



UNIFIED DEVELOPMENT CODE COMMITTEE MEETING AGENDA

UNIFIED DEVELOPMENT CODE COMMITTEE
REGULAR MEETING
WEDNESDAY, November 26, 2014
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, November 26, 2014**, 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
Len Scamardo
Mike First
George Sheats

Jim Lamerson
Charles Arnold
Greg Lazzell

III. REGULAR ACTION ITEMS

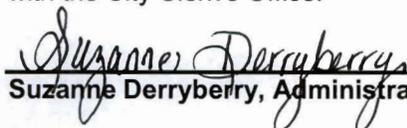
1. **Adoption and implementation of General Engineering Standards**
2. **Consideration of amending LDC to permit Vacation/Short Term Rentals in Single-family zoning districts**

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 November 19, 2014, at 2:15 pm in accordance with the statement filed with the City Clerk's Office.


Suzanne Derryberry, Administrative Specialist



Engineering Design and Construction Standards

Department of Public Works

2015

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ARTICLE 1 INTRODUCTION

1.0 INTRODUCTION

1.0.1 OVERVIEW

The City of Prescott has determined that to provide clear concise direction to design professionals, the development community, and contractors a single point of reference is needed. The City has prepared and will continue to update the General Engineering Standards, as deemed necessary. This manual is being provided as a tool to the design community to aid in their designs being conducted for the City and is not intended to limit or exclude the use of an engineer's judgment on a specific unique application.

1.0.2 PURPOSE

The purpose of establishing the General Engineering Standards is to provide uniform and functional facilities that ensure health and safety, and enhance the quality of life for the residents of the City of Prescott.

The Standards also provide owners, developers and contractors with direction, construction requirements and the City's expectations for the development of infrastructure improvements. The design concepts and specific technical data presented in this Manual are not intended to supersede good sound engineering judgment, but are provided to guide and inform the design and development community of the City's expectations.

The goal of the Manual is to assist in the orderly development and improvement of property with the goals of protecting the public's health, safety and welfare; improving the long-term value of the city's infrastructure assets; and improving quality of life for the residents and visitors of Prescott.

1.0.3 APPLICABILITY

The General Engineering Standards Manual along with City Code, Standard Specifications and Details described herein shall govern all infrastructure improvements for City of Prescott Capital Improvement Projects and private development projects.

This document is supported by various publications, which comprise the standard references for the types of work encompassed in the Public Works Department. In the event of any conflict or discrepancy between the General Engineering Standards, and any of the related publications listed below, the General Engineering Standards shall take precedence.

The following are considered to be Design Standards by the Public Works Department and follow a hierarchy in which the local standard governs. In cases where the local and county standards do not address the design issue; then the appropriate state standard governs. In cases where the local, county and state standards do not discuss the design issue; then the appropriate federal standard governs.

Local Standards.

- City of Prescott General Engineering Standards (as amended)
- City of Prescott Drainage Criteria Manual (as amended)
- City of Prescott Standard Details (as amended)

County Standards

- Maricopa County Roadway Design Manual
- Maricopa County Association of Governments (MAG) – Uniform Standard Specifications and Details for Public Works Construction
- Yavapai County Association of Governments (YAG) – Central Yavapai County Governments Unified Construction Standards, Supplement to Uniform Standard Specifications and Details for Public Works Construction

State Standards

- Arizona Department of Transportation (ADOT)
 - Local Public Agency (LPA) Projects Manual
 - Roadway Design Construction Standards and Drawings
 - Standard Specifications for Roadway and Bridge Construction
 - Arizona Supplement to Manual on Uniform Traffic Control Devices (MUTCD)
 - Traffic Signals and Lighting
 - Manual of Approved Signs
- Arizona Department of Environmental Quality (ADEQ)
- Arizona Administrative Code, Bulletin 8 & 10
- Arizona Department of Water Resources (ADWR)

Federal Standards

- Federal Highway Authority (FHWA)
 - Manual on Uniform Traffic Control Devices (MUTCD) (with Arizona Supplement)
- Federal Emergency Management Agency (FEMA) – National Flood Insurance Program (NFIP)
- Clean Water Act
- National Environmental Policy Act (NEPA)

The most-recent versions of each of the following are considered incorporated by reference into this document:

