



**DRAFT MINUTES of the PRESCOTT PLANNING & ZONING COMMISSION
REGULAR MEETING held on APRIL 14, 2016 at 9:00 AM in COUNCIL CHAMBERS
ROOM, CITY HALL, 201 S. CORTEZ STREET, PRESCOTT, ARIZONA.**

I. CALL TO ORDER

Vice-Chairman Mabarak called the meeting to order at 9:05 a.m. He thanked Councilman Lamerson for attending.

II. ATTENDANCE

BOARD MEMBERS	STAFF MEMBERS
Tom Menser, Chairman	Tom Guice, Director
Ken Mabarak, Vice-Chairman	George Worley, Planning Manger
Joe Gardner	Frank Hall, Community Planner
Terry Marshall - Absent	Darla Eastman, Administrative Specialist
Len Scamardo	COUNCIL PRESENT
George Sheats	Jim Lamerson, Chairman
Phil Goode	

III. REGULAR ACTION ITEMS

- 1. Approval of the February 11, 2016 meeting minutes.**

Mr. Sheats, MOTION to approve the February 11, 2016 meeting minutes. Mr. Scamardo, 2nd. VOTE 6-0; passed.

- 2. Discussion to Amend the Land Development Code to Increase Multi-family Residential Density in the DTB, LDC Sect. 4.9**

Frank Hall presented the staff report on increasing density in the multi-family residential zoning district in the downtown business district (DTB). He stated that the idea started at a recent Pre-Application Conference (PAC) where an applicant proposed a new multi-family residential building that included six (6) apartments on a 7,500 square foot lot in the DTB. The applicant was advised that the base residential density of Article 4, Section 4.9.3.B.5.a of the Land Development Code (LDC) permits a maximum of three (3) multi-family residential units on a 7,500 square foot lot. As a result, the applicant submitted an email to the Community Development Department requesting a zoning amendment to increase the multi-family residential density in the DTB zoning district.

Mr. Hall stated that the existing DTB Zoning Density lot to a maximum of three (3) multi-family dwelling units. The maximum residential density in the DTB zoning district for all residential types is fifty-eight (58) units to the acre. Without the additional site amenities

described in the LDC, a fourth multi-family unit would require the lot to be at least 8,700 square feet in area.

Mr. Hall stated that the increase in lot area needed for more than three (3) units decreases when open space or recreational amenities are included in the multi-family development. For example, a fourth multi-family unit with a courtyard or gym would require the lot to be 8,150 square feet. All other residential types permitted in the DTB district do not have a recreational or open space amenity requirement.

The amendment shown to use the existing maximum residential density for the DTB district at fifty-eight (58) units to the acre for multi-family residential dwelling types per Article 4, Section 4.9.3.A of the LDC without a minimum lot size and delete the requirement for recreational and open space amenities to increase residential densities.

The proposed amendment, if approved, would permit up to nine (9) multi-family dwelling units on a 7,500 square foot lot as compared to the current limit of three (3) units for the same size lot. This idea was brought before the Unified Development Committee and was voted unanimously to bring it forward to the Planning and Zoning Commission.

The Commission discussed residential density in the downtown business district. Some of the Commissioners agreed that higher density is a good thing and that it make available more units to live in and that will bring more people into the downtown area to keep it alive after the business people have gone home for the day and for economic purposes. Other Commissioners felt that there should be a balance of density in the downtown area to preserve the small town feel, historical value, and will increase traffic.

Mr. Hall thanked the Commissioners for their comments and that any changes in the historical district will go before the Prescott Preservation Commission. He then briefed the Commissioners on the statements in the 2015 General Plan that support this issue to preserve the identity and image of downtown as a historic government, business, cultural and residential center, and to maintain and encourage an expansion of the mix of commercial and residential.

IV. PUBLIC HEARING ITEMS

1. Proposed General Engineering Standards

Charles Andrews, City Engineer, Public Works, thanked the Commissioners, staff, and Sandy Griffis, Yavapai County Contractor's Association for their support and time at the last meeting. Mr. Andrews state that the Land Development Code is policy and the General Engineering Standards is technical. Mr. Andrews highlighted the more active subjects of the 10 (ten) articles of the GES.

Gwen Rositsch reviewed the proposed changes and modifications to several chapters of City Code, including the Land Development Code as part of the adoption process of the GES. She stated that in addition to the changes to the City Code and LDC, the Financial Assurances and the Quad City Standard Details were included for review.

The Committee members then discussed the GES in more detail. The Committee wants to hear more about what doesn't work for the developers and what will assist them in project development. They are trying to figure out what will the 5% of the developers who oppose

the GES and what can we do to fix the issues before we send it out as part of the “Code” based on the input we receive. The goal is to develop a set of standards for all the engineers to follow so that there is not mis-interpretation for the majority of the categories in the GES. Eventually these project will be turned over to the City for maintenance.

