



City Of Sedona Community Development Department

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Memorandum

Date: February 23, 2017
To: **Planning and Zoning Commission**
From: Michael Raber, Senior Planner
Meeting Date: March 2, 2017
Subject: Informational work session discussing the update of the Sedona Land Development Code.

Summary

This agenda item provides for an informational work session regarding the update of the Sedona Land Development Code (LDC). The City's consulting team, Clarion Associates, will provide:

- Project Overview
- Summary of LDC Analysis
- Next steps

The purpose of this meeting is to keep the Commission informed on the key steps in the LDC update by providing a general overview of this step – the analysis of the Code and the issues identified.

The City and Clarion kicked off the LDC project update in November 2016 with a series of stakeholder meetings, a public open house, a public meeting with the Planning and Zoning Commission and a field tour of the City. In December and January, Clarion and staff worked to identify a detailed list of issues compiled from many contributors over the past several years. Clarion has provided an issue identification memorandum that is not intended for discussion, but is attached for your information. It is also available on the LDC website: www.SedonaLDCupdate.com.

The issues memorandum is organized to set the stage for their analysis of the Code. In this next stage of the process, staff is working with Clarion to develop the LDC analysis that will:

- Identify strengths and weaknesses of the current LDC.
- Identify potential solutions and best practices.
- Create a detailed outline for a new LDC "roadmap".

Next Steps

Drafting the LDC update:

- Module 1: Districts and uses
- Module 2: Development Standards
- Module 3: Administrative Procedures

Staff will continue to keep the Planning and Zoning Commission informed of the key points in the LDC update process.

Attachments

1. LDC Issue Identification Memorandum (For informational purposes).

MEMORANDUM

TO: Mike Raber, City of Sedona
FROM: Matt Goebel and Tareq Wafaie, Clarion Associates
DATE: January 30, 2017
RE: Land Development Code Issue Identification

Introduction and Overview

The City of Sedona and Clarion Associates (the project team) kicked off the Land Development Code (LDC) update project in November 2016 with a series of stakeholder meetings, a public open house, a public meeting with the Planning and Zoning Commission, and a field tour of the City. During these meetings, Clarion Associates provided a general overview of the Sedona LDC update project to stakeholders and worked with City staff to develop an understanding of the strengths and weaknesses of Sedona's current LDC and opportunities for improvement.

The project team met with the following stakeholders during the kickoff trip:

- Planning and Zoning Commission
- Some current and former members of City Council
- Representatives of other staff departments (e.g., engineering, economic development, City Attorney, City Manager)
- Developers (both residential and nonresidential)
- Downtown representatives and business owners
- Neighborhood organization representatives
- Local architects and builders
- Local planning and landscape architecture consultants
- Chamber of commerce
- Special interest groups (e.g., Keep Sedona Beautiful)

The remainder of this memorandum identifies at a high level the key issues to address through the LDC project, based on feedback from stakeholders and also Clarion's review of the current LDC. These issues

Contents:

<i>Introduction and Overview</i>	1
<i>Central Themes from Initial Feedback</i>	2
<i>Implement the Sedona Community Plan and Community Focus Areas</i>	2
<i>Update the Lineup of Zoning Districts and Use Regulations</i>	3
<i>Clarify and Simplify the Development and Design Standards</i>	6
<i>Streamline the Development Review Procedures</i>	11
<i>Create a More User-Friendly Code</i>	14
<i>Conclusion and Next Steps</i>	15



will be further refined and elaborated upon in the next project deliverable, the LDC Analysis and Annotated Outline.

Central Themes from Initial Feedback

The issues identified in this memo are based on feedback received during the kickoff meetings, follow-up discussions with staff, responses from the initial survey, the original list of issues as presented in the City’s Request for Proposals, and Clarion’s review of Sedona’s LDC and supporting background materials. The key issues generally fall within the following central themes:

- 1. Implement the Sedona Community Plan and Community Focus Areas**
- 2. Update the Lineup of Zoning Districts and Use Regulations**
- 3. Clarify and Simplify the Development and Design Standards**
- 4. Streamline the Development Review Procedures**
- 5. Create a More User-Friendly Code**

Each of these themes is expanded on below, including specific issues to address through the Land Development Code update.

