

# City of Prescott

## Planning & Zoning Commission



November 13, 2025 | 9:00 AM  
201 N. Montezuma Street  
Council Chambers, 1st Floor  
Prescott, AZ 86301

### AGENDA

The following Agenda will be considered by the **Planning & Zoning Commission** at their meeting to be held **November 13, 2025**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION & ACTION ITEMS**
  - A. Approval of the September 25, 2025 Planning & Zoning Commission Meeting Minutes.  
**Recommended Action: MOVE to approve the minutes as presented**
  - B. **LDC25-001**: Revisions to the City of Prescott Land Development Code Consistent with A.R.S. §9-500.49.  
**Recommended Action: MOVE to recommend approval of revisions to the City's Land Development Code consistent with Arizona Revised Statutes §9-500.49 as shown in Exhibit A**
4. **UPDATES**
5. **ADJOURNMENT**

Upon a public majority vote of a quorum of the Board, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated

representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));

(7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

### **CERTIFICATION OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 11/10/25 at 3:30 p.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

*Sarah M. Siep*

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Sarah M. Siep, City Clerk



TO: MAYOR AND CITY COUNCIL  
AGENDA: November 13 Planning & Zoning Commission Meeting  
DATE: November 13, 2025  
DEPT: Community Development  
ITEM #: 3.A  
SUBJECT: Approval of the September 25, 2025 Planning & Zoning Commission Meeting Minutes.

## ITEM SUMMARY

This item is for approval of the September 25, 2025 Planning & Zoning Commission meeting minutes. Staff recommends approval of the minutes as presented.

## BACKGROUND

None.

## FINANCIAL IMPACT

There is no fiscal impact at this time.

## RECOMMENDED ACTION

MOVE to approve the minutes as presented

## ATTACHMENTS

1. September 25, 2025 P&Z Minutes



September 25, 2025 | 9:00 AM

City of Prescott  
**Planning & Zoning Commission**

201 N Montezuma Street  
Council Chambers, 1st Floor  
Prescott, AZ 86301

**MINUTES**

**1. CALL TO ORDER**

Chairman Michelman called the meeting to order at 9:00 a.m.

**2. ROLL CALL**

- Don Michelman, Chair
- Thomas Reilly, Vice Chair
- Thomas Davis, Member
- Susan Graham, Member
- Thomas Hutchison, Member
- James Kleczewski, Member
- James Whiting, Member

**3. DISCUSSION & ACTION ITEMS**

A. Approval of the August 28, 2025 Planning and Zoning Commission Meeting Minutes.

**MOTION BY COMMISSIONER REILLY TO APPROVE THE AUGUST 28, 2025 MEETING MINUTES; SECONDED BY COMMISSIONER GRAHAM; PASSED (5-0-2) COMMISSIONER HUTCHISON AND COMMISSIONER WHITING ABSTAINED.**

B. **PLN25-002:** A Preliminary Plat of Lafferty Ranch, a 4-Unit Subdivision and Tract for Future Apartments on an Approximate 15.3 Acre Parcel Generally Located on the North Side of State Route 69 Across from Costco. Zoning: RE-2 (Rural Estate 2 Acre) and MF-M (Multi-Family-Medium Density). Location: APN 103-20-008C and D. Property Owner: 3910-5 LLC. Applicant: Kelley Wise Engineering.

Community Planner Jacob Lund gave a presentation regarding the proposed preliminary plat (PLN25-002) and provided aerial images of the property, zoning maps, the proposed preliminary plat, and slope analysis provided by the engineer. He added that due to hillside development standards there will be 3 lots containing restrictive building envelopes. However, the only required restrictive building envelope is located on lot 2 due to slopes exceeding 20 percent. Staff reviewed the proposal and all review criteria for preliminary plats were met. Staff recommended moving to recommend approval of PLN25-002.

Chair Michelman asked if residential areas or apartments will be required to be sprinklered.

Alex Bramlette Planning Manager stated that fire had reviewed the preliminary plat and the need for fire sprinklers will be determined at the time of permitting.

Chair Michelman asked what the difference was between PLN25-002 and the project previously reviewed by the Planning & Zoning Commission.

Mr. Lund stated that the previous project was related to a rezoning for the property located to the south for a new apartment project. The proposal now is a separate parcel to the north consisting of a 4-unit residential subdivision.

**MOTION BY COMMISSIONER REILLY TO RECOMMEND APPROVAL OF PLN25-002; SECONDED BY COMMISSIONER WHITING (PASSED 7-0).**

- C. **SUP25-001:** A Request for a Special Use Permit for a Remodel that Adds 50% or More to the Value of Existing Structures Relative to the Pre-Remodel Values as Required by Land Development Code Section 4.9.4.A.1. Location: 130 N. Cortez Street. Owner: 130 CORTEZ LLC. Applicant: Michael Taylor Architects Inc.

Community Planner Tammy Dewitt gave a presentation regarding (SUP25-001) for a special use permit that was required due to the total value of the proposed remodel adding 50 percent or more to the value of the existing structure. She provided imagery maps, historic photos of the building, and proposed renderings provided by the applicant. She stated that the proposal will consist of a new first floor area and fabric awning, installation of an elevator, conversion of the 2<sup>nd</sup> and 3<sup>rd</sup> floors to apartments, and the addition of a 4<sup>th</sup> floor for a new residence. Staff recommended moving to approve SUP25-001 with or without the recommended condition of the applicant submitting exterior building materials for review and approval by the Historic Preservation Specialist prior to building permit approval.

Commissioner Hutchison asked if there will be enough parking.

Ms. Dewitt said parking is not required for retail or commercial uses, but the applicant will be providing 6 parking spaces for the residential component.

Commissioner Hutchison asked if she believes there is sufficient parking.

Ms. Dewitt said that historical buildings have exceptions for parking but there is parking being added.

Chair Michelman asked if this was a grandfathered situation.

Ms. Dewitt confirmed.

Commissioner Davis asked why the applicant did not consider replacing or adding decks in front of the building.

Ms. Dewitt deferred to the applicant.

Vice Chair Reilly if the west elevation will be stucco or brick.

Ms. Dewitt stated that it is currently stucco and will remain as stucco.

Colin Lovdahl Michael Taylor Architects stated the original plan included cast iron balconies, but they did not want to build over the right of way due to the structural integrity of the existing brick.

Member of the public Sandy Hanson asked why the parking issue is allowed and is always overlooked. Additionally, she had concerns with the addition of the 4<sup>th</sup> floor.

**VICE CHAIR REILLY MOVED TO RECOMMEND APPROVAL OF SUP25-001 WITH THE RECOMMENDED CONDITION THAT THE APPLICANT SUBMIT**

**EXTERIOR BUILDING MATERIAL FOR REVIEW AND APPROVAL BY THE HISTORIC PRESERVATION SPECIALIST PRIOR TO BUILDING PERMIT APPROVAL; SECONDED BY COMMISSIONER GRAHAM; PASSED (7-0).**

- D. **REZ25-001 & GPA25-001:** A Request for a Rezoning from MF-M (MH) (Multi-Family Medium Density with Manufactured Home Floating District) to BR (Business Regional) on a Total of 2.722 Acres, a Rezoning from RO (Residential Office) to BR on 0.55 Acres (APN 113-08-024B); and a Minor General Plan Amendment from Medium-High Density Residential to Commercial for All Listed Parcels. The Overall Project Area is 3.282 Acres, with Owners Seeking to Bring Legal Non-Conforming [Commercial] Lots into Compliance with City Zoning Code & Their Associated General Plan Land Use Group (LUG) Designation. Location: APNs 113-07-089, 113-08-031, 113-08-032, 113-08-033, 113-08-066, 113-08-067, 113-08-024B, 113-07-087, 113-07-088 and 113-08-034 (& 034A). Addresses: 601, 603, 605, 617 & 625 Ruth St.; 642 Dameron Dr. Owners: West Yavapai Guidance Clinic Inc; Henderson, Patricia; Elrod, Sean. Applicant: Remarkable Land Surveying Inc. – Duane Famas.

