

Summary Minutes
City of Sedona
Planning & Zoning Commission Meeting
City Council Chambers, 102 Roadrunner Drive, Sedona, AZ
Tuesday, June 5, 2018 - 5:30 p.m.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL

Chair Losoff called the meeting to order at 5:30 p.m., led the Pledge of Allegiance and requested roll call.

Roll Call:

Planning & Zoning Commissioners Present: Chair Marty Losoff, Vice Chair Kathy Levin and Commissioners Randy Barcus, Eric Brandt, Kathy Kinsella, Larry Klein and Gerhard Mayer. Commissioner Klein was excused.

Staff Present: Warren Campbell, James Crowley, Andy Dickey, Audree Juhlin, Cari Meyer, Ryan Mortillaro, Robert Pickels Jr., Rob Pollock and Donna Puckett.

Councilor(s) Present: Councilor John Currivan

2. ANNOUNCEMENTS & SUMMARY OF CURRENT EVENTS BY COMMISSIONERS & STAFF

There were no announcements.

3. Discussion regarding the Project Update Summary

Cari stated that a project update was provided and asked if there were any questions. No questions were asked.

4. PUBLIC FORUM: (This is the time for the public to comment on matters not listed on the agenda. The Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.)

Chair Losoff opened the public forum and, having no requests to speak, closed the public forum.

5. CONSIDERATION OF THE FOLLOWING ITEM THROUGH PUBLIC HEARING PROCEDURES:

- a. **Discussion/possible action regarding a request for approval of a Development Review and Conditional Use Permit to construct a new 4,889 square foot veterinary clinic (Oak Creek Small Animal Clinic) and associated site improvements at 3385 W State Route 89A. The property is zoned General Commercial (C-1). A general description of the area affected includes but is not limited to the southwest corner of W State Route 89A and Pinon Drive. Applicant: Jeannine and Marc Kinney (Oak Creek Small Animal Clinic) Case Number: PZ17-00019 (DEV, CUP)**

Presentation: Cari Meyer provided an overview of the request and explained that the Development Review portion of the application is for the site plan and building design, and the Conditional Use Permit is required by the Zoning District for the use of the property as a veterinary clinic. She identified the location and zoning of the subject property and identified the vacant property on a Vicinity Map. On an aerial map, Cari pointed out the existing vegetation and discussed the proposed site of the veterinary clinic on the west side of the property with the parking lot surrounding the building, and in the back and to the east, they are showing a drop-off area and a full access driveway off Pinon Drive, on the northern portion next to Pinon Drive, and a one-way exit only in the southern corner of the site. Cari showed how the proposed

development relates to the existing development in the area, including the approved apartment complex and the vacant lot to the southwest of the site.

Cari discussed the proposed elevations and indicated that the top elevation would be seen from the parking lot and the bottom elevation would be seen as you approach the site from the west. Cari indicated that based on staff's evaluation, the building meets the requirements in the Land Development Code. She then showed other elevations and indicated that the top would be seen from the highway side of the building and the bottom would be the entrance on the east side of the building.

Cari stated that staff evaluated the project for compliance with the Land Development Code, including Development Standards and the Design Review Manual, signs, landscaping and lighting which was included in the Staff Report. Public Works and Community Development looked at this for access, traffic, vehicular and pedestrian connectivity, and in relation to the approved apartment complex across the street. The property is in the Dry Creek CFA which was used in evaluating the Conditional Use Permit request. Some of the expectations in that area include mixed-use and walkability, and staff felt this proposal furthered some of those expectations.

Cari indicated that the request was also routed to the review agencies for comments and all the comments received were either addressed through resubmittals or included in the Conditions of Approval. She also noted that the applicant completed their Citizen Participation Plan and that report was included in the packet. The project documents have been on the website, and the hearing was noticed in the news, posted on the property and mailed to the neighbors.

Cari stated that the comments staff received were provided to the Commission, and in general, the majority of the comments were supportive of the project. We did have a question called in regarding the potential for barking dogs, if they were kenneled overnight. and that is addressed in the Conditions of Approval requiring that overnight kennel areas be soundproofed, which is a requirement for veterinary clinics in the LDC, and the area where the dogs are kenneled is on the north side of the building close to the highway, so it is addressed in the design and through the required soundproofing.

Cari indicated that staff is recommending approval of the Development Review and Conditional Use Permit as outlined in the Staff Report and subject to the recommended Conditions of Approval. Cari then introduced Dr. Jeannine Kinney, owner of the Oak Creek Small Animal Clinic.

