacent
 - (16) Existing/proposed easements in and adjacent
 - (17) Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent

- (18) Existing/proposed curb cuts in and adjacent
 - (19) Existing/proposed waterways and ditches in and adjacent
 - (20) Topography acceptable to the City Engineer
 - (21) Existing/proposed flood plain lines on and adjacent
 - (22) Statement on how drainage will be handled
 - (23) A statement: all, part or none of the property is in the flood plain
 - (24) Existing/proposed structures and paved areas on the site
 - (25) All public sites to be reserved or dedicated (parks, streets, etc.)
 - (26) Landscape plan
 - (27) Percentage of land devoted to buildings, parking & drives, sidewalks and landscaping in table form
 - (28) Number of employees for non-residential uses and required parking spaces
 - (29) Proposed use of site
 - (30) Gross and net residential densities of each parcel
 - (31) Phasing plan
- (c) Information required for review-to be submitted with application (one [1] copy of each except as noted)
- (1) Capacity and need for water and for sewer
 - (2) Stamped, addressed envelopes for all property owners within 300 feet of proposed development
 - (3) Construction schedule
 - (4) Traffic impact analysis (3 copies)
 - (5) Drainage report (3 copies)
 - (6) Soil report sealed by a registered engineer (3 copies)
 - (7) Water Agreement (3 copies)
- (d) Additional information required prior to recording (one [1] copy of each to be submitted to Planning and Zoning Official after final City Council approval)
- (1) Final street plans and profiles stamped by a registered engineer
 - (2) Final drainage plan stamped by a registered engineer
 - (3) Final utility plan stamped by a registered engineer
 - (4) Final landscaping plan
 - (5) Financial security agreements

Article 10-3.03 - Development Master Plan

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed application and fees
 - (2) Proof of ownership (title policy) and owner's written authorization
- (b) Information required directly on plans (twenty-five [25] copies of each to be submitted with application -
Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")
 - (1) Date, north arrow and engineer's scale, 1" = 200' or larger
 - (2) Name of project
 - (3) Property address or location
 - (4) Vicinity map at ½ mile radius
 - (5) Legal description complete
 - (6) Total acreage
 - (7) Requested zoning districts with size of each
 - (8) Zoning on and adjacent to site
 - (9) Names and dimensions of adjacent streets
 - (10) Proposed street names
 - (11) Existing/proposed adjacent street improvements showing pavement widths and intersecting streets
 - (12) Existing/proposed rights-of-way in and adjacent
 - (13) Existing/proposed easements in and adjacent
 - (14) Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent
 - (15) Existing/proposed waterways and ditches in and adjacent
 - (16) Topography acceptable to the City Engineer
 - (17) Statement on how drainage will be handled
 - (18) Existing/proposed flood plain lines on and adjacent
 - (19) Existing/proposed structures and paved areas on the site
 - (20) All public sites to be reserved or dedicated (parks, streets, etc.)
 - (21) Proposed use of site
 - (22) Gross and net residential densities of each parcel
 - (23) Phasing plan
 - (24) Land use consistent with or must await amendment of General Plan

- (c) Information required for review-to be submitted with application (one [1] copy of each except as noted)
 - (1) Capacity and need for water and for sewer
 - (2) Stamped, addressed envelopes for all property owners within 300 feet of proposed development
 - (3) Construction schedule
 - (4) Traffic impact analysis (3 copies)
 - (5) Drainage report (3 copies)
 - (6) Soil report sealed by a registered engineer (3 copies)
 - (7) Water Agreement (3 copies)

Article 10-3.04 - Minor Subdivision

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed application and fees
 - (2) Proof of ownership (title policy) and owner's written authorization
- (b) Information required directly on plans (twenty-five [25] copies of each to be submitted with application -
Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")
 - (1) Date, north arrow and engineer's scale, 1" = 200' or larger
 - (2) Name of project
 - (3) Property address or location
 - (4) Vicinity map at ½ mile radius
 - (5) Legal description complete
 - (6) Registered surveyor's name and address
 - (7) Total acreage
 - (8) Signature blocks (see Chapter 10-6)
 - (9) Zoning on and adjacent to site
 - (10) Names and dimensions of adjacent streets
 - (11) Proposed lots and approximate dimensions
 - (12) Dimensions and square footage of each lot
 - (13) Lot and block numbers
 - (14) Proposed street names
 - (15) Location of survey monuments

- (16) Bearing, distances, chords, radii, central angles, tangent lines, etc. for all lots, blocks, perimeter and rights-of-way
 - (17) Existing/proposed adjacent street improvements showing pavement widths and intersecting streets
 - (18) Existing/proposed rights-of-way in and adjacent
 - (19) Existing/proposed easements in and adjacent
 - (20) Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent
 - (21) Existing/proposed curb cuts in and adjacent
 - (22) Existing/proposed waterways and ditches in and adjacent
 - (23) Topography acceptable to the City Engineer
 - (24) Statement on how drainage will be handled
 - (25) Existing/proposed flood plain lines on and adjacent
 - (26) A statement: all, part or none of the property is in the flood plain
 - (27) Existing/proposed structures and paved areas on the site
 - (28) All public sites to be reserved or dedicated (parks, streets, etc.)
 - (29) Number of employees for nonresidential uses
 - (30) Proposed use of site
 - (31) Gross and net residential densities of each parcel
 - (32) Latitude, longitude and elevation of property corners
- (c) Information required for review-to be submitted with application (one [1] copy of each except as noted)
- (1) Capacity and need for water and for sewer
 - (2) Boundary closure
 - (3) Traffic impact analysis (3 copies)
 - (4) Drainage report (3 copies)
 - (5) Soil report sealed by a registered engineer (3 copies)
- (d) Additional information required prior to recording (one [1] copy of each to be submitted to Planning and Zoning Official after final City Council approval)
- (1) Final street plans and profiles stamped by a registered engineer
 - (2) Final drainage plan stamped by a registered engineer
 - (3) Final utility plan stamped by a registered engineer
 - (4) Final landscaping plan
 - (5) Financial security agreements

Article 10-3.05 - Rezoning

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed application and fees
 - (2) Petition (follow format in Chapter 10-5)
 - (3) Proof of ownership (title policy) and owner's written authorization
- (b) Information required directly on plans (twenty-five [25] copies of each to be submitted with application -
Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")
 - (1) Date, north arrow and engineer's scale, 1" = 200' or larger
 - (2) Name of project
 - (3) Property address or location
 - (4) Vicinity map at ½ mile radius
 - (5) Legal description complete
 - (6) Registered surveyor's name and address
 - (7) Total acreage
 - (8) Requested zoning districts with size of each
 - (9) Zoning on and adjacent to site
 - (10) Names and dimensions of adjacent streets
 - (11) Proposed lots and approximate dimensions
 - (12) Dimensions and square footage of each lot
 - (13) Lot and block numbers
 - (14) Proposed street names
 - (15) Location of survey monuments
 - (16) Bearing, distances, chords, radii, central angles, tangent lines, etc. for all lots, blocks, perimeter and rights-of-way
 - (17) Existing/proposed adjacent street improvements showing pavement widths and intersecting streets
 - (18) Existing/proposed rights-of-way in and adjacent
 - (19) Existing/proposed easements in and adjacent
 - (20) Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent
 - (21) Existing/proposed curb cuts in and adjacent
 - (22) Existing/proposed waterways and ditches in and adjacent
 - (23) Topography acceptable to the City Engineer

- (24) Statement on how drainage will be handled
 - (25) Existing/proposed flood plain lines on and adjacent
 - (26) A statement: all, part or none of the property is in the flood plain
 - (27) Existing/proposed structures and paved areas on the site
 - (28) Proposed heights of all structures
 - (29) All public sites to be reserved or dedicated (parks, streets, etc.)
 - (30) Land use consistent with or must await amendment of General Plan
- (c) Information required for review-to be submitted with application (one [1] copy of each except as noted)
- (1) Capacity and need for water and for sewer
 - (2) Boundary closure
 - (3) Stamped, addressed envelopes for all property owners within 300 feet of proposed rezoning
 - (4) Construction schedule
 - (5) Traffic impact analysis (3 copies)
 - (6) Drainage report (3 copies)

Article 10-3.06 - Site Plan, Final

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed application and fees
 - (2) Proof of ownership (title policy) and owner's written authorization
- (b) Information required directly on plans (twenty-five [25] copies of each to be submitted with application -
 - Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")
 - (1) Date, north arrow and engineer's scale, 1" = 200' or larger
 - (2) Name of project
 - (3) Property address or location
 - (4) Legal description complete
 - (5) Registered surveyor's name and address
 - (6) Total acreage
 - (7) Signature blocks (see Chapter 10-6)
 - (8) Zoning on and adjacent to site
 - (9) Names and dimensions of adjacent streets
 - (10) Dimensions and square footage of each lot

- (11) Lot and block numbers
- (12) Proposed street names
- (13) Bearing, distances, chords, radii, central angles, tangent lines, etc. for all lots, blocks, perimeter and rights-of-way
- (14) Existing/proposed adjacent street improvements showing pavement widths and intersecting streets
- (15) Existing/proposed rights-of-way in and adjacent
- (16) Location and widths of sidewalks
- (17) Existing/proposed easements in and adjacent.
- (18) Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent
- (19) Existing/proposed curb cuts in and adjacent
- (20) Existing/proposed waterways and ditches in and adjacent
- (21) Existing/proposed flood plain lines on and adjacent
- (22) A statement: all, part or none of the property is in the flood plain
- (23) Existing/proposed structures and paved areas on the site
- (24) Proposed heights of all structures
- (25) All public sites to be reserved or dedicated (parks, streets, etc.)
- (26) Landscape plan
- (27) Percentage of land devoted to buildings, parking and drives, sidewalks and landscaping in table form
- (28) Number of employees for nonresidential uses and required parking spaces
- (29) Latitude, longitude and elevation on property corners
- (c) Information required for review-to be submitted with application (one [1] copy of each except as noted)
 - (1) Boundary closure
 - (2) Letter from County Treasurer verifying payment of taxes
 - (3) Soil report sealed by a registered engineer (3 copies)
- (d) Additional information required prior to recording (one [1] copy of each to be submitted to Planning and Zoning Official after final City Council approval)
 - (1) Final street plans and profiles stamped by a registered engineer
 - (2) Final drainage plan stamped by a registered engineer
 - (3) Final utility plan stamped by a registered engineer
 - (4) Final landscaping plan
 - (5) Financial security agreements

Article 10-3.07 - Site Plan, Preliminary

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed application and fees
 - (2) Proof of ownership (title policy) and owner's written authorization
- (b) Information required directly on plans (twenty-five [25] copies of each to be submitted with application -
Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")
 - (1) Date, north arrow and engineer's scale, 1" = 200' or larger
 - (2) Name of project
 - (3) Property address or location
 - (4) Vicinity map at ½ mile radius
 - (5) Legal description complete
 - (6) Registered surveyor's name and address
 - (7) Total acreage
 - (8) Zoning on and adjacent to site
 - (9) Names and dimensions of adjacent streets
 - (10) Lot and block numbers
 - (11) Proposed street names
 - (12) Existing/proposed adjacent street improvements showing pavement widths and intersecting streets
 - (13) Existing/proposed rights-of-way in and adjacent
 - (14) Location and widths of sidewalks
 - (15) Existing/proposed easements in and adjacent
 - (16) Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent
 - (17) Existing/proposed curb cuts in and adjacent
 - (18) Existing/proposed waterways and ditches in and adjacent
 - (19) Topography acceptable to the City Engineer
 - (20) Statement on how drainage will be handled
 - (21) Existing/proposed flood plain lines on and adjacent
 - (22) A statement: all, part or none of the property is in the flood plain
 - (23) Existing/proposed structures and paved areas on the site
 - (24) Proposed heights of all structures
 - (25) All public sites to be reserved or dedicated (parks, streets, etc.)

