



City of Prescott

City Council - Special Meeting

February 4, 2025 | 3:00 PM
201 N Montezuma Street
City Council Chambers, 3rd Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Prescott City Council** at its **Special Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of the meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02. One or more members of the Council may be attending the meeting through the use of a technological device.

Viewing & Participation

This meeting may be viewed on Channel 64, Facebook Live or on the City's website: [City of Prescott Live Meeting Feed](#)

Public comments for Council may be submitted through the City website: [Public Comment Form](#)

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION & POSSIBLE ACTION**
 - A. **CONTINUED ITEM:** Discussion, Consideration and Possible Action Regarding Adoption of Ordinance No. 2025-1883 & Resolution No. 2025-1914 Related to a Citizen Petition Received by the Council at the November 19, 2024 Voting Meeting and Submitted by Bonnie McMinn & Rod Moyer.
AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, PLACING ON THE AUGUST 5, 2025 ELECTION BALLOT THE QUESTION OF AMENDING THE PRESCOTT CITY CHARTER, FOR PURPOSES OF PROTECTING CITY OWNED OPEN SPACE IN PERPETUITY
4. **ADJOURNMENT**

Upon a public majority vote of a quorum of the City Council, the Council 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 1/31/25 at 10:00 a.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.



Sarah M. Siep, City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: February 4 Special City Council Meeting
DATE: February 4, 2025
DEPT: City Clerk
ITEM #: 3.A
SUBJECT: **CONTINUED ITEM:** Discussion, Consideration and Possible Action Regarding Adoption of Ordinance No. 2025-1883 & Resolution No. 2025-1914 Related to a Citizen Petition Received by the Council at the November 19, 2024 Voting Meeting and Submitted by Bonnie McMinn & Rod Moyer.
AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, PLACING ON THE AUGUST 5, 2025 ELECTION BALLOT THE QUESTION OF AMENDING THE PRESCOTT CITY CHARTER, FOR PURPOSES OF PROTECTING CITY OWNED OPEN SPACE IN PERPETUITY

ITEM SUMMARY

This item is for the continued discussion related to a petition submitted by citizens Bonnie McMinn and Rod Moyer at the Tuesday, November 19, 2024 Voting Meeting and initially discussed at the Tuesday, January 14, 2025 Voting Meeting. Staff recommends the Council receive an updated presentation and take action on the revised Ordinance and petition as described below.

BACKGROUND

In accordance with Article II, Section 18 of the Prescott City Charter: "*any citizen of the city may appear before the council at a regular meeting and present a written petition; such petition shall be acted upon by the council, in the regular course of business, within sixty (60) days.*"

At the Tuesday, November 19, 2024 Voting Meeting Ms. McMinn and Mr. Moyer addressed Council during the Open Call to the Public and submitted the attached petition requesting revisions to City Code Chapter VIII, Section 12 related to protection of city-owned open space in perpetuity. The proposed ordinance would amend the city charter to automatically apply open space protections to any City-owned property zoned as Natural Open Space (NOS) and any City-owned property designated as Open Space on the General Plan's land use map. Such properties could only be used for limited open space purposes and would not be able to be sold, leased, or otherwise encumbered without a vote of the residents of the City.

The item was discussed during the Tuesday, January 14 Voting Meeting and Council requested that the proposed ordinance be denied pending the scheduling of a special meeting to refine the petition language for adoption. City staff have met with petitioners and present an updated draft that clarifies which uses would be allowed in affected City-owned open space property. Staff has also prepared an alternative draft amendment for Council consideration. At this time, staff recommends that the Council continue the Voting Meeting discussion, receive additional presentation from staff regarding this matter, and adopt a revised ordinance or provide additional direction to staff if further revisions are desired.

On Thursday, January 30, City Clerk & City Attorney's offices received updated language for the proposed charter amendment from the petitioners as listed below:

OFFICIAL TITLE: SHALL ARTICLE VIII OF THE PRESCOTT CITY CHARTER BE AMENDED TO ADD TO SECTION 12 THE FOLLOWING PROVISION PROHIBITING THE REZONING, REDESIGNATION, SALE, LEASE, TRANSFER, SUBJUGATION TO ANY EASEMENT, OR OTHERWISE ENCUMBERING OR DISPOSING OF CITY-OWNED OPEN SPACE WITHOUT PRIOR VOTER APPROVAL?

Notwithstanding any provision of this section, all existing City-owned open space property and any additional acquired City-owned open space property shall be retained as open space in perpetuity. No portion of any existing City-owned open space property and any additional acquired City-owned open space property shall ever be rezoned from NOS (Natural Open Space), redesignated on the City's General Plan Land Use Map, sold, leased, transferred, made subject to any easement other than utility easements and/or conservation easements, or otherwise encumbered without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

All City-owned open space property within City limits shall be zoned as NOS (Natural Open Space). Newly acquired City-owned open space property, if not already zoned as NOS (Natural Open Space) shall be rezoned to NOS (Natural Open Space) within one year of acquisition or annexation unless otherwise prohibited by law. Once City-owned open space property is zoned NOS, it may not be rezoned without voter approval as stated above.