Implement the Sedona Community Plan and Community Focus Areas

The Sedona Community Plan

The 2014 Sedona Community Plan is an expression of the community’s vision, a guide for future growth, and an assessment of community priorities. Several goals and policies in the Sedona Community Plan can be addressed through the Land Development Code update, including but not limited to:

- Ensuring a balance of land uses and areas for concentrated mixed-use development, public gathering places, and transitions between established neighborhoods and commercial areas
- Improving circulation and creating a more walkable and bike-able community
- Preserving Sedona’s scenic views
- Promoting an efficient use of land and minimizing paved areas
- Reflecting Sedona’s historic and cultural heritage
- Providing housing diversity and affordability
- Protecting environmentally sensitive areas
- Maintaining a focus on sustainability

Most of these issues are in the “Land Use, Housing, and Growth” section of the plan and are documented as “Land Use Policies,” with corresponding action items in the “Land Use Action Plan.” In addition to these overarching goals and policies, the plan also includes a Future Land Use Map, which identifies desirable land use designations and provides guidance for future growth and development in Sedona. That map, and the land use designations, will inform updates to the LDC – especially as it pertains to the future lineup of zoning districts and land uses.

Community Focus Areas

The Sedona Community Plan also identifies 13 Community Focus Areas (CFAs) to be studied further through specialized plans. The LDC update will integrate strategies from adopted CFA plans as appropriate. As the next CFA plans are developed, any relevant policies fleshed out during the LDC update process may also be considered for integration into the LDC.

Update the Lineup of Zoning Districts and Use Regulations

The zoning districts in Sedona should accommodate a wide range and mixture of housing types, commercial and mixed-use development, institutional uses, and recreational opportunities. Based on our initial meetings with staff and stakeholders, we heard that the current lineup of zoning districts needs to be updated to more accurately reflect existing conditions and to create additional opportunities for mixed-use in targeted areas. Further analysis of Sedona’s lineup of zoning districts will be presented in the LDC Analysis and Annotated Outline, based on the following considerations:

- Is the intent of each district clear and does the district name match the intent?
- Is each district currently used, or are there districts that are obsolete and/or unnecessary?
- Are new districts needed (e.g., mixed-use districts)?
- Are there districts in place to implement the Community Plan and CFA plans?
- Are any districts so similar in purpose and standards that they could be consolidated?

We also received feedback related to land uses and associated use regulations. Many of these comments focused on the need to modernize the LDC to integrate new uses (e.g., urban agriculture, distilleries, and tiny homes), eliminate antiquated uses (e.g., telegraph offices, stamp and coin shops), and evaluate standards for somewhat problematic uses (e.g., open air businesses, home occupations, urban chickens, etc.). Other specific issues related to zoning districts and uses to address through the LDC update include:

Zoning Districts Generally

- Create new districts to implement the Community Plan and Community Focus Area vision, goals, and specific plans, Gateway development standards, and Uptown area development standards. The LDC Analysis and Annotated Outline may include a table comparing current and proposed zoning districts and their translation to implementing future land use categories and/or CFAs.
- Provide better purpose statements for zoning districts to clarify their intent.
- Consider establishing one or more zoning districts with form-based components (e.g., massing & scale of buildings, window transparency, entrance standards, and pedestrian amenities) for certain areas such as the cultural park or Uptown. Look at Flagstaff’s enabling language as an example. (Note, however, that updated citywide or area-specific development standards will also be an effective tool for addressing building form and design.)
- Consider establishing an entertainment district or overlay in Uptown to allow the City to exempt that area from distance restrictions for alcohol related uses proximate to schools and churches pursuant to A.R.S. §4-207.
- Ensure compliance with Arizona SB 1350 (related to limitations on regulations for vacation rentals) when developing new zoning district and use standards.
- Consider establishing overlay zoning districts to address common elements within CFA plans.
- Consider establishing one or more mixed-use zoning districts to promote a mix of commercial and residential uses with an emphasis on compact walkable development.
- Discuss obsolete zoning districts that are no longer in the code but still exist on the zoning map and may have some regulatory effect (e.g., transition districts).
- Consider whether or not the zoning map should be linked digitally to Article 5 (Districts and Boundaries) in the LDC.

Specific Zoning District Issues

Eliminating Zoning Districts

Consider eliminating several zoning districts because they are: 1) Included in the LDC but have not been applied on the zoning map, 2) Included in the LDC, but seldom applied on the zoning map, or 3) Not included in the LDC, but have been applied on the zoning map.

