

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: February 13, 2014**

SUBJECT: Proposed Annexation (ANX13-002) of one hundred thirty five (135) acres

SUBMITTING DEPARTMENT: Community Development Department

PREPARED BY: Joe Scott AICP, Planner, for Richard T. Parker, Community Development Director

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: a) Location Map b) Ordinance No. 787 w/ Exhibits

SUMMARY BACKGROUND: This proposed annexation (ANX13-002) comprises approximately one hundred thirty five (135) acres lying in portions of Sections 28, 29 and 33, Township 14 North, Range 1 East of the Gila and Salt River Meridian, Yavapai County, Arizona. The request for annexation is from various owners of property in the defined boundaries who are also members of the Tapadero Wastewater Improvement District along with owners of the Prescott Country Club Golf Course. The subject property is generally located west of the intersection of State Route 69 and Fain Road in the Dewey area. The zoning designation of the property is currently PAD under Yavapai County jurisdiction, indicating commercial and residential land uses. Should the property be annexed, similar zonings of R1L-PAD, R2-PAD and C2-PAD would be adopted by the Town of Prescott Valley. This proposed action to annex these properties into the Town limits follows approval by the Town Council of an MOU with the Board of Directors of the Tapadero Waste Water Disposal District to allow users of the private system to hook into the Town's Regional Wastewater Collection and Treatment System. In keeping with long-standing Council policy those properties within the Tapadero Domestic Wastewater Improvement District may only receive Town wastewater service if they are annexed into the Town.

A blank petition for annexation ANX13-002 was filed with the Yavapai County Recorder's Office on October 30, 2013, starting the necessary thirty (30) day waiting period prescribed in ARS §9-471. A public hearing was held on November 21, 2013, after statutory notice and public comment was received. Said notice included advertisement in the *Daily Courier*, site postings, and mailings to listed property owners and to the Yavapai County Board of Supervisors. Once the thirty (30) day waiting period elapsed, signed annexation petitions were obtained from the owners of property that would be subject to taxation by the Town and representing more than one-half (1/2) of the owners of the real and personal property in the annexation territory, and one-half (1/2) or more in value of the real and personal property in the annexation territory. Those signed petitions were filed with the Yavapai County Recorder's Office on January 27, 2014. This ordinance is now prepared for Council action in accordance with ARS §9-471.

[Note also: this action is proposed as an emergency measure solely for the purpose of allowing the Ordinance to be adopted by a single reading under Town Code §2-05-030. As set forth in Arizona case law, the opportunity for interested parties to file a verified petition in Superior Court per ARS §9-471(C) within thirty (30) days remains available.]

OPTIONS ANALYSIS: Council may approve the proposed annexation, direct staff to delay approval to address any issues, **OR** decline approval.

ACTION OPTION: Motion to read Ordinance No. 787 once by title only as an emergency measure then place the same on final passage, **OR** Motion to read Ordinance No. 787 by title only on two separate occasions then place the same on final passage, **OR** Motion not to read Ordinance No. 787 **VOTE.**

[if the motion passes to read Ordinance No. 787, the Town Clerk shall read it by title only; if the motion was to adopt Ordinance No. 787 as an emergency measure, the Mayor then asks “Shall the Ordinance Pass?”] **VOTE.**

RECOMMENDATION: Staff recommends that Ordinance No. 787 be read once by title only as an emergency measure then placed on final passage and adopted.

FISCAL ANALYSIS: Expected transaction privilege tax from Golf Course and Clubhouse facilities and one-time transaction privilege tax revenues through construction on vacant property served by Town sewer.

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____