Dr. Jeannine Kinney, Owner of the Oak Creek Small Animal Clinic, Sedona: Dr. Kinney indicated that she is the owner and Hospital Director for the Oak Creek Small Animal Clinic. She has been a veterinarian for 20 years and 19 of them in Sedona. She came here as a young, new graduate veterinarian wanting to find a smaller community where she could spend the rest of her life and she feels that she found it in Sedona. She spent several years developing her skills as a doctor and getting better in her professions, but it was always a dream to own her own practice, and luckily, she was given that opportunity.

Dr. Kinney stated that over the years her clinic has grown from a one-doctor operation to a business that supports three doctors, if they are staffed the way they would like, and numerous support staff as well. There is a trend for them in continuing not only to grow in the number of clients they can service, but the types of skills they can offer and kinds of treatments. They have developed a practice that has visiting specialists that can serve their clients with specialty-type procedures without them having to travel. She takes education very seriously and gets a tremendous amount of continuing education annually, so she is always doing new things and offering new treatments and services.

Dr. Kinney explained that their current location has made it difficult to continue to grow and learn in that vein. There are problems with the physical plant, the building is very outdated and has a

lot of issues structurally, but the ingress and egress of the location is dangerous, so it became clear that to serve the community they need a bigger, more modern facility. There are times in their current practice when they are literally crawling over each other to get things done or a patient has to wait for a procedure, because something else is going on and they don't have the space to do things at the same time, so this will alleviate a lot of issues that they have and allow them to continue to grow and serve the community in the quality that they have established.

Commission's Questions and Concerns:

Commissioner Barcus noted that there are 24 parking spaces on the site plan and asked how that number was determined. Cari pointed out there are actually 25 spaces, and she pointed out the handicapped spot; it is determined based on the square footage of the building, but she doesn't remember if they were required to have one space per 200 sq. ft., because they are a veterinary clinic and with 4,889 sq. ft. that would equate to 24 parking spaces.

Commissioner Brandt referenced the property to the southwest and asked if that only has access off the highway, and Cari stated that Juniper Drive could provide access. That isn't the one that we are discussing tonight, but Juniper Drive would be a street that could provide access. The Commissioner then asked if there is potential for connection between that property and the neighboring property the way it is laid out. Cari stated potentially, depending on what happens on the other site. That is not something staff evaluated, but if that property owner wanted to talk to this owner about a shared access. . . The way it is laid out there are just parking spaces there.

Commissioner Kinsella noted a reference to replanting of trees that have to be removed from the site, and she asked about the replanting plan. Cari stated that generally that would be up to a landscape architect. They have an area designated on the site where they would have basically a nursery as they remove trees. On other projects, they remove trees, set up a watering system, and take care of them. The Commissioner then asked if they would be retained on site as opposed to being shipped to a nursery, and Cari stated right.

Commissioner Kinsella asked if staff would be present during overnight boarding, and Dr. Kinney explained that they don't really board per se. They have an occasional hospitalized animal that needs to stay in the hospital. They might occasionally do medical boarding for a client's pet that is on a number of medications and needs more vigilance, but there are rarely animals staying overnight. Regarding staff, there is no staff that stays there, but they take shifts, and someone goes back and forth checking on them. One thing the new facility would offer would be a space where somebody could comfortably sleep. She has slept in the dog run with a critical patient, and it's not fun, but the new place will allow someone to stay there comfortably.

Commissioner Mayer asked if a sidewalk is planned on the east side of the property from SR 89A to the residential area, and Cari pointed out that it shows a sidewalk from SR 89A to the first driveway, and then into the site. Staff looked at that and it is not a requirement, so in talking with Public Works. . . Commissioner Mayer interrupted to say now we have two exits and entries on that little tiny road of Pinon Drive. Connectivity and walkability of the neighborhoods is one of the major things in our Community Development Plan, so why not extend it onto Cedar Lane. Andy Dickey explained that our intent is to take the development money that will come from this development and apply it towards putting in a sidewalk on the east side of Pinon. The Pinon Lofts development coming in on the other side will be putting in a sidewalk along Pinon Drive up to their driveway, and the City will apply the Development Impact Fees to extend that sidewalk further down later. The Commissioner commented that would be great, because two exits and entries are a lot and people walk their dogs, etc. He lives in that neighborhood and many other people as well, and they all have a concern about that.

Chair Losoff opened the public comment period at this time.

