



UNIFIED DEVELOPMENT CODE COMMITTEE A G E N D A

UNIFIED DEVELOPMENT CODE COMMITTEE
REGULAR MEETING
WEDNESDAY, January 25, 2012
10:00 AM

City Council Chambers
201 S. CORTEZ STREET
PRESCOTT, ARIZONA
(928) 777-1207

The following Agenda will be considered by the **UNIFIED DEVELOPMENT CODE COMMITTEE** at its **REGULAR MEETING** to be held on **WEDNESDAY, January 25, 2012, in City Council Chambers** in **CITY HALL**, located at **201 S. CORTEZ STREET**. Notice of this meeting is given pursuant to *Arizona Revised Statutes*, Section 38-431.02.

I. CALL TO ORDER

II. ATTENDANCE

MEMBERS

Len Scamardo, Chairman
Tom Kayn
Tom Menser
Richard Rosa

Jim Lamerson
Charles Arnold
John Hanna

III. REGULAR ACTION ITEMS

1. Electronic and Changeable Copy Signs
2. Modified Shipping Containers used as Homes
3. RV's in Manufactured Home Parks
4. Camping, yurts and LDC limitations
5. Attachment of Accessory structures to Principal structures

IV. ADJOURNMENT

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 777-1272 OR 777-1100 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall and on the City's website on January 19, 2012, at _____ in accordance with the statement filed with the City Clerk's Office.

Suzanne Derryberry, Adm. Specialist, Community Development



CITY OF PRESCOTT
COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION

TO: Unified Development Code Committee Members

FROM: Tom Guice, Community Development Director *TG*
George Worley, Planning Manager *GW*
Ruth Hennings, Community Planner

TOPIC: Electronic and changeable copy sign definitions and standards

ITEM SUMMARY: There has been a noticeable increase in interest in electronic signage, specifically those that display changeable copy. Due to new and changing technologies, the current Land Development Code sign standards no longer effectively address the capabilities of electronic signage.

BACKGROUND: Electronic signage is different from electric signs, which have been in use for the last century, and include any sign that uses electric wiring. Electronic signs refer specifically to those which use an electronic means of changing copy (i.e. text and images). They may display the copy using LEDs, LCDs, or some other type of technology.

There is wide disparity in electronic sign regulation across communities. Many areas, such as Scottsdale, do not permit electronic signage. Other communities, Las Vegas for example, permit all types and sizes of electronic signs, including video and animated signage. Currently, the City of Prescott does not prohibit, nor expressly permit, electronic signage. Staff currently permits electronic signs by applying LDC Section 6.12.8, which allows changeable copy signs no larger than 12 square feet. However, this inference does not cover the many other specifications needed to adequately address this sign type.

SUGGESTED ACTION: The purpose of this discussion is to clarify the standards for electronic signage. Current application of the Code does not offer standards for the variation in specifications, including time intervals, transition types, brightness and dimming.

The proposed definitions to address electronic and changeable copy signage are as follows:

Sign, Changeable Copy: A sign that is capable of regular and routine change of copy, which may be other than the name of the business advertised. There are two types of changeable copy signage permitted:

1. *Manual:* utilizes a manual means of changing copy. May or may not be internally illuminated. Also referred to as a reader board or marquee.
2. *Electronic:* Utilizes an electronic means of changing copy, either remotely or by automatic means. These signs include, but are not limited to, displays using incandescent lamps, LEDs, LCDs, or a flipper matrix. Also referred to as electronic message centers and electronic message boards.



Example of a manual changeable copy sign (e.g. reader board)



Example of an electronic changeable copy sign (e.g. electronic message center)

Other standards that may be specified for electronic signs:

Square footage: All changeable copy signage is currently limited to 12 square feet.

Time intervals: Currently, there is no specified time interval between copy changes. There are studies which recommend minimum time intervals to reduce driver and pedestrian distractions.

Allowable transition methods: The LDC currently prohibits intermittent or flashing illumination, animated, moving signs or the illusion of movement (LDC Section 6.12.8.G). This may be clarified by way of transition methods (e.g. dissolve, scroll, fade).

Brightness: The lighting technologies used in electronic signage are different than what is covered currently under illuminated signs. The International Sign Association recommends using luminance, which measures candles per foot.