City-owned open space property shall not be used for any purpose except the following NOS permitted uses in Prescott's Land Development Code: Nature Preserves, Utilities, Utility Installation and Services, Flagpoles, Gazebos, Visitor Centers, Bathroom Facilities, Trailheads and City-sanctioned trails as well as ancillary uses such as parking and similar infrastructure along with related road purposes, including all-weather road surfaces to access utility infrastructure, roads and paths for public safety access and response, paved roads to and around the forgoing open space amenities and within open space for emergency ingress or egress for adjacent development, but not to include arterial roads and thoroughfares except any of these roads may be used for evacuation of citizens in case of fire or other emergency.

"City" is the City of Prescott.

"City-owned open space property" is real property titled to the City of Prescott designated for Open Space land use by the City's General Plan Land Use Maps or zoned Natural Open Space (NOS) under the City's Land Development Code, but does not include existing rights-of-way already being used for road or street purposes as of January 1, 2025. City-owned open space property does not include real property in and surrounding the Prescott Regional Airport, Ernest A. Love Field purchased for airport use, runway protection, or airport compatibility purposes.

FINANCIAL IMPACT

Impacts associated with election fees and other updates are unknown at this time.

RECOMMENDED ACTION

1) MOVE to adopt Ordinance No. 2025-1883; and 2) MOVE to adopt Resolution No. 2025-1914

ATTACHMENTS

1. Moyer_McMinn Petition 11.19.24 Redacted
2. Ordinance No. 2025-1883
3. Resolution No. 2025-1914
4. Exhibit A Option 1_Petitioner Version Charter Amendment Language
5. Exhibit A Option 2_Staff Recommended Charter Amendment Language
6. OpenSpace_CharterAmendmentParcelMap_v1pdf
7. Open Space Charter Amendment Presentation

**PETITION FOR THE PRESCOTT CITY COUNCIL, PRESCOTT,
ARIZONA TO ADOPT A RESOLUTION AND ORDINANCE REGARDING
AMENDING ARTICLE VIII, SECTION 12 OF THE PRESCOTT CITY
CHARTER TO ADD A PROVISION PROTECTING CITY-OWNED OPEN
SPACE IN PERPETUITY**

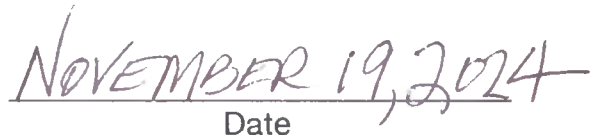
In accordance with City of Prescott Charter, Article II, Section 18, the undersigned citizens of the City of Prescott, County of Yavapai, State of Arizona, respectfully petition the Prescott City Council to consider, approve, and adopt in accordance with City of Prescott Charter, Article VII the attached proposed Resolution and attached proposed Ordinance, incorporated by these references, to refer a ballot measure to Prescott voters to protect in perpetuity City of Prescott-owned open space property.

We have personally signed this petition with our first and last names. We are citizens and qualified electors of the State of Arizona, County of Yavapai, City of Prescott.



Rod Moyer, Petitioner

Prescott, AZ 86303



Date



Bonnie McMinn, Petitioner

Prescott, AZ 86303



Date

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, CALLING FOR PRESENTING TO THE VOTERS OF PRESCOTT A PROPOSED CHARTER AMENDMENT AT THE AUGUST 5, 2025 PRIMARY ELECTION

RECITALS:

WHEREAS, A.R.S. Section 19-143(C) allows for amendments to the Prescott City Charter to be referred by the City Council to the voters; and,

WHEREAS, such Charter amendment must be presented to the voters at an election; and,

WHEREAS, the City Council desires the proposed Election for Prescott voters to consider and vote upon the Charter amendment proposal described in Prescott Resolution No. _____ shall be held on the same date as Primary Election Day in Prescott, Arizona - August 5, 2025.

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

ENACTMENTS:

SECTION 1. THAT an Election for the voters of Prescott to consider and vote on the amendment to the Prescott City Charter proposed by Resolution No. _____ shall be held on August 5, 2025; and

/ / /

/ / /

ORDINANCE NO. _____

Page 2

SECTION 2. THAT the Mayor and Staff are hereby authorized to take any and all steps deemed necessary to accomplish the foregoing.

PASSED AND ADOPTED by the Council of the City of Prescott, Arizona, on this _____ day of _____ 202____.

PHILIP R. GOODE, Mayor

ATTEST:

APPROVED AS TO FORM:

SARAH M. SIEP
City Clerk

JOSEPH D. YOUNG
City Attorney

ORDINANCE NO. _____

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CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Yavapai)

I, the undersigned Sarah M. Siep, being the duly appointed, qualified City Clerk of the City of Prescott, Yavapai County, Arizona, certify that the foregoing Ordinance No. _____ is a true, correct and accurate copy of Ordinance No. _____ passed and adopted at a Voting Meeting of the Council of the City of Prescott, Yavapai County, Arizona, held on the _____ day of _____ 202_____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said ordinance.

Given under my hand and sealed this _____ day of _____, 202_____.

