



Advisory and Appeals Board Draft Minutes

**PUBLIC MEETING
WEDNESDAY FEBRUARY 20, 2019
1PM TO 4PM**

**BASEMENT CONF. RM.
201 S. CORTEZ ST
PRESCOTT, ARIZONA
(928) 777-1207**

The following are minutes of the **ADVISORY AND APPEALS BOARD** at its **PUBLIC MEETING** held at **1PM** on **FEBRUARY 20, 2019**, in **THE BASEMENT CONFERENCE ROOM, CITY HALL, 201 S. CORTEZ STREET, PRESCOTT, ARIZONA.**

- I. **CALL TO ORDER -**
- II. **ATTENDANCE** – Roll call was taken and all members present.

MEMBERS	STAFF
Robert Betts	Michelle Chavez, CDBG / Development and Grant Coordinator
Constance Cantelme	Paul Macari, Chief Building Official
Richard Yetman	Bryn Stotler, Director of Community Development
Larry Meads	Laurel Collins, Plan Reviewer/Building Inspector
George Sheats (telephonic appearance)	COUNCIL LIAISON (not present)

III. **REGULAR AGENDA**

A. **NEW BUSINESS**

1. **Election of Acting Chairman** – The sub-committee of the City Council meets in March to determine officers. In the interim, Larry Meads volunteered to chair the Advisory and Appeals board.
2. **Introduction of Bryn Stotler & Paul Macari**
3. **Review of administrative codes amended and ready for adoption** –
Acting Chair Meads gave an overview of work that has been done thus far on the update to the building codes. The City of Prescott collaborated with Yavapai County, Prescott Valley, and Chino Valley to review and update the administrative codes per jurisdiction.

Prescott also met with a large group of communities via the AZBO Grand Canyon Chapter of northern AZ communities.

The towns do not want to make a lot of changes to the code. The idea is to collaborate so that they have similar rules. It has been a very cohesive collaboration of jurisdictions.

Administrative Codes: Red items are being deleted, a lot of it is housekeeping, such as updating dates, etc. The black items are not changing. Blue items are additions to the Administrative Code.

Member Cantelme asked if the board would be getting an energy code adoption update.

Mr. Macari indicated that that will be provided later in the meeting.

There was a discussion of how property maintenance codes are enforced and brought forward. How does this work with the blight ordinance? Building Official does not enforce the blight ordinance. They address safety issues. Blight is more junk, trash, debris, cars, etc. It's a different system that is run out of magistrate court. The City departments help each other with issues that come up.

The Board discussed the process of referencing the IBC and IEC codes, how the code handles assisted living, sober homes, etc. by referencing City ordinances where IBC doesn't have a definition (such as bedrooms and occupancy).

Obsolete equipment and additional loads to roofs was discussed. The Board and staff discussed historic districts and historic landmarks and how those would be handled.

What needs a permit and what does not is one of the biggest issues with different cities. Retaining walls should be measured from the top of footing and be no more than 32" high at the top of wall. All cities agreed. Most cities are similar in how they determine what needs a permit and what does not.

Guest: Is there a standard for inches or feet?

Staff: It depends what is most convenient for the user.

Roofing permits were discussed. There will be permits needed if they are going from shingle to tile. If they replace sheets they need a permit.

There was a discussion regarding wiring for theater, motion picture or television state sets. This is temporary theater defined as 90 days or less. It is not for public use. This applies to private showings only.

Section 110.3.9 – Update language to include and change spelling of "*in lieu.*" of barrier being "**inspected**" for water resistive barrier. The contractors can get certified by the manufacturer so they don't need a City inspector to go out to the job site.

Section 113 – The City updated the language about the Advisory and Appeals (A and A) board. They lowered number of members from nine to five. The update includes where the members should come from, and the duties and authority of the A and A board. It was really difficult to get to quorum with nine members.

If the state has the more restrictive code, the City of Prescott must follow the most stringent of them. The example of ADA (Americans with Disabilities Act) was given.

A discussion of family bathrooms and the reasoning behind updating that part of the code occurred. It does help businesses with the requirements for minimum number of bathrooms and conforms with ADA. Also discussed were exceptions, extensions, why the City must go with the more stringent rules. They do look at case by case situations.

There was discussion of certifications and additional costs for builders. The third party certification can be a cost burden for builders.

The group talked about the advisory role of the A and A board. Is there a way the board could be more involved in various items? The board may hear appeals to various code enforcement decisions (such as with bathroom requirements).

