

# City of Prescott

## General Plan Review Committee



February 28, 2024 | 2:00 PM  
201 N. Montezuma Street  
Council Chambers, 3rd Floor  
Prescott, AZ 86301

### AGENDA

The following Agenda will be considered by the **General Plan Review Committee** at their meeting to be held **February 28, 2024**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. OPEN CALL TO THE PUBLIC**

The City of Prescott welcomes public engagement and residents may comment & address the Committee on matters NOT included on the Agenda during the Call to the Public. Please complete a speaker card and submit it to the City Staff prior to the meeting being convened. Speakers are limited to four (4) minutes, and the Call to the Public will be limited to forty (40) minutes in total. Citizens are limited to addressing the Committee four (4) times regarding the same topic.

Please Note: Pursuant to A.R.S. §38-431.01(H), members of the Committee may NOT discuss items that are not specifically identified on the Agenda and, therefore, interaction will be limited to the following:

- 1) Responding to criticism
- 2) Requests to staff to investigate & report on the matter
- 3) Request that the matter be scheduled on a future agenda

**4. DISCUSSION & ACTION ITEMS**

- A. Approval of the January 31, 2024 General Plan Committee Meeting Minutes.  
**Recommended Action: MOVE to approve the minutes as presented**
- B. Presentation & Discussion from the City Planning Division Regarding the Land Use Section with Land Use Map.  
**Recommended Action: This item is for discussion only. No formal action will be taken.**
- C. Presentation & Discussion from the City Planning Division Regarding Review of Major Plan Amendments.  
**Recommended Action: This item is for discussion only. No formal action will be taken.**
- D. Presentation & Discussion Regarding Potential Charter Amendments Related to Open Space.  
**Recommended Action: This item is for discussion only. No formal action will be taken.**

**5. UPDATES**

**6. ADJOURNMENT**

Upon a public majority vote of a quorum of the Board, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

**CERTIFICATION OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 2/21/24 at 3:00 p.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

*Sarah M. Siep*

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Sarah M. Siep, City Clerk



TO: MAYOR AND CITY COUNCIL  
AGENDA: February 28 General Plan Committee Meeting  
DATE: February 28, 2024  
DEPT: Community Development  
ITEM #: 4.A  
SUBJECT: Approval of the January 31, 2024 General Plan Committee Meeting Minutes.

## ITEM SUMMARY

This item is for the approval of the minutes from the January 31, 2024 General Plan Committee meeting. Staff recommends approving the minutes as presented.

## BACKGROUND

None.

## FINANCIAL IMPACT

There is no fiscal impact at this time.

## RECOMMENDED ACTION

MOVE to approve the minutes as presented

## ATTACHMENTS

1. January 31, 2024 General Plan Committee Minutes



# City of Prescott

## General Plan Review Committee

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January 31, 2024 | 2:00 PM  
201 N. Montezuma Street  
Council Chambers, 3rd Floor  
Prescott, AZ 86301

### MINUTES

#### 1. CALL TO ORDER

Chair Sapio called the meeting to order at 2:00 PM.

#### 2. ROLL CALL

Terry Sapio, Chair  
Don Michelman, Vice-Chair  
Andre Carman - Absent  
Mary Frederickson  
Ralph Hess  
Jim Huffman  
Thomas Hutchison  
James McCarver  
Rod Moyer  
Tom Reilly  
Gary Worob

#### 3. OPEN CALL TO THE PUBLIC

A. Member of the public Greg Murray spoke to thank the Committee for including the public in the General Plan process. He is a member of the Quad Cities Climate collaborative and noted they had provided four white papers to the committee, focusing on sustainable local economic development, green infrastructure, energy use and conservation, and climate trends in the Quad City's region. He encouraged the Committee and the Council to utilize the information provided by citizens and organizations invested in the planning process and emphasized the expertise and commitment of citizens involved in groups like theirs, who offer their time and professional experience to benefit the city.

Planner Tammy DeWitt responded that they have the white papers and will be sent to the committee members soon.

B. Member of the public Earl Duque spoke regarding the Gail Gardner Neighborhood Plan, the neighborhood is working on updating the plan. He highlighted a need to calm traffic in that area and reduce noise during events, they would like their neighborhood plan included in the General Plan by reference.

C. Member of the public Julie Penola addressed the Committee regarding her work on the climate profile topic, and would like to embrace new and clean technologies, highlighted the importance of synthesized implementation strategies derived from the climate profile, stressed the significance of the General Plan in facilitating positive change, and advancing Prescott's leadership role within the Quad Cities region.

Member Hess asked for clarification on the involved groups.

Ms. Penola responded the groups include the Quad City's Climate Council, Northern Arizona Climate Action Group, and Interfaith Climate Action Team, who contributed to the development of the climate profile and subsequent white papers, offering valuable documentation and implementation ideas.

#### 4. DISCUSSION & ACTION ITEMS

- A. Approval of November 29, 2023 General Plan Committee Meeting Minutes.  
**MOTION BY MEMBER MOYER TO APPROVE THE MINUTES AS PRESENTED; SECONDED BY MEMBER WOROB: PASSED (8 - 0) NEW COMMITTEE MEMBER TOM REILLY RECUSED HIMSELF, RALPH HESS ABSTAINED.**
- B. Presentation from the Workforce Housing Committee Regarding the New Housing Section in the General Plan.

Workforce Housing Committee Member Nicole Kennedy presented the General Plan Housing Element.

Member Hess asked for clarification about the numbers mentioned.

Ms. Fraser responded that the numbers have not been fully approved by Council at this time.

Member Worob asked how much a new teacher earns.

Chair Sapio inquired about the time frame of salary increases since the General Plan covers a ten year period.

Ms. DeWitt clarified that this is just an introduction of what the Workforce Housing Committee would like included in the General Plan, the fine details will be worked on further down the road.

Member Hutchison asked if the needs and wants of the age demographics were surveyed.

Ms. Kennedy responded that the group is early on in their efforts but would like everyone no matter age to have access to housing.

Member Hutchison asked if the wrong houses are being built.

Ms. Kennedy stated that there needs to be more diversity of housing and need a more balanced inventory to support the needs of the community.

Member Michelman commented housing is usually built to demand and is harder to get the workforce into those homes that have been built.

Member Frederickson asked if clustered homes are considered single family residences.

Ms. Kennedy confirmed, yes, they are considered single family.

Member Worob asked if there are areas in Prescott that qualify for HUD low to moderate income areas.

Ms. Fraser advised there is one neighborhood, currently working for a grant that would evaluate city areas for possible HUD neighborhoods.

Member Huffman asked about the timing of the recent grant for up to \$200,000.

Ms. Fraser responded that if the full grant amount is received the city will perform a housing assessment and develop a housing plan and implementation plan that needs to be complete by June 2026.

Member Moyer asked about things the city could do to enforce the mix of the type of houses being built.

Member Reilly commented that modular and manufactured housing is not what it used to be, has come a long way and provides a great product.

Member Frederickson asked what drives the 2023 permit numbers for manufactured homes, a single home or a community of homes.

Ms. Kennedy responded that those numbers are driven by single manufactured home permit applications, not multiple at once by one party or developer.

Ms. DeWitt added that the city has a zoning overlay that allows manufactured housing in certain areas.

Member Frederickson asked if it is desired to change or adjust the zoning overlay to allow more options for manufactured home communities.

