

AGENDA

3:00 P.M.

CITY OF SEDONA, SPECIAL CITY COUNCIL MEETING

WEDNESDAY, OCTOBER 25, 2017

NOTES:

- Meeting room is wheelchair accessible. American Disabilities Act (ADA) accommodations are available upon request. Please phone 928-282-3113 at least two (2) business days in advance.
- City Council Meeting Agenda Packets are available on the City's website at:

www.SedonaAZ.gov

GUIDELINES FOR PUBLIC COMMENT

PURPOSE:

- To allow the public to provide input to the City Council on a particular subject scheduled on the agenda.
- This is not a question/answer session.
- The decision to receive Public Comment during Work Sessions/Special City Council meetings is at the discretion of the Mayor.

PROCEDURES:





- Fill out a "Comment Card" and deliver it to the City Clerk.
- When recognized, use the podium/microphone.
- State your:
 1. Name and
 2. City of Residence
- Limit comments to **3 MINUTES**.
- Submit written comments to the City Clerk.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

2. ROLL CALL

3. SPECIAL BUSINESS

LINK TO DOCUMENT = 

- a. AB 2292 **Public hearing/discussion/possible action** regarding an application for a Major Community Plan Amendment to the Future Land Use Map from "Single Family Low Density (.5-2 DU/AC)" to "Planned Area (PA)" and Zone Change from "Single Family Residential (RS-18b)" to "Planned Development (PD)" to allow for the production of hard cider within the existing buildings. The property is located at 145 Copper Cliffs Lane, west of State Route 179 near the Canyon Drive roundabout. APN: 401-26-004 Applicant: John R. Graham Case Number: PZ17-00007 (Major CPA, ZC). 
- b. AB 2293 **Public hearing/discussion/possible action** regarding a proposed Major Community Plan Amendment to the text of the Land Use, Housing and Growth Chapter (Chapter 3) to create a Multi-family High Density designation allowing for consideration of more than 12 dwelling units per acre for development projects that provide strategies for achieving housing diversity, affordability, and availability in order to address local housing needs. No specific properties have been identified or are being re-designated as part of this proposed amendment. A separate, privately-initiated Major amendment request for a Multi-family High Density apartment project (PZ 17-00009) is contingent upon this proposed text amendment. Applicant: City of Sedona. Case Number: PZ 17-00008 (Major CPA). 
- c. AB 2294 **Public hearing/discussion/possible action** regarding an application for a Major Community Plan Amendment to the Future Land Use Map from "Commercial", within the Lodging Area Limits to "Multi-Family High Density (Greater than 12 DU/AC)" and outside the Lodging Area Limits to allow for the development of a 45 unit apartment complex. The property is located at 3285 W State Route 89A, at the southeastern corner of the intersection of W State Route 89A and Pinon Drive. APN: 408-11-086A Applicant: Keith Holben, MK Company, Inc. Case Number: PZ17-00009 (Major CPA). 
- d. AB 2295 **Public hearing/discussion/possible action** regarding: a) An application for a Major Community Plan Amendment to the Future Land Use Map from "Single Family Low Density (.5-2 DU/AC)" to "Planned Area (PA)" to allow for the consideration of a future rezoning to potentially allow a parking lot to serve the adjacent conditionally allowed commercial use; and b) A Development Agreement regarding use restrictions for the subject parcel. The property is located at 1535 State Route 179, on the western side of State Route 179 south of Arrow Drive. APN: 401-31-011 Applicant: Francis J. Slavin, Esq. and Heather N. Dukes, Esq., Francis J. Slavin, PC Case Number: PZ17-00010 (Major CPA). 
- e. **Discussion/possible action** on future meeting/agenda items.

CITY COUNCIL CHAMBERS
102 ROADRUNNER DRIVE, SEDONA, AZ

The mission of the City of Sedona government is to provide exemplary municipal services that are consistent with our values, history, culture and unique beauty.

AGENDA

3:00 P.M.

CITY OF SEDONA, SPECIAL CITY COUNCIL MEETING

WEDNESDAY, OCTOBER 25, 2017

Page 2, City Council Meeting Agenda Continued

4. EXECUTIVE SESSION

If an Executive Session is necessary, it will be held in the Vultee Conference Room at 106 Roadrunner Drive. Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:

- a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).
- b. Return to open session. Discussion/possible action on executive session items.

5. ADJOURNMENT

Posted: _____

By: _____

Susan L. Irvine, CMC
City Clerk

Note: Pursuant to A.R.S. § 38-431.02(B) notice is hereby given to the members of the City Council and to the general public that the Council will hold the above open meeting. Members of the City Council will attend either in person or by telephone, video, or internet communications. The Council may vote to go into executive session on any agenda item, pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney. Because various other commissions, committees and/or boards may speak at Council meetings, notice is also given that four or more members of these other City commissions, boards, or committees may be in attendance.

A copy of the packet with material relating to the agenda items is typically available for review by the public in the Clerk's office after 1:00 p.m. the Thursday prior to the Council meeting and on the City's website at www.SedonaAZ.gov. The Council Chambers is accessible to people with disabilities, in compliance with the Federal 504 and ADA laws. Those with needs for special typeface print, may request these at the Clerk's Office. All requests should be made **forty-eight hours** prior to the meeting.

CITY COUNCIL CHAMBERS
102 ROADRUNNER DRIVE, SEDONA, AZ

The mission of the City of Sedona government is to provide exemplary municipal services that are consistent with our values, history, culture and unique beauty.



**CITY COUNCIL
AGENDA BILL**

**AB 2292
October 25, 2017
Special Meeting**

Agenda Item: 3a

Proposed Action & Subject: Public Hearing/discussion/possible action regarding an application for a Major Community Plan Amendment to the Future Land Use Map from “Single Family Low Density (.5-2 DU/AC)” to “Planned Area (PA)” and Zone Change from “Single Family Residential (RS-18b)” to “Planned Development (PD)” to allow for the production of hard cider within the existing buildings. The property is located at 145 Copper Cliffs Lane, west of State Route 179 near the Canyon Drive roundabout. APN: 401-26-004 Applicant: John R. Graham Case Number: PZ17-00007 (Major CPA, ZC).

Department Community Development

Time to Present 5 Minutes

Total Time for Item 30 Minutes

Other Council Meetings October 11, 2017

- Exhibits**
- A. Resolution for Major Amendment to the Sedona Community Plan
 - B. Resolution establishing a public record for rezoning
 - C. Ordinance for rezoning
 - D. Public Comments since the Council's October 11 packet
 - E. Summary Minutes: Planning and Zoning Commission Public Hearing – September 19, 2017

City Attorney Approval	Reviewed 10/15/17 RLP
City Manager's Recommendation	Approve a resolution amending the Community Plan Future Land Use Map to Planned Area and a Zone Change to Planned Development for the production of hard cider at 145 Copper Cliffs Lane.

Expenditure Required	
\$ 0	
Amount Budgeted	
\$ 0	
Account No. (Description)	N/A
Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

The October 25, 2017 Public Hearing includes possible action by the Council on four proposed Major Amendments to the Sedona Community Plan, including the following item.

Major Plan Amendment Applications

There are four proposals under review which are considered Major Community Plan Amendments. While the City routinely considers proposals to amend the Community Plan,

the decision of whether or not to make a particular amendment is a legislative policy choice left to the judgment and discretion of the Planning and Zoning Commission and City Council. In all four cases the Planning and Zoning Commission has evaluated the proposal and forwarded a recommendation to the City Council.

Factors to consider in making decisions on the proposals:

- How the proposals relate to the community's vision, adopted plans, overall consistency with the goals and policies of the Sedona Community Plan.
- Determining whether such amendment is in the interest of the public and not detrimental to the community.

The Planning and Zoning Commission staff reports for each Future Land Use Map amendment proposal include an analysis of how the proposal addresses Community Plan goals by noting how they:

- Comply;
- Partially comply;
- Do not comply; or
- Are not applicable.

Each application is:

- Evaluated based on its individual merit in meeting the Community Plan goals and policies.
- Not expected to meet or achieve each individual goal or policy.
- Expected to achieve several goals or policies.

By state law, Major Community Plan Amendments are:

- Considered once a year.
- A substantial alteration of the City's land use mixture or balance as established in the Plan's land use element. It is up to the City to develop criteria that meet this definition. The Major Amendment criteria are identified on page 113 of the Community Plan.
- Subject to public participation procedures adopted by the City Council.
- Required to be presented at a single public hearing in the same calendar year the proposal is made.
- Required to be approved by an affirmative vote of at least two-thirds of the members of the City Council.
- Initiated by the City or requested by the private sector.

Background:

The following is a summary of the proposal; for more specific information about the proposal and staff's analysis, please review the Planning and Zoning Commission's September 19, 2017 Staff Report provided in the October 11, 2017 Council packet. Public comments are included in Exhibit D. The Planning and Zoning Commission's September 19, 2017 minutes are included in Exhibit E. The minutes for the Planning and Zoning Commission's work sessions held on August 15 and September 14, 2017 are located online at <http://sedonaaz.gov/your-government/council-commissions-committees-boards/meetings-documents>.

The property under consideration is currently developed with a single-family residence and various accessory structures. The property is approximately 3.36 acres, is zoned Single-

family Residential (RS-18b), and is designated Single-family Low Density (.5 to 2 DU/AC) by the Community Plan.

According to Coconino County records, the single-family home was constructed in 1955. There is no record of when the other buildings were constructed, though the property owner believes they were constructed soon after the house. The City has no permit record for this property.

There is an orchard on this property consisting of 250 apple trees along with approximately 30 other fruit trees. The applicant has stated that apple cider has been produced on this property for over 40 years. In addition, other properties in the area have a history of growing, harvesting, and selling apples and apple related products along with other agricultural products.

Community Plan Amendment and Zoning Proposals

The proposal is for the consideration of a Major Community Plan Amendment to change the Community Plan Future Land Use Designation from Single-family Low Density to Planned Area and a zone change to change the zoning from Single-family Residential (RS-18b) to Planned Development (PD). The proposal states that the reason for this request is to allow for use of the existing buildings for the production of hard cider. In order to accomplish this, the following must be approved:

1. *Major Community Plan Amendment to the Future Land Use Map*, redesignating the property from Single-family Low Density (.5 to 2 DU/acre) to Planned Area (PA)
2. *Zone Change*, rezoning the property from Single-family Residential (RS-18b) to Planned Development (PD).

A full explanation of the proposed business is included in the applicant's submitted materials. The following is a summary of their proposal:

- Use of existing buildings for production of hard apple cider. All pressing, fermenting, and bottling will take place inside existing structures.
- Cider to be produced primarily from existing orchards, which contains approximately 250 apple trees and 30 pear, peach, and cherry trees.
 - Deliveries from other orchards in the Verde Valley will require a total of up to 6 trips per year, using the company van.
- Water is supplied to the orchard through the existing irrigation ditch, using the property's existing water rights.
- No retail sales or tasting room on the property are proposed. The property will not be open to the public.
- Existing production building is more than 100 feet from closest structure on a neighboring lot.
- The following licenses and permits are needed for the proposed use:
 - Federal Alcohol Production Permit
 - State of Arizona Farm Winery License
 - City of Sedona Business License
 - Coconino County Health Certificate
- No new construction is needed to implement the proposal.

Implications of Planned Area and Planned Development Designations

The applicant is proposing to change the Community Plan designation from Single-family Low Density (.5 to 2 DU/AC) to Planned Area (PA) and to change the zoning from Single-family Residential (RS-18b) to Planned Development (PD). The Planned Area, rather than the Commercial designation in the Community Plan, allows for a Planned Development zoning district that would limit the land use and apply conditions specific to the site and its context area.

Copper Cliffs Community Focus Area (CFA) and Community Plan

The subject property is located within the Community Plan's Copper Cliffs CFA. CFAs are identified in the Community Plan (page 34), and are described as follows:

A Community Focus Area is a location where the City will play a proactive planning role to implement the community's vision. With participation from property owners, neighbors, and stakeholders, the City will develop a Specific Plan, including any necessary rezoning, for adoption by the City Council. These Specific Plans may be adopted to bring properties into closer alignment with community expectations as expressed on the following pages. The specific planning process is intended to maintain flexibility for future creativity and innovation. The "Community Expectations" listed on each CFA page describe future conditions for each area that the Plan will strive to achieve over time. These Community Expectations are not intended as definitive requirements, but to provide guidance for community-level planning efforts.

Although the City has not yet adopted a CFA plan for this area, the Community Expectations for the Copper Cliffs CFA are one component of the Community Plan that are used for this analysis. The following are the Community Expectations for this CFA (Community Plan, page 46).

- *Retain large parcels and rural character.*
- *Preserve the agricultural plantings and residential land balance currently in existence.*
- *Accept alternative forms of housing.*
- *Evaluate potential non-residential uses (e.g. neighborhood market) if tied to preservation of agricultural uses and protection of the riparian environment along Oak Creek.*

The Community Plan Checklist (included in Exhibit A of Council's October 11, 2017 packet) provides a full evaluation of the proposal in relation to applicable Community Plan goals, policies, and CFA Expectations. In general the proposal to redesignate the property to Planned Area will accomplish many of the goals of the Community Plan.

Findings of Fact

- *The current Future Land Use Designation is Single-family Low Density. The current zoning is Single-family Residential (RS-18b).*
- *The surrounding properties have Future Land Use Designations of Single-family Low Density and zonings of RS-18b.*
- *The Planned Area proposed Future Land Use Designation, in conjunction with the Planned Development proposed zoning, is compatible with surrounding Future Land Use Designations.*
- *The property is located within the Sedona Community Plan's Copper Cliffs CFA.*
- *There is no CFA plan for the Copper Cliffs CFA.*

- *The Planned Area proposed Future Land Use Designation, in conjunction with the Planned Development proposed zoning, addresses the Copper Cliffs CFA's Community Expectations.*

Staff Recommendation

Staff recommended that the Commission forward a recommendation of approval to Council for both requests based on compliance with applicable Community Plan goals as enumerated in this Agenda Bill, the Planning and Zoning Commission Staff Report, and accompanying background material (Exhibit A in Council's October 11, 2017 packet).

Planning and Zoning Commission Recommendation

The Planning and Zoning Commission held two work sessions and one public hearing on this item. During the work sessions the Commissioners discussed the proposal at length. Comments and concerns focused on the specifics such as the number of employees, anticipated vehicular trips, the seasonal nature, and potential odor.

The public comment received was minimal. There was one written correspondence in support and no public comment at the meetings.

At the September 19, 2017 public hearing, the Planning and Zoning Commission moved to forward a recommendation of approval for both the Major Community Plan Amendment and the zone change.

Community Plan Consistent: Yes - No - Not Applicable

Staff believes that the proposed amendment to the Future Land Use Map and rezoning is in compliance with applicable Community Plan goals as enumerated in this Agenda Bill, the Planning and Zoning Commission Staff Report and accompanying background material.

Board/Commission Recommendation: Applicable - Not Applicable

On September 19, 2017, the Planning and Zoning Commission, in a 5-0 vote (Commissioners Levin and Cohen excused) unanimously recommended City Council approval of this item.

Alternative(s): N/A

MOTION

Major Community Plan Amendment Approval

Note: By state law, approval of a Major Community Plan amendment requires a 2/3 vote of the Council members.

