

ORDINANCE NO. 2015-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARIZONA REVISED STATUTES, BY ANNEXING CERTAIN LAND TOTALING APPROXIMATELY 135.91 ACRES LOCATED AT 4100 & 4250 KILTIE LANE, WHICH LAND IS CONTIGUOUS TO THE EXISTING CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, AND ESTABLISHING CITY ZONING FOR SAID LAND AS RD (RESEARCH AND DEVELOPMENT) FOR 125.91 ACRES AND HC (HIGHWAY COMMERCIAL) FOR 10 ACRES INCLUDING RIGHT-OF-WAY FOR FLAGSTAFF RANCH ROAD AND KILTIE LANE

WHEREAS, petitioners own parcels of land (APN's 116-04-008E, 116-04-003Y and 116-04-007F) located at 4100 & 4250 W. Kiltie Lane, consisting of a total of 135.91 acres of land which are located within Coconino County, Arizona, as property adjacent to the boundaries of the City of Flagstaff, and described in Exhibits B and B-1, attached to and made a part hereof; and

WHEREAS, a petition in writing ("Petition") accompanied by a map or plot of said Property, having been filed and presented to the Mayor and Council of the City of Flagstaff, Arizona, signed by the owners of one-half or more in value of the real property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Flagstaff in the event of annexation of the territory and land hereinafter described as shown by the last assessment of said Property, which said territory is contiguous to the City of Flagstaff and not now embraced within its corporate limits, asking that the Property be annexed to the City of Flagstaff, and that the corporate limits of the City of Flagstaff be extended and increased so as to embrace the same; and

WHEREAS, the Mayor and Council of the City of Flagstaff, Arizona, are desirous of complying with said Petition and extending and increasing the corporate limits of the City of Flagstaff to include said territory as described in Exhibits B and B-1, in addition to the adjoining rights-of-ways for Kiltie Lane as described in Exhibit I and I-1 and Flagstaff Ranch Road as described in Exhibit J and J-1

WHEREAS, the Coconino County Board of Supervisors, are desirous of transferring the adjoining rights-of-ways for Kiltie Lane and Flagstaff Ranch Road to the City of Flagstaff, Arizona.

WHEREAS, said Petition set forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Flagstaff, and had attached thereto at all times an accurate map of the territory desired to be annexed; and

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after said Petition had been signed by an owner of real and personal property in such territory; and

WHEREAS, the provisions of Section 9-471, Arizona Revised Statutes, and amendments thereto, have been fully observed; and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk of the City of Flagstaff, Arizona, together with a true and correct copy of the original Petition referred to herein, which is on file in the office of the Coconino County Recorder; and

WHEREAS, the development of the Property will be controlled by the conditions of approval of the annexation application, other relevant provisions of the Zoning Code, and various other City codes regulating the development of the Property; and

WHEREAS, the Council finds that the proposed annexation for the Property has been considered by the Planning and Zoning Commission and that the City staff and the Commission have each recommended that the Council proceed with the annexation at this time; and

WHEREAS, the Council has reviewed the Staff Summary Report, which discusses the proposed annexation, and now finds that the annexation of the Property would be consistent with the objectives and policies of the Flagstaff Area Regional Land Use and Transportation Plan enacted in November, 2001 (“Regional Plan”) and the Flagstaff Regional Plan 2030 ratified May 20, 2014; that the annexation of the Property would not be detrimental to the majority of the persons or property in the surrounding area or to the community in general; and the Council specifically further finds that: The annexation of the Property and the existing and proposed uses thereon will further the objectives of the Regional Plan

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. That the following described territory be, and the same hereby is, annexed to the City of Flagstaff, and that the present corporate limits be, and the same hereby are, extended and increased to include the following described territory contiguous to the present City of Flagstaff corporate limits:

See attached Exhibits B and B-1 which are incorporated herein by this reference.

SECTION 2. That the territory described in Exhibits B and B-1 is annexed to the City of Flagstaff subject to the following condition:

That a copy of this Ordinance, together with an accurate map of the territory hereby annexed to the City of Flagstaff, certified by the Mayor of said City of Flagstaff, be forthwith filed and recorded in the office of the County Recorder of Coconino County, Arizona.

SECTION 3. That, pursuant to the provisions of Section 9-471(L), Arizona Revised Statutes, upon this Ordinance becoming final under the provisions of Section 9-471(D), Arizona Revised Statutes, the municipal zoning designation for the Property under the Zoning Code shall be:

1. APN's 116-04-007F and 116-04-008E shall be located within the RD (Research and Development) Zone in their entirety, 10 acres in the northeast corner of APN 116-04-003Y as described in Exhibits F and F-1 shall be located within the HC (Highway Commercial) Zone and the remaining 32.56 acres of APN 116-04-003Y as described in Exhibits F and F-1 shall be located within the RD (Research and Development) Zone.
2. All annexed parcels shall be placed within the Resource Preservation Overlay (RPO) Zone. All parcels located within the RD (Research and Development) Zone shall be considered together when applying the requirements of the RPO to the benefit of all Successor and Assigns.
3. All annexed parcels shall be placed in the City of Flagstaff Lighting Zone 1 and shall comply with City of Flagstaff Zoning Code Lighting Standards.

SECTION 4. The Community Development Department of the City of Flagstaff is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

SECTION 5. That the Flagstaff City Clerk shall provide a copy of the adopted annexation ordinance to the Clerk of the Coconino County Board of Supervisors within sixty days of the annexation becoming final.

SECTION 6. This Ordinance shall become effective thirty days after adoption by the Flagstaff City Council.

PASSED AND ADOPTED by the Mayor and City Council of the City of Flagstaff, Arizona, this _____ day of _____, 2015.

MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY