

AGENDA



4:30 P.M.

CITY COUNCIL MEETING

TUESDAY, APRIL 25, 2023

NOTES:

- Public Forum: Comments are generally limited to **3 minutes**.
- Consent Items: Items listed under Consent Items have been distributed to Council Members in advance for study and will be enacted by one motion. Any member of the Council, staff or the public may remove an item from the Consent Items for discussion. For additional information on pulling a Consent Item, please contact the City Clerk's Office staff, preferably in advance of the Call to Order. Items removed from the Consent Items may be acted upon before proceeding to the next agenda item.
- 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

THE MEETING CAN BE VIEWED LIVE ON THE CITY'S WEBSITE AT WWW.SEDONAAZ.GOV OR ON CABLE CHANNEL 4.

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.
- No disruptive behavior or profane language will be allowed.

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. CONSENT ITEMS - APPROVE

LINK TO DOCUMENT =

- Minutes - March 28, 2023 City Council Regular Meeting - Revised.
- Minutes - April 11, 2023 City Council Regular Meeting.
- Minutes - April 12, 2023 City Council Special Meeting - Executive Session.
- Minutes - April 12, 2023 City Council Special Meeting.
- AB 2938 Approval of a recommendation regarding an application for a Series 7 Beer and Wine Bar Liquor License for VINO DI SEDONA located at 2575 W HWY 89A, Sedona, AZ (License # 237994).
- AB 2996 Approval of a recommendation regarding a new Series 10 Beer and Wine Store Liquor License application for VINO DI SEDONA located at 2575 W HWY 89A, Sedona, AZ (License # 237996).

4. APPOINTMENTS - None.

5. SUMMARY OF CURRENT EVENTS BY MAYOR/COUNCILORS/CITY MANAGER

6. PUBLIC FORUM

(This is the time for the public to comment on matters not listed on the agenda. The City Council 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.)

7. PROCLAMATIONS, RECOGNITIONS & AWARDS - None.

8. REGULAR BUSINESS

- AB 2943 **Discussion/presentation** by Doug Copp, Board Chair of Sedona Recycles, and Kathleen Ventura, Board Member and Executive Director of Sedona Recycles, to provide an update to the City Council on their activities, accomplishments, and general service provision to the community.
- AB 2905 **Public hearing/discussion/possible action** regarding a reconsideration of City Council's January 25, 2023, denial of the appeal of the Planning and Zoning Commission's November 15, 2022, denial of a development review application for the Arabella Spa located at 95 Sombart Lane. PZ21-00009 (DEV), APPE22-00003.
- AB 2937 **Public hearing/discussion/possible action** regarding proposed revisions to the Sedona Land Development Code. The proposed revisions include revisions to better reflect the intent of the Code and goals of the Sedona Community Plan, typographical, clerical and other corrections, changes for purposes of clarification, and elimination of redundancies. Case Number: PZ23-00002 (LDC) Applicant: City of Sedona.
- AB 2861 **Discussion/possible direction/action** regarding proposed State legislation, short-term rental legislation and State budget and their potential impact on the City of Sedona.

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.



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- e. **Reports/discussion** regarding Council assignments.
- f. **Discussion/possible action** regarding future meeting and agenda items.

9. EXECUTIVE SESSION

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.

10. ADJOURNMENT

Posted: 4/20/2023

By: DJ

JoAnne Cook, CMC
City Clerk

Note: Pursuant to A.R.S. § 38-431.02 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 materials 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.

NOTICE TO PARENTS AND LEGAL GUARDIANS: Parents and legal guardians have the right to consent before the City of Sedona makes a video or voice recording of a minor child, pursuant to A.R.S. § 1-602(A)(9). The Sedona City Council meetings are recorded and may be viewed on the City of Sedona website. If you permit your child to attend/participate in a televised City Council meeting, a recording will be made. You may exercise your right not to consent by not allowing your child to attend/participate in 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.

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, March 28, 2023, 4:30 p.m.

1. Call to Order/Pledge of Allegiance/Moment of Silence/Roll Call

Mayor Jablow called the meeting to order at 4:30 p.m.

Council Present: Mayor Scott Jablow, Vice Mayor Holli Ploog, Councilor Melissa Dunn, Councilor Brian Fultz, Councilor Pete Furman, Councilor Kathy Kinsella, and Councilor Jessica Williamson.

Staff Present: City Manager Karen Osburn, Deputy City Manager Joanne Keene, Assistant City Manager/Director of Public Works Andy Dickey, City Attorney Kurt Christianson, Police Chief Foley, Housing Manager Shannon Boone (via Teams), Parks & Recreation Manager Dawn Norman, Executive Assistant to the City Manager Jill Adams, Deputy City Clerk Marcy Garner, and City Clerk JoAnne Cook.

2. City's Vision

The City's Vision Statement was played.

3. Consent Items

- a. **Minutes - March 14, 2023 City Council Special Meeting - Executive Session.**
- b. **Minutes - March 14, 2023 City Council Regular Meeting.**
- c. **Minutes - March 15, 2023 City Council Special Meeting.**
- d. **AB 2925 Approval of a recommendation regarding an application for a Series 7 Beer and Wine Bar Liquor License for Sedona Beer Company located at 465 Jordan Road, Ste 1-7, Sedona, AZ (File# 229282).**
- e. **AB 2929 Approval of Resolutions authorizing the execution of Intergovernmental Agreements (IGA) between the City of Sedona and the Sedona-Oak Creek Unified School District No. 9 for: 1) Operation and Maintenance of the Sedona Community Swimming Pool and 2) Use of Facilities.**

Motion: Vice Mayor Ploog moved to approve consent items 3a-3e. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

4. Appointments - None.

5. Summary of Current Events by Mayor/Councilors/City Manager

Councilor Kinsella advised the Sedona Community Center won the Yavapai County Golden Plate Award for food safety. Councilor Furman said Keep Sedona Beautiful will have its Annual Awards of Excellence Ceremony on Wednesday, April 19th from 4:00 – 6:00 p.m. Councilor Williamson said the Sedona Recycle Center is in need of volunteers and encouraged anyone interested in being a goodwill ambassador for efficient and responsible recycling to reach out to the Center. Vice Mayor Ploog acknowledged Parks

and Recreation Manager Dawn Norman and announced that her last day with the City is Thursday and said that she will be missed; and , the Sedona Stumble 5K and 10K will be held this Saturday at Posse Grounds, registration is open through March 31st; the 13th Annual Celebration of Spring is on Saturday, April 8th from 9:00 a.m. – 1:00 p.m., the Egg Hunt is free and there is an entry fee of \$5; Storytime in the Park is on Wednesdays at 10:00 a.m. at Sunset Park, it's free and geared to ages four through eight years old; Pickleball Organized Play is on Mondays, Tuesdays, Thursdays, Fridays, and Sundays, the schedule can be found at www.sedonaaz.gov; Yappy hour is on Thursdays from 9 – 10 a.m.; Open Gym is on Tuesdays and Thursdays from 7:00 – 9:00 p.m. at the West Sedona School, the fee is \$2; and, tennis lessons are offered on Mondays or Wednesdays at Posse Grounds Park tennis courts. Mayor Jablow advised the new Forest Supervisor is Aaron May Mayville. Mayor Jablow stated he met with Chairwoman of the Yavapai Apache Nation Tanya Lewis about a month ago; Mayor he, Vice Mayor Ploog, Councilor Fultz, and Karen Osburn recently met with Director of Arizona Department of Transportation Jennifer Toth and discussed OHVs on the roads; he and Vice Mayor Ploog recently met with the US Department of Transportation in Washington D.C. via Zoom; and he, Councilor Fultz, and Karen Osburn met with representatives from Polaris.

6. Public Forum

Opened to public at 4:42 p.m.

Mark Tenbrook, Sedona, spoke regarding transparency and public engagement and information posted on the City's webpage. He suggested all committees calendars, agendas, and minutes be posted on the City's website. He thanked Robert Weber for posting the Transportation Committee information on the City's website.

Jessica Sierra, Sedona, spoke, commented on the importance of having a dark sky community. She urged Council to have the grandfathered properties be required to comply with the Dark Sky Ordinance.

Brought back to Council at 4:46 p.m.

7. Proclamations, Recognitions & Awards – None.

8. Regular Business

a. AB 2933 Presentation/discussion by Executive Director Marjorie Harris of the Sedona Community Center to provide an update to the City Council on the Community Center's activities, accomplishments, and general service provision to the community.

Presentation by Marjorie Harris. She invited all to participate in their volunteer program.

Questions and comments from Council.

Presentation and discussion only, no action taken.

Item 8c was moved up prior to 8b during meeting.

b. AB 2920 Discussion/possible action regarding approving a Settlement

Agreement with Tlaq Partners, LLC to acquire necessary right-of-way and to resolve other claims for the SR179 Pedestrian Crossing at Oak Creek.

Presentation by Kurt Christianson.

Questions and comments from Council.

Opened to the public at 5:58 p.m.

Rob Smith, Sedona, spoke against the project.

Brought back to Council at 6:01 p.m.

Questions and comments from Council.

Motion: Councilor Kinsella moved to approve the Settlement Agreement with Tlaquepaque to acquire necessary right-of-way and to resolve other claims for the Pedestrian Crossing at Oak Creek Project. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

Break at 6:10 p.m. Reconvened at 6:32 p.m.

Item 8c was moved up prior to item 8b during meeting.

- c. AB 2934 Discussion/possible action regarding the approval of a Resolution approving a Land Lease Option Agreement and a \$300,000 financial contribution in the form of a loan to The Villas on Shelby, LLC, for a Low-Income Housing Tax Credit (LIHTC) application at 2250 Shelby Drive.**

Presentation by Shannon Boone, Bonnie Harbage and Matt Shoemaker of HS Development Partners.

Questions and comments from Council.

Motion: Vice Mayor Ploog moved to approve Resolution 2023-10 related to the application by Villas on Shelby LLC for competitive 9% tax credits and approve the associated land lease Option Agreement and \$300,000 financial contribution in the form of a loan to the project. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

Break at 8:10 p.m. Reconvened at 8:15 p.m.

- d. AB 2931 Discussion/possible action regarding proposed amendments to the Sedona City Council Rules of Procedures and Policies.**

Presentation by Kurt Christianson. Kurt advised Council that clapping is part of people's first amendment rights and as long as it does not become disruptive to the meeting, Council cannot stop people from clapping. Going forward clapping will be allowed during meetings. Council unanimously agreed.

Questions and comments from Council.

Opened to the public at 7:54 p.m.

The following voiced concerns with the constitutionality of first amendment rights within

the proposed changes with clapping and other forms of expression: Jim Kapsales, Sedona, Janet Johnson, Yavapai County, and Jessica Sierra, Sedona.

Brought back to Council at 8:01 p.m.

Comments and questions from Council.

Kurt explained clapping is a form of

Motion: Councilor Williamson moved to approve the amendments to the City Council Rules of Procedure and Policies as shown on Exhibit A and as amended during the meeting. Seconded by Councilor Fultz. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

For the record Councilor Kinsella objected to the proposed amendment to Rule 6.3R1a.

- e. AB 2861 Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation and State budget and their potential impact on the City of Sedona.**

Presentation by Joanne Keene.

By majority consensus, Council agreed to oppose SB 1278.

By consensus, Council agreed to oppose HB 2536.

By majority consensus, Council agreed to support SB 1585.

- f. Reports/discussion regarding Council assignments – None.**
- g. Discussion regarding ideas for future meeting/agenda items**

Mayor advised tomorrow's meeting

9. Executive Session

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.**

No Executive Session was held.

10. Adjournment

Mayor Jablow adjourned the meeting at 8:41 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on March 28, 2023.

JoAnne Cook, CMC, City Clerk

Date

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, April 11, 2023, 4:30 p.m.

1. Call to Order/Pledge of Allegiance/Moment of Silence/Roll Call

Mayor Jablow called the meeting to order at 4:30 p.m.

Council Present: Mayor Scott Jablow, Vice Mayor Holli Ploog, Councilor Melissa Dunn, Councilor Brian Fultz, Councilor Pete Furman, Councilor Kathy Kinsella, and Councilor Jessica Williamson.