Ms. DeWitt stated that a few proposals have been seen for manufactured homes in areas that would require a rezone process and it will be looked at more next month with the review of the land use map.

Member Reilly advised manufactured housing is limited due to perceptions of the housing product that needs to be updated.

Member Huffman asked if there was more opportunity in the North Prescott for housing and shopping.

Ms. DeWitt responded yes, the neighborhoods in that area have been planned to allow mixed use.

Member Hutchison asked for recommendations for zoning.

Ms. Kennedy stated that it would be more housing density.

Member Worob commented that smart growth is not spoken about in Prescott, other communities in his experience are more proactive in that area.

Member Hess asked if the clustered type of home developments would be considered workforce housing.

Ms. Kennedy responded that it would depend, would have to consider the price.

Member Reilly commented that the cost of construction of the clustered home developments is too high, a modular or manufactured home would be a lower cost and likely to be more attainable for workforce housing.

Member McCarver asked what the grant money is planned to be used for if received.

Ms. Fraser responded that money is planned to be used for the housing assessment and a workforce housing position with the City.

Member Hess recommended including a description of what the home of my own program is.

Member Reilly commented that building codes need to be examined to expand to new housing types available these days like 3D printed homes and container homes.

Member Worob asked for a ballpark figure for CDBG (community development block grants) funds received and then distributed to applicants throughout the community.

Mr. McInnes, Community Development Grants Administrator, responded the city usually receives \$240,000 to \$250,000 a year through CDBG.

Member Worob commented that government no longer is a key part of affordable or workforce housing like it once was.

Member Frederickson left the meeting at 3:21 pm.

Workforce Housing Committee Member Randy Goodman addressed the Committee and stated that workforce housing is important to the health and future of the city.

Member Michelman commented workforce housing needs to be kept workforce housing and have some type of control to prevent it being sold into non workforce housing.

Mr. Goodman responded that he personally looked at a proposal that controlled that issue, they also want homeownership for the workforce and the pride of ownership that comes with that.

Councilman Gambogi commented that the city spends so much money training police and other new staff to replace the ones that left due to housing being too expensive. He recommended maybe a down payment incentive program for workforce.

Chair Sapio commented regarding down payment assistance and rent cost being

too high to save for a down payment, need to find an easier way to gain entry into homeownership for the workforce.

Mayor Pro Tem Cantelme spoke about hospital having plenty of money to incentivize bringing hospital staff to the area as it is greatly needed. Government can market and educate about workforce housing and discussed government entity versus private industry getting into the workforce housing industry.

***This item was for discussion only, no formal action was taken.***

C. Discussion, Review & Comment Regarding the Community Quality Chapter of the General Plan.

Deputy Police Chief Jon Brambila presented the Police Department portion of Community Quality.

Member Reilly asked what is meant by “crime prevention through environmental design”.

Deputy Chief Brambila clarified that it is to identify potential safety concerns and create a safer atmosphere.

Member Hutchison asked what the ratio is of officers to population.

Deputy Chief Brambila responded that the equation does not work anymore due to the population during the day growing.

Member Hess asked if the community quality component will come back to them again.

Ms. DeWitt responded this is the time to make any revisions.

Member Hess requested additional descriptions be provided on some police programs to expand the understanding for the public.

Member Michelman commented that the public advised they would like more enforcement on red light running.

Deputy Chief Brambila responded traffic is the highest frequency topic that the public comments on.

Member Hutchison asked if the police department has the equipment and facilities they need.

Deputy Chief Brambila stated that they have been lucky with getting the equipment they need including vehicles and drones, but facilities have been outgrown, need to look at substation and collocating options.

Member Reilly suggested referencing the Police Department Strategic Plan in the General Plan and providing direction to where it can be found in full detail.

Councilwoman Fruhwirth suggested putting something in the General Plan for the

police and fire departments that emphasizes the need to stay ahead of growth rather than lagging behind.

Member Michelman asked if thought has gone back to red light running cameras.

Deputy Chief Brambila responded that there is case law and legislation moving toward red light or speeding cameras not being an option any longer, Prescott did not have any cameras in the past.

Member Hess asked for clarification on new substation locations.

Deputy Chief Brambila stated they are looking at locations on Prescott Lakes Parkway near the County facilities and will need a North Prescott substation for the growth and airport which should be added to their strategies.

Member Moyer applauded the recruitment advertisements and efforts.

Library Director Roger Saft joined to discuss the Prescott Library.

Member Hess recommended adding into the description that the Prescott Library is involved and part of the Yavapai Library system, and on Strategy 3.3 would like to see some examples of the community partnerships.

Member Reilly commented on the need for additional library storage, he asked if that should be highlighted in the General Plan.

Mr. Saft responded he is concerned about storage needs.

Member Worob asked about getting kids healthy on reading instead of being on their devices too much.

Mr. Saft responded the Library does have outdoor activities for children that ties in reading, additional staff would help more programs become available.

Councilwoman Fruhwirth asked about a North Prescott Library, is that a need and what are the wants of the citizens.

Chair Sapio responded that he did not hear a request from the public for another library branch at the General Plan open house.

Member Reilly commented what are the needs for an addition branch.

Mr. Saft responded it has been noted that additional meeting space, more parking are requested needs. If an additional branch is identified as a need, more services will be expected. Main need is staffing, from there have more capacity for additional programs.

Member Hess asked if Embry Riddle was part of the Library network.

Mr. Saft confirmed, yes, Embry Riddle is a part of the network and can be used as a pick up and drop off location.

Member Hess applauded the Friends of the Library, they are a great help to the library.

Education topic:

Member Reilly recommended to update some of the statics to more current numbers.

Member Hess recommended more details on the options of programs offered through Yavapai College and mentioning other colleges that have a presence here like NAU and Old Dominion.

Councilwoman Fruhwirth emphasized the significance of enhancing childcare and early education to aid parents in seeking job opportunities. She stressed the need for improved education quality and proficiency and attracting high-paying jobs. She commended community support for adult education and advocated for private-public school partnerships, increased volunteer engagement in schools, and comprehensive workforce development to bolster various industries and business growth in the community.

Member Reilly requested more actionable items in the strategies and more specifics.

Ms. DeWitt pointed out that the community center, art, culture and museums and healthcare topics do not contain goals and strategies since those are operated by non-city entities.

Councilwoman Fruhwirth commented that she would like to see under the community quality section the public-private partnerships that make the popular events possible.

Member Hutchison commented that youth community centers are a great resource for the youth.

Member Worob added that the Launch Pad provides a youth community center.

Member Hess recommended adding behavioral health resources under the healthcare topic.

Member Worob commented that a community's success is often measured by its arts and culture, and highlighted the importance of acknowledging the impact, whether positive or negative, that arts and culture have on the community, noting a lack of emphasis on arts and culture in the community currently.

Member Michelman asked who the end users are for the General Plan.

Ms. DeWitt responded that it would be Council, the city departments, developers, citizens and potential residents.

Chair Sapio proposed an idea of a brochure for the General Plan at the Chamber of Commerce that could have a QR code to the full plan to make it more accessible. He added that the community quality section is a good area of the

plan to showcase the great attributes of Prescott.

***This item was for discussion only, no formal action was taken.***

**5. STAFF UPDATES**

None.

**6. ADJOURNMENT**

Chair Sapio adjourned the meeting at 4:52 PM.

