



City of Maricopa

Legislation Details (With Text)

File #: ORD 12-06 **Version:** 1 **Name:** Annexation Adoption
Type: Ordinance **Status:** Approved
File created: 8/1/2012 **In control:** City Council Regular Meeting
On agenda: 8/7/2012 **Final action:** 8/7/2012

Title: An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, extending and increasing the corporate limits of the City of Maricopa, Pinal County, State of Arizona, pursuant to the provisions of Title 9, Chapter 4, Article 7 of Arizona Revised Statutes and amendments thereto, by annexing thereto certain territory contiguous to the existing city limits of the City of Maricopa, consisting of 251 acres, more or less, located in a portion of section 15 of township 5 south, range 4 east of the Gila and salt river base meridian, Pinal County, Arizona, not currently within the corporate limits of the City of Maricopa, Pinal County, Arizona, known as Amended Annexation Petition 11-01. Discussion and Action.

Sponsors: Paul Jepson

Indexes: Community Resources and Quality of Life Amenities, Well Planned Quality Growth and Development

Code sections:

Attachments: 1. Ordinance, 2. Attachment 1 - Amended Annexation Petition, 3. Attachment 2 - Fiscal Impact Analysis, 4. Attachment 3- Infastructure Service Plan

| Date | Ver. | Action By | Action | Result |
|----------|------|------------------------------|----------|--------|
| 8/7/2012 | 1 | City Council Regular Meeting | Approved | Pass |

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, extending and increasing the corporate limits of the City of Maricopa, Pinal County, State of Arizona, pursuant to the provisions of Title 9, Chapter 4, Article 7 of Arizona Revised Statutes and amendments thereto, by annexing thereto certain territory contiguous to the existing city limits of the City of Maricopa, consisting of 251 acres, more or less, located in a portion of section 15 of township 5 south, range 4 east of the Gila and salt river base meridian, Pinal County, Arizona, not currently within the corporate limits of the City of Maricopa, Pinal County, Arizona, known as Amended Annexation Petition 11-01. Discussion and Action.

The properties to be annexed are generally located in the City of Maricopa’s eastern boundary, bounded by Peters and Nall Road to the north, Anderson Road to the east, Antone Rd. alignment to the West, extending south of Maricopa- Casa Grande Highway. The total area is approximately 251 acres, which was reduced from approximately 3,260 acres (original annexation area) to 251 acres (amended annexation area).

On the direction received from the City Council, the revised blank petition for Annexation 11-01 was re-filed on June 21, 2012. Please see Attachment -1. It includes the petition, map and legal descriptions of the amended annexation case # ANX11-01. The proposed Annexation area involves only two property owners, Ak-Chin Indian Community and BNC Bank. These two groups have expressed interest to annex their properties into Maricopa.

Pursuant to A.R.S. §9-471 et seq., the original annexation (ANX 11-01) petition was filed and recorded on July 20, 2011. The citizen petition, (request) was sponsored by the City on behalf of the applicants representing Santa Cruz Ranch, Planned Area Development (approximately 1910.3 acres), and other adjacent landowners whose properties are located on the southeastern boundary of the current City limits. According to A.R.S. § 9-471, any application for annexation must be completed by adoption of Ordinance within one year plus 30-day time from the date of the filing of the original blank petition.

On August 16, 2011, the Mayor and City Council held a public hearing to receive public testimony on the proposed annexation area. The City received a protest from the Ak-Chin Indian Community, an owner of properties within the current annexation area. The City was also aware of a minor dimensional abnormality in the original annexation map as well as the need for roadway easements to be acquired prior to receiving County support.

Staff has worked diligently with the Ak-Chin Community to resolve their outstanding concerns. As a result, an Intergovernmental Agreement and Pre-Annexation Development Agreement with Ak-Chin Indian Community will be reviewed prior to this Annexation Ordinance.

Staff believes the reduced annexation area enables the City to meet the time constraint to annex within the statutory limitations. It will also provide the land contiguity to the south as required by the statutes, with options for further annexations, which can commence immediately after the completion of Annexation 11-01.

Staff met with the landowners of the Santa Cruz Ranch (original annexation) and is currently working with them to draft a pre-annexation development agreement for City Council consideration. In addition, the City already signed a development agreement with another major landowner who was part of the original annexation (Anderson Russell, LLC) so their land can be included in the future annexation area. The City is preparing agreements with the Ak-Chin Indian Community and BNC Bank to gain support for this “foothold annexation” and to ensure all future impacts will be mutually resolved. The City Council will review these agreements concurrently to this annexation petition.

A Fiscal Impact Analysis (FIA) of the amended annexation area was conducted by the City and it showed positive net impact, see Attachment-2.

As required by the statutes, Service and Infrastructure Plans have been submitted by respective City Departments (Fire, Police, and Development Services) see Attachment-3.

As required per A.R.S. §9-471, the City has sent public hearing notification letters to all residents within 300 feet of the annexation area and posted signs on the site location informing area residents of the August 7 public hearing and possible adoption of the annexation through an ordinance.

Per Ordinance 07-01 Citizen Participation Plan (CPP), a neighborhood meeting was held on July 31, 2012 at the City Hall. The CPP Report, including meeting minutes and names of attendees will be on file with the Planning Division and made available for review at the City Hall. The City has not received opposition to the reduced annexation area.

In addition, all public agencies and adjacent jurisdictions were re-notified and Staff received email communication from Pinal County stating that the blank petition filed by the City on June 21, 2012 does not meet annexation guidelines requirement as set forth in A.R.S. § 9-471:

- 1) Do not meet full roadways
- 2) This annexation appears to include the partial annexation of the following parcels:
502-10-001C, 502-10-002, 502-10-004 (centrally-valued/state assessed parcel)

City staff has been working with Pinal County Public Works Department to address the above-mentioned technical issues, and expects to resolve them through a separate instrument of record, if necessary, without impacting the current annexation process.

Staff recommends Council approve Ordinance 12-06.