

ORDINANCE NO. 08-28

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 20 OF THE PEORIA CITY CODE (1992) BY AMENDING TABLE SECTION 20-53 PERTAINING TO DEVELOPMENT FEES; AND AMENDING SECTION 22-22 BY AMENDING TABLE 22-22 PERTAINING TO DEVELOPMENT FEES AND BY AMENDING SECTION 25-95 BY AMENDING TABLE 25-95.1 PERTAINING TO DEVELOPMENT FEES AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

THE MAYOR AND COUNCIL FIND AND DETERMINE AS FOLLOWS:

1. That on the 11<sup>th</sup> day of February, 2005, the City Council adopted an Annexation and Development Agreement which composes the Infrastructure Improvements Plan providing for capital facilities to be constructed in the Tierra Del Rio Areas. Subsequently the City on December 11, 2007 adopted a city wide Infrastructure Improvement Plan, including capital facilities pertaining to Fire and Emergency Services, Law Enforcement, Libraries, Recreational Facilities, General Government, and Transportation.
2. That a number of facilities in the adopted Infrastructure Improvements Plan are the result of new development and provide a beneficial use to such new development.
3. That on file and of record is an adopted Parks and Recreation Master Plan, which includes proposed recreation facilities providing a beneficial use to new development.
4. That on file and or record is an adopted Desert Spaces Conservation Plan that includes proposed open space preservation for recreational use that a beneficial use to new development.
5. That on file and of record are adopted Fire Master Plans and Library Master Plans all of which include proposed facilities providing a beneficial use to new development.
6. That on the 28<sup>th</sup> day of March, 2007, written reports were prepared in the manner required by A.R.S. §9-463.05.C and were filed with the Department of the City

Clerk of the City. The reports prepared specifically itemize those portions of upcoming Infrastructure improvements that are the result of new development and receive a beneficial use. The reports are incorporated by reference herein.

THEREFORE, it is ordained by the Mayor and Council of the City of Peoria as follows:

SECTION 1. Chapter 20 of the Peoria City Code (1992) is amended by amending Table 20-53 pertaining to Development Fees as set forth on the attached Tables 20-53(c). All existing parts of Table 20-53 shall remain in place.

SECTION 2. Chapter 22 of the Peoria City Code (1992) is amended by amending Table 22-22(a) pertaining to Development Fees as set forth on the attached Table 22-22(a)(2). All existing parts of Table 22-22(a) shall remain in place.

SECTION 3. Chapter 25 of the Peoria City Code (1992) is amended by amending Table 25-95.1 pertaining to Development Fees as set forth on the attached Table 25-95.1 (b). All existing parts of Table 25-95.1 shall remain in place.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall become effective pursuant to A.R.S. §9-463.05.C in the manner provided by law. All fees shall become effective on the dates set forth on November 10, 2008.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 26th day of August 2008.

Dated: 8/30/08

Bob Barrett  
Bob Barrett, Mayor

ATTEST:

Mary Jo Kief  
Mary Jo Kief, City Clerk



APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

Stephen M. Kemp  
Stephen M. Kemp, City Attorney

Published in Peoria Times

Publication Dates

Effective Date

September 30, 2008

August 29, 2008 &  
September 5, 2008

TABLE 20-53 (c)

<b>Tierra Del Rio</b>						
<i>Residential Impact Fees</i>						
	<b>SINGLE FAMILY RESIDENTIAL</b>			<b>MULTI-FAMILY</b>		
	<b>Fees</b>	<b>Agreement Credit</b>	<b>TOTAL</b>	<b>Fee</b>	<b>Agreement Credit</b>	<b>TOTAL</b>
<b>Library</b>	\$277	\$172	\$105	\$190	\$118	\$72
<b>Neighborhood Parks</b>	\$1,295	\$0	\$1,295	\$890	\$0	\$890
<b>Community Parks</b>	\$995	\$0	\$995	\$684	\$0	\$684
<b>Trails</b>	\$574	\$574	\$0	\$395	\$395	\$0
<b>Open Space</b>	\$308	\$308	\$0	\$212	\$212	\$0
<b>Law</b>	\$452	\$0	\$452	\$311	\$0	\$311
<b>Fire</b>	\$683	\$0	\$683	\$470	\$0	\$470
<b>General Government</b>	\$567	\$251	\$316	\$390	\$172	\$218
<b>Transportation</b>	\$898	\$898	\$0	\$622	\$0	\$622
<b>TOTALS</b>	<b>\$6,049.00</b>	<b>\$2203.00</b>	<b>\$3,846.00</b>	<b>\$4164.00</b>	<b>\$4164.00</b>	<b>\$8328.00</b>

TABLE 22-22(a)(2)

<b>Tierra Del Rio</b>						
<i>Residential Impact Fees</i>						
	<b>SINGLE FAMILY RESIDENTIAL</b>			<b>MULTI-FAMILY</b>		
	<b>Fees</b>	<b>Agreement Credit</b>	<b>TOTAL</b>	<b>Fee</b>	<b>Agreement Credit</b>	<b>TOTAL</b>
<b>Solid Waste</b>	\$300	\$177	\$123	\$206	\$122	\$84
<b>TOTALS</b>	<b>\$300.00</b>	<b>\$177.00</b>	<b>\$123.00</b>	<b>\$206.00</b>	<b>\$122.00</b>	<b>\$84.00</b>

TABLE 23-95.1 (b)

<b>Tierra Del Rio</b>						
<i>Residential Impact Fees</i>						
	<b>SINGLE FAMILY RESIDENTIAL</b>			<b>MULTI-FAMILY</b>		
	<b>Fees</b>	<b>Agreement Credit</b>	<b>TOTAL</b>	<b>Fee</b>	<b>Agreement Credit</b>	<b>TOTAL</b>
<b>Wastewater- 2" Meter</b>				\$121,095	\$121,095	\$0
<b>Wastewater- 1.5" Meter</b>				\$5,901	\$5,901	\$0