I move to: approve Resolution No. 2017-____, amending the Sedona Community Plan Future Land Use Map by re-designating the subject property from Single-family Low Density Residential to Planned Area.

Major Community Plan Amendment Denial

I move to: deny case number PZ 17-00007 (Major CPA) amending the Sedona Community Plan Future Land Use Map by re-designating the subject property from Single-family Low Density Residential to Planned Area.

Zone Change Approval:

I move to: approve Resolution No. 2017-____, creating a public record entitled “PZ 17-00007 Sedona Hard Cider, Zoning Map, Legal Description and Conditions of Approval”.

(After First Reading)

I move to: approve Ordinance No. 2017-___ regarding Case Number PZ 17-00007 (ZC), rezoning the property identified herein from its present designation of RS-18b (Single-family Residential) to PD (Planned Development), based on conformance with the requirements for approval of a zone change, consistency and conformance with the Community Plan and subject to all applicable ordinance requirements.

Zone Change Denial:

I move to: deny Case Number PZ 17-00007 (ZC) based on the following findings (Please specify findings).

RESOLUTION NO. 2017-__
SEDONA HARD CIDER
MAJOR COMMUNITY PLAN AMENDMENT
PZ 17-00007 (MAJOR CPA)

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, AMENDING THE SEDONA COMMUNITY PLAN FUTURE LAND USE
MAP BY RE-DESIGNATING APPROXIMATELY 3.36 ACRES OF PROPERTY
LOCATED AT 145 COPPER CLIFFS LANE FROM SINGLE FAMILY LOW DENSITY
RESIDENTIAL TO PLANNED AREA.**

WHEREAS, Arizona law (A.R.S. § 9-461.06) and the Sedona Community Plan (Chapter 9) require that any major amendments to the Community Plan are made only after a public hearing and approval of at least two-thirds of the City Council, and

WHEREAS, a major amendment, pursuant to A.R.S. § 9-461.06(H) is any “substantial alteration of the municipality’s land use mixture or balance” as defined by criteria set forth in the adopted Community Plan, and

WHEREAS, a major amendment under Chapter 9 of the Community Plan includes a change to the Future Land Use Map in land use designation from Residential to Planned Area, and

WHEREAS, an application for a major amendment to the Community Plan was properly submitted for consideration for the property designated herein, and

WHEREAS, the Sedona Planning and Zoning Commission duly considered the proposed major amendment on September 19, 2017 and approved said major amendment,

THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA:

1. The area to be re-designated consists of 3.36 acres of property located along the west of State Route 179 near the Canyon Drive roundabout, as depicted in Exhibit A. This property is further described as Coconino County Assessor’s Parcel No. 401-26-004.
2. That portion of the Sedona Community Plan Future Land Use Map depicting the aforementioned area is re-designated from “Single Family Low Density Residential” to “Planned Area.”
3. By making this re-designation of the Future Land Use Map, affected property owners have the opportunity to propose changes to the zoning of the designated property that are consistent with the Community Plan and Future Land Use Map as amended and the Sedona Land Development Code.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 25th day of October, 2017.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

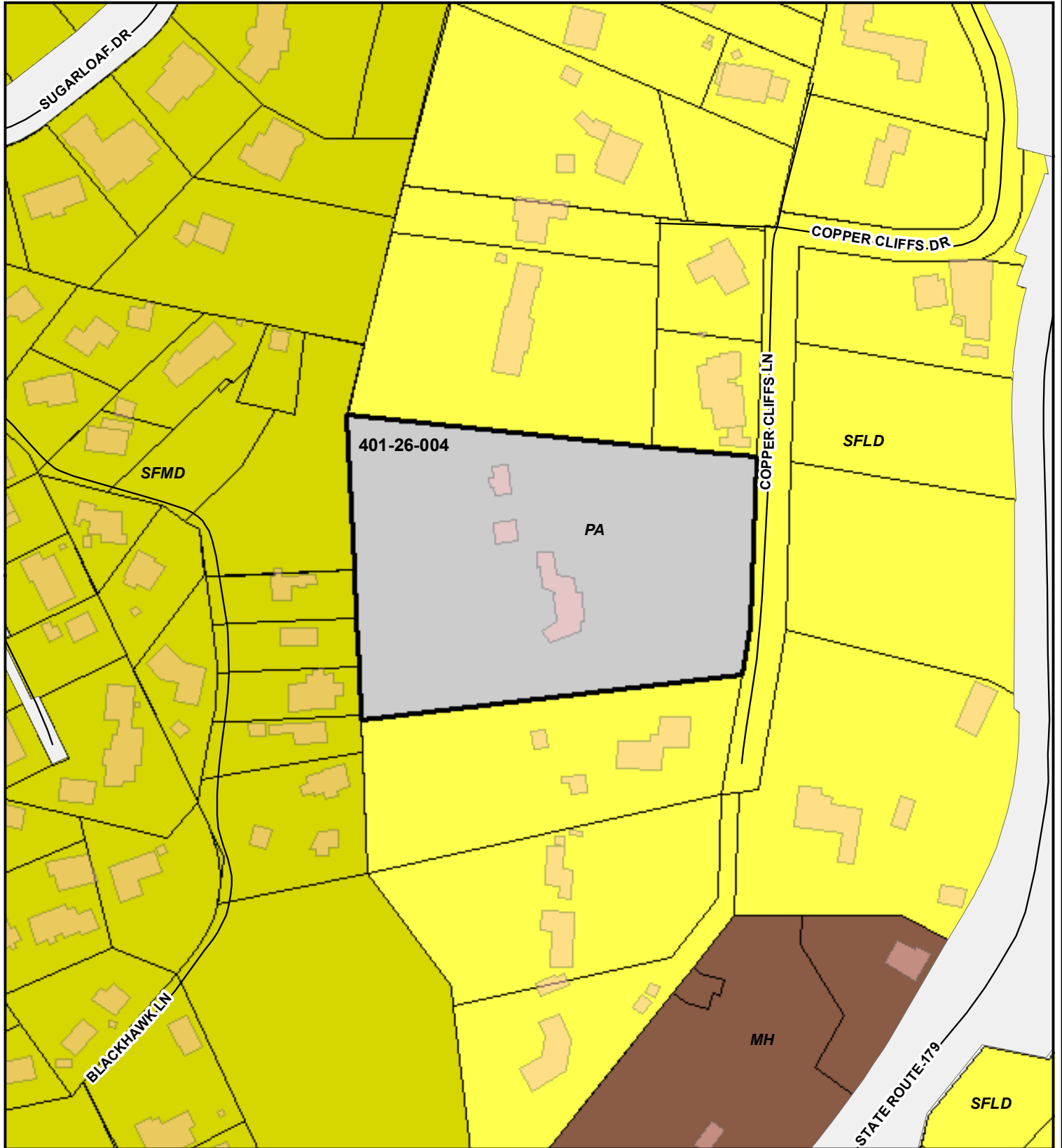
Robert L. Pickels, Jr., City Attorney

Exhibit A

PZ 17-0007 Sedona Hard Cider

Sedona Community Plan Future Land Use Map

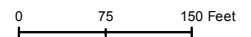
Major Community Plan Amendment Request: Single Family Low Density (.5-2 DU/AC) to PA (Planned Area)



Community Plan 2013

- SFLD Single Family Low Density (.5 to 2 DU/AC)
- SFMD Single Family Medium Density (2 to 4 DU/AC)
- PA Planned Area
- MH Mobile Home

- Street Centerline
- Building Footprint
- Parcel #401-26-004
- Parcel Boundary



This map is designed to provide as-is information only. The data is not accurate to engineering or surveying standards. The City of Sedona is not liable or responsible for loss or damages arising from the data contained on this map. GIS, City of Sedona. 09/26/2017 g:/projects/cd/staff/mikeraber/pswcat/mxs

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RESOLUTION NO. 2017-__
SEDONA HARD CIDER
ZONE CHANGE
PZ 17-00007 (ZC)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA, ESTABLISHING AS A PUBLIC RECORD THE TERMS OF PROPOSED REZONING OF COCONINO COUNTY ASSESSOR PARCEL NUMBER 401-26-004 CONTAINING APPROXIMATELY 3.36 ACRES FROM RS-18b (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT).

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA that the provisions set forth and the area to be rezoned and attached hereto and incorporated herein as Exhibit A entitled "PZ 17-00007 Sedona Hard Cider, Zoning Map, Legal Description and Conditions of Approval" constitutes a public record to be adopted by reference pursuant to A.R.S. § 9-802 into Ordinance No. 2017-__.

At least one (1) paper copy and one (1) electronic copy of this public record shall be kept in the office of the City Clerk for public use and inspection.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 25th day of October, 2017.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney

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ORDINANCE NO. 2017-__
SEDONA HARD CIDER ZONE CHANGE
PZ 17-00007 (ZC)

A ORDINANCE OF THE OF THE CITY OF SEDONA, ARIZONA, REZONING THAT PROPERTY DESCRIBED HEREIN FROM ITS PRESENT DESIGNATION OF RS-18b (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT); ESTABLISHING CONDITIONS OF SUCH REZONING; DIRECTING THE AMENDMENT OF THE ZONING MAP UPON COMPLETION OF ALL ZONING CONDITIONS SET FORTH HEREIN; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES OR ANY PART OF THE LAND DEVELOPMENT CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA AS FOLLOWS:

Section 1. Description and Rezoning

The subject property consists of Coconino County Assessor's Parcel 401-26-004, containing approximately 3.36 acres, and is located at 145 Copper Cliffs Lane, west of State Route 179 near the Canyon Drive roundabout in Sedona, Arizona. The owner/applicant desires to rezone the property from RS-18b (Single Family Residential) to PD (Planned Development).

The subject property that is currently zoned RS-18b (Single Family Residential) is hereby rezoned to PD (Planned Development), upon completion of all conditions as set forth in Exhibit A to Resolution 2017-__, based on conformance with the requirements for approval of a zone change and consistency and conformance with the Community Plan and subject to all applicable ordinance requirements.

Section 2. Zoning Map

The zoning maps of the City of Sedona shall be amended to reflect these zoning changes, and at least three (3) copies of the map shall be kept in the office of the City Clerk for public use and inspection.

Section 3. Repeal

All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 25th day of October, 2017.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney

PZ 17-00007 (ZC)

Exhibit D

**Public Comments received after Council packets for
the work session were distributed**

Mike Raber - Re: Community Plan Amendments

From: "eddies@npgcable.com" <eddies@npgcable.com>
To: "Mike Raber" <MRaber@sedonaaz.gov>
Date: 10/4/2017 11:57 AM
Subject: Re: Community Plan Amendments
Cc: <JClifton@SedonaAZ.gov>, <AJuhlin@SedonaAZ.gov>, <KOsburn@SedonaAZ.gov>, ...

Thank you, Mike, for this notice. Having attended so many meetings over the years when I actually believed public participation might make a difference, I no longer think that's necessarily true.

As for the multi-family proposed project (#3 - W89A & Pinon), since P & Z has approved it there's no reason to believe it won't sail through with City Council as well. Please understand, and for the record, I have no objection to mixed housing and the conceptual need. However, after the failed attempts with Nepenthe and Fairfield (presently Wyndham) and possibly other unfulfilled commitments there's little reason in my opinion to have any confidence that approval of additional affordable or work-force accommodations will not likewise fall through the cracks.

Although in all probability the project in West Sedona will sail through, and apparently without objection from surrounding properties, how much consideration has been given to ingress and, in particular, egress onto the busy 4-lane highway so close to the traffic light at Dry Creek Road?

As for extending the amendment to encompass changing the wording in the Community Plan in general (#2) it seems to be a great injustice to those of us who initially sat in sometimes all-day meetings during the formation of the original plan, where largely emphasis had been placed in avoiding high density and maintaining open space. With limited areas for build-out, disregarding that option especially now appears to be a tremendous injustice to those who actually thought incorporation of Sedona was set in motion to prevent this from happening.

To cut to the chase here, and based on failure of other examples (Nepenthe & Fairfield) that fell through the cracks and reneged to function as initially intended, would it be fair to request amending the entire Community Plan (#2) to please be held off pending the outcome and satisfaction of performance of the proposed Pinon Drive development if so approved? How fair would it be to subject the entirety of

remaining properties in Sedona to future multi-family projects without an actual example of success, which to date is not the case?

As for the #1 Graham to enhance the cider business that has existed in Sedona for as long as I can remember, it makes sense to approve the zone change in order to legitimately accommodate a couple of employees as I understand is the case. It seems an honorable act for the owner(s) of that property to follow the rules. Such as has *not* been the case with the ongoing expansion of Son Silver West, #4 now requesting rezoning for a parking lot for a business that has managed to breach city rules for years and at the expense of compromising the integrity of surrounding neighborhoods. This is another example of non-compliance, as was Nepenthe and Fairfield in a way, because they did not comply with their development agreements. However and of course, the proprietors of Son Silver West simply slipped through protocol with off-handed deals throughout the years and managed to avoid following the rules which were set in place to protect the rights of surrounding property owners. That type of disregard to regulation should not be tolerated and if they get away with it a terrible example will be on the books for others to potentially exploit.

Thanks again, Mike, for the opportunity to sound off. Rarely do I follow council meetings any more because my anticipation is that decisions prior to meetings are a foregone conclusion - *fait accompli* - so why bother. It's too frustrating. Observing public meetings relating to city procurement of garbage hauling service did me in. But for once a different sort of "fate" was on the side of the majority that opposed it simply because the terms of financing the service prevailed for our side. Praise the Lord!

Respectfully submitted,

Eddie Maddock

-----Original Message-----

From: [Mike Raber](#)

Date: 10/2/2017 3:09:12 PM

To: [Mike Raber](#)

Subject: Community Plan Amendments

Greetings:

You are receiving this in response to your interest in the proposed Major Amendments to the Sedona Community Plan.

The City of Sedona City Council will hold a work session on Wednesday, October 11, 2017 at 3:00 p.m. and a public hearing on Wednesday, October 25, 2017 at 3:00 p.m. in the City Hall Council Chambers located at 102 Roadrunner Drive, Sedona, AZ, to consider the Plan amendments. Attached is the public notice for the four proposals.

Michael Raber, Senior Planner
City of Sedona
102 Roadrunner Drive
Sedona, AZ 86336

928-204-7106
mraber@SedonaAZ.gov
Visit: www.SedonaAZ.gov
Be a fan on Facebook: www.Facebook.com/CityofSedonaAZ

Sedona City Hall is open for business Monday through Thursday from 7 a.m. to 6 p.m. and closed on Fridays. The Municipal Court and Wastewater system maintenance remain on a Monday through Friday, 8 a.m. to 5 p.m. schedule. Police and maintenance services are not impacted.



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Exhibit E: Summary Minutes: Planning & Zoning Commission
Public Hearing, September 19, 2017

Minutes are available at the following link:

<http://www.sedonaaz.gov/Home/ShowDocument?id=32231>

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**CITY COUNCIL
AGENDA BILL**

**AB 2293
October 25, 2017
Special Meeting**

Agenda Item: 3b

Proposed Action & Subject: Public hearing/discussion/possible action regarding a proposed Major Community Plan Amendment to the text of the Land Use, Housing and Growth Chapter (Chapter 3) to create a Multi-family High Density designation allowing for consideration of more than 12 dwelling units per acre for development projects that provide strategies for achieving housing diversity, affordability, and availability in order to address local housing needs. No specific properties have been identified or are being re-designated as part of this proposed amendment. A separate, privately-initiated Major amendment request for a Multi-family High Density apartment project (PZ 17-00009) is contingent upon this proposed text amendment. Applicant: City of Sedona. Case Number: PZ 17-00008 (Major CPA).

