



# PZ 21-00004

## Land Development Code Revisions



June 8, 2021

# DRAFTING THE NEW LDC

1



## Zoning Districts and Use Regulations

- What can I do on my property?
- Where can I do it?
- How much / how big?

2



## Development Standards

- What level of quality is required?
- What about redevelopment?

3



## Administration and Procedures

- How do I get a project approved?
- Are there exceptions?

## LDC UPDATE – PROJECT GOALS

- Develop a code that is user-friendly and easy to understand
- Provide clear and specific direction for development and re-development
- Implement the 2014 Sedona Community Plan
- Address the goals identified in adopted Community Focus Area plans
- Reflect best practices



## SECTION 8.6.C.4. APPROVAL CRITERIA

- 4a. Is consistent with the Sedona Community Plan, Community Focus Area Plans, other adopted plans, and other City policies;
- 4b. Does not conflict with other provisions of the LDC or other provisions in the Sedona Municipal Code;
- 4c. Is necessary to address a demonstrated community need;
- 4d. Is necessary to respond to substantial changes in conditions and/or policy; and
- 4e. Is consistent with the general purpose and intent of the LDC.

**#7, 8, 11, 16, 17 - SECTIONS 3.3.C.22, 26;  
SECTION 3.4.D.(5)B.3.; SECTION 5.6.D.**

Screening for Vehicle Sales, Fleet Services, RV's, Loading, Service and Refuse Areas and Outside Storage.

Vegetative Screening would no longer be allowed outright. Only on a case-by-case basis with Director approval.

## #12 SECTION 3.4.D.(5)C. - OUTSIDE STORAGE, ALL RESIDENTIAL ZONING DISTRICTS

Solid waste and recycling containers would be considered outside storage except when set out for collection.

*Not recommended by Planning and Zoning  
Commission*

## #4 SECTION 3.2.E. - TABLE OF ALLOWED USES; SECTION 3.4.D. – ADDITIONAL STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES

New subsection 3.4.D.(7) would allow consideration, through a Conditional Use Permit, to provide parking facilities for non-residential uses (such as churches) in residential zones to be used as overflow parking for trailheads as long as parking areas are not being expanded for that purpose.

## SECTION 3.4.D(7) POSSIBLE ADDITIONAL CONDITIONS

- Restroom Facilities
- Traffic Control Plan and Signage
- Management of Trash Pickup
- Hours of Operation
- Evaluation of Shuttle
- Other Conditions to Mitigate Impacts on Residential Area



## RECOMMENDATION

- Planning and Zoning Commission recommends approval of PZ 21-00004 (LDC Revisions).



# REPORT

Office of the Sedona City Attorney

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TO: Mayor and City Council

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CC: Karen Osburn, City Manager

FROM: Kurt Christianson, City Attorney

DATE: June 7, 2021

SUBJECT: Arizona Legislative Update

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The following is a summary of legislative activity occurring in the Arizona State Legislature that may have an impact on the City of Sedona. This is not an exhaustive list.

## **General Information:**

The 1<sup>st</sup> Regular Session of the 55<sup>th</sup> Arizona State Legislature began on January 11, 2021. During the session, 818 bills were introduced in the Senate and 890 bills in the House for a total of **1,708**. The session was originally scheduled to end on April 24, 2021. A majority vote of the Members each week has continued the session to the present. Traditionally, the session has been adjourned before Memorial Day. After taking the week after Memorial Day off, the session was continued today, Monday, June 7, 2021.

## **State Budget:**

On May 24, 2021, 11 Budget Bills were introduced and given a first reading for the 2021-2022 Arizona State Budget:

HB 2891/SB 1819 budget procedures; budget reconciliation;

HB 2892/SB 1820 capital outlay; appropriations;

HB 2893/SB 1821 criminal justice; budget reconciliation;

HB 2894/SB 1822 environment; budget reconciliation;

HB 2895 general appropriations act; page 22, line 25, \$2,522,600 for coordinated homeless services; Line 36, \$1,754,600 for coordinated hunger services

HB 2896/SB 1824 health; budget reconciliation;

HB 2897/SB 1825 higher education; budget reconciliation;

HB 2898/SB 1826 K-12 education; budget reconciliation;

HB 2899/SB 1827 revenue; budget reconciliation; **Failed House, 30-30.**

HB 2900/SB 1828 omnibus; taxation; page 20, line 41 establishes the affordable housing tax credit. Authorizes the Department of Housing to allocate \$4 million in tax credits per year from Tax Year 2022 to TY 2025. Page 77, local government "hold harmless" for the 2.5% flat tax for three years through the new A.R.S. 43-205 Revenue Sharing Stabilization Fund and a proposed amendment increased state shared revenue from 15% to 17%. **Failed House, 30-30.**

HB 2901/SB 1829 transportation; budget reconciliation.

The bills have passed House/Senate Appropriations and Rules Committees. Votes have only been held on HB2899 and HB2900, both of which failed in the House on 6/7/21.

HB2900/SB1828 includes the \$1.5 billion income tax cut that would, reduce State income tax to a flat tax of 2.5% beginning in 2023. Personal income tax amounts would remain the same for 2021 and decrease some in 2022. This represents a 27% cut to Arizona municipalities of voter approved (in 1972) state shared revenue. A 2.5% flat tax would cut Sedona's shared revenue by \$401,279 annually. This flat tax represents the single largest cut to local revenue in Arizona history. The League continues to ask elected officials to engage their State legislators to ensure this proposal is revenue neutral for cities and towns.

### **LEAGUE RESOLUTIONS:**

#### **SB 1327 / HB 2562 Tax Credit; Affordable Housing** (Cobb) (SUPPORTS) (SUPPORTS)

This bill would establish an affordable housing tax credit and an affordable housing premium tax credit for qualified projects that would be set at 50% of the amount of the low-income federal tax credit allowed.

Passed the House Appropriations Committee 12-1. Passed House Rules Committee 8-0. House COW approved on 2-18-21. Passed Senate. Still awaiting House third read.

### **BILLS OF INTEREST:**

#### **HB 2248 / SB 1175 Corporation Commission; Electric Generation Resources** (Griffin/Kerr) (OPPOSES)

Amended to now state that public service corporations must derive at least 15% of kilowatt sales from renewable energy resources by December 21, 2025 and for each year thereafter, but still prohibits the ACC from adopting or enforcing any policy that increases or decreases that percentage. "Renewable energy resources" mean solar, wind, biomass, geothermal and hydroelectric. ACC already set a 15% percent goal in 2006. State likely already produces about 13-15% of its energy from renewable energy resources.

HB 2248 Passed House, 31-28 on 3/3/21. SB 1175 was retained in Senate COW 3/4/21. HB 2248 was retained on the Senate Rules Committee 4/1/21. No additional movement.

#### **HB 2152 Police; Camera Recordings; Required Redactions** (Kavanagh) (NEUTRAL)

This bill would require law enforcement agencies to redact faces or identifiable body parts of persons in video footage taken in private locations, of persons in a state of undress, or victims. Does not apply if the person provides a written waiver.