- (26) Landscape plan
 - (27) Percentage of land devoted to buildings, parking and drives, sidewalks and landscaping in table form
 - (28) Number of employees for nonresidential uses and required parking spaces
 - (29) Proposed use of site
 - (30) Gross and net residential densities of each parcel
 - (31) Latitude, longitude and elevation of property corners
 - (32) Phasing plan
- (c) Information required for review-to be submitted with application (one [1] copy of each except as noted)
- (1) Capacity and need for water and for sewer
 - (2) Stamped, addressed envelopes for all property owners within 300 feet of proposed development
 - (3) Construction schedule
 - (4) Protective Covenants if proposed
 - (5) Traffic impact analysis (3 copies)
 - (6) Drainage report (3 copies)
 - (7) Water Agreement (3 copies)

Article 10-3.08 - Subdivision, Final Plat

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed application and fees
 - (2) Proof of ownership (title policy) and owner's written authorization
- (b) Information required directly on plans (twenty-five [25] copies of each to be submitted with application -

Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")

 - (1) Date, north arrow and engineer's scale, 1" = 200' or larger
 - (2) Name of project
 - (3) Property address or location
 - (4) Legal description complete
 - (5) Registered surveyor's name and address
 - (6) Total acreage
 - (7) Signature blocks (see Chapter 10-6)
 - (8) Names and dimensions of adjacent streets

- (9) Dimensions and square footage of each lot
 - (10) Lot and block numbers
 - (11) Proposed street names
 - (12) Location of survey monuments
 - (13) Bearing, distances, chords, radii, central angles, tangent lines, etc. for all lots, blocks, perimeter and rights-of-way
 - (14) Location and widths of sidewalks
 - (15) A statement: all, part or none of the property is in the flood plain
 - (16) All public sites to be reserved or dedicated (parks, streets, etc.)
- (c) Information required for review-to be submitted with application (one [1] copy of each except as noted)
- (1) Boundary closure
 - (2) Letter from County Treasure verifying payment of taxes
 - (3) Soil report sealed by a registered engineer (3 copies)
- (d) Additional information required prior to recording (one [1] copy of each to be submitted to Planning and Zoning Official after final City Council approval)
- (1) Final street plans and profiles stamped by a registered engineer
 - (2) Final drainage plan stamped by a registered engineer
 - (3) Final utility plan stamped by a registered engineer
 - (4) Final landscaping plan
 - (5) Financial security agreements

Article 10-3.09 - Subdivision, Preliminary Plat

- (a) Information required at the time of application (one [1] copy of each)
- (1) Completed application and fees
 - (2) Proof of ownership (title policy) and owner's written authorization
- (b) Information required directly on plans (twenty-five [25] copies of each to be submitted with application -
- Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")
- (1) Date, north arrow and engineer's scale, 1" = 200' or larger
 - (2) Name of project
 - (3) Property address or location
 - (4) Vicinity map at ½ mile radius
 - (5) Legal description complete

- (6) Registered surveyor's name and address
- (7) Total acreage
- (8) Zoning on and adjacent to site
- (9) Names and dimensions of adjacent streets
- (10) Proposed lots and approximate dimensions and square footage of each lot
- (11) Lot and block numbers
- (12) Proposed street names
- (13) Existing/proposed adjacent street improvements showing pavement widths and intersecting streets
- (14) Existing/proposed rights-of-way in and adjacent
- (15) Location and widths of sidewalks
- (16) Existing/proposed easements in and adjacent
- (17) Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent
- (18) Existing/proposed curb cuts in and adjacent
- (19) Existing/proposed waterways and ditches in and adjacent
- (20) Topography acceptable to the City Engineer
- (21) Statement on how drainage will be handled
- (22) Existing/proposed flood plain lines on and adjacent
- (23) A statement: all, part or none of the property is in the flood plain
- (24) Existing/proposed structures and paved areas on the site
- (25) All public sites to be reserved or dedicated (parks, streets, etc.)
- (26) Number of employees for nonresidential uses and required parking spaces
- (27) Proposed use of site
- (28) Gross and net residential densities of each parcel
- (29) Latitude, longitude and elevation on property corners
- (30) Phasing plan
- (c) Information required for review-to be submitted with application (one [1] copy of each except as noted)
 - (1) Capacity and need for water and for sewer
 - (2) Boundary closure
 - (3) Stamped, addressed envelopes for all property owners within 300 feet of proposed development
 - (4) Construction schedule

- (5) Protective Covenants if proposed
- (6) Traffic impact analysis (3 copies)
- (7) Drainage report (3 copies)
- (8) Water Agreement (3 copies)

Article 10-3.10 - Vacation

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed application and fees
 - (2) Petition (follow format in Article 10-5.02)
 - (3) Proof of ownership (title policy) and owner's written authorization
- (b) Information required directly on plans (twenty-five [25] copies of each to be submitted with application -
 Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")
 - (1) Date, north arrow and engineer's scale, 1" = 200' or larger
 - (2) Name of project
 - (3) Vicinity map at ½ mile radius
 - (4) Legal description complete
 - (5) Registered surveyor's name and address
 - (6) Total acreage
 - (7) Zoning on and adjacent to site
 - (8) Names and dimensions of adjacent streets
 - (9) Dimensions and square footage of each lot
 - (10) Lot and block numbers
 - (11) Location of survey monuments
 - (12) Bearing, distances, chords, radii, central angles, tangent lines, etc. for all lots, blocks, perimeter and rights-of-way
 - (13) Existing/proposed rights-of-way in and adjacent
 - (14) Existing/proposed easements in and adjacent
 - (15) Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent
 - (16) Existing/proposed curb cuts in and adjacent
 - (17) Existing/proposed structures and paved areas on the site
 - (18) All public sites to be reserved or dedicated (parks, streets, etc.)
 - (19) Number of employees for nonresidential uses and required parking spaces
 - (20) Proposed use of site

- (21) Latitude, longitude and elevation on property corners
- (22) Phasing plan
- (c) Information required for review-to be submitted with application (one [1] copy of each except as noted)
 - (1) Boundary closure
 - (2) Stamped, addressed envelopes for all property owners within 300 feet of proposed development
 - (3) Traffic impact analysis (3 copies)
 - (4) Drainage report (3 copies)

Article 10-3.11 - Variance

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed application and fees
 - (2) Proof of ownership (title policy) and/or owner's written authorization
 - (3) Construction schedule
 - (4) Description of the variance request and a statement explaining how it meets the findings of hardship and burden (c)
- (b) Information required directly on plans (ten [10] copies of each to be submitted with application) -
 Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36")
 - (1) North arrow, date of plan, date of revision, legend and engineer scale, 1"=200' of larger
 - (2) Name of project
 - (3) Vicinity map showing ½ mile radius
 - (4) Address of project
 - (5) Legal description
 - (6) Name, address and phone number of owner
 - (7) Zoning on and adjacent to site
 - (8) Name, address and phone number of person or firm responsible for plan
 - (9) Lot size
 - (10) Names and dimensions of adjacent streets
 - (11) Existing/proposed rights-of-way in and adjacent
 - (12) Existing/proposed easements in and adjacent
 - (13) Existing/proposed utility lines (including fire hydrants) and sizes in and adjacent

- (14) Existing/proposed curb cuts, paved areas, parking areas and sidewalks
- (15) Existing/proposed waterways and ditches in or adjacent to site
- (16) Topography acceptable to the City Planner
- (17) Existing/proposed flood plain lines in and adjacent
- (18) A statement: all, part or none of the property is in the flood plain
- (19) Existing/proposed structures and their uses, with dimensions and distances from platted property lines
- (20) Number of employees for non-residential uses and required parking spaces

(c) Findings for Variance requests

- (1) Strict enforcement of the zoning code results in practical difficulty or unnecessary physical hardship inconsistent with the objective of the code
- (2) Circumstances or conditions of the property that do not apply generally to other parcels in the same zoning district
- (3) Strict enforcement of the zoning code deprives the applicant of privileges enjoyed by the owners of other properties in the same zone
- (4) Granting the variance does not constitute special privilege inconsistent with other properties in the same zone
- (5) Granting the variance is not detrimental to the public health, safety or welfare and is not materially injurious to properties in the vicinity
- (6) In regard to signs – the granting of the variance will not detract from the attractiveness or orderliness of the surrounding neighborhood
- (7) In regard to parking – present nor future traffic generated by uses of sites in the vicinity will not interfere with the free flow of traffic on the streets

Article 10-3.12 - Plot Plan, One-Family through Four Family Residential Structures

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed Application and Fees
 - (2) Proof of ownership (title policy) and/or owner's written authorization
- (b) Information required directly on plans (ten [10] copies of each to be submitted with application)
 - (1) North arrow, date of plan, date of revision, engineer scale, legend
 - (2) Address of project
 - (3) Legal description
 - (4) Name, address and phone number of owner
 - (5) Name, address and phone number of person or firm responsible for plan
 - (6) Lot size

- (7) Existing easements and rights-of-way
- (8) Proposed curb cuts, paved areas, parking areas and sidewalks
- (9) Landscaping plan including existing vegetation to remain and new vegetation with common and botanical name, planting size and mature size
- (10) Waterways on or adjacent to site
- (11) Lot grading plan
- (12) Existing/proposed structures and their uses, with dimensions and distances from platted property lines
- (13) Location and size of proposed water and sewer service connections

Article 10-3.13 - Plot Plan, New Structures or Exterior Remodeling of Structures in the Historic Preservation Zoning District

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed Application and Fees
 - (2) Proof of ownership (title policy) and/or owner's written authorization
- (b) Information required directly on plans (ten [10] copies of each to be submitted with application)

Sheet size 24" x 36"

 - (1) North arrow, date of plan, date of revision, engineer scale, legend
 - (2) Name of project
 - (3) Address of project
 - (4) Legal description
 - (5) Name, address and phone number of owner
 - (6) Name, address and phone number of person or firm responsible for plan
 - (7) Lot size
 - (8) Existing uses adjacent
 - (9) Existing zoning adjacent
 - (10) Existing curb cuts on both sides of perimeter streets
 - (11) Existing easements and rights-of-way
 - (12) Proposed easements and rights-of-way
 - (13) Existing paved areas
 - (14) Proposed curb cuts, paved areas, parking areas and sidewalks
 - (15) Landscaping plan including existing vegetation to remain and new vegetation with common and botanical name, planting size and mature size

