

**ORDINANCE NO. 2016-20**

**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 640.51 ACRES LOCATED IN SECTION 12, TOWNSHIP 21 NORTH, RANGE 6 EAST, WHICH LAND IS CONTIGUOUS TO THE EXISTING CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, AND ESTABLISHING CITY ZONING FOR SAID LAND AS PUBLIC OPEN SPACE (POS) FOR 640.51 ACRES; PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, petitioner owns parcel APN 112-05-002 located in Section 12, Township 21 North, Range 6 East, consisting of a total of 640.51 acres of land located within Coconino County, Arizona, as property adjacent to the boundaries of the City of Flagstaff, and described in Exhibit A, 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 Exhibit A; and

WHEREAS, Petition sets 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 the 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 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 Regional Plan 2030 ratified May 20, 2014 ("Regional Plan"); 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.

**ENACTMENTS:**

**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 Exhibit A, which are incorporated herein by this reference.

SECTION 2. That the territory described in Exhibit A 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. The entirety of APN 102-15-002 will be located within the Public Open Space (POS) Zone.
2. All annexed parcels shall be placed in the City of Flagstaff Lighting Zone 2 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. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference 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.

SECTION 7. The City Clerk is hereby authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary related to this ordinance as amended herein, and to make formatting changes needed for purposes of clarity and form, or consistency, within thirty (30) days following adoption by the City Council.

SECTION 8. This Ordinance shall become effective thirty (30) days after adoption by the Flagstaff City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff, Arizona, this 5<sup>th</sup> day of April, 2016.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

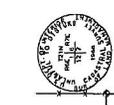
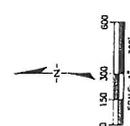
\_\_\_\_\_  
CITY ATTORNEY

**Exhibit A**

Description

All of Section 12, Township 21 North, Range 6 East, Gila & Salt River Base and Meridian, Coconino County, Arizona.

3678974 3 of 5



6-14-2013

WOODSON ENGINEERING AND SURVEYING INC.  
124 N. ELGIN ST., FLAGSTAFF, AZ 86001 • PHONE: (928) 774-6535 FAX: (928) 774-6545