Passed the House, 31-29. Passed Senate Judiciary and Rules Committees and was retained on the Senate COW on 5/26/21.

#### **HB 2049 Eminent Domain; Existing Contracts** (Weninger) (OPPOSES)

This bill would require the city, when exercising the right of eminent domain to acquire a public utility business or enterprise, to assume all existing assets and contractual obligations associated with providing current and future utility service in the certificate of convenience and necessity that is being condemned, unless all the parties to the contractual obligation agree otherwise. This could cause the city to violate the Gift Clause or prevent the city from condemning the utility.

Passed House 34-24. Passed Senate Government and Rules Committees. Retained on Senate COW calendar on 4/14/21. Failed the Senate third read 12-18 on 5/24/21, but a motion to reconsider passed that same day.

**HB 2551 Misconduct Involving Weapons; Public Places** (Kavanagh) (**OPPOSES**)

The bill prohibits cities and towns from banning individuals with a valid CCW permit from carrying a firearm in a public building, unless the city or town provides a security guard and electronic weapon screening device. This would mean that cities could not prevent concealed weapon permit carriers from being armed in city buildings unless the buildings were equipped with proper security such as metal detectors, security guards, etc. A fiscal note provided by the Joint Legislative Budget Committee provided estimates for the cost of implementing this measure in state buildings, noting a single entrance would require \$130,000 annually for staffing in addition to one-time equipment costs. This is a bill that has been introduced several times in previous sessions.

Passed the House. Passed the Senate Judiciary Committee, 5-2. Passed the Senate Judiciary Committee on 3/18/21 but has not yet been heard in the Senate Rules Committee or made any additional progress.

**HB 2190 Vaccinations; Businesses** (Roberts)

This is a strike-everything amendment. The bill now would prohibit local governments from requiring persons to be vaccinated as a condition of receiving services, benefits or incentives. Specifically, it prohibits a local government, county, or state to require a person to receive a vaccine as a condition for entrance into a public building, use of public transportation or receiving various government benefits, services or licenses. It also prohibits a local government, county or state from providing a special privilege, financial benefit or other incentive to a person for receiving a vaccine. Stipulates that violating these provisions is a class 5 felony. It also prohibits a business from refusing a service, product, admission to a venue or transportation to a person because that person has not received a vaccine.

Passed House. Passed the Senate Appropriations and Rules Committees. After being held for over three weeks it passed the Senate Republican Caucus on 4/27/21. Failed Senate Third Read 13-16 on 5/20/2021, however, a motion to reconsider passed on 5/24/2021.

**SB 1713 Early Ballots; Identification; Mailing** (Mesnard)

Makes changes to the early voter ballot affidavit. Stipulates that the affidavit that accompanies the early ballot must be able to be concealed when delivered or mailed to the county recorder or other officer in charge of elections. States that the affidavit must require a voter to provide voter information. Asserts that the county recorder or other officer in charge of elections must confirm the elector's voter information submitted by the elector and provide the same curing period and requirements for inconsistent voter information as for inconsistent signatures.

Passed Senate 16-14 on 3/8/21. Passed House Government & Elections Committee and House Rules Committee. Failed in the House 29-31, on 5/26/21.

Please contact me if you have any questions or if you are aware of proposed legislation that should be added to this list.

**URS LOSS ALLOCATION (17%), WHEN FULLY IMPLEMENTED**

CITY/TOWN	POPULATION	FY 2021 General Fund Revenues for Operations	City/Town Share of Income Tax Reduction	URS Loss as % of GF Revenues for Ops
APACHE JUNCTION	42,571	\$26,824,401	(\$1,598,287)	-5.96%
AVONDALE	87,931	\$66,907,875	(\$3,301,284)	-4.93%
BENSON	4,880	\$6,532,003	(\$183,215)	-2.80%
BISBEE	5,225	\$4,732,348	(\$196,168)	-4.15%
BUCKEYE	79,620	\$76,060,456	(\$2,989,256)	-3.93%
BULLHEAD CITY	40,884	\$29,523,244	(\$1,534,950)	-5.20%
CAMP VERDE	11,187	\$8,715,445	(\$420,005)	-4.82%
CAREFREE	3,927	\$2,813,000	(\$147,435)	-5.24%
CASA GRANDE	58,632	\$43,850,798	(\$2,201,282)	-5.02%
CAVE CREEK	5,838	\$8,107,161	(\$219,182)	-2.70%
CHANDLER	261,165	\$206,567,996	(\$9,805,188)	-4.75%
CHINO VALLEY	12,375	\$9,610,000	(\$464,607)	-4.83%
CLARKDALE	4,391	\$2,908,964	(\$164,856)	-5.67%
CLIFTON	3,708	\$1,898,018	(\$139,213)	-7.33%
COLORADO CITY	4,836	\$2,096,584	(\$181,563)	-8.66%
COOLIDGE	13,130	\$9,363,785	(\$492,953)	-5.26%
COTTONWOOD	12,253	\$17,661,695	(\$460,027)	-2.60%
DEWEY-HUMBOLDT	4,137	\$2,302,097	(\$155,320)	-6.75%
DOUGLAS	16,193	\$12,610,801	(\$607,951)	-4.82%
DUNCAN	1,500	NOT AVAILABLE	(\$56,316)	NOT AVAILABLE
EAGAR	4,941	\$2,738,625	(\$185,505)	-6.77%
EL MIRAGE	35,753	\$23,393,618	(\$1,342,312)	-5.74%
ELOY	19,625	\$11,904,265	(\$736,802)	-6.19%
FLAGSTAFF	75,038	\$54,451,278	(\$2,817,229)	-5.17%
FLORENCE	27,422	\$11,647,422	(\$1,029,533)	-8.84%
FOUNTAIN HILLS	25,200	\$17,629,442	(\$946,110)	-5.37%
FREDONIA	1,500	\$806,680	(\$56,316)	-6.98%
GILA BEND	2,100	\$3,606,264	(\$78,842)	-2.19%
GILBERT	254,114	\$174,122,392	(\$9,540,465)	-5.48%
GLENDALE	252,381	\$197,894,014	(\$9,475,401)	-4.79%
GLOBE	7,347	\$9,406,636	(\$275,836)	-2.93%
GOODYEAR	86,840	\$102,887,560	(\$3,260,324)	-3.17%
GUADALUPE	6,631	\$3,719,947	(\$248,954)	-6.69%
HAYDEN	1,500	\$2,541,815	(\$56,316)	-2.22%
HOLBROOK	5,084	\$1,921,338	(\$190,874)	-9.93%
HUACHUCA CITY	1,736	\$1,002,857	(\$65,176)	-6.50%
JEROME	1,500	\$1,210,088	(\$56,316)	-4.65%
KEARNY	2,168	\$1,380,549	(\$81,395)	-5.90%
KINGMAN	31,013	\$26,394,975	(\$1,164,353)	-4.41%
LAKE HAVASU CITY	55,865	\$42,614,986	(\$2,097,397)	-4.92%
LITCHFIELD PARK	6,436	\$9,698,792	(\$241,633)	-2.49%
MAMMOTH	1,687	NOT AVAILABLE	(\$63,337)	NOT AVAILABLE
MARANA	49,030	\$38,840,019	(\$1,840,784)	-4.74%
MARICOPA	52,127	\$47,152,326	(\$1,957,058)	-4.15%
MESA	518,012	\$278,029,189	(\$19,448,260)	-7.00%
MIAMI	1,780	\$1,325,350	(\$66,828)	-5.04%