Lynn Eaton, representing her parents, Sedona: Ms. Eaton stated that she is not opposed to a vet clinic, but she was here last year and had objections to the apartment building going in, and

once again, she has problems with all of the traffic on little tiny Pinon Drive. Did the people evaluating this road consider the “s” curve, which you don’t find in a lot of the streets in Sedona? It is very dangerous, and she agrees with Gerhard about needing a sidewalk. There is going to be traffic, traffic, traffic there. She doesn’t understand why the sidewalk doesn’t go to the 2nd driveway on this property; it should be part of the plan. The other thing she didn’t hear was she heard parking based on square footage, but she wants to know how many cars there are going to be per day, and did anybody consider the number of dogs and cats being dropped off, etc.?

Andy Tooke, Sedona: Mr. Tooke stated that they have had property here for 14 years, and he has lived here for the last 10 years. He is an animal lover like the City of Sedona is, as we can see from our animal care facilities, the parks we have and a licensing process for the City. He is a customer of Dr. Kinney and there are times they have to wait for an appointment, when their pets need treatment. In reviewing past experiences, the better the technology they can get, the better opportunity for treatment for our animals, and the better their lives are going to be. From a business management perspective, delays cost money. He spent 35 years in public service, and he would encourage the City of Sedona to approve this facility. If it was a medical facility, he doesn’t believe there would be an unacceptable delay.

Julia Martin, Sedona: Ms. Martin indicated that her family and her pets are clients of the small animal clinic, and they find that their creativity and service is quite extraordinary. They have had many years of pets in many places around the country, and they have some exceptional issues with their pets, and they always receive wonderful care. She can only image that the growth of this business here in town would just be another wonderful star for all of us, so she encourages you to do everything you can to support them.

Lorena Willmon, Sedona: Ms. Willmon stated that she lives on Pinon Drive and she is here to voice support for the Oak Creek Small Animal Hospital to build its facility at the intersection of Pinon Drive and SR 89A. Oak Creek Small Animal Hospital is exactly the sort of low impact business that is perfectly designed to occupy that parcel. Oak Creek Small Animal Hospital is an asset to West Sedona, and we should not lose the opportunity to keep it here. Since there is an apparent problem with one more cutout on SR 89A, and there are already plans to provide an entrance to the approved apartment complex on the east side of Pinon, another entrance from Pinon Drive is not a good idea given Pinon’s current configuration. As she has said in the past, she suggests closing Pinon at Cedar would be safer, because the only vehicles using it would be associated with the residents of the apartment complex, the patrons of the veterinary clinic, and the three residents on Pinon north of Cedar – there might only be two. Then, pedestrian traffic could use Juniper, if they wanted to access SR 89A. It would keep pedestrian traffic from the Juniper Knolls completely out of that section of Pinon, which we all know is quite dangerous.

Jay Bender, Sedona: Mr. Bender stated they live in the subdivision, and they are concerned about the sidewalk issue. He knows there was talk during the approval of the apartment complex about putting a left-turn lane where Pinon accesses SR 89A for people who are queuing there to turn left to go to the high school or towards Cottonwood. There is going to be a backup of cars there with all this added traffic. He is just asking if there has been any further movement on improving that intersection and making a place for one line of traffic to turn right onto SR 89A and another line of traffic queued up to turn left. There is an awful lot of traffic added to that intersection. Regarding the suggestion about those who walk through the intersection; that is their path to the library, and the suggestion that they go all the way up to Juniper to the other intersection where Juniper intersects with SR 89A is a long way to the library, and he wouldn’t want his access through there cut off.

Barbara Chandler, Sedona: Ms. Chandler indicated that she and her husband have been Sedona residents for about 13 years. Dr. Kinney and the Oak Creek Small Animal Clinic provide an excellent service to this community. This community is very fortunate to have a veterinarian of this caliber. They have been clients of Dr. Kinney for seven to eight years with a very difficult cat, and Dr. Kinney has brought us through thick and thin with Jamie. The current facility seems

a little crowded, and she would welcome being able to bring a cat into a separate area from the dogs, as we had in our former area where we lived in Seattle. To wrap this up, she is very much in support of approval for this new site plan for a new clinic for Dr. Kinney's small animal clinic.

Joseph Bauer, Cottonwood. Mr. Bauer indicated that Dr. Kinney has been their vet for 9 years. He doesn't know of anyone who is kinder and more compassionate. This February, they had a situation with one of their dogs that had cancer. They went through numerous days of the dog being in pain. Every time they called Dr. Kinney, she responded in 20 minutes to treat their animal and make the ending of her life easier on her and on us. She came to euthanize the dog at their house, and as difficult as it was, it was more bearable by her kindness and her care. He supports you in allowing her to build this animal hospital.

