



# REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

September 6, 2017

**DEPARTMENT:**

Community Development

**DIVISION:**

Community Planning

- ☐ Motion
- ☐ Resolution
- ☐ Ordinance - Introduction
- ☒ Ordinance - Adoption
- ☐ Public Hearing

**TITLE:**

Development Fees Code Text Amendment: Waivers and Infill

**SUMMARY RECOMMENDATION:**

Amend Title 15 Land Usage, Chapter 157 City of Yuma Development Fees (Sections: 01 and 02) to correct the use of Waivers and to include the Infill Overlay District as an area eligible for a Waiver of Development Fees. (Community Development/Community Planning) (Laurie Lineberry)

**REPORT:**

The purpose of this text amendment is twofold: 1) address the correct identification of Waivers, Credits and Exemptions, and 2) incorporate the Infill Overlay District as an area eligible for Development Fee waivers.

Arizona Revised Statutes (A.R.S.) §9-463.05, the development fee enabling act, identifies the use of Credits to offset development fees in lieu of facility construction, Waivers of development fees if the fees are paid from a non-development fee fund source, and Exemptions of fees if there is no increase in the number of service units. Yuma City Code, Chapter 157, City of Yuma Development Fees incorrectly identifies Waivers as Exemptions. This text amendment corrects that error and provides definitions for each in accordance with A.R.S. §9-463.05.

On June 21, 2017, the City Council adopted the Infill Incentive Plan and the Infill Overlay District which encourage infill development in the older, historic and established areas of the City of Yuma. The Infill Incentive Plan identifies various tools to encourage infill and redevelopment including Waivers of development fees for projects within the Infill Overlay District.

Chapter 157 already identifies that affordable housing projects or projects located within adopted redevelopment plans are eligible for development fee waivers and this amendment will allow City Council to consider waiving development fees for projects that are located within the Infill Overlay District. Any Waivers granted require City Council approval and the identification of an alternative funding source, other than development fees, to take the place of the waived fees.

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. 2. 3. 4. 5.			
	IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?  <input type="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Gregory K. Wilkinson		8/8/2017	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		8/7/2017	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		7/26/2017		
WRITTEN/SUBMITTED BY:		DATE:		
Jennifer L. Albers		7/19/2017		