Seal

Sarah Siep, City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE BALLOT LANGUAGE REGARDING PROPOSED CHARTER AMENDMENT PROTECTING CITY-OWNED OPEN SPACE PROPERTY IN PERPETUITY TO BE PRESENTED TO THE VOTERS OF PRESCOTT AT THE PRIMARY ELECTION TO BE HELD ON AUGUST 5, 2025

RECITALS:

WHEREAS, the City Council has received a citizens' request for a proposed charter amendment to protect city-owned open space in perpetuity to be referred to the voters as presented in Exhibit A to this Resolution; and,

WHEREAS, the City Council wishes to call a Charter Election to be held on August 5, 2025, and this date coincides with the City's scheduled primary election.

/ / /

/ / /

RESOLUTION NO. _____
PAGE 2

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF
THE CITY OF PRESCOTT AS FOLLOWS:

THAT the ballot language set forth on Exhibit A to this Resolution,
attached hereto and incorporated herein by reference, will be
presented to voters of Prescott, Arizona, at their August 5, 2025
Primary Election.

PASSED AND ADOPTED by the Mayor and Council of the City of
Prescott this _____ day of _____, 202____.

PHILIP R. GOODE, Mayor

ATTEST:

APPROVED AS TO FORM:

SARAH M. SIEP
City Clerk

JOSEPH D. YOUNG
City Attorney

RESOLUTION NO. _____
PAGE 3

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Yavapai)

I, the undersigned Sarah M. Siep, being the duly appointed, qualified City Clerk of the City of Prescott, Yavapai County, Arizona, certify that the foregoing Resolution No. _____ is a true, correct and accurate copy of Resolution No. _____ passed and adopted at a Voting Meeting of the Council of the City of Prescott, Yavapai County, Arizona, held on the _____ day of _____ 202____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said resolution.

Given under my hand and sealed this _____ day of _____, 202____.

Seal

Sarah Siep, City Clerk

EXHIBIT A

PROPOSITION

PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE VIII, SECTION 12,

OFFICIAL TITLE: SHALL ARTICLE VIII OF THE PRESCOTT CITY CHARTER BE AMENDED TO ADD TO SECTION 12 THE FOLLOWING PROVISION PROHIBITING THE REZONING, REDESIGNATION, SALE, LEASE, TRANSFER, SUBJUGATION TO ANY EASEMENT, OR OTHERWISE ENCUMBERING OR DISPOSING OF CITY-OWNED OPEN SPACE WITHOUT PRIOR VOTER APPROVAL?

Notwithstanding any provision of this section, all existing city-owned open space property and any additional acquired city-owned open space property shall be retained as open space in perpetuity. No portion of any existing city-owned open space property and any additional acquired city-owned open space property shall ever be rezoned, redesignated, sold, leased, transferred, made subject to an easement or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

"City" is the City of Prescott.

"City-owned open space property" is real property titled to the City of Prescott or easement rights of the City of Prescott designated for open space land use by the city's General Plan Land Use Map, Land Development Code, or Open Space Master Plan.

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Exhibit A

Page 2

FULL BALLOT TEXT:

OFFICIAL TITLE: SHALL ARTICLE VIII OF THE PRESCOTT CITY CHARTER BE AMENDED TO ADD TO SECTION 12 A PROVISION PROHIBITING THE REZONING, REDESIGNATION, SALE, LEASE, TRANSFER, SUBJUGATION TO AN EASEMENT, OR OTHERWISE ENCUMBERING OR DISPOSING OF CITY-OWNED OPEN SPACE WITHOUT PRIOR VOTER APPROVAL?

DESCRIPTIVE TITLE: This proposition would amend the Prescott City Charter to provide that all existing city-owned open space property and any additional acquired city-owned open space property shall be retained as open space in perpetuity and prohibited from ever being rezoned, redesignated, sold, leased, transferred, made subject to an easement, or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

A "yes" vote shall have the effect of adding language to the Prescott City Charter to protect all existing city-owned open space property and any additional acquired city-owned open space property in perpetuity and prohibit any portion of city-owned open space from ever being rezoned, redesignated, sold, leased, transferred, made subject to an easement, or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

YES

A "no" vote shall have the effect of retaining the current charter language.

NO

"Tagline" text:

SHALL THE AMENDMENT TO THE PRESCOTT CITY CHARTER PROPOSED BY INITIATIVE PETITION RELATING TO CITY-OWNED OPEN SPACE BE APPROVED?

A "yes" vote shall have the effect of adding language to the Prescott City Charter to protect all existing city-owned open space property and any additional acquired city-owned open space property in perpetuity and prohibit any portion of city-owned open space from ever being redesignated, sold, leased, transferred, made subject to an easement, or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

YES

A "no" vote shall have the effect of retaining the current charter language.

NO

ORDINANCE NO. 2025-1883

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, PLACING ON THE AUGUST 5, 2025 ELECTION BALLOT THE QUESTION OF AMENDING THE PRESCOTT CITY CHARTER, FOR PURPOSES OF PROTECTING CITY OWNED OPEN SPACE IN PERPETUITY

RECITALS:

WHEREAS, A.R.S. Section 19-143(C) allows for amendments to the Prescott City Charter to be referred by the City Council to the voters; and,

WHEREAS, such Charter amendments shall be presented to the voters at an election; and,

WHEREAS, the proposed Election for Prescott voters to consider and vote upon the Charter amendment described in Prescott City Council Resolution 2025-1914 will be held on the same date as the Prescott Primary Election Day of August 5, 2025.

