



City of Prescott
Alteration and Modification Application
Public Works Department
 201 S. Cortez St., Prescott, AZ 86303
 Phone: (928)-777-1269 Fax (928) 777-1251

PERMIT #:	Project Address:
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Assessor's Parcel #:	Subdivision:	Lot#:
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Description of Alteration or Modification Requested:

APPLICANT/CONTACT:	Phone:
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Address:	Email Address:
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City:	State:	ZIP:
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OWNER/DEVELOPER:	Phone:
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Address:	Email Address:
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City:	State:	ZIP:
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ENGINEER OF RECORD:	Phone:
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Address:	Email Address:
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City:	State:	ZIP:
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(For Office Use Only)	
_____ Administrative Alteration or Modification Fee	\$175.00
_____ Technical (Minor) Alteration or Modification Fee	\$350.00
_____ Design (Major) Alteration or Modification Fee	\$700.00
_____ Appeal Fee	\$350.00
_____ Signature of City Staff Accepting Application and Payment	_____ Date

ARTICLE 9/ ALTERATIONS AND MODIFICATIONS

SECTION 9.1/ INTRODUCTION

9.1.1 PURPOSE

- A. The purpose of this Article is to provide guidance to those seeking a formal request to allow an alteration or modification of the adopted General Engineering Standards (GES) and City of Prescott supplement to MAG Specifications and Standard Details. This article outlines submittal guidelines, processing timelines for review, fees and the decision and appeal processes for all types of alternations or modification requests. There are three types of alterations or modifications.
 - 1. Administrative Alteration or Modification
 - 2. Technical (Minor) Alteration or Modification
 - 3. Design (Major) Alteration or Modification
- B. The most appropriate time to submit a formal alteration or modification to the engineering standards request is in the preliminary stages of a project's development, in order to avoid delays to the project. Once an applicant decides to move forward with the formal request for an engineering standards alteration or modification, the applicant must follow the process outlined.
- C. Submittal of the formal request for an alteration or modification of the engineering standard does not guarantee approval. Therefore, if the applicant proceeds with design prior to City staff providing a written determination on the deviation, it is at the applicant's own risk.
- D. While a request is under review, the plan review for the project will be placed on an administrative hold until the requested alteration or modification has been completed.

9.1.2 QUALIFICATION CRITERIA

- A. For an engineering standards alteration or modification request to be considered, the applicant must demonstrate that there is a unique property condition causing substantial hardship. In order to qualify for an engineering standards deviation request, the following criteria must be true:
 - 1. There are unique conditions or circumstances applying to the use of the subject property in regards to:
 - a. Lot size or shape
 - b. Topography
 - c. Access control
 - d. Drainage patterns
 - e. Distance to nearest Water Service
 - f. Distance to nearest Sewer Service
 - g. Unusual utility conflicts

Article 9/Alterations and Modifications

2. The condition causing hardship was not created by the applicant, owner, or any previous owner of the property. The property hardship cannot be self-imposed.
 3. Without the granting of the alteration or modification, the property cannot be reasonably used.
 4. Certification that the alteration or modification will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property owner, to the neighborhood, or public welfare in general.
 5. State or Federal requirements or standards cannot be altered or modified by the City.
- B. It is the burden of the applicant to prove all of the above criteria true. If all of the above criteria can be proven, the Engineer of Record should contact the Public Works Department to discuss the feasibility of applying for an alteration or modification.
- C. In no case shall economic hardship qualify as criteria for evaluating an engineering deviation.

SECTION 9.2/ ALTERATION OR MODIFICATION PROCESS

9.2.1 SUBMITTALS

When deemed appropriate, the design engineer/applicant shall prepare a formal submittal to request consideration of an alteration or modification of the adopted General Engineering Standards.

9.2.2 APPLICATION AND DOCUMENTS

- A. All requests for alterations or modifications to General Engineering Standards shall be submitted on a Public Works, "General Engineering Standard Alteration/Modification Application". Applications shall be filled out completely with the printed name and signature of the current property owner and/or agent, as applicable.
- B. All requests for Alteration or Modification to General Engineering Standards shall be made with the first submittal or as soon as the issue is identified.
- C. In addition to the General Engineering Standard Alteration/Modification Application, the submittal shall include:
1. A narrative describing the project, the proposed modification, justification for the request as defined in the General Engineering Standards, [Section 9.1.2](#), and the section of the General Engineering Standards, which relates to the modification request.
 2. A site plan and an engineered plan signed by the registered professional for the proposed project.
 3. Specific engineering analysis needed by staff to complete the evaluation of the request to include but not be limited to, traffic studies, drainage studies, water and sewer design reports, geotechnical studies, bridge reports, structural reports, typical sections, cross sections, engineering calculations, and alternative designs.