- 1) Included in the LDC, but never applied to the zoning map
 - Neighborhood Commercial (CN) district
 - Manufactured Home (MH) district
- 2) Included in the LDC, but seldom applied to the zoning map
 - Parking (P) district.
 - Resort Commercial (RC) district.
 - Medium Density Multifamily (RM-1) district.
 - Single-Family Residential (RS-5A) district.
- 3) Not included in the LDC, but have been applied on the zoning map
 - All of the Transitional (T) districts (T-2, T-3, T-9, T-12, and T-15). These were replaced by the SU district in 2003.

The LDC Analysis and Annotated Outline will explore options for how to address eliminated districts both in the LDC and on the zoning map.

Other Zoning District Issues

- Update the SU district:
 - Ensure that the SU district corresponds with the planned areas in the Community Plan.
 - Evaluate the relationship of the SU district to the CFA's and other proposed new districts.
 - Require additional community benefits for any rezoning to an SU district.
 - Evaluate whether some of the guidelines in the current SU district should be rewritten as mandates (e.g., replace "should" with "shall").
- Consider several consolidations of zoning districts:
 - General Commercial (C-1 and C-2) districts.
 - Single-Family Residential (RS-10a, RS-10b, and RS-12) districts.
 - Single-Family Residential (RS-35 and RS-36) districts.
- Update the Planned Development (PD) district:
 - Consider whether or not use standards remain (which could be approved based on a base zoning district or by individual negotiation for a PD).
 - Relocate the submittal requirements to an administrative manual.
- Retain the Lodging (L) district, but:
 - Evaluate and clarify the language.
 - Evaluate appropriate densities for lodging and residential uses.
 - Consider mixed-use opportunities.
 - Evaluate affordable housing options.

- Evaluate the effectiveness of regulations pertaining to the expansion of existing lodging establishments.
- Consider flexible standards to allow for expansion of lodging establishments that exist outside of the Lodging district.
- Evaluate the Community Facilities (CF) district for appropriate uses and CUP requirements.
- Consider establishing an urban farming zoning district and/or establishing use regulations for urban farming activities.
- Consider more flexibility for residential uses in commercial districts:
 - Distinguish between standalone residential vs. vertical mixed-use (residential on upper stories).
 - Consider allowing higher densities of residential permitted in commercial districts.
- Consider establishing a transitional zoning district as a buffer between commercial and residential districts. (Could be addressed through neighborhood protection standards applicable to all transitional areas.)
- Consider a more fine-grained lineup of commercial zoning districts to address various commercial sizes and contexts. (Existing CN, C1, and C2 could be updated and/or new mixed-use districts could address unique commercial characteristics.)

Use Regulations

- Prepare a table of allowed uses to:
 - Clearly indicate permitted uses across all zoning districts.
 - Identify and cross-reference applicable use-specific standards.
 - Consolidate land uses into broader use categories and use types (e.g., “general retail” would include “pet shops” and “toy stores”). Consider proposition 207 limitations when establishing use categories.
 - Address emerging uses that are currently missing from the LDC, such as:
 - Breweries, distilleries, and wineries (and tasting facilities) – e.g., craft beverages
 - Tiny homes (which may be addressed through standards for single-family dwellings)
 - Urban agriculture
 - Produce stands
 - Expanded restaurant types
 - Fleet services (e.g., golf-cart shuttles)
- Consider identifying a wider variety of dwelling types (e.g., duplexes, live-work) to improve housing diversity and affordability.
- Consider further restriction of golf courses in Sedona, to the extent practicable and permitted by law (and potentially remove from the LDC use lists).
- Evaluate conditional use permit requirements including applicability, time limits, and administrative approvals for renewals. (Also included as an issue to be addressed in the development review procedures section.)
- Consider new use and/or standards to address tiny buildings as occupied permanent/semi-permanent residential structures.
- Review use regulations for consistency with the recent repeal of Section 918 for ADUs (Ordinance No. 2016-10).
- Consider allowing bed and breakfast uses outside of the multifamily zoning designation with a conditional use permit and in compliance with any associated use-specific standards.