Cynthia Paster, Sedona: Ms. Paster indicated that she has been a resident of Sedona for almost 30 years. Jeannine Kinney has been their vet ever since she started here, and she can attest to the fact that not only is she a compassionate and valuable member of our community, but there have been instances where she has supported them through tragic times with their animals and been an incredible support to them. There also have been times where in one instance, her friend's dog was bitten by a snake, and it was all hands-on deck. Every person in that clinic was rushing to save the dog, and if there was a facility like a hospital that could accommodate a bigger space and extra clientele, those situations would be greatly relieved. She is all in support of Dr. Kinney having this hospital, and Sedona will really benefit from it.

Ramaswami Venkateswaran, Sedona: Mr. Venkateswaran stated that their dogs have been clients of Dr. Kinney's hospital for many years. Just like the previous gentleman said, they had a dog that had cancer, and they had a tough period for about a year, but he must say that even through all of that period, Dr. Kinney and her staff were very supportive, and in fact, when their dog finally passed at their home, it was late at night and they called Dr. Kinney's office and somebody came specifically to help take the dog, so it could be properly cremated the next day. With all that, it would be very nice to have this facility; they fully support it. The other thing he wanted to point out is the present location is extremely dangerous to go in and out of. If he remembers right, about a year and a half ago, a friend was driving his motorcycle, a very well-known gentleman here – a well-known sculptor, and some lady came out of that hospital and didn't see him. His motorcycle was pushed all the way across the street right in front of the chiropractic clinic, and he died on the spot. It just shows you that it is an extremely dangerous intersection to go in and out of, and he is glad that if the Planning Commission approves this, we will have a facility that is much easier to get in and out of and won't be such a dangerous location in terms of traffic going in and out, so they fully support it.

Having no additional requests to speak, Chair Losoff closed the public comment period.

Summary Discussion:

Chair Losoff asked Andy Dickey to comment about the traffic and impact with the clinic being proposed and the apartment building. Andy Dickey explained that for both developments we considered the geometry and sight obstructions to turning movements, etc. One comment was if the analysis considered an additional northbound lane at this location, and staff did look at that as well. We looked at if new turn lanes were warranted for all legs of the intersection, and none of them did warrant it. One thing to note is specifically looking at the animal clinic, the level of traffic is very low. It is about 150 daily trips in the peak hours, somewhere around 10 vehicles an hour, so you are not talking about a lot of traffic. The geometry in the existing condition is a bit abnormal, because there is more curvature than what you typically see, so we do look at the sight triangles, etc., to ensure adequate stopping distance is allowed for vehicles pulling in and out of the driveways. Staff had it analyzed and there are recommendations specific to some of the planting, the vegetation plan, to accommodate some of the sight triangles that are needed. Chair Losoff then asked about the impact with the apartment building and Andy stated that projected traffic level was included in the Traffic Analysis.

Commissioner Barcus asked about the speed limit. Andy stated that the regulatory speed limit would be 25, but there is an advisable posted at 15 due to the geometry of the road. The Commissioner then asked if there would be any consideration of putting in speed bumps in the road to encourage drivers to adhere to the 15 recommended, and Andy stated that could be looked at, but he doesn't think the level of traffic would meet the level we would want to see before adding a facility like that. Commissioner Barcus stated that we could evaluate it subsequently and that would be one consideration. Andy Dickey indicated yes, especially if we start to have issues in the area.

Commissioner Mayer asked about the width of the entry/exit and if it allows for two cars. Andy stated it is typically 28. The Commissioner then wanted to know if it could be more rounded off, so you don't have to drive to the center in order to make it in. Andy explained that typically what we require for a commercial driveway is not a radiused return, but what we call a dustpan, so the curb adjacent to the driveway is angled to allow for a deflected angle on the side of the driveway so that vehicles. . . Commissioner Mayer interrupted to say, "So you can turn in without having to veer into the center", and Andy agreed. The Commissioner referenced that the City would eventually extend the sidewalk to Cedar Lane, and Andy explained that in an area like this, we would look at one side of the road and try to put the budget and whatever we are going to spend on extending a sidewalk on one side, and it was decided that the east side would be appropriate for this location. Commissioner Mayer stated that would be great, because the City Manager lives there and his wife with a baby carriage, and they have a dog, and the animal clinic is going to be really happy, and the people from this neighborhood is going to be happy as well, because they can walk the dog to the clinic, and there is a lot of animal owners in that subdivision. It is great to hear that sidewalk is going to be extended, so he is totally for that. It is a great place to have that animal clinic, and he knows about the dangers of the exit and entry to that clinic. He saw that accident; it was horrible. All for the safety of the animals and the people, great.