Staff Present: City Manager Karen Osburn, Deputy City Manager Joanne Keene, Assistant City Manager/Director of Public Works Andy Dickey, City Attorney Kurt Christianson, Assistant City Attorney Doug Drury, Arts Coordinator Nancy Lattanzi, Police Chief Foley, Deputy Police Chief Ryan Kwitkin, Assistant Director of Engineering/Public Works Sandy Phillips, Engineering Supervisor Kurtis Harris, Project Manager Johnathan Hoffman, Associate Engineer Bob Welch, Transit Administrator Robert Weber, Senior Code Enforcement Officer Brian Armstrong, Deputy City Clerk Marcy Garner, and City Clerk JoAnne Cook.

2. Moment of Art

Nancy Lattanzi stated April is National Jazz Month and introduced saxophone player Chris Counelis. Chris played "In a Sentimental Mood" by, Duke Ellington and "St. Thomas" by, Sonny Rollins.

3. Consent Items

- a. Minutes - March 28, 2023 City Council Regular Meeting - Executive Session.
- b. Minutes - March 28, 2023 City Council Regular Meeting.
- c. Minutes - March 29, 2023 City Council Special Meeting.
- d. AB 2909 Approval of award of construction contract in an amount not to exceed \$849,425.00 for the SD-03 Improvements to Back O' Beyond Road Low Water Crossing Project.
- e. Approval of Sexual Assault Awareness Month Proclamation, April 2023.
- f. Approval of Stand With Me, Be Drug Free Week Proclamation, April 9-15, 2023.

Item 3d was pulled from the consent agenda by Councilor Kinsella.

Presentation from Jonathan Hoffman and Sandy Phillips.

Questions and comments from Council.

Motion: Councilor Williamson moved to approve consent items 3a, 3b, 3c, 3e, and 3f. Seconded by Councilor Kinsella. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

Motion: Councilor Kinsella moved to approve consent item 3d. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog,

Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

4. Appointments - None.

5. Summary of Current Events by Mayor/Councilors/City Manager

Chief Police Foley introduced recently hired Deputy Police Chief Ryan Kwitkin who came from Florida with 24 years' experience. Deputy Chief Kwitkin expressed his thanks to administrative staff for the opportunity to serve the community of Sedona. Vice Mayor Ploog said 2,000 people attended the Celebration of Spring; additional regarding other programs can be found on the website by visiting [Signature Events | City of Sedona \(sedonaaz.gov\)](https://www.sedonaaz.gov/signature-events).; Councilor Furman stated former congressman Tom O'Halleran, former AZ U.S. Representative will be the guest speaker at Keep Sedona Beautiful' s event on and, 242 runners participated in the Stumble and Run on April 1st. Mayor Jablow advised he, Vice Mayor Ploog, and Councilor Fultz met with Father Ignatius and Betty McGinnis from the Chapel of the Holy Cross along with Ranger Tinderholt to collaborate on mitigating parking and concerns the neighbors have voiced. He said updates will be posted on social media and shared during Council meetings.

6. Public Forum

Opened to public at 4:54 p.m.

Jim Kapsales, Sedona, cautioned Council on how easy it is to be fooled on some renewable energy systems, John Martinez, Sedona, thanked Council for their sponsorship of the 10th year of the Welcome Home Vietnam Veterans event, and stated the event would likely be the last local event.

Brought back to Council at 5:00 p.m.

7. Proclamations, Recognitions & Awards

a. Sexual Assault Awareness Month, April 2023.

Mayor Jablow read the proclamation and presented it to the Verde Valley Sanctuary Director of Community Based Advocacy Vivien Mann and Residential Services Manager Cassandra Presmyk. Cassandra spoke regarding the importance of this issue and the accomplishments of their program. Workshops will be provided on April 13th at the Cottonwood Library, April 19th at the Camp Verde Library, and April 27th at the Sedona Library. She said people can access the Sanctuaries crisis hotline 24 hours a day at 928-634-2511.

b. Stand With Me, Be Drug Free Week, April 9-15, 2023.

Mayor Jablow read the proclamation and presented it to the of the Greater Sedona Substance Abuse Committee Maudelle Kelly. Maudelle thanked Council for their support. She said 85% of our youth are drug free. She encouraged all to support their efforts during the week of April 9th – 15th and attend a Walk on April 15th at Mortimer's Farm in Dewy, AZ.

8. Regular Business

a. AB 2927 Presentation/discussion/possible action regarding a Resolution in support of Upper Verde River Wild & Scenic River

Designation.

Presentation by Friends of the Verde River's Executive Director Nancy Steele.

Comments and questions by Council.

Motion: Councilor Furman moved to approve Resolution 2023-11 in support of Upper Verde River Wild & Scenic River Designation. Seconded by Councilor Kinsella. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

- b. AB 2936 Discussion/possible action regarding an Ordinance amending the Sedona City Code Title 6 (Animals) by adding a new Chapter 6.15 (Outdoor Feeding and Protection of Wildlife).**

Presentation by Brian Armstrong, Arizona Game and Fish Department Region 2 Field Supervisor Timothy Holt, and Chief Foley.

Questions and comments from Council.

Opened to the public at 5:56 p.m.

Jim Kapsales, Sedona, spoke in favor of the Ordinance, Jen Farnsworth, Sedona, voiced concerns regarding private property rights, John Martinez, Sedona, voiced concerns about the language regarding bird feeders.

Brought back to Council at 6:05 p.m.

Questions and comments from Council.

First reading by Kurt Christianson.

Motion: Councilor Williamson moved to adopt Ordinance No. 2023-02 an ordinance of the Mayor and Council of the City of Sedona, Arizona adopting amendments to the Sedona City Code Title 6 (Animals) by adding a new Chapter 6.15 (Outdoor Feeding and Protection of Wildlife) as amended. w/ addition of skunks and foxes in the definition of wildlife. Seconded by Councilor Fultz. Vote: Motion passed with six (6) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Williamson) and one (1) opposed (Kinsella). For the record, Councilor Kinsella opposed based on the fact that she wanted the name type of animals reduced and to remove water references from the Ordinance.

Break at 6:30 p.m. Reconvened at 6:53 p.m.

- c. AB 2378 Discussion/possible action regarding the Sedona in Motion transportation program, and approval of a Construction Contract for the SR 179 Pedestrian Crossing at Oak Creek Project to J. Banicki Construction, Inc., in an amount not to exceed \$3,461,567.15.**

Presentation by Robert Weber, Andy Dickey, Bob Welch, and Kurt Harris.

Questions and comments from Council.

Motion: Councilor Williamson moved to approve award of the construction contract with J. Banicki Construction, Inc., for the SR 179 Pedestrian Crossing at

Oak Creek Project in an amount not to exceed \$3,461,567.15, for the base bid and Bid Alternative Item 1, subject to approval of the written contract by the City Attorney's Office. Seconded by Councilor Kinsella. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

d. AB 2861 Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation and State budget and their potential impact on the City of Sedona.

Presentation by Policy Development Group Principal, Paul Senseman and Policy Development Group Lobbyist Todd Baughman, and Joanne Keene.

Questions and comments from Council.

By consensus, Council agreed to oppose SB 1313.

Opened to the public at 8:32 p.m.

Dale Casey, Sedona, suggested an addendum be added to SB 1350 to require the owners of short-term rentals to live on the residence of rental property. He believes this would increase the amount of long-term rentals.

Brought back to Council at 8:35 p.m.

e. AB 2937 Discussion/possible action regarding ideas for possible resolutions for consideration by League of Arizona Cities and Towns' Policy Committees. Including discussion of a City OHV ordinance.

Presentation by Mayor Jablow. Mayor Jablow is requesting a resolution promoting further restricting OHV use on AZ roadways be submitted to League's 2024 legislative policy agenda and to consider a implementing a City ordinance.

Comments and questions from Council.

Opened to the public at 9:07 p.m.

Dan Candler, Sedona, spoke against this item.

Brought back to Council at 9:09 p.m.

Motion: Vice Mayor Ploog moved to approve the resolution promoting further restrictions to OHV use on Arizona roadways and submit to the League of Arizona Cities and Town for further consideration as part of the League's 2024 legislative policy agenda. Seconded by Mayor Jablow. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

f. Reports/discussion regarding Council assignments

Councilor Furman announced the Coconino Plateau Watershed Partnership accepted a \$154,000 grant from the Bureau of Reclamation to complete their aquifer study. Vice Mayor Ploog said the Sister Cities will be hosting an event of Sedona's First Sister City and the Mayor of Canmore, Canada will be in meeting with City Council on Saturday,

April 29th from 9:00 a.m. – 11:00 a.m. at City Hall in Council Chambers. This event is in coordination with the Sister Cities, she encouraged all interested to attend.

g. Discussion regarding ideas for future meeting/agenda items.

Mayor Jablow advised tomorrow's Executive Session meeting will start at 2:00 p.m. tomorrow and the Work Session will start at 3:00 p.m.

9. Executive Session

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.**

No Executive Session was held.

10. Adjournment

Mayor Jablow adjourned the meeting at 9:17 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on April 11, 2023.

JoAnne Cook, CMC, City Clerk

Date

Action Minutes
Special City Council Meeting – Executive Session
Sedona City Hall, Council Executive Chamber
102 Roadrunner Drive, Sedona, Arizona
Tuesday, April 12, 2023, 2:00 p.m.

Convened into Executive session at 2:04 p.m.

Council Present: Mayor Scott Jablow, Vice Mayor Holli Ploog, Councilor Melissa Dunn, Councilor Brian Fultz, Councilor Pete Furman, Councilor Kathy Kinsella, and Councilor Williamson.

Staff Present item: City Manager Karen Osburn, Deputy City Manager Joanne Keene, Deputy City Clerk Marcy Garner, and City Clerk JoAnne Cook.

3. Special Business

Motion: Councilor Kinsella moved to enter into Executive Session at 2:02 p.m. Seconded by Vice Mayor Ploog. Motion carried unanimously with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, and Williamson) and zero (0) opposed.

- a. **Discussion and consultation with the City Attorney for legal advice regarding SCC&TB contract termination and City DMO designation. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(3).**
- b. **Return to open session. Discussion/possible action regarding executive items.**

Reconvened in open session at 2:53 p.m.

4. Adjournment

Mayor Jablow adjourned the meeting at 2:53 p.m.

I certify that the above are the true and correct actions of the Special City Council Meeting held on April 12, 2023.

JoAnne Cook, CMC, City Clerk

Date

**Action Minutes
Special City Council Meeting
City Council Chambers, Sedona City Hall
102 Roadrunner Drive, Sedona, Arizona
Wednesday, April 12, 2023, 3:00 p.m.**

1. Call to Order

Mayor Jablow called the meeting to order at 3:00 p.m.

2. Roll Call

Roll Call: Mayor Scott Jablow, Vice Mayor Holli Ploog, Councilor Melissa Dunn, Councilor Brian Fultz, Councilor Pete Furman, Councilor Kathy Kinsella, and Councilor Jessica Williamson.

Staff in attendance: City Manager Karen Osburn, Deputy City Manager Joanne Keene, City Attorney Kurt Christianson, Communications Manager Lauren Browne, Public Relations Coordinator Kegn Moorcroft, Deputy City Clerk Marcy Garner, City Clerk JoAnne Cook.

3. Special Business

- a. AB 2930 Discussion/possible direction/action regarding next steps towards the development of a municipal destination marketing and management program, including a Resolution designating the City of Sedona as the official Destination Marketing Organization. This agenda item will also include a discussion of possible action regarding ideas for future meetings/agenda items.**

Comments and questions from Council.

Opened to the public at 3:20 p.m.

Bob Pifke, Sedona, stated that during the assessment process there were areas Council and the SCC&TB agreed on regarding vision, goals, and guiding principles.