- Consider allowing chickens and other potentially appropriate animals (e.g., bee colonies) in certain residential zoning districts. Local food production is important to Sedona.
- Consider allowing the keeping of horses on commercial properties for commercial purposes (e.g., stables and training).
- Address mobile food vendors (food trucks), which are currently considered open air businesses. There are issues with administering these regulations, and there is some local resistance to these uses from other permanent business owners.
- Evaluate opportunities for outdoor displays located outside a permanent structure.
- Consider revising home occupations regulations by specifically listing uses that are prohibited.
- Refine accessory use standards to:
 - Distinguish between uses and structures
 - Be consistent with the repeal of ADUs (Sec. 918)
 - Establish definition of “cooking facilities” to prohibit second kitchens
- Evaluate whether some accessory uses should be allowed on a lot without a previously established primary use.
- Update temporary use regulations to address issues related to arts and craft shows, the film festival, and other temporary uses.
- Develop clear process and criteria for handling proposals for unlisted uses.

Clarify and Simplify the Development and Design Standards

The LDC standards that address the quality of site development and building design in Sedona are vital tools for creating and maintaining the community’s special and unique sense of place. They have been developed and refined over many decades and have achieved impressive results. However, we heard repeatedly from staff and other stakeholders that the current development standards – such as those addressing landscaping, parking, building design, lighting, etc. – should be reviewed carefully and many are ripe for improvement or replacement in the LDC update. Some standards are challenging to understand, difficult to administer and enforce, and/or do not always result in the desired outcomes for Sedona.

A key focus for improving development standards will include rethinking the applicability and contents of the current Design Review Manual (which is called a “manual,” and sometimes reproduced as a freestanding document, but technically is considered Article 10 of the LDC). The manual is not always consistent with regulations found elsewhere in the LDC (such as some of the development standards in Article 9), and also toggles between advisory and mandatory compliance language, resulting in a sometimes inefficient and unpredictable decision-making process. There are also references to old Sedona plans that should be replaced with current cross-references and policies. Detailed approaches for improving the Design Review Manual will be explored in the LDC Analysis and Annotated Outline.

Another recurring suggestion is that the LDC update should focus more on encouraging and supporting appropriate redevelopment and infill. Sedona is largely built out; therefore, development standards should be tailored to work for redevelopment and infill opportunities. At the same time, neighborhood protection is important and can be a particularly sensitive issue on infill projects. Instead of a one-size-fits-all approach to development quality standards, Sedona may consider standards with varying thresholds and applicability depending on its location and/or whether or not the proposal is redevelopment or raw land development. Other specific issues related to development standards to address through the LDC update include:

Generally

- Update antiquated, redundant, confusing, and conflicting development standards.
- Consider area-specific provisions based on the CFA plans.
- Better integrate and/or explain the relationship between Article 10 (Design Review Manual) and other related standards in other chapters. Consider combining Article 10 with Article 9 (Development Standards). Clearly distinguish between mandatory standards and then optional additional guidelines that are supplemental to the base standards.
- Relocate use-specific standards (e.g., those for golf courses, educational institutions, home occupations, adult uses, open air businesses, and medical marijuana) to an article dedicated to use regulations.
- Use consistent references to “Director,” “City Engineer,” and other approval authorities throughout the LDC.
- Consider new standards to address sustainability, including incentives for green building design, water reduction, and other ideas proposed by the Sustainability Alliance. Could potentially weave these into other related sections and/or create a new standalone “Sustainability” section.

Access, Circulation, and Connectivity

- Consider establishing “connectivity” standards and/or establishing an “access and circulation” section in the LDC. Introduce new and consolidate existing standards that address walkability and connectivity.
- Establish better site access and internal circulation standards. Ensure access and parking areas can be connected across properties.
- Promote connectivity without requiring extensive right-of-way (ROW) – could allow separate pedestrian easements.
- Consider requiring sidewalks on both sides of a street. Should such a requirement apply citywide, only in certain zoning districts, and/or for certain types of land uses? (E.g., in mixed-use districts, or for multifamily uses, etc.). Consider broader requirements for red concrete used as sidewalk materials.

Design Standards

- Improve Sedona’s system for regulating color to:
 - Review best-practice approaches from other communities and improved methodologies, including better approaches for handling custom colors.
 - Continue to require colors (including signage) that reflect the natural environment in Sedona.
 - Address enforcement challenges related to the chroma component.
 - Consider requiring darker colors as a starting point, while preventing undesirable tones (e.g., purple).
 - Adjust light reflectance values (LRV) for commercial (or larger-scale buildings).
 - Consider retaining the extra height incentive for darker colors (but clarify that the whole building does not have to be darker – only the upper floors).
 - Include graphics to improve understanding of the Munsell color system in the LDC.
- Address accessibility and visitability/universal design. Consider whether these standards should apply broadly, or to certain zoning districts, size thresholds for subdivisions, or use types?
- Establish flatwork provisions that differentiate between patios, sidewalks, decks, and walkways.