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Terry Sapio, Chair

ATTEST:

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Board Secretary



TO: MAYOR AND CITY COUNCIL  
AGENDA: February 28 General Plan Committee Meeting  
DATE: February 28, 2024  
DEPT: Community Development  
ITEM #: 4.B  
SUBJECT: Presentation & Discussion from the City Planning Division Regarding the Land Use Section with Land Use Map.

## ITEM SUMMARY

The Land Use Section tries to create a balance of land uses within the community to assure the full range of services, employment opportunities, and housing choices. For land use purposes, this General Plan should provide guidance to decision makers when budgeting for infrastructure, considering development project applications, considering potential annexations, and acting on rezoning requests.

The Land Use Map is used to assist in guiding growth and development consistent with the community's vision and used to determine if a proposed project will require an amendment to the General Plan.

## BACKGROUND

None.

## FINANCIAL IMPACT

There is no fiscal impact at this time.

## RECOMMENDED ACTION

This item is for discussion only. No formal action will be taken.

## ATTACHMENTS

1. Land Use Sections in different chapters
2. THE LAND USE MAP CATEGORIES
3. GeneralPlan\_Land Use
4. Zoning Map

# Land Use Introduction

Prescott's land use base comprises the typical residential, commercial, and industrial land use types. Prescott has a traditional downtown of mixed uses, mostly of retail commercial businesses. Other important components include 13 local and 13 national register historic districts, creeks, trails, lakes, and an airport. Prescott's Land Development Code (LDC) encourages mixed use areas, which combine commercial and residential uses. There are also transitional areas within the City where the land use character is changing due to new development or redevelopment of existing buildings being adapted for different uses.

## Planning Hierarchy

Prescott planning occurs in a hierarchy of planning layers, each with associated key planning documents controlling each level. At the top layer is this General Plan. The General Plan represents a high-level look at the current and anticipated condition of the City over a ten-year time span. For land use purposes, this plan should provide guidance to decision makers when budgeting for infrastructure, when considering development project applications, when considering potential annexations, and when acting on rezoning requests.

Prescott also uses Specific Area Plans where closer focus is warranted for certain, more limited, geographic areas that are experiencing change via growth, demographics, or external pressures such as development in adjacent jurisdictions. There are three specific area plans, each created for different purposes. The Prescott East Area Plan was the direct result of the annexation and development of the area that comprises Yavapai Hills, The Ranch and the concentration of commercial development including the nearby commercial area along SR69. Later, the Willow Lake South Area Plan was adopted because of the development of Prescott Lakes and nearby properties. The third, and largest in area is the Airport Specific Area Plan that was developed to influence land development around and near the airport.

The next layer of planning is at the neighborhood level. These plans are typically driven by redevelopment pressures or pressures from development near the neighborhood. Unlike the General and Area plans, neighborhood plans are much more focused on cultural and community cohesiveness and less about future land use planning.

(Insert small graphic of Land Use map and link to full Land Use Map) (Insert map depicting the three SAP's and maybe links) (add some form of hierarchy graphic)

# Resiliency and Sustainability Land Use Segment

The balance of land uses within a community is important to assure the full range of services, employment opportunities, and housing choices are provided to residents. Providing this full range of uses is an important aspect of maintaining a resilient community. At this time, housing affordability for essential workers is a high priority. The lack of affordable housing options has had a negative effect on employee recruitment for local governments and private industry. It is expected that this problem will continue to adversely affect the ability to hire qualified staff to provide essential services, both government services as well as healthcare and education services. Government and private industry must take action, or the residents of Prescott will suffer degradation of services.

Maintaining the balance, especially with workforce housing, has been an on-going concern for Prescott. This concern was noted in the 1990, 1997 and the 2003 General Plans. Providing for the housing needs of a balanced community has been and remains a particular challenge in Prescott due to the growing percentage of retired residents, many of whom are able to afford higher priced housing and thus incentivizing the market to produce housing out of the reach of working families. In addition, the steady increase in land costs further drives up the cost of housing. In the last decade, market-based housing development in Prescott consistently favored (and continues to favor) larger single-family homes in both large lot and smaller lot mass graded subdivisions. However, with Prescott remaining a retirement destination, smaller houses on smaller lots and multifamily rental housing options may occupy a greater share of the market in the next decade.

Beyond the question of housing balance, it is important to consider the availability of commercial and industrial land in the City. Prescott is comprised of approximately 68% residential property, 10% commercial property and 9% industrial property. The remainder is comprised of open space and master planned development properties. There is no “ideal” balance between these land use components. The key is to maintain sufficient undeveloped commercial and industrial lands to provide the necessary expansion of services to support anticipated residential growth. Approximately half of all commercial and industrial zoned land within the city remains vacant at the time of this writing.

## **Resiliency Land Use Goals and Strategies:**

- Goal 1.** Promote a balanced community with a diversity of residential types and prices by encouraging in-fill development of higher density development single-family and multifamily homes.

- Strategy 1.1** Seek out developers and not-for-profit organizations specializing in production of workforce affordable housing and assist them in locating and obtaining zoning entitlements for development of housing to address the deficit in housing affordable to key workforce sectors.
- Strategy 1.2** Assist in the creation of Community Development Corporation and Community Housing Development Organizations to open opportunities for grant supplemented development of single-family and multifamily housing for key workforce sectors.
- Goal 2.** Prepare a conceptual housing plan for the City of Prescott to include a full needs assessment and to address at a minimum, housing availability and variety, housing quality and housing affordability.
- Strategy 2.1** Conduct a new Prescott Housing Needs Assessment to create an accurate inventory of both housing needs and housing availability by unit price and income level affordability.
- Strategy 2.2** Work with non-profits, builders, and property owners to proactively identify and plan sites suitable for development of affordable housing.
- Strategy 2.3** Promote preservation, restoration and rehabilitation of existing housing stock. Existing housing contributes to greater diversity of housing options (including price ranges) and maximizes existing infrastructure investment.
- Strategy 2.4** Provide regulatory incentives to reduce production costs and promote production of workforce housing creating density bonuses, greater flexibility in placement of manufactured housing throughout the city, reduction in parking requirements for highly desirable housing types, where appropriate, and consider city contributions to off-site improvements which will benefit the development of workforce affordable housing.
- Strategy 2.5** Provide a water allocation priority for developments that create (and will maintain) 50% or more of the units at workforce affordable level or below. Make allocation an administrative process at up to 2 acre-feet (or otherwise double the allowance for market rate development) for workforce housing projects.

# Community Connectiveness

Keeping our neighborhoods and businesses connected is multifaceted. It means maintaining appropriate street connectivity. It means assuring adequate cellular communications coverage throughout the community. It means widely available access to the internet. It means open space, trails and wildlife corridors providing meaningful connections to our natural environment.

Street connectivity disperses traffic to reduce congestion and provides vital travel routes in case of emergencies such as wildfires. It is important to encourage new developments to include extensive roadway connections to counter the market pressures to create exclusive, limited access communities. While these communities seemingly offer security in normal times, they can become traps in an emergency. Street connectivity also encourages and facilitates commercial activity by providing easier access from residential neighborhoods to businesses.

Cellular and internet access have become vital for communications, education, and commerce. Cellular facilities are especially controversial because of their visually obvious nature. The common belief is that these are negative impacts on property values, however newer studies have identified good cellular connectivity to facilitate home based work as a positive rather than a negative impact. The FCC has identified cellular communications as vital backbone infrastructure for the country. More efforts to inform nearby residents of the benefits of enhanced cellular services are needed.

