

ORDINANCE NO. (O)20-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING DEVELOPMENT IMPACT FEES IN THE AREAS OF PARKS AND RECREATION, POLICE, STREET AND WATER, BY AMENDING THE ORO VALLEY TOWN CODE, SECTIONS 13-1-16 “FEE SCHEDULE”, AND 15-17-2 “ALTERNATIVE WATER RESOURCES DEVELOPMENT IMPACT FEES” BY REPEALING AND REPLACING WITH A FEE SCHEDULES FOR BOTH; AND REPEALING SECTION 15-17-3 “POTABLE WATER SYSTEM DEVELOPMENT IMPACT FEES” AND REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH

WHEREAS, pursuant to A.R.S. § 9-463.05 the Town has the requisite statutory authority to assess development fees to offset costs to the municipality associated with providing necessary public services to a development; and

WHEREAS, on February 19, 2020, the Town approved the updated Land Use Assumptions and Infrastructure Improvement Plans and Resolution No. (R)20-09, providing notice of intent to increase certain development impact fees.

WHEREAS, on November 1, 2019 and March 9, 2020 the Town released reports outlining the method by which these development impact fees were calculated; and

WHEREAS, on November 18, 2019 and December 17, 2019, the Town held stakeholder meetings on proposed development impact fees and the infrastructure improvement plans; and

WHEREAS, no less than thirty (30) days have passed since the time of the public hearings on the proposed fees and infrastructure improvement plans; and

WHEREAS, section 13-1-16, “Fee Schedule” will be amended to reflect the new development fees, attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, section 15-17-2 will be amended to read “Water Facilities Development Impact Fees”, hereby combining the fee totals from the Alternative Water Resources Development Impact Fees (AWRDIF) and Potable Water System Development Impact Fees (PWSDIP), and reflecting the updating the table with the correct fee amounts, attached hereto as Exhibit “B” and incorporated herein by reference; and

WHEREAS, section 15-17-3, is repealed due to it being absorbed into the new 15-17-2; and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Town to amend the Town's development impact fees.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona, that:

SECTION 1. The existing Oro Valley Town Code Sections 13-1-16, Fee Schedule and 15-17-2, Alternative Water Resources Development Impact Fees are hereby repealed, and replaced with 13-1-16 Fee Schedule, and 15-17-2, Water Facilities Development Impact Fees as provided in Exhibit "A" and Exhibit "B", and repealing all resolutions, ordinances, and rules of the Town of Oro Valley in conflict therewith.

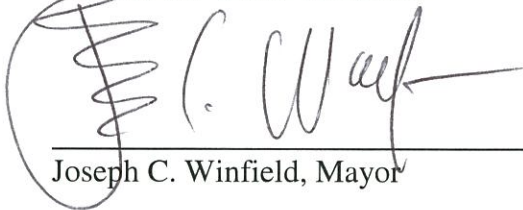
SECTION 2. Section 15-17-3, Potable Water System Development Impact Fees, is hereby repealed, attached hereto as Exhibit "C".

SECTION 3. This Ordinance shall become effective on July 1, 2022, due to the uncertainties of the current environment with the COVID-19 pandemic.

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


PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, this 17th day of June, 2020.

TOWN OF ORO VALLEY



Joseph C. Winfield, Mayor

ATTEST:




Michael Standish, Town Clerk

Date: 7/2/2020

PUBLISH: DAILY TERRITORIAL
JULY 13, 14, 15, 16, 2020

APPROVED AS TO FORM:



Tobin Sidles, Legal Services Director

Date: 7/2/2020

POSTED: 7/13/20 - 8/12/20

EXHIBIT "A"

13-1-16 FEE SCHEDULE

A. TRANSPORTATION, PARKS AND POLICE DEVELOPMENT FEES

LAND USE TYPE	UNIT	TRANSPORTATION	PARKS	POLICE	TOTAL
SINGLE-FAMILY DETACHED	DWELLING	\$1,660	\$1,054	\$283	\$2,997
MULTIFAMILY	DWELLING	\$870	\$762	\$204	\$1,837
HOTEL/MOTEL	ROOM	\$839	\$222	\$227	\$1,288
RETAIL/COMMERCIAL	1,000 SQ. FT.	\$2,567	\$558	\$680	\$3,805
OFFICE & OTHER SERVICES	1,000 SQ. FT.	\$978	\$708	\$260	\$1,946
INDUSTRIAL	1,000 SQ. FT.	\$498	\$389	\$130	\$1,017
WAREHOUSE	1,000 SQ. FT.	\$175	\$81	\$50	\$306
PUBLIC/INSTITUTIONAL	1,000 SQ. FT.	\$1,294	\$222	\$350	\$1866

