



UNIFIED DEVELOPMENT CODE COMMITTEE A G E N D A

UNIFIED DEVELOPMENT CODE COMMITTEE
REGULAR MEETING
WEDNESDAY, March 28, 2012
10:00 AM

COUNCIL CHAMBERS / CITY HALL
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, March 28, 2012**, in **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 Menser
Richard Rosa
Greg Lazzell

Jim Lamerson
Charles Arnold
Al Carlow

III. REGULAR ACTION ITEMS

1. **Recreational Vehicles in Manufactured Home Parks.**
2. **LDC limitations on use of RV's on residential lots.**
3. **Method of attachment of accessory structure to principal structures.**
4. **Campaign Signs in the public right-of-way in tourism areas.**

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 March 21, 2012, at 12:00pm in accordance with the statement filed with the City Clerk's Office.


Suzanne Derryberry, Adm. Specialist, Community Development

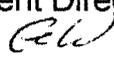
UDC COMMITTEE

MEMORANDUM

March 28, 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: 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. Staff has a concern related to this possibility because of the potential negative impacts on adjacent or nearby property values.

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. To off-set the concerns for adverse impact to adjacent properties noted in the paragraph above, staff suggests that any RV's placed in a Manufactured Home park should be required to meet all of the site and placement requirements that would apply to manufactured homes placed in those spaces.

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 and provided that, with the exception of the requirements of Section 2.4.31.A, that all other requirements of this section for placement of manufactured homes must be met except for park models (Refer to Table 11.2.5).”

UDC COMMITTEE

MEMORANDUM

March 28, 2012

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION

TO: Unified Development Code Committee Members

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

TOPIC: LDC limitations on use of RV's

INTRODUCTION:

Staff brought to the committee a number of matters relating to "camping" at a prior UDC meeting. One of those issues related to LDC Section 2.5.9, which 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". The UDC members reached a consensus that the limitation of LDC Section 6.2.4.B.1 should be removed. This can be accomplished by deleting that clause.

Following is the proposed language amendment:

6.2.4 / General Requirements

A. ...

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.*

UDC COMMITTEE

MEMORANDUM

March 28, 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: Method of attachment of accessory structures to principal structures

INTRODUCTION:

In January, staff discussed LDC Section 2.5.2.F which addresses the criteria for attachment of accessory structures to principal structures. Staff noted that the attachment of accessory structures is important in the LDC when the accessory structure contains Guest Quarters. Detached Guest Quarters require a Conditional Use Permit (CUP), but attached Guest Quarters do not. To avoid the additional complexity of obtaining a CUP, architects and builders often seek to attach what would otherwise be detached buildings to the principal building. A review of Guest Quarters CUP's since the 2005 effective date of the LDC reveals that 27 requests were made and the Board of Adjustment approved 19 of them. The remaining 8 requests were either withdrawn by the applicants or expired because they were not built.

Rather than focusing entirely on the method of attachment (though clarification would be helpful) staff suggests that the UDC consider the merits and appropriateness of the requirement for a Conditional Use Permit for detached Guest Quarters. Because this requirement seems to cause the majority of the questionable attachment issues, addressing the cause rather than the symptom, seems appropriate. To this end, staff has searched the LDC for possible ways that detached Guest Quarters differ from attached Guest Quarters, including aspects such as parking, utilities and traffic generation. Staff has not been able to identify sufficient differences in the impacts of detached versus attached Guest Quarters to explain the different treatment of the two.

Without a clear rational nexus for the different treatment, staff would suggest the UDC consider removing this requirement from the LDC. A modification to Use Table would be necessary, but no other text changes would be needed for this matter. This change will not remove the size and setback limits that apply to all accessory structures, including detached Guest Quarters.

In addition, in an effort to clarify, for other attachment issues, Staff suggests amending the description of “attached” in Section 2.5.2.F to read “when the roof of the principal structure or a structurally integral extension of the roof of the principal structure connects the two otherwise detached structures together”. This will more clearly convey to the designer and builder the substantial nature of such attachment when they voluntarily design this type of attachment.

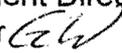
UDC COMMITTEE

MEMORANDUM

March 28, 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: Campaign signs in public right-of-way in commercial tourism zones

INTRODUCTION:

Last year the legislature adopted regulations relating to campaign signs on public property. The statute prohibited local governments from regulating or removing campaign signs in the public rights-of-ways unless the municipality created special sign-free zones related to tourism, commercial resorts and hotels. These zones have to be designated by resolution of the City Council and cannot be larger than 3 square miles of contiguous area.

