

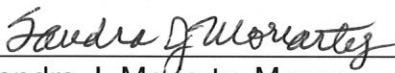
RESOLUTION NO. 2020-17

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, REESTABLISHING AS A PUBLIC RECORD PARKING IN-LIEU FEES
WITHIN THE UPTOWN SEDONA BUSINESS DISTRICT.**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA that the provisions set forth in the documents attached hereto as Exhibit A entitled "Parking In-Lieu Fees within the Uptown Sedona Business District" and Exhibit B entitled "Uptown Sedona Business District" constitute public records to be incorporated by reference into Ordinance No. 2020-05.

At least one (1) paper copy and one (1) electronic copy of this public record shall be kept in the office of the City Clerk for public use and inspection.

PASSED AND ADOPTED this 22nd day of September, 2020 by the Mayor and Council of the City of Sedona, Arizona.



Sandra J. Moriarty, Mayor

ATTEST:



Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:



Kurt W. Christianson, City Attorney

Exhibit A
Parking In-Lieu Fees within the Uptown Sedona Business District

1. Purpose: An in-lieu parking fee assists property owners in reinvestment, development, and redevelopment and fosters a pedestrian-oriented environment by offering an option to pay a fee “in-lieu” of providing a portion of the number of on-site parking spaces required by the Sedona Land Development Code (LDC). The City would then be responsible for providing central or common parking facilities which will be substituted for and satisfy the property owner’s obligation. The in- lieu fee program is also another method by which the City can support other transportation policies, projects, and programs.
2. Parking requirements for uses, as established by Section 5.5.D. of the Land Development Code (Minimum Off-Street Parking Spaces Required), or as otherwise established by procedures under the Land Development Code, within the Uptown Sedona Business District may be met by payment of an in-lieu parking fee as provided by this ordinance.
3. The parking in-lieu fee shall be a per parking space fee, and strictly voluntary in nature. and subject to administrative approval by the Director of Community Development to maintain an appropriate balance of onsite and offsite parking for any particular business activity.
4. The amount per parking space of the parking in-lieu fee shall be \$35,000 per space consistent with Section 5.5(C) of the LDC.
5. The parking in-lieu fee shall be tied to the National Construction Cost Index as reported by the Engineering News record and adjusted automatically on January 1st of each fiscal year, beginning on January 1, 2021.
6. The parking in-lieu fee may be paid in a one-time payment or in installments with a regular monthly amortization schedule to include interest on any principal amount.
 - a. If a one-time payment is utilized, the total in-lieu fee amount shall be paid prior to the issuance of building permits for the project or property subject to the minimum off-street parking requirement or if there is no construction subject to a building permit, the applicant shall pay the in-lieu fee prior to the issuance of a Certificate of Occupancy for the project or property subject to the minimum off-street parking requirements.
 - b. For installments:
 - i. The first installment shall be due prior to the issuance of building permits for the project or property subject to the minimum off-street parking requirement or if there is no construction subject to a building permit, the applicant shall pay the in-lieu fee prior to the issuance of a Certificate of Occupancy for the project or property subject to the minimum off-street parking requirement.
 - ii. The owner shall enter into an “In Lieu Fee Financing Agreement” provided by the City of Sedona which will include an interest rate based on the Arizona Department of Revenue rates as prescribed by the US Internal Revenue Code (IRC), Section 6621, which is the federal short-term rate, determined by the IRC plus four percentage points. A one-time \$50 set-up fee will also be charged.

- iii. If the unpaid balance is paid in advance of its due date, interest accrued will be calculated from the most recent payment to the payoff date. Any portion of the in-lieu parking fees which is not paid prior to the issuance of the building permit or Certificate of Occupancy for the project or property subject to the minimum off-site parking requirement shall be adequately secured via the execution of a deed of trust on the property conveyed by the owner of the property to the City for the duration of the loan. Costs associated with the execution of the deed of trust shall be paid by the property owner.
7. Within the boundaries of the Uptown Sedona Business District (Exhibit B to this Resolution), up to 100 percent of the parking requirement generated by new development or additions for all uses except lodging may be satisfied by the payment of in-lieu fees. For lodging uses, which cumulatively includes the lodging use and all other land uses on the same property as the lodging use, up to 10% of the parking requirement generated by new development or additions may be satisfied by the payment of in-lieu fees.
8. The parking in-lieu fee may be applied to all development projects within the Uptown Sedona Business District that are in the development review process but have not received a building permit.
9. Funds collected by the City from in-lieu fee payments shall be used by the City to finance one or more of the following activities:
 - a. Expansion of public parking supply through construction of new facilities.
 - b. Expansion of public parking supply by leasing existing and available space from private property owners.
 - c. Implementing and expanding mass transportation alternatives.
 - d. Trip reduction strategies, including, but not limited to, improvements to parking utilization rates by means of improved wayfinding, signage, information systems, management, circulation, access, and enhancement of bicycle and pedestrian facilities.
10. Payment of the parking in-lieu fee shall be subject to the following City and payer rights and obligations:
 - a. In combination with the spaces provided on-site, payment of the fee shall be considered full satisfaction of the off-street parking requirement as determined by Section 5.5.D. of the LDC.
 - b. The fee shall be non-refundable, and payment of the fee does not carry any other guarantees, rights, or privileges to the payer.
 - c. Payment of the fee does not represent an obligation of the City to provide Uptown area parking spaces within any particular proximity to the project for which the payment was made.
 - d. Payment of the fee does not represent an obligation of the City to make available parking spaces within any particular amount of time.
 - e. Payment of the fee does not entitle the applicant, his or her tenants, or his or her clients to exclusive or private use of any public parking spaces.

Exhibit B
Uptown Sedona Business District