Dimensional Standards

- Update the height regulations to:
 - Clarify applicability of height and massing standards (e.g., it is not clear if Section 903.02 applies to Planned Developments).
 - Improve clarity and user-friendliness (e.g., more tables; less narrative).
 -
 - Consolidate similar requirements that are repeated in multiple paragraphs throughout Section 903 (Height Regulations).
 - Consider flexible standards where greater height would be permitted if recommended in CFA plans, where viewsheds are not impacted, and/or for projects where affordable housing is provided.
- Consider establishing building step-backs for second stories, and determine whether that standard should apply broadly or within certain zoning districts and/or to certain land uses.
- Consider establishing greater density allowance for projects providing affordable housing.
- Address challenges in meeting cumulative regulations for lot coverage, FAR, height, and setback requirements.
- Clarify (and illustrate) rules of measurement for irregular lots.
- Clarify the types of structures (attached vs. detached), and to what extent balconies, porches, decks, and other structures may project into side or rear yards.
- Evaluate sight visibility triangle requirements considering other factors for measurement such as engineering standards, road speed, back of sidewalk, or edge of pavement.
- As an incentive for redevelopment, consider allowing greater lot coverage for commercial uses that require less parking (and potentially freeing up land for public access dedication).
- Improve flexibility for lot coverage, while keeping the floor area ratio (FAR) the same.
- Consider allowing a higher lot coverage percentage for certain uses (e.g., mini-storage) to prevent them from going to two stories.
- Update building massing and siting regulations to:
 - Consider improving flexibility for unrelieved building planes (beyond current 903.01.B.2).
 - Consider distinguishing between building planes visible from public view vs. not visible from public view (this could be difficult given topography in Sedona).
 - Consider orientation requirements for homes (to address solar access).
 - Re-evaluate building separation requirements (e.g., Yavapai County reduced from 10 feet to 3 feet).
 - Revisit the massing incentive as it relates to increased heights.
 - Consider alternatives to FAR standards for controlling building massing and placement.

Grading and Drainage

- Incorporate new stormwater quality and management standards from the Arizona Department of Environmental Quality (ADEQ). (Should these be included in a separate manual outside the LDC?)
- Provide incentives for gray water use.
- Remove outdated language referring to “mylars,” since that is no longer current practice.
- Remove duplicative language between Articles 7 and 8 (e.g., driveway slopes).
- Ensure consistency with Design Review Manual (e.g., cut and fill standards).
- Require drainage compliance with the City’s MS4 permit.
- Relocate permit fee schedule to an administrative manual.

- See additional comments from public works staff.

Landscaping

- Review the approved plant list (Appendix A of the DRM):
 - Determine appropriateness of native, adaptive, and unacceptable plant species.
 - Consider renaming the “Sedona Low Water Plant List” to “Sedona Acceptable Plant List” or similar to reinforce that drought-tolerance, though important, is not the only consideration for choosing plants.
 - Consider establishing more categories in plant lists based on location on the property. For example, the City may want to limit the plants used in streetscapes to a greater degree than those on the remainder of the property.
 - Include standards for evaluating appropriateness of unlisted plant species.
- Focus on native vegetation and water conservation:
 - Consider increasing the minimum requirement for native landscaping. For example, consider standard for 100 percent of *required* landscaping to be native, but any landscaping provided over the required amount could be non-native.
 - Address landscaping required with expansions and redevelopment. For expansions of buildings and/or sites, do not require cutting non-native species to comply with required native percentages.
 - Consider retaining the 50 percent evergreen requirement.
- Consider additional aesthetic requirements. Landscaping is not just a water issue – it is also about aesthetic value and bringing the forest to the site.
- Evaluate landscaping requirements for multi-family and commercial development, and evaluate screening requirements, especially for transitions between land use types.
- Trees: Improve protections generally with language that is more specific and defensible. Consider expanding tree density requirements to commercial properties. Consider restrictions on topping of trees for view enhancement.
- Consider additional landscaping requirements for single-family residential uses.
- Consider increased flexibility to allow for more colorful vegetation in landscape than otherwise provided in native landscaping programs.