Dimming: Requirement that the sign automatically dims according to ambient light conditions, or time of day.

Staff seeks suggestions from the UDC relating to electronic signage and associated standards.

UDC COMMITTEE

MEMORANDUM

January 25, 2012

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION

TO: Unified Development Code Committee Members

FROM: Tom Guice, Community Development Director *TG*
George Worley, Planning Manager *GW*

TOPIC: Modified Shipping Containers used for buildings

INTRODUCTION:

A recent inquiry was made to planning staff about the possible use of stacked shipping containers for the construction of a home in Prescott. Subsequent staff research has turned up a national trend in the use of modified shipping containers for permanent and vacation homes, utility buildings and even office space. The research showed enough interest nation-wide (actually world-wide) in this creative re-use of these now ubiquitous containers that staff concluded that the UDC should be consulted about the potential for modifying Prescott codes to accommodate this technique.

Attached to this report you will find several examples of the styles and sizes of shipping container adaptive re-use. These seem to range in price from \$12,500 to \$50,000 (and possibly more) depending on the size and number of containers and the finishing choices.

LOCAL CODES:

There are generally three codes that would affect the use of shipping containers as permanent buildings; the Zoning Code, the Building and Fire Codes.

Zoning:

The LDC allows uses in permanent structures, but does not specifically address shipping containers as a permanent structure. The LDC does address Bulk Containers and specifically prohibits them "for any purpose" except in the industrial zones. It is apparent from the context of this language that the code means to limit containers used for bulk storage to the industrial areas, with the storage use being the focus. If shipping containers are considered only for bulk storage purposes, it is easy to understand why the code limits the use to industrial areas. However, what we have researched is a re-use of these containers to something completely different than the use for which the

container was originally constructed. As the LDC focuses much more on the use rather than the construction material, staff believes this should be treated more as a modular building for zoning purposes. Modular buildings are permitted where ever site-built buildings are permitted. So, from a zoning code perspective, shipping containers could be used to construct homes or offices in almost any zoning district. The language of LDC Section 2.4.13 is somewhat confusing and may need to be clarified.

Building and Fire Codes:

As these codes are inextricably linked for construction purposes, they are addressed together. The Building codes allow for a great deal of creativity in design. Because these containers are not designed to be used as building components, the Building codes would require a structural engineer to certify their structural integrity and to design the foundation and connections. The remainder of the components, such as electrical, plumbing and mechanical (heating and air conditioning) would need to meet all applicable codes. Fire codes would be addressed similarly. Because the structure is steel construction, it would be similar to metal framed site-built structures.

AESTHETICS:

As noted above, it appears that there are no prohibitions to this concept in the zoning, building or fire codes. There is a further issue that the UDC may want to consider; that of aesthetics. These containers can be used to construct a home or office and have no more than a coat of paint as an exterior finish. However, many of the design examples found by staff have exterior finishes that render the buildings almost indistinguishable from site-build homes. It may be appropriate to specifically mention this type of construction and it may be appropriate to require some form of exterior finish to help make these buildings compatible with more traditional home construction.

CONCLUSION:

Staff desires UDC comments and direction on this matter. Staff would suggest that if the UDC desired to support this construction method, LDC Section 2.4.13 be modified to clearly define its limitation applies only to the bulk storage use of shipping containers and does not prohibit adaptive re-use for other purposes permitted by the codes.





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UDC COMMITTEE

MEMORANDUM

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CITY OF PRESCOTT
COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION

TO: Unified Development Code Committee Members

FROM: Tom Guice, Community Development Director *TG*
George Worley, Planning Manager *GW*

TOPIC: Recreational Vehicles in Manufactured Home Parks

INTRODUCTION:

The LDC specifically addresses Recreational Vehicle (RV) parks separately from Manufactured Home parks. Manufactured Home parks are listed and treated as residential uses. RV parks are listed as a business and recreation use and are prohibited from most of the residential zoning districts. Staff has had inquiries about placing RV's into Manufactured Home parks as full-time or part-time residential units.

LDC Section 2.4.31.I. (attached) specifically prohibits RV's from being permitted in Manufactured Home parks. There is no clear reason expressed in the LDC for this prohibition. One possible reason is to prevent a Manufactured Home park (a residential use) from transitioning into a RV park (a business/recreation use) by incrementally replacing manufactured homes with RV's.