Ernie Straugh, Sedona, urged Council not to declare a DMO for one year and voiced concerns with the City bringing the function in-house,

The following spoke in favor of the item and urged Council to take a slow approach to the process, consider the impacts of tourism, and to work with all stakeholders, and look at models from other cities during the program development process: Mark Tenbroek, Sedona, DonnaJoy Varney, Sedona, Christina Collori, Sedona, Roberta Armstrong, Sedona, Shelley Evans, Sedona, Cameron Wylde, Sedona, Ayana Alejandra, Sedona, Sandra Tanner, Sedona, Michael Wright, Sedona, Teresa Montenino, Sedona, Alicia Schneider, Cottonwood.

John Martinez, Sedona, asked Council to consider the .5 cent bed tax.

Brought back to Council at 3:59 p.m.

Comments and questions from Council.

Motion: Vice Mayor Ploog moved to approve a Resolution, 2023-12, designating the City of Sedona as the official Destination Marketing Organization (DMO) for the City of Sedona. Seconded by Councilor Kinsella. Vote: Motion passed with seven (7)

guiding favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

By majority consensus, Council directed staff to hire a consultant to assist staff with the process of bringing the DMO program in-house, and to bring the recommendations back to Council for consideration at a future date.

b. Discussion/possible action regarding ideas for future meetings/agenda items.

None.

4. Executive Session

If an Executive Session is necessary, it will be held at City Hall, 102 Roadrunner Drive, Sedona, AZ 86336. 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: to consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).

a. Return to open session. Discussion/possible action on executive session items.

5. Adjournment

Mayor Jablow adjourned the meeting at 4:55 p.m.

I certify that the above are the true and correct actions of the Special City Council Meeting held on April 12, 2023.

JoAnne Cook, CMC City Clerk

Date



**CITY COUNCIL
AGENDA BILL**

**AB 2938
April 25, 2023
Consent Items**

Agenda Item: 3e
Proposed Action & Subject: Approval of a recommendation regarding an application for a Series 7 Beer and Wine Bar 2575 W HWY 89A, Sedona, AZ (File# 237994).

Department City Clerk
Time to Present N/A
Total Time for Item
Other Council Meetings N/A
Exhibits Liquor License Application is available for review in the City Clerk's office.

City Attorney Approval	Reviewed 04/18/23 KWC	Expenditure Required	\$ 0
City Manager's Recommendation	Recommend approval of a new Series 7 Beer and Wine Bar Liquor License for Vino Di Sedona located at 2575 W HWY 89A, Sedona, AZ (File# 237994).	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: State liquor laws require Sedona's City Council to forward a recommendation for approval or denial of applications for liquor licenses.

The City received an application for a new Series 7 Beer and Wine Bar Liquor License for Vino Di Sedona located at 2575 W HWY 89A, Sedona, AZ (File# 237994). The application is available for review and inspection in the City Clerk's office or by email.

A Series 7 Liquor License (Beer and Wine Bar) is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges. This license allows a beer and wine bar retailer to sell and serve beer and wine (no other spirituous liquors), primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. The Beer and Wine Bar (Series 7) liquor license may fill and sell "growlers".

Community Development, Finance, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application. No objections regarding its approval were noted.

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: **Applicable** - **Not Applicable**

Alternative(s): Recommend denial of a new Series 7 Beer and Wine Bar Liquor License for Vino Di Sedona located at 2575 W HWY 89A, Sedona, AZ (File# 237994). Reasons for a recommendation of denial would need to be specified.

MOTION

I move to: recommend approval of a new Series 7 Beer and Wine Bar Liquor License for Vino Di Sedona located at 2575 W HWY 89A, Sedona, AZ (File# 237994).



CITY COUNCIL
AGENDA BILL

AB 2996
April 25, 2023
Consent Items

Agenda Item: 3f
Proposed Action & Subject: Approval of a recommendation regarding a new Series 10 Beer and Wine Store Liquor License application for Vino Di Sedona located at 2575 W HWY 89A, Sedona, AZ (License # 237996).

Department: City Clerk
Time to Present: N/A
Total Time for Item:
Other Council Meetings: N/A
Exhibits: Liquor License Application is available for review in the City Clerk's office.

Table with 2 columns: City Attorney Approval, City Manager's Recommendation, Expenditure Required, Amount Budgeted. Includes details on license review and budget status.

SUMMARY STATEMENT

Background: State liquor laws require Sedona's City Council to forward a recommendation for approval or denial of applications for liquor licenses.

The City received an application for a new Series 10 Beer and Wine Store Liquor for Vino Di Sedona located at 2575 W HWY 89A, Sedona, AZ (License # 237996). The application is available for review and inspection in the City Clerk's office or by email.

A Series 10 Liquor License (Beer and Wine) is a non-transferable, off-sale retail privileges liquor license that allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises.

Community Development, Finance, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application. No objections regarding its approval were noted.

Climate Action Plan/Sustainability Consistent: [] Yes - [] No - [X] Not Applicable

Board/Commission Recommendation: **Applicable** - **Not Applicable**

Alternative(s): Recommend denial of a new Series 10 Beer and Wine Store Liquor License for Vino Di Sedona located at 2575 W HWY 89A, Sedona, AZ (License # 237996). Reasons for a recommendation of denial would need to be specified.

MOTION

I move to: recommend approval of a new Series 10 Beer & Wine Store Liquor License for Vino Di Sedona located at 2575 W HWY 89A, Sedona, AZ (License # 237996).



CITY COUNCIL
AGENDA BILL

AB 2943
April 25, 2023
Regular Business

Agenda Item: 8a

Proposed Action & Subject: Discussion/presentation by Doug Copp, Board Chair of Sedona Recycles, and Kathleen Ventura, Board Member and Executive Director of Sedona Recycles, to provide an update to the City Council on their activities, accomplishments, and general service provision to the community.

Department: City Manager
Time to Present: 15 minutes
Total Time for Item: 15 minutes
Other Council Meetings: NA
Exhibits: None

Table with 2 columns: City Attorney Approval (Reviewed 04/18/23 KWC) and City Manager's Recommendation (For presentation and discussion only).

Table with 2 rows: Expenditure Required (\$ N/A) and Amount Budgeted (\$ N/A). Includes Account No. (Description) with Finance Approval checked.

SUMMARY STATEMENT

Background: As part of the provider agreements between the City of Sedona and each of the city-funded non-profit community service providers, including Sedona Recycles, the organizations are asked to present periodic updates to the City Council. Until the recent scheduling of service provider updates, it had been several years since the last presentations were made. Since the provider agreements are being considered for renewal for FY2024, it is a good time to have all the service organizations provide an update to the City Council on the services they are providing for the benefit of the community.

Doug Copp, Board Chair of Sedona Recycles, and Kathleen Ventura, Board Member and Executive Director of Sedona Recycles will be the next presenters. The remaining service providers will be scheduled to present at an upcoming City Council meeting.

Climate Action Plan/Sustainability Consistent: [] Yes - [] No - [x] Not Applicable

Board/Commission Recommendation: [] Applicable - [x] Not Applicable

Alternative(s): NA

MOTION

I move to: for presentation / discussion only



**CITY COUNCIL
AGENDA BILL**

**AB 2905
April 25, 2023
Regular Meeting**

Agenda Item: 8b

Proposed Action & Subject: Public hearing/discussion/possible action regarding a reconsideration of City Council's January 25, 2023, denial of the appeal of the Planning and Zoning Commission's November 15, 2022, denial of a development review application for the Arabella Spa located at 95 Sombart Lane. PZ21-00009 (DEV), APPE22-00003.

Department	Community Development
Time to Present	10 minutes
Total Time for Item	30 minutes
Other Council Meetings	January 25, 2023
Exhibits	A. Additional Public Comments (Received after P&Z Meeting) B. Link to Application, Letter of Intent, Project Plans, and Appeal Packet C. Link to Planning and Zoning Commission Meeting Agenda, Packet, and Minutes

City Attorney Approval	Reviewed 04/18/23 KWC	Expenditure Required	
		\$	N/A
City Manager's Recommendation	Reconsider development review application for Arabella Spa.	Amount Budgeted	
		\$	N/A
		Account No. (Description)	
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

This is a request for reconsideration from the appeal of the Planning and Zoning Commission's November 15, 2022, denial of a development review application (DEV) for Arabella Spa located at 95 Sombart Lane, pursuant to LDC Section 8.2 (Summary Table of Review Procedures) and LDC Section 8.8.E (Appeal).

Background:

LaDa Sedona, LP (owners of Arabella Hotel) and their representatives requested consideration and approval of a development review application to allow for the construction of a spa facility on vacant property to the east of the Arabella Hotel. The applicant submitted a conceptual application in June 2021 and a conceptual review public hearing was held with the Planning and Zoning Commission on September 7, 2021.

The applicant submitted a comprehensive development review application in May 2022. The application was amended in September 2022 and October 2022 in response to comments from the public, staff, and review agencies.

The applicant's letter of intent states that the proposed project consists of approximately 20,000 square feet of spa facilities in four (4) buildings ranging in size from 773 square feet to 16,777 square feet. A full description of the proposed use, along with a project plans, engineering reports, and previous versions of the submittal can be reviewed at the project page on the City's website at the following link:

<https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals/arabella-spa>

A public hearing for the DEV application was held by the Planning and Zoning Commission on November 15, 2022. Packet materials provided to the Planning and Zoning Commission and minutes from that meeting are available at the following link:

<https://www.sedonaaz.gov/your-government/meetings-documents/-folder-5479>

After presentations from Staff and the applicant, questions from the Commission, public input, and further discussion, a motion for approval of the project was made and seconded. A vote on this motion resulted in a 3-3 vote (Commissioners Braam, Wiehl, and Zonakis in favor; Chair Levin, Vice Chair Hosseini, and Commissioner Furman opposed; Commissioner Gajewski excused).

The Planning and Zoning Commission's Operating Rules and Procedures Section 10.4 states: "Any motion for approval which fails to carry shall be considered a denial of the proposal..." As the motion for approval did not carry, the project was denied.

On November 30, 2022, an appeal of the Commission's denial of the DEV was filed by Withey Morris, PLC (Jason Morris), pursuant to LDC [Section 8.2 \(Summary Table of Review Procedures\)](#) and [LDC Section 8.8.E \(Appeal\)](#). The documents submitted in support of the appeal can be reviewed at the project page on the City's website at the following link:

<https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals/arabella-spa>

Public comments received prior to the Planning and Zoning Commission's hearing are included in the Commission's packet (link above). Additional public comments that have been received are included as Exhibit A.

Development Review Application

The property is zoned CO (Commercial). The proposed use is considered "Personal Services, General," as the definition of this use includes spas and massage establishments. [LDC Section 3.2.E, Table 3.1 \(Table of Allowed Uses\)](#), lists "Personal Services, General" as a permitted use in the CO zone and none of the use specific standards for this use ([LDC Section 3.3.C\(15\)](#)) apply in the CO zone.

Review of Development Review applications is governed by the Land Development Code, specifically [LDC Section 8.3 \(Common Review Procedures\)](#) and [LDC Section 8.4.A \(Development Review\)](#). Staff's evaluation of the proposal for compliance with LDC requirements and the required findings for a DEV is contained within the staff report provided to the Planning and Zoning Commission. As outlined in these documents, Staff's evaluation concluded that the proposal met the approval criteria requirements and findings and recommended approval of the project.

Planning and Zoning Commission Denial

At the November 15, 2022 public hearing, the three Commissioners who voted in favor of the project agreed with Staff's evaluation and adopted Staff's evaluation as their findings.

The three Commissioners who voted against approval stated their reasons for denial as a part of their vote. A complete explanation of the “no” vote is included in the Planning and Zoning Commission minutes and is summarized below:

- The level of water usage for the project is too high and projects need to implement sustainable practices and the Climate Action Plan.
- The project does not address Community Plan vision and themes about economic diversity, reduced traffic, environmental stewardship.
- Uncertainty that the parking reductions requested are appropriate.
- ADOT had not finished their review of the traffic impact analysis; Commissioners wanted to see their final review and evaluate appropriate traffic mitigation measures.

City Council Denial

On January 25, 2023, City Council held a public hearing to consider the appeal of this matter from the P&Z Commission’s denial.

