



# UNIFIED DEVELOPMENT CODE COMMITTEE AGENDA

UNIFIED DEVELOPMENT CODE COMMITTEE  
REGULAR MEETING  
WEDNESDAY, February 29, 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, February 29, 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. Revision of Subdivision Financial Assurances requirements
2. Permitting RV's in Manufactured Home Parks
3. Informational presentation by Code Enforcement on Hoarding Cases

## 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 February 22, 2012, at 2:41 pm in accordance with the statement filed with the City Clerk's Office.

Suzanne Derryberry, Adm. Specialist, Community Development

---

# UDC COMMITTEE

## MEMORANDUM

Date February 29, 2012

AGENDA ITEM \_\_\_\_\_

---

CITY OF PRESCOTT  
PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION

**TO:** Unified Development Code Committee Members

**FROM:** Mark Nietupski, Public Works Director  
Scott Tkach, City Engineer  
Richard Mastin, Development Services Manager



**TOPIC:** Financial Assurances

---

With the meltdown of the economy and the financial markets over the past several years, banks have been unwilling to provide Financial Assurances (FA) to developers for infrastructure that are open ended, no expiration date as required by the Land Development Code (LDC), Section 7.6.1. As a result, Public Works/Engineering has been working with the local development community to modify the requirements for FA as shown in the attached proposed amendments to LDC Section 7.6.1. The changes while still complying with Arizona Revised Statutes and providing the City with a funding mechanism to complete infrastructure, will provide the banks and financial institutions a more finite time frame for issuing and renewing FA.

## **Sec. 7.6 / Subdivision and Land Split Improvement Guarantees**

### **7.6.1 / Financial Assurances**

Prior to recording of the final plat and prior to commencement of construction within one year following approval of Final Plat and construction plans unless a different time frame is approved by Council, the subdivider shall post security to cover to the cost of installing all required improvements. ~~in one of the following ways. No expiration of the financial assurances shall be permitted.~~ *The security shall remain in force and effect until such time as all required improvements have been completed and released by the Public Works Director. Security that will expire prior to completion of the required improvements shall be renewed by the financial institution, for minimum incremental periods of 12 months, until such time as the required improvements are completed and released by the City. Release and partial release(s) of the security can occur as described in Section 7.6.2 below. Security shall be posted in one of the following ways:*

#### **A. Performance Bond**

File with the City Clerk a bond executed by an authorized insurance company holding a license to do business in the State of Arizona. A copy of the certificate shall be attached to the applicable bid bonds, payment bond and performance bond to be evidenced by certificate of authority as defined in ARS Sec. 20-217, in a form approved by the City, in an amount of 110 percent of the cost of the improvements as certified by the ~~Engineering Services~~ *Public Works Director*. The Performance Bond shall be approved as to form and legality by the City Attorney.

#### **B. Trust Agreement**

Place on deposit in a bank or trust company in the name of the City, and approved by the City, in a trust account, a sum of money equal to 110 percent of the estimated cost of all improvements required by this Section, the cost and the time of completion as estimated by the ~~Engineering Services~~ *Public Works Director*; selection of the trustee shall be subject to approval by the City and the trust agreement shall be executed in the form acceptable to the City and approved as to form and legality by the City Attorney.

#### **C. Unconditional Guarantee from Bank**

File with the City Clerk a letter, in a form approved by the City, signed by a principal officer of a savings and loan association or bank, acceptable to the City, agreeing to pay to the City of Prescott, on demand, a stipulated sum of money to apply to the estimated cost of installation of all improvements for which the subdivider is responsible under this Section. The guaranteed payment sum shall be the 110 percent of the estimated costs and scheduling as prepared by the subdivider's engineer and approved by the ~~Engineering Services~~ *Public Works Director*. The letter shall state the name of the subdivision and shall list the improvements that the subdivider is required to provide.

### **7.6.2 / Release of Financial Assurances**

Release or partial release of any security shall occur as incremental progress is demonstrated to the satisfaction of the ~~Engineering Services~~ *Public Works Director* or when the City has formally accepted the improvements that are the subject of such security. ~~In accordance with the requirements of Sec 7.6.1, Financial Assurances, financial assurances shall not have an expiration date but shall be released as described herein.~~ *When a partial release(s) is approved by the Public Works Director, 10% of the release amount will be retained by the City until such time as all required improvements are completed and released by the City, at that time the City will release all remaining security.*

---

# UDC COMMITTEE

## MEMORANDUM

February 29, 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:** Recreational Vehicles in Manufactured Home Parks

---

**INTRODUCTION:**

Last month staff addressed the UDC about inquiries from Manufactured Park owners about placing RV's into Manufactured Home parks in spaces originally intended for manufactured homes.

LDC Section 2.4.31.I. (attached) specifically prohibits RV's in Manufactured Home parks. One possible reason was 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.

The UDC members discussed this and appeared to support the idea of granting more flexibility to the property owners. Staff suggested several options; including allowing the RV substitutions without limitations or allowing the substitutions with a limit on the percentage of spaces that could contain RV's. Another option, not presented at the last meeting, would be to allow the substitution of RV's, but to require that they be placed and used for longer term residential occupancy. This last option focuses on the residential character rather than the type of structure/vehicle occupying the space.

**SUGGESTED ACTIONS:**

Staff suggests the UDC consider amending LDC Section 2.4.31.I. to read:

“Travel trailers, campers, motor homes, or other recreational vehicles ~~shall not~~ may be permitted on any manufactured home space or area reserved for manufactured home usage, provided that said vehicles are intended for stays of 90 days or longer except for park models (Refer to Table 11.2.5).”

---

# UDC COMMITTEE

## MEMORANDUM

February 29, 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:** Code Enforcement presentation on hoarding issues

---

**INTRODUCTION:**

Code Enforcement Supervisor Kelly Sammeli will make a presentation to the UDC on issues surrounding the problem of hoarding. Mrs. Sammeli will address some basic information about hoarding and its impact on the health, safety and welfare of the surrounding neighborhood. Mrs. Sammeli will then describe the steps available now, under our current code provisions, to address hoarding situations. Mrs. Sammeli will conclude her presentation with some ideas and options for code amendments and procedure changes that could better address the issues associated with hoarding situations.