

AGENDA



3:00 P.M.

CITY COUNCIL MEETING

WEDNESDAY, OCTOBER 9, 2024

NOTES:

- 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.
- The decision to receive Public Comment during Work Sessions/Special City Council meetings is at the discretion of the Mayor.

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. SPECIAL BUSINESS

LINK TO DOCUMENT =

- a. AB 3054 **Presentation/discussion** with Yavapai College, Dr. Irina Del Genio, Dean of Verde Valley Campus Administration and Mr. Richard Hernandez, Executive Director of Government Relations, regarding a general update on activities and plans of the College.
- b. AB 3127 **Discussion/possible direction** regarding potential Land Development Code changes to address the construction of sport courts on private property.
- c. **Discussion/possible action** regarding ideas for future meetings/agenda items.

4. 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 regarding matters listed on this agenda per A.R.S. § 38-431.03(A)(3).
- b. Return to open session. Discussion/possible action regarding executive session items.

5. ADJOURNMENT

Posted: 09/27/2024

By: JC

JoAnne Cook, CMC

City Clerk

Note: Pursuant to A.R.S. § 38-431.02(B) 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 material 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.



**CITY COUNCIL
AGENDA BILL**

**AB 3054
October 9, 2024
Special Meeting**

Agenda Item: 3a
Proposed Action & Subject: Presentation/discussion with Yavapai College, Dr. Marylou Mercado, YC Vice-President of Workforce Development & Health Sciences and Dr. Doug Berry, the YC Provost, regarding a general update on activities and plans of the College.

| | |
|--|--------------------------|
| Department | City Manager |
| Time to Present Total Time for Item | 30 Minutes 60 Minutes |
| Other Council Meetings | N/A |
| Exhibits | None |

| | | | |
|-------------------------------|--------------------------------------|-----------------------------|-----|
| Finance Approval | Reviewed 9/24/24 BGW | | |
| City Attorney Approval | Reviewed 9/24/24 KWC | Expenditure Required | |
| City Manager's Recommendation | For discussion only. ABS 09/20/24 | \$ | N/A |
| | | Amount Budgeted | |
| | | \$ | N/A |
| | | Account No. (Description) | N/A |

SUMMARY STATEMENT

Background: Council invited Yavapai College to present an update regarding current and future education services for the Sedona area.

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 discussion only.



**CITY COUNCIL
AGENDA BILL**

**AB 3127
October 9, 2024
Special Business**

Agenda Item: 3b
Proposed Action & Subject: Discussion/possible direction regarding potential Land Development Code changes to address the construction of sport courts on private property.

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|--|---|
| Department | Community Development (Cari Meyer) |
| Time to Present Total Time for Item | 10 min. 20 min. |
| Other Council Meetings | N/A |
| Exhibits | A. Aerial maps showing existing sport courts in Sedona B. Information and Sample Ordinances from other Cities (Paradise Valley, Scottsdale, Centennial, CO, and Park City, Utah) |

| | | | |
|-------------------------------|-------------------------|-----------------------------|-----|
| Finance Approval | Reviewed 9/24/24 BGW | | |
| City Attorney Approval | Reviewed 9/24/24 KWC | Expenditure Required | |
| | | \$ | N/A |
| City Manager's Recommendation | Reviewed 9/25/24 ABS | Amount Budgeted | |
| | | \$ | N/A |
| | | Account No. (Description) | N/A |

SUMMARY STATEMENT

Background:

The Land Development Code (LDC) has never had restrictions or regulations for development or use of a single-family property for "Sport Courts", which may include areas for sports such as tennis, basketball, four-square, and, more recently, pickleball. These types of uses have been treated the same way that a concrete patio would be treated - no permit is required, but it does count against total lot coverage for the parcel. Additionally, other permit requirements may apply, such as fences (height, location, materials), lighting (fully shielded, meeting color standards), and grading (including drainage and potential retaining walls).

Since there is no permit required, it is difficult to say with certainty how many exist in the City, but a recent review of aerial imagery shows at least seven single-family properties with a sport court – five for tennis, one for pickleball, and one for basketball. There are also four HOAs and two hotels that provide courts. Finally, the City provides tennis courts, pickleball courts, and basketball courts at Sunset Park and Posse Ground (with additional pickleball courts currently under construction at Posse Ground). Exhibit A shows aerial views of the existing courts.