Councilor Williamson moved for approval. The motion was seconded by Councilor Fultz. The motion failed 3-3, with Mayor Jablow and Councilors Fultz and Williamson voting for approval and Vice Mayor Ploog, Councilors Furman and Councilor Kinsella voting against. Councilor Dunn was absent.

Councilor Furman explained that his no vote was based on the project not meeting the requirements of LDC 5.5.E(2)B 'Parking & Loading Demand Study Required'. The LDC allows for, but does not require, an internal capture credit for parking. The authorized 38% credit reduction does not adhere to the standards for which the project was developed, and it should be subject to a higher level of scrutiny for parking and traffic impact analysis. Councilor Kinsella explained her no vote was based on the project having a negative impact on traffic in the SR 179 corridor with 1,100 trips projected a day, there is an insufficient traffic analysis, and insufficient parking. Additionally, the proposal lacks community plan conformity in the areas of traffic reduction and economic diversity. Vice Mayor Ploog concurred with the explanations of both Councilors Furman and Kinsella.

Reconsideration

Pursuant to Council Rules of Procedure, Rule 3.E.11, Councilor Dunn requested the denial be reconsidered. At the outset of this Agenda Item, the motion to reconsider must be made, seconded, debated and voted upon by the City Council. If passed, City Council will then deliberate anew on the appeal from P&Z Commission’s denial of the development review.

Reconsideration Procedures

If the motion for reconsideration passes, the appeal rehearing procedure will be as follows:

1. Staff will be available for questions, but will not have a presentation as the staff findings and recommendations have not changed.
2. Council may request the Appealing party, represented by Withey Morris, present their position to Council.
3. Public comment.
4. Council will discuss, deliberate, may ask questions, and will reach a decision on the appeal.

Community Plan Consistent: Yes - No - Not Applicable

Staff's evaluation of the project concluded that the project is consistent with the Community Plan, as outlined in the Staff Report for the project. One of the reasons the Commission gave for denying the project was inconsistency with the Community Plan's vision and themes related to economic diversity, reduced traffic, and environmental stewardship.

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

The City's Sustainability Staff reviewed the original submittal and provided comments regarding energy conservation, emissions reduction, electric vehicle support, transit, affordable housing, water conservation, native plants, recycling, and composting, and building standards. Their comments did not require any changes to the plans but asked for more information and provided suggestions on how the plans could address sustainability goals. Included in the reasons for denial were water usage, lack of incorporation of sustainable practices, and lack of implementation of the Climate Action Plan.

Board/Commission Recommendation: Applicable - Not Applicable

On November 15, 2022, the Planning and Zoning Commission held a public hearing for the proposed project. At that hearing, the Commission heard presentations from staff and the applicant, asked questions of staff and the applicant, heard public testimony, discussed the application further.

A motion for approval of the project was made and seconded. A vote on this motion resulted in a 3-3 vote (Commissioners Braam, Wiehl, and Zonakis in favor; Chair Levin, Vice Chair Hosseini, and Commissioner Furman opposed; Commissioner Gajewski excused).

The Planning and Zoning Commission's Operating Rules and Procedures, Section 10.4, states: "Any motion for approval which fails to carry shall be considered a denial of the proposal..." As the motion for approval did not carry, the project was denied.

The materials provided to the commission and minutes of the meeting are included at the links above.

Alternative(s):

The City Council can choose to affirm, reverse, or amend the Planning and Zoning Commission's denial of the DEV application. ([LDC Section 8.8.E\(3\)d](#))

MOTION

Please note that the following motions are offered as samples only and that the Council may make other motions as appropriate.

Affirmation of DEV denial/Denial of Appeal

I move to: deny case number APPE22-00003 (appeal), thereby affirming Planning and Zoning Commission's denial of case number PZ21-00009 (DEV), Arabella Spa, at 95 Sombart Lane, based on the following findings (specify findings)

Reversal of DEV Denial/Approval of Appeal

I move to: approve case number APPE22-00003 (appeal), thereby reversing Planning and Zoning Commission's denial of case number PZ21-00009 (DEV), Arabella Spa, at 95 Sombart Lane, based on compliance with all ordinance requirements of LDC Section 8.3 and 8.4 and satisfaction of the Development Review findings and

applicable Land Development Code requirements as outlined in the Planning and Zoning Commission staff report, which staff report is hereby adopted as the findings of the City Council, and the recommended conditions of approval.

Amendment of DEV

I move to: approve case number APPE22-00003 (appeal), thereby reversing Planning and Zoning Commission's denial of case number PZ21-00009 (DEV), Arabella Spa, at 95 Sombart Lane, based on compliance with all ordinance requirements of LDC Section 8.3 and 8.4 and satisfaction of the Development Review findings and applicable Land Development Code requirements as outlined in the Planning and Zoning Commission staff report, which staff report is hereby adopted as the findings of the City Council, and the recommended conditions of approval, and the following additional conditions (specify amendments):

Cari Meyer
Planning Manager
City of Sedona
Community Development Department
102 Roadrunner Drive, #106
Sedona, AZ 86336

Re: Support for Arabella Spa (PZ21-00009)

Ms. Meyer,

I am writing in support of the development review application for the proposed Arabella Spa at 95 Sombart Lane in Sedona, Arizona. I have been aware of this project for some time now, and while working at different hotel properties within Sedona, have been excited for its Grand Opening. The spa's in Sedona are very limited and have limited availability. Part of the experience that we sell to our guests is "wellness". In addition to hiking, biking, and the beautiful outdoor activities that our town offers, spa is essential. While we recommend our guests to book ahead of time, most want to make a schedule after they arrive. In the case of a spa, waiting until they get here is too late. With the limited amount of Spas within the community, a last minute booking is almost impossible. When traveling to a city, the expectation is that you can walk in and book a massage or a facial for that same day. This is not the case in Sedona, but it is the expectation of our travelers. Ms. Meyer, the lack of spa options in this town is detrimental to the guest experience. In addition, I am not sure when the last time you booked a treatment was, but for us as residents, to add this into our own personal ritual let alone schedule, is almost impossible.

While I understand that we in the hospitality community are navigating a very delicate situation between residents and tourists, I do not believe this to be of negative impact. Our guests and residents alike deserve to have these options for their own mind, body, and spirit. In addition, their concept is much different than any other spa in Sedona.

As far as I know, Arabella has gone through the correct protocols and procedures to be allowed to make this happen. They have been open to feedback from the City of Sedona and have revised their plans to fit what you have asked. And from what I understand, The Sedona Community Development Department recommends this project to be approved. I would like to also personally recommend this project be approved. Not only for our guests, but for our community as well. I would beg you and the City of Sedona to reconsider.

Sincerely,
Danielle Sonn
General Manager
Hampton Inn Sedona

Subject: the Spa being built at Arabella Hotel

al.comellomedia.com <al@comellomedia.com>

Tue 1/3/2023 4:07 PM

To: Cari Meyer <CMeyer@sedonaaz.gov>

Cc: al.comellomedia.com <al@comellomedia.com>

Cari,

I attended the P and Z meeting on the Arabella Spa project and could not really understand what the objections were, but since it was not approved it will go to the city council on the 25th for their review and hopefully, from my point of view, be approved.

For reference, Arabella is actually the location of King's Ransom one of the oldest hotels in the Sedona area. Its history goes back to the days of movie-making with the film studio that used to be on the property. I don't know the owners, just know the people who manage it. I'm quite aware that the owners invested substantially in upgrading the property and are going out of their way to make it a very modern facility that we are all proud of.

From everything I understand about the project being proposed on the commercial land they own adjacent to the hotel, it looks and sounds like a great addition to the lifestyle of Sedona residents as well as a real benefit to any guest staying in Arabella or other lodgings. Health and wellness are core to the attraction of Sedona as a place to live and visit.

I can see no reason to not approve the project and I view it as a good example of the benefit of a conscientious business that worked with the city to improve its design and features and hired skilled designers who are sensitive to the history and needs of the property and our environment.

I think they have the right to make these improvements and it really is a positive addition to the city. Please let my opinion be added to the others who support the city council changing the P & Z decision and letting this well-designed and vetted project proceed.

Thank You.

Al Comello
Al@ComelloMedia.com
928.862.0210

Support for Arabella Spa - PZ21

Jared Folsom <jared@folsommanagement.com>

Tue 1/3/2023 4:09 PM

To: Cari Meyer <CMeyer@sedonaaz.gov>

Cari Meyer

Planning Manager

City of Sedona

Community Development Department

102 Roadrunner Drive, #106

Sedona, AZ 86336

Re: Support for Arabella Spa (PZ21-00009)

Ms. Meyer,

I am writing in support of the development review application for the proposed Arabella Spa at 95 Sombart Lane in Sedona, Arizona. I've had the opportunity to speak with the development team and review the proposed plans. The applicant has gone to extraordinary lengths to design a visually stunning project that is respectful of the surrounding environment, compatible with the adjacent land uses, and significantly lower in intensity than the commercial and multi-family development previously approved for this site. The Arabella Spa is an attractive, well-designed project that will provide a tranquil, quiet, and relaxing experience for its guests. Nordic hydrotherapy is a unique, restorative experience that is not currently offered anywhere in Arizona, and the Arabella Spa will be an incredible health and wellness asset to the community. The water usage of the therapy pools is commensurate with, and in many cases lower than, a range of broadly accepted commercial uses.

This proposal is the kind of smart, low-impact, contextually sensitive development the City of Sedona needs, and I am in full support of the Arabella Spa Development Review application.

Sincerely,

--

Jared Folsom

Owner / Operator

Folsom Management

928-202-2804

jared@folsommanagement.com

www.folsommanagement.com



Cari Meyer
Planning Manager
City of Sedona
Community Development Department
102 Roadrunner Drive, #106
Sedona, AZ 86336

Re: Support for Arabella Spa (PZ21-00009)

Ms. Meyer,

I am writing in support of the development review application for the proposed Arabella Spa at 95 Sombart Lane in Sedona, Arizona. I've had the opportunity to speak with the development team and review the proposed plans. The applicant has gone to extraordinary lengths to design a visually stunning project that is respectful of the surrounding environment, compatible with the adjacent land uses, and significantly lower in intensity than the commercial and multi-family development previously approved for this site.

The Arabella Spa is an attractive, well-designed project that will provide a tranquil, quiet, and relaxing experience for its guests. Nordic hydrotherapy is a unique, restorative experience that is not currently offered anywhere in Arizona, and the Arabella Spa will be an incredible health and wellness asset to the community. The water usage of the therapy pools is commensurate with, and in many cases lower than, a range of broadly accepted commercial uses.

This proposal is the kind of smart, low-impact, contextually sensitive development the City of Sedona needs, and I am in full support of the Arabella Spa Development Review application.

Sincerely,

Michelle Conway
President/CEO
Sedona Chamber of Commerce & Tourism Bureau

Ms. Cari Meyer
Planning Manager
City of Sedona
Community Development Department
102 Roadrunner Drive, #106
Sedona, AZ 86336

January 10, 2023

Re: Support for Arabella Spa (PZ21-00009)

Dear Ms. Meyer,

I am writing to support the development review application for the proposed Arabella Spa at 95 Sombart Lane in Sedona, Arizona. I've had the opportunity to speak with the development team and review the proposed plans. The applicant has gone to extraordinary lengths to design a visually stunning project that is respectful of the surrounding environment, compatible with the adjacent land uses, and significantly lower in intensity than the commercial and multi-family development previously approved for this site.

The Arabella Spa is an attractive, well-designed project that will provide a tranquil, quiet, and relaxing experience for its guests. Nordic hydrotherapy is a unique, restorative experience that is not currently offered anywhere in Arizona, and the Arabella Spa will be an incredible health and wellness asset to the community. The water usage of the therapy pools is commensurate with, and in many cases lower than, a range of broadly accepted commercial uses.

This proposal is the kind of smart, low-impact, contextually sensitive development the City of Sedona needs, and I am in full support of the Arabella Spa Development Review application.

Sincerely,

A handwritten signature in black ink, appearing to read "Mia A. Mackman". The signature is fluid and cursive, with the first name "Mia" being the most prominent.