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

ENACTMENTS:

SECTION 1. THAT the City of Prescott shall hold an election on August 5, 2025, and a question shall be submitted to the qualified electors of the City of Prescott of whether to adopt an amendment to the Prescott City Charter for the purposes of protecting City owned open space in perpetuity as described in Resolution 2025-1914.

SECTION 2. THAT the Mayor and staff are hereby authorized to take any and all steps deemed necessary to accomplish the foregoing.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott, Arizona on this ____ day of _____, 2025.

PHILIP R. GOODE, Mayor

ATTEST:

APPROVED AS TO FORM:

SARAH M. SIEP, City Clerk

JOSEPH D. YOUNG, City Attorney

CERTIFICATION OF RECORDING OFFICER

[illegible]

I, the undersigned Sarah M. Siep, being the duly appointed, qualified City Clerk of the City of Prescott, Yavapai County, Arizona, certify that the foregoing Ordinance No. 2025-1883 is a true, correct and accurate copy of Ordinance No. 2025-1883 passed and adopted at a Voting Meeting of the Council of the City of Prescott, Yavapai County, Arizona, held on the _____ day of February 2025, at which a quorum was present and, by a _____ vote, _____ voted in favor of said ordinance.

Given under my hand and sealed this _____ day of _____, 2025.

Seal

City Clerk

RESOLUTION NO. 2025-1914

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE BALLOT LANGUAGE FOR A PROPOSED CHARTER AMENDMENT FOR PURPOSES OF PROTECTING CITY OWNED OPEN SPACE IN PERPETUITY TO BE PRESENTED TO THE VOTERS OF PRESCOTT AT THE PRIMARY ELECTION TO BE HELD ON AUGUST 5, 2025

RECITALS:

WHEREAS, the Prescott City Council has received a citizens' request for a proposed charter amendment to protect city-owned open space in perpetuity to be referred to the voters at the August 5, 2025 Election; and,

WHEREAS, as presented in Exhibit A to this Resolution, the proposed charter amendment identifies limited uses for such open space and impacted properties; and,

WHEREAS, the City Council wishes to call a Charter Election to be held on August 5, 2025, and this date coincides with the City's scheduled primary election; and,

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT the ballot language set forth on Exhibit A to this Resolution, attached hereto and incorporated herein by reference, will be presented to voters of Prescott, Arizona, at their August 5, 2025 Primary Election.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this ____ day of February, 2025.

PHILIP R. GOODE, Mayor

ATTEST:

APPROVED AS TO FORM:

SARAH M. SIEP, City Clerk

JOSEPH D. YOUNG, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
County of Yavapai) ss.

I, the undersigned Sarah M. Siep, being the duly appointed, qualified City Clerk of the City of Prescott, Yavapai County, Arizona, certify that the foregoing Resolution No. 2025-1914 is a true, correct and accurate copy of Resolution No. 2025-1914 passed and adopted at a Voting Meeting of the Council of the City of Prescott, Yavapai County, Arizona, held on the 4th day of February, 2025, at which a quorum was present and, by a _____ vote, _____ voted in favor of said resolution.

Given under my hand and sealed this _____ day of _____, 2025.

Seal

City Clerk

EXHIBIT A

FULL BALLOT TEXT:

PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE VIII, SECTION 12

OFFICIAL TITLE: SHALL ARTICLE VIII OF THE PRESCOTT CITY CHARTER BE AMENDED TO ADD TO SECTION 12 THE FOLLOWING PROVISION PROHIBITING THE REZONING, REDESIGNATION, SALE, LEASE, TRANSFER, SUBJUGATION TO MOST EASEMENTS, OR OTHERWISE ENCUMBERING OR DISPOSING OF CITY-OWNED OPEN SPACE WITHOUT PRIOR VOTER APPROVAL?

Notwithstanding any provision of this section, all existing City-owned open space property and any additional acquired City-owned open space property shall be retained as open space in perpetuity. No portion of any existing City-owned open space property and any additional acquired City-owned open space property shall ever be rezoned from NOS (Natural Open Space), redesignated on the City's General Plan Land Use Map, sold, leased (unless as part of an open space conservation easement), transferred, made subject to any easement other than utility easements and/or conservation easements, or otherwise encumbered without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

All City-Owned open space property within City limits shall be zoned as NOS (Natural Open Space). Newly acquired City-owned open space property, if not already zoned as NOS (Natural Open Space) shall be rezoned to NOS (Natural Open Space) within one year of acquisition or annexation unless otherwise prohibited by law. Once City-owned open space property is zoned NOS, it may not be rezoned without voter approval as stated above

City-owned open space property shall not be used for any purpose except the following NOS permitted uses in Prescott's Land Development Code: Nature Preserves, Utilities, Utility Installation and Services, Flagpoles, Gazebos, Visitor Centers, Bathroom Facilities, Trailheads and City Sanctioned Trails as well as ancillary uses such as parking and similar infrastructure along with related road purposes, including all-weather road surfaces to access utility infrastructure, roads and paths for public safety access and response, paved roads to and around the forgoing open space amenities and within open space for emergency ingress or egress for adjacent development, but not to include arterial roads and throughfares except any of these roads may be used for evacuation of citizens in case of fire or other emergency.

"City" is the City of Prescott.