- City of Prescott General Plan
- City of Prescott Land Development Code

Prescott City Code

- Title II Departments, Public Works
- Title III Building Regulations
- Title VII Health and Sanitation
- Title VIII Public Ways and Property
- Title IX Traffic Regulations
- Title X Development Regulations
- Title XII Subdivisions
- Title XIII Floodplain Regulations
- Title XIV Off-Site Improvements
- Title XVI Street and Utility and Drainage Regulations

Other Publications:**American Association of State Highway and Transportation Officials (AASHTO)**

- A Policy on Geometric Design on Highways
- Low-Volume Road Design
- Roadside Design Guide
- Guide for Development of Bicycle Facilities
- Design Handbook for Older Drivers and Pedestrians

American Public Works Association (APWA)**American Society of Civil Engineers (ASCE)****American Society for Testing and Materials (ASTM)****American Water Works Association (AWWA)****Arizona Revised Statutes (ARS)****Arizona State Board of Technical Registration (ASBTR)****Arizona Administrative Code (AAC)****City of Prescott Area Plans, Design Plans and Specific Plans****City of Prescott Bike & Pedestrian Master Plan****City of Prescott Fire Department****City of Prescott Road Pavement Condition Report (Pavement Management System Report)****City of Prescott Traffic Calming Policy****Institute of Transportation Engineers (ITE)**

- Residential Street Design and Traffic Control
- Residential Streets
- Traffic Calming – State of the Practice
- Trip Generation: An informational report
- Parking Generation

International Code (IBC)**Local and Regional Transportation Studies/Plans****Local and Regional Drainage Studies****OSHA Construction Safety Orders****Transportation Research Board (TRB)**

- Highway Capacity Manual

Other publications and standards may be referenced from time to time as appropriate.

1.04 SCOPE

The General Engineering Standards consist of three major components: (1) Design Standards, (2) Construction Specifications, and (3) Standard Construction Details. The Design Standard and Standard Details are presented together in each of the following Sections:

1. General Notes
2. Site Preparation & Earthwork (Grading)
3. Drainage
4. Water
5. Wastewater
6. Transportation/Traffic/Roadways

7. Other Utilities
8. Survey
9. Plan Review and Submittal Checklists
10. Financial Assurances
11. CADD Standards
12. Appeal Process
13. Project Completion/Close-out/As-builts
14. Miscellaneous

The Standard Construction Details for each of these areas are included in the appendix to the document.

The General Engineering Standards establish the minimum requirements for the design and construction of any public improvement in the City of Prescott, the Yavapai Prescott Indian Tribe (YPIT) Reservation or City of Prescott service area (Chino Valley, Yavapai County). Public improvements are 1) those which will be accepted for operation and maintenance by the City of Prescott; 2) any City-operated Special District; 3) any independent Special District which does not have its own requirements in these areas; or 4) for any subdivision or land use permit where the improvement is determined to be of sufficient public benefit that compliance with these standards is required by the conditions of approval.

Additionally, the General Engineering Standards establish requirements for grading on private property when associated with a subdivision. Article 2 provides more information on grading requirements. Final authority for City approval of improvement plans, or acceptance of constructed improvements, rests with the Director of Public Works.

1.1 REGULATIONS AND PLANNING

1.1.1 CITY CODES, ORDINANCES AND REGULATIONS

The General Engineering Standards Manual clarifies and supplements requirements in the Prescott City Code, City of Prescott Land Development Code, Central Yavapai County Governments Unified Construction Standards, Yavapai Association of Governments (Y.A.G.) Standard Details, Maricopa Association of Governments (MAG), Uniform Standard Specifications and Details for Public Works Construction, Arizona Department of Transportation and other local, state and federal codes and regulations applicable for development within the City of Prescott.

This Manual is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulations, statute, or other provision of law except as provided in this Manual. Where any provision of this Manual imposes restrictions different from those imposed by any other provision of law, the provision that is more restrictive or imposes higher standards upon development and use of land shall control.

1.2.2 COMPREHENSIVE PLANNING

The City has adopted a General Plan, as well as several area specific plans, as planning documents for future development within the City. The City has developed water, sewer, drainage, and transportation master plans to ensure that future infrastructure improvements are achieved through an orderly development of the City planning areas. Developers and engineers shall review these documents to assure any proposed new developments or improvements are in concert with the City's future growth objectives.

