

**Action Minutes
City of Sedona
Planning & Zoning Commission Meeting
City Council Chambers, 102 Roadrunner Drive, Sedona, AZ
Tuesday, January 3, 2023 - 4:30 p.m.**

1. CALL TO ORDER, PLEDGE OF ALLEGIENCE, ROLL CALL

Chair Levin called the meeting to order at 4:40 p.m., led the Pledge of Allegiance and requested roll call.

Planning & Zoning Commission Participants: Chair Kathy Levin, Vice Chair Charlotte Hosseini, and Commissioners Will Hirst, Sarah Wiehl via Zoom, and Lynn Zonakis. Commissioners George Braam and Kali Gajewski were excused.

Staff Participants: Kurt Christianson, Andy Dickey, Cynthia Lovely, Steve Mertes, Cari Meyer, Christopher Norlock, Donna Puckett, and Robert Weber.

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

Chair Levin welcomed Commissioner Will Hirst who indicated he wanted to become involved in the community and gave a brief introduction summarizing that he was the Executive Director of several labor unions, Executive Director of a County Public Authority in California, and he has built about five homes and a commercial building.

Cari Meyer reported that the Chapel View Terrace Subdivision was approved, and they did not approve the Refuge at Sedona Subdivision. The Arabella project was appealed, and Council will hear that appeal on January 25th at 3:00 p.m.

3. APPROVAL OF THE FOLLOWING MINUTES:

a. November 15, 2022 (R)

Chair Levin asked if there were any corrections to the November 15, 2022, regular meeting minutes. If not, the minutes will stand as approved.

No corrections were identified; minutes were approved.

4. Nomination and election of Chair and Vice Chair.

NOMINATION(S) FOR CHAIR:

NOMINATION: *Charlotte Hosseini nominated Kathy Levin for Chair. There were no additional nominations.*

VOTE: *Nomination carried five (5) in favor (Hirst, Hosseini, Levin, Wiehl and Zonakis) and zero (0) opposed. Commissioners Braam and Gajewski were excused.*

NOMINATION(S) FOR VICE CHAIR:

NOMINATION: *Kathy Levin nominated Charlotte Hosseini for Vice Chair and Charlotte Hosseini accepted the nomination. There were no additional nominations.*

VOTE: *Nomination carried five (5) in favor (Hirst, Hosseini, Levin, Wiehl and Zonakis) and zero (0) opposed. Commissioners Braam and Gajewski were excused.*

5. 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. 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 criticism, or scheduling the matter for further consideration and decision at a later date.)

Opened the public forum at 4:45 p.m. and, having no requests to speak, closed the public forum at 4:46 p.m.

Brought back to the Commission.

6. Update/discussion regarding the Community Plan Update.

Introduction by Chair Levin.

Update provided by Cynthia Lovely included the following information:

- Two virtual Listening and Learning Workshops were held – one with about 50 people on circulation and one with about 40 people on economic development. There were about double the number of people that registered. Cynthia thanked Andy Dickey who presented the circulation section and Molly Spangler who presented economic development plus to regional representatives.
- An in-person, half-day partner workshop will be held next week with a combination of city staff and a variety of different partners, including the U.S. Forest Service, the water company and several non-profits, and we may do at least one more of those in the future.
- Two in-person workshops will be held similar to community forums with stations for people to participate – one will be on land use, housing, and growth and the other one will be on tourism management
- January 18th – will be the next workgroup meeting
- We will be collaborating with different departments on different sections of the plan to look at the goals, policies, and action items from their perspectives.
- Work is continuing on the website to improve information
- Timeframe is February – March for the in-person workshops

7. CONSIDERATION OF THE FOLLOWING ITEMS THROUGH PUBLIC HEARING PROCEDURES:

- a. **Public hearing/discussion/possible action regarding a request for approval of a Minor Community Plan Amendment (Minor CPA) from Single-family Low Density (0.5 to 2 DU/AC) to Public/Semi-Public, Zone Change (ZC) from RS-18 (Single-Family Residential) to CF (Community Facilities), and Conditional Use Permit (CUP) to operate a trailhead shuttle from an existing parking lot at 1294 & 1406 State Route 179 (Church of the Red Rocks Overflow Parking Lot). The subject property is ±1.94 acres, and is located southwest of the intersection of State Route 179 and Bowstring Dr. APN: 401-25-002N & P. Case Number: PZ22-00010 (Minor CPA, ZC, CUP). Applicant: City of Sedona**

Introduction by Chair Levin

Presentation by Planning Manager Cari Meyer

Presentation by applicant's representative Andrew Baird with Kimley Horn

Commission's questions of staff and applicant's representative

Opened the public comment portion of the hearing at 6:00 p.m. and, having no requests to speak, closed the public comment period at 6:01 p.m.