"City-owned open space property" is real property titled to the City of Prescott designated for Open Space land use by the City's General Plan Land Use Maps or zoned Natural Open Space (NOS) under the City's Land Development Code, but does not include existing rights-of-way already being used for road or street purposes as of January 1, 2025. City-owned open space property does not include real property in and surrounding the Prescott Regional Airport, Ernest A. Love Field purchased for airport use, runway protection, or airport compatibility purposes.

FULL BALLOT TEXT:

OFFICIAL TITLE: SHALL ARTICLE VIII OF THE PRESCOTT CITY CHARTER BE AMENDED TO ADD TO SECTION 12 A PROVISION PROHIBITING THE REZONING, REDESIGNATION, SALE, LEASE, TRANSFER, SUBJUGATION TO MOST EASEMENTS, OR OTHERWISE ENCUMBERING OR DISPOSING OF CITY-OWNED OPEN SPACE WITHOUT PRIOR VOTER APPROVAL?

DESCRIPTIVE TITLE: This proposition would amend the Prescott City Charter to provide that all existing city-owned open space property and any additional acquired city-owned open space property shall be retained as open space in perpetuity and prohibited from ever being rezoned, redesignated, sold, leased (unless as part of an open space conservation easement), transferred, made subject to an easement other than utility easements and/or conservation easements, or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

A “yes” vote shall have the effect of adding language to the Prescott City Charter to protect all existing city-owned open space property and any additional acquired city-owned open space property in perpetuity and prohibit any portion of city-owned open space from ever being rezoned, redesignated, sold, leased (unless as part of an open space conservation easement), transferred, made subject to an easement other than utility easements and/or conservation easements, or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

YES

A “no” vote shall have the effect of retaining the current charter language.

NO

‘Tagline’ text:

SHALL THE AMENDMENT TO THE PRESCOTT CITY CHARTER PROPOSED BY INITIATIVE PETITION RELATING TO CITY-OWNED OPEN SPACE BE APPROVED?

A “yes” vote shall have the effect of adding language to the Prescott City Charter to protect all existing city-owned open space property and any additional acquired city-owned open space property in perpetuity and prohibit any portion of city-owned open space from ever being redesignated, sold, leased (unless as part of an open space conservation easement), transferred, made subject to an easement other than utility easements and/or conservation easements, or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

YES

A “no” vote shall have the effect of retaining the current charter language.

NO

PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE VIII, SECTION 12

OFFICIAL TITLE: SHALL ARTICLE VIII OF THE PRESCOTT CITY CHARTER BE AMENDED TO ADD TO SECTION 12 THE FOLLOWING PROVISION PROHIBITING THE REZONING, REDESIGNATION, SALE, LEASE, TRANSFER, SUBJUGATION TO MOST EASEMENTS, OR OTHERWISE ENCUMBERING OR DISPOSING OF CITY-OWNED OPEN SPACE WITHOUT PRIOR VOTER APPROVAL?

Notwithstanding any provision of this section, all existing City-owned open space property shall be retained as open space in perpetuity. Unless otherwise prohibited by law or pre-existing contract, no portion of any existing City-owned open space property shall ever be rezoned from NOS (Natural Open Space), redesignated on the City's General Plan Land Use Map, sold, leased (unless as part of an open space conservation easement or with a provider of one of the approved uses below to serve open space), transferred, made subject to any easement other than utility easements and/or conservation easements, or otherwise encumbered without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

All City-Owned open space property within City limits shall be zoned as NOS (Natural Open Space). Newly annexed City-owned open space property, if not already zoned as NOS (Natural Open Space) shall be rezoned to NOS (Natural Open Space) within one year of annexation unless otherwise prohibited by law. Once City-owned open space property is zoned NOS, it may not be rezoned without voter approval as stated above

City-owned open space property shall not be used for any purpose except for pre-existing uses and the following government uses: Nature Preserves, Utilities, Utility Installation and Services, Fire Mitigation Activities, Flagpoles, Gazebos, Visitor Centers, Bathroom Facilities, Trailheads and City Sanctioned Trails as well as ancillary uses such as parking and similar infrastructure along with related road purposes, including pre-existing roadways, all-weather road surfaces to access utility infrastructure, roads and paths for public safety access and response, paved roads to and around the forgoing open space amenities and within open space for emergency ingress or egress for adjacent development, but not to include arterial roads and throughfares except any of these roads may be used for evacuation of citizens in case of fire or other emergency.

“City” is the City of Prescott.

“City-owned open space property” is the following real property titled to the City of Prescott:

- Watson Woods – Portion of Parcel# 105-07-001B, 105-04-011A, & 105-05-006K
- Strickland Park Parcel# 108-14-110B
- Thumb Butte Viewshed Parcel# 111-03-146, 111-03-161B, 111-03-161C, 111-03-161E, 111-03-161F, & 111-03-161G
- Ericksson Parcel# 106-12-001W
- Storm Ranch Parcel# 103-04-007H, 105-05-006X, 800-11-096F, 103-04-005
- TPL/Payne Parcel# 106-10-017G & 106-12-002A