1.2.3 OTHER REGULATORY AGENCIES

Regulatory permits and/or agreements may be required by other State and Federal agencies, including but not limited to the Arizona Department of Water Resources, Arizona Department of Environmental Quality, Arizona Department of Transportation, Yavapai County Environmental Services, and the U.S. Army Corps of Engineers. Approval of any improvement plans or construction activity by the City does not exempt the project owner from the requirement to comply with the regulations of any of these agencies. Prior to construction of public improvements, the Developer shall provide copies of all such permits to the Department, or document that such permits are not required.

Definitions in These Specifications

In these Specifications, the intent and meaning of the terms that are used shall be as defined in Section I of the State Specifications except as herein below noted or revised.

Contractor. Any person or persons, firm, partnership, corporation or combination thereof, who has/have entered into a contract with any person, persons, corporation, company, special district, or the City of Prescott as party or parties of the second part, or his/her/their legal representatives, for the construction of any public improvement or portion of any public improvement within the City of Prescott or its service area.

Department. The City of Prescott acting by and through its Department of Public Works, including the Director and his/her duly authorized representatives, either employed by or contracting with the Department, acting within the scope of the particular duties delegated to him/her.

Director. The Director of the Department of Public Works acting directly or through his/her duly authorized representatives, either employed by or contracting with the Department, acting within the scope of the particular duties delegated to him/her.

Engineer. (1) Where the duties described indicate the acceptance or approval of the project or the plans therefore, or any other duties and functions of the Department or Director as described in these General Engineering Standards, Engineer shall mean City Engineer of the Department of Public Works, Engineering Services, of the City of Prescott, acting directly or through his/her duly authorized representatives, either employed by or contracting with the Department, acting within the scope of the particular duties delegated to him/her. (2) Where the duties described indicate the functions and responsibilities for the preparations of the plans for the project and the other duties assigned to the Project Engineer in these Public Improvement Standards for the construction, inspection, and certification of the project, Engineer shall mean the Project Engineer as defined below. (3) Where the duties described indicate authorization of payment for the construction of the improvements for the project, Engineer shall mean as follows: (a) for City-funded projects it shall mean the City of Prescott acting through the lead agency for the project; (b) for all other projects it shall mean the Developer as defined below – the City of Prescott shall be a third party and the agreement between the Developer and the Contractor shall control.

Laboratory. Any testing agency or testing firm, which has been licensed by the State of Arizona to act in such capacity, and meeting the requirements of the Director.

Service Area. Those parcels located within an area identified by ADWR and ADEQ that receive utility services (water and/or wastewater) by the City of Prescott.

State. When the State Specifications are applicable, the word “State” as used in the State Specifications shall mean the State of Arizona and its political subdivision, City of Prescott.

Definitions in the General Engineering Standards

In the General Engineering Standards, the intent and meaning of the terms that are used shall be as defined below.

Contractor. Any person or persons, firm, partnership, corporation or combination thereof, who has/have entered into a contract with any person, persons, corporation, company, special district, or the City of Prescott as party or parties of the second part, or his/her/their legal representatives, for the construction of any public improvement or portion of any public improvement within the City of Prescott.

City. The City of Prescott, Arizona.

Department. The City of Prescott acting by and through its Department of Public Works, including the Director and his/her duly authorized representatives, either employed by or contracting with the Department, acting within the scope of the particular duties delegated to him/her.

Developer. The owner or his/her designated representative, of land where any public improvement is proposed to be constructed.

Director. The Director of the Department of Public Works, City of Prescott, acting directly or through his/her duly authorized representatives, either employed by or contracting with the Department, acting within the scope of the particular duties delegated to him/her.

Engineer of Record. The *Project Engineer* designated by the *Developer* as being responsible in charge of civil engineering work as defined in A.R.S Title 32, Professions and Occupations

Laboratory. Any testing agency or testing firm, which has been licensed by the State of Arizona to act in such capacity, and meeting the requirements of the Department.

Design Engineer. Any person or persons, firm, partnership or corporation legally authorized to practice Civil Engineering in the State of Arizona, who prepares or submits improvement plans and specifications on behalf of a Developer to the City of Prescott (See, *Engineer of Record*).

General Engineering Standards. The Design Standards, Construction Specifications and Standard Construction Details, which comprise this volume, along with all other standard references incorporated herein.

Public Improvement. Public improvements are those which will be accepted for operation and maintenance by the City of Prescott, any City-operated Special District, or any independent Special District, which does not have its own requirements in these areas, or for any subdivision or land use permit where the improvement is determined to be of sufficient public benefit that compliance with these standards is required by the conditions of approval. These Engineering Standards shall be the minimum required.

