

**PLANNING & ZONING COMMISSION
REGULAR MEETING / PUBLIC HEARING
JUNE 10, 2010
PRESCOTT, ARIZONA**

MINUTES of the **PLANNING & ZONING COMMISSION** held on **JUNE 10, 2010** at **9:00 AM** in **COUNCIL CHAMBERS, CITY HALL, 201 S. CORTEZ STREET, PRESCOTT, ARIZONA.**

I. CALL TO ORDER

Chairman Menser thanked George Wiant, Seymour Petrovsky, and Richard Rosa for their years of service on the Planning & Zoning Commission. New Commissioners, Tim Greseth and Terry Marshall were introduced and welcomed.

II. ATTENDANCE

MEMBERS PRESENT Tom Menser, Chairman Len Scamardo, Vice Chairman Tim Greseth Terry Marshall Don Michelman	STAFF PRESENT George Worley, Planning Manager Matt Podracky, Sr. Asst. City Attorney Jodi Fisher, Budget Manager Tim Burkeen, Capital Project Manager Kathy Dudek, Administrative Assistant / Recording/Transcribing Sectary
MEMBERS ABSENT Joe Gardner Ken Mabarak	COUNCIL PRESENT Jim Lamerson, Council Liaison

III. REGULAR ACTION ITEMS

(May be voted on contingent upon any related public hearing items below being acted on unless otherwise noted).

- 1. Consider approval of the minutes** of the April 29, 2010 meeting.

Mr. Michelman, **MOTION: to approve the minutes** of the April 29, 2010 meeting.
Mr. Scamardo, 2nd. **Vote: 5-0.**

- 2. City of Prescott 2012 through 2016 Capital Improvement Program.** Finance Director, City of Prescott, Mark Woodfill.

Ms. Fisher, Budget Manager, presented the five-year Capital Improvement Program as required by law. Mr. Burkeen, Capital Manager, answered questions from Commissioners which included:

- wastewater expansion;
- water ranch fees;
- streets and open space;
- Hwy. 89 connector; and,
- round about near Ruger Road.

3. LDC Amendment to Section 4.9.4 of the LDC - parking requirements in the DTB.
May be voted July 8, 2010.

Mr. Worley reviewed the proposal submitted to Commission from the Unified Development Code Committee (UDC) that includes:

- the UDC has been studying this section for a number of years;
- the proposal covers both old and future new buildings and/or additions in the Downtown Business District (DTB);
- the Chamber of Commerce, Prescott Downtown Partnership and UDC have attended the UDC's meetings since the item was first agendized and all groups have had input and suggestions from their membership;
- the DTB is bordered by Marina, Carleton, Sheldon and Summit Streets, with the styles of the buildings in the DTB being similar to the buildings in downtown Prescott, *i.e.*, zero setbacks, zero lot lines and alleys;
- standard parking requirements do not apply to the DTB;
- when the LDC was written and approved, between 2003 and 2005, certain uses became exempt from requirements (refer to Article 11), and only a piece of the problem was addressed;
- a provision of a former code that exempted parking requirements for buildings in existence prior to 1968 came to light at the beginning of the UDC's study;
- the UDC considered the former code, and provisions have been made to exempt buildings in existence prior to 1968;
- new construction, or additions to structures, will need to meet parking requirements if they do not meet the type of business that is exempt;
- an alternative to parking requirements for non-exempt buildings would be to pay into a fund that will be used to acquire parking elsewhere;
- there are plans for at least two multi-use buildings that are sitting dormant, and when constructed, would have the option of supplying some on-site parking and paying an in-lieu fee; and,
- the proposed changes would help to preserve the older buildings downtown.

Commissioners queried and commented on:

- looking at pre-1968 buildings, any use could mean a medical office which requires more parking than other uses [Chairman Menser noted that this could happen. Mr. Worley commented that uses are usually market driven and a medical office would most likely want to have close-up parking for the patients].

No action taken. Item may be voted on July 8, 2010.

4. City Code Amendment relating to Hearing Officer process. May be voted July 8, 2010.

Mr. Worley explained the request:

- if a code violation occurs and nothing is remedied, the violation is eventually passed on to the City's Legal Department;
- the process can take several months and must thengo through the court system;
- violators must engage legal services for court proceedings;
- the process would enable enforcement issues to be dealt with at a public hearing with a hearing officer presiding;
- the change would save the City money in legal department fees, the violator would save money by not having to obtain an attorney, and the timeline of the violation

- would be resolved more quickly;
- the process will expand the hearing officer's role in enforcement and/or compliance;
- the change will most likely never affect the Planning & Zoning Commission;
- the change is an alternative process to take an easier approach in dealing with an innocuous problem, i.e., a fence height, junk, weeds, debris problem, etc.; and,
- no one will lose any established rights, and the court system could be used if other measures fail.

Commissioners commented on and queried:

- the proposal speeds up the process and reduces the cost to both parties and allows potential for a hearing officer, City attorney or court proceeding [Mr. Worley: correct];

No action taken. Item may be voted on July 8, 2010.

5. Approve Amendment of Planning and Zoning Commission Bylaws. May be voted July 8, 2010.

Mr. Worley noted that the City Council recently passed an Ordinance that amends the boards, commissions, and committees' charters. The changes affect the Planning & Zoning Commission. The proposed language (in the supporting packet) is provided in order to reflect the changes and become current with the amended ordinance.

Commissioners queried and commented on:

- why a term will expire, for a newly-appointed commissioner in 2011 [Mr. Worley explained that the term expirations of the persons being replaced were assigned to the new persons on the Commission].

No action taken. Item may be voted on July 8, 2010.

IV. PUBLIC HEARING ITEMS

(May be voted on June 24, 2010 unless otherwise noted).

None.

V. CITY UPDATES

None.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

None.

VII. ADJOURNMENT

Chairman Menser adjourned the meeting at 9:53 AM.



Tom Menser, Chairman