Department	Community Development
Time to Present	5 Minutes
Total Time for Item	1.5 Hours
Other Council Meetings	October 11, 2017 Council Work Session
Exhibits	A. Resolution for Major Text Amendments to the Sedona Community Plan B. Public Comments since Council's October 11 packet C. Summary Minutes: Planning and Zoning Commission Public Hearing – September 19, 2017

City Attorney Approval	Reviewed 10/15/17 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Approve a resolution for a text amendment to the Community Plan to create a Multi-Family High Density designation.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

The October 25, 2017 Public Hearing includes possible action by the Council on four proposed Major Community Plan Amendments, including the following item.

Major Community Plan Amendment Applications

There are four proposals under review which are considered Major Community Plan Amendments. While the City routinely considers proposals to amend the Community Plan, the decision of whether or not to make a particular amendment is a legislative policy choice left to the judgement and discretion of the Planning and Zoning Commission and City Council. In all four cases the Planning and Zoning Commission has evaluated the proposal and forwarded a recommendation to the City Council.

Factors to consider in making decisions on the proposals include:

- How the proposals relate to the community's vision, adopted plans, overall consistency with the goals and policies of the Sedona Community Plan.
- Determining whether such amendment is in the interest of the public and not detrimental to the community.

The Planning and Zoning Commission staff reports for each Future Land Use Map amendment proposal include an analysis of how the proposal addresses Community Plan goals by noting how they:

- Comply;
- Partially comply;
- Do not comply; or
- Are not applicable

Each application is:

- Evaluated based on its individual merit in meeting the Community Plan goals and policies.
- Not expected to meet or achieve each individual goal or policy.
- Expected to achieve several goals or policies.

By state law, Major Community Plan Amendments are:

- Considered once a year.
- A substantial alteration of the City's land use mixture or balance as established in the Plan's land use element. It is up to the City to develop criteria that meet this definition. The Major Amendment criteria are identified on page 113 of the Community Plan.
- Subject to public participation procedures adopted by the City Council.
- Required to be presented at a single public hearing in the same calendar year the proposal is made.
- Required to be approved by an affirmative vote of at least two-thirds of the members of the City Council.
- Initiated by the City or requested by the private sector.

Background:

The following is a summary of the proposal; for more specific information about the proposal and staff's analysis, please review the Planning and Zoning Commission's September 19, 2017 Staff Report provided in the October 11, 2017 Council packet. Public comments are

included in Exhibit B and the Planning and Zoning Commission's September 19, 2017 minutes are included in Exhibit C. The minutes for the Planning and Zoning Commission's work sessions held on August 15 and September 14, 2017 are located online at: <http://sedonaaz.gov/your-government/council-commissions-committees-boards/meetings-documents>.

The Sedona Community Plan has had a limit on multi-family residential density of 12 units per acre since it was first adopted in November 1991. Over the past several years, a number of developers have expressed a desire to develop apartment complexes, particularly to serve the local workforce. However, based on the unit sizes and price ranges that would provide a multi-family product to meet the demands of the local workforce, the densities needed to make a project feasible exceed 12 units per acre. Based on the current language in the Community Plan, those densities would not be supported.

- The limit of 12 units per acre has been a stumbling block for the type of housing development (unit size and price range) that provides more diverse and affordable housing options.
- The City is proposing a Major Community Plan Text Amendment to add a new land use designation of Multi-family High Density to allow for consideration of development of projects with a density greater than 12 units per acre if the project includes strategies for addressing local housing needs.
- The proposed text amendment would add a new designation to the Future Land Use Map and Land Use Element of the Community Plan
- The proposed text amendment would add an additional Land Use Policy addressing multi-family high density development.
- The proposed text amendment would not redesignate any specific properties to the new land use designation
- Another application (Pinon/89A Multi-family Project, PZ17-00009) is proposing to apply this designation to a property. This is included on the Council's October 11 and October 25 agendas.
- The text amendment must be approved for the Pinon/89A project to be considered
- Approval of the text amendment does not guarantee approval of the Pinon/89A proposal.
- Without approval of the text amendment, the Pinon/89A project cannot be considered.

The Sedona Community Plan does not currently have a Future Land Use Designation that allows for more than 12 units per acre. However, one of the "Six Major Outcomes" of the Community Plan is Housing Diversity and the Land Use, Housing, and Growth element encourages "...diverse and affordable housing options". The Plan's Density limit does not align with this goal.

- The proposed text amendment is intended to better align Community Plan density with the Community Plan's goals and outcomes.
- In order to be able to consider applications that propose more than 12 units per acre, a new Land Use Designation is needed.
- Text amendment provides a process to consider projects with higher densities.

Community Plan Amendment Proposal

The proposed text amendments are as follows:

1. Future Land Use Map – page 27 and 51. Add the following to the Map legend:
“Multi-family High Density (Greater than 12 DU/AC)”
2. Page 26 – Multi-family Residential. Add the following:
“High Density multi-family projects may exceed densities of 12 DU/AC on a case-by-case basis through consideration of strategies for achieving housing diversity, affordability and availability to address local housing needs.”
3. Page 54 – Policies. Add a new policy #17:
“Allow densities greater than 12 dwelling units per acre through consideration of projects with strategies for achieving housing diversity, affordability and availability to address local housing needs in areas designated for Multi-family High Density”.

Evaluation of Proposal

The Sedona Community Plan notes that:

- A sustainable community offers a range of housing types by providing opportunities for people to live near jobs, shopping and services, which enable shorter trips, the use of alternative transportation, and a reduction in traffic congestion.
- Apartments provide a versatile housing type from the point of view of both individuals and developers
- Apartments make up 4 percent of Sedona’s housing units compared with the statewide average of 22 percent

One of the reasons the City has a low percentage of apartment housing is the density limit of 12 units per acre. This has often been cited as too low to support diverse multi-family housing options, including affordable units. Given the current density maximum of 12 units per acre, developers do not have the option of building more units and will instead build larger units in order to recoup their investment, leading to higher price points.

There are only two scenarios where multi-family housing of more than 12 units per acre can be approved:

- The City’s existing RM-3 (High Density Multi-family Residential District) allows a maximum of 20 units per acre. Though the City has had this zoning district since incorporation, the density limits in the Community Plan have not allowed new rezonings to this district.
- The current Community Plan includes a provision for residential densities greater than 12 units per acre in Community Focus Areas (CFAs) through the approval of a CFA plan. However, there are currently no opportunities for higher densities to be considered in areas outside of a CFA or in areas where a CFA plan has not been adopted.

In exploring options to address the current shortage of housing, Staff felt it was necessary to have a mechanism through the Community Plan to consider higher densities. The proposed text amendment would allow for the consideration of residential densities higher than 12 units per acre under certain circumstances.

In order to implement the text amendment, any new multi-family development proposing more than 12 units per acre would have to:

- Obtain a Major Amendment to the Community Plan's Future Land Use Map.
- Obtain a rezoning approval. During the rezoning process, the project would be reviewed for compliance with the Community Plan language regarding the circumstances under which higher density residential development can be considered. A rezoning to the RM-3, PD (Planned Development) or PRD (Planned Residential Development) could be considered.

One of the comments brought up during the City's public outreach was that this proposal would not create enough of an incentive for developers to propose multi-family high density projects. Some of the other hurdles that were identified include the following:

- Need for a Major Community Plan Amendment
- City Fees (Sewer Fees, Development Impact Fees, Building Permit Fees)
- High Cost of Land

Staff recognizes that these all play a role in the difficulties that are encountered for developers desiring to build multi-family high density projects. However, before any of these items can be addressed, the first question that needs to be answered is whether or not the Community Plan is supportive of multi-family high density projects. Currently, with the density cap of 12 units per acre, the Community Plan is not supportive of multi-family high density projects, so trying to address the other hurdles is not a prudent use of resources. If the proposed Community Plan Text Amendment is approved, with City Council direction, Staff can begin to explore solutions that may address the other hurdles identified by developers.

For example, if given direction from Council, Staff could bring forward another Community Plan Amendment that would change the major amendment criteria so that a project that applies for the Multi-family High Density designation and meets the criteria could be considered as a Minor Amendment rather than a Major Amendment.

Summary

What the amendment will do:

- Create a process through which multi-family housing proposals with densities greater than 12 units per acre could be considered on a case-by-case basis.

What the amendment will not do:

- Change any property or result in any new "on-the-ground" development projects.
- Provides new entitlements to property owners.
- Create "affordable housing" projects.

Findings of Fact

- The Community Plan limits residential densities to 12 units per acre.

- The City has an extremely limited supply of multi-family developments and multi-family zoned land.
- One of the 6 desired outcomes of the 2014 Community Plan is Housing Diversity and the plan housing goals include encouraging diverse and affordable housing.
- Potential multi-family developers have cited the City's density cap of 12 units per acre as a significant impediment to development of multi-family projects.
- The State of Arizona's recent passage of SB 1350 has further tightened the Sedona housing market as many houses are being converted into short term rentals.
- Without a mechanism to consider multi-family projects with densities greater than 12 units per acre, it is unlikely that development of workforce housing will be feasible in Sedona.
- There may still be hurdles to seeing multi-family high density housing developed in Sedona. If given City Council direction to do so, Staff can explore other ways to incentivize development of multi-family high density residential projects.

Staff Recommendation

Based on the above findings, staff recommended that the Commission forward a recommendation of approval to Council for this request.

Planning and Zoning Commission Recommendation

The Planning and Zoning Commission held two work sessions and one public hearing on this item. The Commissioners discussed the proposal at length. Comments were focused mostly on whether or not to place an upper limit on the density. The Commission discussed placing a "cap" of 20 units per acre on the density. However, after discussing the effects of current development regulations (e.g. building height, parking, lot coverage) on new development, the Commission believed that these regulations will help limit the maximum number of units per acre and felt that a cap was not necessary.

Public comment in the meetings included traffic concerns, the lack of a "cap" on the density and that the amendment provides an opportunity to accomplish Community Plan goals and provide needed housing.

At the September 19, 2017 public hearing, the Planning and Zoning Commission moved to forward a recommendation of approval for the Major Amendment to the Community Plan.

Community Plan Consistent: Yes - No - Not Applicable

Staff believes that the proposed text amendment is in compliance with applicable Community Plan goals as enumerated in this Agenda Bill, the Planning and Zoning Commission Staff Report and accompanying background material.

Board/Commission Recommendation: Applicable - Not Applicable

On September 19, 2017, the Planning and Zoning Commission, in a 5-0 vote (Commissioners Levin and Cohen excused) unanimously recommended City Council approval of this item.

Alternative(s): N/A

MOTION

Major Community Plan Amendment Approval

Note: By state law, approval of a Major Community Plan amendment requires a 2/3 vote of the Council members.

I move to: approve Resolution No. 2017-____, amending the Sedona Community Plan text to create a Multi-family High Density designation allowing for consideration of more than 12 dwelling units per acre for projects that provide strategies to address local housing needs.

Major Community Plan Amendment Denial

I move to: deny case number PZ 17-00008 (Major CPA) amending the Sedona Community Plan text to create a Multi-family High Density designation allowing for consideration of more than 12 dwelling units per acre for projects that provide strategies to address local housing needs.

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RESOLUTION NO. 2017-__
MODIFICATION TO THE TEXT OF THE SEDONA COMMUNITY PLAN
MAJOR COMMUNITY PLAN AMENDMENT
PZ 17-00008 (MAJOR CPA)

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, AMENDING THE SEDONA COMMUNITY PLAN BY CREATING A MULTI-
FAMILY HIGH DENSITY LAND USE DESIGNATION.**

WHEREAS, Arizona law (A.R.S. § 9-461.06) and the Sedona Community Plan (Chapter 9) require that any major amendments to the Community Plan are made only after a public hearing and approval of at least two-thirds of the City Council, and

WHEREAS, a major amendment, pursuant to A.R.S. § 9-461.06(H) is any “substantial alteration of the municipality’s land use mixture or balance” as defined by criteria set forth in the adopted Community Plan, and

WHEREAS, a major amendment under Chapter 9 of the Community Plan includes a change to the Future Land Use Map where a new land use designation is applied to the Map, a modification to the text of the Community Plan that proposes a change in the density ranges within the residential land use categories or a change in the intensity of use in any land use category, substantial changes to goals and policies in the Land Use, Housing and Growth chapter and addition of a new land use designation, and

WHEREAS, an application for a major amendment to the Community Plan was properly submitted for consideration for the text amendment designated herein, and

WHEREAS, the Sedona Planning and Zoning Commission duly considered the proposed major amendment on September 19, 2017 and approved said major amendment,

THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA:

1. That a major amendment to the Community Plan is hereby made to create a Multi-Family High Density designation, as depicted in Exhibit A hereto, allowing for consideration of more than 12 dwelling units per acre for development projects that provide strategies for achieving housing diversity, affordability and availability in order to address local housing needs.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 25th day of October, 2017.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney

Exhibit A

PZ 17-00008 Multifamily High Density Sedona Community Plan Future Land Use Map Legend Major Community Plan Text Amendment Request

Legend
















-  Single Family Very Low Density (0 to .5 DU/AC)
-  Single Family Low Density (.5 to 2 DU/AC)
-  Single Family Medium Density (2 to 4 DU/AC)
-  Single Family High Density (4 to 8 DU/AC)
-  Multi Family Medium Density (4 to 8 DU/AC)
-  Multi Family Medium & High Density (4 to 12 DU/AC)
-  **NEW DESIGNATION** Multi Family High Density (more than 12 DU/AC)
-  Mobile Home
-  Commercial
-  Commercial / Lodging
-  Planned Area
-  Public / Semi-Public
-  Parks
-  National Forest & other Natural Open Space
-  Equestrian Area

Exhibit A

PZ 17-00008 Multi-family High Density

Major Community Plan Text Amendment

Sedona Community Plan page 26 – Multi-family residential. Add the following:

“High Density multi-family projects may exceed densities of 12 DU/AC on a case-by-case basis through consideration of strategies for achieving housing diversity, affordability and availability to address local housing needs”.

Sedona Community Plan page 54 – Policies. Add a new policy #17:

“Allow densities greater than 12 dwelling units per acre through consideration of projects with strategies for achieving housing diversity, affordability and availability to address local housing needs in areas designated for Multi-family High Density”.

PZ 17-00008 (Major CPA)

Exhibit B

**Public Comments received after Council
Work session packets were distributed**

Mike Raber - City of Sedona: Comments on Plan Amendment Proposal

From: <donotreply@sedonaaz.gov>
To: <mraber@sedonaaz.gov>, <wcampbell@sedonaaz.gov>
Date: 10/2/2017 2:50 PM
Subject: City of Sedona: Comments on Plan Amendment Proposal

A new entry to a form/survey has been submitted.

Form Name: Comments on Community Plan Amendment Proposals
Date & Time: 10/02/2017 2:49 p.m.
Response #: 14
Submitter ID: 282
IP address: 73.36.70.60
Time to complete: 35 min. , 34 sec.

