



City of Prescott

City Council - Study Session

December 9, 2025 | 1:00 PM
201 N Montezuma Street
City Council Chambers, 1st Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Mayor Rusing called the meeting to order at 1:01 p.m.

2. ROLL CALL

Cathey Rusing - Mayor
Lois Fruhwirth - Mayor Pro Tem
Mary Frederickson - Councilwoman
Ted Gambogi - Councilman
Jim Garing - Councilman
Patrick Grady - Councilman
Jay Ruby - Councilman

3. DISCUSSION

- A. Presentation & Discussion Regarding 2025 Legislative Session Impacts for Community Development.

Community Development Director Chelsea Walton provided a presentation to the Council regarding the 2025 Legislative Session impacts. She began with an overview of highlights impacting the department particularly SB1529, SB1353 and HB2447. Staff plans to take a deeper dive into HB2447 and include the voting meeting presentation as well.

SB1529 Overview:

- * Two statute changes (ARS 9-461.19 and 9-471)
- * Effective dates - July 1, 2026 and January 1, 2027
- * No Code Changes Required
- * Modification to standard operating processes underway
- * Requires municipalities to establish standard pre-reviewed and permit-ready housing design plans or program
- * Some specific provisions include - requiring plans to include at least three different elevation/plan options for four classes, outlining requirements for each plan class/different implementation deadlines, allowing the municipality to charge the same fees for review of plans developed by the municipality or via program, requiring municipalities to review and approve plan program submissions based on objective standards without a public hearing in accordance with ARS 9-500.49

SB1353 Overview:

- * Three statute changes (ARS 9-463.01, 9-470.01 and 9-835)

- * Effective date - September 26, 2025
- * No code change required
- * Modification to standard operating process complete
- * Allows for the review of single-family residential building permits by third party if the city doesn't respond on the application within 15 working days
- * Does not apply to applications required to comply with hillside development standards or floodplain regulations
- * Does not apply to certificates of occupancy or pre-plats
- * Timeframe doesn't begin until the municipality has approved construction documents
- * Requires the municipality to maintain a list of at least three qualified third parties; the municipality issuing a permit, approval or certificate of occupancy after a third-party review has immunity
- * Requires the municipality within 10 working days after request by the applicant to meet or discuss the requested corrections and provide sufficient information to allow the applicant to remedy the issues
- * Prohibits the municipality, except for an application relating to municipal planning or zoning from denying a residential license application that is necessary for land development or building construction unless - municipality considers the application withdrawn, municipality has notified the applicant and property owner within 15 working days
- * Limits reviews by municipality and requires a refund of the application and review fees if excessive
- * Prohibits municipality from requiring changes to already approved plans unless - unknown field conditions requires it, applicant requests it or to correct non-compliance

Councilwoman Frederickson asked if the statute defines the word "excessive".

Ms. Walton confirmed that it does, and it is very specific related to that.

HB2447 Overview:

- * One statute change (ARS 9-500.49) - administrative review and approval, self-certification program
- * Effective date - December 31, 2025
- * Code change required
- * Modification to standard operating process complete
- * Requires the city or town council by ordinance to - authorize administrative personnel to review and approve certain development and design plans without a public hearing including design review plans based on objective standards (doesn't apply to Historic), allow at-risk submittals for certain on-site preliminary grading and drainage work or infrastructure, allow applicants with a history of compliance with building codes and regulations to be eligible for expedited permit review
- * Allows city or town council by ordinance to adopt a self-certification program allowing registered architects and professional engineers to certify/be responsible for compliance with all applicable ordinances and construction standards for projects the ordinance identifies as being qualified for self-certification

Ms. Walton continued with a discussion regarding administrative versus legislative duties:

- * Legislative - annexations, contracts, development agreements, general plan amendments, ordinances, PADs, policies, rezonings
- * Quasi-Judicial - appeals, conditional uses, and special uses
- * Ministerial/Administrative - applying legislative decisions (permits)

She continued with a review of the current process for approval transparency, which includes information available on the website with a Private Development Summary and an interactive map.

Mayor Pro Tem Fruhwirth commented that she has had some difficulty understanding these summaries over the past few years. Firstly, she said it is low on the homepage and this specific document does not come up when typed into the search bar. Also, new should be called out specifically or have a key of some kind as well as font color updates for where there are changes. Finally, she suggested having a summary page at the beginning of the document.

Councilwoman Frederickson asked if it would be possible to have a description or summary pop-up if a citizen hovers over a particular area.

