

AGENDA

City of Sedona Planning and Zoning Commission Meeting

4:30 PM

Tuesday, July 16, 2024

NOTICE:

Pursuant to A.R.S. 38-431.02 notice is hereby given to the members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission will hold a meeting open to the public on Tuesday, July 16, 2024, at 4:30 pm in the City Hall Council Chambers.

NOTES:

- Meeting room is wheelchair accessible. American Disabilities Act (ADA) accommodations are available upon request. Please phone 928-282-3113 at least 24 hours in advance.
- Planning & Zoning Commission Meeting Agenda Packets are available on the City's website at: www.SedonaAZ.gov

GUIDELINES FOR PUBLIC COMMENT

PURPOSE:

- To allow the public to provide input to the Planning and Zoning Commission on a particular subject scheduled on the agenda.
- Please note that this is not a question/answer session.

PROCEDURES:

- It is strongly encouraged that public input on the agenda items be submitted by sending an e-mail to lstewart@SedonaAZ.gov in advance of the 4:30 Call to Order.
- Fill out a "Comment Card" and deliver it to the Recording Secretary.
- When recognized, use the podium/microphone.
- State your Name and City of Residence
- Limit comments to 3 MINUTES.
- Submit written comments to the Recording Secretary.

1. CALL TO ORDER, PLEDGE OF ALLEGIENCE, ROLL CALL
2. ANNOUNCEMENTS & SUMMARY OF CURRENT EVENTS BY COMMISSIONERS & STAFF
3. APPROVAL OF THE FOLLOWING MINUTES:
 - a. May 21, 2024 (R)
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.)*
5. CONSIDERATION OF THE FOLLOWING ITEM(S) THROUGH PUBLIC HEARING PROCEDURES:
 - a. Public Hearing/discussion/possible action regarding revisions to the Land Development Code. The proposed revisions include revisions to the Urban Agriculture Section (LDC Section 3.4.D(2)) to comply with recently adopted state legislation and a change to purpose statements of the M1 and M2 districts (LDC Sections 2.11.A & 2.12.A) to accurately reflect the permitted uses.

Case Number: PZ24-00007 (LDC)

Applicant: City of Sedona

6. FUTURE MEETING DATES AND AGENDA ITEMS
 - a. Tuesday, August 6, 2024
 - b. Tuesday, August 20, 2024
7. 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.
8. ADJOURNMENT

Physical Posting: July 11, 2024 By: DJ

Planning & Zoning Commission Meeting Agenda Packets are available on the City's website at: www.SedonaAZ.gov or in the Community Development Office, 102 Roadrunner Drive approximately one week in advance of the meeting.

Note that members of the City Council and other City Commissions and Committees may attend the Planning and Zoning Commission meeting. While this is not an official City Council meeting, because of the potential that four or more Council members may be present at one time, public notice is therefore given for this meeting and/or event.

Staff Report
PZ24-00007 (LDC)
LDC Revisions



Community Development Department
102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 • www.sedonaaz.gov/cd

Public Hearing Date:	July 16, 2024
Hearing Body:	Planning and Zoning Commission
Action Requested:	Recommendation of approval to City Council of revisions to the Land Development Code
Staff Recommendation:	Recommendation of approval to City Council
Applicant:	City of Sedona
Project Summary:	A City-initiated request for revisions to the Land Development Code (LDC).
Report Prepared by:	Cari Meyer, Planning Manager
Attachments:	Proposed Revisions to the LDC

This agenda item provides for a public hearing and discussion/possible action regarding revisions to the Land Development Code (LDC).

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, May/June 2021, March/April 2023, and September/October 2023.

While Staff typically waits until a longer list of revisions is compiled before going through the revision process, the state adopted new regulations around backyard fowl (chickens) that go into effect September 15 and the City must update our ordinances to be in compliance with these new laws prior to the effective date. Other changes from the latest legislative session have an effective date of January 2025, so additional changes to bring the City into compliance with those new laws will be brought to the Commission/Council later this fall.

PUBLIC INPUT

Staff completed the public noticing for this project and has not received any responses as of writing this report.

DISCUSSION AND ANALYSIS

The proposed revisions are attached to this staff report. 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.

The changes are being proposed at this time are outlined below.

