

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: January 22, 2015**

SUBJECT: Proposed Annexation (ANX14-001) of approximately 58 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, and b) Ordinance No. 802 w/ Exhibits

SUMMARY BACKGROUND: This proposed annexation (ANX14-001) comprises approximately fifty-eight (58) acres lying in a portion of Section 20, Township 14 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona. The Town was successful this past December in receiving a \$500,000 Rural Economic Development Grant from Arizona Commerce Authority (ACA) to facilitate the construction of Enterprise Parkway extending to State Route 69. Design has been completed and construction bids for Enterprise Parkway were awarded December 18, 2014. The project has been in the planning and development stage for many years and this extension is identified in Roadway System, Exhibit CIR-1, of the Prescott Valley General Plan 2025. When completed, Enterprise Parkway will connect from State Route 69 to Valley Road in the Big Sky Industrial Park and will encourage industrial development in the area. The Arizona Department of Transportation has also approved signalization at the intersection with SR 69 and this will be completed as part of the project construction.

A portion of the proposed alignment is presently outside of the Town limits. To facilitate expected development, the Town has initiated annexation of approximately fifty-eight (58) acres surrounding portions of the alignment, adjacent to the existing Town Limits. The portions of the Big Sky Industrial Park adjacent to the annexation area are zoned M1-PAD (Industrial; General Limited – Planned Area Development). Since the M1 Zoning District is the only district that allows Sexually-Oriented Businesses [subject to the regulations in Town Code Subsection 13-17-050(B)] the owner of the subject property wants to ensure that such businesses will ultimately be prohibited in this visible gateway to the Town. Thus, when a later action is taken to rezone the property (after the annexation is completed), staff will recommend that the uses allowed under Town Code Subsection 13-17-020(A)(12) be prohibited in the annexation area. The subject property is located in Growth and Development Tier II of the Prescott Valley *General Plan 2025* which is available and appropriate to accommodate growth and infrastructure expansion anticipated for the approximately 15-year planning horizon of the General Plan.

A blank petition for annexation ANX14-001 was filed with the Yavapai County Recorder's Office on November 21, 2014, starting the necessary thirty (30) day waiting period prescribed in ARS §9-471. A public hearing was held on December 18, 2014, after statutory notice. 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 14, 2015. This ordinance is now prepared for Council action in accordance with ARS §9-471.

[Note: 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. 802 once by title only as an emergency measure then place the same on final passage, **OR** Motion to read Ordinance No. 802 by title only on two separate occasions then place the same on final passage, **OR** Motion not to read Ordinance No. 802 **VOTE.**

[if the motion passes to read Ordinance No. 802, the Town Clerk shall read it by title only; if the motion was to adopt Ordinance No. 802 as an emergency measure, the Mayor then asks "Shall the Ordinance Pass?"] **VOTE.**

RECOMMENDATION: Staff recommends that Ordinance No. 802 be read once by title only as an emergency measure then placed on final passage and adopted.

FISCAL ANALYSIS: It is anticipated that the Town will receive one-time transaction privilege tax revenues through construction on property subdivided in this area in accordance with the Town Code.

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____