**URS LOSS ALLOCATION (17%), WHEN FULLY IMPLEMENTED**

CITY/TOWN	POPULATION	FY 2021 General Fund Revenues for Operations	City/Town Share of Income Tax Reduction	URS Loss as % of GF Revenues for Ops
NOGALES	20,103	\$16,956,182	(\$754,748)	-4.45%
ORO VALLEY	46,044	\$31,507,375	(\$1,728,678)	-5.49%
PAGE	7,529	\$10,409,472	(\$282,669)	-2.72%
PARADISE VALLEY	14,637	\$16,940,055	(\$549,532)	-3.24%
PARKER	3,207	\$2,482,799	(\$120,404)	-4.85%
PATAGONIA	1,500	\$691,313	(\$56,316)	-8.15%
PAYSON	15,813	\$16,744,972	(\$593,684)	-3.55%
PEORIA	175,961	\$125,556,213	(\$6,606,286)	-5.26%
PHOENIX	1,680,992	\$1,699,265,000	(\$63,111,222)	-3.71%
PIMA	2,558	NOT AVAILABLE	(\$96,038)	NOT AVAILABLE
PINETOP-LAKESIDE	4,469	\$5,251,040	(\$167,784)	-3.20%
PRESCOTT	44,299	\$32,794,185	(\$1,663,163)	-5.07%
PRESCOTT VALLEY	46,515	\$31,821,927	(\$1,746,361)	-5.49%
QUARTZSITE	3,763	\$2,758,633	(\$141,278)	-5.12%
QUEEN CREEK	50,890	\$46,366,220	(\$1,910,616)	-4.12%
SAFFORD	9,983	\$10,669,419	(\$374,802)	-3.51%
SAHUARITA	31,421	\$15,195,750	(\$1,179,671)	-7.76%
SAINT JOHNS	3,512	\$1,786,400	(\$131,855)	-7.38%
SAN LUIS	34,778	\$19,339,400	(\$1,305,706)	-6.75%
SCOTTSDALE	258,069	\$243,731,924	(\$9,688,951)	-3.98%
SEDONA	10,339	\$22,104,600	(\$388,168)	-1.76%
SHOW LOW	11,442	\$14,147,227	(\$429,579)	-3.04%
SIERRA VISTA	43,045	\$29,615,455	(\$1,616,083)	-5.46%
SNOWFLAKE	5,995	\$3,915,296	(\$225,076)	-5.75%
SOMERTON	16,554	\$7,748,000	(\$621,504)	-8.02%
SOUTH TUCSON	5,715	\$5,373,147	(\$214,564)	-3.99%
SPRINGERVILLE	1,978	\$2,184,009	(\$74,262)	-3.40%
STAR VALLEY	2,308	\$1,043,293	(\$86,652)	-8.31%
SUPERIOR	3,178	\$2,490,930	(\$119,315)	-4.79%
SURPRISE	141,664	\$101,510,900	(\$5,318,638)	-5.24%
TAYLOR	4,321	\$3,201,474	(\$162,228)	-5.07%
TEMPE	195,805	\$195,506,933	(\$7,351,310)	-3.76%
THATCHER	5,200	\$5,068,470	(\$195,229)	-3.85%
TOLLESON	7,372	\$28,337,648	(\$276,775)	-0.98%
TOMBSTONE	1,500	\$1,757,540	(\$56,316)	-3.20%
TUCSON	548,073	\$454,462,490	(\$20,576,872)	-4.53%
TUSAYAN	1,500	\$2,644,320	(\$56,316)	-2.13%
WELLTON	3,044	\$1,612,115	(\$114,284)	-7.09%
WICKENBURG	8,092	\$7,642,994	(\$303,806)	-3.97%
WILLCOX	3,533	\$2,959,142	(\$132,643)	-4.48%
WILLIAMS	3,248	\$6,901,411	(\$121,943)	-1.77%
WINKELMAN	1,500	\$461,205	(\$56,316)	-12.21%
WINSLOW	9,338	\$6,650,639	(\$350,586)	-5.27%
YOUNGTOWN	6,859	\$4,147,198	(\$257,515)	-6.21%
YUMA	98,285	\$65,114,441	(\$3,690,015)	-5.67%
<b>TOTALS:</b>	<b>5,797,144</b>	<b>\$4,912,276,254</b>	<b>(\$217,648,174)</b>	<b>-4.43%</b>
			LOWEST IMPACT	-0.98%
			HIGHEST IMPACT	-12.21%
			AVERAGE IMPACT	-5.02%