SUGGESTED ACTIONS:

Should the UDC desire to change the current prohibition, there are two approaches that could be considered. First is to allow RV's out right at the property owner's discretion. This would allow the owner of a Manufactured Home park to allow some, or all, of the spaces in his park to be occupied by RV's. It would be possible for a park owner to completely transition to an RV park. If this option is recommended, the Permitted Uses in Table 2.3 will likely need to be changed to allow RV parks to operate in residential areas.

The second option would be to modify the LDC language in 2.4.31.I. to permit a percentage of spaces in a Manufactured Home park to accept RV's. This second option would help protect the residential character of a park, but allow a reasonable flexibility to the park owner to offer RV spaces.

LDC 2.4.31/ Manufactured Home Parks (Residential Use Categories, Household Living)

- I. **Recreational Vehicles (Except for Park Models)** Travel trailers, campers, motor homes, or other recreational vehicles shall not be permitted on any manufactured home space or area reserved for manufactured home usage, except for park models (refer to Table 11.2.5).

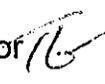
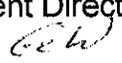
UDC COMMITTEE

MEMORANDUM

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CITY OF PRESCOTT
COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION

TO: Unified Development Code Committee Members

FROM: Tom Guice, Community Development Director 
George Worley, Planning Manager 

TOPIC: Camping on private property, use of yurts and LDC limitations on use of RV's

INTRODUCTION:

Staff has become aware of a number of instances of "camping" related code conflicts between provisions of the City Code and the LDC. These conflicts involve the long term residential use of RV's on private property for short or long term residential use.

The City Code regulates camping in Section 5-9 (attached). Camping is defined, in that section, as including erecting a tent or other shelter, a trailer, RV, camper or other vehicle for the purpose of living accommodation. This seemingly would also allow yurts, which are temporary shelters with a ridged frame and a covering of canvas or a similar material, to be used for living accommodations on residential properties. Yurts are becoming more common in certain neighborhoods of the City.

The conflict arises when properties are occupied with a permanent residence. LDC Section 2.5.9 states that on-site storage of RV's is deemed an accessory use to a residential dwelling. It then refers to LDC Section 6.2.4.B. Section 6.2.4.B.1 specifically states that RV's "shall not be used for sleeping or habitation purposes". While this provision directly conflicts with the City Code, it is certainly more specific and general rules of law would have the more specific rule take precedent over the more general. The problem is that this makes it allowable to camp in an RV on a vacant lot in a residential neighborhood, but not on a lot with a house. Further, the camping provisions allowing tents and "other type of shelter" does not conflict with the LDC, thus allowing all forms of camping, as defined by the City Code, except RV's on residential lots with houses.

A key prerequisite for creating any land use regulation is the determination of a rational nexus. That is, a reason for that specific law. Staff has been unable to determine the rational nexus for disallowing habitation of an RV on a lot with a house when other forms of camping are allowed and when habitation of RV's is allowed on vacant lots.

Staff seeks comments and/or suggestions from the UDC as to:

1. Does this conflict warrant amending the City Code or the LDC?
 2. If yes; what amendment is most appropriate?
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Staff has also become aware of a number of instances of yurts being erected on residential properties for both short and long term residential use.

The City Code regulates camping in Section 5-9 (attached). Camping is defined, in that section, as including erecting a tent or other shelter, a trailer, RV, camper or other vehicle for the purpose of living accommodation. This seemingly would also allow yurts, which are temporary shelters with a ridged frame and a covering of canvas or a similar material, to be used for living accommodations on residential properties.

The Building Code applies to habitable spaces for life safety reasons and as such a permit must be obtained prior to installation of a yurt for habitation use. Due to the inherent design of yurts as temporary, moveable structures, they have significant difficulty complying with many provisions of the building codes. Wind and snow load requirements are particularly difficult to meet.

The City Code appears to freely allow the use of yurts, while the Building Code makes it very difficult to accomplish.

The issue in question is twofold:

1. Should yurts be allowed as residential habitable rooms on residential lots?
2. Should the Building Code be amended to more easily permit yurts?