Survey Details

Page 1

We want to hear what you think. Please share your thoughts below. If you have questions about a proposal, please enter your contact information so that we can respond. Please note that all information submitted (including name and addresses) will become part of the public record and will be available for public inspection.

1. Proposal Name:

Multifamily High Density Plan Amendment Proposal

2.

What are your comments, concerns, ideas, and suggestions about this proposal?

Comments:

I am writing in support of the proposed amendment. The City of Sedona is in real need of affordable housing to support the local citizens that work and live in the city, but can't afford to live there. I and my family have been property owners in Sedona since 1973, and over time, see how its development has fallen behind similar cities with the same population and standing.

The Proposed Amendment seems to address the process by adding a new Land Use Category to support local residents.

3. Your contact information

Name: Betsy Goltermann
Mailing Address: 326 S. Prospect Ave., Elmhurst IL
E-mail: egoltermann@gmail.com

4. **Would you like to receive notices about this proposal, such as public meeting dates?**

(o) No

Thank you,
City of Sedona

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

Mike Raber - Re: Community Plan Amendments

From: "eddies@npgcable.com" <eddies@npgcable.com>
To: "Mike Raber" <MRaber@sedonaaz.gov>
Date: 10/4/2017 11:57 AM
Subject: Re: Community Plan Amendments
Cc: <JClifton@SedonaAZ.gov>, <AJuhlin@SedonaAZ.gov>, <KOsburn@SedonaAZ.gov>, ...

Thank you, Mike, for this notice. Having attended so many meetings over the years when I actually believed public participation might make a difference, I no longer think that's necessarily true.

As for the multi-family proposed project (#3 - W89A & Pinon), since P & Z has approved it there's no reason to believe it won't sail through with City Council as well. Please understand, and for the record, I have no objection to mixed housing and the conceptual need. However, after the failed attempts with Nepenthe and Fairfield (presently Wyndham) and possibly other unfulfilled commitments there's little reason in my opinion to have any confidence that approval of additional affordable or work-force accommodations will not likewise fall through the cracks.

Although in all probability the project in West Sedona will sail through, and apparently without objection from surrounding properties, how much consideration has been given to ingress and, in particular, egress onto the busy 4-lane highway so close to the traffic light at Dry Creek Road?

As for extending the amendment to encompass changing the wording in the Community Plan in general (#2) it seems to be a great injustice to those of us who initially sat in sometimes all-day meetings during the formation of the original plan, where largely emphasis had been placed in avoiding high density and maintaining open space. With limited areas for build-out, disregarding that option especially now appears to be a tremendous injustice to those who actually thought incorporation of Sedona was set in motion to prevent this from happening.

To cut to the chase here, and based on failure of other examples (Nepenthe & Fairfield) that fell through the cracks and reneged to function as initially intended, would it be fair to request amending the entire Community Plan (#2) to please be held off pending the outcome and satisfaction of performance of the proposed Pinon Drive development if so approved? How fair would it be to subject the entirety of

remaining properties in Sedona to future multi-family projects without an actual example of success, which to date is not the case?

As for the #1 Graham to enhance the cider business that has existed in Sedona for as long as I can remember, it makes sense to approve the zone change in order to legitimately accommodate a couple of employees as I understand is the case. It seems an honorable act for the owner(s) of that property to follow the rules. Such as has *not* been the case with the ongoing expansion of Son Silver West, #4 now requesting rezoning for a parking lot for a business that has managed to breach city rules for years and at the expense of compromising the integrity of surrounding neighborhoods. This is another example of non-compliance, as was Nepenthe and Fairfield in a way, because they did not comply with their development agreements. However and of course, the proprietors of Son Silver West simply slipped through protocol with off-handed deals throughout the years and managed to avoid following the rules which were set in place to protect the rights of surrounding property owners. That type of disregard to regulation should not be tolerated and if they get away with it a terrible example will be on the books for others to potentially exploit.

Thanks again, Mike, for the opportunity to sound off. Rarely do I follow council meetings any more because my anticipation is that decisions prior to meetings are a foregone conclusion - fait accompli - so why bother. It's too frustrating. Observing public meetings relating to city procurement of garbage hauling service did me in. But for once a different sort of "fate" was on the side of the majority that opposed it simply because the terms of financing the service prevailed for our side. Praise the Lord!

Respectfully submitted,

Eddie Maddock

-----Original Message-----

From: [Mike Raber](#)
Date: 10/2/2017 3:09:12 PM
To: [Mike Raber](#)
Subject: Community Plan Amendments

Greetings:

You are receiving this in response to your interest in the proposed Major Amendments to the Sedona Community Plan.

The City of Sedona City Council will hold a work session on Wednesday, October 11, 2017 at 3:00 p.m. and a public hearing on Wednesday, October 25, 2017 at 3:00 p.m. in the City Hall Council Chambers located at 102 Roadrunner Drive, Sedona, AZ, to consider the Plan amendments. Attached is the public notice for the four proposals.

Michael Raber, Senior Planner
City of Sedona
102 Roadrunner Drive
Sedona, AZ 86336

928-204-7106
mraber@SedonaAZ.gov
Visit: www.SedonaAZ.gov
Be a fan on Facebook: www.Facebook.com/CityofSedonaAZ

Sedona City Hall is open for business Monday through Thursday from 7 a.m. to 6 p.m. and closed on Fridays. The Municipal Court and Wastewater system maintenance remain on a Monday through Friday, 8 a.m. to 5 p.m. schedule. Police and maintenance services are not impacted.



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Mike Raber - Diverse/Workforce Housing

From: Vivian Micheli <vmicheli@shradermartinez.com>
To: "MRaber@sedonaaz.gov" <MRaber@sedonaaz.gov>
Date: 10/10/2017 3:21 PM
Subject: Diverse/Workforce Housing

Hello,

Please forward this to Council. I agree with the following proposals.

1. A Community Plan amendment to allow up to 20 units per acre on commercial sites (that will include housing), an increase from our current 12 units per acre. With the high cost of land, developers need this bump to make a project work financially.
2. If the amendment passes, there is a proposed new 45 unit apartment complex on the corner of 89A and Pinion Drive, behind Relics, that will be built.

It's a shame that Sedona has not had a new apartment complex in 20 years. We depend on many people who work for our businesses that commute from the Verde Valley.



Vivian Micheli | Senior Accounting Analyst
Shrader & Martinez Construction Inc.
O 928-282-7554 x 2237 | F 928-852-3722
www.shradermartinez.com

Mike Raber - Community Plan amendment - October 25 Vote

From: Sharon Needham <sharonneedham1@gmail.com>
To: <MRaber@sedonaaz.gov>
Date: 10/10/2017 2:32 PM
Subject: Community Plan amendment - October 25 Vote

Dear Sir,

I've just been informed about the Community Plan amendment, and the subsequent proposal for building a new 45-unit apartment complex at the corner of 89A and Pinion Drive - if the amendment is passed.

I'm a newly divorced woman who relocated from Flagstaff to the Sedona area for the quality of life and the job opportunities available here.

For people such as myself (single income), finding a place to live close to work is extremely important, both financially and emotionally. I currently drive 45 minutes to work. The financial aspects can be daunting, especially if something happens to your vehicle and you don't have an alternate source of transportation available.

I plan to work and retire in this area. The addition of more long-term, permanent rentals would be a blessing for me, and others, I'm sure!

Please approve the two proposals. I would happily be one of the first people to apply for a rental agreement at the new complex.

Thank you for your consideration - and all of the hard work you do to continually improve the quality of life in Sedona.

With best regards,

Sharon Needham

Exhibit C: Summary Minutes: Planning & Zoning Commission
Public Hearing, September 19, 2017

Minutes are available at the following link:

<http://www.sedonaaz.gov/Home/ShowDocument?id=32231>

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**CITY COUNCIL
AGENDA BILL**

**AB 2294
October 25, 2017
Special Meeting**

Agenda Item: 3c

Proposed Action & Subject: Public Hearing/discussion/possible action regarding an application for a Major Community Plan Amendment to the Future Land Use Map from “Commercial”, within the Lodging Area Limits to “Multi-Family High Density (Greater than 12 DU/AC)” and outside the Lodging Area Limits to allow for the development of a 45 unit apartment complex. The property is located at 3285 W State Route 89A, at the southeastern corner of the intersection of W State Route 89A and Pinon Drive. APN: 408-11-086A Applicant: Keith Holben, MK Company, Inc. Case Number: PZ17-00009 (Major CPA).

Department	Community Development
Time to Present	5 Minutes
Total Time for Item	1 Hour
Other Council Meetings	October 11, 2017
Exhibits	A. Resolution for Major Amendment to the Sedona Community Plan B. Public Comments since Council’s October 11 packet C. Summary Minutes: Planning and Zoning Commission Public Hearing – September 19, 2017

City Attorney Approval	Reviewed 10/15/17 RLP	Expenditure Required	\$ 0
City Manager’s Recommendation	Approve an amendment to the Community Plan Future Land Use Map to Multi-Family High Density at 3285 W SR 89A.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

The October 25, 2017 Public Hearing includes possible action by the Council on four proposed Major Amendments to the Sedona Community Plan, including the following item.

Major Plan Amendment Applications

There are four proposals under review which are considered Major Community Plan Amendments. While the City routinely considers proposals to amend the Community Plan, the decision of whether or not to make a particular amendment is a legislative policy choice left to the judgment and discretion of the Planning and Zoning Commission and City Council.

In all four cases the Planning and Zoning Commission has evaluated the proposal and forwarded a recommendation to the City Council.

Factors to consider in making decisions on the proposals:

- How the proposals relate to the community's vision, adopted plans, overall consistency with the goals and policies of the Sedona Community Plan.
- Determining whether such amendment is in the interest of the public and not detrimental to the community.

The Planning and Zoning Commission staff reports for each Future Land Use Map amendment proposal include an analysis of how the proposal addresses Community Plan goals by noting how they:

- Comply;
- Partially comply;
- Do not comply; or
- Are not applicable.

Each application is:

- Evaluated based on its individual merit in meeting the Community Plan goals and policies.
- Not expected to meet or achieve each individual goal or policy.
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By state law, Major Community Plan Amendments are:

- Considered once a year.
- A substantial alteration of the City's land use mixture or balance as established in the Plan's land use element. It is up to the City to develop criteria that meet this definition. The Major Amendment criteria are identified on page 113 of the Community Plan.
- Subject to public participation procedures adopted by the City Council.
- Required to be presented at a single public hearing in the same calendar year the proposal is made.
- Required to be approved by an affirmative vote of at least two-thirds of the members of the City Council.
- Initiated by the City or requested by the private sector.

Background:

The following is a summary of the proposal; for more specific information about the proposal and staff's analysis, please review the Planning and Zoning Commission's September 19, 2017, Staff Report provided in the October 11, 2017 City Council Packet. Public comments are included in Exhibit B. The minutes for the Planning and Zoning Commission's September 19, 2017 public hearing are included in Exhibit C.

The minutes for the Planning and Zoning Commission's meetings held on August 15, September 14, and September 19 are located online at <http://sedonaaz.gov/your-government/council-commissions-committees-boards/meetings-documents>.

The property under consideration is located in west Sedona at the corner of State Route 89A and Pinon Drive. It is currently vacant, approximately 2.25 acres in size, zoned General

Commercial (C-2), designated Commercial on the Future Land Use Map, and is located within the Lodging Area Limits as defined by the Community Plan (page 28 of the plan).

The applicant is seeking approvals that would allow for the construction of a 45 unit apartment complex. The applicant first met with City Staff in early 2017 to discuss the potential of developing the site as an apartment complex, including the various approvals that would be needed to facilitate the proposed development. The application was submitted in May 2017. As this project is contingent upon two separate Major Community Plan Amendments (City initiated text amendment for a new Multi-family High Density Land Use Designation and applicant initiated map amendment), the applicant is only requesting a conceptual review of the zone change and development review applications at this time. If both Major CPAs are approved, the applicant will move forward with the comprehensive zoning and development review.

Community Plan Amendment Proposal

The proposed map amendments are as follows:

1. Redesignate the property's Future Land Use designation from Commercial to Multi-family High Density, Greater than 12 DU/AC (dwelling units/acre); and
2. Redraw the Lodging Area Limits (Community Plan, page 28) to exclude this property.

Need for a Major Community Plan Amendment

Although the City's RM-3 (High Density Multi-family Residential) zoning district allows up to 20 dwelling units per acre (DU/AC), the Sedona Community Plan limits density to 12 DU/AC unless an adopted Community Focus Area (CFA) Plan allows for the consideration of densities greater than 12 DU/AC. These plans, however, are approved on a case-by-case basis according to the specific needs identified for each CFA. Consequently, there are no opportunities for higher densities to be considered on the Community Plan's Future Land Use Map without an adopted CFA Plan that supports the higher densities.

A separate City-initiated text amendment to the Sedona Community Plan would be necessary in order to approve this request, and is currently being considered under PZ17-00008 and is included on Council's October 11th and October 25th agendas. The City-initiated amendment, as currently proposed, would require that development in this land use category provide strategies for achieving housing diversity, affordability, and availability in order to address local housing needs. If the proposed map amendment is approved, any future rezonings on this parcel would be evaluated for compliance with these requirements.

Dry Creek Community Focus Area (CFA) and Community Plan

The subject property is located within the Community Plan's Dry Creek CFA. CFAs are identified in the Community Plan (page 34), and are described as:

A Community Focus Area (CFA) is a location where the City will play a proactive planning role to implement the community's vision. With participation from property owners, neighbors, and stakeholders, the City will develop a Specific Plan, including any necessary rezoning, for adoption by the City Council. These Specific Plans may be adopted to bring properties into closer alignment with community expectations as expressed on the following pages. The specific planning process is intended to maintain flexibility for future creativity and innovation. The "Community Expectations"

listed on each CFA page describe future conditions for each area that the Plan will strive to achieve over time. These Community Expectations are not intended as definitive requirements, but to provide guidance for community-level planning efforts.

Although the City has not yet adopted a CFA plan for this area, the Community Expectations for the Dry Creek CFA are one component of the Community Plan that are used for this analysis and will be used in the evaluation of a future Zone Change request. The following are the Community Expectations for this CFA (Community Plan, page 39).