- (16) Landscape installation and material costs if costs are to be guaranteed
- (17) Existing two (2) foot contours or other topography acceptable to City Engineer
- (18) Proposed two (2) foot contours or other topography acceptable to City Engineer
- (19) Waterways on or adjacent to site
- (20) Drainage plan
- (21) Existing/proposed structures and their uses, with dimensions and distances from platted property lines
- (22) Square footages of proposed structures
- (23) Proposed use and number of employees
- (24) Number of units by type if residential
- (25) Location and description of all signs and exterior lights
- (26) Parking lot layout
- (27) Trash disposal areas and enclosures
- (28) Location and size of proposed water and sewer service connections
- (29) Elevation drawings showing all views of existing and proposed structures including height, colors and textures
- (30) Graphic information for all exterior materials, colors, architectural detail including trim and hardware, illumination and security features
- (31) Detail sign plan showing size, color, letter style, location and method of attachment
- (32) Study of capacity and need for water and sewer services

Article 10-3.14 - Plot Plan, Signs

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed Application and Fees
 - (2) Proof of ownership (title policy) and/or owner's written authorization
- (b) Information required directly on plans (ten [10] copies of each to be submitted with application)
 - (1) North arrow, date of plan, date of revision, engineer scale, legend
 - (2) Name of project
 - (3) Address of project
 - (4) Name, address and phone number of owner
 - (5) Name, address and phone number of person or firm responsible for plan
 - (6) Lot size
 - (7) Existing uses adjacent

- (8) Existing zoning adjacent
- (9) Existing easements and rights-of-way
- (10) Proposed easements and rights-of-way
- (11) Existing/proposed structures and their uses, with dimensions and distances from platted property lines
- (12) Location and description of all signs and exterior lights
- (13) Detail sign plan showing size, color, letter style, location and method of attachment

Article 10-3.15 - Plot Plan, Special Use Permit

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Narrative describing special use
 - (2) Completed Application and Fees
 - (3) Proof of ownership (title policy) and/or owner's written authorization
- (b) Information required directly on plans (ten [10] copies of each to be submitted with application – Sheet size shall be no less than 8 ½” x 11” and no more than 30” x 36”)
 - (1) North arrow, date of plan, date of revision, legend and engineer scale, 1”=200’ or larger
 - (2) Name of project
 - (3) Address of project
 - (4) Name, address and phone number of owner
 - (5) Name, address and phone number of person or firm responsible for plan
 - (6) Lot size
 - (7) Existing uses on and adjacent to site
 - (8) Existing zoning on and adjacent to site
 - (9) Existing curb cuts on both sides of perimeter streets
 - (10) Existing/proposed easements and rights-of-way
 - (11) Existing paved areas
 - (12) Proposed curb cuts, paved areas, parking areas and sidewalks
 - (13) Existing/proposed waterways and ditches on or adjacent to site
 - (14) Lot grading plan
 - (15) Existing/proposed structures and their uses, with dimensions and distances from platted property lines
 - (16) Square footages of proposed structures
 - (17) Proposed use and number of employees (for non-residential uses)

- (18) Location and description of all signs and exterior lights
- (19) Parking lot layout
- (20) Trash disposal areas and enclosures
- (21) Location and size of proposed water and sewer service connections
- (22) Detail sign plan showing size, color, letter style, location and method of attachment

Article 10-3.16 - Plot Plan, All Other Requests

- (a) Information required at the time of application (one [1] copy of each)
 - (1) Completed Application and Fees
 - (2) Proof of ownership (title policy) and/or owner's written authorization
- (b) Information required directly on plans (ten [10] copies of each to be submitted with application)

Sheet size shall be no less than 8 ½" x 11" and no more than 30" x 36"

 - (1) North arrow, date of plan, date of revision, engineer scale, legend
 - (2) Name of project
 - (3) Address of project
 - (4) Legal description
 - (5) Name, address and phone number of owner
 - (6) Name, address and phone number of person or firm responsible for plan
 - (7) Lot size
 - (8) Existing uses adjacent
 - (9) Existing zoning adjacent
 - (10) Existing curb cuts on both sides of perimeter streets
 - (11) Existing easements and rights-of-way
 - (12) Proposed easements and rights-of-way
 - (13) Existing paved areas
 - (14) Proposed curb cuts, paved areas, parking areas and sidewalks
 - (15) Landscaping plan including existing vegetation to remain and new vegetation with common and botanical name, planting size and mature size
 - (16) Landscape installation and material costs if costs are to be guaranteed
 - (17) Existing two (2) foot contours or other topography acceptable to City Engineer
 - (18) Proposed two (2) foot contours or other topography acceptable to City Engineer
 - (19) Waterways on or adjacent to site
 - (20) Drainage plan

- (21) Existing/proposed structures and their uses, with dimensions and distances from platted property lines
- (22) Square footages of proposed structures
- (23) Proposed use and number of employees
- (24) Number of units by type if residential
- (25) Location and description of all signs and exterior lights
- (26) Parking lot layout
- (27) Trash disposal areas and enclosures
- (28) Location and size of proposed water and sewer service connections
- (29) Elevation drawings showing all views of existing and proposed structures including height, colors and textures
- (30) Detail sign plan showing size, color, letter style, location and method of attachment
- (31) Study of capacity and need for water and sewer services (Ord. 895, 2008)

CHAPTER 10-4 – PLANNING AND ZONING FEES

Article 10-4.01 – Purpose

The Purpose of this Chapter is to set forth the schedule of fees charged by the City of Williams Planning and Zoning Department for providing various planning and zoning services.

Article 10-4.02 – Applicability

The new and/or increased fees set forth in this Chapter shall apply to any project making its initial Planning and Zoning Application on or after the effective date. Any project having submitted an Application and having paid fees prior to the effective date under the then current fee schedule shall continue its public reviews for any subsequent, related Application under that schedule.

Article 10-4.03 – Fee Schedule

<u>Type of Application</u>	<u>Fees</u>
• Annexation	\$500.00 each
• Board of Adjustments	\$250.00 each
• Concept Plan Review (6 copies)	\$50.00 each
• Conditional Use Permit (25 copies of plan)	\$500.00 plus \$250.00 per principal building plus \$200.00 per sheet
• Development Agreement	\$2,500.00 each plus \$10.00 per residential unit and/or \$100.00 per commercial acre plus actual legal fees
• Development Master Plan (25 copies of plan)	\$1000.00 plus \$25.00 per acre plus \$200.00 per sheet
• Development Procedures Amendment	\$1000.00 each
• Drainage Report Review	\$500.00 plus \$20.00 per acre
• General Plan Amendment-Major	\$1000.00 plus \$25.00 per acre
• General Plan Amendment-Minor	\$750.00 plus \$15.00 per acre
• Lot Combine/Split	\$50.00 each
• Minor Subdivision (25 copies of plan)	\$250.00 plus \$15.00 per lot
• Rezoning (25 copies of plan)	\$750.00 per each zoning district plus \$75.00 per acre plus \$200.00 per sheet
• Site Plan - Preliminary (25 copies) Final	\$250.00 plus \$250.00 per principal building plus \$200.00 per sheet
• Special Use Permit (6 copies)	\$250.00 each
• Subdivision Code Amendment (25 copies of plan)	\$750.00 each
• Subdivision – Final Plat (25 copies of plan)	\$500.00 plus \$15.00 per lot plus \$200.00 per sheet
•	

- Subdivision – Final Plat Amendment
(25 copies of plan) \$250.00 plus \$7.50 per lot plus \$50.00
per sheet (50% of original final plat fee)
- Subdivision – Preliminary Plat
(25 copies of plan) \$750.00 plus \$25.00 per lot
plus \$200.00 per sheet
- Vacation (6 copies of plan) \$500.00 each
- Variance or Appeal (25 copies of plan) \$250.00 per each variance or appeal.
- Zoning Code Amendment
(Ord. 895, 2008) \$250.00 per each amendment

CHAPTER 10-5 – PETITION FORMATS (Ord. 747 §1 (part), 1995)

Article 10-5.01 – Rezoning Petition

(I, We) the undersigned, being the landowners of the property described as:

hereby request a change of zoning from _____ to _____ and do
herewith pay the required rezoning fee.

Date Owner’s Signature Property Description

Article 10-5.02 – Petition to Vacate Right-Of-Way

(I, We) the undersigned, being the landowners of the property, described as:

hereby request that the City of Williams vacate the R.O.W. located _____
_____ and known as _____

for the following reasons: _____

Date Signature Address Property Description

We, being property owners adjacent to the above mentioned property or adjacent to a part
of the R.O.W. not to be vacated, are NOT opposed to the above described R.O.W. being vacated.

Date Signature Address Property Description

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CHAPTER 10-6 - CERTIFICATION BLOCKS (Ord. 747 §1 (part), 1995)

Article 10-6.01 - Certification Blocks for Subdivision And Site Plan

(LEGAL NAME OF SUBDIVISION OR SITE PLAN) _____

Description: _____

A plat/site plan of a parcel of land in the City of Williams, Arizona located in the ____
1/4__1/4, Section ____, T____N, R____E of the_____ P.M.
and more particularly described as follows:

Beginning at the(LEGAL DESCRIPTION).....containing _____ acres.

Dedication:

Know all men by these presents, that we (Names of all the landowners) being the sole
owners of the land described herein, have caused said land to be laid out and platted/site
planned under the name of _____and do hereby dedicate to
the public forever all streets, alleys and utility easements as indicated hereon.

In witness whereof, we have hereunto set our hands and seals this ____day of
_____, 20____.

John Doe

Mary Doe

Notarial Certificate:

STATE OF ARIZONA) COUNTY OF _____)

The foregoing instrument was acknowledged before me by _____,
this _____day of _____20____. Witness my hand and seal.

My commission expires _____, _____.

Surveyor's Certificate:

I certify this plat/site plan accurately represents the results of a survey made by me or
under my direct supervision and done in accord with applicable State of Arizona
requirements.

Arizona Reg. No _____

Easement Approval:

Utility easements are adequate as shown and are hereby approved.

City Engineer's Approval:

Approved this the _____ day of _____, 20____.

City Engineer _____

Planning and Zoning Commission Approval:

Approved this the _____ day of _____, 20____.

Chairman, Williams Planning and Zoning Commission

Mayor's Certificate:

This is to certify that a plat/site plan of the above described property was approved by Ordinance No. _____ of the City of Williams, passed and adopted on the _____ day of _____ A.D. 20____ and that the Mayor of the City of Williams, as authorized by said ordinance, on behalf of the City, hereby acknowledges and adopts the said plat/site plan upon which this certificate is endorsed for all purposes indicated thereon.

Mayor

Attest

Seal

Clerk and Recorder's Certificate

STATE OF ARIZONA) COUNTY OF COCONINO)

I hereby certify that this instrument was filed in my office at ____0'clock __M this the _____ day of _____ A.D. 20____, and is recorded in plat book No. _____, page No. _____ reception No. _____.