Commissioner Brandt referenced the Development Impact Fees and asked if it is correct that a portion would go to the sidewalk and the City would then follow-through, and Andy explained that there is a transportation portion of the Development Impact Fees, and that would be designated for the sidewalk extension in this area. Commissioner Brandt then asked about the timeframe, and Andy indicated that there are a lot of areas of sidewalks we are looking at now, but he would say we would program it in next year's budget cycle. Typically, we have to program it, and it is not in this coming year. Our fiscal year begins in July, so that is FY 19, and it is not in that budget, so when we program the budget next year, we would look to add this project. Commissioner Brandt commented that it is relatively soon.

Vice Chair Levin indicated that she had no questions and is in full support of the application. Commissioner Kinsella stated that it is a good application and complies with the Development Review checklist. She likes that it is jobs in the community that are not necessarily tourism-related. It serves the community, it has low traffic volume so limited impact, and it is a good transition between the commercial and residential areas, so there are a lot of good things about this project.

MOTION: Vice Chair Levin moved to approve the proposed Development Review for the Oak Creek Small Animal Clinic as set forth in case number PZ17-00019 (DEV) based on compliance with all ordinance requirements and satisfaction of Development Review considerations and applicable Land Development Code requirements and the conditions as outlined in the Staff Report. Commissioner Kinsella seconded the motion.

Chair Losoff reminded the Commission that this is already Commercial, C-1, so the Development Review is the Commission's purview, and once we make a decision, it doesn't have to go to the Council, but because it is an animal clinic, it also needs a Conditional Use Permit, so back to the Development Review. . . Vice Chair Levin called for a vote. Chair Losoff noted a motion was made, call for a vote, and asked if there was any discussion on the motion. There was no response.

VOTE: Motion carried six (6) for and zero (0) opposed. Commissioner Klein was excused.

MOTION: Commissioner Kinsella moved to approve the proposed CUP for Oak Creek Small Animal Clinic as set forth in case number PZ17-00019 (CUP) based on compliance with all ordinance requirements and satisfaction of the CUP findings and applicable Land Development Code requirements and conditions as they are outlined in the Staff Report. Commissioner Mayer seconded the motion.

Chair Losoff noted that the Commission heard from the community and is aware there are concerns about traffic, but the City Engineering Department and staff will be aware of that, so if issues come up, we can make some changes.

VOTE: Motion carried six (6) for and zero (0) opposed. Commissioner Klein was excused.

Chair Losoff recessed the meeting at 6:12 p.m. and reconvened the meeting at 6:15 p.m.

6. Discussion/possible direction regarding the Land Development Code Update.

As a continuation of the discussion in the 3:30 meeting, Vice Chair Levin asked how the City is going to move forward to produce the Zoning Map and how that relates to the new Land Development Code. Mike indicated that the map in their presentation was a straightforward picture of the consolidation. She confirmed that would reflect the new Districts and asked that it be brought to their meeting on the 19th, and Mike stated that the Commission will have it. Tareq added that it also is on the project website at sedonaldcupdate.com. Vice Chair Levin asked if it will go forward for revision, amendment and adoption at the same time that the Land Development Code does, and Mike indicated that is what they are planning, but what you see in your Zoning Districts is reflected in that.

Vice Chair Levin referenced short-term rentals on page 69, and she asked for staff to explain that you can have a live/work situation, part of which is dedicated to residential, and we have the ability to legally restrict short-term rentals in a live/work situation. Why in this particular instance can we apply a restriction or prohibition against short-term rentals? Robert Pickels Jr. stated that he doesn't know that we can; that is something we have to look into a little further. It may fall within the definition in A.R.S. § 9-500.39 of a dwelling that is also a transient lodging establishment under the definition of statutes, so we need to take a look at that. Mike stated that part of the rationale was that the live/work is not necessarily in the existing Code now, and it would be something somebody would bring forward knowing that this was a little different land use. Vice Chair Levin agreed, but commented that when slapped on that other information about prohibiting short-term rentals. . . Robert Pickels stated that it is a matter of whether we can make that distinction, and he needs to be comfortable with that.

Vice Chair Levin referenced the consultant's introductory remarks on the digital page 6 under 8.4.B, and asked the consultant to explain, "Added language that lodging CUPs must be decided by Council. Still must clarify whether P&Z has a role in that process". Matt indicated that it is on page 252 of the printed draft under the Conditional Use Permit section. It was the idea that all CUPs for lodging have to be finally decided by the City Council, and it wasn't discussed with staff as to if the City Council would take the place of the Commission in that process or if there is still a preliminary recommendation by P&Z. They now have had conversations with staff to clarify that the intent was to have a recommendation by the Commission and the final decision by the City Council.