Community Planner Tammy Dewitt provided a presentation and stated that the rezoning consists of approximately 3.282 acres and 11 properties. She provided imagery maps showing the zoning designations and locations of the parcels included in the rezoning request. Additionally, she stated that the rezoning will include a minor general plan amendment to commercial to allow for the proposed rezoning request to bring legal non-conforming uses into compliance with City zoning code and their associated General Plan Land Use Group (LUG) designation. Staff reviewed the proposal and determined that it meets all City Code requirements. Staff recommend moving to recommend approval of GPA25-001 and REZ25-001.

Commissioner Davis asked if the general plan amendment is consistent with the proposed general plan.

Ms. Dewitt stated that there currently is no proposed general plan map to compare it to, but it would have been.

Vice Chair Reilly asked if the sole purpose for the rezoning is to clean up an existing zoning mess with no use changes.

Ms. Dewitt confirmed.

Commissioner Hutchison asked if this is something the city wants.

Ms. Dewitt clarified it was requested by the applicant.

Chair Michelman asked how the buildings were originally approved.

Ms. Dewitt stated that it was built in the 1960's with limited zoning requirements at that time.

Chair Michelman asked if nothing was done the business could still exist and operate.

Ms. Dewitt confirmed.

Tamara Player President/CEO West Yavapai Guidance Clinic stated the goal is to be able to move to a new facility and sell the property. She added that the

rezoning request would allow potential buyers to keep the current use moving forward.

Commissioner Hutchison asked if the motive for the rezoning request is to allow flexibility to move or sell or further optimize the business.

Ms. Player confirmed and wanted to ensure the property continues to be used and is not vacant property.

Chair Michelman asked if there was a buyer in mind for the property.

Stephen Polk Chairman Polera Health stated that the Dameron Facility has always been operated with substance use treatment licensed by the Arizona Department of Health. He said that the plan is to move half of Polera Health's services to newer facilities and that the Dameron facility will be sold to potential buyers wanting to purchase the facility to operate a similar use.

Chair Michelman stated that the Planning & Zoning Commission does not typically rezone without knowing who will purchase the property and what the property will be used for. He asked if the potential buyer will still be a medical use.

Mr. Polk said the potential buyer is a medical provider that intends to do a similar use.

Commissioner Hutchison asked why the buyer wants the zoning changed.

Mr. Polk stated that grandfathered zoning is problematic and scary and that a contingency in the purchase offer was to correct the zoning.

Vice Chair Reilly believes if the zoning is changed to Business Regional (BR) and it would allow for many uses that are compatible with the area and does not have a problem with changing the zoning to Business Regional.

Commissioner Davis agreed and stated that a new zoning will give flexibility to improve the property.

Member of the public David Feru believes the sale of the property allows Polera Health to continue investing in the community.

Commissioner Hutchison asked if staff had any issues with the request.

Ms. Dewitt stated that the rezoning makes sense to maintain commercial use from a planning standpoint.

Member of the public Sandy Hanson does not have a problem with Polera Health or West Yavapai Guidance Clinic but is concerned if the rezoning is approved it will increase noise and parking issues. She would like to see the new owner need a conditional use permit and to not approve a rezoning request.

**VICE CHAIR REILLY MOVED TO RECOMMEND APPROVAL OF GPA25-001; SECONDED BY COMMISSIONER DAVIS; (PASSED 7-0).**

**VICE CHAIR REILLY MOVED TO RECOMMEND APPROVAL OF REZ25-001; SECONDED BY COMMISSIONER DAVIS; (PASSED 7-0).**

#### **4. STAFF UPDATES**

No Staff Updates.

**5. ADJOURNMENT**

There being no further business to discuss, Chairman Michelman adjourned the meeting at 9:58 a.m.

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DON MICHELMAN, Chairman

ATTEST:

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JACOB LUND, Recording Secretary



TO: MAYOR AND CITY COUNCIL  
AGENDA: November 13 Planning & Zoning Commission Meeting  
DATE: November 13, 2025  
DEPT: Community Development  
ITEM #: 3.B  
SUBJECT: **LDC25-001**: Revisions to the City of Prescott Land Development Code Consistent with A.R.S. §9-500.49.

## ITEM SUMMARY

This item is for review of revisions to the City's Land Development Code consistent with ARS §9-500.49. The Arizona Legislature adopted a revision to A.R.S. §9-500.49(A)(1) and (2) requiring Arizona cities and towns to adopt an Ordinance that, among other things, "authorizes administrative personnel to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments without public hearing"; and "authorizes administrative personnel to review and approve design review plans based on objective standards without a public hearing".

This new legislation becomes effective on January 1, 2026, and requires changes in the City's laws, rules and regulations contained in the City of Prescott Land Development Code (LDC) to meet the new statutory requirements.

## BACKGROUND

House Bill 2447 was approved by the Governor of Arizona on March 31, 2025 and will be effective on January 1, 2026. Among other things, this short legislation changed one word "may" to "shall" in 9-500.49.A., stating:

"Notwithstanding any other law, the legislative body of a city or town ~~may~~ SHALL by ordinance do the following

1. Authorize administrative personnel to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments without a public hearing.
2. Authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing."

This change in A.R.S. requires the LDC to be revised, as shown in EXHIBIT A, to meet the new statutory requirements.

Specific to Subsection A.1, above, this piece of legislation does not apply to Planned Area Development (PAD) requests. The PAD permits flexibility in type of dwellings, placement of buildings, circulation facilities, off-street parking areas, and use of open spaces. PAD also regulates development that integrates related uses into a single project, such as office parks, commercial or service centers, shopping centers, industrial uses, or residential developments. Since greater flexibility is given to allow special conditions or restrictions that would not otherwise allow the development to occur, procedures are in place and will not be modified to ensure against misuse of increased flexibility. The approval of a PAD is by the City Council's sole discretion.

When a PAD is desired by the applicant, the full process through the Planning and Zoning Commission, then final approval through City Council for the approval is required. Once approved,

preliminary plats and final plats go through the administrative process. If the applicant desires modifications that deviate from the PAD approval, then the application would be processed through the Planning and Zoning Commission and City Council.

Per House Bill 2928, A.R.S. 9-500.49 also does not apply to Historic Districts by stating:

"D. This section does not apply to any of the following:

1. Land in an area that is designated as a district of historical significance pursuant to Section 9-462.01, Subsection A, Paragraph 10.
2. Land in an area that is designated as historic by a local government.
3. Land in an area that is designated historic by a local government."

Specific to Subsection A.2, above, staff evaluated the LDC to determine which "design review plan" processes requiring a public hearing would be impacted by this legislation. With the Historic Preservation items exempted by HB2928, the remaining code that needed to be revised was the Special Use Permit (SUP) process triggered in the Downtown Business (DTB) zoning district. Staff are proposing to eliminate the requirement for an SUP process triggered by DTB, proposing to update the requirements to be more "objective" as defined by the legislation, and proposing to review as part of the permitting process rather than a public hearing.

## **FINANCIAL IMPACT**

There is no fiscal impact associated with this item at this time.