Right-of-Way. The full width of land owned (fee) or controlled (easement) by the City, upon which the traveled way is constructed, and which usually extends considerably beyond the edge of pavement (or traveled way) to the boundaries of the adjacent private properties.

Right-of-Way Permit. Authorization by the Department to conduct work, reconstruct or place improvement in established or proposed City rights-of-way or easements. No work or improvement shall be conducted outside the limits of the permit. Right of Way permits are required pursuant to Title VIII of the Prescott City Code.

State Standard Specifications. The latest edition of the ADOT Standard Specifications for Road and Bridge Construction, and of the associated Standard Plans (ADOT Roadway Design Construction Standard Drawings), of the State of Arizona, Department of Transportation (ADOT).

FINAL DRAFT

PLANNING & ZONING COMMISSION MEMO

MEETING DATE: 11/26/14

AGENDA ITEM: Permitting and Regulating Vacation Rentals

Approved By:

Director:	Tom Guice	
Planning Manager:	George Worley	<i>GW</i>
Community Planner	Frank Hall	<i>FH</i>

Item Summary

This report will discuss the merits of allowing vacation and short-term rentals (jointly referred to as vacation rentals hereafter) in single-family and multifamily zoning districts through an administrative permitting process. These uses are currently prohibited in all Single-family and multifamily zoning districts. The Land Development Code would have to be amended to permit the use in residential districts.

Background

The Land Development Code requires that for a use to be considered residential, occupancy must be arranged on a month-to-month basis or longer (Section 11.1.3). Stays of less than 30 days are considered to be in accommodations. Examples of accommodations are bed and breakfasts, motels, and hotels.

Vacation rentals are considered to be accommodations due to the usual short stays. Accommodation uses are excluded from residential districts because of potential negative impacts such as excessive noise, increased traffic and parking, and property maintenance issues.

Vacation rentals are a unique type of accommodation, with impacts that differ from bed and breakfasts and hotels. While a vacation rental serves a limited number of occupants, those occupants use a shared space and, importantly, there is no on-site management. In contrast, a typical bed and breakfast may serve between 5 and 10 occupants, but the occupants are in separate suites (limiting large gatherings) and there is an owner present to manage the use. Hotels often serve many more guests than a Bed and Breakfast, but are operated similarly, in that guests have separate suites and management is constantly present.

Agenda Item: Permitting and Regulating Vacation Rentals

The popularity of vacation rentals is growing for tourism focused communities. They offer a type of accommodation that is well-liked by families and other groups because of their ability to jointly use the space for gatherings. Many communities encourage this type of accommodation, but most heavily regulate the use to mitigate the potential impacts on surrounding traditional residential uses.

In addition to their popularity, there is significant tax revenue to be collected from vacation rental accommodations. Rentals that lease month to month are taxed at the 2% rate. Accommodations that rent for less than 30 days are taxed at the 5% rate. There are more than 100 vacation rentals advertised in Prescott, many, perhaps most, are operating in violation of zoning in residential districts. Because they are not permitted in residential zoning it is unlikely that they are paying the appropriate accommodation tax.

Recommendations

Other tourism destination communities similar to Prescott have successful programs that allow vacation rentals through either an administrative permitting process or Conditional Use process. The permitting process can vary significantly in requirements, but common elements include neighborhood notice, maximum occupancy limits, parking requirements, noise limits, screened trash and recycling, designated representative or management with 24-hour availability, and Life Safety requirements. These requirements are typical of other commercial accommodation uses.

With an appropriate permitting process, the potential adverse impacts of vacation rentals on the surrounding neighborhoods can be mitigated. There are five primary objectives to this proposal:

- 1) **Allow existing vacation rentals to become lawful.** An amendment to the Land Development Code allowing short-term rental of single-family residences gives current vacation rental owners an opportunity to legalize their use. They would be subject to all applicable requirements. No existing uses in residential districts would be grandfathered. The owners of any such uses would have to apply for proper permits to continue those uses, and would be subject to all conditions of the code.
- 2) **Mitigate adverse impacts through neighborhood involvement.** Involving neighbors in the permitting process could decrease potential conflicts. If there were significant public concerns over a particular property, a public approval process could be required.
- 3) **Allow for enforcement of vacation rentals regulations.** The registry created by the permit process would provide enforcement officers and emergency personnel contact information for the property.
- 4) **Collect appropriate tax revenue.** Of the approximately 100 - 200 vacation rentals

Agenda Item: Permitting and Regulating Vacation Rentals

currently in use, approximately 25% are paying at the proper tax rate. There is support for enforcement of the tax rates from hotel and bed and breakfast owners, as they are paying the higher tax rate while the majority of vacation rentals are not.

