

PROPOSITION 414

PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE VIII ADDING SECTION 14 ENTITLED “DEVELOPMENT AGREEMENTS”

SHALL ARTICLE VIII OF THE CITY CHARTER BE AMENDED TO ADD SECTION 14 ENTITLED “DEVELOPMENT AGREEMENTS” AS FOLLOWS?

SECTION 14

A. AUTHORITY AND PURPOSE.

THE CITY MAY ENTER INTO DEVELOPMENT AGREEMENTS WITH PROPERTY OWNERS OR DEVELOPERS FOR THE PURPOSE OF ESTABLISHING THE TERMS AND CONDITIONS UNDER WHICH DEVELOPMENT OF PROPERTY MUST OCCUR, CONSISTENT WITH THE PRESCOTT GENERAL PLAN, ARIZONA REVISED STATUTES, AND APPLICABLE ORDINANCES. THE RESTRICTIONS OUTLINED IN THIS SECTION MUST APPLY TO ANY DEVELOPMENT AGREEMENT APPROVED FOLLOWING THE ADOPTION OF THIS SECTION [DATE]

B. PROHIBITION ON ADJOINING OR ADJACENT PROPERTY PROVISIONS.

NO DEVELOPMENT AGREEMENT WILL INCLUDE PROVISIONS THAT OBLIGATE, RESTRICT, ENCUMBER, OR OTHERWISE IMPOSE CONDITIONS UPON REAL PROPERTY OTHER THAN THE PROPERTY THAT IS THE SUBJECT OF THE AGREEMENT. CLAUSES PURPORTING TO APPLY TO ADJOINING OR ADJACENT PROPERTIES, WHETHER CURRENTLY OWNED OR SUBSEQUENTLY ACQUIRED, ARE EXPRESSLY PROHIBITED AND MUST BE VOID AND UNENFORCEABLE.

C. TERM AND DURATION.

EVERY DEVELOPMENT AGREEMENT MUST INCLUDE A DEFINED TERM AND EXPIRATION DATE. ANY EXTENSION OR RENEWAL MUST REQUIRE APPROVAL IN THE SAME MANNER AS THE ORIGINAL AGREEMENT AND MUST NOT EXCEED THE MAXIMUM TERM ESTABLISHED THEREIN NOR CREATE PERPETUAL OBLIGATIONS.

FULL BALLOT TEXT:

OFFICIAL TITLE: PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE VIII ADDING SECTION 14 ENTITLED “DEVELOPMENT AGREEMENTS”

DESCRIPTIVE TITLE: AMENDMENT TO THE CITY CHARTER SHALL REVISE ARTICLE VIII, ADDING SECTION 14 ENTITLED “DEVELOPMENT AGREEMENTS” ESTABLISHING RESTRICTIONS RELATED TO DEVELOPMENT AGREEMENTS

A “YES” vote shall have the effect of updating Section 14 of Article VIII as noted.

A “NO” vote shall have the effect of not adding Section 14 to Article VIII