One of the most identified attractions for new and existing residents is our surrounding natural environment. Providing widely available access to open space areas and trail systems creates a sense of shared values in Prescott's natural character.

As the community grows, land uses in some areas evolve and come under development or redevelopment pressures. These transitioning areas are often the locations where significant land-use conflicts can occur. Internal pressures on land uses usually come in the form of new development in or near established neighborhoods. Involving residents in decision-making processes is important to assure that all interests are considered, and broad consensus can be sought.

**Goal 1.** Promote preservation and maintenance of existing landscaped, trails and open spaces within neighborhoods to assure pedestrian circulation and access to existing open spaces.

**Strategy 1.1** Identify opportunities to create new pedestrian connections from residential neighborhoods to commercial and service locations.

**Strategy 1.2** Support through appropriate processes, minor variations from the codes which allow preservation, restoration, rehabilitation and expansion of historic buildings and landscapes to improve their longevity and usefulness.

## Great Places

Diversity of neighborhoods is one of the many features that makes Prescott a great place. Prescott's earlier neighborhoods are rich with different architectural styles, historic landscaping and structures significant to Prescott's heritage. These attributes define neighborhood character. Preservation with sensitivity to private property rights is important in maintaining the historic character of these resources. The first subdivisions were designed with traditional small lots in a grid pattern. These are the characteristics which also define walkable and sustainable neighborhood design.

Infill construction and renovation in existing structures can provide medium density residential opportunities close to work and services in the downtown area. Later subdivisions on the fringes of the city core were also platted with small lots. In some areas, opportunities for moderately affordable housing exist in these neighborhoods and should be protected to help meet the housing needs of a balanced community.

Some transitions are from single-family residential to multi-family, while other transitions are from residential uses to commercial uses. Although much less common, it is also possible for commercial use areas to transition to residential uses.

**Goal 1.** Promote preservation and rehabilitation of historic buildings, landscapes and neighborhoods in a manner sensitive to property owners and in accordance with the Historic Preservation Master Plan.

**Strategy 1.1** Identify historic resources and promote understanding of their significance.

**Strategy 1.2** Support through appropriate processes, minor variations from the codes which allow preservation, restoration, rehabilitation and expansion of historic buildings and landscapes to improve their longevity and usefulness.

**Strategy 1.3** Encourage adaptive re-use of historic buildings where the original use is no longer viable.

**Goal 2.** Assist property owners, public and private, in the use of national, state and local regulatory mechanisms for the protection of property values and for benefits available to owners of historic properties.

**Strategy 2.1** Produce and distribute information packages detailing National Register listing advantages:

- state historic property tax reductions for residential property
- state historic property tax benefits for restoration of income producing properties
- tax incentive programs under federal law for renovation of income producing property

**Strategy 2.2** Produce and distribute information detailing the advantages of listing in a Local Historic Preservation District:

- protection of historic integrity of the property and/or neighborhood property values
- availability of state and federal funding under the Certified Local Government Program for improvements
- offer assistance and advice on renovation and new construction per adopted guidelines to property owners

**Goal 1.** Involve the residents and property owners of the area in the planning process and policy development for their area.

**Strategy 1.1** Encourage the use of Neighborhood Plans to get resident input on unique circumstances or challenges within developed neighborhoods, such as traffic safety or zoning incompatibility.

**Strategy 1.2** Encourage the use of historic preservation overlay districts where appropriate to protect historic buildings and features within neighborhoods.

**Goal 2.** Analyze transition and special study areas for their potential in helping to meet community challenges such as economic development, workforce housing needs, historic preservation and open-space conservation and traffic connectivity.

**Strategy 2.1** Develop incentives and modified development standards to better direct appropriate land uses in transition and special study areas while protecting nearby residential uses.

- Strategy 2.2** Encourage in-fill development and re-development at densities compatible with the established neighborhood character and infrastructure.
- Goal 3.** Support flexibility in setbacks, site coverage and height in return for acceptable development design, which maintains the character of transitioning areas, but also furthers implementation of neighborhood and land-use plans for the area.
- Strategy 3.1** Initiate rezoning, where appropriate, to support the character, goals and uses identified in specific area plans or neighborhood plans adopted for transition areas.
- Strategy 3.2** Encourage infill development while protecting the existing neighborhood housing stock and character
- Strategy 3.3** As development pressure occurs on existing neighborhoods, initiate neighborhood plans and/or special purpose plans with the involvement of residents and property owners to guide future development and re-development within or adjacent to those areas.
- Strategy 3.4** Define areas where zoning overlay districts, including Historic Preservation Districts, or other tools for specific neighborhood protection are appropriate.

## Economic competitiveness and Prosperity

Business, commercial, and industrial development, produce employment opportunities and income for City residents. However, successful income producing strategies are not based only on the quantity of these areas, but rather having the right size and types of business ventures in the right locations with available infrastructure and energy.

Downtown accounts for a significant amount of the City's sales tax base. It remains a primary visitor attraction for Prescott, supporting vibrant tourist and retail uses featuring arts, entertainment, hotels, restaurants, coffee shops, bookstores and museums. The downtown supports an important historic residential area as well as continuing uses for Federal, County and City government. The Downtown vision is the preservation of the physical, historic and visitor-friendly attributes so it may continue to be a major economic force and tourist draw for the City. The goals and policies of the Downtown Specific Area Action Plan (adopted by the City in May 1997) are reinforced in this General Plan.

Business, commercial, and industrial development, produce employment opportunities and income for City residents. However, successful income producing strategies are not based only

on the quantity of these areas, but rather having the right size and types of business ventures in the right locations with available infrastructure and energy.

Currently, the largest areas set aside for industrial uses are in the vicinity of the airport and in the Sundog Ranch/Industrial Way area. Smaller industrial areas are located in Sandretto Hills, Miller Valley Rd. and the Sixth Street area north of Sheldon St. Additional commercial and industrial areas may be created through annexation. It is important to expand opportunities for commercial, industrial and business uses in order to attract higher paying jobs and to promote Prescott as competitive in the regional marketplace. A balanced income producing area will have a mix of housing and ensure that future site development is carefully managed to avoid negative impacts.

Airport land-use protection must be addressed to assure the continued economic vitality of the airport. Residential subdivisions are south and east of the airport. Additional subdivisions, both within the City and in unincorporated areas, are possible near the airport. Development issues raise the need for regional cooperation to address airport land use, airport noise and other concerns to ensure that further residential or other incompatible land use infringement on the airport does not occur.

The airport is a substantial transportation and economic asset to Prescott and the surrounding areas and is owned and operated by the City of Prescott. The airport is a key for economic growth and can be further developed in this regard by enhancing air transportation for the region. The 2009 Airport Master Plan, adopted by Council in 2011, provides a 20 year plan for quality facilities and services to accommodate the needs of many different aviation interests such as Embry-Riddle Aeronautical University, flight-training schools, airlines, airport dependent businesses, general aviation uses, repair shops, fuel services and recreational and governmental uses.

To attract relocating and expanding businesses, transportation is needed to deliver people and goods. Given the distant access to the Interstate Highway system, the role of the airport as a transportation hub becomes apparent. The airport has the means and capability to attract regional air carriers, air cargo and aviation related businesses. The town limits of Chino Valley and Prescott Valley are very close to the airport. Coordination is needed with these municipalities and Yavapai County to develop the airport to serve the needs of the region. Implementation of the Airport Master Plan with additional intergovernmental cooperation will enhance the future economic benefit of the airport to the City and surrounding areas.