# COVID-19 Update

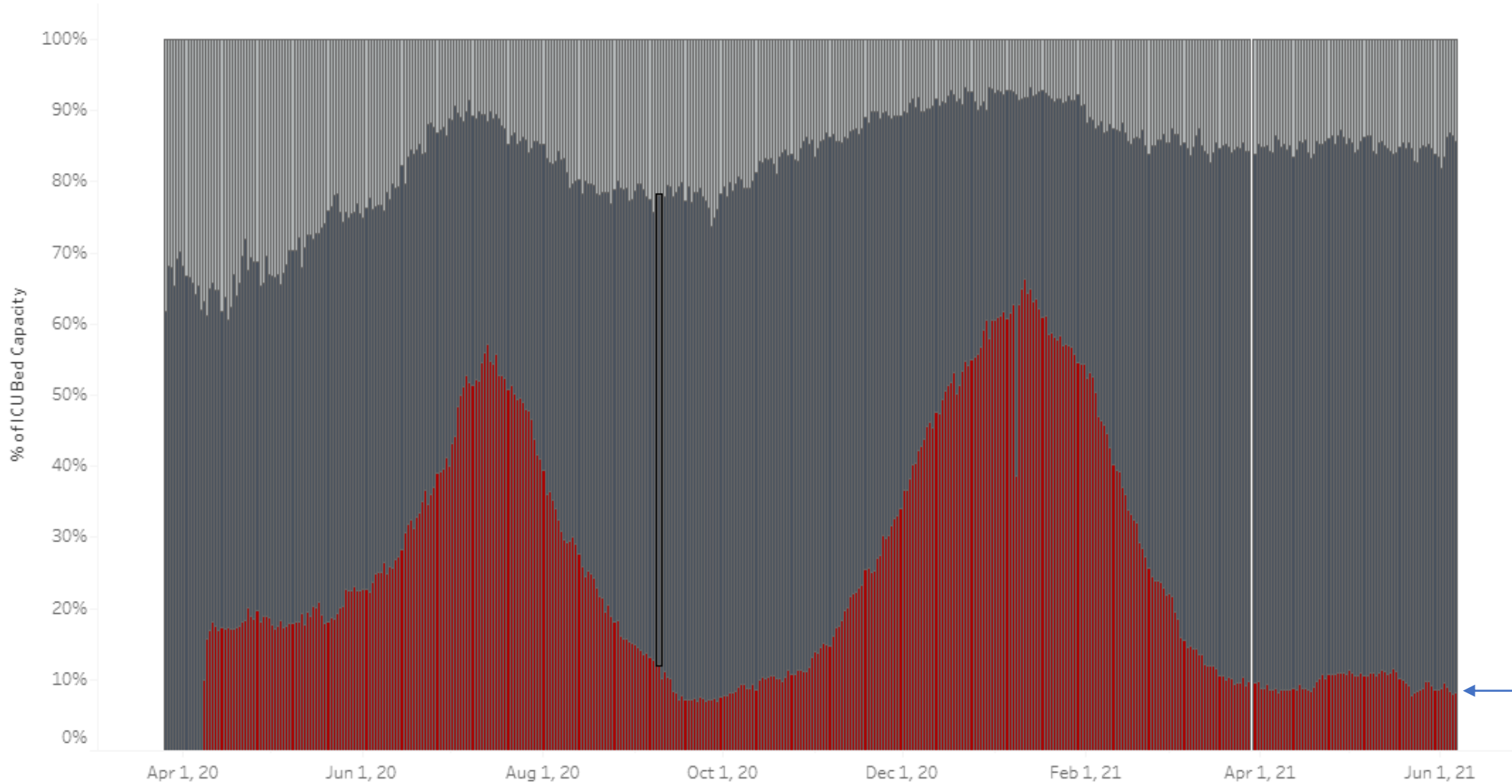
Sedona City Council Meeting

6/8/21



- Adult Intensive Care Unit Beds Available
- Adult Intensive Care Beds in Use by Non-COVID Patients
- Adult Intensive Care Beds in Use by COVID Patients

### Number of Intensive Care Unit (ICU)\* Beds Available and In Use at Arizona Hospitals

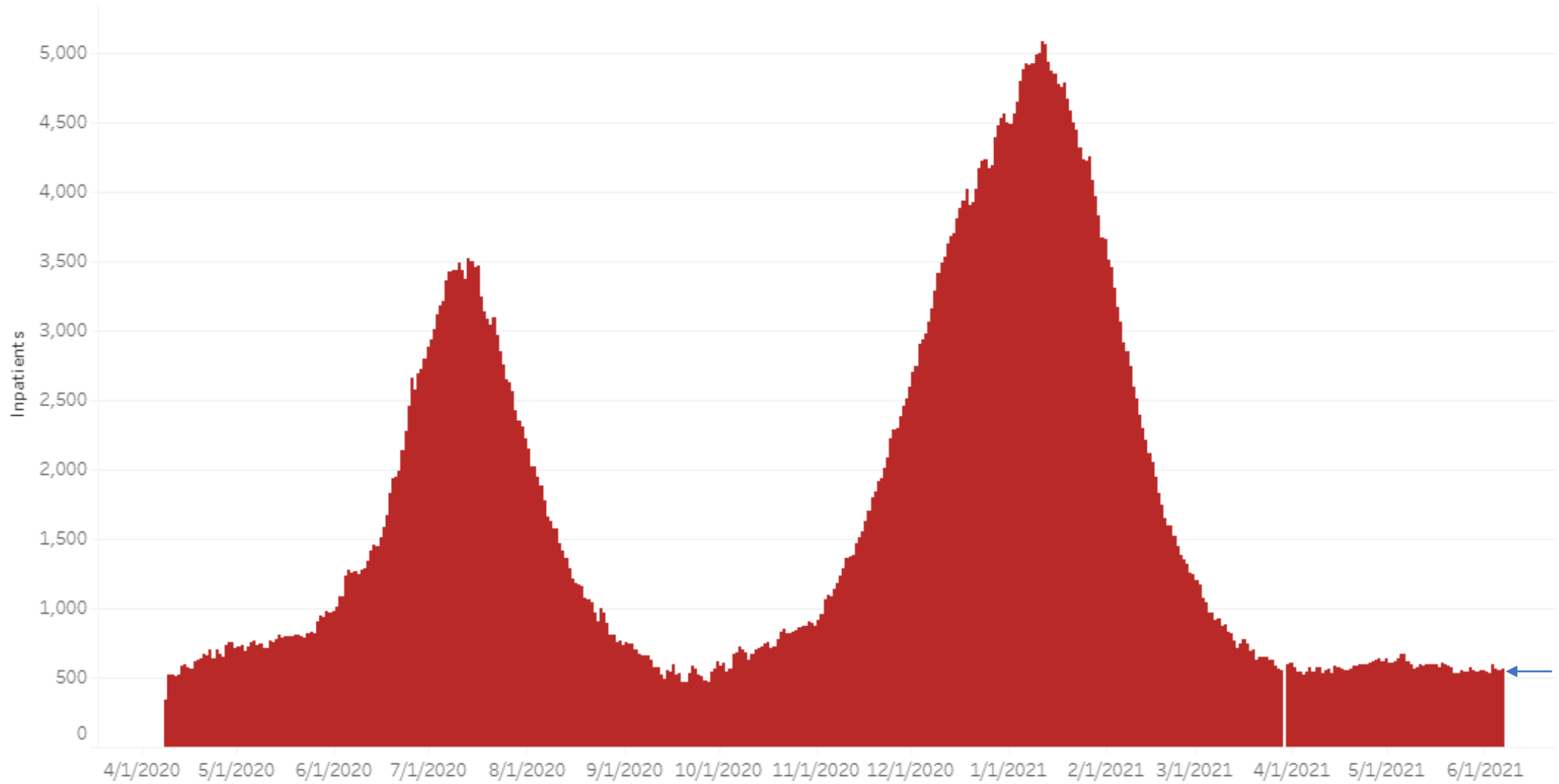


141 = down 2.1% from 5/25





### Number of Positive or Suspected **Inpatient COVID-19 Patients**



560 up 5.9%  
from 5/25



<https://www.azdhs.gov/covid19/data/index.php#specific-metrics>

## AZ Changes in Total Deaths

Date	Total Deaths	Change	Deaths/day
8/11/20	4,199		
9/8/20	5,221	+1,022	36.5
10/13/20	5,767	+546	26
10/27/20	5,891	+124	8.9
11/10/20	6,192	+301	21.5
11/24/20	6,515	+323	23
12/8/20	6,973	+458	32.7
1/12/21	10,482	+3509	100.3
1/26/21	12,448	+1966	140.4
2/9/21	14,286	+1838	131
2/23/21	15,650	+1364	97.4
3/9/21	16,326	+676	32.2
3/23/21	16,798	+472	33.7
4/13/21	17,105	+307	14.6
4/27/21	17,208	+163	11.6
5/11/21	17,409	+201	14.4
5/25/21	17,555	+146	10.4
6/8/21	17,700	+145	10.4