Mia A. Mackman
PO Box 20215
Sedona, AZ 86341
(928) 284-8503



Cari Meyer
Planning Manager
City of Sedona
Community Development Department
102 Roadrunner Drive, #106
Sedona, AZ 86336

KIM GRACE SABOW
President & CEO

Re: Support for Arabella Spa (PZ21-00009)

BOARD OF DIRECTORS

CHAIRMAN
JERRY FISCHER
HSL Properties, Inc.
Tucson

CHAIR - FINANCE
JEFF MEYER
Cactus League Baseball Association
Mesa

CHAIR - GOVERNMENT AFFAIRS
BETTINA NAVA
OH Strategic Communications
Phoenix

CHAIR - EDUCATION
JOE ITURRI
The Saguaro
Scottsdale

CHAIR - MEMBERSHIP & EVENTS
DAN RAMA
NewGen Advisory
Phoenix

CHAIR - VALLEY
BILL NASSIKAS
Westroc Hospitality
Scottsdale

Ms. Meyer,

As the President and CEO of the Arizona Lodging and Tourism Association, I am writing in support of the development review application for the proposed Arabella Spa at 95 Sombart Lane in Sedona, Arizona. I've had the opportunity to speak with the development team and review the proposed plans. The applicant has gone to extraordinary lengths to design a visually stunning project that is respectful of the surrounding environment, compatible with the adjacent land uses, and significantly lower in intensity than the commercial and multi-family development previously approved for this site.

The Arabella Spa is an attractive, well-designed project that will provide a tranquil, quiet, and relaxing experience for its guests. Nordic hydrotherapy is a unique, restorative experience that is not currently offered anywhere in Arizona, and the Arabella Spa will be an incredible health and wellness asset to the community. The water usage of the therapy pools is commensurate with, and in many cases lower than, a range of broadly accepted commercial uses.

This proposal is the kind of smart, low-impact, contextually sensitive development the City of Sedona needs, and the Arizona Lodging and Tourism Association is in full support of the Arabella Spa Development Review application.

Sincerely,

Kim Grace Sabow
President & CEO

*Your Industry,
Your Voice.*

1240 E. MISSOURI AVENUE
PHOENIX, AZ
85014
602.604.0729
www.azlta.com

Arabella Spa Development

Debra Shinn <debra@shinnconsultingservices.com>

Wed 1/11/2023 4:07 PM

To: Cari Meyer <CMeyer@sedonaaz.gov>

Good afternoon,

This letter is to serve as my support for the development of a Thermal Spa as an amenity of Arabella Hotel and frankly, the community. Sedona is known for its healing modalities and this new procedure is on a cutting edge. Sedona should be in the forefront of introducing new methods in spa procedures. Arabella is reinventing itself and we, as business community members should be supporting their efforts.

Thank you

Debra Shinn



Debra A. Shinn

Principal

debra@shinnconsultingservices.com

310.871.1900

shinnhospitalityconsulting.com

SEDONA International Film Festival

January 11, 2023

Cari Meyer
Planning Manager
City of Sedona
Community Development Department
102 Roadrunner Drive, #106
Sedona, AZ 86336

Re: Support for Arabella Spa (PZ21-00009)

Ms. Meyer,

I am honored to write a letter of support for our treasured film festival partner, sponsor and community supporter: Arabella Hotel Sedona. They have been a generous supporter of our festival, donating rooms to house our VIP visiting filmmakers and guests, as well as extending discounts to our festival attendees for several years. On behalf of myself and my organization, I hope you will grant them approval of their application.

I am writing in support of the development review application for the proposed Arabella Spa at 95 Sombart Lane in Sedona, Arizona. I've had the opportunity to speak with the development team and review the proposed plans. The applicant has gone to extraordinary lengths to design a visually stunning project that is respectful of the surrounding environment, compatible with the adjacent land uses, and significantly lower in intensity than the commercial and multi-family development previously approved for this site.

The Arabella Spa is an attractive, well-designed project that will provide a tranquil, quiet, and relaxing experience for its guests. Nordic hydrotherapy is a unique, restorative experience that is not currently offered anywhere in Arizona, and the Arabella Spa will be an incredible health and wellness asset to the community. The water usage of the therapy pools is commensurate with, and in many cases lower than, a range of broadly accepted commercial uses.

This proposal is the kind of smart, low-impact, contextually sensitive development the City of Sedona needs, and I am in full support of the Arabella Spa Development Review application.

Thank you, in advance, for your consideration!

Sincerely,



Patrick Schweiss
Executive Director, Sedona International Film Festival

Due to file size constraints, the following items are provided at the following links and not attached to this packet.

Application, Letter of Intent, Project Plans, and Appeal Packet:

<https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals/arabella-spa>

Due to file size constraints, the following items are provided at the following links and not attached to this packet.

Planning and Zoning Commission Meeting Agenda, Packet, and Minutes:

<https://www.sedonaaz.gov/your-government/meetings-documents/-folder-5479>



**CITY COUNCIL
AGENDA BILL**

**AB 2937
April 25, 2023
Regular Business**

Agenda Item: 8c

Proposed Action & Subject: Public hearing/discussion/possible action regarding proposed revisions to the Sedona Land Development Code. The proposed revisions include revisions to better reflect the intent of the Code and goals of the Sedona Community Plan, typographical, clerical and other corrections, changes for purposes of clarification, and elimination of redundancies. Case Number: PZ23-00002 (LDC)
Applicant: City of Sedona.

Department Community Development

Time to Present 10 minutes

Total Time for Item

Other Council Meetings None

Exhibits

- A. Proposed revisions to the LDC
- B. Resolution
- C. Ordinance
- D. Public Comments
- E. Planning and Zoning Commission meeting minutes, March 21, 2023

City Attorney Approval	Reviewed 04/18/23 KWC
City Manager's Recommendation	Approve proposed amendments to the Land Development Code as recommended by city staff.

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

SUMMARY STATEMENT

This agenda item provides for a public hearing and an opportunity for discussion/possible action regarding revisions to the Land Development Code (LDC) as recommended by the Planning and Zoning Commission (Commission). The proposed revisions to the LDC are summarized in Exhibit A.

Background: The current LDC was adopted in November 2018 following a two year update process. The LDC update was the first comprehensive overhaul of the document since 1994 and represented a significant improvement over the previous Code. As thorough as the LDC review process was, staff committed to continuing to evaluate the LDC for potential changes to address changing conditions and needs within the City. Since the 2018 updates, additional

proposed changes have been brought to the Planning and Zoning Commission and City Council in September/October 2019, July/September 2020, and May/June 2021.

This series of proposed revisions reflect amendments that staff has evaluated and feel are appropriate to make at this time.

The proposed revisions are attached as Exhibit A. These revisions are organized by Article and Section in the same order as the LDC. This table includes the relevant section number, the current code language, the proposed code language, and an explanation of the purpose of the proposed change or any additional information relevant to the change.

LDC Section 8.6.C(4) provides approval criteria for text amendments to the LDC. The criteria state that the Planning Commission and City Council shall consider whether and to what extent the proposed amendment:

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

Most of the proposed amendments are for clarity, correction or to provide consistency between the Code requirements and intent. Other changes are in response to staff's experience in working with the Code and a need for additional clarity. Still other changes are a result of discussions with other departments and staff members and proposes changes that will aid in accomplishing other goals of the City.

Off Highway Vehicle (OHV) Businesses

One change that is seen throughout the attachment is how off-highway vehicle (OHV) businesses are evaluated. There has been a significant amount of discussion over the past few years regarding the impacts of OHVs in the City and surrounding areas. While the LDC cannot address the impacts on the roads and Forest Service land, Staff has been evaluating what the LDC can do.

OHV businesses have historically been categorized with "Vehicle Sales and Leasing" and subject to the same development standards as businesses renting passenger vehicles. In evaluating this approach, it was determined that it is no longer appropriate to include OHV businesses in this category as the impacts they have are different than the impacts a passenger vehicle rental business has, primarily as it relates to traffic (number of trips in and out) and parking.

In order to ensure consistency throughout the code, changes for OHVs include changes to use requirements and use specific standards (Article 3), parking requirements (Article 5), and definitions (Article 9). While these are listed in their correct places in the overall list of changes, they are also grouped at the end of the document to highlight the various changes. The proposal would make OHV businesses a conditionally permitted use in Commercial (CO) and Lodging (L) zones and a permitted use in Industrial (IN) zones. Making these uses a conditionally permitted use allows for a public review process, evaluation of impacts based on the proposed location, and the ability to condition the approval appropriately based on the

anticipated impacts. The proposal also includes requiring parking for these businesses based on the number of vehicles available for rent rather than the square footage of their office area. The proposed change requires one open parking space for customers for each OHV rented. This is consistent with other communities that have a high level of OHV rentals.

Code Enforcement

A number of changes are proposed as a result of collaboration with Code Enforcement staff to clarify the code requirements applicable to their most common complaints and include the following:

- Require repainting to a compliant color if more than 50% of a structure is painted
- Clarify screening requirements for recreational vehicles
- Set a date of January 1, 2030 for all lighting to be code compliant (fully shielded/dark sky compliant)

Housing

Changes proposed based on discussions with Housing staff to address housing needs include the following:

- Allow full kitchens in guest houses
 - Having a prohibition on kitchens has not reduced the number of guest houses being constructed but has limited the ability of owners to convert them into long term rentals.
- Modify massing requirements for manufactured houses
 - Finding a manufactured house that meets LDC requirements has been difficult for homeowners. At 1,500 square feet, the house would be required to have a garage. Changing the massing requirements to requiring a second mass at 1,500 square feet would allow the garage to count as the second mass and provide more options for which homes property owners can consider.

Approval Criteria

In Staff's opinion, all of these changes are consistent with the approval criteria in LDC Section 8.6.C(4). They are consistent with the general purpose and intent of the LDC as well as adopted plans and policies, are being proposed in response to community needs, and do not conflict with other LDC provisions. Where changes to one section have the potential to impact another section of the LDC, changes to both sections are proposed (for example, changes to definitions are proposed to reflect the changes in permitted uses).

Planning and Zoning Commission

The Planning and Zoning Commission held a public hearing for the proposed revisions on March 21, 2023. While the Commission was in general support of the revisions as proposed by Staff, their discussion focused on the following areas:

- OHV Businesses
 - The Commission was concerned that increased parking requirements could trap existing businesses in unfavorable lease situations. While existing businesses would not be required to comply with new parking requirements (considered legal non-conforming), options for moving to a different location may be limited as the new parking requirements could make many properties unsuitable for this type of business.

This could give existing landlords the ability to raise rents to unsustainable levels if the businesses do not have other options.

- Staff's recommendation was to require 1 parking space for every OHV rented or stored on a property. Planning and Zoning's recommendation is to require 1 parking space for every 1.5 OHVs
 - Staff's recommendation: 12 OHVs require 12 parking spaces.
 - Commission recommendation: 12 OHVs require 8 parking spaces.
- Commissioners expressed a desire to understand how other communities address OHV parking and asked Staff to do additional research prior to presenting the LDC revisions to Council. Staff found the following:
 - Moab, UT requires 1 parking space for every OHV.
 - Staff was unable to identify any other communities that have a separate parking requirement for OHV businesses.
 - Some communities base rental vehicle parking on total square footage of display area
 - Required ratios vary between communities.
 - A standard parking space is 162 square feet (9' x 18'). In general, OHVs tend to be smaller than a standard car.
- Art Galleries
 - Staff's recommended changes to the definition of "Indoor Recreation Activity" to remove "Assembly Halls, auditoriums, and conference centers." In addition, staff proposed a new definition, a new use category, and new parking requirements, as the anticipated impact of these types of uses is different than other indoor recreation activities (bowling alleys, billiard halls, etc.).
 - The Commission felt that "Art galleries and studios, art centers" should also be removed from the "Indoor Recreation Activity" definition and given a separate definition, which is reflected in their recommendation.
 - If "Art galleries, et.al." are defined separately and not under indoor recreation, new use categories and new parking requirements would need to be added to the code.
 - In researching how best to approach this, it was discovered that the Building Code includes "Art Galleries" in the same building occupancy group as other indoor recreation facilities (bowling alleys, billiard halls) due to anticipated occupant loads, which dictates the applicable building codes. The same factors would be considered when determining the appropriate LDC restrictions on a particular type of use.
 - While a separate category could be created, the 2018 update of the code sought to group various activities together based on anticipated impacts, moving away from listing every potential use and instead providing overarching categories, similar to the building code.
 - If the Council agrees with the Commission's recommendation, Staff would recommend the following definition:

- Art Galleries and Studios, Art Centers: An establishment whose primary purpose is to exhibit and offer for sale works of fine art.
- Note that “Museum” is defined separately: An establishment operated as a repository for a collection of nature, scientific, literary curiosities, or objects of interest or works of art, not including the regular sale or distribution of the objects collected. A museum may also include meeting rooms, offices for museum personnel, and similar support facilities.
- If this is added as a separate defined use, Staff would recommend that it be permitted in the same zones as an Indoor Recreation Facility with the same use specific standards and parking requirements.
- Kitchens in Guest Houses
 - One of the recommended changes is to allow full kitchens in guest houses. No other changes to guest house requirements are proposed.
 - Planning and Zoning Commission was in support of this change.
 - Vice Chair Hosseini, while supportive of the change, also believed that there should be a minimum size for a guest house and recommended 300-400 square feet.
 - The rest of the Commission was not supportive of placing a minimum size requirement on guest houses.
 - There is currently no minimum size restriction on guest houses.