Vice Chair Levin stated that she has not completed her review of this document, but where are references to the Design Review Manual and the Main Street Character Districts; are they appendices, how are they integrated, will they be used as references anymore or are some of those components woven into the language? Matt explained that the Design Review Manual is a term they are hoping to retire, so the idea of a separate Article 10 or a Design Review Manual hopefully will go away. The stuff that is really valuable from that is being consolidated with the current Article 9 material into the new Article 5, but there is background stuff in the Design Review Manual that you

put together historically that talks about the importance of sensitive design in Sedona. It is nice language and helpful as context, but it is not Code language, so they have pulled that out and put it into a separate bin document, and they are still talking with staff about the form that takes. It will probably be a separate handout or manual that staff will maintain internally. Vice Chair Levin asked if it would have accompanying photographs, and Matt stated that all photos would be carried forward. It would have less weight than it has now, because they are to consolidate the mandatory standards in the Code itself.

Commissioner Kinsella referenced the presentation given in the beginning and the reference to gated community standards as a separate section, and then indicated that she didn't see it. Tareq explained that it is a subsection of Section 5.4, Access, Connectivity and Circulation on page 107; it is a component of that. The Commissioner then asked about 'altered TUPs', and Matt explained that the comment referred to pre-application conferences and the idea that sometimes temporary uses are so significant there might need to be a pre-application conference with the applicant, so they added authorization for the director to require that. You get big festivals, fairs, etc., and some of them are on a big scale, so they need to have discussions with staff before making a formal application.

Commissioner Kinsella stated that regarding minor developments, the public review threshold starts in multifamily housing at 11 units. She then asked how we got to the number 11 as the trigger; that seems high, but she doesn't know that we get a lot of small-range multifamily housing. Chair Losoff recalled that the Commission had a long discussion on that, and Mike Raber agreed. Chair Losoff added that there was a consensus to go with 11. He doesn't think we came up with a magic formula, but empirically we thought that up to 10 was one sense, and after that it needed more approval. Commissioner Kinsella stated that she is not sure she agrees with that, but you probably had that discussion before she was on the Commission. Chair Losoff repeated that it was a consensus.

Mike Raber referenced a footnote on page 175 where we asked the Commission to comment on item four on window and door trim exceeding the allowable LRV by 10%, and we wanted to make sure the Commission was in agreement with that. Vice Chair Levin stated that she would defer to Eric.

Commissioner Barcus stated that he had a different interpretation of the 10%. If the LRV of the structure is 38%, he thought you would go 10% more, which would be roughly 42%. He didn't know it was additive; he thought it was multiplicative, so he would like for Eric to address that.

Commissioner Brandt indicated that he likes monochromatic; he doesn't like buildings that have pinstripes at the corners, even though suburbs are full of them, so he shouldn't be the person to ask. He also likes darker buildings, not lighter buildings, so he would say no, they shouldn't be allowed to be lighter; they could be darker.

Chair Losoff asked if staff had a recommendation and Mike noted that he had said their recommendation. Cari explained that currently there is a general statement that says trim colors don't have to comply but should be compatible. We don't have a standard for this, so people do white trim and that leads to calls about doing white in Sedona. Is that really the look the community was going for when the Code says they need to be compatible colors but don't have to comply with the LRV? We felt that to enforce anything for trim colors, we need a standard with a number; it can't be a judgment call. Unlike Commissioner Brandt, there are a lot of people who like a little lighter trim color, especially when they are restricted in the color of their building. We say they can't have lighter color houses, but they feel like they can express themselves through their trim color, so we felt we needed a standard. Commissioner Brandt stated that coming from that direction, since there is no standard now, bringing it to there is great.

Mike Raber noted that a few definitions need to be clarified, and you will see those on the sheet on the 19th. Mike then referenced page 302 under Minor Modification Approval Criteria and explained that in the opening paragraph, we wanted to say, "A minor modification may be approved if the decision-making body finds the modification meets two or more of the following:".