## **RECOMMENDED ACTION**

MOVE to recommend approval of revisions to the City's Land Development Code consistent with Arizona Revised Statutes §9-500.49 as shown in Exhibit A

## **ATTACHMENTS**

1. EXHIBIT A\_Revisions to the City's LDC Consistent with ARS 9-500.49
2. HB 2447 Administrative Review
3. ARS 9-500.49 - Administrative Review and Approval
4. LDC25-001 Presentation

## EXHIBIT A

### **REVISIONS TO THE CITY OF PRESCOTT LAND DEVELOPMENT CODE CONSISTENT WITH A.R.S. §9-500.49**

The strike through text areas are proposed for removal and all capitalized text areas are the proposed additions.

#### **Article 4/ Nonresidential Districts**

##### **Sec. 4.9.4.A / Special Use Permits**

###### **1. Applicability**

~~Notwithstanding other provisions to the contrary and as necessary to determine compatibility relative to Sec. 4.9.4B, "Compatibility Review Guidelines," the following development proposals shall be subject to a courtesy review by the Prescott Preservation Commission, review and recommendation by the City's Planning & Zoning Commission, and approval by the City Council pursuant to the provisions of Sec. 9.9:~~

- ~~a. Construction of new structures 10,000 square feet and larger;~~
- ~~b. Expansion of existing structures by 50 percent or more floor area; and~~
- ~~c. Remodeling that adds 50 percent or more to the value of existing structures relative to the pre-remodel values.~~

~~Upon reliance of the Compatibility Review criteria outlined in Sec. 4.9.4B, the Prescott Preservation Commission shall provide its determination to the Planning and Zoning Commission as to the development proposal's consistency with the guidelines listed therein. The Planning and Zoning Commission shall review such determination and make its recommendation to the City Council. The City Council shall approve or deny the development proposal.~~

###### **2. Additional Submittal Requirements**

~~A complete application shall be submitted to the Community Development Director as set forth in Sec. 9.1.3. In addition, such applications shall include the following:~~

- ~~a. A complete site plan must accompany all applications for a Special Use Permit as set forth in Sec. 9.8;~~
- ~~b. Building elevations illustrating all exposed façades;~~
- ~~c. Scaled drawings showing how the structure will appear from the adjacent street frontage(s) and from at least 2 other locations in the community as determined by the Community Development Director;~~

~~d. Building materials and colors, and~~

~~e. Other information sufficient to demonstrate conformance with these guidelines.~~

#### **Sec. 4.9.4.BA / Compatibility Review Guidelines**

~~The compatible relationship of proposed development to the unique character of Prescott's downtown area is of critical public concern for any structures or site improvements. The intent of these design guidelines is to help protect the unique character of Prescott's downtown area. Without prescribing particular architectural designs or materials, compatibility review shall consider the architectural context of any proposed projects with the goal of achieving development that complements the immediate and surrounding areas.~~

THE PURPOSE OF THESE STANDARDS IS TO MAINTAIN DOWNTOWN PRESCOTT'S ESTABLISHED DEVELOPMENT PATTERN THROUGH MEASURABLE DESIGN CRITERIA. REVIEW SHALL ENSURE THAT NEW DEVELOPMENT CONFORMS TO ADOPTED STANDARDS FOR BUILDING SCALE, HEIGHT, MASSING, MATERIALS, AND STREETScape DESIGN APPLICABLE TO THE DOWNTOWN BUSINESS DISTRICT. DEVELOPMENT IN DOWNTOWN PRESCOTT SHALL MEET THE FOLLOWING CRITERIA.

~~1. Construction and exterior building materials shall be high quality and long lasting.~~  
CONSTRUCTION AND EXTERIOR BUILDING MATERIALS SHALL COMPLY WITH THE APPLICABLE BUILDING CODES ADOPTED BY CITY COUNCIL.

~~2. Structures shall demonstrate the general principles of good design including but not limited to those dealing with form, mass, scale, height, texture and color. Specific consideration shall be given to compatibility with other like structures in the vicinity where such structures are substantially in compliance with this LDC.~~

STRUCTURES SHALL COMPLY WITH THE DIMENSIONAL STANDARDS, BUILDING HEIGHT LIMITS, AND SETBACK REQUIREMENTS ESTABLISHED FOR THE DOWNTOWN BUSINESS DISTRICT.

~~3. The architectural design of structures and their materials and colors shall be visually harmonious with the overall appearance, history and cultural heritage of downtown Prescott. Generous use of architectural interest elements is encouraged.~~

~~A. 3. All mechanical equipment shall be screened from view in accordance with the requirements of Sec. 6.5.8E.~~

#### **C. B. Parking and Loading**

**D. C. Landscaping**

**E. D. Height**

**F. E. Signs**

**G. F. Grandfathered Signs in Downtown Area**

## **Article 7/ Subdivision and Land Split Design Standards**

### **Sec. 7.3.2 / Large lots**

Where an area is proposed to be divided into lots more than twice the size of the zoning district minimum lot area and ~~in the opinion of the Planning and Zoning Commission or City Council~~, any or all of the tracts are susceptible of being resubdivided, the proposed subdivision shall be such that the alignment of future street dedications may conform to the general street layout in the surrounding area and so that the larger tracts may be later subdivided in conformance with the requirements of this Code and the minimum standards specified by the zoning district.

### **Sec. 7.4.1.B / Suitability of Lands**

~~The City Council~~ COMMUNITY DEVELOPMENT DIRECTOR shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Land subject to flooding, land in proximity to the airport approach, and land deemed to be topographically unsuitable should not be platted for residential occupancy, or for such other uses as may increase danger to health, life, or property, aggravate erosion or flood hazard. Such land within the plat shall be set aside for uses that are not endangered by periodic or occasional inundation or that produce unsatisfactory living conditions.

### **Sec. 7.4.1.D / Waivers**

~~The Planning and Zoning Commission may advise and the City Council~~ COMMUNITY DEVELOPMENT DIRECTOR AND PUBLIC WORKS DIRECTOR may grant waivers to the standards of this Sec. [7.4](#), Subdivision and Land Split Design Standards, with the exception of the City of Prescott General Engineering Standards, where it finds that such waivers are necessary due to the physical characteristics of the site, is not harmful to surrounding properties or public interests, and is consistent with Sec. [1.5](#), Purpose and Intent, of this Code.

### **Sec. 7.4.6.E / Waiver**

Waiver or partial waiver of the requirements of this section may be granted by the COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE TRAFFIC

ENGINEER ~~City Council~~ where it has determined that satisfactory alternative pedestrian and/or bikeways have been or will be provided outside the normal right-of-way or, that unique circumstances or unusual topographic, vegetative, or other natural or man-made conditions prevail to the extent that strict adherence to said requirements would be unreasonable and inconsistent with the purposes and goals of this Code or the General Plan.

#### **Sec. 7.4.8.F.2 / Assured Water Supply**

The ~~City Council~~ SUBDIVIDER shall note on the face of the Final Plat that a certificate of assured water supply has been submitted with the plat or that the subdivider has obtained a written commitment of water service for the proposed subdivision from a City or private water company designated as having an assured water supply, pursuant to ARS [45-576](#) or is exempt from the requirement pursuant to ARS [45-576](#).

#### **Sec. 7.6.1 / Financial Assurances**

Prior to recording of the final plat and prior to commencement of construction within one year following approval of Final Plat and construction plans unless a different time frame is approved by ~~Council~~ THE PUBLIC WORKS DIRECTOR, the subdivider shall post a financial assurance in accordance with the General Engineering Standards, Section [1.4](#) to cover to the cost of installing all required improvements.

### **Article 8/ Review Bodies**

#### **8.1.2 / Powers and Duties**

The City Council is authorized to hear and take final action on the following:

- ~~A.~~ Special Use Permits;
- ~~B.~~ Zoning Map Amendments (Rezoning);
- ~~C.~~ Text Amendments;
- ~~D.~~ Preliminary Plats;
- ~~E.~~ Final Plats;
- ~~F.~~ Site Plans, as may be required;
- ~~G. D.~~ Planned Area Developments;
- ~~H. E.~~ Creation of national and local register historic districts;
- ~~I. F.~~ Appeals of decisions made by the Historic Preservation Commission;
- ~~J. G.~~ Development Agreements.