Lighting

- Update lighting regulations to further “Dark Sky” objectives and to accommodate new technologies. Consider potential new standards from the model Dark Skies ordinance and other best-practice materials.
- Consider increased flexibility to allow a greater diversity of bulb types.
- Evaluate the percentage of shielding required for landscaping lighting (e.g., solar).
- Include provisions for security lighting and Crime Prevention through Environmental Design (CPTED) standards.

Parking

- Align parking standards with a new master table of allowed uses so that every use has a corresponding parking ratio.
- Consider revising current system by which the number of required parking spaces is based on number of bedrooms for residential uses.
- Consider whether or not some areas or land use types and/or areas should require fewer parking spaces, or should be exempt from parking requirements altogether.

- Consider different standards and programs for Uptown (and/or other CFAs) such as a parking overlay district or a fee-in-lieu program.
- Clarify how to administer parking requirements when tenant spaces change (which occurs frequently).
- Integrate results of Kimley-Horn study related to parking, where relevant to the LDC.
- Establish additional parking incentives and opportunities:
 - Consider options for compact cars, electric vehicles, bicycle parking, etc.
 - Revisit the combination of uses standards (Section 912.02.C) to improve shared parking opportunities.
 - Consider extending shared parking or offsite parking beyond 300-foot distance from primary use.
- Include nonconforming parking language in the parking section of the LDC.
- Address parking lot layout and circulation standards, some of which may be located in a new access and circulation section within the LDC.
- Establish a communitywide parking management strategy. (Likely outside the scope of the LDC update.)

Screening, Fences, and Walls

- Re-evaluate screening requirements for equipment rental and auto sales (and potentially other uses):
 - Current 3-foot requirement is inadequate, but any updates should be reconciled with any potential height restrictions for fence heights in front yards.
 - Specify that the regulations require permanent screening with a fence or dense landscaping.
 - Evaluate the screening requirements in conjunction with setback requirements to avoid conflicts.
- Allow for additional materials for fencing construction (e.g., re-use/recycled materials).
- Clarify requirements and measurements for “jogs” in fences and walls.
- Clarify permitted wall height and what constitutes an opaque vs. a non-opaque wall.
- Clarify definitions and applicability of posts and masonry piers vs. attached retaining walls.
- Clarify solid and non-solid bases and tops of walls.
- Clarify walls and fences section 903.07 – should these standards apply to both walls and fences?
- Consider requiring higher screening between uses that may need to be buffered regardless of the zoning district they are in (e.g., churches, mobile home parks, etc.).

Subdivision Design

- Reconcile conflicts between engineering standards, City Code standards, and subdivision and road standards.
- Revise references to specific editions of external engineering standards (e.g., ITE publications) to refer to “current edition.” Also reconcile inconsistent references to engineering standards (e.g., ITE, City Code, etc.).
- Address cluster (conservation) subdivisions:
 - Consider where appropriate and allow by right without a Planned Development.
 - Establish minimum standards (e.g., where building envelopes should be located, quantity and quality of open space protected).
- Expand Table 7.1 per discussions with staff (e.g., establish minimum ROW widths).

- Establish minimum widths for flag lots and other subdivision anomalies.
- Establish minimum easement widths based on easement type.
- Simplify subdivision standards (Sec. 706) by integrating standards into tables where possible. (E.g., Hillside subdivision regulations in 706.08 could be condensed into a matrix.)
- Revise steep street grade standards to require concrete construction.
- Clean up and simplify Sec. 707.07 – assurance of construction.
- Remove policy references to Community Plan and Trails and Urban Pathways Plan from the subdivision design principles and standards.
- Ensure that subdivisions will not result in parcels without adequate on-site parking (for properties where parking requirements were previously met by joint-use or shared parking agreements).
- Clarify what standards (e.g., roads) apply to Land Division and when such improvements should be made.

Streamline the Development Review Procedures

Many of the comments we heard from stakeholders were related to the development review process. Although we heard some positive feedback (regarding staff's willingness to work with applicants), most of the feedback was somewhat critical. Developers and design professionals (as well as staff and City officials) reported that the development approval process takes too much time and effort, and that there is a lack of predictability as to whether or not a project will be approved.