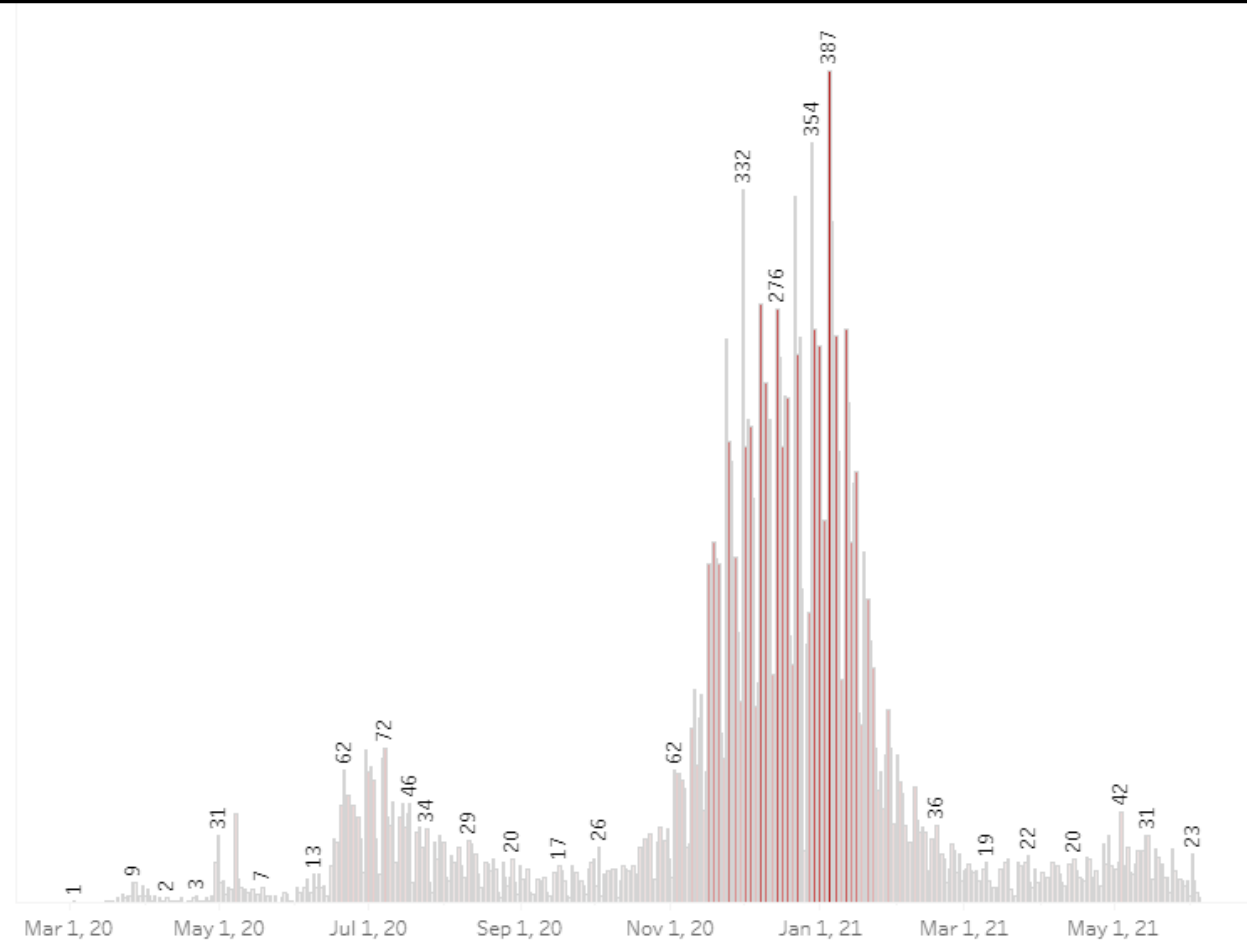
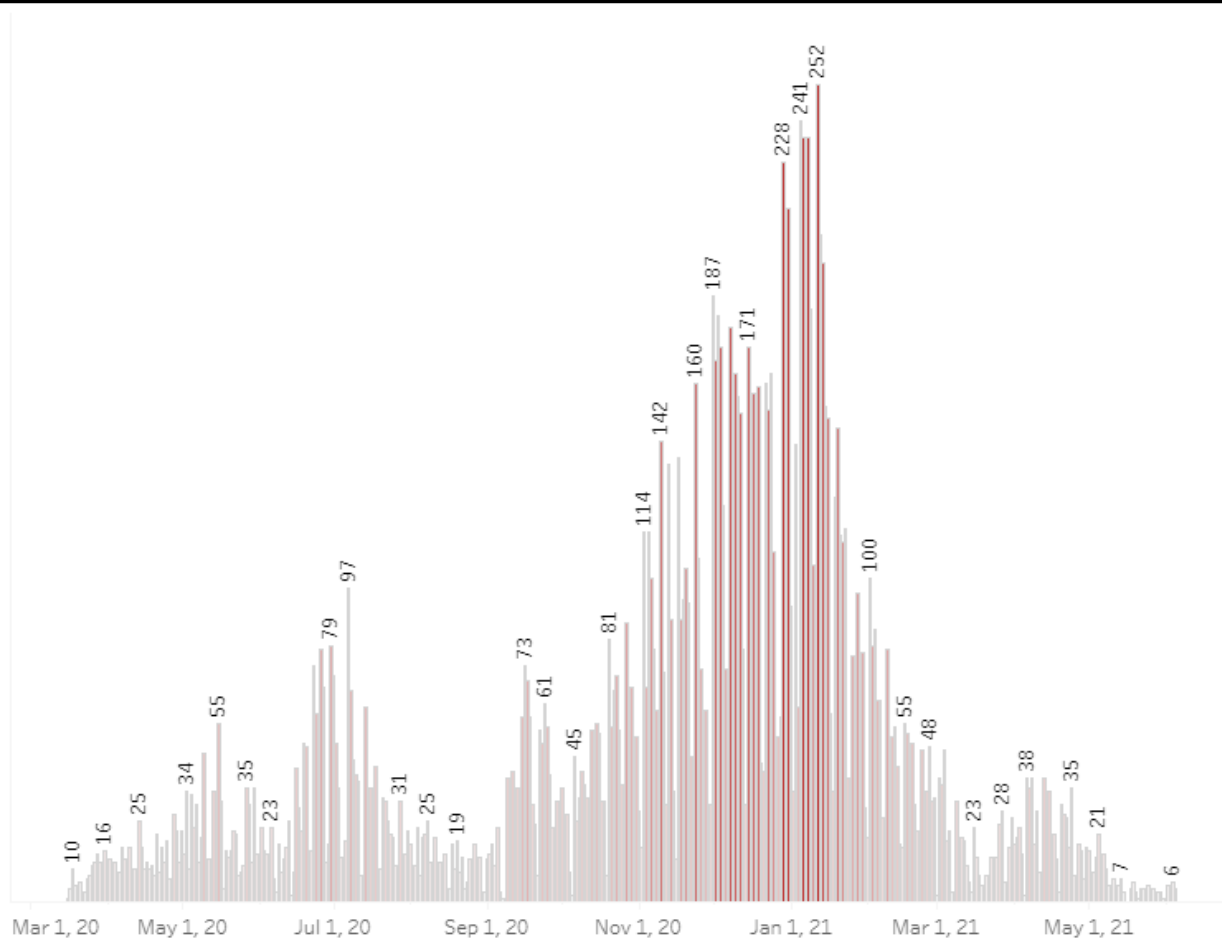
Data pulled from City Council reports 8/11 through 5/25