#### **8.2.3.B / Recommendations**

The Planning and Zoning Commission reviews and makes recommendations to the City Council subject to the terms and conditions set forth for such uses in this Code for the following:

1. Special Use Permits;
2. Zoning Map Amendments (Rezoning);
3. Text Amendments;
4. Preliminary Plats;
5. Final Plats, as applicable;
6. Site Plan Review, as applicable;
7. 4. General Plans, Area Plans, Neighborhood Plans and Amendments;
8. 5. Planned Area Developments, as applicable;
9. Waivers of standards of Article 7, Subdivision and Land Split Standards;
10. 6. Other powers and duties as may be specified in the Prescott City Code.

**Article 9 / Administration and Procedures**

**9.1.10 / Required Public-Hearings**

The following table illustrates the types of review and the body responsible for holding a public meeting to consider such applications.

Table 9.1.10

<b>ITEMS FOR PUBLIC MEETINGS</b>			
<b>Application Type</b>	<b>Board of Adjustment</b>	<b>Planning and Zoning Commission</b>	<b>City Council</b>
Administrative Appeals	X		
Comprehensive Sign Plan		X	X
Conditional Use Permit	X		
General Plan Amendments		X	X
PAD Master Plan/Site Plan		X	X
Site Plans, Council-approved	-	X	X
Special Use Permit		X	X
Subdivisions/PAD/ PAD MASTER PLAN		X	X
Text Amendment		X	X
Variance	X		

Table 9.1.10

ITEMS FOR PUBLIC MEETINGS			
Application Type	Board of Adjustment	Planning and Zoning Commission	City Council
Water Service Agreement (4 or more dwellings)			X
Zoning Map Amendment		X	X

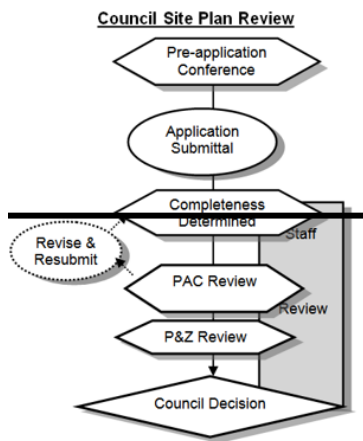
**Sec. 9.8.1 / General**

The provisions of this section are intended to ensure that all developments have functional, well-designed and user-oriented spatial arrangements. ~~Where Council approval is required, there may be greater emphasis on aesthetic quality.~~

**Sec. 9.8.2 / Applicability**

No building, site, or use shall be developed and no building permits may be issued prior to completion of site plan review and approval, issued by the Community Development Director in conformity with the provisions of this Section. ~~In addition, where required, site plan approval by City Council and/or the Planning and Zoning Commission may be required as a prerequisite for building permits.~~

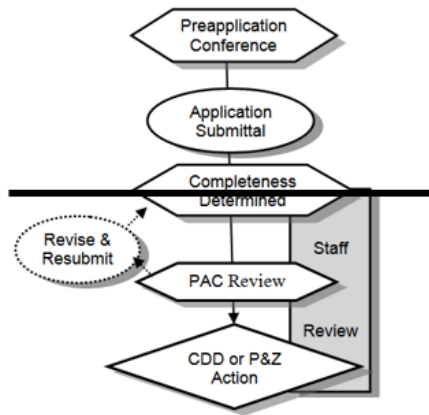
**Sec. 9.8.4.B.1 / Site Plan Application Process**



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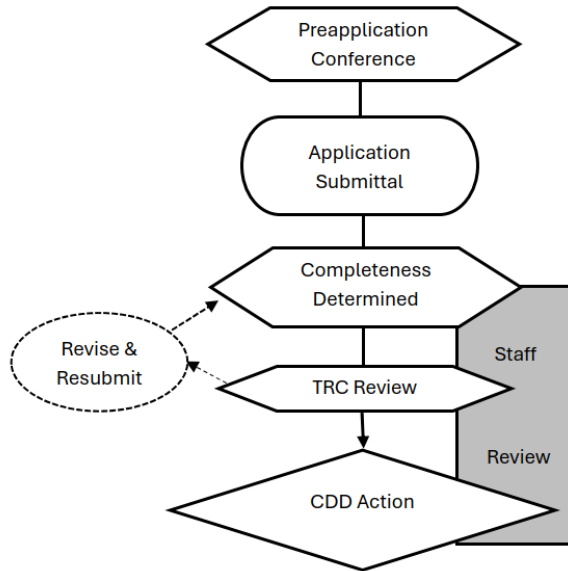
**9.8.4.C / Review by the Technical Review Committee**

**Typical Site Plan Review**



**DELETE:**

**Typical Site Plan Review**



**NEW GRAPHIC:**

Following submittal of a complete application, the TRC shall review the application and provide written comments to the applicant within 15 working days. Following receipt of TRC comments, the applicant shall correct the site plan and resubmit the corrected application to the Community Development Department.

**9.8.4.D / Community Development Director Action**

4. If the proposed site plan is determined by the TRC to be consistent with all applicable provisions of the Code, the Community Development Director may approve the site plan. ~~and return 2 copies of the approved plan to the applicant and keeping one.~~

~~2.—The Community Development Director may, at his discretion, require site plan review by the Planning and Zoning Commission and/or the Prescott Preservation Commission.~~

#### **9.8.4.E / Review by the Planning and Zoning Commission recommendation and/or Action**

~~1.—Where the Community Development Director elects to refer a site plan to the Planning and Zoning Commission following TRC review, no building permit shall be issued without site plan approval by the Commission.~~

~~2.—Where site plan approval by City Council is required as a condition of a rezoning or other approval, the Community Development Director shall refer the plan to the Planning and Zoning Commission for recommendation prior to scheduling for Council review.~~

#### **9.8.4.F / City Council Action**

~~Where site plan approval by City Council is required as a condition of a rezoning, PAD or other approval, Staff shall prepare a report that includes the Planning and Zoning Commission recommendation. No building permit shall be issued prior to site plan approval by City Council.~~

#### **9.8.8 / Modification**

~~Minor modification to a Council-approved Site Plan may be approved by the Community Development Director, provided that the development plan remains substantially consistent with the Council-approved Site Plan.~~

#### **9.8.9 / Appeal**

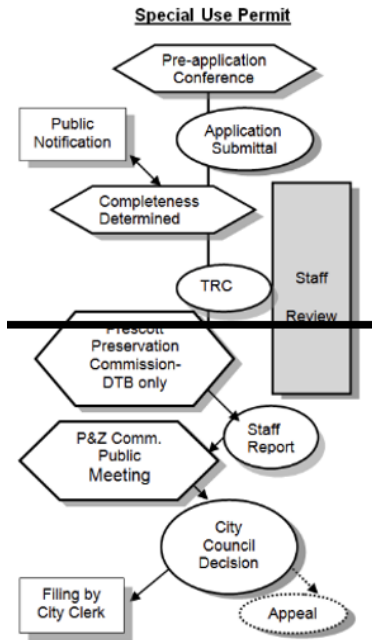
~~An APPLICANT MAY appeal from any final decision regarding a Site Plan Review shall be in accordance with THE APPEAL PROCESS OUTLINED IN Sec. [9.17.3](#), Appeals of Administrative Decisions, Sec. [9.18](#), Appeal of Council or Board of Adjustment Decisions, or the City of Prescott General Engineering Standards, IN ACCORDANCE WITH THE GENERAL ENGINEERING STANDARDS APPEAL PROCESS OUTLINED IN SEC. 9.6 as appropriate.~~

#### **9.9.2 / Applicability**

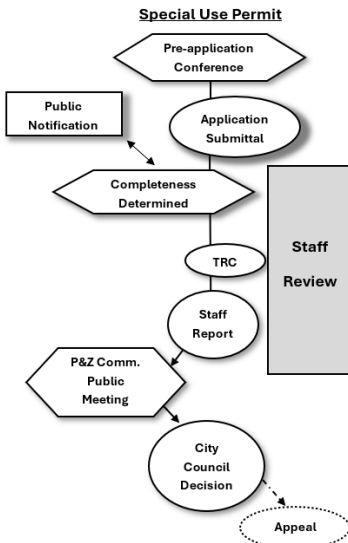
**Commentary:**

Special Use Permit applications for development in the DTB district should be referred to the Preservation Commission for courtesy, compatibility reviews and recommendation prior to Planning and Zoning Commission or City Council review and action.