- Rodeo Grounds/Petroglyphs - 4-acre portion Parcel# 111-11-148H
- Hisokota Trust Parcel# 106-09-002R
- Granite Gardens Parcel# 106-10-019
- Harold James Trust / Constellation Trails Parcel# 106-01-004
- Granite Haven Parcel# 106-10-150N & 106-10-150P
- Beurie Parcel# 106-13-001A
- Centennial/Westridge Parcel# 800-11-060D & 800-11-060E
- Askari/Whispering Rock Parcel# 115-07-154J, 115-07-150, & 115-07-151
- AED South Parcel# 103-04-010D
- Glassford Hill – Portion inside city limits Parcel# 103-04-627, 105-05-267, 103-04-626, 103-19-257, & 103-19-256

FULL BALLOT TEXT:

OFFICIAL TITLE: SHALL ARTICLE VIII OF THE PRESCOTT CITY CHARTER BE AMENDED TO ADD TO SECTION 12 A PROVISION PROHIBITING THE REZONING, REDESIGNATION, SALE, LEASE, TRANSFER, SUBJUGATION TO MOST EASEMENTS, OR OTHERWISE ENCUMBERING OR DISPOSING OF CITY-OWNED OPEN SPACE WITHOUT PRIOR VOTER APPROVAL?

DESCRIPTIVE TITLE: This proposition would amend the Prescott City Charter to provide that existing City-owned open space property shall be retained as open space in perpetuity and prohibited from ever being rezoned, redesignated, sold, leased (unless as part of an open space conservation easement or with a provider of one of the approved uses below to serve open space), transferred, made subject to an easement other than utility easements and/or conservation easements, or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

A “yes” vote shall have the effect of adding language to the Prescott City Charter to protect existing City-owned open space property in perpetuity and prohibit any portion of City-owned open space from ever being rezoned, redesignated, sold, leased (unless as part of an open space conservation easement or with a provider of one of the approved uses below to serve open space), transferred, made subject to an easement other than utility easements and/or conservation easements, or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

YES

A “no” vote shall have the effect of retaining the current charter language.

NO

‘Tagline’ text:

SHALL THE AMENDMENT TO THE PRESCOTT CITY CHARTER PROPOSED BY INITIATIVE PETITION RELATING TO CITY-OWNED OPEN SPACE BE APPROVED?

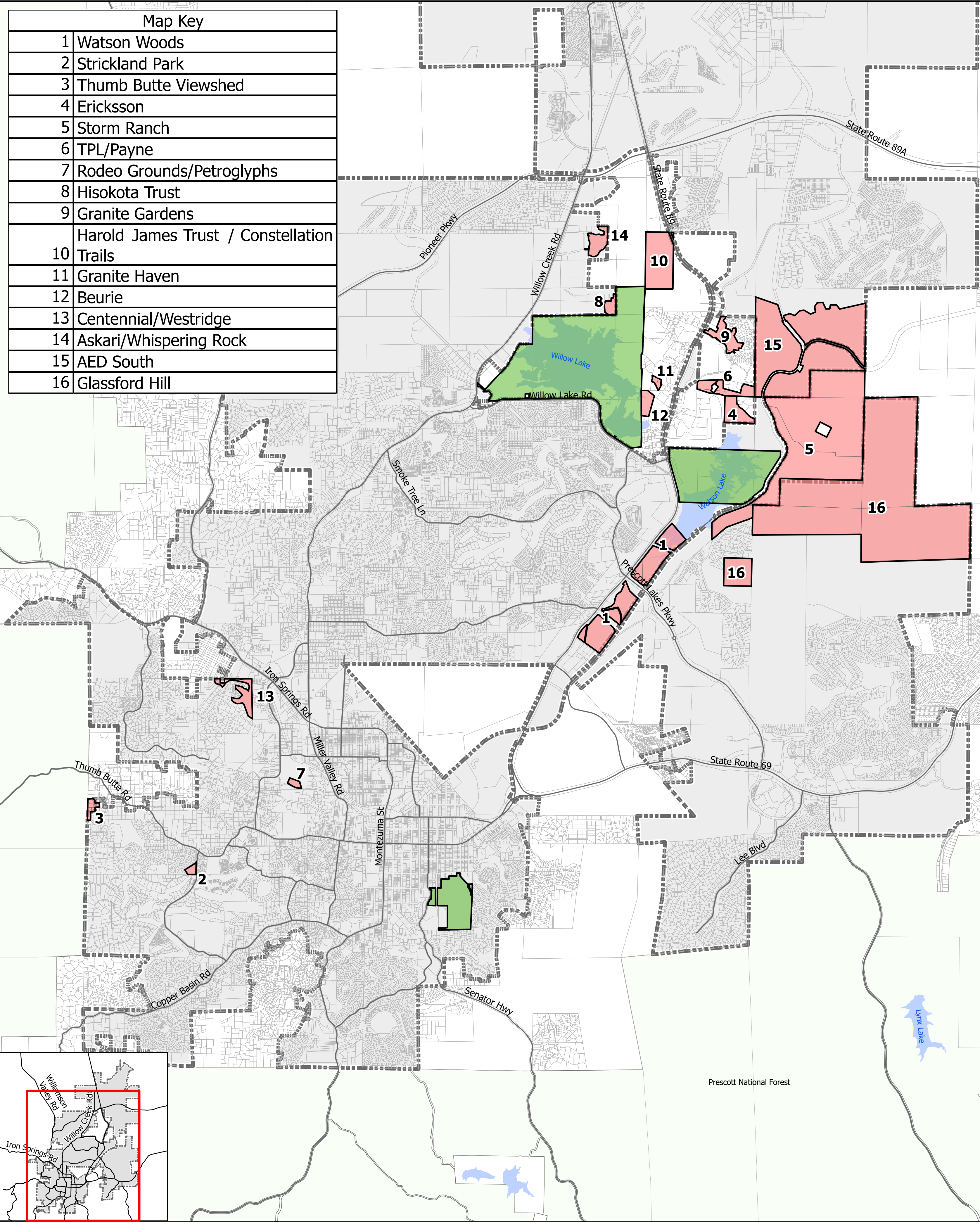
A “yes” vote shall have the effect of adding language to the Prescott City Charter to protect existing City-owned open space property in perpetuity and prohibit any portion of City-owned open space from ever being redesignated, sold, leased (unless as part of an open space conservation easement or with a provider of one of the approved uses below to serve open space), transferred, made subject to an easement other than utility easements and/or conservation easements, or otherwise encumbered or disposed without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