Deputy

Recorder

Fees

CHAPTER 10-7 - FINANCIAL SECURITY FOR COMPLETION OF PUBLIC IMPROVEMENTS

Article 10-7.01 - Applicability Any person requesting approval of a subdivision, site plan, rezoning, or building permit application within the City of Williams shall give the City full one hundred percent (100%) financial assurance that all public improvements including utilities, streets, walks, curbs and gutters, drainage facilities, paths, open space, sprinkling systems and landscaping, as may be required, shall be completed to City requirements, standard and specifications. These shall include half-street improvements for any portion of a street that abuts the property. (Ord. 904, 2008; Ord. 747 §3(part), 1995)

Article 10-7.02 - Acceptable Forms of Financial Security Such financial security shall be in the sum as the City staff may estimate to be adequate for the completion of the required improvements. Such financial security shall be in the form of:

- (a) Cash deposit with the City of Williams; or
- (b) Guarantee from a lender based upon a cash deposit, in a form acceptable to the City Attorney; or
- (c) Irrevocable letter of credit in a form acceptable to the City Attorney. (Ord. 747 §3(part), 1995)

Article 10-7.03 - Procedure

- (a) Development plans which require approval by City Council;
 - (1) Any person subdividing or developing lands within the City of Williams shall enter into a contract with the City, which contract shall give the City full assurance that all improvements shall be completed by the developer to City standards.
 - (2) Any subdivision plat, site plan, or rezoning which requires approval by City Council may be divided into phases, each phase providing all necessary improvements. No building permit shall be issued at any segment of development until all utilities, storm drainage facilities, curbs and gutters, sidewalks, and aggregate base material have been installed per the approved engineering plans on file with the Engineer Office of the City, unless specifically approved by the City Council.
 - (3) Up to ninety percent (90%) of said funds shall be released to the developer as improvements are completed as determined by the City Staff, and authorized by the Director of Finance. The City of Williams shall reserve a deposit of ten percent (10%) of the total estimated cost of public improvements for anyone development or phase, and in no event shall any portion of the ten percent (10%) be released until after all the improvements as installed have been finally accepted by the City Council, by formal resolution or motion, which acceptance shall not be given until at least one (1) year after a written statement of construction acceptance in accord with City standards has been given the developer.
 - (4) It shall be the duty of the developer to request both construction and final inspections, in writing, and the City shall be under no obligation to release any funds until said inspections are made and the improvements found to comply with City standards.

Any repairs required to be made at time of final inspection will be made by the developer within ninety (90) days of notice to repair or the cost thereof shall be withheld from the financial security and the City will contract to have the repairs made. In the event that the cost of required repairs exceeds the financial security, the developer shall be liable for such costs.

(b) Development plans which do not require approval by City Council:

- (1) Such financial security shall be in the sum as the City staff may estimate to be adequate for the completion of the required improvements. Such financial security shall be in the form of cash deposit with the City of Williams or guarantee from a lender based upon a cash deposit, in a form acceptable to the City Attorney; or irrevocable letter of credit in a form acceptable to the City Attorney;
- (2) Upon completion of all necessary public improvements found to be in compliance with City standards, financial security may be released in whole or in part upon written request by the developer to the City Engineer, who is authorized to release same. (Ord. 747 §3(part), 1995)

CHAPTER 10-8 - DEDICATIONS AND EXACTIONS

Article 10-8.01 - Right of Appeal

- (a) Notwithstanding anything in this title, or any City ordinance, to the contrary, the City shall not take, exact or require the dedication of any property without complying with the requirements of A.R.S. 9-500.12, et seq.
- (b) In the event any person believes that a dedication or exaction of property is being required by the City to use, develop or improve land, in violation of A.R.S. 9-500.12 et seq., such person shall have a right to appeal the decision made by any official or agency of the City to the board of adjustment. The appeal procedure will be in conformity with A.R.S. 9-500.12, et seq.
- (c) In order to provide notice of this title and the appeal rights provided herein to all property owners who apply to the City to use, improve or develop their property, the policy provisions of Article 10-8.02 will be provided to all property owners who apply to the City for any use, improvement or development of their property. (Ord. 747 §3 (part), 1995)

Article 10-8.02 - City Policy Concerning Appeals From Required Dedications or Exactions In addition to other rights granted to you by the U.S. and Arizona Constitution, federal and State law and City ordinances or regulations, you are notified of your right to appeal any dedication or exaction which is required of you by an administrative agency or official of the City as a condition of granting approval of your request to use, improve or develop your property. (Ord. 747 §3(part) , 1995)

Article 10-8.03 - Appeal Procedure

- (a) The appeal must be in writing and filed with or mailed to the Board of Adjustment, (c/o City Clerk, 113 South First Street, Williams, Arizona 86046) within thirty (30) days of the administrative agency or other official determination requiring the dedication or exaction.
- (b) No fee will be charged for the filing.
- (c) Your hearing will be scheduled within thirty (30) days of receipt of your request. The City will bear the burden of proving that the dedications or exactions to be imposed on your property bear an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development proposed by you.
- (d) Ten days notice will be given to you of the date, time, and place of the hearing.
- (e) The Board of Adjustment must render their decision in a public meeting either at the first hearing or no later than their next regular meeting but in no event longer than thirty (30) days from the first hearing date.
- (f) The Board of Adjustment can affirm the dedication or exaction, modify it or delete the requirement.

(g) If you are dissatisfied with the decision of the Board of Adjustment, you may file a complaint for a trial de novo with the Superior Court within thirty (30) days of the Board of Adjustment decision. (Ord. 747 §3 (part), 1995)

CHAPTER 10-9 - DEVELOPMENT FEES

Article 10-9.01 - Title This Chapter 9 shall be known as the "Development Fee Ordinance" and may be referred to herein as "this Ordinance." (Ord. 840, 2004)

Article 10-9.02 - Purpose The general purpose of this Chapter is to assess Development Fees to offset the costs to the City associated with providing necessary public services to a development. The fees shall: (i) result in a beneficial use to the development, (ii) bear a rational relationship to the burden of the developer, and (iii) be assessed in a non-discriminatory manner. The Development Fees to be paid by each new development pursuant to this Chapter are to be proportional to the impact that the new development will have on the types of facilities for which the fees are charged. (Ord. 840, 2004)

Article 10-9.03 - Definitions Unless otherwise specifically provided in this Chapter, the definitions contained in Title 10, Chapter 9 of the City Code and other definitions set forth in the City Code shall apply in interpreting these regulations except that in the event of a conflict between two or more definitions, the definitions specifically set forth in this Chapter shall govern and be applicable as to any interpretation of the Development Fees and this Chapter and in every case said interpretation shall favor a conclusion which will accomplish the intent and purposes of this Development Fee Ordinance.

"Applicant" means any person who files an application with the City for a building permit and may include the developer.

"Appropriation or to appropriate" means an action by the City to identify specific public facilities for which Development Fee funds may be utilized. Appropriation shall include, but shall not necessarily be limited to: inclusion of a public facility in the adopted City budget or capital improvements program; execution of a contract or other legal encumbrance for construction of a public facility using Development Fee funds in whole or in part; and/or actual expenditure of Development Fee funds through payments made from a Development Fee account.

"Building square footage" means the gross floor area measured from the outside surface of the building walls which is under roof and whether or not physically attached to the main business structure.

"Commercial uses" means all uses of whatsoever kind and nature, including multiple uses consisting of both residential and non-residential uses excepting, however, uses which consist solely of residential uses.

"Connection" means the physical tie-in of an applicant's water, electric, gas, effluent or sewer service to the City's water, electric, gas, effluent or sewer main.

"Developer" means the individual, firm, corporation, partnership, association, syndication, trust or other legal entity that is responsible for creating a demand for new or additional City services.

"Development fee" means a fee adopted pursuant to A.R.S. Section 9-463.05 which is imposed on new development on a pro rata basis in connection with and as a condition of the issuance of a building permit and which is calculated to defray all or a portion of the costs of the public

facilities required to accommodate new development at city-designated level of service standards and which reasonably benefits the new development.

"Dwelling unit" means a building or a portion thereof consisting of a room or group of rooms within a building containing cooking accommodations and designed to be used for residential purposes. Each apartment unit, mobile home or mobile home space shall be considered a dwelling unit. "Dwelling unit" shall not include those units designed primarily for transient occupant purposes, nor shall they include rooms in hospitals or nursing homes.

"Fire Development Fee," as used in this Chapter means a development fee imposed on all new residential and commercial development to fund the proportionate share of the costs of: fire and emergency medical buildings and facilities communication systems, vehicles and major capital equipment and costs related thereto.

"Fixture unit" means a unit of measuring and comparing different plumbing fixtures by comparing the load producing effects on a plumbing system. The City has allocated wastewater treatment and distribution, water treatment and distribution and water supply development fees based on the number of fixture units for various kinds of uses.

"General Government Development Fee," as used in this Chapter means a development fee imposed on all new residential and commercial development to fund the proportionate share of the costs of municipal facilities, office space and major capital equipment and costs related thereto.

"Library Development Fee," as used in this Chapter means a development fee imposed only on new residential development to fund the proportionate share of the costs of: library buildings and facilities and costs related thereto.

"Multiple uses" means a new development consisting of both residential and non-residential uses, or one (1) or more different types of non-residential use, on the same site or part of the same new development.

"New development" means any new construction, reconstruction, redevelopment, rehabilitation, structural alteration, structural enlargement, structural extension, or new use which requires a building permit, or a connection fee permit for hook-up to a utility service or any change in use of an existing residential or commercial building, structure or lot requiring any form of City building permit or approval.

"Non-residential" shall mean and include all uses except for the residential uses defined herein and shall be considered for the fee schedule as commercial uses.

"Parks and Recreation Development Fee," as used in this Chapter means a development fee imposed only on new residential development to fund the proportionate share of the costs of: community parks; open space, including, but not necessarily limited to, open space lands, agricultural land preservation, purchase of land, development rights and/or construction easements, mountain preserves and trails; and recreation facilities and improvements, including expenditures for acquisition of park and recreation facility sites, park and recreation site development including engineering, utilities, landscaping, lighting and other costs necessary to develop each park and recreation site, park and recreation facility buildings, equipment and all other amenities and costs related thereto.

"Police Development Fee," as used in this Chapter means a development fee imposed on all new residential and commercial development to fund the proportionate share of the costs of: public safety buildings and facilities, communication systems, vehicles and major capital equipment and costs related thereto.

"Public facility or service" means public improvements, facilities or services necessitated by new development, including, but not limited to, transportation, police facilities, public works, fire and emergency medical services, community facilities, municipal facilities, sewer facilities, flood control and drainage, solid waste disposal, open space, parks, and utilities and costs related thereto.

"Public facility expenditures" means expenditure of public funds, including amounts appropriated in connection with:

- (a) The planning, design, engineering and construction of public facilities;
- (b) Planning, legal, appraisal, financing, development, and other costs related to the acquisition of, or use rights on land;
- (c) The costs of compliance with bidding procedures and applicable administrative and legal requirements; and
- (d) All other costs necessarily incident to provision of the public facility.

"Public facility improvements" means capital improvements for the City's infrastructure including government facilities, police and fire facilities, street improvements, library facilities, parks and recreation facilities, sanitation, improvements, water treatment and distribution, wastewater treatment and distribution improvements and facilities and water supply development.

"Sanitation Development Fee"; as used in this Chapter means the development fee on all new residential and commercial development to fund the proportionate share of costs of sanitation expenditures including capital improvements, land, machinery, equipment, collection receptacles and vehicles necessary to provide sanitation services and costs related thereto.

"Sewer Treatment and Collection Development Fee," as used in this Chapter means a development fee imposed on all new residential and non-residential development to fund the proportionate share of the costs of the wastewater collection and wastewater treatment system and necessary improvements, capital equipment and appurtenances and costs related thereto.