- *Provide mixed uses and a more walkable environment that build on the variety of civic, social, service, and visitor oriented uses already in place.*
- *Provide buffering and land use alternatives as transitions between more intensive commercial and residential uses and adjacent single-family neighborhoods.*
- *Preserve natural open space along SR 89A.*
- *Focus on the general needs discussed for the West Sedona Corridor.*

The Community Plan Checklist (included in Exhibit A of the Council's October 11, 2017 packet) provides a full evaluation of the proposal in relation to applicable Community Plan goals, policies, and CFA Expectations. In addition to the CFA Expectations listed above, the following is a summary of the goals and policies this project addresses:

1. Land Use, Housing, and Growth Goals
 - a. Grow only within currently established residential and commercial limits
 - b. Create mixed use, walkable districts
 - c. Encourage diverse and affordable housing options
2. Circulation Goals
 - a. Reduce dependency on single-occupancy vehicles
 - b. Provide for safe and smooth flow of traffic
 - c. Create a more walkable and bike-able community
3. Environment Goals; Parks, Recreation, and Open Space Goals
 - a. Preserve and protect the natural environment
4. Economic Development Goals
 - a. Support locally owned businesses

Implications of Consideration of Major CPA without comprehensive Zone Change application
As the Council will not be acting on the zoning portion of the application at this time, it is important to consider the implications of the current Community Plan Future Land Use Designation in comparison to the proposed designation, including the following:

- The proposed designation would change the parcel from Commercial to Multi-family High Density Residential on the Future Land Use Map. This would require that any proposed development that is not consistent with the current C-2 (General Commercial) zoning be reviewed for compliance with the Multi-family High Density Residential land use category, including the provisions for addressing local housing needs.
- The parcel is currently located within the Community Plan's Lodging Area Limits. The Community Plan does not require a Community Plan amendment for properties designated "Commercial" and located within the Lodging Area Limits when a new

lodging use is proposed. Without the proposed amendment, a proposed lodging use on this parcel would only require a Zone Change application. In addition to redesignating the map from Commercial to Multi-family High Density, the applicant's proposal removes the property from the Lodging Area Limits as identified in the Community Plan. As a result, if approved, a Major Community Plan Amendment would be required for a Lodging rezoning on this parcel to be considered in the future.

Findings of Fact

- The current Future Land Use Designation is Commercial, within the Lodging Area Limits.
- The surrounding properties have Future Land Use Designations of Commercial, Commercial/Lodging, Multi-family Residential, and Single-family Residential.
- The Multi-family High Density proposed Future Land Use Designation is compatible with surrounding Future Land Use Designations.
- The property is located within the Sedona Community Plan's Dry Creek CFA.
- There is no CFA plan for the Dry Creek CFA.
- The Multi-family High Density proposed Future Land Use Designation addresses the Dry Creek CFA's Community Expectations.

Staff Recommendation

Staff recommended that the Commission forward a recommendation of approval to Council for this request based on compliance with applicable Community Plan goals as enumerated in this Agenda Bill, the Planning and Zoning Commission Staff Report and accompanying background material (Exhibit A of Council's October 11, 2017 packet).

Planning & Zoning Commission Recommendation

The Planning and Zoning Commission held one site visit, two work sessions, and one public hearing on this item. During the work sessions the Commissioners discussed the proposal at length. Comments and concerns related to the Community Plan Amendment included the following:

- Concern about high density multi-family housing and the impacts it could have on the City.
- Support for projects that increase housing options within the City.

At the September 19, 2017 public hearing the Planning and Zoning Commission moved to forward a recommendation of approval to the City Council regarding the Major Community Plan Amendment.

Community Plan Consistent: Yes - No - Not Applicable

Staff believes that the proposed amendment to the Future Land Use Map is in compliance with applicable Community Plan goals as enumerated in this Agenda Bill, the Planning and Zoning Commission Staff Report and accompanying background material (Exhibit A).

Board/Commission Recommendation: Applicable - Not Applicable

On September 19, 2017, the Planning and Zoning Commission, in a 5-0 vote (Commissioners Levin and Cohen excused), unanimously recommended City Council approval of this item.

Alternative(s): N/A

MOTION

Major Community Plan Amendment Approval

Note: By state law, approval of a Major Community Plan amendment requires a 2/3 vote of the Council members.

I move to: approve Resolution No. 2017-____, amending the Sedona Community Plan Future Land Use Map by re-designating the subject property from Commercial, within the Lodging Area Limits, to Multi-family High Density and outside of the Lodging Area Limits.

Major Community Plan Amendment Denial

I move to: deny case number PZ 17-00009 (Major CPA) amending the Sedona Community Plan Future Land Use Map by re-designating the subject property from Commercial, within the Lodging Area Limits, to Multi-family High Density and outside of the Lodging Area Limits.

RESOLUTION NO. 2017-__
PINON/89A
MAJOR COMMUNITY PLAN AMENDMENT
PZ 17-00009 (MAJOR CPA)

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, AMENDING THE SEDONA COMMUNITY PLAN FUTURE LAND USE
MAP BY RE-DESIGNATING APPROXIMATELY 2.25 ACRES OF PROPERTY
LOCATED AT 3285 W STATE ROUTE 89A FROM COMMERCIAL, WITHIN THE
LODGING AREA LIMITS, TO MULTI-FAMILY HIGH DENSITY AND OUTSIDE OF
THE LODGING AREA LIMITS.**

WHEREAS, Arizona law (A.R.S. § 9-461.06) and the Sedona Community Plan (Chapter 9) require that any major amendments to the Community Plan are made only after a public hearing and approval of at least two-thirds of the City Council, and

WHEREAS, a major amendment, pursuant to A.R.S. § 9-461.06(H) is any “substantial alteration of the municipality’s land use mixture or balance” as defined by criteria set forth in the adopted Community Plan, and

WHEREAS, a major amendment under Chapter 9 of the Community Plan includes a change to the Future Land Use Map where there is an increase in residential density above 12 DU/AC, and

WHEREAS, an application for a major amendment to the Community Plan was properly submitted for consideration for the property designated herein, and

WHEREAS, the Sedona Planning and Zoning Commission duly considered the proposed major amendment on September 19, 2017 and approved said major amendment,

THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA:

1. The area to be re-designated consists of 2.25 acres of property located at the southeast corner of the intersection of W State Route 89A and Pinon Drive, as depicted in Exhibit A. This property is further described as Yavapai County Assessor’s Parcel No. 408-11-086A.
2. That portion of the Sedona Community Plan Future Land Use Map depicting the aforementioned area is re-designated from “Commercial,” within the Lodging Area Limits to “Multi-Family High Density” and outside of the Lodging Area Limits as depicted in Exhibits A & B.
3. By making this re-designation of the Future Land Use Map, affected property owners have the opportunity to propose changes to the zoning of the designated

property that are consistent with the Community Plan and Future Land Use Map as amended and the Sedona Land Development Code.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 25th day of October, 2017.

Sandra J. Moriarty, Mayor

ATTEST:

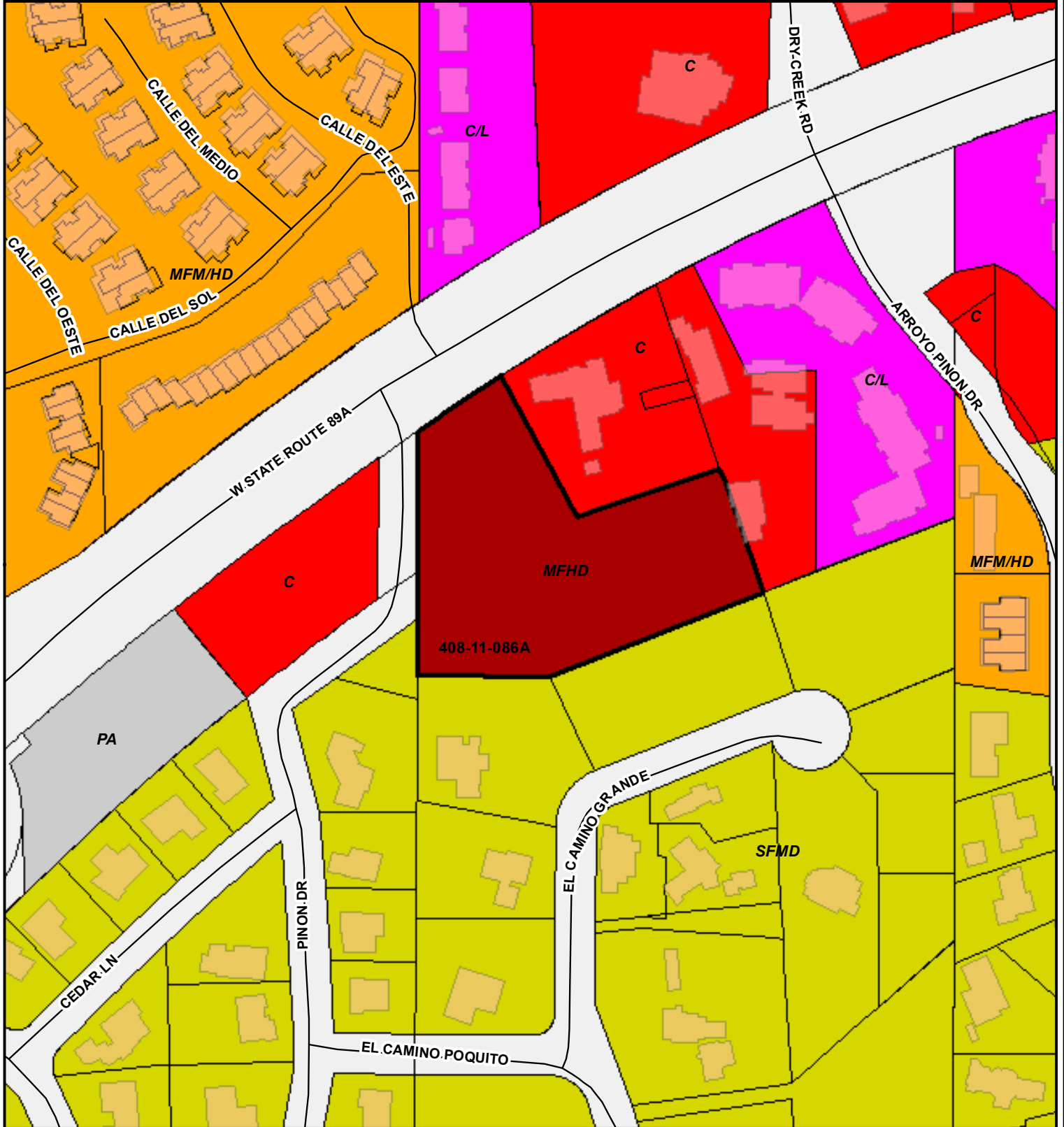
Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney

Exhibit A
PZ 17-00009 Pinon/89A Multifamily
Sedona Community Plan Future Land Use Map

Major Community Plan Amendment Request: Commercial to Multi-Family High Density (Greater than 12 DU/AC)



Community Plan 2013

- SFMD Single Family Medium Density (2 to 4 DU/AC)
- MFM/HD Multi Family Medium & High Density (4 to 12 DU/AC)
- MFHD Multi Family High Density (Greater than 12 DU/AC)
- C Commercial
- C/L Commercial / Lodging
- PA Planned Area

- Street Centerline
- Building Footprint
- Parcel #408-11-086A
- Parcel Boundary

0 75 150 Feet

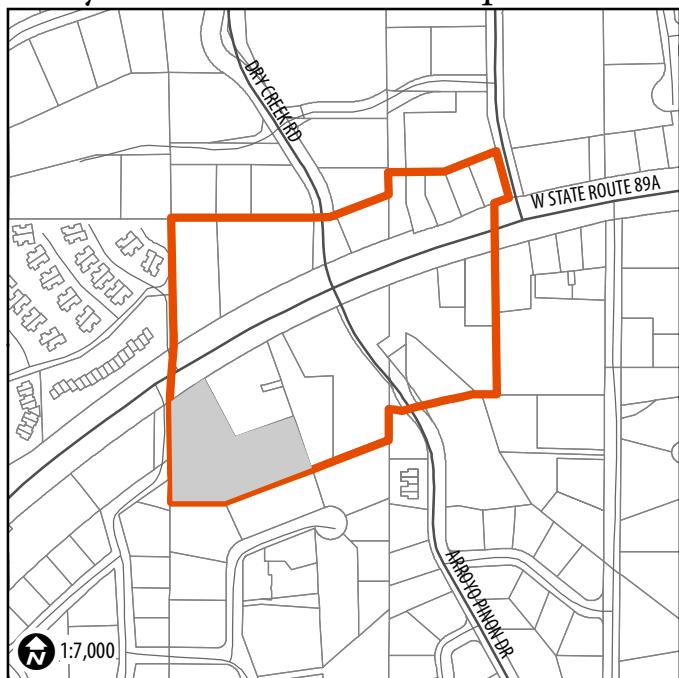


This map is designed to provide as-is information only. The data is not accurate to engineering or surveying standards. The City of Sedona is not liable or responsible for loss or damages rising from the data contained on this map.
 GIS, City of Sedona. 09/27/2017
 g:/projects/cd/staff/mikeraber/pswcat/mxds

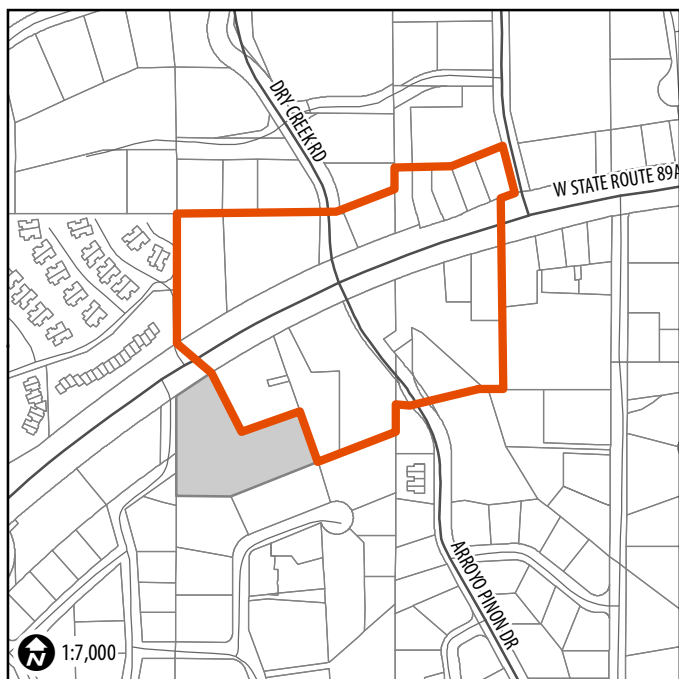
Exhibit B

PZ 17-00009 Pinon/89A Multi-family

Major Community Plan Amendment Request: Amend Lodging Area Limits



Community Plan, p. 28
Current Lodging Area Limits



Proposed Lodging Area Limits

PZ 17-00009 (Major CPA)

**Exhibit B – Public Comments received after Council packets for
the Work Session were distributed**

Mike Raber - PZ17-00009

From: "John Neville" <John@jsedona.net>
To: <mraber@sedonaaz.gov>
Date: 10/10/2017 3:14 PM
Subject: PZ17-00009

Mike,

Hope the meeting went well today. Sorry to miss it. I've been receiving emails of concern about higher density housing in Sedona. As a sustainable development issue, higher density housing is usually considered a good idea. Here in Sedona, if we have the water, we should consider higher density housing. That's my opinion.

There is a caveat to that concept in these times of Airbnb. As you know, there is a rental housing shortage, as well as an affordable housing shortage in Sedona. Short-term rentals have exacerbated that problem. Consequently, I would recommend that any variance or amendment to the City Plan to allow for higher density housing include the requirement that short-term rentals are not permitted within the development at any time. Given the ruling by our incompetent and relatively corrupt Legislature to overrule local communities on short-term rentals, despite their negative impacts, it may not be problematic to include conditional use requirements in the City Plan amendment. However, we should try. Otherwise, it is highly likely that within a short period of time, any low-income or affordable housing units will be turned into high-income short-term rentals negating any positive aspects of their development for Sedona.

It's likely others have brought up this issue, and I'm sure you've included it in your discussion of the City Plan amendment. Good luck doing the right thing.