Mike then indicated that there are a number of minor items that you will see on the list. We will return with a list of items that will go with the draft Code, so if you act on the draft, that list will say what is being changed. In definitions, religious institution needs a better definition on page 314 to clarify that language, and on outdoor recreation facility, we need develop language to split commercial and non-commercial activities on page 317. There might be a couple more, but one is on page 355, which is the definition for structure that is highlighted in the draft, and they have presented two different definitions -- one is the existing definition and the other comes from Historic Preservation Ordinance, so we will need to either tweak one of them or stick with one versus the other. Chair Losoff asked if staff had a preference, and Mike indicated that Clarion seems to prefer the latter definition that came from the Historic Preservation Ordinance. Chair Losoff then asked if the Commission had a preference, and no preference was stated. Matt explained that their recommendation was pretty preliminary; they haven't had a chance to talk with the staff about why they were developed for different contexts, and it could be that the solution is to carry them both forward in some hybrid way, so they might want a little more conversation on that. Mike agreed that staff can structure that.

Commissioner Kinsella referenced a discussion about sheds and how the definition of sheds is different in people's minds, and she asked if this would address that. She is thinking of a shed like you would buy -- a pre-fab shed. Mike explained that the first definition talks about something attached to the ground. Commissioner Kinsella then asked if something set on the group without footings would fly; the stricter definition seems to be the first definition and is the one she would prefer. Audree Juhlin stated that she prefers the first, because it talks about structures that are placed on, above or below ground, and we have used that historically to define like a swimming pool or other things that are attached to the ground in some form or fashion. Chair Losoff indicated that he leans toward the first one too, because it is more specific. His hope is that we don't have to go through a lot of discussion or review in the next meeting, and we can tie it all up tonight.

Mike Raber stated that we have a list of things that we are changing based on what we are hearing from you tonight as well as some of the more minor changes. Vice Chair Levin stated that she reserves an opportunity to speak, because she has not finished her page by page review.

Robert Pickels indicated that on the subject of definitions, he won't be present for the meeting on the 19th, and he wasn't quite sure what the direction was on the definition of 'family' and whether or not there was direction to include a specific definition for domestic partners. His advice to staff would be to not make such a distinction, because that is absolutely included within Subsection c., when it talks about four unrelated adults; that encompasses it and we get into dicey territory when we make those type of distinctions. The disability definition distinction is in there because of the Fair Housing Act requirements, so we have to call out that distinction; otherwise, he doesn't recommend calling out any kind of distinction that is otherwise included, so that would be his direction or recommendation to staff. Chair Losoff noted that the Commission has to defer to the City Attorney on some of these legal issues, so noted.

Audree Juhlin stated that based on the conversation at the beginning of the 3:30 p.m. meeting, we talked about the Administrative Manuals that will be created as a result of the Land Development Code update, and one of those Manuals for the Historic Preservation Commission is in the process of review and approval. Those elements that are not land use-related have been transferred into an Administrative Manual. We have expanded and included a number of other items in the document, but it will go before the Historic Preservation Commission next Monday at 4:00 p.m., so we will get feedback from them. Chair Losoff noted that is not in P&Z's purview and Audree agreed, but explained it is one of the Manuals that will be subsequent to this change, and it is part of Article 15 in the current Land Development Code that we are removing and not including in the draft. We don't want to lose those items that are in the current Land Development Code. The Chair commented that it is not for P&Z to okay, review, etc., and Audree agreed that P&Z would not be seeing their Manual, but she wanted to let you know for purposes of Article 15 that we are not losing that information.

Chair Losoff again emphasized that his hope is that we have had enough time spent on this, and we indicated a couple of meetings ago that this would be the critical meeting, so if there is anything on the table. . .

Commissioner Barcus stated that we use a lot of terms that we understand like user-friendly, etc., and we understand 'clear and specific direction' and what the goals are, etc., but he would like to have a good understanding of how the community is going to view this project that we have completed. He doesn't think the revisions made have changed how development is going to occur in the City of Sedona. It has improved the process and product, but he doesn't think this Plan is anymore anti-development or pro-development. It is neutral in terms of the final product of what we have been living and working with. It is consistent with the Community Plan and incorporates the Community Focus Areas, and it is going to be important in our messaging about how we describe this to the community that this is not changing the balance of how development is going to occur. It may simplify things, but it is not going to change how much gets built over the period of time that this Plan is in effect, but he would like to hear the staff and consultants' assessment of that.

Mike Raber indicated that the Commissioner is largely correct in that the Community Plan is actually the vehicle that talks more about how we may want to change things in the future, and the Land Development Code is the way to carry that out, so from that standpoint, he would tend to agree with what you are saying; it is the way to implement our Plan. The Plan is really the document that talks about future growth and where and how we should grow, what the future holds and the goals for the future. Chair Losoff commented that the Community Plan is the one that could cause significant change, and the Land Development Code helps implement the Community Plan but doesn't provide any change that would upset people. The Community Plan was the one that could effect or not effect change. Commissioner Barcus agreed but stated that the devil is in the details, and these are the details. He doesn't think this is a pro or anti-development document; it is consistent with the Community Plan and that is going to be an important way of characterizing this as we go forward, especially to the City Council.