**9.9.4 / Special Use Application Process**



**DELETE:**



**NEW GRAPHIC:**

**E. Review by Prescott Preservation Commission**

~~For development proposals located in the Downtown Business District only, the proposal shall be scheduled for a “courtesy review.”~~

~~F.~~ **E. Review by Community Development Director**

The Community Development Director shall review Special Use Permit applications, the comments of the Technical Review Committee (TRC) and prepare a staff report.

~~G.~~ **F. Planning and Zoning Commission Recommendation**

The Planning and Zoning Commission shall review Special Use Permit applications in a public hearing and recommend approval, approval with conditions, or denial of the special use application.

~~H.~~ **G. City Council Action**

City Council shall review special use applications in a public meeting and vote to approve, approve with conditions, or deny the special use application.

~~I.~~ **H. Notice of Decision**

A copy of an approved or denied Special Use Permit shall be given to the owner of the property, and a copy shall be filed in the office of the Community Development Department.

#### **9.10.4 / Unlawful to Record Plat without Final Plat Approval**

It shall be unlawful to record any subdivision, master plan, plat, revision of plat or replat of land within the City limits unless the subject subdivision plat has been reviewed and approved by ~~the City Council~~ or the Community Development Director, as required by this Code.

#### **9.10.5.C / Plat Amendments**

##### **1. Revision of Plat**

The following activities shall be considered a Revision of Plat and require an application and processing with the Final Plat procedures of Sec. 9.10.9B, and subsequent approval by the ~~City Council~~ COMMUNITY DEVELOPMENT DIRECTOR:

##### **2. Replat**

The following activities shall be considered a Replat and require an application in accordance and processing with the Final Plat procedures of Sec. 9.10.9B, but may be administratively approved by the Community Development Director. ~~Notwithstanding the above, the Community Development Director may request and the City Council may direct that any replat request be acted on by Council.~~

#### **9.10.6.D / Master Plan**

1. All Preliminary Plats and land split applications shall include a master plan for the entire contiguous property under common ownership. Such master plans enable the COMMUNITY DEVELOPMENT DIRECTOR ~~staff, public, Planning and Zoning Commission and City Council~~ to evaluate the proposed development, including its historical character, topography, physical constraints, proposed lot layout and land uses, or other features; and its relationship to existing and planned streets, and to surrounding properties. The master plan shall conform in all respects to the requirements of the Preliminary Plat; except, it may be on a scale of not more than one inch to 400 feet.
2. The Community Development Director may waive all or part of the Master Development Plan requirements depending upon the nature of the proposed development. ~~However, the Planning and Zoning Commission or City Council may require additional information on some or all items excluded from the report before action is taken on the request.~~

#### **9.10.9.A.2.i / Phasing**

Each Preliminary Plat shall identify all proposed units, as well as lots, ~~for Council consideration,~~ provided each phase can stand alone. The Final Plat shall be recorded unit by unit, as stated on the approved Preliminary Plat. Construction may occur in phases as may be approved on each recorded Final Plat unit. Separate plans shall be required for each phase.

#### **9.10.9.A.3.a / Date of Filing**

The Preliminary Plat and all supporting data as described in subsection 2 above shall be submitted to the Community Development Director. ~~a minimum of 34 days prior to the Planning and Zoning Commission meeting at which consideration is desired.~~ The Preliminary Plat shall be considered officially filed only after it is examined and found to comply with the general provisions of these regulations by the Community Development Director.

#### **9.10.9.A.3.c / Review by Technical Review Committee**

The Technical Review Committee shall review the preliminary plat and provide written comments ~~for use in the staff report,~~ as specified below. The subdivider, his engineer, land surveyor, or other representative may request a Technical Review Committee meeting at which the proposed plat is to be discussed. If the Committee determines that additional information is needed ~~prior to the Planning and Zoning Commission review,~~ the ~~Commission's~~ review may be delayed as necessary to allow the applicant sufficient time to provide such information.

#### **9.10.9.A.3.d / Review by Community Development Director**

The Community Development Director shall review the Preliminary Plat application and the recommendation of the Technical Review Committee and prepare a AN APPROVAL, AN APPROVAL WITH CONDITIONS, OR A DENIAL OF THE PLAT APPLICATION. ~~staff report.~~

#### **9.10.9.A.4 / Review by Planning and Zoning Commission**

~~The Planning and Zoning Commission shall review the application in a public meeting and recommend approval, approval with conditions or denial. The recommendation and its reasons shall be forwarded to the City Council.~~

#### **9.10.9.A.5 / City Council Action**

~~The City Council shall review the Preliminary Plat in a public meeting and vote to approve, approve with conditions, or deny the plat application.~~

#### **9.10.9.A.6. 4. Issues for Consideration**

#### **9.10.9.A.7. 5. Effect of Preliminary Plat Approval**

##### **a. Not Approval of Final Plat**

Conditional approval of a Preliminary Plat shall not constitute approval of the Final Plat. Rather, it shall be deemed an expression of approval to the layout submitted on the Preliminary Plat as a guide to the preparation of the Final Plat.

##### **b. Lapse of Approval**

Preliminary approval of the subdivision shall be valid for a period of 12 months from the date of approval, and the general terms and conditions under which the preliminary approval was granted will not be changed. The preliminary plat approval of a subdivision shall expire unless a Final Plat is submitted within the 12 month period or unless an extension is approved by ~~the City Council~~ THE COMMUNITY DEVELOPMENT DIRECTOR at the request of the subdivider. An extended approval for a phased development may be granted by the ~~Council~~ COMMUNITY DEVELOPMENT DIRECTOR.

#### **9.10.9.B / Final Plats**

The Final Plat shall substantially conform to the APPROVED Preliminary Plat, as ~~approved by the City Council~~, OR APPROVED PAD PRELIMINARY PLAT, incorporating all changes, modifications, corrections, and conditions imposed AT THE TIME OF PRELIMINARY PLAT; ~~by the Planning and Zoning Commission and City Council~~; and provided further, that it conforms to all applicable requirements of this Code.

### 9.10.9.B.1 / Submittal Requirements

#### DELETE COMMENTARY:

**Commentary:**

Each Final Plat must substantially conform to the approved Preliminary Plat. While a Final Plat may represent only a portion of the approved Preliminary Plat, each final plat unit must be in conformance with the approved Preliminary Plat. This is true

even when there is a mutual agreement between the subdivider and City Council allowing for phasing, and the proposed phasing is in accordance with a plan submitted by the subdivider and approved by the Community Development Director.

#### 9.10.9.B.1.c / Building Lines

Minimum building setback lines when required or approved by the City Council COMMUNITY DEVELOPMENT DIRECTOR shall be placed on the Final Plat.