Jawn McKinley & John Neville
49 Pinon Ct, Sedona, AZ 86336
928 282 2690
John@jsedona.net

Mike Raber - Diverse/Workforce Housing

From: Vivian Micheli <vmicheli@shradermartinez.com>
To: "MRaber@sedonaaz.gov" <MRaber@sedonaaz.gov>
Date: 10/10/2017 3:21 PM
Subject: Diverse/Workforce Housing

Hello,

Please forward this to Council. I agree with the following proposals.

1. A Community Plan amendment to allow up to 20 units per acre on commercial sites (that will include housing), an increase from our current 12 units per acre. With the high cost of land, developers need this bump to make a project work financially.
2. If the amendment passes, there is a proposed new 45 unit apartment complex on the corner of 89A and Pinion Drive, behind Relics, that will be built.

It's a shame that Sedona has not had a new apartment complex in 20 years. We depend on many people who work for our businesses that commute from the Verde Valley.



Vivian Micheli | Senior Accounting Analyst
Shrader & Martinez Construction Inc.
O 928-282-7554 x 2237 | F 928-852-3722
www.shradermartinez.com

Mike Raber - Community Plan amendment - October 25 Vote

From: Sharon Needham <sharonneedham1@gmail.com>
To: <MRaber@sedonaaz.gov>
Date: 10/10/2017 2:32 PM
Subject: Community Plan amendment - October 25 Vote

Dear Sir,

I've just been informed about the Community Plan amendment, and the subsequent proposal for building a new 45-unit apartment complex at the corner of 89A and Pinion Drive - if the amendment is passed.

I'm a newly divorced woman who relocated from Flagstaff to the Sedona area for the quality of life and the job opportunities available here.

For people such as myself (single income), finding a place to live close to work is extremely important, both financially and emotionally. I currently drive 45 minutes to work. The financial aspects can be daunting, especially if something happens to your vehicle and you don't have an alternate source of transportation available.

I plan to work and retire in this area. The addition of more long-term, permanent rentals would be a blessing for me, and others, I'm sure!

Please approve the two proposals. I would happily be one of the first people to apply for a rental agreement at the new complex.

Thank you for your consideration - and all of the hard work you do to continually improve the quality of life in Sedona.

With best regards,

Sharon Needham

October 5, 2017

**Sedona City Council
Resident Input
Case Number PZ17-00009**

Attention: City of Sedona Council and Community Development Department.

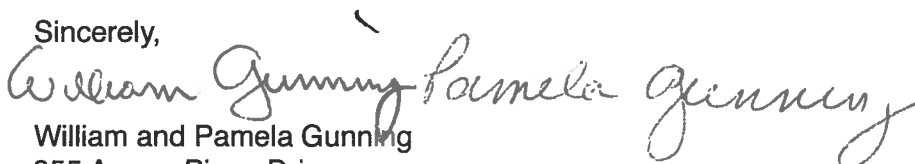
My wife and I are 31 year residents of Sedona.

We have always supported the principles put forth in the original Community Plan for Sedona and the New Sedona Community Plan approved November, 2013.

Our concerns:

1. **Historic Sites will be recognized and preserved.** Approved Community Plan - Nov. 2013 page 15. This property has an "early water well" that has been serving our community for more than 75 years. The City's Historic Landmark program protects and celebrates Historic Sites. This property is one of the most important historic sites in our City. It needs our protection from "over development" if it is to continue providing safe drinking water for our community.
2. **Groundwater is found in underground aquifers.** Aquifers are recharged by water seeping into pores and cracks in soil and rocks. This property has many rock channels throughout the property. They aid in the recharge of our community's drinking water. Over the decades I have witnessed many rock channels at or near this site being carelessly infilled. The new Community Plan dated Nov. 2013 has concerns about overdraft of water. **It is projected that demand for water in the Verde watershed will exceed the supply of water by 2050.**
3. **The Community Plan is an expression of the community's vision.**
4. **The Plan, as approved by it's citizens, does not allow for a density greater than 12DU/AC.** The citizens that approved this Plan in 2013 and earlier plans understood that over development of a sensitive site like this property, which has a Historic Well, needs less development. That is why the Plan designated this site 12 Dwelling Units per acre.
5. **Poor road access to and from this property is another concern.** Pinon Drive needs to be "greatly improved" before the City allows any additional traffic on it. I think this road sign demonstrates the real problem.

Sincerely,



William and Pamela Gunning
355 Arroyo Pinon Drive
Sedona, Arizona 86336
tel 928-282-9429





Mike Raber - Re: Community Plan Amendments

From: "eddies@npgcable.com" <eddies@npgcable.com>
To: "Mike Raber" <MRaber@sedonaaz.gov>
Date: 10/4/2017 11:57 AM
Subject: Re: Community Plan Amendments
Cc: <JClifton@SedonaAZ.gov>, <AJuhlin@SedonaAZ.gov>, <KOsburn@SedonaAZ.gov>, ...

Thank you, Mike, for this notice. Having attended so many meetings over the years when I actually believed public participation might make a difference, I no longer think that's necessarily true.

As for the multi-family proposed project (#3 - W89A & Pinon), since P & Z has approved it there's no reason to believe it won't sail through with City Council as well. Please understand, and for the record, I have no objection to mixed housing and the conceptual need. However, after the failed attempts with Nepenthe and Fairfield (presently Wyndham) and possibly other unfulfilled commitments there's little reason in my opinion to have any confidence that approval of additional affordable or work-force accommodations will not likewise fall through the cracks.

Although in all probability the project in West Sedona will sail through, and apparently without objection from surrounding properties, how much consideration has been given to ingress and, in particular, egress onto the busy 4-lane highway so close to the traffic light at Dry Creek Road?

As for extending the amendment to encompass changing the wording in the Community Plan in general (#2) it seems to be a great injustice to those of us who initially sat in sometimes all-day meetings during the formation of the original plan, where largely emphasis had been placed in avoiding high density and maintaining open space. With limited areas for build-out, disregarding that option especially now appears to be a tremendous injustice to those who actually thought incorporation of Sedona was set in motion to prevent this from happening.

To cut to the chase here, and based on failure of other examples (Nepenthe & Fairfield) that fell through the cracks and reneged to function as initially intended, would it be fair to request amending the entire Community Plan (#2) to please be held off pending the outcome and satisfaction of performance of the proposed Pinon Drive development if so approved? How fair would it be to subject the entirety of

remaining properties in Sedona to future multi-family projects without an actual example of success, which to date is not the case?

As for the #1 Graham to enhance the cider business that has existed in Sedona for as long as I can remember, it makes sense to approve the zone change in order to legitimately accommodate a couple of employees as I understand is the case. It seems an honorable act for the owner(s) of that property to follow the rules. Such as has *not* been the case with the ongoing expansion of Son Silver West, #4 now requesting rezoning for a parking lot for a business that has managed to breach city rules for years and at the expense of compromising the integrity of surrounding neighborhoods. This is another example of non-compliance, as was Nepenthe and Fairfield in a way, because they did not comply with their development agreements. However and of course, the proprietors of Son Silver West simply slipped through protocol with off-handed deals throughout the years and managed to avoid following the rules which were set in place to protect the rights of surrounding property owners. That type of disregard to regulation should not be tolerated and if they get away with it a terrible example will be on the books for others to potentially exploit.

Thanks again, Mike, for the opportunity to sound off. Rarely do I follow council meetings any more because my anticipation is that decisions prior to meetings are a foregone conclusion - fait accompli - so why bother. It's too frustrating. Observing public meetings relating to city procurement of garbage hauling service did me in. But for once a different sort of "fate" was on the side of the majority that opposed it simply because the terms of financing the service prevailed for our side. Praise the Lord!

Respectfully submitted,

Eddie Maddock

-----Original Message-----

From: [Mike Raber](#)

Date: 10/2/2017 3:09:12 PM

To: [Mike Raber](#)

Subject: Community Plan Amendments

Greetings:

You are receiving this in response to your interest in the proposed Major Amendments to the Sedona Community Plan.

The City of Sedona City Council will hold a work session on Wednesday, October 11, 2017 at 3:00 p.m. and a public hearing on Wednesday, October 25, 2017 at 3:00 p.m. in the City Hall Council Chambers located at 102 Roadrunner Drive, Sedona, AZ, to consider the Plan amendments. Attached is the public notice for the four proposals.

Michael Raber, Senior Planner
City of Sedona
102 Roadrunner Drive
Sedona, AZ 86336

928-204-7106
mraber@SedonaAZ.gov
Visit: www.SedonaAZ.gov
Be a fan on Facebook: www.Facebook.com/CityofSedonaAZ

Sedona City Hall is open for business Monday through Thursday from 7 a.m. to 6 p.m. and closed on Fridays. The Municipal Court and Wastewater system maintenance remain on a Monday through Friday, 8 a.m. to 5 p.m. schedule. Police and maintenance services are not impacted.



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From: Audree Juhlin
To: Cari Meyer; Mike Raber
Date: 9/5/2017 11:37 AM
Subject: Fwd: Fwd:

Audree Juhlin, Director
Community Development Department
(928) 204-7107

>>> Michael Raney <mike@otesports.com> 9/5/2017 11:24 AM >>>

To Whom It May Concern,

I am writing today in support of higher density zoning and the Pinion Apartment complex . Sedona is facing a unique challenge right now in terms of how the community will look in the near future. Prices are going up and the people that live here are moving out. It is harder and harder for people to make a living in town and be able to rent or purchase a home. This is making it impossible to attract new talented people to the area and retain the flavor that makes sedona what it is.

What am I talking about?

The median household income for Sedona according to the last census in 2015 for Sedona is \$55,135 per year. Meaning that half of the households make more and half make less than \$55,135. That also is a combined income of the house. If this median wage earner pays 25% of their income to rent then they need to be renting a place for \$1,149 per month. What do you get in Sedona for \$1149 per month?

Sedona Elite Properties as on 8/31/2017 has one 2bdr apartment in the Village Of Oak Creek that is under \$1149

Foothills Property Management has three 1bdr apartments starting at \$900 and going to \$1150

Sedona Properties has no rentals under \$1300 per month.

So in this example half of all the households in Sedona either have to rent 1bdr apartments for their whole family or move out. We are not talking about min wage earners here who make \$10 per hour or \$20,800 per year, we are not talking about the lowest earners we are talking about the bottom half of all households in town. What I am trying to illustrate is that we are not talking about low income housing that brings in crime and problems we are talking about housing that is affordable to our teachers, police, fire, and other professionals that are being priced out of Sedona.

In the last year my business has lost 6 employees due to the higher cost of housing. We also hired another employee that accepted an employment package and then could not find housing within 30 days ultimately giving up and not moving here. Cottonwood is not the solution for housing. While it is cheaper people want to live in Sedona for the same reasons we do. Sedona is never going to be the same price or offer the same things, but there should be an option for a professional hard working person to live here. These people understand that there are compromises to living here and that for the same price as their one bedroom apartment they could rent a much larger house in Cottonwood. We should encourage people to live and work here, quality of life is what will attract the best people for all of the businesses here and what will make our community well rounded and more interesting.

We will lose the flavor of Sedona if everyone moves out. We always want to preserve what Sedona is, but by not investing in the people that live here we are not preserving, we are changing it at the fastest rate possible. This is why I believe that Sedona should take every step to make this a well rounded community and one of these steps is allowing for higher density housing.

Thank you for your consideration,
Michael Raney

--

Mike Raney

Over The Edge Sedona
p 928-282-1106

Mike Raber - City of Sedona: Comments on Plan Amendment Proposal

From: <donotreply@sedonaaz.gov>
To: <mraber@sedonaaz.gov>, <wcampbell@sedonaaz.gov>
Date: 10/2/2017 3:03 PM
Subject: City of Sedona: Comments on Plan Amendment Proposal

A new entry to a form/survey has been submitted.

Form Name: Comments on Community Plan Amendment Proposals
Date & Time: 10/02/2017 3:02 p.m.
Response #: 15
Submitter ID: 283
IP address: 73.36.70.60
Time to complete: 4 min. , 4 sec.

Survey Details

Page 1

We want to hear what you think. Please share your thoughts below. If you have questions about a proposal, please enter your contact information so that we can respond. Please note that all information submitted (including name and addresses) will become part of the public record and will be available for public inspection.

1. Proposal Name:

(o) Pinon/89A Multifamily Plan Amendment Proposal

2.

What are your comments, concerns, ideas, and suggestions about this proposal?

Comments:

I'm writing to support the proposal to grant RM-3 zoning to the property located at 89A and Pinon Drive. It makes logical and reasonable sense to refresh the available housing stock for affordable apartments -- since there is a critical shortage of good housing for local workers. Sedona has advocated affordable housing through the years -- now is the time to allow for it to be built.

3. Your contact information

Name: Betsy Goltermann
Mailing Address: 326 S. Prospect Ave., Elmhurst IL
E-mail: egoltermann@gmail.com

4.

Would you like to receive notices about this proposal, such as public meeting dates?

(o) No

Thank you,
City of Sedona

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Exhibit C: Summary Minutes: Planning & Zoning Commission
Public Hearing, September 19, 2017

Minutes are available at the following link:

<http://www.sedonaaz.gov/Home/ShowDocument?id=32231>

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**CITY COUNCIL
AGENDA BILL**

**AB 2295
October 25, 2017
Special Meeting**

Agenda Item: 3d

Proposed Action & Subject: Public hearing/discussion/possible action regarding: a) An application for a Major Community Plan Amendment to the Future Land Use Map from “Single Family Low Density (.5-2 DU/AC)” to “Planned Area (PA)” to allow for the consideration of a future rezoning to potentially allow a parking lot to serve the adjacent conditionally allowed commercial use; and b) A Development Agreement regarding use restrictions for the subject parcel. The property is located at 1535 State Route 179, on the western side of State Route 179 south of Arrow Drive. APN: 401-31-011 Applicant: Francis J. Slavin, Esq. and Heather N. Dukes, Esq., Francis J. Slavin, PC Case Number: PZ17-00010 (Major CPA).

Department	Community Development
Time to Present	5 minutes
Total Time for Item	3.5 hours
Other Council Meetings	October 11, 2017
Exhibits	A. Resolution for Major Amendment to the Sedona Community Plan B. Public Comments since the Council's October 11 packet C. Summary Minutes: Planning and Zoning Commission Public Hearing – September 19, 2017

City Attorney Approval	Reviewed 10/15/17 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Deny a resolution to amend the Community Plan Future Land Use Map to Planned Area at 1535 SR 179.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

The October 25, 2017 Public Hearing includes possible action by the Council on four proposed Major Community Plan Amendments, including the following item.

Major Plan Amendment Applications

There are four proposals under review which are considered Major Community Plan Amendments. While the City routinely considers proposals to amend the Community Plan, the decision of whether or not to make a particular amendment is a legislative policy choice left to the judgment and discretion of the Planning and Zoning Commission and City Council.

In all four cases the Planning and Zoning Commission has evaluated the proposal and forwarded a recommendation to the City Council.

Factors to consider in making decisions on the proposals:

- How the proposals relate to the community's vision, adopted plans, overall consistency with the goals and policies of the Sedona Community Plan.
- Determining whether such amendment is in the interest of the public and not detrimental to the community.