Commissioner Mayer referenced Detached Accessory Buildings on page 90 and mentioned a little house set up at the Charter School on Kachina. He then asked how that is going to be applied to "manufactured homes shall not be used as accessory buildings", because they are manufactured. Audree explained that there are a number of different ways to define manufactured homes. The one placed at the Charter School is not like a park home with an RV VIN number. It is considered a house by HUD standards, so that would qualify for placement in the City. Those regulations are primarily addressed in our Building code, and as we are updating the 2006 Building Code to the 2015 edition, we will have the provisions that specifically talk about what tiny homes would be allowed and where.

Commissioner Brandt indicated that when Commissioner Barcus is gone, he will be thinking about what Randy would say, because that was a very good point. Commissioner Brandt then asked if the Design Review Manual is going to be another one of those appendices or a reference, and if the Commission will be able to review that before it goes to the City Council. Matt explained that they are trying to eliminate Design Review Manual as a separate term, so there is some design-concept language that has been pulled out into a separate bin file, and staff is still talking about the appropriate home for that long-term. It is not regulatory; it is not standards or stuff that you can vote up or down. It just describes the importance of good design in Sedona. They don't want to lose it, because people spent a lot of time on it and it is valuable, but it is more just guidelines. It is out there and one of the decisions that staff needs to make is a recommendation to you about the form of that as one of those Manuals. Vice Chair Levin asked earlier about Main Street and it is in the same box. It is a lot of guidelines and will go along with the design standard stuff. Hopefully, a lot of the general applicable standards that have been drafted means Main Street can become a lot shorter, but there might be some stuff specific to Main Street that still lives in that separate Manual. The process for bringing that before the Commission is still under discussion. Mike explained that we need to make clear that it is not part of the adoption of this Code. Those Manuals are things that we can bring forward and update, but they are not tied to the adoption of the Code. We need to bring it forward while that is happening, but it is not necessarily something that goes through that process. Matt added that a big reason for

having things in a manual versus the Code is that you can update a manual more frequently without having to go through a full Code update. Mike indicated that it may be more informative than action-oriented on behalf of the Commission.

Chair Losoff noted that he is ready to act, but we have to wait until next time. In some cases, we've been forced to accept some things and in other cases, we've mulled over a lot of other issues. We've had enough input and kept on track, but what we learned 10 months ago, we kind of forget, so we have to refresh our memories. It is a great job, a major task and it is a living document, so it doesn't mean we can't modify or change it within a period of time. The overall process in terms of goals, user-friendly, clear and specific have been met, and it looks pretty good. The next step is on the 19th, and staff will send the Commission any modifications from today's meeting, so he hopes the Commission acts on it, and we will go with the majority.

7. FUTURE MEETING DATES AND AGENDA ITEMS

- a. **Tuesday, June 19, 2018; 3:30 pm (Work Session)**
- b. **Tuesday, June 19, 2018; 5:30 pm (Public Hearing)**
- c. **Tuesday, July 3, 2018; 3:30 pm (Work Session)**
- d. **Tuesday, July 3, 2018; 5:30 pm (Public Hearing)**

Audree Juhlin stated that there will be a work session on the 19th for two Conceptual Reviews -- the Bristlecone Pine Subdivision and the Oak Creek Blvd. multifamily proposal. At 5:30 p.m., there will be a public hearing on the Land Development Code, and if we are not able to get through the Land Development Code on the 19th, we are prepared to meet again on the 20th. On July 3rd, we will have a work session at 3:30 on the Park Place development proposal for Conceptual Review, the Habitat project for Development Review and a wireless Conditional Use Permit for location off of Kallof.

Audree asked if there is a quorum for the 19th and Commissioner Brandt indicated he would not be available, Commissioner Kinsella stated her availability was undetermined, and Commissioner Barcus will not be here. Audree then noted that July 3rd will be her last meeting with the Commission.

8. 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 Planning and Zoning Commission 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.**

No Executive Session was held.

9. ADJOURNMENT

Chair Losoff called for adjournment at 6:50 p.m., without objection.

I certify that the above is a true and correct summary of the meeting of the Planning & Zoning Commission held on June 5, 2018.

Donna A. S. Puckett, *Administrative Assistant*

Date