Brought back to the Commission.

Commission's additional questions and comments for staff

MOTION: Vice Chair Hosseini moved to recommend to the Sedona City Council approval of the proposed Minor Community Plan Amendment as set forth in case number PZ22-00010 (Minor CPA), Sedona Shuttle, redesignating APN 401-25-002N & P from Single Family Low Density (SFLD) to Public/Semi-Public (P/SP), based on the findings as outlined in the Staff Report and subject to all applicable requirements, as outlined in the staff report, which staff report is hereby adopted as the findings of the Planning and Zoning Commission, and the attached conditions of approval. Commissioner Zonakis seconded the motion.

VOTE: Motion carried five (5) in favor (Hirst, Hosseini, Levin, Wiehl and Zonakis) and zero (0) opposed. Commissioners Braam and Gajewski were excused.

MOTION: Commissioner Zonakis moved to recommend to the Sedona City Council approval of the proposed zoning request as set forth in case number PZ22-00010 (ZC), Sedona Shuttle, rezoning APN 401-25-002N & P from RS-18 (Single Family Residential) to CF (Community Facilities), based on consistency and conformance with the Community Plan, compliance with all ordinance requirements of LDC Section 8.3 and 8.6, and satisfaction of the Zone Change findings and applicable Land Development Code requirements as outlined in the staff report, which staff report is hereby adopted as the findings of the Planning and Zoning Commission, and the attached conditions of approval. Commissioner Hirst seconded the motion.

VOTE: Motion carried five (5) in favor (Hirst, Hosseini, Levin, Wiehl and Zonakis) and zero (0) opposed. Commissioners Braam and Gajewski were excused.

MOTION: Commissioner Hirst moved for approval of case number PZ22-00010 (CUP), Sedona Shuttle, based on compliance with all ordinance requirements of LDC Section 8.3 and 8.4 and the satisfaction of the Conditional Use Permit findings and applicable Land Development Code requirements as outlined in the staff report, which staff report is hereby adopted as the findings of the Planning and Zoning Commission, and the attached conditions of approval. Vice Chair Hosseini seconded the motion.

VOTE: Motion carried five (5) in favor (Hirst, Hosseini, Levin, Wiehl and Zonakis) and zero (0) opposed. Commissioners Braam and Gajewski were excused.

Note: Chair Levin recessed the meeting at 6:14 p.m. and reconvened the meeting at 6:22 p.m.

8. NEW MEMBER, OPEN MEETING LAW, APPROVAL CRITERIA TRAINING

- a. 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 to consult with legal counsel for advice on the training matters listed on this agenda per A.R.S. § 38-431.03(A)(3).

Introduction by Chair Levin

Presentation by Kurt Christianson including a review of Open Meeting Laws, Executive Sessions, Violations and Penalties; Conflict of Interest and Penalties; Planning & Zoning, Commission's Role, Taking Claims, the Nollan/Dolan Test, How P&Z Commissions go wrong, and Criteria for Approvals.

Questions from Commission

Kurt Christianson stated that he did have some legal advice on applicable criteria and the Open Meeting Law if the Commission would like to receive that.

Chair Levin read, "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 to consult with legal counsel for advice on the training matters listed on this agenda per A.R.S. § 38-431.03(A)(3)."

MOTION: Chair Levin moved to go into Executive Session. Seconded by Commissioner Hirst.

VOTE: Motion carried unanimously with five (5) in favor (Hosseini, Hirst, Levin, Wiehl and Zonakis) and zero (0) opposed. Commissioners Braam and Gajewski were excused.

Commission went into Executive Session at 7:05 p.m.

Commission returned to open session at 7:40 p.m.

9. FUTURE MEETING DATES AND AGENDA ITEMS

- a. Tuesday, January 17, 2023
- b. Tuesday, February 7, 2023

Cari indicated that there would be no meeting on January 17th, and she doesn't currently have anything for February 7th, but will confirm that later.

Vice Chair Hosseini indicated she will be absent the first meeting in March.

10. EXECUTIVE SESSION

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 additional Executive Session was held.

11. ADJOURNMENT

Chair Levin adjourned the meeting at 7:46 p.m. without objection.

I certify that the above is a true and correct summary of the actions of the Planning & Zoning Commission in the meeting held on January 3, 2023.

Donna A. S. Puckett, *Administrative Assistant*

Date