The Planning and Zoning Commission staff reports for each Future Land Use Map amendment proposal include an analysis of how the proposal addresses Community Plan goals by noting how they:

- Comply;
- Partially comply;
- Do not comply; or
- Are not applicable.

Each application is:

- Evaluated based on its individual merit in meeting the Community Plan goals and policies.
- Not expected to meet or achieve each individual goal or policy.
- Expected to achieve several goals or policies.

By state law, Major Community Plan Amendments are:

- Considered once a year.
- A substantial alteration of the City's land use mixture or balance as established in the Plan's land use element. It is up to the City to develop criteria that meet this definition. The Major Amendment criteria are identified on page 113 of the Community Plan.
- Subject to public participation procedures adopted by the City Council.
- Required to be presented at a single public hearing in the same calendar year the proposal is made.
- Required to be approved by an affirmative vote of at least two-thirds of the members of the City Council.
- Initiated by the City or requested by the private sector.

Background:

The following is a summary of the proposal; for more specific information about the proposal and staff's analysis, please review the Planning and Zoning Commission's September 19, 2017, Staff Report provided in the October 11, 2017 Council packet. Public comments are included in Exhibit B and the Planning and Zoning Commission's September 19, 2017 minutes are included in Exhibit C. The minutes for the Planning and Zoning Commission's work sessions held on August 15 and September 14, 2017 are located on-line at: <http://sedonaaz.gov/your-government/council-commissions-committees-boards/meetings-documents>.

Son Silver West (SSW) is seeking a Major Community Plan Amendment to allow for the construction of a private parking lot to serve the adjacent SSW gallery to the north. While the initial submittal included both a Major Community Plan Amendment and Zone Change

application to be considered concurrently, on August 9, 2017, the applicant submitted a letter indicating that they would not be able to produce the zoning materials with sufficient time to allow the two applications to be considered concurrently. As a result, the Major Community Plan Amendment and Zone Change applications are being heard in sequence rather than concurrently. Therefore, the current application for consideration as part of this public hearing process is only the Major Community Plan Amendment. If the Major Community Plan Amendment application is approved, this would allow for the consideration of a future Zone Change application.

The SSW gallery is located on Tracts 41 and 42 of the Broken Arrow Subdivision and is zoned Single-family Residential (RS-18b), which does not typically allow for commercial uses. However, the commercial activities were established prior to the City's incorporation and became a legal non-conforming use upon the City's incorporation. SSW received approval of a Conditional Use Permit (CUP) for expansions in 1992 (CUP 92-3). At that time, the City's Land Development Code allowed for the expansion of legal non-conforming uses through review and approval of a CUP. Since that time, that provision has been removed from the Land Development Code, thus the only avenue available to address their current parking shortage is through a Major Community Plan Amendment and Zone Change request. However, it should be noted that the SSW gallery properties were not included in this application; only the adjacent vacant lot is under consideration as a part of this Major Community Plan Amendment.

The property under consideration with this Major Community Plan Amendment application is the vacant lot to the south of the SSW gallery lots, Tract 40 of the Broken Arrow Subdivision. The current Community Plan Future Land Use Designation for Tract 40 is Single-family Low Density (0.5 to 2.0 dwelling units per acre). This land use designation only supports low density residential zoning for the property and the existing zoning of Single-family Residential (RS-18b) is in compliance with that designation. SSW has indicated that they would like to develop a private parking lot on the property. However, a parking lot is not a permitted use in a residential zoning district, and therefore, a zone change is necessary. Because the current Future Land Use Map Designation only supports Single-family Low Density zoning districts, a Major amendment to the Community Plan is needed as well.

Potential Community Plan Designations

There are three Future Land Use Designations that would support a parking lot on private property – Commercial, Commercial/Lodging, or Planned Area. SSW is requesting the Planned Area designation. Planned Areas were established in the 2002 Community Plan and brought forward in the current Community Plan to address needs and provide benefits for certain areas including land use transition or buffers between residential areas, commercial uses, and highway corridors. Where a Planned Area designation falls within a Community Focus Area (CFA), the Community Plan's Community Expectations for that area apply. The subject property, Tract 40, falls within the Morgan Road CFA. Accordingly, the Community Expectations associated with the Morgan Road CFA apply to this request.

Purpose of the Existing Land Use Map and Future Land Use Map

The difference between existing uses and Future Land Use Designations is important to understand when considering changes to the Future Land Use Designation. The Community Plan's Existing Land Use Map reflects existing land use conditions. While not considered as part of this proposal, SSW is depicted as "Commercial" on the Existing Land Use Map. The

property for the proposed parking lot is depicted as “Vacant”. Both properties have a Future Land Use Designation of Single-family Low Density.

It is not uncommon for the Existing Land Use Map and the Future Land Use Map to be different. While the Existing Land Use Map is intended to reflect existing land use conditions, those existing conditions may not be the land use conditions desired in the future. As entitlements to existing, non-conforming uses expire, properties generally must conform to authorized uses. The Future Land Use Map serves as a guide for land use and development decisions.

Inclusion of Adjacent Properties in Application

In several discussions with the property owners and their agents prior to the applicant’s June 2017 submittal of the Major Community Plan Amendment and Zone Change applications, staff suggested that the best course to pursue approval of a parking lot may be through a more comprehensive submittal that addresses all affected properties.

Two options were discussed:

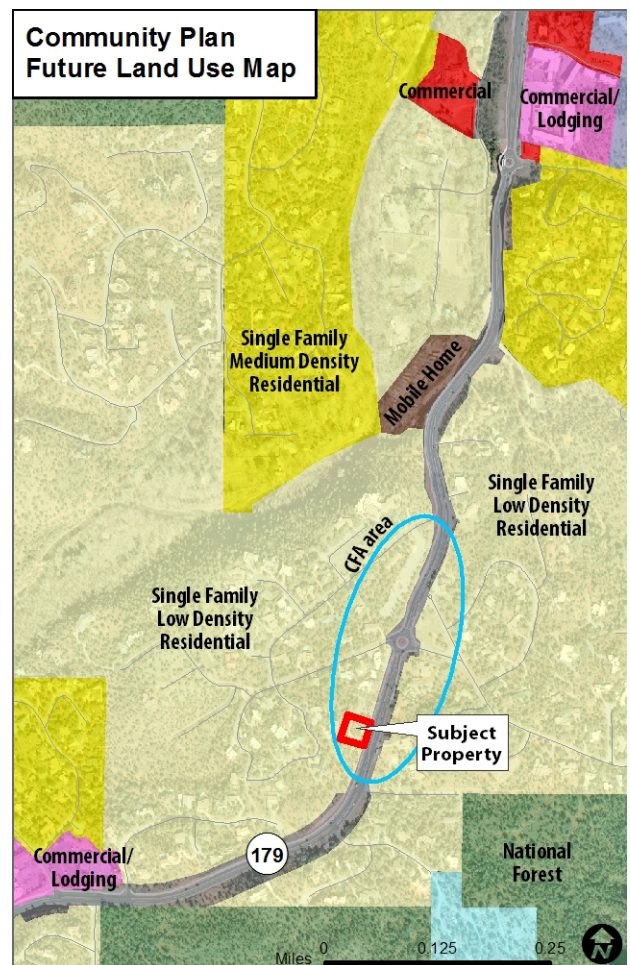
- 1) Wait until the Morgan Road CFA (CFA 11, see map below) specific planning effort is complete; or
- 2) Submit Major Community Plan Amendment and Zone Change applications concurrently for the entire SSW gallery operations (Tracts 40, 41 and 42).

Because the timeframe for the specific planning efforts associated with Morgan Road CFA plan was unknown, Staff’s recommendation for moving forward was to initiate the Major Community Plan Amendment and Zone Change applications concurrently for Tracts 40, 41, and 42. This would have allowed for the evaluation of the entire SSW gallery operation and would have provided a better context in which to evaluate the proposed Future Land Use Designation, address the business needs and neighborhood issues and concerns.

SSW did not choose either of the two options above, electing to bring forward a Major Community Plan Amendment and Zone Change application that included only the vacant lot. The application was then later amended to remove the zoning application.

Implications of Considering Tract 40 in Isolation

It is difficult to evaluate the proposed Future Land Use Designation of Planned Area for the vacant lot as it, and the surrounding properties, all have a Future Land Use Designation of residential, Single-family Low Density. This includes SSW, which the proposed parking lot would support. If the Planned Area Future Land Use Designation was approved, it would be the only property in the immediate area, including the Morgan Road CFA, with a nonresidential Future Land Use Designation. The closest nonresidential Future Land Use



Designations are the Copper Cliffs (Commercial) and Arabella (Commercial/Lodging) lodging uses to the north and Poco Diablo Resort (Commercial/ Lodging) to the south. Nonresidential uses other than parking for Tract 40 could be seen as inconsistent with the surrounding Future Land Use Designations.

Another challenge is assessing the Planned Area designation for a property which potentially supports a use located off-site and not tied to the proposal. Assuming that a future zoning application would only be for a private parking lot, and no other non-residential uses, without the ability to include the SSW gallery property in the evaluation of this proposal, it is difficult to determine the need for the parking lot, the extent of the demand for parking, and whether the demand could be accommodated in a different manner. In addition, without the properties being tied together through this application, there are no assurances that the two properties will function as one, as the applicant claims in the Letter of Intent.

Potential for Adjacent SSW Site

Although not a part of this application, SSW's Letter of Intent refers to the use on the adjacent site (Tracts 41 and 42) as justification of the proposed parking lot (Tract 40). Therefore, some consideration must be given to that use when evaluating the need for the expanded parking lot.

While it is understood that SSW has an established conditionally allowed commercial use, that commercial use is considered legal nonconforming and that property will remain with single family residential zoning unless SSW seeks and receives an amendment to the Community Plan and a subsequent zone change. Therefore, the SSW property can only be used for single family residential purposes and in accordance with the approved 1992 CUP. Consequently, if future development were to revert to the allowed residential uses, the vacant lot under consideration would remain as a Planned Area (with potentially non-residential zoning) while the use it was purported to support no longer exists.

Staff was unable to complete the Community Plan Checklist (included in Exhibit A in Council's October 11, 2017 packet), as there was insufficient information at this time to conduct a full evaluation of the proposal in relation to applicable Community Plan goals and policies.

Morgan Road CFA

The subject property is located within the Community Plan's Morgan Road CFA. CFAs are identified in the Community Plan (page 34), and are described as follows:

A Community Focus Area (CFA) is a location where the City will play a proactive planning role to implement the community's vision. With participation from property owners, neighbors, and stakeholders, the City will develop a Specific Plan, including any necessary rezoning, for adoption by the City Council. These Specific Plans may be adopted to bring properties into closer alignment with community expectations as expressed on the following pages. The specific planning process is intended to maintain flexibility for future creativity and innovation. The "Community Expectations" listed on each CFA page describe future conditions for each area that the Plan will strive to achieve over time. These Community Expectations are not intended as definitive requirements, but to provide guidance for community-level planning efforts.

Although the City has not yet adopted a CFA plan for this area, the Community Expectations for the Morgan Road CFA are one component of the Community Plan that are used for this analysis and would be used in the evaluation of a future Zone Change request. The following are the Community Expectations for this CFA (Community Plan, page 47).

- *Explore opportunities for non-residential uses along SR 179 if key public or neighborhood amenities are provided (e.g. good pedestrian access to neighborhoods, open space retention, or enhancement next to the highway).*
- *Consider new non-residential development only if compatible with the character of the neighborhood.*

In reviewing the first expectation, it is difficult to assess whether the Planned Area designation would provide key public or neighborhood amenities. Staff's evaluation is primarily based on the merits of re-designating the vacant lot (Tract 40) in and of itself, as the application does not include the site it is potentially supporting, the SSW gallery (Tracts 41 and 42). Therefore, the evaluation focused on what key public

or neighborhood amenities might be realized through potential nonresidential uses for Tract 40 only. Examples identified in the Community Plan include: good pedestrian access to neighborhoods, open space retention, or enhancement next to the highway. In isolation, this property could support such things as a neighborhood market, neighborhood pocket park, or open space. Providing for pedestrian connectivity for the Broken Arrow subdivision to SR 179 could be problematic as it would likely require public easements through private residential properties.

A private parking lot, as proposed, is not necessarily considered a neighborhood amenity. However, a private parking lot could be considered an amenity to SSW operations by providing additional parking for customers and employees. As stated in the Letter of Intent, a parking lot may help alleviate some of the parking conditions on Arrow Drive. However, it is important to note that this proposal would not prohibit SSW customers and employees from parking on Arrow Drive and could not guarantee a reduction in neighborhood parking issues.

In reviewing the second expectation, it is difficult to assess whether the Planned Area designation is compatible with the character of the neighborhood. Evaluating the proposal and the merits of a single property with the Planned Area designation is difficult given the fact that it is surrounded by Single-family Low Density designated properties. As such, this request does not appear to be consistent or compatible with the current Future Land Use Designation and Community Expectations for this area, absent a CFA plan or more inclusive proposal. Without assurances that future zoning applications would propose uses with design standards that could be considered complimentary to the character of the neighborhood and address



area issues, determining compliance for the Planned Area Future Land Use Designation against the second CFA Community Expectation is challenging.

Findings of Fact

- The current Future Land Use Designation is Single-family Low Density.
- The surrounding properties have Future Land Use Designations of Single-family Low Density.
- The Planned Area proposed Future Land Use Designation is not consistent with surrounding Future Land Use Designations.
- The property is located within the Sedona Community Plan's Morgan Road CFA.
- There is no CFA plan for the Morgan Road CFA.
- It is unclear how the Planned Area proposed Future Land Use Designation addresses the Morgan Road CFA's Community Expectations.
- Tract 40 is being considered in isolation to Tracts 41 and 42 which are an integral component of the proposed parking lot.
- Consideration and approval of this request in isolation would not be based in solid planning principles that consider surrounding uses.

In conclusion, staff does not believe that the request as submitted is in compliance with the Morgan Road CFA Community Expectations, and applicable goals and policies as enumerated in the Community Plan. Staff believes that a more comprehensive submittal that includes concurrent applications for both a Major Community Plan Amendment and Zone change for all SSW properties involved (Tracts 40, 41 and 42) is a better approach, and one which City staff would likely support, to seek approvals for a parking lot. Additionally, this approach would allow for the evaluation of the entire SSW art gallery operation in a holistic manner and would provide a better context in which to evaluate the proposed Future Land Use and Zoning designations, address current and future business needs, including parking, shipping/deliveries, outdoor retail space, screening, outdoor lighting, etc.

Staff Recommendation

Staff is recommending denial of the proposed Major Community Plan Amendment for the reasons outlined in this agenda bill and staff report (Exhibit A of Council's October 11, 2017 packet) and summarized below.

- The proposed Community Plan Future Land Use Designation of Planned Area is not consistent with the Single-family Low Density Future Land Use Designations for the surrounding properties, including the property it proposes to support.
- The proposed Community Plan Future Land Use Designation of Planned Area would allow for other non-residential uses on Tract 40, while all surrounding properties are restricted to Single-family Low Density considerations, including the legal nonconforming property it proposes to support.
- Without a concurrent Zone Change application, there are no assurances that the representations made in the applicant's Letter of Intent would be accomplished.
- The proposal is being considered in isolation to Tracts 41 and 42 which are an integral component of the proposed parking lot.
- Without the two properties (Tract 40 and Tracts 41 and 42) tied together, there are no assurances that the two properties will function as one.