B. WATER DEVELOPMENT FEES. REFER TO ARTICLE 15-17.

EXHIBIT "B"

SECTION 15-17-2 WATER FACILITIES DEVELOPMENT IMPACT FEES

RESIDENTIAL METER SIZE	FEES
5/8"	\$6,387
3/4"	\$9,569
1"	\$15,934
1.5" STANDARD	\$31,846
2" COMPOUND	\$50,941
MULTI-FAMILY (PER UNIT)	\$2,044
NONRESIDENTIAL METER SIZE	FEES
5/8"	\$7,087
3/4"	\$10,619
1"	\$17,684
1.5" STANDARD	\$35,347
2" COMPOUND	\$56,542
3" COMPOUND	\$113,062
4" COMPOUND	\$176,647
6" COMPOUND	\$353,273
8" COMPOUND	\$565,224
IRRIGATION METER SIZE	FEES
5/8"	\$14,343
3/4"	\$21,503
1"	\$35,824
1.5" STANDARD	\$71,627
2" COMPOUND	\$114,590
3" COMPOUND	\$229,158
4" COMPOUND	\$358,047
6" COMPOUND	\$716,072
8" COMPOUND	\$1,145,702

*THE WATER FACILITIES DEVELOPMENT FEES OF AWRDIF AND PWSDIF HAVE BEEN CONSOLIDATED INTO ONE FEE AS INDICATED BY THIS FEE SCHEDULE.

INDIVIDUALLY METERED RESIDENTIAL UNITS SHALL PAY THE SINGLE-FAMILY RESIDENTIAL FEE FOR EACH METER.

*THE METER COMPONENT OF THE FEE FOR MASTER-METERED MULTIFAMILY RESIDENTIAL USES IS THE HIGHER OF THE TOTAL BASED UPON TWO-THOUSAND FORTY-FOUR DOLLARS (\$2,044) PER UNIT OR THE COMMERCIALS FEE(S) FOR THE SIZE OF THE MATERS METER(S).

A VARIANCE MAY BE REQUESTED IF A METER IS REQUIRED TO BE INCREASED FROM A FIVE-EIGHTHS (5/8) INCH METER TO A THREE-QUARTER (3/4) INCH METER SOLELY DUE TO THE INSTALLATION OF FIRE SPRINKLER SYSTEMS. IF THE VARIANCE IS GRANTED, THE WATER FACILITIES DEVELOPMENT IMPACT FEE THAT WILL BE ASSESSED WILL BE THE COST OF A FIVE-EIGHTHS (5/8) INCH METER. THE VARIANCE WILL HAVE NO IMPACT ON ALL OTHER RATES, FEES, AND/OR CHARGES ASSOCIATED WITH A THREE-QUARTER (3/4) INCH WATER METER.

EXHIBIT "C"

SECTION 15-17-3 Potable Water System Development Impact Fees

Customer Class	PWSDIF Effective 7/1/2014
Single Family Residential (per meter size)	
5/8-inch	\$2,015
3/4-inch	\$3,022
1-inch	\$5,037
1-1/2-inch	\$10,074
2-inch	\$16,118
Multifamily Residential (per unit)	
Per Unit	\$967
Commercial and Industrial (per meter size)	
5/8-inch	\$2,619
3/4-inch	\$3,929
1-inch	\$6,548
1-1/2-inch	\$13,096
2-inch	\$20,953
3-inch	\$41,906
4-inch	\$65,478
6-inch	\$130,956
8-inch	\$209,530
Irrigation (per meter size)	
5/8-inch	\$3,626
3/4-inch	\$5,440
1-inch	\$9,066
1-1/2-inch	\$18,132
2-inch	\$29,012
3-inch	\$58,024
4-inch	\$90,662
6-inch	\$181,324
8-inch	\$290,118

Individually metered residential units shall pay the single family residential fee for each meter.

~~*The meter component of the fee for master metered multifamily residential uses is the higher of the total based upon nine hundred sixty seven dollars (\$967.00) per unit or the commercial fee(s) for the size of the master meter(s).~~

~~A variance may be requested if a meter is required to be increased from a five eighths (5/8) inch meter to a three quarter (3/4) inch meter solely due to the installation of fire sprinkler systems. If the variance is granted, the PWSDIF that will be assessed will be the cost of a five eighths (5/8) inch meter. The variance will have no impact on all other rates, fees and/or charges associated with a three quarter (3/4) inch water meter.~~

~~Metered connections to the Town's reclaimed water system are not subject to the potable water system development impact fees. ((O)14-05, 2014.)~~