The Airport Master Plan, the Airport Business Plan and the 2001 Airport Specific Area Plan (ASAP) have each been adopted to address Airport land-use protection and to assure the continued economic vitality of the airport. This General Plan recommends that the Land Development Code and ASAP be amended to reflect FAA guidelines reflected in the current Airport Master Plan to ensure the future viability of the airport and surrounding airspace. Furthermore it is recommended that the Airport Business Plan be updated to assure the continued vitality of the airport as an economic engine.

**Goal 1.** Improve the City's income base by ensuring the availability of business sites and buildings.

**Strategy 1.1** Assure that the annexation of land will reinforce and support a beneficial mix of residential, commercial and industrial development.

- Strategy 1.2** Maintain policies using both incentives and flexible development standards to encourage expansion and retention of targeted business and industry and to establish, relocate or expand major commercial and industrial employers.
- Strategy 1.3** Support a balanced variety of commercial centers in Prescott, both existing and new, including some sites small enough to be affordable to smaller local firms and Village Center concepts to encourage a mix of residential and light business uses.
- Goal 2.** Increase the ratio of land for commercial and industrial uses to protect and enhance the city's tax base.
- Strategy 2.1** Encourage higher percentages of commercial and industrial land uses within the city through the implementation of adopted Specific Area Plans.
- Strategy 2.2** Encourage the creation and implementation of Specific Area Plans to guide the development of areas where such plans do not already exist.
- Strategy 2.3** Encourage increased research and development to promote more diverse employment opportunities and higher wages.
- Goal 3.** Facilitate location of major commercial development accessible to major road corridors when such uses achieve targeted city economic development goals, provided that historic preservation, open space requirements and environmental and quality of life issues are carefully considered and protected.
- Strategy 3.1** Ensure appropriate access and circulation are planned for business/commercial sites.
- Strategy 3.2** Ensure adequate buffers and screening for adjacent existing neighborhoods when siting commercial uses, especially major commercial centers.
- Strategy 3.3** Allow flexible screening and buffering options which adequately mitigate noise, light or other negative impacts.
- Goal 4.** Increase available sites with appropriate commercial land uses and zoning.
- Strategy 4.1** Support business development consistent with the City's adopted Economic Development Incentive Policy.
- Strategy 4.2** Annually review targeted industry list and the effectiveness of incentive and recruitment activities.

**Strategy 4.3** Encourage public/private partnerships to promote business activities and economic development within the city.

**Strategy 4.4** Establish partnerships for business development and retention in a manner similar to the Prescott Downtown Partnership.

**Strategy 4.5** Explore partnerships with property owners to deliver shovel ready parcels.

**Goal 5.** Apply compatible land uses within the airport impact zones and airport area which permit continued responsible development and protect the viability and operation of the airport as a public use facility.

**Strategy 5.1** Protect the airport from encroachment of incompatible land uses through amendments to the Land Development Code and Airport Specific Area Plan to reflect Federal Aviation Administration guidelines and enforcement of land use designations and policies, and zoning designations.

**Strategy 5.2** Establish an airport area commercial/employment zoning district, which does not permit residential uses, to assure commercial land availability in close proximity to the airport.

**Strategy 5.3** Create a new Airport Business Plan to bolster economic vitality of the airport area.

## **THE LAND USE MAP**

### **Explanation of Land Use Designations**

To assist in guiding growth and development consistent with the community's vision, it is important to understand the intent of the different land use districts designated on the Land Use Map (LUM). The following definitions relate to the designations on the Land Use Map and should be used when interpreting the map uses. The residential land uses are characterized as a range of dwelling units per acre (DU/AC).

Please Note that where Specific Area Plans exist and where their Land Use designations differ or conflict with the Land Uses indicated on the LUM, the Specific Area Plans shall be deemed the more specific and shall control planning decisions.

### **Government/Institutional**

This designation denotes areas dedicated for public or semi-public uses which may include government centers, police and fire substations, schools, libraries, community centers, water plants, wastewater treatment plants, as well as college or university campuses and related uses and activities, including student dormitories. In general, these areas are not intended for residential uses other than student housing.

### **Recreation/Open Space**

This designation denotes areas which are to be precluded from development except for active and passive public recreational facilities or natural preserves. Open space areas are intended to be left in a natural state due to topographic, drainage, vegetative, and/or landform constraints or the need to provide buffers between incompatible land uses, or to protect viewsheds.

### **Agricultural/Ranching**

The Agricultural/Ranching designation denotes areas intended to remain in agricultural or ranching production over the long-term. However, these areas are anticipated to transition to other land uses over time. Agricultural/Ranching land may allow residential development of up to one dwelling unit per acre depending upon zoning classification. Public service demands are not anticipated to be as great as in residential designations. No commercial or industrial development is anticipated.

### **Commercial/Recreation**

The Commercial/Recreation designation is intended to allow a mix of retail commercial uses, but with an emphasis on recreation related uses such as resorts, campgrounds, equestrian facilities, lodges, hotels/motels, RV parks, fishing camps and swimming pools. This category may also include civic and office uses. Residential uses are not anticipated with this designation.

## **Mixed-Use**

Mixed-Use areas are generally located at an existing or anticipated circulation nexus and/or placed between higher intensity uses and adjoining residential land uses. The Mixed-Use designation is intended to be compatible with the surrounding area while providing a mix of commercial, employment, public and residential uses. It is anticipated that these areas will support neighborhood oriented commercial uses and may include master-planned and developed mixed communities intended to replicate the traditional downtown mixture of commercial and residential uses of all density categories. Residential uses are permitted, but subject to density and buffering standards set out by the overlying zoning districts.

## **Commercial**

The Commercial designation denotes typical community or regional commercial uses. Intended uses include office, retail, service, civic, lodges, health related and other similar uses as permitted by the appropriate zoning designations. Residential uses of all density categories are permitted, but subject to density and buffering standards set out by the overlying zoning districts.

## **Commercial/Employment**

The Commercial/Employment designation refers to areas where professional offices, tourism, recreation, service uses, warehousing, and light industrial uses are generally appropriate. This use requires appropriate buffering considerations from adjoining residential areas. The specific allowable uses are determined based upon the zoning of each particular site and will consider adjacent land uses, traffic impacts and the intensity of any proposed development. Residential uses are not anticipated in this designation.

## **Industrial**

The Industrial designation is intended to include manufacturing, fabrication and processing of durable goods, wholesaling, warehousing, distributing, printing and publishing and freight terminals. This category may also include civic and office uses. Residential uses are not anticipated in this designation.

## **Very Low Density Residential (less than 1 DU/AC)**

The Very Low Density Residential category is intended for large-lot single-family housing in a rural setting. Development in these areas will consist mainly of detached single-family homes on 2-acre minimum sized lots or larger. The basic character of development is rural, with most natural features of the land retained. Typically, keeping of horses or other livestock is permitted, possibly in association with pre-existing and ongoing farming or ranching. Public services demands are not as great as in higher density, more urban development. No commercial or industrial development is anticipated.

