



# UNIFIED DEVELOPMENT CODE COMMITTEE AGENDA

UNIFIED DEVELOPMENT CODE COMMITTEE  
REGULAR MEETING  
WEDNESDAY, April 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, April 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

Tom Menser, Chairman  
Greg Lazzell  
Terry Marshal  
Richard Rosa

Jim Lamerson  
Charles Arnold  
Alan Carlow

## III. REGULAR ACTION ITEMS

1. Campaign Signs in the right-of-way
2. Follow-up discussion by Code Enforcement and Fire Department on Hoarding issues

## 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 April 20, 2012, at 10:30 am in accordance with the statement filed with the City Clerk's Office.

  
George Worley, Planning Manager, Community Development

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# UDC COMMITTEE

## MEMORANDUM

April 25, 2012

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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:** Follow-up on campaign signs in public right-of-way in tourism zones

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**INTRODUCTION:**

Last month the UDC heard a presentation by staff on the possibility of creating special campaign sign-free zones related to tourism. Staff described the reasons why some municipalities have created these zones and described the resolution process that the City Council could follow if the UDC recommends pursuit of this option.

The UDC members heard several options for how and where this option could apply to Prescott. These options included creating a zone in Prescott's downtown (specifically around the Courthouse Plaza), creating a zone within just the Courthouse Plaza Historic District, creating a zone within the whole of the Downtown Business District (DTB), or creating a zone over significant public park properties such as Honor Park at the junction of Gurley Street and Sheldon Street. Any of these areas would meet the criteria required by the state statutes.

UDC members asked staff to further research legal matters relating to creating such a zone. Assistant City Attorney Matt Podracky conducted that research and found no legal precedent or rulings that indicate this state statute violates state or federal constitutional protections. In the past, cities had the authority to establish political sign free zones in their rights-of-ways and these were held to be constitutional. (*City Council of Los Angeles v. Taxpayers for Vincent*, 466 U.S. 789 - 1984). The new statute allows for several sign free zones in specifically designated geographic areas. This new provision will likely be upheld as constitutional as it is far less onerous than the former all out prohibition of political signs in the city rights-of-way affirmed in the US Supreme Court case cited above. Several cities are known to be in the process of creating these campaign sign free zones, e.g. Lake Havasu City.

**SUGGESTED ACTIONS:**

Staff is seeking direction from the UDC regarding this possibility. If it is the consensus of the UDC to pursue such a district, staff also desires direction as to the most appropriate boundaries of such a zone.

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## MEMORANDUM

April 25, 2012

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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:** Code Enforcement/Fire Department presentation on hoarding issues

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**INTRODUCTION:**

Code Enforcement Supervisor Kelly Sammeli and Fire Marshal Eric Kriwer will follow-up on the presentation made to the UDC on issues surrounding the problem of hoarding. Mrs. Sammeli and Mr. Kriwer will provide the UDC with additional information in answer to questions posed by the UDC. They will also discuss several options for changes to codes or operating procedures for UDC consideration.