# COVID-19 Cases by Day

Date of specimen collection is used for day

## Coconino County

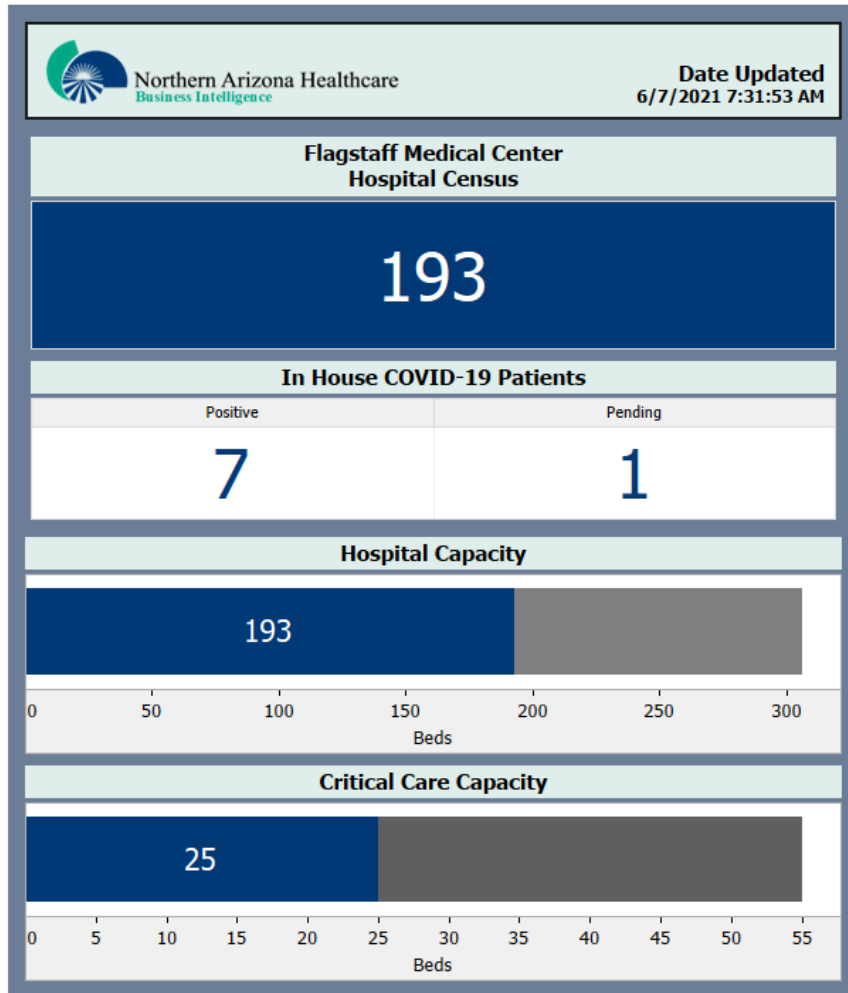
## Yavapai County



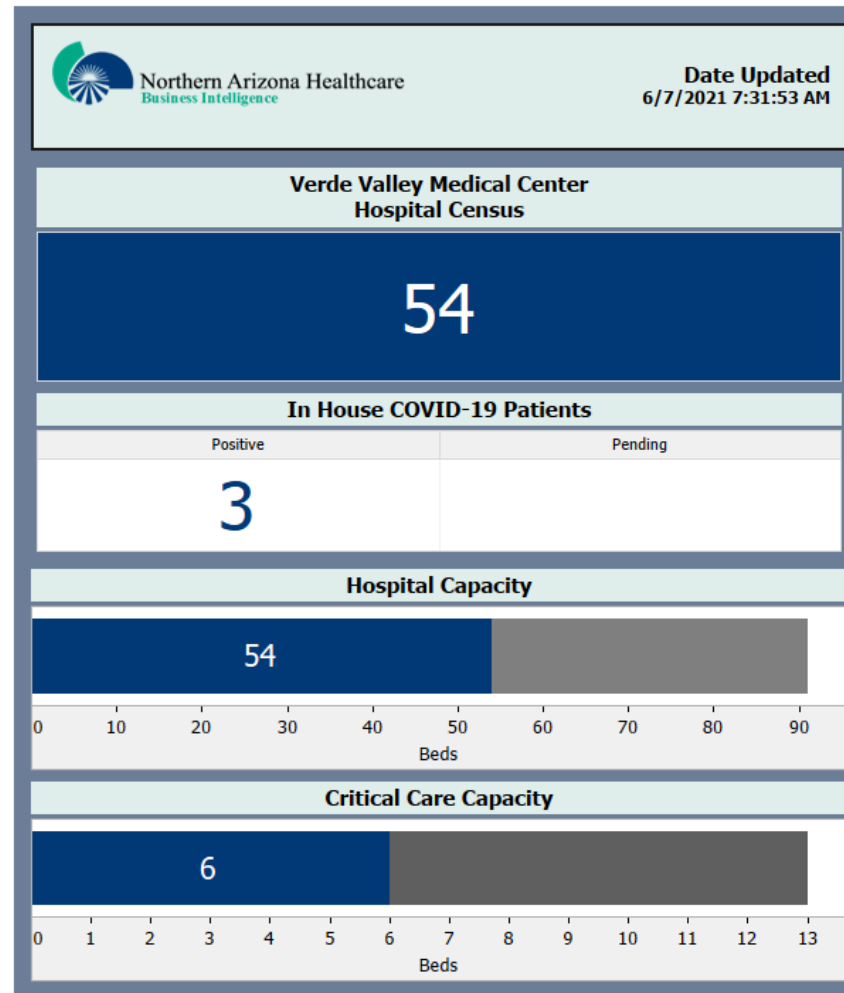
# Local Data

- **Coconino:** Cases as of 6/7: 17,876 - up from 17,872 on 5/24 (+0.02%)
- **Yavapai:** Total cases as of 6/7: 19,354 - up from 19,156 on 5/11 (+1.0%)