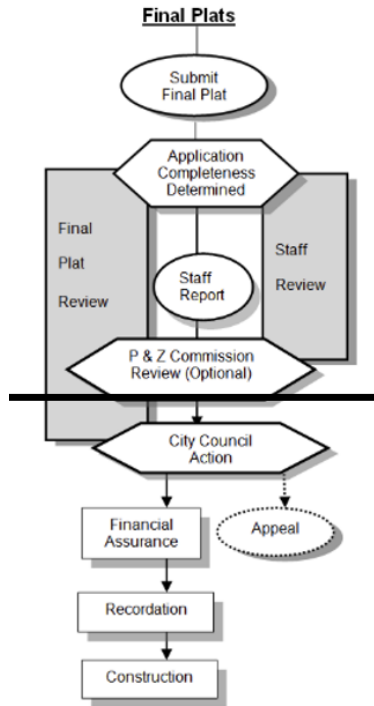
#### 9.10.9.B.1.d / Construction Plans and Reports

Three sets of construction plans for required improvements, 24" x 36" in size along with all data and calculations related to utilities, drainage or other construction in the subdivision, as necessary to demonstrate compliance with the requirements of Sec. [7.4.2](#), Engineering and Construction Standards and the City of Prescott General Engineering Standards, shall be submitted with the Final Plat. In addition, two (2) copies of the final water, sewer and drainage report shall be submitted when construction plans are submitted with the Final Plat. Such plans and reports shall be reviewed and approved by the City Engineer prior to APPROVING THE FINAL PLAT. ~~scheduling a Final Plat for approval by the City Council.~~

#### 9.10.9.B.2. / Final Plat Review Procedures

##### a. Date of Filing

- 1) The Final Plat as described in subsection 9.10.9.B.1 shall be submitted to the Community Development Director. The related construction civil plans plat shall be submitted to the Community Development Departments for concurrent review. The Final Plat shall be considered officially filed only after it is examined and found to be in compliance with the general provisions of these regulations by the Community Development Director.



DELETE:

2) The Final Plat will not be considered unless a Preliminary Plat has first been approved or a waiver has been granted by City Council.

**b. Review by Community Development Director**

The Community Development Director shall review the Final Plat application for compliance with the provisions of this Code, the conditions or modifications required by Preliminary Plat approval, and shall then prepare a summary report. Scheduling the report and review by the Planning and Zoning Commission or the City Council shall occur only after the full multi-department compliance review is complete.

**c. Review by Planning and Zoning Commission (Optional)**

The Director may elect to refer a Final Plat to the Planning and Zoning Commission for recommendation where there are concerns regarding consistency of a Final Plat with the approved Preliminary Plat or other relevant matters.

**d. City Council Action**

The City Council shall review the application (Refer to Sec. 9.19.1B) in a public meeting and vote to approve, approve with conditions, or deny the plat application.

**Sec. 9.10.12 / Recordation**

If favorable action has been taken by the ~~City Council~~ COMMUNITY DEVELOPMENT DIRECTOR, all other applicable requirements have been met, and the recording fees have been paid, the Final Plat, REVISION OF PLAT, LAND SPLIT, OR REPLAT becomes the instrument to be recorded in the County Recorder's Office by CITY STAFF. ~~the City Clerk~~. Three Mylar copies of the approved Final Plat, REVISION OF PLAT, LAND SPLIT, OR REPLAT shall be provided to CITY STAFF ~~the City Clerk~~ for **signature(s)**. Furthermore, the owner or subdivider shall submit paper copies of the required improvement construction drawings (Construction Documents) in a number to be determined by the PUBLIC WORKS DIRECTOR ~~City Engineer~~. The Construction Documents when duly signed by ~~both the City Engineering and the City Utilities Engineer~~ PUBLIC WORKS DIRECTOR are IS authority to proceed with the construction of required improvements. Nothing in the procedure authorizes construction other than as specifically detailed on the approved construction plans.

### **9.10.13 / Waivers**

The ~~City Council~~ COMMUNITY DEVELOPMENT DIRECTOR may approve, approve with conditions, or disapprove waivers of the standards in Sec. [7.4](#), Subdivision Design Standards, with the exception of the City of Prescott General Engineering Standards. The ~~City Council~~ COMMUNITY DEVELOPMENT DIRECTOR may also approve, approve with conditions, or disapprove waivers, to the procedural requirements of Sec. [9.10](#), Subdivision and Land Split Review, when it is demonstrated to be appropriate for a project's viability, to not to detract from the public good, and to be consistent with the Sec. [1.5](#), Purpose and Intent, of these regulations.

### **9.10.14 / Appeals**

#### **A. Subdivision PRELIMINARY Plat, FINAL PLAT, ~~or~~ Revision of Plat, LAND SPLIT, OR REPLAT**

An APPLICANT MAY appeal from any final decision regarding a PRELIMINARY PLAT, final subdivision plat, REVISION OF PLAT, LAND SPLIT OR REPLAT IN ACCORDANCE WITH THE APPEAL PROCESS OUTLINED IN SEC. 9.17.3, OR THE CITY OF PRESCOTT GENERAL ENGINEERING STANDARDS, IN ACCORDANCE WITH THE GENERAL ENGINEERING STANDARDS APPEAL PROCESS OUTLINED IN SEC. 9.6. ~~or a plat amendment shall be filed with a court of competent jurisdiction within 30 days of the decision. If no appeal is filed in writing within 30 calendar days from the date of final City action, the decision shall be considered final.~~

#### **~~B. Land Split or Replat~~**

An appeal from any final administrative decision regarding a land split or a replat shall be submitted in writing to the Board of Adjustment by the Community Development Director or his designee within 30 calendar days of the decision.

**9.13.2.C / Council Approvals**

Modifications to the otherwise required development standards through City Council actions on a Planned Area Development, a subdivision waiver, or a Special Use Permit.

**11.2.5 / General Terms**

Final Plat	The final drawing of a property being subdivided as prepared by a land surveyor or engineer for recording and approval by the City Council COMMUNITY DEVELOPMENT DIRECTOR and prepared in accordance with Sec. 9.10.9B.1 of this LDC.
Plat or Tentative PRELIMINARY Plat	That portion of a preliminary plan or any separate drawing of a parcel of land that conforms with the requirements of the subdivision regulations intended for subdivision and approval of FROM the Planning and Zoning Commission and City Council COMMUNITY DEVELOPMENT DIRECTOR which is prepared in accordance with subdivision Plat Review procedures of the City of Prescott Land Development Code.