113821

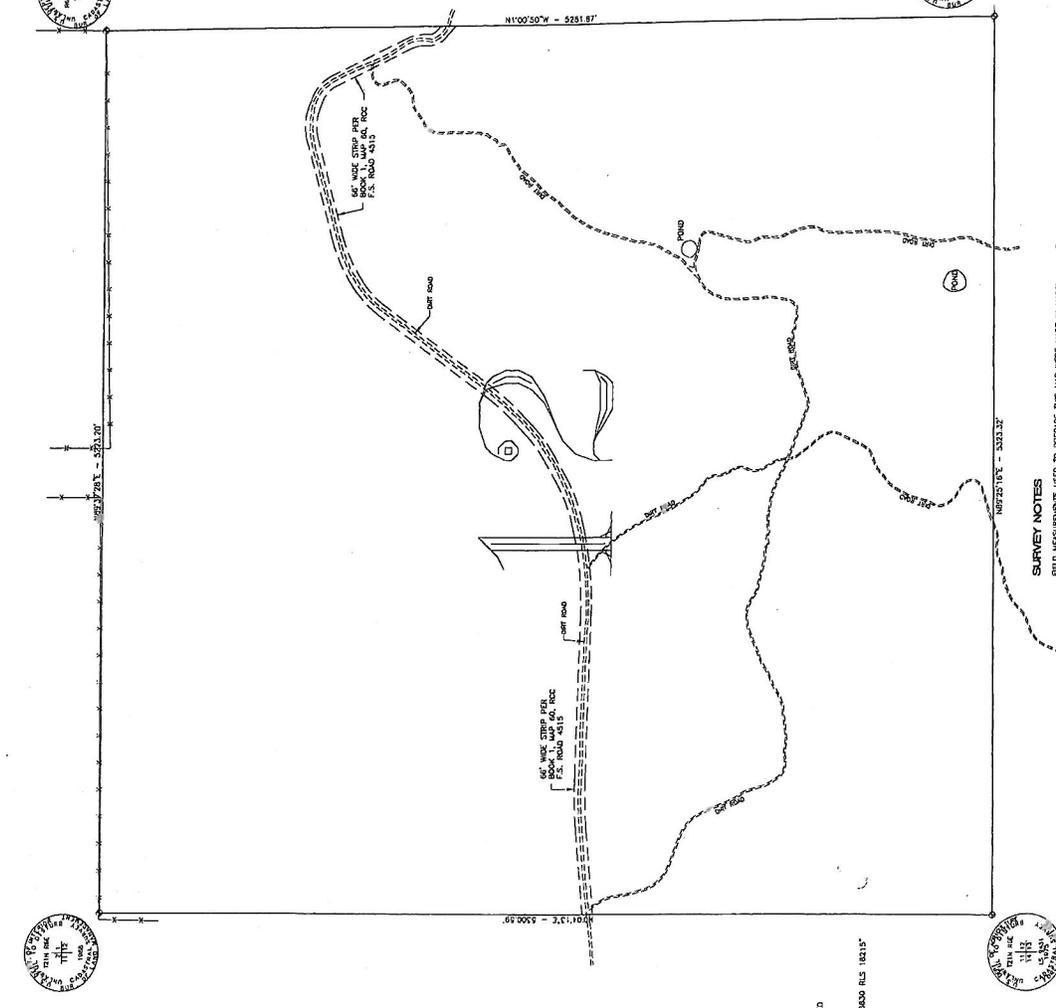
ALTA/ACSM LAND TITLE SURVEY  
SECTION 12, 21 N., R. 6 E., S. 9 & 58M  
CITY OF FLAGSTAFF, AZ

DATE: 06/14/2013  
DRAWN BY: J. WOODSON  
CHECKED BY: J. WOODSON  
SCALE: AS SHOWN

SHEET 3 OF 5

**SURVEY NOTES**

1. THIS MAP WAS PROVIDED FROM NOTES OF A FIELD SURVEY PERFORMED BY THE SURVEYOR ON 06/14/2013.
2. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE ARIZONA SURVEYING AND MAPPING ACT AND THE ARIZONA PROFESSIONAL ENGINEERING ACT.
3. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE ARIZONA SURVEYING AND MAPPING ACT AND THE ARIZONA PROFESSIONAL ENGINEERING ACT.
4. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE ARIZONA SURVEYING AND MAPPING ACT AND THE ARIZONA PROFESSIONAL ENGINEERING ACT.
5. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE ARIZONA SURVEYING AND MAPPING ACT AND THE ARIZONA PROFESSIONAL ENGINEERING ACT.



**LEGEND**

- SOLID LINE FENCE, EXISTING
- DASH LINE FENCE, EXISTING
- DASH LINE FENCE, PROPOSED
- POUND SIGN, EXISTING AS NOTED
- POUND SIGN, PROPOSED AS NOTED
- FOUND BENT-UP-NAIL MONUMENT AS NOTED
- FOUND BENT-UP-NAIL MONUMENT AS NOTED
- FOUND PIPE AS NOTED
- FOUND PIPE AS NOTED
- SET 1/2" IRON NAIL WITH CAP MARKED 'LS 18300 RLS 18213'

**SURVEY NOTES**

FIELD MEASUREMENTS USED TO PREPARE THIS MAP WERE MADE IN MARCH - JUNE 2013.

BASES OF BEARINGS DERIVED FROM GPS OBSERVATIONS.

GPS OBSERVATIONS MADE USING LEICA CORS STATION: MMU FLAGSTAFF CORS AWP: PD - 641802

340 (34011) POSITION: 111° 39' 23.2000\"/>

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