Some municipalities have designated areas where scenic and aesthetic appeal would be impaired by campaign signs in the right-of-way or where congested rights-of-ways would deter tourists. Much of Prescott's downtown falls into this category. Immediately around the Courthouse Plaza, within the Courthouse Plaza Historic District, the public right-of-way, mostly in the form of sidewalks, extends right to the front entrances of the adjacent businesses.

Further out, but within the boundaries of the Downtown Business District (DTB), these same conditions exist. Within this larger area there are some properties that have developed differently, the Park Plaza Shopping Center as an example, but most have developed similarly to the Courthouse Plaza area. The larger DTB area also contains many historic and commercial tourist destinations, including Whiskey Row, the Sharlot Hall Museum, Prescott Fine Arts, the Elks Theater, Bashford Court and several important tourist hotels like the Hassayampa Inn and the St. Michaels Hotel.

Given the overall nature of the Downtown Business District as a tourist destination and its congested, pedestrian oriented development pattern, it would be possible to designate this area (totaling less than 1 square mile) as a campaign sign free area while meeting all of the criteria required by the state statutes.

SUGGESTED ACTIONS:

Staff is seeking direction from the UDC regarding this possibility. The language from the statutes is attached to assist you in understanding the criteria. Please refer to paragraph "F" for the specifics relating to sign free zones. If it is the consensus of the UDC to pursue such a district, staff desires direction as to the most appropriate boundaries of such a zone.



Fiftieth Legislature - Second Regular Session

[change session](#) | [printer friendly version](#)[Email a Member](#) | [Email Webmaster](#)[Senate](#)[House](#)[Legislative Council](#)[JLBC](#)[More Agencies](#)[Bills](#)[Committees](#)[Calendars/News](#)[ARS TITLE PAGE](#) [NEXT DOCUMENT](#) [PREVIOUS DOCUMENT](#)**16-1019. Political signs; printed materials; tampering; classification**

A. It is a class 2 misdemeanor for any person to knowingly remove, alter, deface or cover any political sign of any candidate for public office or knowingly remove, alter or deface any political mailers, handouts, flyers or other printed materials of a candidate that are delivered by hand to a residence for the period commencing forty-five days before a primary election and ending seven days after the general election.

B. This section does not apply to the removal, alteration, defacing or covering of a political sign or other printed materials by the candidate or the authorized agent of the candidate in support of whose election the sign was placed, by the owner or authorized agent of the owner of private property on which such signs are placed with or without permission of the owner or placed in violation of state law or county, city or town ordinance or regulation.

C. Notwithstanding any other statute, ordinance or regulation, a city, town or county of this state shall not remove, alter, deface or cover any political sign if the following conditions are met:

1. The sign is placed in a public right-of-way that is owned or controlled by that jurisdiction.
2. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.
3. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611).
4. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.
5. The sign contains the name and telephone number of the candidate or campaign committee contact person.

D. If the city, town or county deems that the placement of a political sign constitutes an emergency, the jurisdiction may immediately relocate the sign. The jurisdiction shall notify the candidate or campaign committee that placed the sign within twenty-four hours after the relocation. If a sign is placed in violation of subsection C and the placement is not deemed to constitute an emergency, the city, town or county may notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in violation at least twenty-four hours after the jurisdiction notified the candidate or campaign committee, the jurisdiction may remove the sign. The jurisdiction shall contact the candidate or campaign committee contact and shall retain the sign for at least ten business days to allow the candidate or campaign committee to retrieve the sign without penalty.

E. A city, town or county employee acting within the scope of the employee's employment is not liable for an injury caused by the failure to remove a sign pursuant to subsection D unless the employee intended to cause injury or was grossly negligent.

F. Subsection C does not apply to commercial tourism, commercial resort and hotel sign free zones as those zones are designated by municipalities. The total area of those zones shall not be larger than three square miles, and each zone shall be identified as a specific contiguous area where, by resolution of the municipal governing body, the municipality has determined that based on a predominance of commercial tourism, resort and hotel uses within the zone the placement of political signs within the rights-of-way in the zone will detract from the scenic and aesthetic appeal of the area within the zone and deter its appeal to tourists. Not more than two zones may be identified within a municipality.

G. A city, town or county may prohibit the installation of a sign on any structure owned by the jurisdiction.

H. Subsection C applies only during the period commencing sixty days before a primary election and ending fifteen days after the general election, except that for a sign for a candidate in a primary election who does not advance to the general election, the period ends fifteen days after the primary election.

I. This section does not apply to state highways or routes, or overpasses over those state highways or routes.