Article 9/Alterations and Modifications

4. Should additional information be necessary to clarify or facilitate the review of an application, the City may request any other pertinent information deemed necessary, regardless of items already submitted for other review processes.
- D. A complete application, technical documents, and fees may be submitted to the permit center at City Hall, 201 S. Cortez, Prescott, AZ 86301.
- E. Application for Alteration or Modification to General Engineering Standards may be submitted prior to or with the underlying development application.
- F. The City Engineer shall determine the classification for each alteration or modification request (i.e. Administrative Modification, Technical (Minor) Modification or Design Standard (Major) Modification) based upon the complexity of the request. The City Engineer may modify the classification after reviewing the submittal.

9.2.3. APPLICATION COMPLETENESS

- A. An application submittal shall be deemed complete only after the City Engineer reviews the application, including all required or requested information and exhibits.
- B. The City Engineer shall make a determination of application completeness within three (3) working days of the submittal.
 - a. If an application is determined to be incomplete, the City Engineer will contact the applicant to explain the application's deficiencies and return the incomplete submittal.
 - b. No further processing of the application shall occur until the required submittal elements are provided.
 - c. If the deficiencies are not corrected by the applicant within thirty-(30) calendar days of notification, the application shall be considered withdrawn.

9.2.4. JUSTIFICATION FOR REQUEST

- A. City staff shall evaluate the alteration or modification request and reach a determination based upon the information submitted and the criteria listed below:
 - Public Safety (No deviation will be granted which compromises the public's safety)
 - Function
 - Traffic Management
 - Durability/Reliability
 - Cost of Operations and Maintenance to the City
 - Water and Sewer Service availability
 - Environmental Quality
 - Storm Water Quality
 - Appearance
 - Land Development Code/Prescott City Code (PCC)
 - Quality of Life
 - Other appropriate factors that may contribute to the council goals for the planning and development of the City
- B. Self-imposed conditions or economic hardship shall not be used as justification to grant an alteration or modification.

9.2.5. FEES

Alteration/Modification submittals shall be accompanied by the payment of a fee. Submittals without the fee will not be accepted. Fees shall be collected in accordance with the most recent fee schedule adopted by the City Council. If an application is denied or withdrawn, the fee payment is non-refundable.

Administrative Alteration/Modification	\$175.00
Technical Alteration/Modification	\$350.00
Design Standard Alteration/Modification	\$700.00
Appeal Fee	\$350.00

9.2.6. EVALUATION

The technical evaluation of the alteration or modification request, once deemed complete, will be completed within the period of time specified in General Engineering Standards, Section [9.3](#), [9.4](#), or [9.5](#). If the evaluation is expected to take longer than specified timeframe, the applicant will be notified at the time of acceptance of the application, whenever possible.

SECTION 9.3/ ADMINISTRATIVE ALTERATION OR MODIFICATION

Administrative alterations or modifications are defined as a modification involving minor aspects of a particular standard that do not materially affect the functionality of the standard. Examples include but are not limited to:

- Selection of Material and Appurtenances for roadways
- Driveway Grades
- Vertical & Horizontal Alignments for Utilities
- Extra Protection Method to Meet Water/Sewer Separation Requirements

9.3.1 REVIEW PROCEDURE

Within five (5) working days of the determination of application completeness, the City Engineer shall:

- A. Review and evaluate the request in light of the General Engineering Standards and other relevant information.
- B. Consult with other staff, as necessary.
- C. Render a decision to grant or deny the request

9.3.2 WRITTEN DETERMINATION

Within five (5) working days of the determination of application completeness, the City Engineer will provide a written decision in response to the application.