At the conclusion of the meeting, the Commission voted 5-1 to recommend to the City Council adoption of the proposed revisions. Vice Chair Hosseini was the dissenting vote, stating that while she was in support of the changes, her “no” vote was due to the recommendation not including a minimum size requirement for guest houses. Commissioner Gajewski participated in the majority of the discussion, and indicated that she was supportive of the proposed changes. However, she needed to leave the meeting prior to the vote.

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Community Development Staff has been in discussions with the Sustainability Team regarding these code amendments, as well as other potential code amendments to directly address sustainability goals and objectives. None of the current recommendations violate the Climate Action Plan. Staff anticipates continuing to work with the Sustainability Team to bring forward a package of code changes to address sustainability issues in the future.

Board/Commission Recommendation: Applicable - Not Applicable

On March 21, 2023, the Planning and Zoning Commission, in a 5-1 vote (Vice Chair Hosseini voted no; Commissioner Gajewski participated in the discussion but left the meeting prior to the vote), recommended City Council approval of Case Number PZ23-00002 (LDC Revisions), with changes noted in Exhibit A and consistent with the approval criteria in Section 8.6.C(4) of the LDC.

Alternative(s): Council could choose to defer action pending further review.

MOTION

I move to: approve Resolution 2023-__ establishing as a public record “Exhibit A – April 25, 2023 Proposed Land Development Code Revisions”.

After first reading

I move to: approve Ordinance 2023-___, consistent with the approval criteria in Section 8.6.C(4) of the LDC, amending the LDC, adopting by reference that document known as “Exhibit A – April 25, 2023 Proposed Land Development Code Revisions”, providing for a savings clause, and repealing all ordinances or parts of ordinances or code provisions in conflict herewith.

EXHIBIT A: PZ23-00002 (LDC)

April 25, 2023: Proposed Land Development Code Revisions

Black Text: Original Staff Recommendation

Red Text: Planning and Zoning Commission Recommendation

Green Text: Comments from Staff to clarify the Commission’s Recommendation

Article 1 – General Provisions:			
Section	Current Language	Proposed Change	Notes
1.6.B(3): Maintenance and Minor Repair	New subsection	Minor repairs and maintenance of nonconformities are permitted and encouraged; provided, that the repairs and maintenance do not increase the degree of nonconformity. Minor repairs and maintenance include the following: e. <u>Repainting less than 50% of the exterior of the structure.</u>	Require repainting a compliant color if more than 50% of the house is repainted. Choosing a compliant color vs. repainting the same color should not have a cost difference and moves towards compliance with LDC requirements. See additional changes to Section 5.7.B(3)a.
1.6.D: Nonconforming Structures	New subsection	Nonconforming structures are subject to the following additional limitations: 5) <u>When more than 50% or more of a structure is being painted, the color shall be in full conformance with the standards of subsection 5.7.F(5)</u>	Require repainting a compliant color if more than 50% of the house is repainted. Choosing a compliant color vs. repainting the same color should not have a cost difference and moves towards compliance with LDC requirements. See additional changes to Section 5.7.B(3)a.
Article 2 – Zoning Districts:			
Section	Current Language	Proposed Change	Notes
2.24.D(4), Table 2.6: Exceptions to Setback Requirements	Exception for Ground-mounted solar and geothermal equipment	Add “Rainwater harvesting tanks” to exception	Allow rainwater harvesting tanks to have the same standards as solar.
Article 3 – Use Regulations:			
Section	Current Language	Proposed Change	Notes
3.2.E: Table of Allowed Uses	“School, Vocational or Trade” not currently listed as a permitted use	“School, Vocational or Trade” as a permitted use in M2, M3, CO, IN, and L	The LDC currently has separate parking requirements and definitions for “School, Public or Private” and “School, Vocational or Trade.” However, “School, Vocational or Trade” is not listed as a permitted use.
3.2.E: Table of Allowed Uses	“Lodging, Fewer than Seven Units” currently listed as a permitted use in	Remove “Lodging, Fewer than Seven Units” as a permitted use in any zone	This has caused properties to try to get around the requirements of the Lodging zone by

	M1, M2, M3, CO, L, and OC		splitting properties into smaller properties and constructing up to 6 lodging units per property. Removal of this as a permitted use ensures that all lodging projects are treated equally and reviewed using the same process.
3.2.E: Table of Allowed Uses: Off-Highway Vehicle Sales and Rentals	N/A (New use category)	Conditionally Permitted Use in CO & L; Permitted in IN	Separate OHV from Vehicle Sales and Leasing to address the impacts of OHV businesses
3.3.C(29): Use Specific Standards, Commercial Uses, Off-Highway Vehicle Sales and Rental (new subsection)	New subsection – addressing OHVs as a new category	Outside display of vehicles for sale or lease shall be subject to the same standards as Vehicle Sales and Leasing (LDC Section 3.3.C(26)).	New use category to address the impacts OHV impacts
3.4.C(2).a.1: Accessory Buildings, Use	A maximum of one accessory building on a lot may be used as habitable space, and may include a kitchenette but not a kitchen. No other accessory buildings shall include habitable space, bathtubs, or showers. Each accessory structure shall comply with the standards of this LDC.	A maximum of one accessory building on a lot may be used as habitable space, and may include a kitchenette but not a kitchen. No other accessory buildings shall include habitable space, bathtubs, or showers. Each accessory structure shall comply with the standards of this LDC.	Allow full kitchens in guest houses.
3.4.D(5)b.3: Outside Storage, Accessory	LDC Section 3.4.D(5)b.3: ... shall be screened from adjacent properties and streets by a wall or fence at least six feet in height and 100 percent opaque...	LDC Section 3.4.D(5)b.3: ... shall be screened from adjacent properties and streets by an <u>opaque</u> wall or fence at least six feet in height and 100 percent opaque ... <u>The Director may waive or modify screening requirements when the vehicle to be screened is located more than 50 feet from a property line and existing vegetation and/or structures obscure the vehicle.</u>	CODE ENFORCEMENT Addresses enforcement issues where the fence is accomplishing the intent of the code to screen an RV, but portions of the RV are still visible through small slits in the fence. Allows for some discretion when the vehicle is far from the property line and obscured by existing vegetation or buildings.

Article 5 – Development Standards:			
Section	Current Language	Proposed Change	Notes
5.5.D, Table 5.2: Required Off-Street Parking Spaces	No current parking requirement for “Conference/Meeting Facility”	Conference/Meeting Facility: 1 space per 50 square feet of meeting area	There is no parking requirement. Since the definition of indoor recreation facility includes meeting facilities, the parking requirement would be 1/300 square feet. A meeting facility has a higher occupancy than an indoor recreation facility and should have a different requirement. The proposal mirrors the parking requirement for religious uses, based on the size of the meeting room, as a full meeting room represents the highest occupancy. A change to the definition of indoor recreation facility is also proposed.
5.5.D, Table 5.2: Required Off-Street Parking Spaces	No current parking requirement for “Off-Highway Vehicles Sales and Rentals”	One (1) space for each <u>1.5**</u> OHVs stored or rented out of the location, plus one (1) space per 500 square feet of sales floor area. OHVs for sale or rent shall not be parked in required parking spaces. <i>**The Planning and Zoning requested that Staff conduct additional research into appropriate OHV parking requirements prior to this item going to City Council. This information is included in the Agenda Bill for this item.</i>	One of the key issues identified for OHV businesses is the lack of on-site parking for customers. In the vehicle sales and leasing category (which OHVs currently fall under), parking is only required for the sales floor area, as customers renting passenger vehicles either don’t come with a vehicle or can leave their vehicle in the space the rental car was in. This has not worked for OHV businesses, as OHVs are smaller and they tend to fit as many OHVs on site as possible, limiting the ability for customers to leave their cars parked where the rental vehicle was. Tying parking to the number of OHVs will ensure sufficient customer parking.
5.6.D(1)d: Screening, Roof-Mounted Equipment	Facilities for the operation of active or passive solar energy systems and other alternate energy systems shall be exempt from the screening requirements when it can be clearly demonstrated that required screening will clearly restrict their efficient operation.	Facilities for the operation of active or passive solar energy systems and other alternate energy systems shall be exempt from the screening requirements when it can be clearly demonstrated that required screening will clearly restrict their efficient operation.	Screening for solar panels has never been enforced, as solar is almost always installed after construction of the house and requiring screening would require changes to the structure that would increase the cost of installation of solar. Screening requirements are intended to reduce the visual impact of equipment and, though solar panels are mechanical equipment, they do not have the same visual impact of other rooftop mechanical equipment (HVAC).

<p>5.7.B(3)a: Exterior Renovation</p>	<p>Any exterior renovation of a building shall comply with the site and building design standards of this Section 5.7 for that renovation. If the renovation is proposed for only a portion of a building, the Director may waive compliance with the site and building design standards if that renovation would be inconsistent with the overall design of the existing structure.</p>	<p>Any exterior renovation of a building shall comply with the site and building design standards of this Section 5.7 for that renovation. If the renovation is proposed for only a portion of a building, the Director may waive compliance with the site and building design standards if that renovation would be inconsistent with the overall design of the existing structure.</p> <p><u>Repainting more than 50% of the structure shall require the entire structure be painted a compliant color (Section 5.7.F(5)).</u></p>	<p>Require repainting a compliant color if more than 50% of the house is repainted. Choosing a compliant color vs. repainting the same color should not have a cost difference and moves towards compliance with LDC requirements. See additional proposed changes to Section 1.6.</p>
<p>5.7.F(2)a.1.i.c: Massing (Single-Family Residential)</p>	<p>New Subsection</p>	<p>All manufactured homes 1,500 square feet or greater in gross floor area shall be composed of at least two visual building masses of differing heights and at least two visual building masses of differing planes.</p>	<p>HOUSING: Different massing requirements for manufactured homes. It is difficult and more expensive to find a manufactured home that meets massing requirements. At 1,500 square feet, the house would be required to also have a garage, which, when placed within 5 feet of the main house, would qualify as the second mass.</p>
<p>5.7.F(2)a: Massing</p>	<p>5.7.F(2)a.2.iii & 3.v: The structures permitted in Section 2.24.D(4), Exceptions to Setback Requirements, shall not be considered as a separate visual building mass for the purpose of meeting the requirements of this subsection.</p>	<p>5.7.F(2)a.6: The structures permitted in Section 2.24.D(4), Exceptions to Setback Requirements, <u>and Section 2.24.E(3), Exceptions to Height Requirements (except pitched, gable, or hip roof)</u>, shall not be considered as a separate visual building mass for the purpose of meeting the requirements of this subsection.</p>	<p>Remove from massing requirements for multifamily and commercial, add to general section to apply to all development and add in that elements granted additional height (elevators, mechanical equipment, etc.) don't count as masses</p>