Currently, they are seeing many of the projects that should last for 25 years needing repair or replacement within 5-7 years. The Committee has asked City staff to develop these standards so the project doesn’t come back for the City to pay again. Another discussion item was that they did not want to see developers flatten the topography just to make it easier to put in utilities and other infrastructure. The designers who work with Prescott’s unique landscape to build beautiful structure should be commended. If standards are written in a book, there may not be flexibility for someone with a unique situation to have the ability to work around it.

The Committee agreed that they do not support a document that doesn’t have flexibility for unique situations, and if there is a unique situation the developers should not have to ask for a waiver. They also agreed that a special meeting with all the stakeholders to go through the GES and the changes that are being proposed would be beneficial. Another discussion by the Committee of the GES was that Prescott has various landscapes, soils and within the City and one standard will not fit into every site. There needs to be a review and dialogue for each site as to what will be accurately designed. If the bar needs to be raised on standards of the products that is different than infrastructure design.

Henry Hash commented that the Public Works staff have been more than transparent than ever and have provided the best communication in the development of the GES. There have been many public meetings for months inviting contractors, developers, and engineers to attend and provide comments. The GES has changed dramatically in the past few months with all the comments by the stakeholders are included. He said he was very surprised to hear that contractor’s were contacting the Committee members with questions about design standards. Mr. Hash stated that it is our intent is to provide our City with the best customer service we can provide and on day one, stakeholders know exactly what the City expects so there are no surprises, delays or extra costs.

The Committee continued to discuss the issues with the GES and what it requires and the lack of flexibility written within it. Mr. Hash stated that the Committee requested that staff develop the standards to protect the City against project failures. However, the Committee wants developers to be able to make changes at will and go the less expensive route. Unfortunately, we can’t have it both ways, he said, and he is going to with what works best for the City and what will last. The standard changes over the years because our climate changes, population, infrastructure, and many other factors that would make the need for change.

Sandy Griffis, Yavapai County Contractor’s Association, stated that we have had many meetings and have worked on hundreds of issues with developers, builders, architects, and surveyors (Public Works, YCCA, and stakeholders) and have solved many of those issues and have made corrections. Ms. Griffis stated that she feels there are “two elephants left in the room,” and I don’t know which of the two or what percent makes up the 5% who we do not have on board. Those elephants are the required use of ductile iron pipe (dip) on water installations; and rubber gasket reinforced concrete pipe (rgrcp) on all culvert and storm drain installations. The engineers in the community want to use pvc and hdpe or a cmp product. This is the case where one size does not fit all. By going to this “Cadillac-type” of material, we are losing our competitive edge in the City of Prescott

when the price of building structures goes up. However, there needs to be decision of what type of products the GES requires, when to use it, and how to use it and it make it financially manageable for this community. She stated that products fail, but sometimes it's how it's installed and that will be an issue in the future.

The Committee decided that due to time constraints, the continued discussion of the GES, the sign regulations and remaining agenda items will continued to be discussed at the next meeting on April 13, 2016. The Committee also requested that staff review

2. Amendment to Land Development Code Sign Regulations, LDC Sect. 6.12

George Worley reviewed the staff report and displayed information on the overhead projector stating that this is a conceptual discussion of the potential changes to the sign codes. Due to a Supreme Court decision last year relating to regulation of content based signs, planning and legal staff undertook a review of Prescott's sign regulations to assure that the City's code conformed to Constitutional protections of free speech and that we are remaining content neutral, as well as, in the Land Development Code.

Mr. Worley displayed a table of information from the Land Development Code that showed free-standing signs and sign on buildings that are not content neutral. We will have change those sections or remove them. A key component of those protections is that regulations of free speech must be based upon criteria other than the content of the message. We have spent a lot time to come up with a method to reduce the regulations to the portions of free-speech regulations that the court has supported limiting the scope of regulations to time, place, and manner components. With signage, it's often the location, size, and where it is readable. It's the ability of the sign to convey a message. We also looked at the speed limit of the roadways and compared to the need of the size of the sign with the exception of downtown. Mr. Worley continued to discuss the difference between the free-standing signs and signage on the building, as well as, commercial verses residential signs and how they are regulated.

V. CITY UPDATES

VI. SUMMARY OF CURRENT OR RECENT EVENTS

No comments at this time.

VII. ADJOURNMENT

Ken Mabarak, Vice-Chairman adjourned the meeting at 11:12 a.m.



Darla Eastman,
Administrative Specialist



Tom Menser, Chairman