A review of code enforcement history for these properties show no history of complaints regarding the use of the courts.

The City Council, at their September 10 meeting, asked for a discussion to be added to a future agenda regarding potential Land Development Code changes regarding the construction of sport courts on private property.

Exhibit B contains a link to policies and ordinances that Staff has found regarding the regulation of sport courts. Two are from Arizona (Paradise Valley and Scottsdale) with Paradise Valley having a policy document and Scottsdale addressing it through the noise ordinance. Two cities outside of Arizona (Centennial, CO and Park City, UT) have ordinances regulating pickleball. While Staff does not plan to go through these documents during the meeting, they are provided to Council as examples of what other jurisdictions have done.

If Council gives Staff direction to work on code changes related to this topic, Staff would be looking for direction on, at a minimum, the following:

- Types of regulations. While the City cannot ban sport courts, we can place reasonable time, manner, and place restrictions on the use of courts.
- Applicability. While much of the discussion has been about pickleball, the City cannot single out “pickleball” and adopted regulations would apply to all sport courts, including tennis, basketball, etc.
- How to define a “sport court.” As stated above, the City has typically considered sport courts in the same way that we would consider concrete patios, so we would need to ensure that we could differentiate between a “sport court” and other concrete slabs. This would likely include, at a minimum, size limitations.
- Noise. The City Code (Section 8.25) prohibits noise above 60dB during the day and 50dB at night and also prohibits offensive noise that disturbs the peace or quiet of a neighborhood. As noise is regulated by the City Code (not the LDC), if the Council is interested in additional noise standards, a City Code amendment would be required.
- Public Outreach. Any LDC amendment will have a minimum of one public hearing with the Planning and Zoning Commission and one public hearing with City Council. All public hearings will be noticed as required and there will be an opportunity for public comment. If the Council wants additional public outreach, that should be communicated to Staff.

The above list are the areas that Staff has identified where direction is needed. If there are other areas that Council wants Staff to look into, that should be part of the direction given.

It should also be noted that, if new regulations are adopted, they would only apply to courts constructed after the ordinance is effective and existing courts would become legal non-conforming.

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

This item is agendized for discussion and possible direction. If Council gives direction to pursue code changes, the City’s Sustainability Staff will be able to review the proposed changes and provide feedback and recommendations prior to the next hearing with Council.