We heard specifically that too many projects require public hearings and Planning and Zoning Commission approvals, and that those public hearings are often continued due to a lack of clear standards and criteria. Other specific issues related to development review procedures to address through the LDC update include:

Generally

- Consolidate “findings” and “considerations” and revise to use more clear and objective language (e.g., replace “good faith attempt”). Reword and prioritize. Try to create more predictability and less room for interpretation. Clarify what happens if some criteria are not met.
- Establish a set of common review procedures for approval steps that apply to multiple application types (e.g., pre-application consultations and public noticing requirements).
- Create an administrative manual:
 - Remove submittal requirements from LDC and relocate them in the manual.
 - Consider locating engineering standards in the manual.
 - Establish some basic time frames for review and approvals of certain application types.
 - Include templates for plat certificates and signature blocks.
- Update reversion standards (lapse of approvals):
 - Pay attention to statutory requirements.
 - Consider expanding time extensions to increase flexibility.
 - Differentiate between revocations for a project not meeting conditions vs. revocations for not building an approved project within a specified timeframe.
- Strengthen approval criteria to reduce subjectivity and to reduce excessive conditions on projects.
- Clarify the roles of Planning and Zoning Commission. (City Attorney's office may help with this.)

- Create a form/checklist to communicate what types of approval and actions are required for new businesses.
- Evaluate public noticing procedures to engage the community better up front on proposed development applications.
- Remove references to the Project Review Committee. Invitations to pre-application consultations are delivered to individuals/agencies on a case-by-case basis as deemed appropriate by staff.
- Explore more specific language to require improvements or retention of on-site amenities based on Community Plan and CFA plans.
- Consider establishing a new Transfer of Development Rights (TDR) procedure to be considered with Planned Developments and through development agreements.

Administrative Decisions

- Generally, look for opportunities to delegate more decision-making to staff when possible, subject to clear, objective standards.
- Consider a new procedure allowing for administrative adjustments to certain development standards (approved at the staff level). Or, broaden the applicability of the existing administrative waiver procedure.
- Revise the administrative waiver procedure name to “administrative adjustments” or “minor modifications.”
- Consider revising the requirements documentation of administrative decisions (e.g., the current written investigation report requirement).
- Consider requiring the existing Citizen Review Process for more application types in exchange for allowing administrative approval.

Code Enforcement

- Clarify LDC standards to improve enforceability of recurring challenges, such as illegal tree trimming without permission from the City.

Conditional Use Permits (CUPs)

- Look for opportunities to change some simple CUP approvals to staff approvals that would not need to go before the Commission.
- Consider revising CUP renewal procedures to be an administrative approval rather than Planning and Zoning Commission approval.
- Consider distinguishing major CUPs vs. minor CUPs for initial review based on size thresholds, use type, or other criteria.

Development Agreements

- Evaluate the addition of broad enabling authority to enter into development agreements in the LDC, while paying close attention to statutory requirements. Clarify how long such agreements may last.

Rezoning

- Streamline rezoning procedures. Zoning is currently perceived as a difficult barrier for new businesses to overcome.
- Clarify that all rezoning approvals are conditional. The current LDC includes procedures for both rezoning and conditional rezoning.
- Establish specific approval criteria that would apply to projects proposed within an adopted CFA.

- Consider opportunities to expedite the rezoning approval process for applications that match the Community Plan’s Future Land Use Map and/or an adopted CFA plan.

Development Review (Site Plans)

- Consider introducing new thresholds for development review:
 - Reevaluate the current 2,000 square foot threshold and criteria for administrative decisions. Specific thresholds will be suggested in the LDC Analysis and Annotated Outline.
 - Establish additional criteria where administrative decisions in sensitive locations would still require Planning and Zoning Commission approval.
 - Consider a three-tiered system to address projects in between administrative decisions and Planning and Zoning Commission decisions. (Perhaps these projects would require notice of the application and an option to submit comments, but would not require a public hearing.)
- Expand the revocation timeframe to two years following the date of approval.

Special Exceptions

- Retain this procedure even though the process is not used frequently (or at all).