YES

A “no” vote shall have the effect of retaining the current charter language.

NO

Map Key	
1	Watson Woods
2	Strickland Park
3	Thumb Butte Viewshed
4	Ericksson
5	Storm Ranch
6	TPL/Payne
7	Rodeo Grounds/Petroglyphs
8	Hisokota Trust
9	Granite Gardens
	Harold James Trust / Constellation
10	Trails
11	Granite Haven
12	Beurie
13	Centennial/Westridge
14	Askari/Whispering Rock
15	AED South
16	Glassford Hill



City of Prescott
Proposed Open Space Charter Amendment



Proposed for Charter Amendment
2,208 Acres

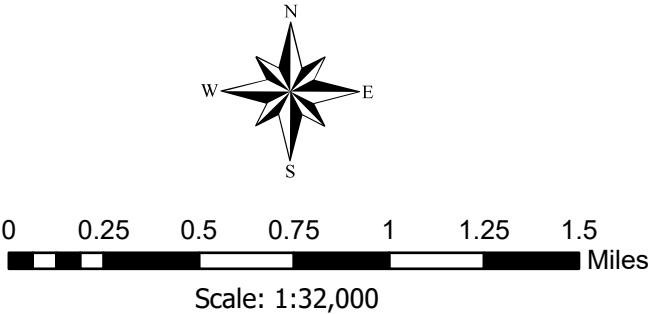
Existing Protections in Place 1,034
Acres

Other Parcels

Major Streets

City Limits

Lakes





Open Space Charter Amendment

JOSEPH YOUNG

City Attorney's Office



OPEN SPACE CHARTER AMENDMENT

•Two Purposes

- Prevent City from selling or otherwise transferring open space property to developers or other parties
- Limit uses on open space property to preserve natural open space



OPEN SPACE CHARTER AMENDMENT

Government Uses are Exempt from Zoning

Updated Petitioner's Version

PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE VIII, SECTION 12

OFFICIAL TITLE: SHALL ARTICLE VIII OF THE PRESCOTT CITY CHARTER BE AMENDED TO ADD TO SECTION 12 THE FOLLOWING PROVISION PROHIBITING THE REZONING, REDESIGNATION, SALE, LEASE, TRANSFER, SUBJUGATION TO MOST EASEMENTS, OR OTHERWISE ENCUMBERING OR DISPOSING OF CITY-OWNED OPEN SPACE WITHOUT PRIOR VOTER APPROVAL?

Notwithstanding any provision of this section, all existing City-owned open space property and any additional acquired City-owned open space property shall be retained as open space in perpetuity. No portion of any existing City-owned open space property and any additional acquired City-owned open space property shall ever be rezoned from NOS (Natural Open Space), redesignated on the City's General Plan Land Use Map, sold, leased (unless as part of an open space conservation easement), transferred, made subject to any easement other than utility easements and/or conservation easements, or otherwise encumbered without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

All City-Owned open space property within City limits shall be zoned as NOS (Natural Open Space). Newly acquired City-owned open space property, if not already zoned as NOS (Natural Open Space) shall be rezoned to NOS (Natural Open Space) within one year of acquisition or annexation unless otherwise prohibited by law. Once City-owned open space property is zoned NOS, it may not be rezoned without voter approval as stated above

City-owned open space property shall not be used for any purpose except the following NOS permitted uses in Prescott's Land Development Code: Nature Preserves, Utilities, Utility Installation and Services, Flagpoles, Gazebos, Visitor Centers, Bathroom Facilities, Trailheads and City Sanctioned Trails as well as ancillary uses such as parking and similar infrastructure along with related road purposes, including all-weather road surfaces to access utility infrastructure, roads and paths for public safety access and response, paved roads to and around the forgoing open space amenities and within open space for emergency ingress or egress for adjacent development, but not to include arterial roads and throughfares except any of these roads may be used for evacuation of citizens in case of fire or other emergency.

"City" is the City of Prescott.

"City-owned open space property" is real property titled to the City of Prescott designated for Open Space land use by the City's General Plan Land Use Maps or zoned Natural Open Space (NOS) under the City's Land Development Code, but does not include existing rights-of-way already being used for road or street purposes as of January 1, 2025. City-owned open space property does not include real property in and surrounding the Prescott Regional Airport, Ernest A. Love Field purchased for airport use, runway protection, or airport compatibility purposes.

