

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: June 23, 2011**

SUBJECT: Proposed Annexation (ANX11-001) Tank Farm (approx 10.5 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. 760 w/ Exhibits.

SUMMARY BACKGROUND: This proposed annexation (ANX1-001) comprises approximately ten and one-half (10.5) acres lying in Section 15, Township 14 North, Range 1 West, of the Gila & Salt River Meridian, Yavapai County, Arizona. The proposed annexation comprises parcels 103-07-621 and 103-07-621B (the Town "Tank Farm" and former booster site). The property is generally located to the northwest and northeast of the intersection of Prescott East Highway and Antelope Lane. It is currently zoned RCU-2A under Yavapai County jurisdiction. Should the property be annexed, similar zoning of RCU-70 would initially be adopted by the Town.

A blank petition for annexation ANX1-001 was filed with the Yavapai County Recorder's Office on May 3, 2011, starting the necessary thirty (30) day waiting period prescribed in ARS §9-471. A public hearing was held on May 26, 2011, after statutory notice including advertisement in the *Daily Courier*, site postings, and mailings to listed property owners and 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 June 14, 2011. It is now proposed that this ordinance be adopted 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 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. 760 once by title only as an emergency measure then place the same on final passage, **OR** Motion to read Ordinance No. 760 by title only on two separate occasions then place the same on final passage, **OR** Motion not to read Ordinance No. 760. **VOTE.**

[if the motion passes to read Ordinance No. 760, the Town Clerk shall read it by title only; if the motion was to adopt Ordinance No. 760 as an emergency measure, the Mayor then asks “Shall the Ordinance Pass?”] **VOTE.**

RECOMMENDATION: Staff recommends that Ordinance No. 760 be read once by title only as an emergency measure then placed on final passage and adopted.

FISCAL ANALYSIS: No change from the current use of the property.

REVIEWED BY:

Management Services Director _____ Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____