- Because the conceptual parking lot proposal supports a use located off-site, it is difficult to evaluate the extent and need for the proposed parking lot and whether the demand could be addressed in a different manner.
- It is unclear how the Planned Area proposed Future Land Use Designation addresses the Morgan Road Community Focus Area Community Expectations.
- Consideration and approval of this request in isolation would not be based on solid planning principles that consider surrounding uses.
- A comprehensive application for a Major Community Plan Amendment and Zone Change for all involved properties (Tracts 40, 41 and 42) is the most viable means of resolving the longer term issues surrounding the use of the SSW properties, including Tract 40 for parking.

Planning and Zoning Commission Recommendation

The Planning and Zoning Commission held one site visit, two work sessions, and one public hearing on this item. During the work sessions, the Commissioners discussed the proposal at length. The Commission primarily asked questions and sought clarification regarding:

- The proposal’s relationship to the gallery on Tracts 41 and 42
- The need to consider the request in conjunction with the land use generating the parking need
- Result of any approval on the parking occurring on Arrow Drive
- Questions on access to the proposed site from the residential lot to the west owned by the applicants
- How the private parking lot met the goals of the community plan

At the September 19, 2017 public hearing, the Planning and Zoning Commission moved to forward a recommendation of denial regarding the Major Amendment to the Community Plan.

In addition to written public comments submitted and included as part of Exhibit B, public comment at all three meetings included those in support of the proposal and those opposed.

Community Plan Consistent: Yes - No - Not Applicable

As outlined in the Agenda Bill, Staff does not believe this proposal is consistent with the Community Plan.

Board/Commission Recommendation: Applicable - Not Applicable

On September 19, 2017, the Planning and Zoning Commission, in a 3-2 vote (Commissioners Levin and Cohen excused), recommended City Council denial of this item. Commissioner Barcus and Mayer were the dissenting votes. Commissioner Barcus expressed support for the Community Plan Amendment and felt that the zoning process would provide the opportunity to propose conditions to address concerns. Commissioner Mayer expressed overall support for the proposal. The Planning and Zoning Commission was not presented with and therefore did not consider the proposed Development Agreement regarding use restrictions.

Alternative(s): N/A

MOTION

Major Community Plan Amendment Approval

Note: By state law, approval of a Major Community Plan amendment requires a 2/3 vote of the Council members.

I move to: approve Resolution No. 2017-____, amending the Sedona Community Plan Future Land Use Map by re-designating the subject property from Single-family Low Density Residential to Planned Area and to approve a Development Agreement restricting the use of the subject property to parking.

Major Community Plan Amendment Denial

I move to: deny case number PZ 17-00010 (Major CPA) amending the Sedona Community Plan Future Land Use Map by re-designating the subject property from Single-family Low Density Residential to Planned Area.

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RESOLUTION NO. 2017-__
SON SILVER WEST
MAJOR COMMUNITY PLAN AMENDMENT
PZ 17-00010 (MAJOR CPA)

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, AMENDING THE SEDONA COMMUNITY PLAN FUTURE LAND USE
MAP BY RE-DESIGNATING APPROXIMATELY 0.48 ACRES OF PROPERTY
LOCATED AT 1535 STATE ROUTE 179 FROM SINGLE FAMILY LOW DENSITY
RESIDENTIAL TO PLANNED AREA.**

WHEREAS, Arizona law (A.R.S. 9-461.06) and the Sedona Community Plan (Chapter 9) require that any major amendments to the Community Plan are made only after a public hearing and approval of at least two-thirds of the City Council, and

WHEREAS, a major amendment, pursuant to A.R.S. 9-461.06(H) is any “substantial alteration of the municipality’s land use mixture or balance” as defined by criteria set forth in the adopted Community Plan, and

WHEREAS, a major amendment under Chapter 9 of the Community Plan includes a change to the Future Land Use Map in land use designation from Residential to Planned Area, and

WHEREAS, an application for a major amendment to the Community Plan was properly submitted for consideration for the property designated herein, and

WHEREAS, the Sedona Planning and Zoning Commission duly considered the proposed major amendment on September 19, 2017 and denied said major amendment,

THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA:

1. The area to be re-designated consists of 0.48 acres of property located on the western side of State Route 179 south of Arrow Drive, as depicted in Exhibit A. This property is further described as Coconino County Assessor’s Parcel No. 401-31-011.
2. That portion of the Sedona Community Plan Future Land Use Map depicting the aforementioned area is re-designated from “Single Family Low Density Residential” to “Planned Area.”
3. By making this re-designation of the Future Land Use Map, affected property owners have the opportunity to propose changes to the zoning of the designated property that are consistent with the Community Plan and Future Land Use Map as amended and the Sedona Land Development Code.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 25th day of October, 2017.

Sandra J. Moriarty, Mayor

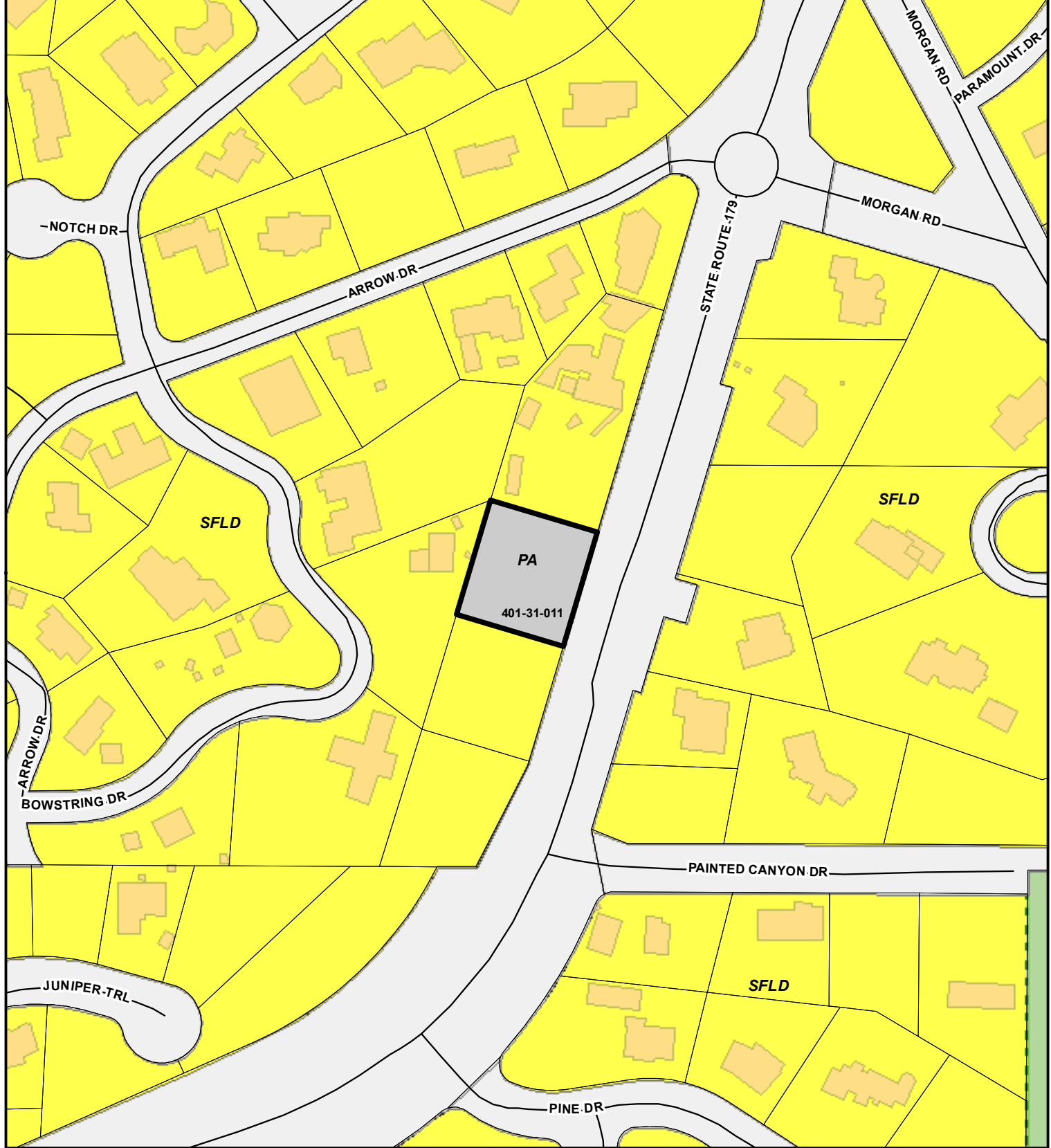
ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney

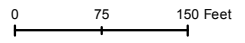
Exhibit A
PZ 17-00010 Son Silver West
Sedona Community Plan Future Land Use Map
Major Community Plan Amendment Request: Single Family Low Density (.5-2 DU/AC) to PA (Planned Area)



Community Plan 2013

- SFLD Single Family Low Density (.5 to 2 DU/AC)
- PA Planned Area
- NF National Forest

- Street Centerline
- Building Footprint
- Parcel #401-31-011
- Parcel Boundary



This map is designed to provide as-is information only. The data is not accurate to engineering or surveying standards. The City of Sedona is not liable or responsible for loss or damages arising from the data contained on this map.
 GIS, City of Sedona. 09/26/2017
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PZ 17-00010 (Major CPA)

**Exhibit B –
Public Comments recieved after
Council Work session packets were
distributed**

Mike Raber - Re: Community Plan Amendments

From: "eddies@npgcable.com" <eddies@npgcable.com>
To: "Mike Raber" <MRaber@sedonaaz.gov>
Date: 10/4/2017 11:57 AM
Subject: Re: Community Plan Amendments
Cc: <JClifton@SedonaAZ.gov>, <AJuhlin@SedonaAZ.gov>, <KOsburn@SedonaAZ.gov>, ...

Thank you, Mike, for this notice. Having attended so many meetings over the years when I actually believed public participation might make a difference, I no longer think that's necessarily true.

As for the multi-family proposed project (#3 - W89A & Pinon), since P & Z has approved it there's no reason to believe it won't sail through with City Council as well. Please understand, and for the record, I have no objection to mixed housing and the conceptual need. However, after the failed attempts with Nepenthe and Fairfield (presently Wyndham) and possibly other unfulfilled commitments there's little reason in my opinion to have any confidence that approval of additional affordable or work-force accommodations will not likewise fall through the cracks.

Although in all probability the project in West Sedona will sail through, and apparently without objection from surrounding properties, how much consideration has been given to ingress and, in particular, egress onto the busy 4-lane highway so close to the traffic light at Dry Creek Road?

As for extending the amendment to encompass changing the wording in the Community Plan in general (#2) it seems to be a great injustice to those of us who initially sat in sometimes all-day meetings during the formation of the original plan, where largely emphasis had been placed in avoiding high density and maintaining open space. With limited areas for build-out, disregarding that option especially now appears to be a tremendous injustice to those who actually thought incorporation of Sedona was set in motion to prevent this from happening.

To cut to the chase here, and based on failure of other examples (Nepenthe & Fairfield) that fell through the cracks and reneged to function as initially intended, would it be fair to request amending the entire Community Plan (#2) to please be held off pending the outcome and satisfaction of performance of the proposed Pinon Drive development if so approved? How fair would it be to subject the entirety of

remaining properties in Sedona to future multi-family projects without an actual example of success, which to date is not the case?

As for the #1 Graham to enhance the cider business that has existed in Sedona for as long as I can remember, it makes sense to approve the zone change in order to legitimately accommodate a couple of employees as I understand is the case. It seems an honorable act for the owner(s) of that property to follow the rules. Such as has *not* been the case with the ongoing expansion of Son Silver West, #4 now requesting rezoning for a parking lot for a business that has managed to breach city rules for years and at the expense of compromising the integrity of surrounding neighborhoods. This is another example of non-compliance, as was Nepenthe and Fairfield in a way, because they did not comply with their development agreements. However and of course, the proprietors of Son Silver West simply slipped through protocol with off-handed deals throughout the years and managed to avoid following the rules which were set in place to protect the rights of surrounding property owners. That type of disregard to regulation should not be tolerated and if they get away with it a terrible example will be on the books for others to potentially exploit.

Thanks again, Mike, for the opportunity to sound off. Rarely do I follow council meetings any more because my anticipation is that decisions prior to meetings are a foregone conclusion - fait accompli - so why bother. It's too frustrating. Observing public meetings relating to city procurement of garbage hauling service did me in. But for once a different sort of "fate" was on the side of the majority that opposed it simply because the terms of financing the service prevailed for our side. Praise the Lord!

Respectfully submitted,

Eddie Maddock

-----Original Message-----

From: [Mike Raber](#)
Date: 10/2/2017 3:09:12 PM
To: [Mike Raber](#)
Subject: Community Plan Amendments

Greetings:

You are receiving this in response to your interest in the proposed Major Amendments to the Sedona Community Plan.

The City of Sedona City Council will hold a work session on Wednesday, October 11, 2017 at 3:00 p.m. and a public hearing on Wednesday, October 25, 2017 at 3:00 p.m. in the City Hall Council Chambers located at 102 Roadrunner Drive, Sedona, AZ, to consider the Plan amendments. Attached is the public notice for the four proposals.

Michael Raber, Senior Planner
City of Sedona
102 Roadrunner Drive
Sedona, AZ 86336

928-204-7106
mraber@SedonaAZ.gov
Visit: www.SedonaAZ.gov
Be a fan on Facebook: www.Facebook.com/CityofSedonaAZ

Sedona City Hall is open for business Monday through Thursday from 7 a.m. to 6 p.m. and closed on Fridays. The Municipal Court and Wastewater system maintenance remain on a Monday through Friday, 8 a.m. to 5 p.m. schedule. Police and maintenance services are not impacted.



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Cari Meyer - Fwd: PZ17-00010

From: Audree Juhlin
To: Cari Meyer; Mike Raber
Date: 10/10/2017 3:22 PM
Subject: Fwd: PZ17-00010

can you guys make sure this gets in the mix for distribution and is included in the master file :)
thanks

Audree Juhlin, Director
Community Development Department
[\(928\) 204-7107](tel:9282047107)

>>> "John Neville" <John@jsedona.net> 10/10/2017 3:03 PM >>>

Audree,

Hope the meeting went well today. Sorry I couldn't make it. I'm writing to give a comment regarding the request of Son Silver to allow a parking lot next to their operation on 179. As you know, there is some honest concern that people at Son Silver misused the complaint reporting system to raise issues about their neighbors in the Broken Arrow subdivision. While we have nothing against the commercial operation on 179, we do have concerns about the blatant code violations of the owners, their disregard for their neighbors, and now their apparent signing of other people's names to their complaints. We would join with our neighbors in recommending that the City rein in Son Silver operations and insist on compliance with codes and restrictions before considering any variances in City Plans to aid in their operations.

Jawn McKinley & John Neville
49 Pinon Ct, Sedona, AZ 86336
[928 282 2690](tel:9282822690)
John@jsedona.net

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Exhibit C: Summary Minutes: Planning & Zoning Commission
Public Hearing, September 19, 2017

Minutes are available at the following link:

<http://www.sedonaaz.gov/Home/ShowDocument?id=32231>