OPEN SPACE CHARTER AMENDMENT

•Primary Issues with Petitioner Version

- Blanket Application of Open Space Designation would include unintended properties
- Properties outside of City would not be protected
- Automatic Designation to Future Properties is problematic



OPEN SPACE CHARTER AMENDMENT

•Recommended Version

- Maintains protection against sale, lease, transfer
- Prohibits uses inconsistent with open space
- Applies protections to specific designated parcels
- Additional properties can be added



Recommended Version



PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE VIII, SECTION 12

OFFICIAL TITLE: SHALL ARTICLE VIII OF THE PRESCOTT CITY CHARTER BE AMENDED TO ADD TO SECTION 12 THE FOLLOWING PROVISION PROHIBITING THE REZONING, REDESIGNATION, SALE, LEASE, TRANSFER, SUBJUGATION TO MOST EASEMENTS, OR OTHERWISE ENCUMBERING OR DISPOSING OF CITY-OWNED OPEN SPACE WITHOUT PRIOR VOTER APPROVAL?

Notwithstanding any provision of this section, all existing City-owned open space property shall be retained as open space in perpetuity. Unless otherwise prohibited by law or pre-existing contract, no portion of any existing City-owned open space property shall ever be rezoned from NOS (Natural Open Space), redesignated on the City's General Plan Land Use Map, sold, leased (unless as part of an open space conservation easement or with a provider of one of the approved uses below to serve open space), transferred, made subject to any easement other than utility easements and/or conservation easements, or otherwise encumbered without prior voter approval of a majority of votes cast by Prescott registered voters at a primary, general, or special election.

All City-Owned open space property within City limits shall be zoned as NOS (Natural Open Space). Newly annexed City-owned open space property, if not already zoned as NOS (Natural Open Space) shall be rezoned to NOS (Natural Open Space) within one year of annexation unless otherwise prohibited by law. Once City-owned open space property is zoned NOS, it may not be rezoned without voter approval as stated above

City-owned open space property shall not be used for any purpose except for pre-existing uses and the following government uses: Nature Preserves, Utilities, Utility Installation and Services, Fire Mitigation Activities, Flagpoles, Gazebos, Visitor Centers, Bathroom Facilities, Trailheads and City Sanctioned Trails as well as ancillary uses such as parking and similar infrastructure along with related road purposes, including pre-existing roadways, all-weather road surfaces to access utility infrastructure, roads and paths for public safety access and response, paved roads to and around the forgoing open space amenities and within open space for emergency ingress or egress for adjacent development, but not to include arterial roads and throughfares except any of these roads may be used for evacuation of citizens in case of fire or other emergency.

"City" is the City of Prescott.

"City-owned open space property" is the following real property titled to the City of Prescott:

- Watson Woods – Portion of Parcel# 105-07-001B, 105-04-011A, & 105-05-006K
- Strickland Park Parcel# 108-14-110B
- Thumb Butte Viewshed Parcel# 111-03-146, 111-03-161B, 111-03-161C, 111-03-161E, 111-03-161F, & 111-03-161G
- Ericksson Parcel# 106-12-001W
- Storm Ranch Parcel# 103-04-007H, 105-05-006X, 800-11-096F, 103-04-005
- TPL/Payne Parcel# 106-10-017G & 106-12-002A
- Rodeo Grounds/Petroglyphs - 4-acre portion Parcel# 111-11-148H
- ~~Hickokota~~ Trust Parcel# 106-09-002R
- Granite Gardens Parcel# 106-10-019
- Harold James Trust / Constellation Trails Parcel# 106-01-004
- Granite Haven Parcel# 106-10-150N & 106-10-150P
- ~~Beurie~~ Parcel# 106-13-001A
- Centennial/Westridge Parcel# 800-11-060D & 800-11-060E
- Askari/Whispering Rock Parcel# 115-07-154J, 115-07-150, & 115-07-151
- AED South Parcel# 103-04-010D

- Glassford Hill – Portion inside city limits Parcel# 103-04-627, 105-05-267, 103-04-626, 103-19-257, & 103-19-256

Two Issues for Council Discussion

Which properties to protect

Which uses to allow

Protected Properties

- Watson Woods – Portion of Parcel# 105-07-001B, 105-04-011A, & 105-05-006K
- Strickland Park Parcel# 108-14-110B
- Thumb Butte Viewshed Parcel# 111-03-146, 111-03-161B, 111-03-161C, 111-03-161E, 111-03-161F, & 111-03-161G
- Ericksson Parcel# 106-12-001W
- Storm Ranch Parcel# 103-04-007H, 105-05-006X, 800-11-096F, 103-04-005
- TPL/Payne Parcel# 106-10-017G & 106-12-002A
- Rodeo Grounds/Petroglyphs – 4-acre portion Parcel# 111-11-148H
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Additional Requested Uses

- ☐ Recreation Space
- ☐ Park & Park Amenities
- ☐ Amphitheaters and Arenas (C)
- ☐ Campgrounds (C)
- ☐ Public Safety Substations
- ☐ Stables



Thank you