Board/Commission Recommendation: Applicable - Not Applicable

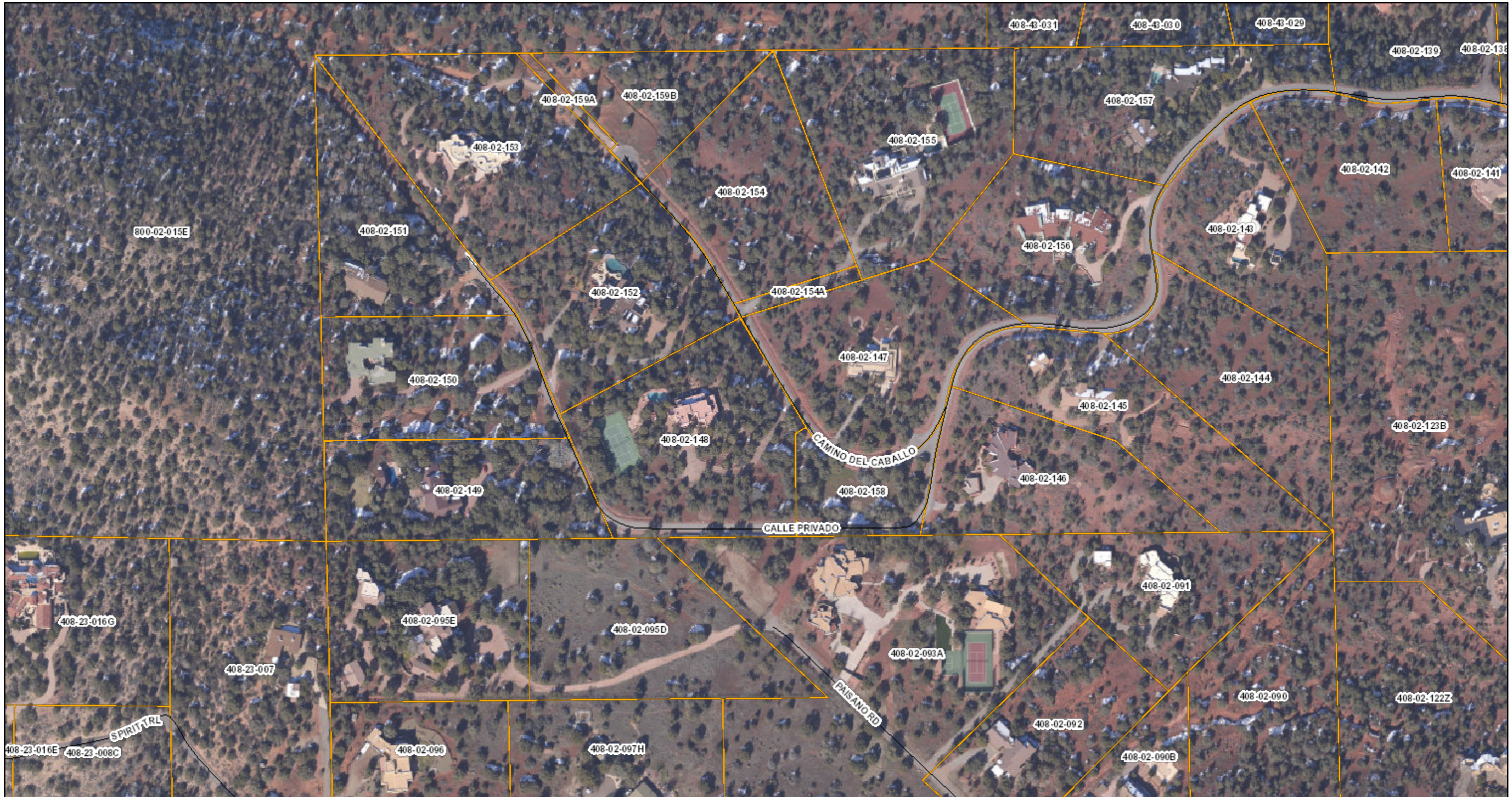
If Council gives direction to pursue code changes, the Planning and Zoning Commission will hold a public hearing and provide a recommendation prior to the next hearing with Council.

Alternative(s):

MOTION





I move to: For discussion and possible direction only.