Mayor Rusing suggested having a monthly review of this at a Planning & Zoning Commission Meeting.

Ms. Walton stated that she will look into these revisions.

Councilman Garing asked what the options are for the public to find more information if there is something on the list they are not in favor of or have more questions about.

Ms. Walton responded that the cover sheet could also have details with contact information to facilitate questions and conversation. She added that water will still go through its usual process.

Councilwoman Fruhwirth added that highlighting good work and projects would be important as well.

Councilman Ruby commented that these changes will likely make people upset, and it is important to highlight where city staff is trying to mitigate it and get information out to them.

Planning Manager Alex Bramlette continued the discussion regarding the impact of HB2447 on LDC25-001. She discussed the specific language and change from "may" to "shall" which will be reflected in city code as well.

ARS 9-500.49 (A)(1)

1. Authorize administrative personnel to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats and plat amendments without a public hearing.

Impacted LDC:

- * 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 & 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

She reiterated that use categories and special use permits are not being impacted at all and will continue to go through their usual process. Also, current notification practices will not be changing.

Mayor Rusing stated that this bill is a doozy and thinks there needs to be more time before the Council votes on it.

City Attorney Joseph Young responded that he cannot answer as to repercussions if the Council were to decide not to adopt the Resolutions and Ordinances at the Voting Meeting. The legislation requires that the changes be done by December 31, 2025 so if the Council delays they are past that date. Some changes will apply automatically anyway through state law. He doesn't think that tabling until January is a good idea because the city would then not be in compliance with state law.

Councilman Garing commented that Section 5.C. from the Resolution that will be rescinded during the Voting Meeting is being changed but is not included in the language of the state law and asked staff to address that.

Ms. Bramlette responded that substantial compliance is defined in the Resolution, which is why it is included in the language; there are an additional three items being added, but staff could also incorporate Section 5.C. from the original Resolution if Council would like to do so and it is part of the motion.

Councilman Ruby stated that the consensus of Council seems to be that nobody likes this because it is coming from the state, but it seems that this is action the Council has to take. He asked the City Attorney to discuss if the Charter could supersede these changes and if amending the legislation to be population specific would be possible.

Mr. Young responded that the Charter does not, because there is nothing in it which speaks to these changes. There is the potential to make changes to the Charter that would address these, but then there is the consideration of whether this is a matter of statewide concern. He added that lobbying is always possible if the Council would like to do so.

Councilwoman Frederickson stated that Article II of the Charter dictates that the powers of the city are vested in the Council and asked if that applies in this case.

Mr. Young responded that it does not, a broad statement of authority isn't specific enough. He added that the Ordinances should be adopted today as they are and then amended at a later date. The Resolution specific to substantial conformance does not need to be adopted today so that could come back, but it is the city's effort to make transparency important.

Mayor Pro Tem Fruhwirth stated that she feels they should be adopted today and then amended at a later date if possible. This is the best the city could do in light of the statute.

Ms. Walton commented that the Resolution could be passed with the additions but retaining all old verbiage.

Mayor Rusing asked why the statute language wasn't just copied into city code.

Ms. Bramlette responded that the statute addressed the administrative processes, so it had to be applied in a unique way to the city code because of the way that it is written. She continued with discussion regarding administrative review and approval of design review plans and reiterated that the historic districts are not impacted.

ARS 9-500.49 (A)(2)

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

Impacted LDC:

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

ARS 9-500.49 (A)(3)

3. Allow at-risk submittals for certain on-site preliminary grading and drainage work or infrastructure.

Impacted General Engineering Standards:

- * 2.5.1 Preliminary Grading Permit
 - Sections A, B and C

ARS 9-500.49 (A)(4)

4. Allow applicants with a history of compliance with building codes and regulations to be eligible for expedited permit review.

Impacted Code:

- * Already incorporated into code with adoption of building code changes, so no revisions are necessary

This item was for discussion only, no formal action was taken.

4. ADJOURNMENT

There being no further business to discuss, Mayor Rusing adjourned the meeting at 2:42 p.m.

Signed by:

Cathey Rusing

CATHEY RUSING, Mayor

ATTEST:

Sarah M. Thornhill

SARAH M. THORNHILL, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Voting Meeting of the City Council Voting Meeting of the City of Prescott, Arizona held on December 9, 2025. I further certify the meeting was duly called and held and that a quorum was present.

Sarah M. Thornhill

Sarah M. Thornhill, City Clerk