CHAPTER 5-9: OUTDOOR CAMPING

SECTIONS:

5-9-1: DEFINITIONS

5-9-2: CAMPING ON MUNICIPAL PROPERTY

5-9-3: CAMPING ON PRIVATE PROPERTY

5-9-4: PENALTY

5-9-5: SEVERANCE CLAUSE

5-9-1: DEFINITIONS:

"Camping" or "camp" shall mean the use of an area outdoors for living accommodation purposes, and shall include, but not be limited to, erecting a tent or other type of shelter, or laying down bedding material, or both, for the purpose of, or in such a way as will permit it to be used for living accommodation purposes or for sleeping purposes; or parking a trailer, camper or other vehicle for the foregoing purposes. (Ord. 3778, 7-14-1998)

5-9-2: CAMPING ON MUNICIPAL PROPERTY:

No person shall camp on property owned, leased or licensed by the City, unless that property is specifically posted with signage allowing camping, or is otherwise a specifically designated camping area. (Ord. 3778, 7-14-1998)

5-9-3: CAMPING ON PRIVATE PROPERTY:

No person shall camp on private property, unless that person has in his or her possession written permission from the property owner or lawful tenant of that property. (Ord. 3778, 7-14-1998)

5-9-4: PENALTY

Any person who violates any provision of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in Section 1-3-1 of this Code. (Ord. 3778, 7-14-1998)

5-9-5: SEVERANCE CLAUSE:

The provisions of this Chapter are hereby declared to be severable, and if any section, sentence, clause or phrase of this Chapter shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Chapter, but they shall remain in effect, it being the legislative intent that this Chapter shall stand notwithstanding the validity of any part thereof. (Ord. 3778, 7-14-1998)

Article 2 / Use Regulations

- G. There shall be no advertising of the home occupation on the site or structures;
- H. The occupation shall not create any disturbing or offensive activity, noise, vibration, smoke, dust, odor, heat, glare, or other unhealthy or unsightly condition;
- I. The occupation shall not create a traffic or parking problem; and
- J. The occupation does not involve retail sales on the premises.

2.5.8 / Professional Practice

A professional practice shall be deemed an accessory use to a residential dwelling. In addition to the off-street parking otherwise required by Sec. 6.2.3, Off-street Parking Requirements, additional off-street parking may be required for a professional practice as necessary to mitigate neighborhood impacts.

2.5.9 / Recreational Vehicle (RV), Motor homes and Similar Storage

On-site storage of recreational vehicles, motor homes, utility trailers, camp trailers, boats and similar equipment owned by the occupants of the principal residence for more than 72 consecutive hours in any 7-day period shall be deemed accessory to a residential dwelling, subject to the following requirements:

- A. Such equipment may only be stored in a side or rear yard, and not in the required front yard;
- B. Such equipment shall be stored so as to maintain a minimum 3 foot clearance on at least one side for emergency access; and
- C. Setback adjustments may be approved in accordance with the provisions of Sec. 2.7.3D.7, Setback Adjustments.

Commentary:

Storage of RVs, motorhomes, utility trailers, camp trailers, boats and similar equipment over long periods of time may negatively affect the quality of life in residential neighborhoods. Owners of such vehicles and equipment are encouraged to consider the potential effects as they consider storage alternatives. "Screening" is not required, but may be desirable in some situations and locations.

These provisions shall not be construed to permit storage of construction vehicles and equipment in a residential zoning district. RV storage on individual residential properties is further subject to the provisions of Sec. 6.2.4B, Use of Off-Street Parking Areas, Residential.

2.5.10 / Satellite Receivers, Ham Radio Towers, and Antennas, Ground Mounted

Ground-mounted satellite reception equipment, ham radio towers, and antennas are accessory uses allowed in all use categories except within the SPC, RS and NOS zone districts. (See also Sec. 2.4.51, Telecommunications Facilities). All such facilities shall be subject to the height restrictions and setback requirements of the applicable zoning district, as modified by Sec. 2.7.3, Measurements Computations and Exceptions.

2.5.11 / Solar Collection and Wind Power Generation Equipment, Roof Mounted

Roof-mounted solar collection, wind power generation equipment, chimneys, cooling towers and the like are accessory uses allowed in all districts, except within the SPC, RS and NOS zone districts, subject to the following standards:

- A. Such equipment shall be subject to the height restrictions and setback requirements of the applicable zoning district, as modified by Sec. 2.7.3, Measurements Computations and Exceptions;
- B. Wind-generating equipment shall require a Conditional Use Permit.
- C. In no case shall such devices deprive any adjacent land owner or tenant of direct sunlight or breezes; and
- D. In no case shall such devices create nuisance noise, vibration, smoke, dust, odor, heat, or glare affecting the adjacent landowner(s).