Flagstaff Medical Center



Verde Valley Medical Center



# Yavapai and Coconino County Vaccinations

## Statewide:

- 47.3% of population has had at least 1 dose of vaccine
- 6.05 million doses distributed

## Yavapai:

- 42.5% of total population has had at least 1 dose of vaccine (98,834)
- 35.1% of total population has been fully-vaccinated (81,644)

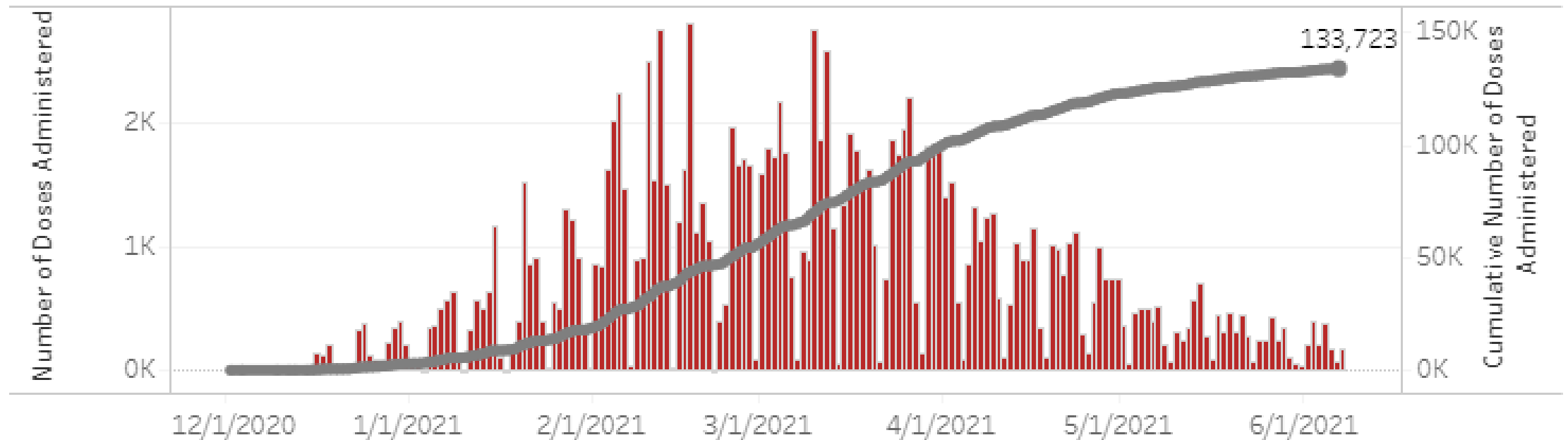
## Coconino:

- 49.8% of total population has had at least 1 dose of vaccine (73,292)
- 44.5% of total population has been fully-vaccinated (65,554)



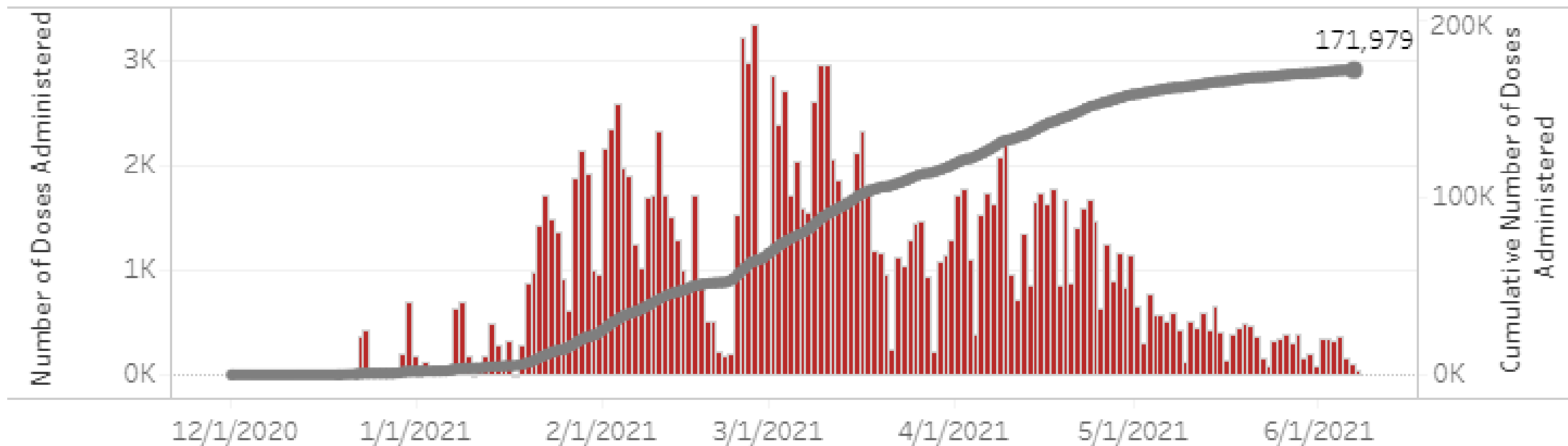
# Vaccinations: Coconino

The number of doses administered by administration date (■ cumulative sum ■ doses by day)



# Vaccinations: Yavapai

The number of doses administered by administration date (■ cumulative sum ■ doses by day)