"Street Development Fee," as used in this Chapter means a development fee imposed on all new residential and commercial development to fund the proportionate share of the costs of transportation improvements and new roads designed to solve congestion-related problems that are anticipated from increased traffic demands resulting from new development, and including improvements to minor arterials and/or collectors needed for access and traffic mobility, including capital expenditures for roads and road construction, bridges, signage, traffic signals, curbs, gutters and sidewalks, capital equipment, vehicles necessary to develop a safe transportation system and costs related thereto.

"Water Treatment and Distribution Development Fee" as used in this Chapter means a development fee imposed for expenditures for a water system, capital improvements such as

treatment facilities, collection systems, land, rights-of-way, equipment and machinery necessary to provide water collection and treatment imposed on all new residential and commercial development and costs related thereto.

"Water Supply Development Fee" as used in this Chapter means a development fee imposed on all new residential and commercial development to fund a proportionate share of costs of expenditures for water supply, capital improvements such as wells, reservoirs and reservoir improvements, pumps, mechanical and electrical systems, equipment and machinery necessary to develop and support a dependable, sustainable water supply and costs related thereto.

"Wastewater Treatment and Distribution Development Fee" as used in this Chapter means a development fee imposed on all new residential and commercial development to fund a proportionate share of costs for wastewater system capital improvements such as treatment facilities, collection systems, land, rights-of-way, equipment and machinery necessary to provide wastewater collection and treatment and costs related thereto. (Ord. 840, 2004)

Article 10-9.04 - Applicability

- (a) The collection of Development Fees shall apply to all new development in the City, unless otherwise provided herein. Until any Development Fee has been paid in full, no building permit, electrical permit, certificate of compliance, certificate of occupancy, or other permit for any development shall be issued. A stop work order shall be issued by the City on any development for which the applicable Development Fee has not been paid in full. This Chapter and the procedures established herein shall remain in effect unless and until repealed, amended or modified by the Mayor and the City Council in accordance with applicable State law and the City Code, Ordinances and Resolutions.
- (b) The Development Fees assessed hereby are intended to ensure the timely construction of off-site public capital improvements necessary to serve all new developments by providing necessary resources for new facilities to be constructed by the City and for an equitable means of cost sharing for existing facilities to serve new development. Development Fees shall be paid by each new development, as described herein, and in a manner which is proportional to the financial impact that the new development will have upon the existing and required City infrastructure and capital facilities. (Ord. 840, 2004)

Article 10-9.05 - Service Areas

- (a) For the purpose of this Chapter, the Service Area shall be the incorporated area of the City.
- (b) The Development Fee shall be assessed only on new development located within the Service Area.
- (c) Development Fees collected within the Service Area shall be spent within the Service Area.
- (d) The appropriateness of the designation and boundaries of the Service Area shall be reviewed by the City as part of its general Development Fee revision process. (Ord. 840, 2004)

Article 10-9.06 - Calculation of Development Fees

- (a) Development Fees shall be calculated for the proposed development based on any planned approval and/or permit allowing the use, according to the applicable fee schedule.
- (b) The following Development Fee schedules have been adopted by the City Council ordinance and are incorporated herein by reference:
 - (1) General Government Development Fee (Article 10-9.24)
 - (2) Police Development Fee (Article 10-9.25)
 - (3) Fire Development Fee (Article 10-9.26)
 - (4) Street Development Fee (Article 10-9.27)
 - (5) Library Development Fee (Article 10-9.28)
 - (6) Parks and Recreation Development Fee (Article 10-9.29)
 - (7) Sanitation Development Fee (Article 10-9.30)
 - (8) Water Treatment and Distribution Fee (Article 10-9.31)
 - (9) Wastewater Treatment and Distribution Fee (Article 10-9.32)
 - (10) Water Supply Development Fee (Article 10-9.33) (Ord. 840, 2004)

Article 10-9.07 - Individual Assessment of Development Fees

If an applicant believes that the impact of a proposed development will be substantially less than would be indicated by using the Development Fee schedule, such person may, upon application to the City, perform an individual assessment of the impact of the proposed development on the public facilities of the City at its own cost. A request for an individual assessment must be made in writing before submitting an application for a building permit. The individual assessment shall be based upon a recognized Development Fee criteria which provides for a method of ensuring that the new development bears a proportionate share of the cost of capital facilities necessary to accommodate the new development for each of the Development Fee categories set forth below.

- (a) General Government Development Fee (Article 10-9.24)
- (b) Police Development Fee (Article 10-9.25)
- (c) Fire Development Fee (Article 10-9.26)
- (d) Street Development Fee (Article 10-9.27)
- (e) Library Development Fee (Article 10-9.28)
- (f) Parks and Recreation Development Fee (Article 10-9.29)
- (g) Sanitation Development Fee (Article 10-9.30)
- (h) Water Treatment and Distribution Fee (Article 10-9.31)

- (i) Wastewater Treatment and Distribution Fee (Article 10-9.32)
- (j) Water Supply Development Fee (Article 10-9.33)

If the Development Fee Administrator accepts the computations of the individual assessment under this Section, the applicable fee shall be determined from the individual assessment for each specific Development Fee category. (Ord. 840, 2004)

Article 10-9.08 - Collection of Development Fees The Development Fees for all new development shall be calculated and collected in conjunction with the application for the first building permit or electrical permit, certificate of compliance or occupancy, or other permit subsequent to development plan approval for such development, whichever occurs first in time. For other uses not ultimately requiring a building permit, electrical permit, certificate of compliance or occupancy, or other permit, the fee shall be calculated and collected at such time as determined by the Development Fee Administrator. (Ord. 840, 2004)

Article 10-9.09 - Fund Accounting for Development Fees

- (a) The City Finance Department shall establish a separate accounting fund in which the Development Fees collected for a particular type of facility within the Service Area shall be credited. Such fees shall be invested by the City and the yield on such fees, at the actual rate of return to the City, shall be credited to such accounting fund periodically in accordance with the accounting policies of the City. Such funds need not be segregated from other City monies for banking purposes.
- (b) Any yield on such accounting fund into which the fees are deposited shall accrue to that fund and shall be used for the purposes specified for such fund.
- (c) The City Finance Department shall maintain and keep financial records for such accounting fund showing the revenues to such fund and the disbursements from such fund, in accordance with normal City accounting practices. The records of such fund shall be open to public inspection in the same manner as other financial records of the City. (Ord. 840, 2004)

Article 10-9.10 - Expenditure of Development Fees The expenditure of Development Fees shall be as provided below:

- (a) General Government Development Fee (Article 10-9.24)
- (b) Police Development Fee (Article 10-9.25) (c) Fire Development Fee (Article 10-9.26)
- (c) Street Development Fee (Article 10-9.27)
- (d) Library Development Fee (Article 10-9.28)
- (e) Parks and Recreation Development Fee (Article 10-9.29)
- (f) Sanitation Development Fee (Article 10-9.30)
- (g) Water Treatment and Distribution Fee (Article 10-9.31)
- (h) Wastewater Treatment and Distribution Fee (Article 10-9.32)

- (i) Water Supply Development Fee (Article 10-9.33) (Ord. 840, 2004)

Article 10-9.11 - Refunds of Development Fees

- (a) Any Development Fee or portion thereof collected pursuant to this Chapter which has not been committed for a use permitted by Title 10, Chapter 9, Article 10-9.24 through 10-9.33, within ten (10) years from the last day of the fiscal year in which it was received by the City, shall be refunded to the current record owner of the property on file at the Coconino County Recorder's Office upon written application on a form prescribed by the Development Fee Administrator. Development Fees shall be deemed to be "committed" in the order in which they are received by the City. The refund shall include accrued interest at the rate of return on investments earned by the City on such amount. In disbursing such funds, the City may rely on the written certification of the current record owner of the property as to his or her entitlement to the refund, in the absence of a written assertion by another party that such proposed payee is not the proper payee. If in doubt, the City may deposit such funds in an appropriate court for disposition as the court may determine. In such event, the City may deduct, from the funds deposited, an amount equal to the reasonable cost of causing the funds to be deposited with the court, including reasonable attorney's fees. Failure to file a refund request with the Development Fee Administrator more than six months from the date the Development Fee was paid to the City shall be deemed waived by the applicant.
- (b) The applicant may apply for a refund of the Development Fee and accrued interest in writing within sixty (60) calendar days after the expiration of the building permit or other approval (or any extension thereof) on which it was assessed if no construction has commenced within the allowable building permit period.
- (c) The City shall charge an administrative fee for verifying and computing the refund of three percent (3%) of the amount of the refund. (Ord. 840, 2004)

Article 10-9.12 - Offsets to Development Fees With prior City Council approval being first obtained, the Applicant shall receive a credit against the Development Fees assessed pursuant to this Chapter for the new development and such credit shall take into consideration among other things, the contributions made or to be made by the Applicant in kind or in cash for Public Facility Improvements over and above those required for the new development. The City Council, after considering the applicable Development Fees for each category of Public Facility Improvements may adjust any or all of the scheduled Development Fees as set forth below.

- (a) The offset may be in kind in the form of a capital or asset contribution or in the form of amounts paid or amounts that will be paid in the future by cash or fees or assessments toward the capital costs of necessary Public Facility Improvements covered by the Development Fee.
- (b) Credits shall only be issued for Public Facility Improvements made off the development site.
- (c) Applicant will be required at its expense to make all on-site improvements that are required for the development. No offsets shall be given for any on-site Public Facility Improvements.

- (d) No offsets shall be applied without the prior City Council approval.
- (e) The offsets shall only be a credit against a Development Fee within the same Development Fee category up to, but not exceeding, the amount otherwise chargeable for the new development in that development category and shall not result in reimbursement from nor constitute a liability of the City.
- (f) An offset shall be applied against Development Fees otherwise due for the qualifying Public Facility Improvements that are required to be made by an applicant as a condition of development approval.
- (g) Offsets shall be given only for the value of any construction of Public Facility Improvements or contribution or dedication of land or money by an applicant or interest for qualifying Public Facility Improvements of the same category for which a Development Fee was imposed. Offsets shall not be provided against street Development Fees for dedication of rights-of-way.
- (h) The applicant applying for an offset shall be responsible for providing appraisals of land and improvements, construction cost figures, and documentation of all contributions and dedications necessary to the computation of the offsets claimed. The Development Fee Administrator shall prepare an analysis and response to the offset claim and submit both to the applicant. The Development Fee Administrator shall have the final decision with regard to approval or denial of an offset claim, subject to appeal to the City Council as set forth in Article 10-9.14. Approvals may be all or in part.
- (i) The value of land dedicated or donated shall be based on the appraised land value of the parent parcel. A land value is based on the date of transfer of ownership to the City. A certified appraiser who was selected and paid for by the applicant and who used generally accepted appraisal techniques shall determine the value. If the City disagrees with the appraised value, the City may hire another appraiser at the City's expense and the value shall be an amount equal to the average of the two appraisals and shall be conclusive as to the amount of offset credit which an applicant is to receive.
- (j) Offsets provided for qualifying Public Facility Improvements meeting the requirements of this Section shall be valid from the date of approval until seven (7) years after the date of approval or until the last date of construction within the project, whichever occurs first.
- (k) The right to claim offsets shall run with the land and may be claimed only by owners of property or their successors within the development for which the qualifying Public Facility Improvement was required.
- (l) Any claim for offsets must be made in writing no later than the time of submittal of a building permit application or application for another permit that is subject to Development Fees. Any claim not so made shall be deemed waived. (Ord. 840, 2004)

Article 10-9.13 - Developer Agreements for Development Fees

- (a) Where a development is subject to the assessment of Development Fees as provided in this Chapter, the City and the applicant may agree in writing to have the applicant participate in the financing or construction of part or all of the public facility

expenditures. Such agreement may provide for cash reimbursements, offsets, or other appropriate compensation to the applicant for the applicant's participation in the financing and/or construction of Public Facility Improvements.