self-certification program; administrative review

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

**CHAPTER 31**  
**HOUSE BILL 2447**

AN ACT

AMENDING SECTION 9-500.49, ARIZONA REVISED STATUTES; RELATING TO MUNICIPAL ADMINISTRATIVE REVIEWS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 9-500.49, Arizona Revised Statutes, is amended  
3 to read:  
4 9-500.49. Administrative review and approval;  
5 self-certification program; expedited approval;  
6 definitions  
7 A. Notwithstanding any other law, the legislative body of a city or  
8 town ~~may~~ SHALL by ordinance do the following:  
9 1. Authorize administrative personnel to review and approve site  
10 plans, development plans, land divisions, lot line adjustments, lot ties,  
11 preliminary plats, final plats and plat amendments without a public  
12 hearing.  
13 2. Authorize administrative personnel to review and approve design  
14 review plans based on objective standards without a public hearing.  
15 ~~3. Adopt a self-certification program allowing registered~~  
16 ~~architects and professional engineers to certify and be responsible for~~  
17 ~~compliance with all applicable ordinances and construction standards for~~  
18 ~~projects that the ordinance identifies as being qualified for~~  
19 ~~self-certification.~~  
20 ~~4.~~ 3. Allow at-risk submittals for certain on-site preliminary  
21 grading and drainage work or infrastructure.  
22 ~~5.~~ 4. Allow applicants with a history of compliance with building  
23 codes and regulations to be eligible for expedited permit review.  
24 B. NOTWITHSTANDING ANY OTHER LAW, THE LEGISLATIVE BODY OF A CITY OR  
25 TOWN MAY BY ORDINANCE ADOPT A SELF-CERTIFICATION PROGRAM ALLOWING  
26 REGISTERED ARCHITECTS AND PROFESSIONAL ENGINEERS TO CERTIFY AND BE  
27 RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ORDINANCES AND CONSTRUCTION  
28 STANDARDS FOR PROJECTS THAT THE ORDINANCE IDENTIFIES AS BEING QUALIFIED  
29 FOR SELF-CERTIFICATION.  
30 ~~B.~~ C. Applications for a license pursuant to this section are  
31 subject to chapter 7, article 4 of this title.  
32 ~~C.~~ D. For the purposes of this section: ~~;~~  
33 1. "LICENSE" HAS THE SAME MEANING PRESCRIBED IN SECTION 9-831.  
34 2. "Objective" means not influenced by personal interpretation,  
35 taste or feelings of a municipal employee and verifiable by reference to  
36 an adopted benchmark, standard or criterion available and knowable by the  
37 applicant or proponent.  
38 Sec. 2. Effective date  
39 This act is effective from and after December 31, 2025.

APPROVED BY THE GOVERNOR MARCH 31, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2025.

9-500.49. Administrative review and approval; self-certification program; expedited approval; applicability; definitions

A. Notwithstanding any other law, the legislative body of a city or town shall by ordinance do the following:

1. Authorize administrative personnel to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments without a public hearing.
2. Authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing.
3. Allow at-risk submittals for certain on-site preliminary grading and drainage work or infrastructure.
4. Allow applicants with a history of compliance with building codes and regulations to be eligible for expedited permit review.

B. Notwithstanding any other law, the legislative body of a city or town may by ordinance adopt a self-certification program allowing registered architects and professional engineers to certify and be responsible for compliance with all applicable ordinances and construction standards for projects that the ordinance identifies as being qualified for self-certification.

C. Applications for a license pursuant to this section are subject to chapter 7, article 4 of this title.

D. This section does not apply to any of the following:

1. Land in an area that is designated as a district of historical significance pursuant to section 9-462.01, subsection A, paragraph 10.
2. Land in an area that is designated as historic on the national register of historic places.
3. Land in an area that is designated historic by a local government.

E. For the purposes of this section:

1. "License" has the same meaning prescribed in section 9-831.
2. "Objective" means not influenced by personal interpretation, taste or feelings of a municipal employee and verifiable by reference to an adopted benchmark, standard or criterion available and knowable by the applicant or proponent.



# LDC25-001 Land Development Code Amendments

**Alex Bramlette  
Planning Manager**

November 13th, 2025  
Planning and Zoning Commission



# HB 2447- Changes to ARS 9-500.49

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36 an adopted benchmark, standard or criterion available and knowable by the  
37 applicant or proponent.  
38 Sec. 2. Effective date  
39 This act is effective from and after December 31, 2025.

# ARS 9-500.49.A.1

9-500.49. Administrative review and approval; self-certification program; expedited approval; applicability; definitions

A. Notwithstanding any other law, the legislative body of a city or town shall by ordinance do the following:

1. Authorize administrative personnel to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments without a public hearing.
2. Authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing.

# ARS 9-500.49.A.1 LDC Sections Impacted

- Article 7 Subdivision and Land Split Design Standards
  - Section 7.3 Building Lots
  - Section 7.4 Subdivision and Land Split Design Standards
  - Section 7.6 Subdivision and Land Split Improvements Guarantees
- Article 8 Review Bodies
  - Section 8.1 City Council
  - Section 8.2 Planning and Zoning Commission
- Article 9 Administration and Procedures
  - Section 9.1 Common Procedures
  - Section 9.8 Site Plan Review
  - Section 9.10 Subdivision and Land Split Review
  - Section 9.13 Variances
- Article 11 Definitions
  - Section 11.2 Terms Defined

# LDC Section 8.2.3.B / Planning and Zoning Commission / Powers and Duties / Recommendations

## 8.2.3.B / Recommendations

The Planning and Zoning Commission reviews and makes recommendations to the City Council subject to the terms and conditions set forth for such uses in this Code for the following:

1. Special Use Permits;
2. Zoning Map Amendments (Rezoning);
3. Text Amendments;
- ~~4. Preliminary Plats;~~
- ~~5. Final Plats, as applicable;~~
- ~~6. Site Plan Review, as applicable;~~
- ~~7.~~ 4. General Plans, Area Plans, Neighborhood Plans and Amendments;
- ~~8.~~ 5. Planned Area Developments, as applicable;
- ~~9. Waivers of standards of Article 7, Subdivision and Land Split Standards;~~
- ~~10.~~ 6. Other powers and duties as may be specified in the Prescott City Code.

# LDC Section 9.1.10 / Table 9.1.10

## 9.1.10 / Required Public-Hearings

The following table illustrates the types of review and the body responsible for holding a public meeting to consider such applications.

Table 9.1.10

ITEMS FOR PUBLIC MEETINGS			
Application Type	Board of Adjustment	Planning and Zoning Commission	City Council
Administrative Appeals	X		
Comprehensive Sign Plan		X	X
Conditional Use Permit	X		
General Plan Amendments		X	X
<del>PAD Master Plan/Site Plan</del>		X	X
Site Plans, Council approved	-	X	X
Special Use Permit		X	X
<del>Subdivisions</del> -PAD/ PAD MASTER PLAN		X	X
Text Amendment		X	X
Variance	X		
Water Service Agreement (4 or more dwellings)			X
Zoning Map Amendment		X	X

# Sample of Changes: LDC Section 9.10.9.A.3 Preliminary Plat Procedures

## Current Language:

### **d. Review by Community Development Director**

The Community Development Director shall review the Preliminary Plat application and the recommendation of the Technical Review Committee and prepare a staff report.

### **4. Review by Planning and Zoning Commission**

The Planning and Zoning Commission shall review the application in a public meeting and recommend approval, approval with conditions or denial. The recommendation and its reasons shall be forwarded to the City Council.

### **5. City Council Action**

The City Council shall review the Preliminary Plat in a public meeting and vote to approve, approve with conditions, or deny the plat application.

# Sample of Changes: LDC Section 9.10.9.A.3 Preliminary Plat Procedures

## Proposed Language:

### **9.10.9.A.3.d / Review by Community Development Director**

The Community Development Director shall review the Preliminary Plat application and the recommendation of the Technical Review Committee and prepare a AN APPROVAL, AN APPROVAL WITH CONDITIONS, OR A DENIAL OF THE PLAT APPLICATION. ~~staff report.~~

### ~~9.10.9.A.4 / Review by Planning and Zoning Commission~~

~~The Planning and Zoning Commission shall review the application in a public meeting and recommend approval, approval with conditions or denial. The recommendation and its reasons shall be forwarded to the City Council.——~~

### ~~9.10.9.A.5 / City Council Action~~

~~The City Council shall review the Preliminary Plat in a public meeting and vote to approve, approve with conditions, or deny the plat application.~~

# Questions & Discussion

# HB 2447- Changes to ARS 9-500.49

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34 2. "Objective" means not influenced by personal interpretation,  
35 taste or feelings of a municipal employee and verifiable by reference to  
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37 applicant or proponent.  
38 Sec. 2. Effective date  
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## ARS 9-500.49.A.2

9-500.49. Administrative review and approval; self-certification program; expedited approval; applicability; definitions

A. Notwithstanding any other law, the legislative body of a city or town shall by ordinance do the following:

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2. Authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing.