SECTION 9.4/ TECHNICAL (MINOR) ALTERATION OR MODIFICATION

Technical (Minor) Alteration or Modification is defined as a modification involving aspects of a particular standard that may change its general function, but not its essential function. These include but are not limited to:

- Asphalt or Base Course Thickness
- Surface Materials

- Geometric Design (length, width, bulb radius, medians, etc)
- Sight Distances
- Street and Driveway Grades
- Rolled Curb versus Straight Curb (Not Related to Drainage)
- Grade Restrictions with Less than Minimum Cover over Water/Sewer Mains
- Proposed Structural Resolution at Point of Connection into Existing City Sewer System

9.4.1 REVIEW PROCEDURE

Within ten (10) working days of the determination of application completeness, the City Engineer shall:

- A. Review and evaluate the request in light of the General Engineering Standards and other relevant information.
- B. Consult with other staff, as necessary.
- C. Render a decision to grant or deny the request

9.4.2 WRITTEN DETERMINATION

Within ten (10) working days of the determination of application completeness, the City Engineer will provide a written decision in response to the application.

SECTION 9.5/ DESIGN (MAJOR) ALTERATION OR MODIFICATION

Design (Major) Alteration or Modification is defined as a modification from the General Engineering Standards substantial enough to affect the essential function of the standard. Examples include but are not limited to:

- Selection of Material and Appurtenances (For Utilities or Roadways)
- Vertical and Horizontal Alignments for Roadway and Utilities
- Geometric Design (length, width, bulb radius, medians, etc)
- Design Speed Variances
- Pavement Widths
- Crossroad Circulation
- Offset Cross Street Alignments
- Access Policy and Cross Circulation Requirements
- Rolled Curb versus Straight Curb Related to Drainage
- Typical Section Modifications
- Quantity & Size of Water Meters/Sewer Services from Approved Design Reports and Plans
- Modification of Water System Looping from Approved Design

9.5.1 REVIEW PROCEDURE

Within fifteen (15) working days of the determination of application completeness, the City Engineer shall:

- A. Review and evaluate the request in light of the General Engineering Standards and other relevant information.
- B. Consult with other staff as necessary.

Article 9/Alterations and Modifications

- C. The City Engineer may obtain an independent review by a private design professional with expertise in the area of the request, if deemed necessary. An additional fee equal to any cost the City may incur for the independent review will be assessed to the applicant.
- D. Render a decision to grant or deny the request.

9.5.2 WRITTEN DETERMINATION

Within fifteen (15) working days of the determination of application completeness, the City Engineer will provide a written decision in response to the application. If an independent review is required, an extension of the review time may apply. In no case shall the written decision exceed thirty (30) working days.

SECTION 9.6/ APPEAL

9.6.1 APPEAL PROCEDURE

An applicant has the right to appeal the determination rendered by the City Engineer, however they must submit a formal appeal to the Public Works Director. Submitting a formal appeal requires payment of a subsequent appeal application fee, the completion of an appeal application with a brief narrative discussing the rationale for the appeal, and a copy of the original alteration/modification submittal.

9.6.2 REVIEW PROCEDURE

Within fifteen (15) working days of the determination of application completeness, the Public Works Director will:

- A. Seek a final recommendation of the City Engineer.
- B. The Public Works Director may, at his/her discretion, request that a Technical Review Panel consider the appeal and provide the Director with a recommendation. The Technical Review Panel will be comprised of a five member panel consisting of representatives from the following areas:
 - a. Elected/Appointed Official (1 member)
 - b. Professional Registrant, not associated with applicant or project (2 members)
 - c. Community Development Representative (1 member)
 - d. Contractor (A License), not associated with applicant/project (1 member)
- C. The Public Works Director will compile the comments and recommendations from all participating departments, City Engineer and Technical Review Panel.
- D. After review of this information, the Public Works Director will render a decision to grant or deny the request.

9.6.3 WRITTEN DETERMINATION

Article 9/Alterations and Modifications

Within thirty (30) working days of the appeal submittal, the Public Works Director will provide a written decision in response to the application. The Public Works Directors decision shall be final.

SECTION 9.7/ GENERAL CONDITIONS

- A. The alteration or modification of the same standard may not be submitted for evaluation more than once on the same project site.
- B. Although alteration or modification requests can be submitted until the point which construction plans are approved, any additional plan review fees required as a direct result of submitting later in the process will be the sole responsibility of the applicant.
- C. If no appeal is filed in writing within thirty-(30) calendar days, the decision shall be considered final.