(b) The development agreement shall include:

- (1) The estimated cost of the public facility expenditures, using the lowest responsive bid by a qualified bidder, which bid is approved by the Development Fee Administrator; or, if no bid is available, the estimated cost certified by a licensed Arizona engineer and approved by the Development Fee Administrator;
- (2) A schedule for initiation and completion of the improvement;
- (3) A requirement that the improvement be designed and completed in compliance with any applicable City ordinances; and
- (4) Such other terms and conditions as deemed necessary by the City. (Ord. 840, 2004)

Article 10-9.14 - Relief Procedures and Hearings The applicant or developer who owes or has paid a Development Fee or disputes the offset amount determined by the Development Fee Administrator may appeal to the City Council. Such appeal must be filed with the Development Fee Administrator in writing: (i) within thirty (30) calendar days after the date the City notified the applicant or developer of an assessment or offset determination; or (ii) within thirty (30) calendar days after the applicant or developer has paid the full amount of the Development Fee for each category required by this Ordinance. In such event, any building permit issued before the appeal is filed shall be considered stayed and applicant or developer shall cease and desist from any further work or improvements on the new development unless applicant or developer has paid the full requisite amount of the Development Fee or posted a letter of credit or bond in such amount. Failure to pay the Development Fees as determined on appeal shall result in the withholding by the City of the Certificate of Occupancy of Developer's project. The City Council must hold a hearing on the appeal within forty-five (45) calendar days after receipt by the Development Fee Administrator. The Council's failure to hold a public hearing within the forty-five (45) calendar days absent a continuance request by the applicant or developer, shall result in the applicant's or developer's determination of the applicable Development Fee as being binding on the City for that respective category. The decision of the City Council shall be considered the final administrative decision of the City. (Ord. 840, 2004)

Article 10-9.15 - Development Fee as an Additional Fee to Other Financing Methods

- (a) Except as herein otherwise provided, Development Fees are in addition to any other requirements, taxes, fees, or assessments imposed by the City on development or the issuance of building permits or certificates of occupancy which are imposed on and due against property within the jurisdiction of the City. Development Fees are intended to be consistent with other City's policies, ordinances and resolutions by which the City seeks to ensure the provision of capital facilities in conjunction with development
- (b) In addition to the use of Development Fees, the City may finance qualifying capital improvements through the issuance of bonds, the formation of assessment districts or any other authorized mechanism, in such manner and subject to such limitations as provided by law. (Ord. 840, 2004)

Article 10-9.16 - Other Impact Fees For particular types of uses not specifically identified herein, the reasonable method of assessing impact fees will be used. When the City determines that the proposed Development Fees are not appropriate for a particular type of development, an alternate method may be developed in order to assess the appropriate impact fees based upon the impact of the specific development on the City's need for Public Facility Improvements. (Ord. 840, 2004)

Article 10-9.17 - In-fill Incentives In order to encourage development of residential properties within the developed City core, and in order to promote the building of needed affordable residential housing on existing lots and/or parcels, the City shall designate an "in-fill zone." All residential structures built in the "in-fill zone" shall be assessed at fifty percent (50%) discount on the impact fees. (Ord. 840, 2004)

Article 10-9.18 - Updates and Revisions of the Development Fees

- (a) If warranted, the Development Fee Administrator shall review and recommend changes in the schedules of Development Fees to City Council. The City Council shall conduct a public hearing on the changes on the recommended changes in Development Fees and may consider such factors as: past and projected growth in residential and commercial development, Public Facility Improvements actually constructed, changing levels of service, revised cost estimates for Public Facility Improvements, changes in the availability of other funding sources, changes in demand generation characteristics, sources of non-City funds and such other factors as may be relevant.
- (b) By January 31 of each calendar year during which the Development Fee schedules have not been updated to reflect changes in construction costs, the Development Fee Administrator shall prepare updated Development Fee schedules to reflect changes in average construction costs over time. The proposed revisions shall then be presented to City Council for action. (Ord. 840, 2004)

Article 10-9.19 - Refund of Development Fee

- (a) Upon a proper application, if any Development Fee, or portion thereof, collected pursuant to these regulations which has not been committed to a use permitted by the foregoing provisions within ten (10) years from the last date of the fiscal year in which said fee was received by the City, shall be refunded to the payor of said fee or the successor, assignee or heir of said payor, or current owner of the property for which the fee was paid. Development Fees shall be deemed to have been "committed" in the order in which they are received and their expenditure included in a capital budget, including a capital budget plan, which envisions actual expenditure in a future fiscal year contingent upon accumulation of sufficient funds in which to complete a planned project. Refunds of Development Fees shall include accrued interest at the rate of return actually received on said funds while under the City's control. In disbursing any such refunds, the City may rely upon the written certification of the applicant, if not the original payor, as to the applicant's entitlement to a refund. In the event that it is later determined that another party, whether by assignment, reservation or other agreement, is actually entitled to said refund, the applicant receiving payment by the City shall hold the City harmless and indemnify the City for any amounts expended as a result of the erroneous written

certification of the applicant who has been paid the refund amount. In the event that more than one applicant claims to be entitled to a Development Fee refund, the City may deposit the disputed amount in the Superior Court by filing an action in interpleader and, in said event, City shall be entitled to deduct from the funds in dispute and deposit with the Superior Court, an amount equal to the reasonable cost of said action, including any court costs and reasonable attorney's fees. In the event a Development Fee remains unexpended or uncommitted for a period of ten (10) years from the date of its collection and no application for refund or other claim filed with City within twelve (12) months after the expiration of the aforementioned ten (10) years, such amount shall be retained for future capital expenditures of the type for which it was collected and the City shall have no further obligation to refund any portion of the amount not expended or committed.

- (b) In the event a development for which a Development Fee has been paid is not actually undertaken, the Development Fee, and any accrued interest thereon, paid in conjunction with the planned, but not constructed development, shall be returned to the original payor, or its assignee, provided only that said payee submit a written refund request within sixty (60) days after expiration of the building permit, including any extension thereon, for which the Development Fee was assessed.
- (c) In the event of a refund of any Development Fee, the City shall collect an administrative service charge equal to three percent (3%) of the amount of the gross refund. (Ord. 840, 2004)

Article 10-9.20 - Utility Fund Allocation - Fixture Units The City has based its allocation method for water supply development, water treatment and distribution, and wastewater treatment and distribution on fixture units as herein defined. (Ord. 840, 2004)

Article 10-9.21 - Utility Fund Allocation - Meter Size The City has also based its allocation method for water treatment and distribution and water supply development based on meter size. New developments are required to purchase only one meter for the entire new development of each site. Meter size shall be determined in accordance with the then currently adopted and in effect City Plumbing Code. (Ord. 840, 2004)

Article 10-9.22 - Severability Each section of this Chapter and each provision thereof shall be considered as independent of each of the other sections and the Development Fee provision. In the event any single section or provision is determined by a court of competent jurisdiction to be inapplicable or unenforceable, said ruling shall not invalidate any other section or provision contained herein and all other fees shall be applicable. (Ord. 840, 2004)

Article 10-9.23 - Effective Date. The effective date of this Chapter shall be January 1, 2005. (Ord. 840, 2004)

Article 10-9.24 - General Government Development Fee Schedule

- (a) All new residential and commercial development in the City of Williams shall be subject to a payment of a General Government Development Fee payable at the time of the

building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ordinance 840, 2004)

- (b) "General Government Development Fee Schedule," is set forth in this Article 10-9.24 and means a fee imposed on all new residential and commercial development to fund the proportionate share of the costs of municipal facilities, office space and major capital equipment and costs related thereto. (Ordinance 840, 2004)

	New Residential	New Commercial
General Government Development Fee		
Price per Square Foot of Building Square Footage	\$0.52	\$0.52

- (c) Inflation adjustment: On or before December 31, 2005 and on or before the 31st day of each year thereafter in which the General Government Development Fee is in effect, the City Manager or his designee shall calculate and present to the City Council the inflation adjustment factor which shall be applied to the General Government Development Fee commencing April 1, 2006, and each April 1 of each year thereafter ("Adjustment Date"). The inflationary adjustment factor shall be defined as the quotient of the United States Department of Labor's Consumer Price Index for All Urban Consumers, West Urban Region, All Goods, 1982-84 equals 100 index figure ("CPI-U") for the month of December, 2004, as the denominator compared to the CPI-U index figure for the month of December, 2005, as the numerator and such increase, if any, shall be used to adjust and increase the General Government Development Fees commencing April 1, 2006. In a like manner the inflation adjustment shall be applied to every subsequent year reflecting the increase in the CPI-U index over the immediately preceding year with a like adjustment and like increase and adjustment in the General Government Development Fee. Provided, however, nothing herein shall prevent City Council from electing, by Ordinance, to retain the existing General Government Development Fee for any given fiscal year, years or other specified time. (Ord. 841, 2004)

Article 10-9.25 - Police Development Fee Schedule

- (a) All new residential and commercial development in the City of Williams shall be subject to a payment of a Police Development Fee payable at the time of the building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ordinance 840, 2004)
- (b) "Police Development Fee Schedule," is set forth in this Article 10-9.25 and means a fee imposed on all new residential and commercial development to fund the proportionate share of the costs of: public safety buildings and facilities, communication systems, vehicles and major capital equipment and costs related thereto. (Ord. 840, 2004)

	New Residential	New Commercial
Police Development Fee		
Price per Square Foot of Building Square Footage	\$0.23	\$0.23

- (c) Inflation adjustment: On or before December 31, 2005, and on or before the 31st day of each year thereafter in which the Police Development Fee is in effect, the City Manager

Article 10-9.26 - Fire Development Fee Schedule

- (a) All new residential and commercial development in the City of Williams shall be subject to a payment of a Fire Development Fee payable at the time of the building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ord. 840, 2004)
- (b) "Fire Development Fee Schedule," is set forth in Article 10-9.26 and means a fee imposed on all new residential and commercial development to fund the proportionate share of the costs of: fire and emergency medical buildings and facilities, communication systems, vehicles and major capital equipment and costs related thereto. (Ord. 840, 2004)

	New Residential	New Commercial
Fire Development Fee		
Price per Square Foot of Building Square Footage	\$0.43	\$0.43