# Questions?





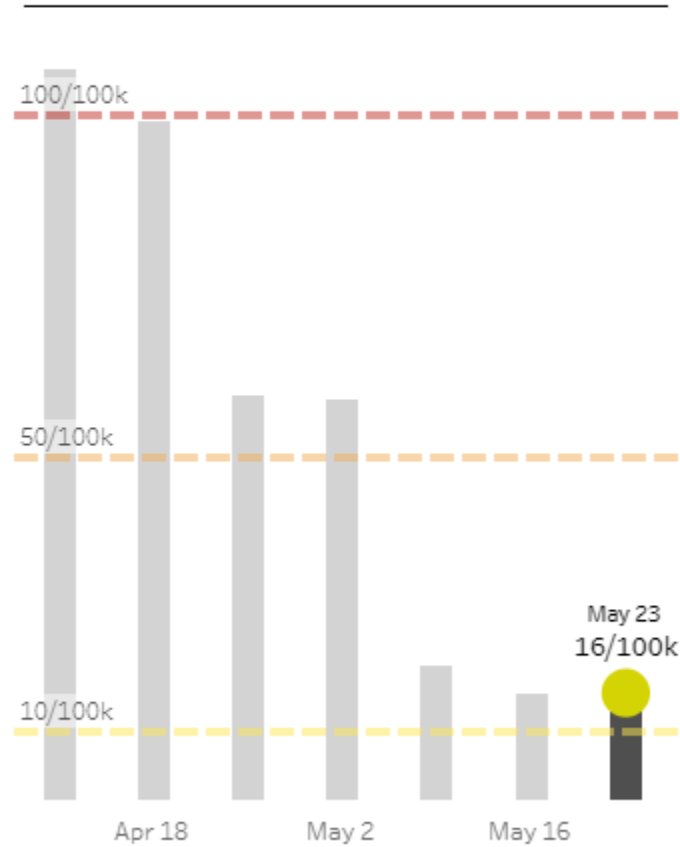
# Community Transmission: Coconino

Showing data for **Coconino County**

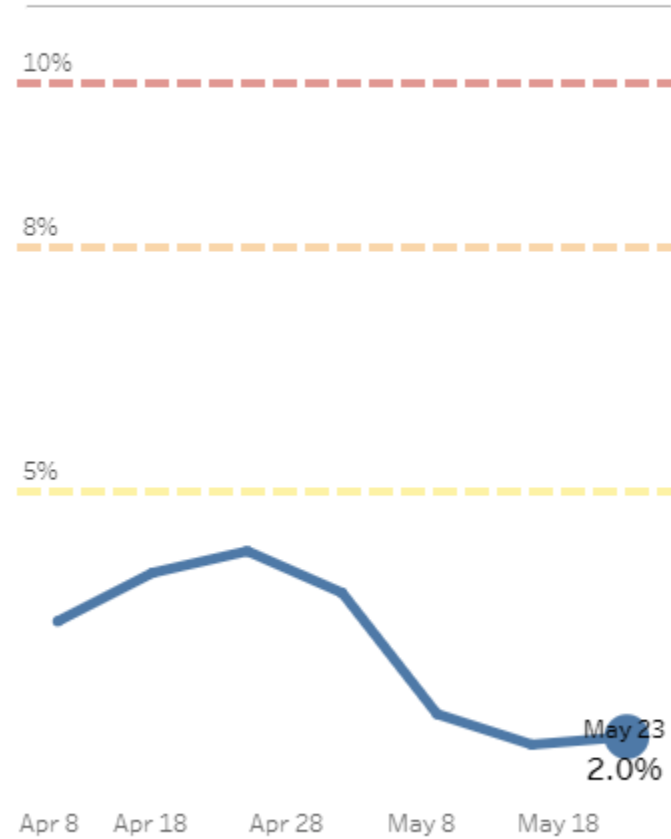
**Moderate Transmission**

Hover for more information.

Cases per 100,000 individuals: **Moderate**



Percent positivity: **Low**



Date Updated: 6/3/2021



# Community Transmission: Yavapai

Showing data for **Yavapai County**

**Moderate Transmission**

Hover for more information.

Cases per 100,000 individuals: **Moderate**

Percent positivity: **Low**

100/100k

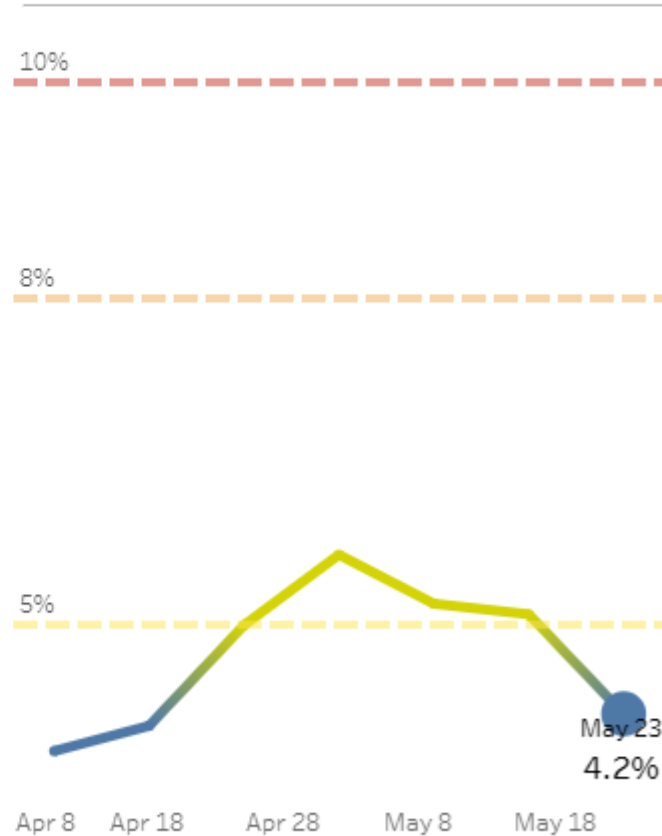
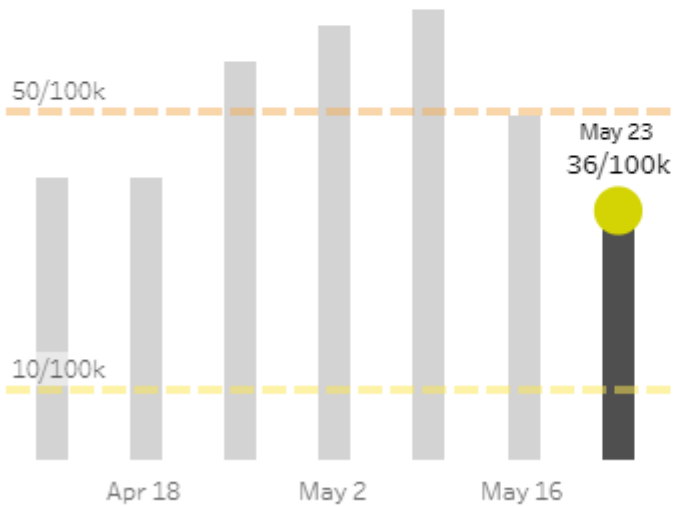
10%

50/100k

8%

10/100k

5%



Date Updated: 6/3/2021



# Financial Condition

- Through March sales tax collections were up 22% and bed tax collections were up 36%. Despite the pandemic, this represents the highest first nine months of a fiscal year that the City has seen.
- Compared to budget, March sales tax exceeded estimates by 39%, and March bed tax exceeded estimates by 77%.
- The March budget was based on occupancy of 77% (increase of 85%) and ADR of \$255 (increase of 5%). Sedona's actual experience was occupancy of 81% (increase of 95%) and ADR of \$335 (increase of 39%).
- Revenue projections for FY22, based on local data and other economic indicators, reflect continued increases.



# Parks & Rec Upcoming Events & Programs:

- Yappy Hour – Thursdays 8 to 9 am
- May 29, Pool opened
- Thursdays May-July, Summer Reading Program in the Park - Partnership with the Sedona Public Library
- June 4, Puppet Show at the Pavilion - Partnership with Sedona Public Library
- June 7-11, Sedona MTB Academy Bike Camp
- June 21-25, British Soccer Camp
- July 16, Dance Party at the Pavilion - Partnership with Sedona Public Library
- July 4, Free Rec Swim (sign-up required) includes DJ, Free Food, Festive atmosphere
- Tennis lessons