Table 6.2.3 Cont'd.	OFF-STREET PARKING REQUIREMENTS
Use Type	Minimum Parking Requirements
Restaurant/Tavern/ Supper Club	1 per 100 sf of customer service area + 1 per 35 sf of dance floor
Retail, General	1 per 200 sf
Retail, Large Consumer Goods	1 per 500 sf
Schools, K-8	2 spaces per classroom + drop-off area
Schools, 9-12	10 spaces per classroom
Self-service/Mini- storage	1 per 100 lockers inside of fenced area + 5 spaces outside of fenced area + loading areas
Shooting/Archery Range	1 space per station
Theater, Entertainment	1 per 3 fixed seats, or 1 per 60 sf seating area if no fixed seats
Utility, Major	Office Area: 1 per 300 sf + Work/Storage/Other Area: <50,000 sf: 1 per 750 sf; >50,000 sf: 1 per 1,250 sf
Unlisted Uses	See Sec. 6.2.11E
Vehicle Repair	4 per bay including bay
Vehicle Sales	Office Area: 1 per 300 sf + Sales Area: 1 per 2,000 sf
Vehicle, Service Station	1 per 200 sf convenience sales area + 1 per service bay, + 2 stacking spaces per pump
Warehousing and/or Distribution	Office Area: 1 per 300 sf + Work/Storage/Other Area: 1 - 10,000 sf: 1 per 500 sf; 10,000 - 50,000 sf: one per 750 sf; >50,000 sf: 1 per 1,250 sf
Wholesale Sales and Storage	Office Area: 1 per 300 sf + Indoor Sales/Display/Storage Area: 1 per 500 sf + Outdoor Sales/Display Area: 1 per 750 sf
Workforce Housing	See Dwelling Units, Workforce Housing

6.2.4 / General Requirements

A. Use of Off-Street Parking Areas, Commercial Sites

Required off-street parking areas for commercial sites are to be used solely for the parking of licensed motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, motorhomes, campers, mobile homes, or building materials, except for special events that may be approved by the Community Development Director.

B. Use of Off-Street Parking Areas, Residential

1. Recreational vehicles, motor homes, utility trailers, camp trailers, boats and similar equipment that is allowed to be stored on residentially-zoned property in accordance requirements of Sec. 2.5.9, RV, motor homes and Similar Storage, shall not be used for sleeping or habitation purposes.
2. No trailer of any type in excess of 40 feet in length shall be located on residential property unless screened from surrounding properties in accordance with City Code Section 7.5.2 DEFINITIONS - "Screened Area - Exterior".

C. Surfacing and Maintenance

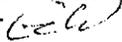
UDC COMMITTEE

MEMORANDUM

January 25, 2012

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION

TO: Unified Development Code Committee Members

FROM: Tom Guice, Community Development Director 
George Worley, Planning Manager 

TOPIC: Method of attachment of accessory structures to principal structures

INTRODUCTION:

LDC Section 2.5.2.F addresses the criteria for attachment of accessory structures to principal structures. Attachment of accessory structures becomes important when the accessory structure contains Guest Quarters. Detached Guest Quarters require a Conditional Use Permit (CUP), but attached Guest Quarters do not. Because of the additional complexity of obtaining a CUP, architects and builders often seek to attach what would otherwise be detached buildings to the principal building.

The LDC defines attached as "when a roof or wall member built to the standards of the principal building adjoins the 2 otherwise detached buildings". This definition does not detail what a roof or wall member is, nor does it specify any dimensional requirements such as how tall the wall must be or how wide the roof member must be. This lack of specificity has resulted in a wide variety of attachments being approved, varying from lattice to fully enclosed hallways.

Staff believes that "attached" needs to be better defined to avoid inconsistent approvals and to clearly provide direction to architects and builders as to what to design into plans to accomplish the attachment.

SUGGESTED ACTION:

Staff recommends modifying the language of Section 2.5.2.F to read "when the roof or wall of the principal building, or an extension of the roof or wall of the principal building joins the 2 otherwise detached buildings together".