- (c) Inflation adjustment: On or before December 31, 2005, and on or before the 31st day of each year thereafter in which the Fire Development Fee is in effect, the City Manager or his designee shall calculate and present to the City Council the inflation adjustment factor which shall be applied to the Fire Development Fee commencing April 1, 2006, and each April 1 of each year thereafter ("Adjustment Date"). The inflationary adjustment factor shall be defined as the quotient of the United States Department of Labor's Consumer Price Index for All Urban Consumers, West Urban Region, All Goods, 1982-84 equals 100 index figure ("CPI-U") for the month of December, 2004, as the denominator compared to the CPI-U index figure for the month of December, 2005, as the numerator and such increase, if any, shall be used to adjust and increase the Fire Development Fees commencing April 1, 2006. In a like manner the inflation adjustment shall be applied to every subsequent year reflecting the increase in the CPI-U index over the immediately preceding year with a like adjustment and like increase and adjustment in the Fire Development Fee. Provided, however, nothing herein shall prevent City Council from electing, by Ordinance, to retain the existing Fire Development Fee for any given fiscal year, years or other specified time. (Ord. 841, 2004)

Article 10-9.27 - Street Development Fee Schedule

- (a) All new residential and commercial development in the City of Williams shall be subject to a payment of a Street Development Fee payable at the time of the building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ord. 840, 2004)
- (b) "Street Development Fee Schedule," is set forth in Article 10-9.27 and means a fee imposed on all new residential and commercial development to fund the proportionate share of the costs of transportation improvements and new roads designed to solve congestion-related problems that are anticipated from increased traffic demands resulting from new development, and including improvements to minor arterials and/or collectors needed for access and traffic mobility, including capital expenditures for roads and road construction, bridges, signage, traffic signals, curbs, gutters and sidewalks, capital equipment, vehicles necessary to develop a safe transportation system and costs related thereto. (Ord. 840, 2004)

	New Residential	New Commercial
Street Development Fee		
Price per Square Foot of Building Square Footage	\$1.33	\$1.33

- (c) Inflation adjustment: On or before December 31, 2005, and on or before the 31st day of each year thereafter in which the Street Development Fee is in effect, the City Manager or his designee shall calculate and present to the City Council the inflation adjustment factor which shall be applied to the Street Development Fee commencing April 1, 2006, and each April 1 of each year thereafter ("Adjustment Date"). The inflationary adjustment factor shall be defined as the quotient of the United States Department of Labor's Consumer Price Index for All Urban Consumers, West Urban Region, All Goods, 1982-84 equals 100 index figure ("CPI-U") for the month of December, 2004, as the denominator compared to the CPI-U index figure for the month of December, 2005, as the numerator and such increase, if any, shall be used to adjust and increase the Street Development Fees commencing April 1, 2006. In a like manner the inflation adjustment shall be applied to every subsequent year reflecting the increase in the CPI-U index over the immediately preceding year with a like adjustment and like increase and adjustment in the Street Development Fee. Provided, however, nothing herein shall prevent City Council from electing, by Ordinance, to retain the existing Street Development Fee for any given fiscal year, years or other specified time. (Ord. 841, 2004)

Article 10-9.28 - Library Development Fee Schedule

- (a) All new residential development in the City of Williams shall be subject to a payment of a Library Development Fee payable at the time of the building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ord. 840, 2004)
- (b) "Library Development Fee Schedule," is set forth in this Article 10-9.28 and means a fee imposed only on new residential development to fund the proportionate share of the costs of: library buildings and facilities and costs related thereto. (Ord. 840, 2004)

	New Residential	New Commercial
Library Development Fee		
Price per Square Foot of Building Square Footage	\$0.51	None

- (c) Inflation adjustment: On or before December 31, 2005, and on or before the 31st day of each year thereafter in which the Library Development Fee is in effect, the City Manager or his designee shall calculate and present to the City Council the inflation adjustment factor which shall be applied to the Library Development Fee commencing April 1, 2006, and each April 1 of each year thereafter ("Adjustment Date"). The inflationary adjustment factor shall be defined as the quotient of the United States Department of Labor's Consumer Price Index for All Urban Consumers, West Urban Region, All Goods, 1982-84 equals 100 index figure ("CPI-U") for the month of December, 2004, as the denominator compared to the CPI-U index figure for the month of December, 2005, as the numerator and such increase, if any, shall be used to adjust and increase the Library Development Fees commencing April 1, 2006. In a like manner the inflation adjustment shall be applied to every subsequent year reflecting the increase in the CPI-U index over the immediately preceding year with a like adjustment and like increase and adjustment in the Library Development Fee. Provided, however, nothing herein shall prevent City Council from electing, by Ordinance, to retain the existing Library Development Fee for any given fiscal year, years or other specified time. (Ord. 841, 2004)

Article 10-9.29 - Parks and Recreation Development Fee Schedule

- (a) All new residential development in the City of Williams shall be subject to a payment of a Parks and Recreation Development Fee payable at the time of the building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ord. 840, 2004)
- (b) "Parks and Recreation Development Fee Schedule," is set forth in this Article 10-9.29 and means a fee imposed only on new residential development to fund the proportionate share of the costs of: community parks, open space, including, but not necessarily limited to, open space lands, agricultural land preservation, purchase of land, development rights and/or construction easements, desert mountain preserves and trails; and recreation facilities and improvements, including expenditures for acquisition of park and recreation facility sites, park and recreation site development including engineering, utilities, landscaping, lighting and other costs necessary to develop each park and recreation site, park and recreation facility buildings, equipment and all other amenities and costs related thereto. (Ord. 840, 2004)

	New Residential	New Commercial
Parks and Recreation Development Fee		
Price per Square Foot of Building Square Footage	\$0.46	None

- (c) Inflation adjustment: On or before December 31, 2005, and on or before the 31st day of each year thereafter in which the Parks and Recreation Development Fee is in effect, the City Manager or his designee shall calculate and present to the City Council the inflation adjustment factor which shall be applied to the Parks and Recreation Development Fee

commencing April 1, 2006, and each April 1 of each year thereafter ("Adjustment Date"). The inflationary adjustment factor shall be defined as the quotient of the United States Department of Labor's Consumer Price Index for All Urban Consumers, West Urban Region, All Goods, 1982-84 equals 100 index figure ("CPI-U") for the month of December, 2004, as the denominator compared to the CPI-U index figure for the month of December, 2005, as the numerator and such increase, if any, shall be used to adjust and increase the Parks and Recreation Development Fees commencing April 1, 2006. In a like manner the inflation adjustment shall be applied to every subsequent year reflecting the increase in the CPI-U index over the immediately preceding year with a like adjustment and like increase and adjustment in the Parks and Recreation Development Fee. Provided, however, nothing herein shall prevent City Council from electing, by Ordinance, to retain the existing Parks and Recreation Development Fee for any given fiscal year, years or other specified time. (Ord. 841, 2004)

Article 10-9.30 - Sanitation Development Fee Schedule

- (a) All new residential and commercial development in the City of Williams shall be subject to a payment of a Sanitation Development Fee payable at the time of the building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ord. 840, 2004)
- (b) "Sanitation Development Fee Schedule" means the development fee as set forth in this Article 10-9.30 on all new residential and commercial development to fund the proportionate share of costs of sanitation expenditures including capital improvements, land, machinery, equipment, collection receptacles and vehicles necessary to provide sanitation services and costs related thereto. (Ord. 840, 2004)

	New Residential	New Commercial
Sanitation Development Fee		
Price per Square Foot of Building Square Footage	\$0.60	\$0.60

- (c) Inflation adjustment: On or before December 31, 2005, and on or before the 31st day of each year thereafter in which the Sanitation Development Fee is in effect, the City Manager or his designee shall calculate and present to the City Council the inflation adjustment factor which shall be applied to the Sanitation Development Fee commencing April 1, 2006, and each April 1 of each year thereafter ("Adjustment Date"). The inflationary adjustment factor shall be defined as the quotient of the United States Department of Labor's Consumer Price Index for All Urban Consumers, West Urban Region, All Goods, 1982-84 equals 100 index figure ("CPI-U") for the month of December, 2004 as the denominator compared to the CPI-U index figure for the month of December, 2005, as the numerator and such increase, if any, shall be used to adjust and increase the Sanitation Development Fees commencing April 1, 2006. In a like manner the inflation adjustment shall be applied to every subsequent year reflecting the increase in the CPI-U index over the immediately preceding year with a like adjustment and like increase and adjustment in the Sanitation Development Fee. Provided, however, nothing herein shall prevent City Council from electing, by Ordinance, to retain the existing

Article 10-9.31 - Water Treatment and Distribution Development Fee Schedule

- (a) All new residential and commercial development in the City of Williams shall be subject to a payment of a Water Treatment and Distribution Development Fee payable at the time of the building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ord. 840, 2004)
- (b) "Water Treatment and Distribution Development Fee Schedule" is set forth in Article 10-9.31 and means a fee imposed for expenditures for a water system, capital improvements such as treatment facilities, collection systems, land, rights-of-way, equipment and machinery necessary to provide water collection and treatment imposed on all new residential and commercial development and costs related thereto. (Ord. 840, 2004)

	New Residential	New Commercial
Water Treatment and Distribution Development Fee – Price per Fixture Unit		
All Residential	\$105.00	
Hotel/Motel		\$ 216.00
Restaurants		\$ 377.00
Other Commercial		\$ 117.00
Industrial Laundry		\$ 260.00
All other Industrial		\$ 117.00
Commercial – based on Meter Size:		
	0.75"	\$ 3,615.00
	1.00"	\$ 4,697.00
	1.50"	\$ 5,809.00
	2.00"	\$ 9,425.00
	3.00"	\$36,215.00
	4.00"	\$47,092.00

- (c) Inflation adjustment: On or before December 31, 2005, and on or before the 31st day of each year thereafter in which the Water Treatment and Distribution Development Fee is in effect, the City Manager or his designee shall calculate and present to the City Council the inflation adjustment factor which shall be applied to the Water Treatment and Distribution Development Fee commencing April 1, 2006, and each April 1 of each year thereafter ("Adjustment Date"). The inflationary adjustment factor shall be defined as the quotient of the United States Department of Labor's Consumer Price Index for All Urban Consumers, West Urban Region, All Goods, 1982-84 equals 100 index figure ("CPI-U") for the month of December, 2004, as the denominator compared to the CPI-U index

figure for the month of December, 2005, as the numerator and such increase, if any, shall be used to adjust and increase the Water Treatment and Distribution Development Fees commencing April 1, 2006. In a like manner the inflation adjustment shall be applied to every subsequent year reflecting the increase in the CPI-U index over the immediately preceding year with a like adjustment and like increase and adjustment in the Water Treatment and Distribution Development Fee. Provided, however, nothing herein shall prevent City Council from electing, by Ordinance, to retain the existing Water Treatment and Distribution Development Fee for any given fiscal year, years or other specified time. (Ord. 841, 2004)

Article 10-9.32 - Wastewater Treatment and Distribution Development Fee Schedule

- (a) All new residential and commercial development in the City of Williams shall be subject to a payment of a Wastewater Treatment and Distribution Development Fee payable at the time of the building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ord. 840, 2004)
- (b) "Wastewater Treatment and Distribution Development Fee Schedule" is set forth in this Article 10-9.32 and means a fee imposed on all new residential and commercial development to fund a proportionate share of costs for wastewater system capital improvements such as treatment facilities, collection systems, land, rights-of-way, equipment and machinery necessary to provide wastewater collection and treatment and costs related thereto. (Ord. 840, 2004)

	New Residential	New Commercial
Wastewater Treatment and Distribution Development Fee – Price per Fixture Unit		
All Residential	\$85.00	
Hotel/Motel		\$ 290.00
Restaurants		\$ 505.00
Other Commercial		\$ 157.00
Industrial Laundry		\$ 348.00
All other Industrial		\$ 157.00