## **Low-Medium Density Residential (1-7 DU/AC)**














The Low-Medium Density Residential category is intended for predominantly single-family detached residential development. Residential densities of up to seven dwelling units per acre are typical of this category. In general these areas are quiet residential single-family neighborhoods but in some areas a mix of single-family, duplexes and townhouses would also be appropriate. This designation may also include such supporting land uses as neighborhood shops and services, parks and recreation areas,

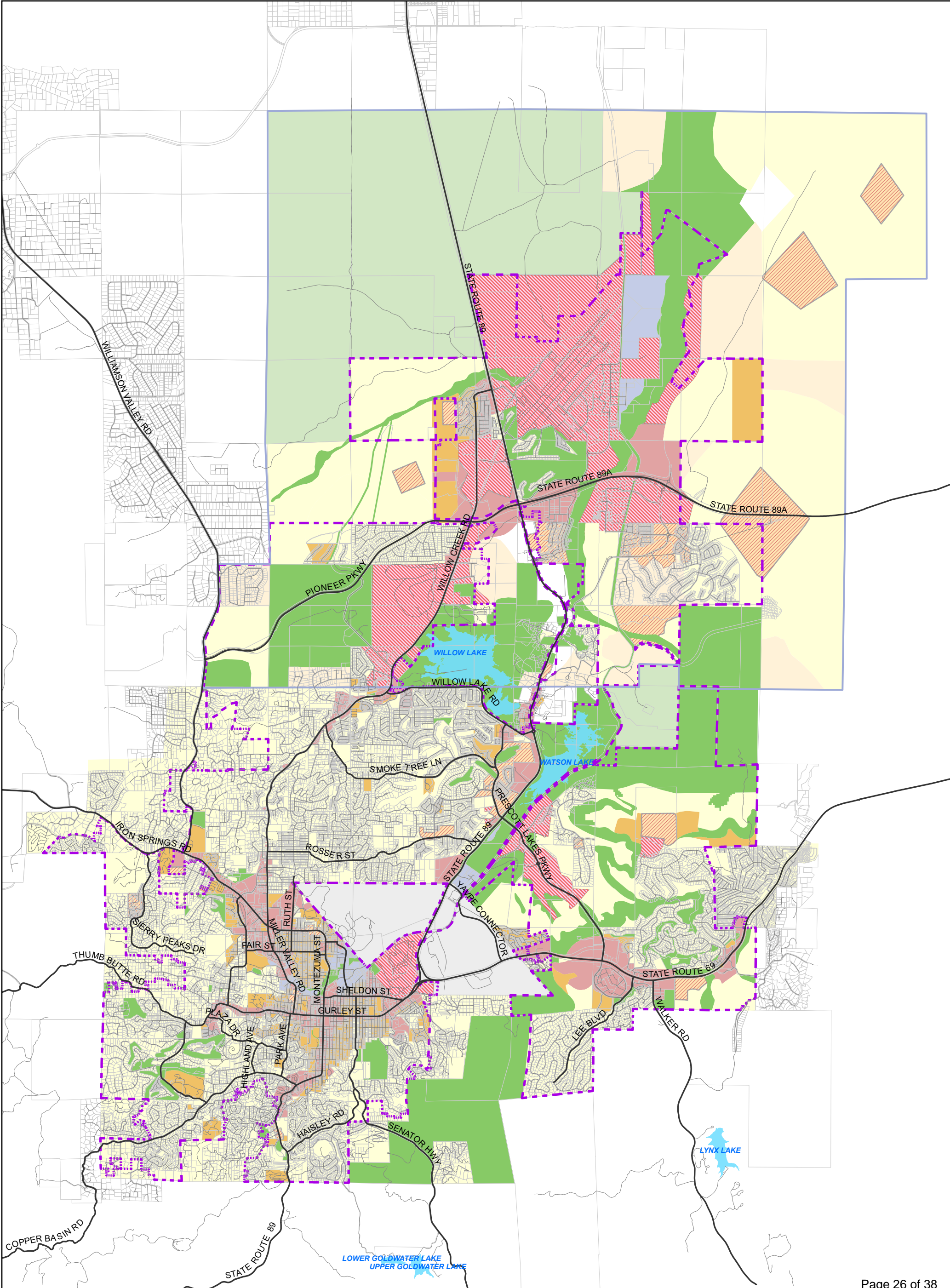
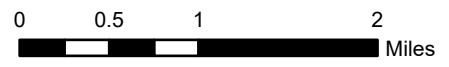
religious institutions, and schools. A full range of urban services and infrastructure is required. The Low-Medium Density Residential category would also allow residential development as described for the Very Low Density Residential category.

### **Medium-High Density Residential (8-32 DU/AC)**

























The Medium-High Density Residential category may include duplexes, manufactured and modular homes, apartments, town homes, and other forms of attached or detached housing on smaller lots. The density range for this category is 8 to 32 dwelling units per acre. This category may also include such supporting land uses as neighborhood shops and services, parks and recreation areas, religious institutions, and schools. A full range of urban services and infrastructure is required. The Medium-High Density Residential category would also allow residential development as described for the Low-Medium Density and Very Low Density Residential categories.

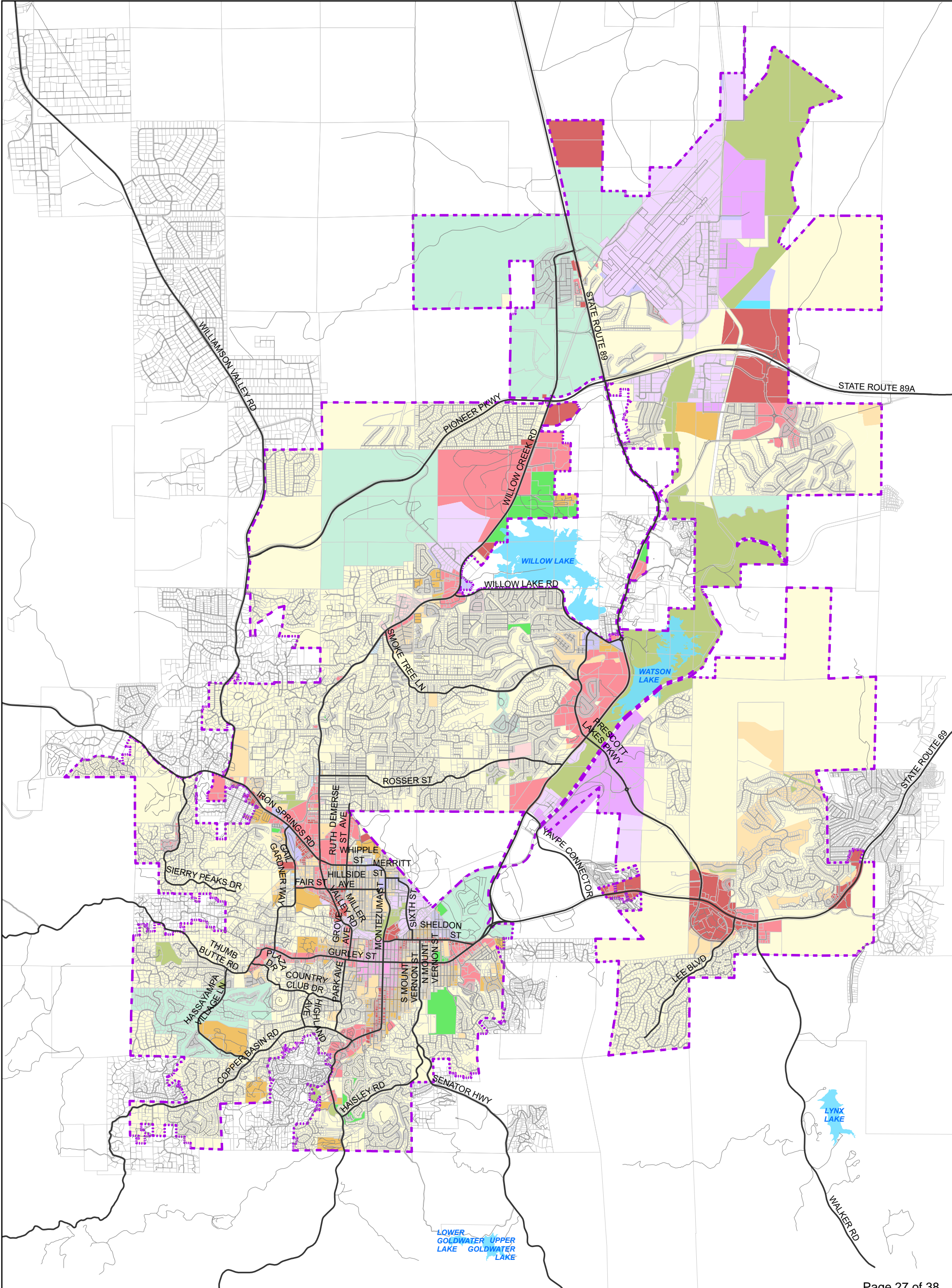
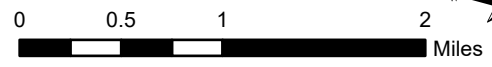
# City of Prescott Land Use General Plan