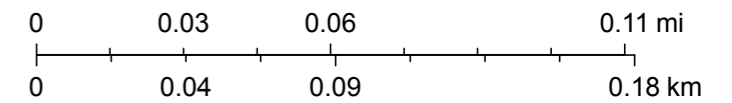
RESIDENTIAL - TENNIS



9/16/2024, 10:07:56 AM

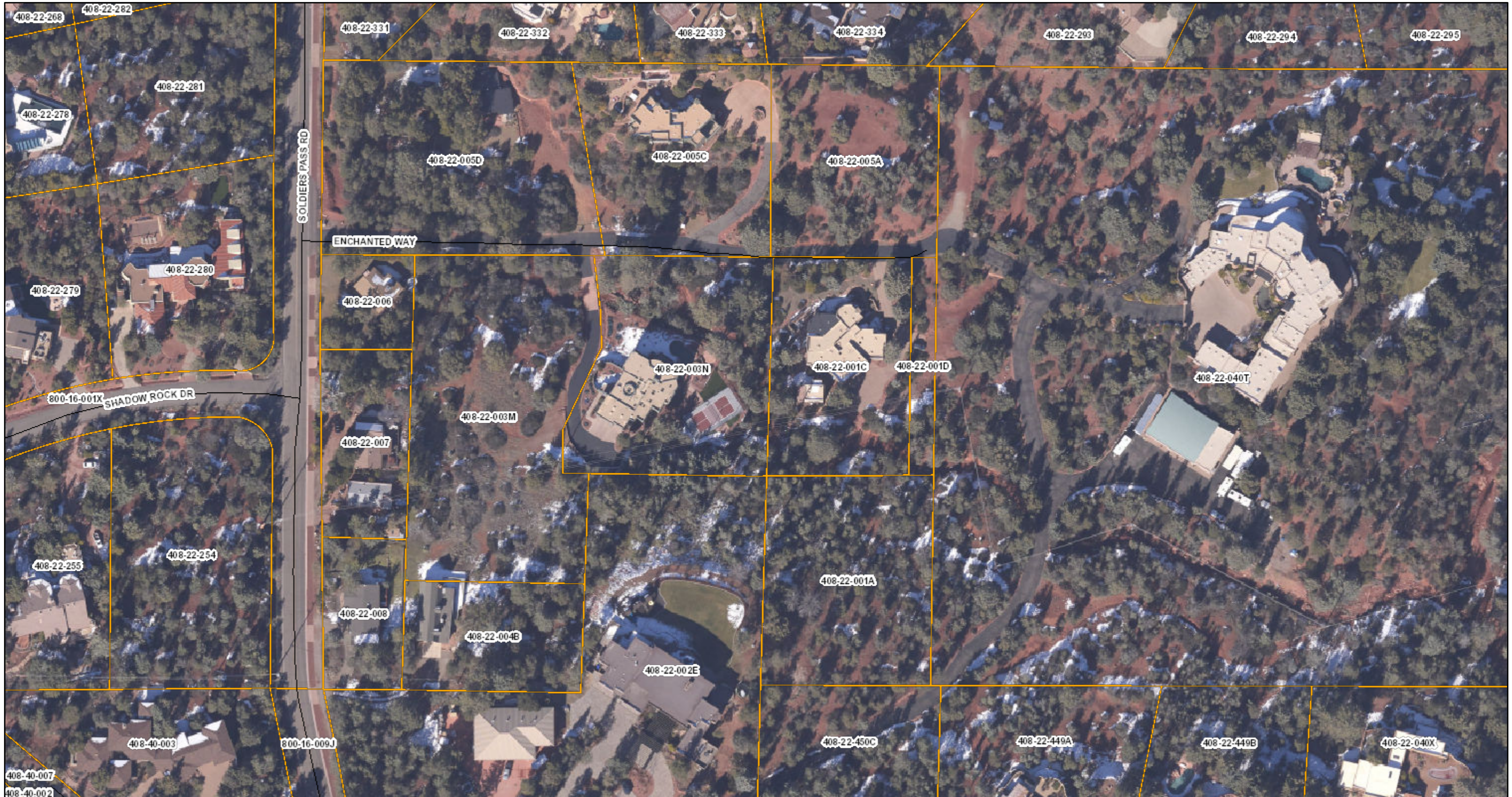
1:2,276

-  PARCEL BOUNDARY
-  Street Centerline
-  COUNTY LINE
-  OAK CREEK



475 Camino De. Caballo - 408-02-148
500 Camino Del Caballo - 408-02-155
120 Paisano - 408-02-093A

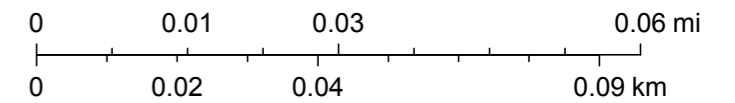
RESIDENTIAL - Pickleball - 75 Enchanted Way - 408-22-003N



9/16/2024, 10:11:43 AM

1:1,209

- PARCEL BOUNDARY
- Street Centerline
- COUNTY LINE
- OAK CREEK







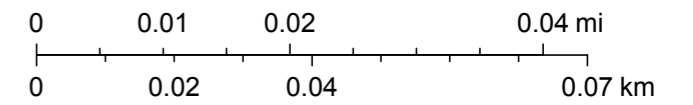
RESIDENTIAL - Basketball - 300 Little Scout Rd. - 408-22-452B