- (c) Inflation adjustment: On or before December 31, 2005, and on or before the 31st day of each year thereafter in which the Wastewater Treatment and Distribution Development Fee is in effect, the City Manager or his designee shall calculate and present to the City Council the inflation adjustment factor which shall be applied to the Wastewater Development Fee commencing April 1, 2006, and each April 1 of each year thereafter ("Adjustment Date"). The inflationary adjustment factor shall be defined as the quotient of the United States Department of Labor's Consumer Price Index for All Urban Consumers, West Urban Region, All Goods, 1982-84 equals 100 index figure ("CPI-U") for the month of December, 2004, as the denominator compared to the CPI-U index figure for the month of December, 2005, as the numerator and such increase, if any, shall be used to adjust and increase the Wastewater Treatment and Distribution Development

Fees commencing April 1, 2006. In a like manner the inflation adjustment shall be applied to every subsequent year reflecting the increase in the CPI-U index over the immediately preceding year with a like adjustment and like increase and adjustment in the Wastewater Treatment and Distribution Development Fee. Provided, however, nothing herein shall prevent City Council from electing, by Ordinance, to retain the existing Wastewater Treatment and Distribution Development Fee for any given fiscal year, years or other specified time. (Ord. 841, (2004)

Article 10-9.33 - Water Supply Development Fee Schedule

- (a) All new residential and commercial development in the City of Williams shall be subject to a payment of a Water Supply Development Fee payable at the time of the building permit issued by the City pursuant to this provision and the development fee and the development fee procedural ordinance. (Ord. 840, 2004)
- (b) "Water Supply Development Fee Schedule" is set forth in Article 10-9.33 and means a fee imposed on all new residential and commercial development to fund a proportionate share of costs of expenditures for water supply, capital improvements such as wells, reservoirs and reservoir improvements, pumps, mechanical and electrical systems, equipment and machinery necessary to develop and support a dependable, sustainable water supply and costs related thereto. (Ord. 840, 2004)

	New Residential	New Commercial
Water Supply Development Fee – Price per Fixture Unit		
All Residential	\$105.00	
Hotel/Motel		\$ 216.00
Restaurants		\$ 377.00
Other Commercial		\$ 117.00
Industrial Laundry		\$ 260.00
All other Industrial		\$ 117.00
Commercial – based on Meter Size:		
	0.75”	\$ 3,615.00
	1.00”	\$ 4,697.00
	1.50”	\$ 5,809.00
	2.00”	\$ 9,425.00
	3.00”	\$36,215.00
	4.00”	\$47,092.00

- (c) Inflation adjustment: On or before December 31, 2005, and on or before the 31st day of each year thereafter in which the Water Supply Development Fee is in effect, the City Manager or his designee shall calculate and present to the City Council the inflation adjustment factor which shall be applied to the Water Supply Development Fee commencing April I, 2006, and each April 1 of each year thereafter ("Adjustment Date").

The inflationary adjustment factor shall be defined as the quotient of the United States Department of Labor's Consumer Price Index for All Urban Consumers, West Urban Region, All Goods, 1982-84 equals 100 index figure ("CPI-U") for the month of December, 2004, as the denominator compared to the CPI-U index figure for the month of December, 2005, as the numerator and such increase, if any, shall be used to adjust and increase the Water Supply Development Fees commencing April I, 2006. In a like manner the inflation adjustment shall be applied to every subsequent year reflecting the increase in the CPI-U index over the immediately preceding year with a like adjustment and like increase and adjustment in the Water Supply Development Fee. Provided, however, nothing herein shall prevent City Council from electing, by Ordinance, to retain the existing Water Supply Development Fee for any given fiscal year, years or other specified time. (Ord. 841, 2004)

Article 10-9.34 - Effective Date The foregoing Development Fees set forth in Article 10-9.24 through and inclusive of Article 10-9.33 shall be effective from and after January 1, 2005, and shall remain in effect until changed by the City. (Ord. 841, 2004)

Article 10-9.35 - Severability If any provision of this Chapter is for any reason held by any court of competent jurisdiction to be unenforceable, such portion or portions thereof shall be deemed separate, distinct and independent of all other provision and such holdings shall not affect the validity of the remaining portions of this Ordinance. (Ord. 841, 2004)

CHAPTER 10-10 - HILLSIDE DEVELOPMENT REGULATIONS

Article 10-10.01 - Purpose The Purpose of this Chapter is to:

- (a) Protect the public from the natural hazards of erosion, rockslides, and storm water runoff.
- (b) Ensure that the built form adapts to the natural mountainside topography, thereby reducing visually prominent scarring produced by streets, driveways, building pads, and associated infrastructure servicing the development.
- (c) Provide development and construction practices and methods to ensure greater fire protection in hillside areas. (Ord. 862 (part), 2006)

Article 10-10.02 - Development Standards

- (a) Preliminary Plat. In addition to the information normally required for submittal of a preliminary plat the following information shall also be provided:
 - (1) A topographic map and slope analysis in 10% intervals (e.g. 0%-10%, +10%-20%, +20%-30%, +30%, ...) of existing terrain, showing, in addition to contours, features on the site that require special design considerations as may be identified by the applicant, the Planner and/or the City Engineer.
 - (2) Where necessary to determine that lots will be usable, the Commission may recommend and the Council may require that a disturbance envelope be shown for each lot, demonstrating conformance with the grading and drainage regulations required by the City and showing the natural topography of the total parcel to be platted, the location and size of all proposed building sites and access, the finished grade at all improvement locations and the depth and extent of all cuts and fills.
 - (3) Soil, geotechnical and/or geological reports as required to identify soil-bearing capabilities or geological hazards specific to the subject property. Geotechnical analysis must include the native soils' stable slope conditions for cuts and fills.
- (b) Final Plat. In addition to the information normally required for submittal of a final plat the following information shall also be provided:
 - (1) A disturbance envelope shall be shown for each lot including a driveway alignment, based on the preliminary roadway grades, which conforms to the grading and drainage requirements and all other applicable provisions of the City Code. (Ord. 862 (part), 2006)

Article 10-10.03 - Special Design Standards

- (a) Street grades shall conform as closely as possible to natural topography but shall not exceed ten percent (10%) (see Article 10-10.05(a)).
- (b) Street grades exceeding eight percent (8%) (see Article 10-10.05(a)) shall have a maximum length of six hundred (600) feet.
- (c) Private access-way grades shall conform as closely as possible to natural topography, any portion that exceeds sixteen percent (16%) (see Article 10-10.05(a)) shall be heated.

- (d) Where pedestrian trails or pathways are proposed, acceptable surface treatments include stabilized decomposed granite, asphalt, or concrete. Sidewalks may be replaced by the trails or pathways only upon approval of a variance request by the City Council. Minimum width of pedestrian trails or pathways is six (6) feet.
- (e) Vertical curbs shall be required on the downhill sides of streets having grades of six percent (6%) or greater. Concrete "u" or "V" gutters may be considered in place of conventional rolled or vertical curbs upon submittal of a supporting drainage report acceptable to the City Engineer.
- (f) On a corner lot, no grading shall be allowed which results in the ground level being raised to obstruct the vision at a height of more than three (3) feet above the grade of either street within an area formed by the lot lines on the street sides of said lot and a line joining points on said lot lines located a distance of thirty-three (33) feet from the point of their intersection. Sight distance triangles shall be shown on the Final Plat and shall be based on the horizontal and vertical roadway geometry.
- (g) Transverse street cross sections with the gutter on the uphill side may be used where approved by the City Engineer. All cut and fill slopes shall be within the roadway rights-of-way or roadway easements, or dedicated slope easements. Slope maintenance easements for roadway cuts and fills may be required by the City Engineer and be shown on the Final Plat.
- (h) "Panhandle" double frontage and other unusually configured lots, including lots which have a width to depth ratio greater than one to three (1:3), shall be permitted if it can be adequately demonstrated to the satisfaction of the Commission that their design will eliminate excessive cuts and will not adversely affect any other lot so configured.
- (i) Each private access way serving more than one (1) lot shall have a minimum paved surface of twenty (20) feet in width or as may be required by City standards and specifications. Where needed, additional easements for drainage or utilities shall be provided.
- (j) Cut and fill slopes shall be set back from site boundaries a horizontal distance measured perpendicular to the site boundary. The top of cut slopes shall not be made nearer to the boundary than one-fifth (1/5) of the cut height with a minimum three-(3) foot setback. The toe of the fill slope shall not be made nearer the boundary than one-half (1/2) the height of the ~ slope with a minimum three-(3) foot setback. (Ord. 862 (part), 2006)

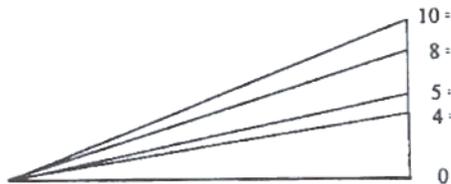
Article 10-10.04 - Grading Standards for Lots, Parcels and Planned Development Sites

- (a) Not more than five percent (5%) of a lot, parcel, or planned development site shall be left with a cross slope steeper than the natural grade of the ground or steeper than twenty-five percent (25%) whichever is greater.
- (b) The total area of all cuts and fills, not including the enclosed floor area of the dwelling, shall not exceed fifteen percent (15%) of the lot, parcel or planned development site area.

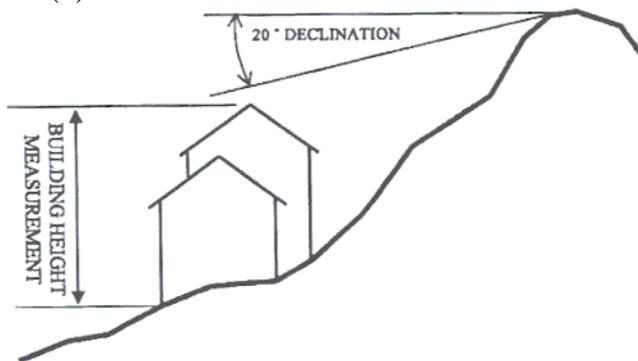
- (c) Maximum height of structure must conform to the zoning for its district and is determined by measuring vertically from the natural grade at the lowest point adjacent to the structure to the highest point of the structure (see Article 10-10.05 (b)).
- (d) The highest point of the structure must not extend above a twenty (20) degree angle of declination from the nearest ridgeline, rock outcropping or other prominent visible feature (see Article 10-10.05 (b)).
- (e) Cut or fill slopes shall be entirely contained within the lot disturbance envelope during construction and when final grading is complete.
- (f) All excavated materials which are to be retained on site in accordance with an approved grading plan shall be suitably landscaped, contained behind retaining walls or placed so that the slopes of any exposed fill material will not exceed twenty-five percent (25%) and will not exceed four (4) feet in height.
- (g) Engineered grading plans are required where cut or fill exceeds four (4) feet in height and walls are required for slope stabilization/containment. No retaining wall shall exceed eight (8) feet in height and one hundred (100) linear feet in length.
- (h) Retaining walls including their footings must be engineered.
- (i) Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.
(Ord. 862 (part), 2006)

Article 10-10.05 - Diagrams

(a)



(b)



(Ord. 862 (part), 2006)

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