5.8.C(2)b: Exterior Lighting, Applicability	Cumulative modification, replacement, or repair of outdoor lighting constituting 25 percent or more of the permitted lighting output level for the parcel, no matter the actual amount of lighting already on the site, shall require all exterior lighting to comply with this Code. For purposes of this section, replacement of burned out lamps with new lamps or fixtures of the same type and lighting output level is not considered a modification, replacement or repair.	Cumulative modification, replacement, or repair of outdoor lighting constituting 25 percent or more of the permitted lighting output level for the parcel, no matter the actual amount of lighting already on the site, shall require all exterior lighting to comply with this Code. For purposes of this section, replacement of burned out lamps with new lamps or fixtures of the same type and lighting output level is not considered a modification, replacement or repair.	CODE ENFORCEMENT Moved to new Non-Conforming Lighting section (Proposed Section 5.8.C(4))
5.8.C(4): Non-Conforming Lighting	New section to address Non-Conforming Lighting	<p>a. All lighting that does not conform to all provisions of this Code shall be brought into compliance by January 1, 2030. Until this time, no modification or replacement shall be made to a non-conforming fixture unless the fixture thereafter conforms to the provisions of this Code, except that identical lamp replacement is allowed.</p> <p>b. In the event that an outdoor lighting fixture is abandoned or damaged to the point of requiring repairs for safe operation, the repaired or replacement fixture shall comply with the provisions of this Code.</p>	CODE ENFORCEMENT Lighting complaints are one of the highest volume of complaints received by the Code Enforcement Team. Trying to determine which lights might have a legal non-conforming status can be time consuming and complicated and does not contribute to the City's goals of being a dark sky city. The City first adopted a dark sky lighting ordinance in 2001. Having a requirement that non-compliant fixtures be replaced will further the City's dark sky goals and make enforcement of dark sky requirements a more straightforward matter.
Article 6 – Signs:			
Section	Current Language	Proposed Change	Notes
6.10: Permanent Signs (State Route 89A Character District)	For properties that have been identified in the <u>Sedona Main Street and Character Districts Design Manual</u> as being part of the <u>State Route 89A Character District</u> , the design standards applicable to commercial signs will apply with the following exceptions:	For properties that have been identified in the <u>Administrative Manual (Appendix C)</u> as being part of the <u>Uptown 89A Character District</u> , the design standards applicable to commercial signs will apply with the following exceptions:	Update Reference, this section refers to Sedona Main Street and Character Districts Design Manual, which no longer exists, as it was incorporated into the LDC in the 2018 rewrite. A map of the area affected by this code section is included in Appendix C of the Administrative Manual.

Article 7 – Subdivisions:			
Section	Current Language	Proposed Change	Notes
7.3.C(1)b: Lot Planning, Number of Lots Created	For a lot split, the lots created shall comply with the maximum lot size limits set forth for the applicable zoning district in Article 2: Zoning Districts.	For a lot split, the lots created shall comply with the maximum <u>minimum</u> lot size limits set forth for the applicable zoning district in Article 2: Zoning Districts.	Clean up item – Article 2 has minimum, not maximum lot sizes.
7.3.C(2)f: Lot Planning, Lot Size and Configuration	No lot shall be divided by a city, county, school district, or other taxing agency boundary	No lot shall be divided by a city, county, school district, or other taxing agency boundary, <u>or zoning or Community Plan designation boundary</u>	Prevent formation of lots with split zoning. This has created issues with application of permitted uses, setbacks, height standards, building design standards, etc. Also proposing a change to the findings needed for a land division.
Article 8 – Administration and Procedures:			
Section	Current Language	Proposed Change	Notes
8.3.H(1): Post-Decision Actions and Limitations	... an appeal has been filed with the Director pursuant to Section 8.8.D, Appeal.	... an appeal has been filed with the Director pursuant to Section 8.8.E, Appeal.	Code reference was not updated when the Affordable Housing Alternative Standards Request section was added to 8.8.
8.3.H(2): Post-Decision Actions and Limitations	...within 15 days of the final action, pursuant to Section 8.8.D, Appeal.	... within 15 days of the final action, pursuant to Section 8.8.E, Appeal.	Code reference was not updated when the Affordable Housing Alternative Standards Request section was added to 8.8.
8.4.B(3)g.1.ii.c: Conditional Use Permit	The decision shall become final 15 days following the date on which the conditional use permit was revoked unless an appeal has been filed with the Director within the prescribed 15-day appeal period, in which case the Council shall render a final decision.	Keep same language, move to 8.4.B(3)f.3	Move effective date of CUP to appropriate section.
8.5.C(4): Land Division Required Findings	None	g. Lots proposed to be combined have the same zoning designation.	Prevent formation of lots with split zoning, in conjunction with proposed change to LDC Section 7.3.C(2)f
8.8.E(1): Appeal, Purpose	... aggrieved by a decision of the Director or City Engineer...	... aggrieved by a decision of the Director, or City Engineer, <u>City Commission, or Board...</u>	Applies to all city decisions, not just director and engineer. Rest of code has procedures for appeal of all decisions
8.8.E(2)a.1 & 2: Appeal, Applicability	... shall follows the procedure in Section 8.8.D(4) below ... shall follow the procedure in Section 8.8.D(3) below	... shall follow the procedure in Section 8.8.E(4) below ... shall follow the procedure in Section 8.8.E(3) below	Code reference was not updated when the Affordable Housing Alternative Standards Request section was added to 8.8.

8.8.E(4)b.1: Appeals	...shall notify property owners of their right to appeal the City’s action, pursuant to Section 8.8.D(4)a above...	...shall notify property owners of their right to appeal the City’s action, pursuant to Section 8.8.E(4)a above...	Code reference was not updated when the Affordable Housing Alternative Standards Request section was added to 8.8.
Article 9 – Definitions:			
Section	Current Language	Proposed Change	Notes
9.4.B: Use Related Definitions, Public, Institutional, and Civic Uses	No current definition for conference/meeting facility	Conference/Meeting Facility: Meeting rooms, business centers, assembly halls, auditoriums, and other related facilities used to facilitate and accommodate conferences, seminars, meetings and similar gatherings.	New definition, also removing conference center, auditorium, and assembly hall from definition of indoor recreation facility
9.4.C: Use Related Definitions, Commercial Uses	Indoor Recreation Facility: A commercial recreational use conducted entirely within a building, including amusement arcades, bowling alleys, billiard halls, skating rinks, theaters, art galleries and studios, art centers, assembly halls, athletic and health clubs, auditoriums, community centers, conference centers, exhibit halls, gymnasiums, swimming pools, and tennis courts. Accessory uses may include limited retail, concessions, and maintenance facilities.	Indoor Recreation Facility: A commercial recreational use conducted entirely within a building, including amusement arcades, bowling alleys, billiard halls, skating rinks, theaters, art galleries and studios, art centers, assembly halls, athletic and health clubs, auditoriums, community centers, conference centers, exhibit halls, gymnasiums, swimming pools, and tennis courts. Accessory uses may include limited retail, concessions, and maintenance facilities.	Limit this definition to the true “recreation” uses. Assembly halls, auditoriums, and conference center moved to separate definition. <i>The Planning and Zoning Commission recommended that “art galleries and studios, art centers” be removed from the definition of “Indoor Recreation Facility” and a new definition created.</i> <i>The Agenda Bill provides background on why “art galleries, et.al” were included in this definition. If Council agrees with the Commission’s recommendation, the AB outlines Staff’s recommendations for definitions, use requirements, and parking standards.</i>
9.4.C: Use Related Definitions, Commercial Uses	Vehicle Sales and Leasing: The sale, display, lease, rental, or storage of light motor vehicles, including automobiles, vans, light trucks, light trailers, boats, ATVs/OHVs, snowmobiles, and recreational vehicles. This definition shall not include salvage operations, scrap operations, vehicle impound yards, or commercial parking lots available for short-term use.	Vehicle Sales and Leasing: The sale, display, lease, rental, or storage of light motor vehicles, including automobiles, vans, light trucks, light trailers, boats, ATVs/OHVs, snowmobiles, and recreational vehicles, <u>but not off-highway vehicles (OHVs) or similar vehicles.</u> This definition shall not include salvage operations, scrap operations, vehicle impound yards, or commercial parking lots available for short-term use.	The impacts of ATV/OHV rentals are different than typical vehicle rentals, so there has been a need identified to remove ATVs/OHVs from this definition, define them separately, and create different standards for them to address the impacts differently.

9.4.C: Use Related Definitions, Commercial Uses	<p>No current definition for ATV/OHV rentals</p>	<p>Off-Highway Vehicle Sales and Rentals: The sale, display, lease, rental, or storage of all-terrain vehicles (ATVs) off-highway vehicles (OHVs), snowmobiles, and similar vehicles. This definition shall not include salvage operations, scrap operations, vehicle impound yards, or commercial parking lots available for short-term use.</p>	<p>The impacts of ATV/OHV rentals are different than typical vehicle rentals, so there has been a need identified to define ATVs/OHVs separately and create different standards for them to address the impacts differently.</p>
9.4.G: Use Related Definitions, Temporary Uses, Special Events	<p>A temporary use on public or private property that extends beyond the normal uses and standards allowed by this Code. "Special events" include, but are not limited to, fundraising activities, educational, historic, religious, and patriotic displays or exhibits, circuses, amusements, outdoor concerts, festivals, revivals, street fairs, outdoor arts and crafts fairs, and other organized community events.</p>	<p>A temporary use on public or private property that extends beyond the normal uses and standards allowed by this Code. "Special events" include, but are not limited to, fundraising activities, educational, historic, religious and patriotic displays or exhibits, circuses, amusements, outdoor concerts, festivals, revivals, street fairs, outdoor arts and crafts fairs, <u>weddings, conferences, retreats, trainings,</u> and other organized community events.</p>	<p>Adding more uses to the definition of Special Events to clarify that these uses are considered special events and addresses issues with STRs being used as wedding, conference, retreat, and training venues.</p>

Proposed Changes Regarding OHVs			
Section	Current Language	Proposed Change	Notes
3.2.E: Table of Allowed Uses: Off-Highway Vehicle Sales and Rentals	N/A (New use category)	Conditionally Permitted Use in CO & L; Permitted in IN	Separate OHV from Vehicle Sales and Leasing to address the impacts of OHV businesses
3.3.C(29): Use Specific Standards, Commercial Uses, Off-Highway Vehicle Sales and Rental (new subsection)	New subsection – addressing OHVs as a new category	Outside display of vehicles for sale or lease shall be subject to the same standards as Vehicle Sales and Leasing (LDC Section 3.3.C(26)).	New use category to address the impacts OHV impacts
5.5.D, Table 5.2: Required Off-Street Parking Spaces	No current parking requirement for “Off-Highway Vehicles Sales and Rentals”	One (1) space for each <u>1.5**</u> OHVs <u>stored or</u> rented out of the location, plus one (1) space per 500 square feet of sales floor area. OHVs for sale or rent shall not be parked in required parking spaces. <i>**The Planning and Zoning requested that Staff conduct additional research into appropriate OHV parking requirements prior to this item going to City Council. This information is included in the Agenda Bill for this item.</i>	One of the key issues identified for OHV businesses is the lack of on-site parking for customers. In the vehicle sales and leasing category (which OHVs currently fall under), parking is only required for the sales floor area, as customers renting passenger vehicles either don’t come with a vehicle or can leave their vehicle in the space the rental car was in. This practice has not worked for OHV businesses, as OHVs are smaller than the typical car and OHV businesses tend to fit as many OHVs on site as possible, limiting the ability for customers to leave their cars parked where the rental vehicle was. Tying parking to the number of OHVs will ensure sufficient customer parking.
9.4.C: Use Related Definitions, Commercial Uses	Vehicle Sales and Leasing: The sale, display, lease, rental, or storage of light motor vehicles, including automobiles, vans, light trucks, light trailers, boats, ATVs/OHVs, snowmobiles, and recreational vehicles. This definition shall not include salvage operations, scrap operations, vehicle impound yards, or commercial parking lots available for short-term use.	Vehicle Sales and Leasing: The sale, display, lease, rental, or storage of light motor vehicles, including automobiles, vans, light trucks, light trailers, boats, ATVs/OHVs, snowmobiles, and recreational vehicles, <u>but not off-highway vehicles (OHVs) or similar vehicles.</u> This definition shall not include salvage operations, scrap operations, vehicle impound yards, or commercial parking lots available for short-term use.	The impacts of ATV/OHV rentals are different than typical vehicle rentals, so there has been a need identified to remove ATVs/OHVs from this definition, define them separately, and create different standards for them to address the impacts differently.