Urban Agriculture (Chickens)

In the last legislative session, the State adopted new laws (HB 2325) regarding backyard fowl (chickens), which the City currently regulates under the Urban Agriculture section of the LDC. The following changes are needed to the LDC to bring it into compliance with State law:

- State Law: Permits up to 6 chickens per lot
 - Current LDC: Permits up to 4 chickens on lots up to 20,000 square feet, 6 chickens on all other lots.
- State Law: Permits a 200 square foot chicken coop
 - Current LDC: Permits a 120 square foot chicken coop
- State Law: Permits chicken coops to be up to 8 feet in height or the height of the fence on lots less than one acre in size
 - Current LDC: Permits chicken coops to be up to 6 feet in height or 8 feet outside of the setbacks.
- State Laws: Permits a 20 foot setback from side and rear property lines.
 - Current LDC: Permits a 15 foot setback from side and rear property lines.

Purpose Statements for M1 (Mixed Use Neighborhood) and M2 (Mixed Use Office)

Lodging was removed as a permitted use from these zones last year. However, the purpose statement for both of these zones still includes lodging. This change would remove lodging from the purpose statement to align the purpose statement with the permitted uses.

Approval Criteria

In Staff's opinion, 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.

PLANNING AND ZONING COMMISSION PUBLIC HEARING

This item is agendaized for discussion and possible action for the July 16, 2024, Planning and Zoning Commission hearing. During this meeting, Commissioners will have the opportunity to discuss, ask questions, hear public testimony and act on the proposed revisions. The proposed revisions included with this packet are Staff's recommendations and may be modified by the Commission.

The action of the Planning and Zoning Commission will be a recommendation (approval or denial) to City Council. The Commission can also choose to continue this item to a future meeting if they determine additional information is needed in order to take action on the proposal. However, this is tentatively scheduled for Council consideration on August 13, 2024, which, if approved, would allow the LDC changes to go into effect prior to the effective date of the state legislation.

Recommendation and Motion

PZ24-00007 (LDC)



Community Development Department

102 Roadrunner Drive Sedona, AZ 86336

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Staff Recommendation:

Staff recommends approval of case number PZ24-00007 (LDC Revisions), consistent with the approval criteria in Section 8.6.C(4). of the LDC.

Recommended Motion for Approval:

I move to recommend to City Council approval of case number PZ24-00007 (LDC Revisions), consistent with the approval criteria in Section 8.6.C(4). of the LDC.

Proposed LDC Changes:

Article 2 – Zoning Districts:			
Section	Current Language	Proposed Change	Notes
2.11.A: Purpose (M1: Mixed Use Neighborhood)	The M1 district is intended to accommodate primarily residential uses with limited community, educational, lodging, commercial uses, and incidental or accessory uses...	The M1 district is intended to accommodate primarily residential uses with limited community, educational, lodging, commercial uses, and incidental or accessory uses.	Lodging is not a permitted use in the M1 District and should not be included in the purpose statement.
2.12.A: Purpose (M2: Mixed Use Office)	...The M2 district also provides community, educational, lodging, and commercial uses and incidental or accessory uses...	...The M2 district also provides community, educational, lodging, and commercial uses and incidental or accessory uses...	Lodging is not a permitted use in the M2 District and should not be included in the purpose statement.
Article 3 – Use Regulations:			
Section	Current Language	Proposed Change	Notes
3.4.D(2)c.1.i: Urban Agriculture	The maximum number of chickens allowed is as follows: a. Lots with an area less than or equal to 20,000 square feet: Up to four chickens. b. Lots with an area greater than 20,000 square feet: Up to six chickens.	The maximum number of chickens permitted is six (6). as follows: a. Lots with an area less than or equal to 20,000 square feet: Up to four chickens. b. Lots with an area greater than 20,000 square feet: Up to six chickens.	Change required based on HB2325
3.4.D(2)c.2.iii: Urban Agriculture	The coop size shall not exceed 120 square feet and shall provide at least four square feet of space per chicken.	The coop size shall not exceed 120 <u>200</u> square feet and shall provide at least four square feet of space per chicken.	Change required based on HB2325
3.4.D(2)c.2.iv: Urban Agriculture	The coop shall not exceed six feet in height within the side or rear setback areas and shall not exceed eight feet in height outside the setback areas.	The coop shall not exceed six feet in height within the side or rear setback areas and shall not exceed eight feet in height outside the setback areas. <u>On lots less than one acre in size, the coop shall be shorter than the height of the fence on the nearest property line.</u>	Change required based on HB2325
3.4.D(2)c.2.v: Urban Agriculture	The coop shall be located in the area behind the primary structure and in front of the rear lot line or where otherwise completely screened from adjacent properties and the right-of-way and shall be a minimum of 15 feet from side and rear property lines...	The coop shall be located in the area behind the primary structure and in front of the rear lot line or where otherwise completely screened from adjacent properties and the right-of-way and shall be a minimum of 15 <u>20</u> feet from side and rear property lines...	Change required based on HB2325