-  Agricultural/Ranching
-  Commercial
-  Commercial/Employment
-  Commercial/Recreation
-  Industrial
-  Low-Medium Density Res. (1-7 DU/Acre)
-  Med-High Density Res. (8-32 DU/Acre)
-  Mixed Use
-  Recreation/Open Space
-  Very Low Density Res. (<1 DU/Acre)
-  Yavapai-Prescott Indian Reservation
-  Lakes
-  City of Prescott Corporate Limits



# City of Prescott Zoning

- |  |   |  |   |   |
|--|---|--|---|---|
|  BG  |  IT      |  NOB  |  SF-9    |  SF12-MH                           |
|  BR  |  MF-H    |  NOS  |  SF-12   |  SF6-MH                            |
|  DTB |  MF-M    |  RO   |  SF-18   |  SPC                               |
|  IG  |  MF-M MH |  RS   |  SF-35   |  City of Prescott Corporate Limits |
|  IL  |  MU      |  SF-6 |  RE-2 AC |   |





TO: MAYOR AND CITY COUNCIL  
AGENDA: February 28 General Plan Committee Meeting  
DATE: February 28, 2024  
DEPT: Community Development  
ITEM #: 4.C  
SUBJECT: Presentation & Discussion from the City Planning Division Regarding Review of Major Plan Amendments.

## ITEM SUMMARY

The proportion of city land uses dedicated to open space has increased significantly in recent years. Residential land uses often require more in services than they contribute to revenues and commercial/industrial properties contribute more in revenue than they require in services. Therefore, the mix of land uses must be given serious consideration in future area plans, development agreements and annexations. Providing areas for commercial and industrial uses is especially important to not only provide a revenue stream to support services, but to also attract additional employers with competitive compensation.

The challenge for the community is: to ensure the continued vitality and longevity of existing commercial and industrial areas; to create additional sites suitable for business, commercial and industrial development; and to do so without sacrificing the historic and cultural resources and open space valued by the community or cause undue negative impacts on existing neighborhoods. Currently, undeveloped areas represent the best opportunities to improve and maintain a sustainable balance between these types of land uses.

## BACKGROUND

None.

## FINANCIAL IMPACT

There is no fiscal impact regarding this information.

## RECOMMENDED ACTION

This item is for discussion only. No formal action will be taken.

## ATTACHMENTS

1. 13 Major Plan Amendments
2. MAJOR PLAN AMENDMENTS FROM OTHER JURISDICTIONS

# 13.0 MAJOR PLAN AMENDMENTS

(A) The following shall constitute a Major Plan Amendment, as required by ARS Section 9-461.06(G):

1. Any change on the Land Use Map from a Residential designation to a Commercial or Mixed Use designation; from a Commercial designation to a Residential or Mixed Use designation; from a Mixed Use designation to a Residential or Commercial designation; or from an Open Space designation to any other designation, in the following instances:

a. encompassing greater than 40 acres (but no more than 160 acres) and which contains 400 or more single family residential dwelling units within 1,320 feet of the perimeter of the property being considered for a change; or

b. encompassing greater than 160 acres (but no more than 640 acres) and which contains 200 or more single family residential dwelling units within 1,320 feet of the perimeter of the property being considered for a change; or

c. encompassing greater than 640 acres and which contains 50 or more single family residential dwelling units within 1,320 feet of the perimeter of the property being considered for a change.

2. General Plan text amendments that change existing guiding principles and/or goals or strategies. However, text amendments that are simply complementary, illustrative or otherwise compatible with the existing goals, objectives and policies are deemed not to be Major Plan Amendments.

(B) For the purpose of determining the class of use designations, as referenced in Paragraph (A), the following shall apply:

Residential Use	Commercial Use	Mixed Use	Open Space
Very Low Density Residential	Commercial	Agriculture/Ranching	Recreation/Open Space
Low-Medium Density Residential	Commercial/Employment	Mixed-Use	
Medium-High Density Residential	Commercial/Recreation		
	Industrial		

(C) An amendment to an Area Plan or Neighborhood Plan, which Plan has not been formally incorporated into the General Plan, shall not, in and of itself, require a General Plan amendment.

(D) Inclusion of additional territory into the City limits by annexation and the initial zoning thereof, as required by ARS Section 9-471(L), shall not constitute a Plan Amendment. If the subsequent rezoning of said additional territory comes within the criteria as set forth in Paragraph A above, it shall constitute a Major Plan Amendment.

# General Plan Map Amendments

<b>If the Project is:</b>	<b>And there are this many Homes within ¼ mile:</b>	<b>Then it is:</b>
40 acres or more in size	400 or more	A Major Amendment
160 acres or more in size	200 or more	A Major Amendment
640 acres or more in size	50 or more	A Major Amendment

## **MAJOR PLAN AMENDMENTS FROM OTHER JURISDICTIONS**

### **Buckeye**

#### **Major Amendments**

In accordance with A.R.S. §9-461.06, a change is to be considered a major amendment if the resulting change is a “substantial alteration of the municipality’s land use mixture or balance” as established in this Plan.

Amendments to this Plan will be considered major if they meet one of the following criteria below, the occurrence of which results in a substantial alteration of the municipality’s land-use mixture or balance.

1. For all areas, a change in the Future Land Use Map of more than 160 acres. This criterion does not apply to land use changes from Employment to Neighborhood, regardless of size; such requests shall be processed as a minor amendment.
2. Any change within the Luke Compatible Area (LCA) designation.
3. General Plan text changes that are in conflict with or alter the goals and policies of the Plan.

#### **Minor Amendments**

Any change to the Future Transportation Network Map or any change that does not meet one of the criteria listed above for a Major Amendment. Also, any change to the Implementation Chapter of this General Plan is considered a Minor Amendment and may be considered by the City Council throughout the calendar year according to the regularly-scheduled review and hearing process.

#### **No Amendment**

No amendment is required for changes to formatting, scrivener errors, photos, graphics, tables or maps, other than the Future Land Use Map or the Future Transportation Network Map.