9.4.C: Use Related Definitions, Commercial Uses	No current definition for ATV/OHV rentals	Off-Highway Vehicle Sales and Rentals: The sale, display, lease, rental, or storage of all-terrain vehicles (ATVs) off-highway vehicles (OHVs), snowmobiles, and similar vehicles. This definition shall not include salvage operations, scrap operations, vehicle impound yards, or commercial parking lots available for short-term use.	The impacts of ATV/OHV rentals are different than typical vehicle rentals, so there has been a need identified to define ATVs/OHVs separately and create different standards for them to address the impacts differently.
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RESOLUTION NO. 2023-__

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA,
ESTABLISHING AS A PUBLIC RECORD “EXHIBIT A - APRIL 25, 2023 – PROPOSED LAND
DEVELOPMENT CODE REVISIONS”.**

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

That “Exhibit A, April 25, 2023 – Proposed Land Development Code Revisions”, is hereby declared to be a public record to be incorporated by reference in Ordinance No. 2023-__.

At least one (1) paper copy and one (1) electronic copy of these public documents 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 April, 2023.

Scott M. Jablow, Mayor

ATTEST:

JoAnne Cook, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE LAND DEVELOPMENT CODE (LDC), ADOPTING BY REFERENCE THAT DOCUMENT KNOWN AS “EXHIBIT A – APRIL 25, 2023 PROPOSED LAND DEVELOPMENT CODE REVISIONS”; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the City Council deems it necessary and desirable to establish zoning regulations to provide for the orderly development of property within the City by governing the use of land in order to promote the public health, safety, and general welfare of the residents of the City; and

WHEREAS, this Ordinance was property noticed for public hearing and the necessary hearings and opportunities for public input were completed; and

WHEREAS, the Sedona Community Plan’s Land Use Policies state the City should require design standards that reflect Sedona’s unique historic and cultural heritage and consider new and emerging trends for housing development; and

WHEREAS, the City Council has an abiding interest in affording every citizen of Sedona the flexibility to engage in the pursuit of safe, inexpensive lighting practices for the purpose of commerce and private use without being impeded upon or impeding upon other citizens desiring a more pristine night time environment free from light pollution waste, trespass, or clutter while providing nighttime safety, security, and productivity; and

WHEREAS, on March 21, 2023, the Planning and Zoning Commission recommended approval of the proposed revisions; and

WHEREAS, the City Council held a public hearing on the proposed revisions on April 25, 2023; and

WHEREAS, the City Council hereby finds and determines that the proposed revisions are for the public health, safety and welfare of the residents of Sedona.

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

Section 1. Adoption

The document known as “Exhibit A – April 25, 2023 - Proposed Land Development Code Revisions”, which was declared to be a public record established by Resolution No. 2023-__, is referred to, adopted to amend the Land Development Code, and made a part of this ordinance as if fully set out.

Section 2. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

Section 3. Repeal

All other Code provisions, ordinances, parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict as of the effective date hereof.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 25th day of April, 2023.

Scott M. Jablow, Mayor

ATTEST:

JoAnne Cook, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney

Comment on Development Proposal

donotreply@sedonaaz.gov <donotreply@sedonaaz.gov>

Tue 3/21/2023 4:26 PM

To: Cari Meyer <CMeyer@sedonaaz.gov>; Christopher Norlock <CNorlock@sedonaaz.gov>

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

Form Name: Comments on Development Proposals
Date & Time: 03/21/2023 4:26 p.m.
Response #: 413
Submitter ID: 5270
IP address: 24.156.99.217
Time to complete: 2 min. , 37 sec.

Survey Details

Page 1

We want to hear what you think. Please share your thoughts below. If you have questions about the project, 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. Project Name:

LDC Proposed Changes

2.

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

This proposed change would not seem to be applicable for the OC district.
The number of lodging units is double the underlying zoning.
So if a lot is split, so is the allowable number of lodging units.

Removing lodging units less than 7 units from the OC district is not in concert with the CFA for the OC district.
...david

3. Your contact information

Name: David Tracy
Mailing Address: 115 Schnebly Hill Road, Sedona, AZ 86336
E-mail: MrDTracy@gmail.com

4.

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

(o) Yes

Thank you,
City of Sedona

This is an automated message generated by Granicus. Please do not reply directly to this email.

FW: Case number Appe22_00003

montecore2003 <montecore2003@gmail.com>

Fri 4/14/2023 12:56 PM

To: Christopher Norlock <CNorlock@sedonaaz.gov>

Sent from my Galaxy

----- Original message -----

From: montecore2003 <montecore2003@gmail.com>

Date: 4/14/23 7:55 AM (GMT-07:00)

To: cnorlock@sdonaaz.gov

Subject: Case number Appe22_00003

Please drop the project of development on 95 Sombart lane, you already denial the development many time. THE CLIENT'S FROM Arabella hotel have 2 swimming pool and are not materials customers for a spa, they come here in Sedona to look at the landscape and the surrounding not more buildings.

Sent from my Galaxy

**Action Minutes
City of Sedona
Planning & Zoning Commission Meeting
City Council Chambers, 102 Roadrunner Drive, Sedona, AZ
Tuesday, March 21, 2023 - 4:30 p.m.**

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

Chair Levin called the meeting to order at 4:31 p.m., led the Pledge of Allegiance and requested roll call.

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

Staff Member(s) Present: Brian Armstrong, Shannon Boone, Kurt Christianson, Elizabeth Glowacki, Cynthia Lovely, Steve Mertes, Cari Meyer, Christopher Norlock and Donna Puckett.

Council Member(s) Present: Mayor Scott Jablow

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

Cari indicated that the Arabella project was appealed to City Council and received a 3-3 vote, but one Councilor has asked that it be brought back for reconsideration and a date at the end of April is targeted for that.

Cari also introduced our new Associate Planner, Elizabeth Glowacki, who came from Yavapai County where she worked in the hydrology department.

3. APPROVAL OF THE FOLLOWING MINUTES:

a. January 3, 2023 (R)

Chair Levin introduced the agenda item.

MOTION: *Vice Chair Hosseini moved for approval of the January 3, 2023, minutes. Commissioner Hirst seconded the motion.*

VOTE: *Motion carried seven (7) for (Braam, Gajewski, Hirst, Hosseini, Levin, Wiehl and Zonakis) and zero (0) opposed.*

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. 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 4:36 p.m. and, having no requests to speak, closed the public forum at 4:37 p.m.

Brought back to the Commission.

5. Update/discussion regarding the Community Plan Update.

Introduction by Chair Levin

Update provided by Cynthia Lovely who indicated that the next public workshop will be held on April 5th at 4:30 p.m. in the West Sedona School cafeteria/auditorium room. One objective is to understand the importance of housing in creating a livable Sedona and the implications of not changing the housing situation in Sedona. The main goal is for the public to better understand our current land use and housing situation and how that could change over the next 10 years. Housing Manager Shannon Boone will give a presentation on housing and Cynthia will give a presentation on land use followed by two volunteers from the workgroup, John Sather and Linda Martinez, who will speak about how housing matters to residents. Then, everyone will sit at tables for interactive discussions. Before and after the program there will be information stations, similar to the last public meeting, where people can leave comments and ask questions.

No action was taken.

6. CONSIDERATION OF THE FOLLOWING ITEMS THROUGH PUBLIC HEARING PROCEDURES:
a. Public hearing/discussion/possible action regarding proposed revisions to the Sedona Land Development Code. The proposed revisions include revisions to better reflect the intent of the Code and goals of the Sedona Community Plan, typographical, clerical and other corrections, changes for purposes of clarification, and elimination of redundancies. Case Number: PZ23-00002 (LDC). Applicant: City of Sedona

Introduction by Chair Levin

Overview by Planning Manager Cari Meyer

Commission's questions of staff

Chair Levin opened the public comment portion of the hearing at 6:12 p.m.

The following people spoke: Craig Swanson, President of Keep Sedona Beautiful, Sedona, AZ and a written public comment by David Tracy, Sedona, AZ was read by staff.

Closed the public comment period at 6:17 p.m. having no additional requests to speak.

Brought back to the Commission.

Commission's additional questions, comments and recommended changes for staff

Commissioner Gajewski left the meeting at 6:38 p.m.

MOTION: Commissioner Braam moved to recommend to City Council, approval of case number PZ23-00002 (LDC Revisions), consistent with the approval criteria in Section 8.6.C(4). of the LDC with the changes as discussed with the Planning & Zoning Commission. Commissioner Hirst seconded the motion.

VOTE: Motion carried five (5) in favor (Braam, Hirst, Levin, Wiehl and Zonakis) and one (1) opposed (Hosseini). Commissioner Gajewski was excused.

Reason for Opposing Vote: Vice Chair Hosseini stated that she agreed with all of the proposed changes with the exception of maintaining no minimum size on the accessory dwelling units that would have full kitchens. She believes there should be a minimum size and she wants to urge Council to take a look at that, whether you look at the DIGAH guidelines, but it wouldn't have to be as strong as that; it could be something less than 500 sq. ft., but that there be something. And her concern is not so much with new construction that might have new techniques and new methods of devising official layouts, but it is more to do with those who want to make those changes in existing structures.

7. FUTURE MEETING DATES AND AGENDA ITEMS

- a. **Tuesday, April 4, 2023**
- b. **Tuesday, April 18, 2023**

Chair Levin stated that she will be gone in April and Vice Chair Hosseini will chair the meetings. The Chair then asked if the Commission would be interested in having staff ask Mr. Stevenson if the Commission could return for a site visit after April to see Ambiente now that it is open. There was consensus in favor of directing staff to make those arrangements. Cari indicated staff can contact Mr. Stevenson, and Steve Mertes added that Mr. Stevenson actually offered that to city staff.

Cari stated that the meeting on April 4th will be canceled. There is the Community Plan forum on April 5th, and we have a couple of projects that are close to being ready, including the Alkemista project, the Jordan Townhomes and the Circle K.

Chair Levin suggested a site visit for Alkemista and Circle K, and Cari stated that if they are ready for a public hearing, she will schedule it.

Commissioner Hirst asked if April 5th will be online, and Steve Mertes indicated that staff will find out.

8. 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 Executive Session was held.

9. ADJOURNMENT

Chair Levin adjourned the meeting at 6:55 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 March 21,2023.

Donna A. S. Puckett, *Administrative Assistant*

Date



**CITY COUNCIL
AGENDA BILL**

**AB 2861
April 25, 2023
Regular Business**

Agenda Item: 8d
Proposed Action & Subject: Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation and State budget and their potential impact on the City of Sedona.

Department City Manager
Time to Present 15 Minutes
Total Time for Item 45 Minutes
Other Council Meetings January 24, 2023; February 14, 2023; February 28, 2023; March 14, 2023; March 28, 2023; April 11, 2023
Exhibits None

City Attorney Approval	Reviewed 4/18/23 KWC	Expenditure Required	
		\$ N/A	
City Manager's Recommendation	For discussion and direction only.	Amount Budgeted	
		\$ N/A	
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: During the course of the State Legislative Session, many bills are introduced that have a potential impact on the City of Sedona. The League of Arizona Cities and Towns, the City's legislative advocate and City staff routinely monitor bills of interest as they progress through the legislative process.

This item is scheduled to provide a summary update on relevant bills and the proposed State budget, to answer questions that the City Council may have regarding any individual bill or the budget, and to consider the need for the City Council to take a formal position in support or opposition of any particular bill.

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): None

MOTION

I move to: for presentation and direction purposes only.