Member Sheats only remembers one time in eight years, an appeal coming to the A and A board. We hear about all types of challenges in the community but folks are not bringing appeals forward. Sometimes folks feel it is easier and more affordable to apply versus not comply. The board is always available to the public to appeal a decision.

Member Cantelme: The general public doesn't realize they have the option of the appeals board. People are afraid to report issues to the City because they get tied up and delayed. Is there a way to do a phased approach to projects to help business and developers who don't have the funds to make all the changes?

Staff: The City is always looking at what can be done within legal frameworks.

Member Cantelme: People do not like going to the Pre-Application Conference (PAC) because it costs them too much money. There should be more of a supportive role. We have lost businesses that could not get through PAC.

Ms. Stotler: The City is very open to feedback on how to improve our processes. Do come to a PAC meeting and see what you experience. We have had really good feedback and it's a catalyst between departments. In the past people could just submit plans and not really knowing what is needed or allowed. This helps them know ahead of time. We do quantify the PAC meetings where projects are delivered and look at outcomes. The Community Development Department is evaluated as part of the budget process on how many PACS turn into businesses and brick and mortar projects.

Mr. Macari: Nothing has changed in ADA since 2010 (Nationally). Attic (live) load increased to 40lbs which is considered more stringent. There was also discussion of Solar installation and how that impacts the code.

Mr. Macari: Any text in blue within the Administrative Code indicates it is a totally new section, an addition.

Chapter 21, Masonry: Indoor Wood Burning fireplaces were discussed and which ones are grandfathered in. New construction must have a gas lighter but not for exterior fire pits if pre-manufactured. If you build it yourself and make out of masonry and glass, you have to comply with standards. There is specific code on how to build it.

Chapter 29, Plumbing Systems: All jurisdictions are the same.

Chapter 30, Elevators: This section was removed because Prescott Fire doesn't have capability to talk to the elevators.

The Board and staff discussed energy efficiency testing which won't start until 2020 (blower door). ISO will be emphasizing this in the future, which will ultimately affect homeowners insurance premiums within the jurisdiction. It has been adopted but not

enforced. The contractors are already doing this. It can be certified by a third party as energy efficient.

Member Cantelme brought up concerns about past "sick homes" that were constructed to the utmost "green standards" which were too tight and did not allow enough ventilation, making them "sick homes."

Member Meads: Mechanical code does require fresh air ventilation now.

Member Sheats: Dorn and Mandalay have a conditioning type that regulates that.

Member Cantelme: Could the City have not adopted the code? It bears looking into more. It's a minimum of \$1000 to do that. Could we reverse this adoption of the energy efficiency standards? How do you get the figures of the dollars from increased insurance costs vs. the increase in costs passed on to contractors?

Mr. Macari: Yes we can look into this.

Section 311, Sewer: There was a discussion of size of sewer pipe and air testing of sewer pipes. Backflow prevention is required. Sharkbite is not outlawed. It is in the code this year. They are made for retrofit temporary.

Mr. Macari: The City is doing its best to minimize as much as possible (code regulations). The idea is to update the first overview pages and then adopt the code.

Section 4, Gas piping: Meters are going to plastic within 5 years.

You can look up codes on line at www.ICCSafe.org (International Code Council). Just be careful not to reference California and New York codes.

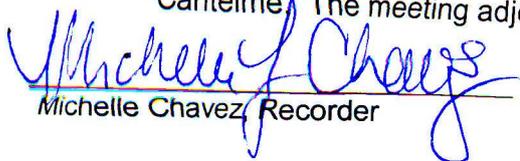
The Board will discuss residential, mechanical and electrical updates at the next meeting.

Mr. Macari would like the A and A board to review the code recommendations and take a vote on the changes and motion to move it on to City Council for consideration. Indicate what you heard and what you recommend. This is the venue to make the case for or against various code changes. Pick the items that you have a rationale for and make a pro or con argument. The time frame is not open ended. We are pointing to an adoption this summer, ideally by July 1, 2019.

More discussion ensued regarding energy efficiency standards, duct blasting and blower door / envelope testing. There were not enough third party certifiers to address these installations and required tests, and as a result the jurisdiction delayed enforcement until 2020.

IV. ADJOURNMENT

A motion to adjourn was made by member Yetman and seconded by member Cantelme. The meeting adjourned at 3:45pm.


Michelle Chavez, Recorder


Larry Meads, Acting Chairman