



The Prop 400 Process

In 2005, Prescott voters passed the Reasonable Growth Initiative, also known as Prop 400. This citizen initiative had four provisions that applied to proposed annexations of 250 acres or more:

1. A public comment period of no less than 60 days, beginning at the time of a formal vote on a master plan by the planning and zoning commission,
2. A public presentation of the public comments received to the city council by city staff,
3. An affirmative vote by three-fourths of the city council by "ayes" and "nays," and
4. That all effluent generated by new development in the annexed area be used for permanent recharge.

On November 8, 2005, city council officially added the initiative's provisions, with supplementary language, to Article I of the city charter, where on pp 1 – 2, it reads:

Section 4 – Boundaries

- a. Declaration of Policy: The people of the City of Prescott believe it is in the best interest of the city to establish additional local requirements for annexation to ensure that any future expansion of the city's boundary does not undermine the city's efforts to attain safe-yield or otherwise threaten the water supply of city residents.
- b. The boundaries of the city shall be the boundaries as established at the time this charter takes effect, or as such boundaries may be changed thereafter in the manner authorized by law, except that any increase in the corporate limits of the City of Prescott by annexation that equals or exceeds two hundred fifty (250) acres shall: 1) require an affirmative vote by three-fourths of the city council by "ayes and nays"; 2) require a public comment period of no less than sixty (60) days before a vote of the city council takes place, which shall begin at the time of a formal vote on a master plan by the planning and zoning commission; 3) require a public presentation of the public comments received to the city council

by city staff; and 4) include a requirement that all effluent generated by new development in the annexed area be used for permanent recharge. The requirements of this section apply not only to single annexations of 250 acres or more, but also to multiple annexations of smaller parcels that have been owned by the same person or entity within ten (10) years from the date of the proposed annexation.

- c. Severability – If any provision of this measure is declared invalid by a court of competent jurisdiction, such invalidity does not affect other provisions that can be given effect without the invalid provision and to this end the provisions of this measure are declared to be severable.

(Adopted November 8, 2005)