## **Payson**

### **Minor Amendments**

Changes to the General Plan that do not fall under the “Major Amendment” criteria listed below are “Minor Amendments.” Minor amendments must follow the adopted public hearing and notice requirements. Additionally, changes mandated by any new state laws shall utilize the minor amendment procedures for review and adoption.

### **Major Amendments**

Pursuant to A.R.S. §9-461.06.G, a “Major Amendment” means a substantial alteration of the municipality’s land use mixture or balance as established in the municipality’s existing General Plan Land Use Element. For purposes of amending the Town of Payson’s Land Use Element of the General Plan, the following activities shall constitute a “substantial alteration” of the land use mixture or balance.

- Any change in the land use designation that changes the use from residential, commercial, public, or industrial to another use, provided such change affects an area of twenty (20) acres or more.
- The establishment of a new, or the deletion of a requirement for a, planned arterial or collector roadway.
- An increase in density or intensity of use on the property provided such change affects an area of twenty (20) acres or more.
- A decrease in density of use through an initiative by the Town, except in the case where the Town receives petitions from seventy-five percent (75%) or more of all affected property owners.

## **Prescott Valley**

A major amendment is any proposal that meets any one of the following criteria:

- A change from a residential land use classification to a non-residential land use classification on 100 or more acres, except for Open Space and Public/Quasi- Public classifications.
- A proposal on 100 or more acres that increases the maximum number of allowable residential units by more than 250 units.
- Any proposal that in aggregate includes changes in land use designations exceeding 320 acres.
- A proposal that results in a significant alteration, displacement, or diversion of a road alignment from the Circulation Plan, including but not limited to a change in functional classification.
- A proposal against which a written petition has been submitted, signed by qualified electors of the Town (as defined by state law), equal to 10% of the total number of votes cast at the Town election last preceding the submission of the petition at which a Mayor or Councilmember was chosen. See Note 1 below.

### **2.3.2 Minor Amendments**

Any amendments that do not qualify as major amendments to the General Plan shall be considered minor amendments. Any change mandated by changes in state law shall also be considered minor amendments.

**Scottsdale**

**1) Change in General Plan Land Use Category Criteria**

A change in General Plan Land Use Category on the General Plan Future Land Use Map from one Category to another, as delineated in the following table:

CHANGE IN LAND USE CATEGORY							
From Category:	To Category:						
	A	B	C	D	E	F	G
	Natural Open Space	Developed Open Space	Rural Neighborhoods	Suburban Neighborhoods Cultural/Institutional or Public Use	Urban Neighborhoods	Resorts/Tourism	Commercial Employment Mixed-Use Neighborhoods
<b>A</b> Natural Open Space	-	<b>Major</b>	<b>Major</b>	<b>Major</b>	<b>Major</b>	<b>Major</b>	<b>Major</b>
<b>B</b> Developed Open Space	Minor	-	<b>Major</b>	<b>Major</b>	<b>Major</b>	<b>Major</b>	<b>Major</b>
<b>C</b> Rural Neighborhoods	Minor	<b>Major</b>	-	<b>Major</b>	<b>Major</b>	<b>Major</b>	<b>Major</b>
<b>D</b> Suburban Neighborhoods Cultural/Institutional or Public Use	Minor	Minor	Minor	Minor	<b>Major</b>	<b>Major</b>	<b>Major</b>
<b>E</b> Urban Neighborhoods	<b>Major</b>	Minor	<b>Major</b>	Minor	-	Minor	<b>Major</b>
<b>F</b> Resorts/Tourism	<b>Major</b>	Minor	<b>Major</b>	Minor	<b>Major</b>	-	<b>Major</b>
<b>G</b> Commercial Employment Mixed-Use Neighborhoods	<b>Major</b>	<b>Major</b>	<b>Major</b>	<b>Major</b>	Minor	Minor	Minor

**Major amendments are defined as follows:**

**Residential Amendments**

- Any Land Use Map residential density classification increase of 160 acres or more.
- Any change from a residential Land Use Map classification to a non-residential classification of 40 acres or more.

**Non-Residential Amendments**

- Any change of non-residential Land Use Map classification of 40 acres or more.

**Minor amendments are all changes not defined as major amendments above, and include:**

**Mandated Changes**

- Any change mandated by initiatives or state law.

**Parks/ Open Space, Public Facility/Institutional Land Use Classifications**

- Any change to or from Parks/Open Space and Public Facility/Institutional Land Use Map classifications.



TO: MAYOR AND CITY COUNCIL  
AGENDA: February 28 General Plan Committee Meeting  
DATE: February 28, 2024  
DEPT: Community Development  
ITEM #: 4.D  
SUBJECT: Presentation & Discussion Regarding Potential Charter Amendments Related to Open Space.

## ITEM SUMMARY

The Charter Review Committee may consider an amendment to Article VIII, Section 12, in regard to protecting city-owned Open Space in perpetuity. Committee Member Ralph Hess is seeking input from the General Plan Committee regarding the proposed amendment.

## BACKGROUND

None.

## FINANCIAL IMPACT

There is no fiscal impact at this time.

## RECOMMENDED ACTION

This item is for discussion only. No formal action will be taken.

## ATTACHMENTS

1. Article VIII Sec 12 of City Charter

## **ARTICLE VIII (Continued):**

### **Section 11 - Leases of city property**

The council may lease any land, building or part thereof owned by the city by public auction, sealed bids or negotiation. All such leases shall be approved by ordinance of the city council. Prior to the approval and execution of any such lease, the city shall publish a Notice of Intent to Lease City Property at least one time per week for two weeks. However, the council may, in its discretion, reject any and all offers. (Adopted January 14, 1969) (Amended December 11, 1979)

### **Section 12 - Sale of city property**

The council may sell such portions of the real and personal property of the city not needed or not likely to be needed within a reasonable future time. Each sale shall be made on such conditions as the council may prescribe to the highest responsible bidder after published notice of the sale in accordance with the following schedule:

1. Personal property valued in excess of \$3,000.00 shall be sold after published notice of the sale for at least once not less than five (5) days prior to opening of bids, proposals or auction. (Amended September 7, 1999)
2. Real property shall be sold after published notice of sale for at least one time per week for three weeks prior to opening of bids.

The council shall have the right to reject any and all bids.

The city manager may sell or otherwise dispose of any personal property having a value of \$3,000.00 or less without published notice but with written advice of such sale or disposal to be given to the council. (Amended September 11, 2001)

The council may also in its discretion subdivide and plat city property which it determines to sell, providing restrictions relative to its use and dedicate streets and alleys as determined necessary for the use of the public. (Adopted January 14, 1969)

Notwithstanding any portion of this section, the approximately 75 acres east of Senator Highway and south of Virginia Street, given to the city by J. S. Acker, shall be retained as a park in perpetuity. No portion shall ever be sold, leased, transferred or otherwise disposed of. In order to retain the integrity of this park, no through road shall ever be constructed on the property. (Adopted September 26, 1995)

**ARTICLE VIII – Section 12 (Continued):**

Notwithstanding any portion of this section, the property known as Watson Lake and Willow Lake, and adjacent property, consisting of a cumulative total of approximately eight hundred fifty (850) acres, which were acquired by the city from the Chino Valley Irrigation District from the bond proceeds, pursuant to that Special Bond Election held on May 19, 1998, shall not be sold by the city, and shall be retained as open space and/or utilized for water supply and recreational purposes in perpetuity. (Adopted September 7, 1999; amended June 7, 2012)