- 5) **Support the local tourism industry.** Tourists seek a variety of accommodations and allowing vacation rentals supports alternatives to hotel/motel stays.

Options

All of the following options assume that all existing Vacation Rentals in residential districts must apply under the specific process for that option, except for the first option. None are "grandfathered" because none are permitted uses at this time, nor have they been under past ordinances.

- 1) Leave the regulations as they are. Vacation Rentals would continue to be illegal in residential zoning districts.
- 2) Permit Vacation Rentals in residential districts through a Conditional Use Permit (CUP) process. Specific review criteria would be adopted for use by the Board of Adjustment in reviewing applications. CUP's require notice of nearby property owners who would be able to comment or object if they chose to do so. Specific review criteria could include minimum separation distances from other Vacations Rentals, similar to those applicable to Community Residences, minimum parking requirements and the designation of a local contact person.
- 3) Permit Vacation Rentals through an administrative (staff) permit process. Specific review criteria would be adopted for use by staff in reviewing applications. This process could include notice to nearby property owners. If substantive objections are made by nearby property owners, this process could also include the ability to require a CUP. Specific review criteria could include minimum separation distances from other Vacation Rentals, similar to those applicable to Community Residences, minimum parking requirements and the designation of a local contact person.
- 4) Permit a finite number of Vacation Rentals. Up to that number would be licensed. They would be subject to specific review criteria. If more applications are received than are permitted by code, some process would be needed to choose who will be permitted. Such a process could be a lottery or simply first come, first served until the maximum number is reached. Specific review criteria could include minimum separation distances from other Vacations Rentals, similar to those applicable to Community Residences, minimum parking requirements and the designation of a local contact person.

Attachments

1. Example list from Vacation Rentals By Owner (VRBO)

Recommended Action: Staff seeks direction from the Committee as to the merits of moving forward with a Land Development Code Amendment.

Prescott *Capital Territory* High Country, Arizona

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2014 ATS SEDAN

PER MONTH: 36 \$909

ROLL OVER

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Rate: Any Sleeps: Any Bedrooms: Any Booking: Edit All filters: Add+

Login · Help ·



2 Br • 1Ba • Sleeps 4
\$109 - \$129 per night (USD)



2 Br • 2Ba • Sleeps 4
\$120 - \$175 per night (USD)



3 Br • 2Ba • Sleeps 8
\$300 - \$350 per night (USD)



3 Br • 2Ba • Sleeps 6
\$350 - \$450 per night (USD)



2 Br • 1Ba • Sleeps 4
\$1,500 per month (USD)

Prescott - 115 vacation rentals

Sort by: VRBO Sort

Home > USA > Arizona > Capital Territory & High Country > Prescott

A Unique Little Cottage Just a Block Off Town Square ~ Recently Updated

2 Bedrooms • 2 Bathrooms • Sleeps 4 • Prescott #493016

3

\$100
per night
2 night min stay

The Little French Cottage, Historic Down Town Cottage

2 Bedrooms • 1 Bathroom • Sleeps 4 • Prescott #638881

\$125
per night
1 night min stay

Beautiful Cabin in the Pines!

1 Bedroom • 1 Bathroom • Sleeps 2 • Prescott #3813613ha

3

\$95 - \$110
per night
2-4 night min stay

Charming Home in Quiet Neighborhood that Backs to Forest and Creek.

3 Bedrooms • 3 Bathrooms • Sleeps 6 • Prescott #568781

\$150 - \$175
per night
3 night min stay

Charming Home in Quiet Neighborhood that Backs to Forest and Creek.

3 Bedrooms • 3 Bathrooms • Sleeps 6 • Prescott #3724365ha

\$150 - \$175
per night
3 night min stay

The Copeland Suite @ the Aspens on Montezuma

2 Bedrooms • 1 Bathroom • Sleeps 4 • Prescott #618276

\$110 - \$162
per night
2 night min stay

Beautiful Furnished 2 Bed 2 Bath Split Floor Plan.

\$2,000
per month