Subdivision Approvals

- Integrate subdivision approval procedures with other development review procedures in the LDC.
- Consider differentiating between residential, commercial, and condominium conversion subdivisions in terms of standards and procedures.
- Consider establishing a new cluster (or conservation) subdivision procedure, with new minimum standards established in the development standards (e.g., layout of lots, building envelopes, and protection of sensitive areas).
- Combine the waivers procedures (Section 708) with the plat procedures, and eliminate the term “waivers” wherever possible.
- Establish time limits for recording plats and for expiration of plats (but pay attention to statutory requirements).
- Include provisions for lot consolidations as part of the Minor Lot Division procedure.
- Ensure that all City subdivision requirements are aligned with State law.

Temporary Use Permits (TUPs)

- Revise Section 407 (Temporary Uses), including evaluation of the standards and streamlining the approval process.
- Establish a definition for the term “temporary.”
- Establish separate categories for 1) Special events (e.g., crafts, arts festivals), and 2) Temporary uses (construction yard/Christmas tree lot), each with different standards.
- Consider further restrictions on the number of times a permit may be issued per year (e.g., 1-2 per year for large events; 8 per year for smaller events). Clarify that the maximum number of permits is tied to the parcel.
- Consider removing distinctions based on nonprofit status. Define fundraising events, their relationship to a nonprofit, and establish a minimum dollar amount that has to go to the charitable organization.
- Establish temporary use regulations to address large indoor events (such as the film festival and gem & mineral show). Current standards apply only to outdoor events.
- Combine the right-of-way approvals and TUP procedures.

- Update TUP procedures to eliminate references to entities/bodies that no longer exist (e.g., Sedona Film Office).
- Consider allowing electronic submittal of application materials.
- Clarify the appeals procedure for TUPs – they are currently unrealistic due to the expeditious timing of approvals. Consider applying the appeals to temporary uses and not to special events.
- Clarify the categories of TUPs (e.g., “community event” vs. “fund-raising”).
- Clarify taxation requirements for temporary uses (best to cross-reference standards outside of LDC).

Variations and Appeals

- Update the variance and appeals procedures to reflect recent changes.
- Ensure portions of Section 404 that are based on Prop 207 accurately mirror the appropriate Prop 207 language upon which they are based.

Create a More User-Friendly Code

We heard from staff and stakeholders that parts of the current LDC can be cumbersome, overly complex, and verbose. A challenging organization makes it difficult to find relevant information. We also heard that the updated LDC should include more illustrations, tables, and figures to complement text where appropriate. Many of the suggestions noted earlier in this memorandum will improve the overall user-friendliness of the LDC (e.g., consolidating uses, streamlining review procedures, and clarifying language in the development standards). Other specific issues related to the user-friendliness of the LDC to address through the update include:

- Address inconsistencies and duplications within the LDC (e.g., swimming pool standards are currently listed in two separate locations).
- Consider simplifying the numbering system. Discuss city’s preferred nomenclature (e.g., “articles” versus “chapters” with city clerk.)
- Apply better use of cross-references throughout the LDC.
- Use clear and succinct language to improve understanding of the LDC for all user types.
- Incorporate additional and/or better illustrations, tables, flowcharts, and other graphics throughout the LDC.
- Update the definitions to:
 - Consolidate them in one location. (They are currently scattered throughout the LDC.)
 - Clarify which dictionary should be used as the default to consult for undefined terms.
 - Remove definitions of terms that are not used in the LDC.
 - Add definitions where they are needed.
 - Include more graphics.
 - Include definitions for engineering standards and terms.
 - Replace “yard” with “setback.”
 - Clarify setbacks as they relate to the street vs. easements and access.
 - Consolidate conflicting definitions (e.g., “religious, cultural, and fraternal activity” vs. “religious institution”).
 - Revise definitions for “lots” and “front lot line” to address situations where access for multiple parcels bisect individual properties (and otherwise no street frontage).
 - Clean up definitions for “channel bank,” “trellis,” “roof,” “fully-enclosed,” and “structures.”
 - Revise definition for “visibility triangle” to match dimensional measurement standards.

Conclusion and Next Steps

This memorandum identifies the major issues that need to be addressed in the LDC Update, based on feedback received during the project kickoff, follow-up meetings, and Clarion’s review of the current LDC and Sedona’s planning documents. Next, Clarion will prepare the LDC Analysis and Annotated Outline, which will expand on these topics and explore various approaches from national best practices that are relevant to Sedona. The LDC Analysis and Annotated Outline will be presented to the Planning and Zoning Commission and will be available for public review in March 2017.