# HB2928 Impacts to ARS 9-500.49

1           B. Notwithstanding any other law, the legislative body of a city or  
2 town may by ordinance adopt a self-certification program allowing  
3 registered architects and professional engineers to certify and be  
4 responsible for compliance with all applicable ordinances and construction  
5 standards for projects that the ordinance identifies as being qualified  
6 for self-certification.

7           C. Applications for a license pursuant to this section are subject  
8 to chapter 7, article 4 of this title.

9           [D. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

10           1. LAND IN AN AREA THAT IS DESIGNATED AS A DISTRICT OF HISTORICAL  
11 SIGNIFICANCE PURSUANT TO SECTION 9-462.01, SUBSECTION A, PARAGRAPH 10.

12           2. LAND IN AN AREA THAT IS DESIGNATED AS HISTORIC ON THE NATIONAL  
13 REGISTER OF HISTORIC PLACES.

14           3. LAND IN AN AREA THAT IS DESIGNATED HISTORIC BY A LOCAL  
15 GOVERNMENT.]

16           ~~[D.]~~ [E.] For the purposes of this section:

17           1. "License" has the same meaning prescribed in section 9-831.

18           2. "Objective" means not influenced by personal interpretation,  
19 taste or feelings of a municipal employee and verifiable by reference to  
20 an adopted benchmark, standard or criterion available and knowable by the  
21 applicant or proponent.>>

# HB2928 Impacts to ARS 9-500.49

9-500.49. Administrative review and approval; self-certification program; expedited approval; applicability; definitions

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2. Authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing.
3. Allow at-risk submittals for certain on-site preliminary grading and drainage work or infrastructure.
4. Allow applicants with a history of compliance with building codes and regulations to be eligible for expedited permit review.

B. Notwithstanding any other law, the legislative body of a city or town may by ordinance adopt a self-certification program allowing registered architects and professional engineers to certify and be responsible for compliance with all applicable ordinances and construction standards for projects that the ordinance identifies as being qualified for self-certification.

C. Applications for a license pursuant to this section are subject to chapter 7, article 4 of this title.

D. This section does not apply to any of the following:

1. Land in an area that is designated as a district of historical significance pursuant to section 9-462.01, subsection A, paragraph 10.
2. Land in an area that is designated as historic on the national register of historic places.
3. Land in an area that is designated historic by a local government.

E. For the purposes of this section:

# ARS 9-500.49.A.2 LDC Sections Impacted

- Article 4 Nonresidential Districts
  - Section 4.9 Downtown Business (DTB)
- Article 9 Administration and Procedures
  - Section 9.9 Special Use Permits

# Article 4 Section 4.9.4.A Special Use Permits

## **Article 4/ Nonresidential Districts**

### **Sec. 4.9.4.A / Special Use Permits**

#### **1. — Applicability**

Notwithstanding other provisions to the contrary and as necessary to determine compatibility relative to Sec. 4.9.4B, "Compatibility Review Guidelines," the following development proposals shall be subject to a courtesy review by the Prescott Preservation Commission, review and recommendation by the City's Planning & Zoning Commission, and approval by the City Council pursuant to the provisions of Sec. ~~9.9~~:

- a. — Construction of new structures 10,000 square feet and larger;
- b. — Expansion of existing structures by 50 percent or more floor area; and
- c. — Remodeling that adds 50 percent or more to the value of existing structures relative to the pre remodel values.

Upon reliance of the Compatibility Review criteria outlined in Sec. 4.9.4B, the Prescott Preservation Commission shall provide its determination to the Planning and Zoning Commission as to the development proposal's consistency with the guidelines listed therein. The Planning and Zoning Commission shall review such determination and make its recommendation to the City Council. The City Council shall approve or deny the development proposal.

#### **2. — Additional Submittal Requirements**

A complete application shall be submitted to the Community Development Director as set forth in Sec. ~~9.1.3~~. In addition, such applications shall include the following:

- a. — A complete site plan must accompany all applications for a Special Use Permit as set forth in Sec. ~~9.8~~;
- b. — Building elevations illustrating all exposed façades;
- c. — Scaled drawings showing how the structure will appear from the adjacent street frontage(s) and from at least 2 other locations in the community as determined by the Community Development Director;
- d. — **Building materials and colors, and**
- e. — Other information sufficient to demonstrate conformance with these guidelines.

#### Sec. 4.9.4.BA / Compatibility Review Guidelines

~~The compatible relationship of proposed development to the unique character of Prescott's downtown area is of critical public concern for any structures or site improvements. The intent of these design guidelines is to help protect the unique character of Prescott's downtown area. Without prescribing particular architectural designs or materials, compatibility review shall consider the architectural context of any proposed projects with the goal of achieving development that complements the immediate and surrounding areas.~~

THE PURPOSE OF THESE STANDARDS IS TO MAINTAIN DOWNTOWN PRESCOTT'S ESTABLISHED DEVELOPMENT PATTERN THROUGH MEASURABLE DESIGN CRITERIA. REVIEW SHALL ENSURE THAT NEW DEVELOPMENT CONFORMS TO ADOPTED STANDARDS FOR BUILDING SCALE, HEIGHT, MASSING, MATERIALS, AND STREETScape DESIGN APPLICABLE TO THE DOWNTOWN BUSINESS DISTRICT. DEVELOPMENT IN DOWNTOWN PRESCOTT SHALL MEET THE FOLLOWING CRITERIA.

- ~~1. Construction and exterior building materials shall be high quality and long lasting.~~  
CONSTRUCTION AND EXTERIOR BUILDING MATERIALS SHALL COMPLY WITH THE APPLICABLE BUILDING CODES ADOPTED BY CITY COUNCIL.
  - ~~2. Structures shall demonstrate the general principles of good design including but not limited to those dealing with form, mass, scale, height, texture and color. Specific consideration shall be given to compatibility with other like structures in the vicinity where such structures are substantially in compliance with this LDG.~~  
  
STRUCTURES SHALL COMPLY WITH THE DIMENSIONAL STANDARDS, BUILDING HEIGHT LIMITS, AND SETBACK REQUIREMENTS ESTABLISHED FOR THE DOWNTOWN BUSINESS DISTRICT.
  - ~~3. The architectural design of structures and their materials and colors shall be visually harmonious with the overall appearance, history and cultural heritage of downtown Prescott. Generous use of architectural interest elements is encouraged.~~
- A. 3. All mechanical equipment shall be screened from view in accordance with the requirements of Sec. 6.5.8E.

# Article 4 Section 4.9.4.B Compatibility Review Guidelines

## 9.9.2 Applicability

**Commentary:**

Special Use Permit applications for development in the DTB district should be referred to the Preservation Commission for courtesy, compatibility reviews and recommendation prior to Planning and Zoning Commission or City Council review and action.

## 9.9.4 Special Use Application Process

~~E.~~ **Review by Prescott Preservation Commission**

For development proposals located in the Downtown Business District only, the proposal shall be scheduled for a "courtesy review."

~~F.~~ **E. Review by Community Development Director**

The Community Development Director shall review Special Use Permit applications, the comments of the Technical Review Committee (TRC) and prepare a staff report.

~~G.~~ **F. Planning and Zoning Commission Recommendation**

The Planning and Zoning Commission shall review Special Use Permit applications in a public hearing and recommend approval, approval with conditions, or denial of the special use application.

~~H.~~ **G. City Council Action**

City Council shall review special use applications in a public meeting and vote to approve, approve with conditions, or deny the special use application.

# Questions & Discussion



## *Recommended Action*

MOVE to recommend approval of the revisions to the Land Development Code consistent with the changes outlined in Arizona Revised Statutes 9-500.49 as attached in Exhibit A.