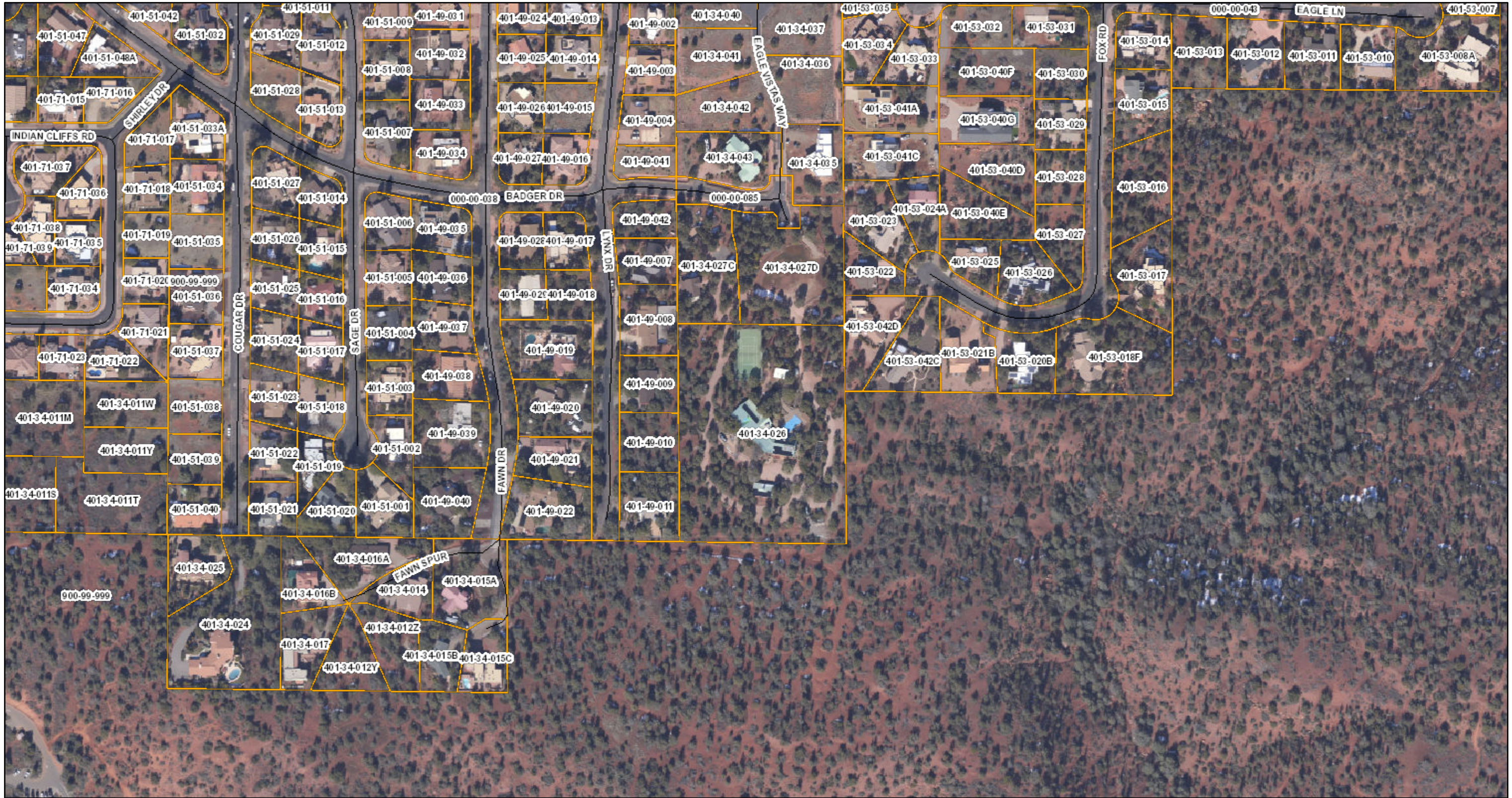
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1:961

-  PARCEL BOUNDARY
-  Street Centerline
-  COUNTY LINE
-  OAK CREEK



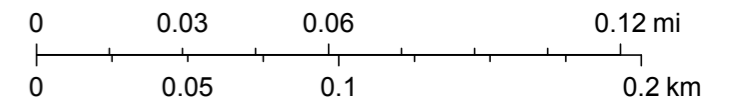
RESIDENTIAL - Tennis - 303 Badger Dr. - 401-34-026



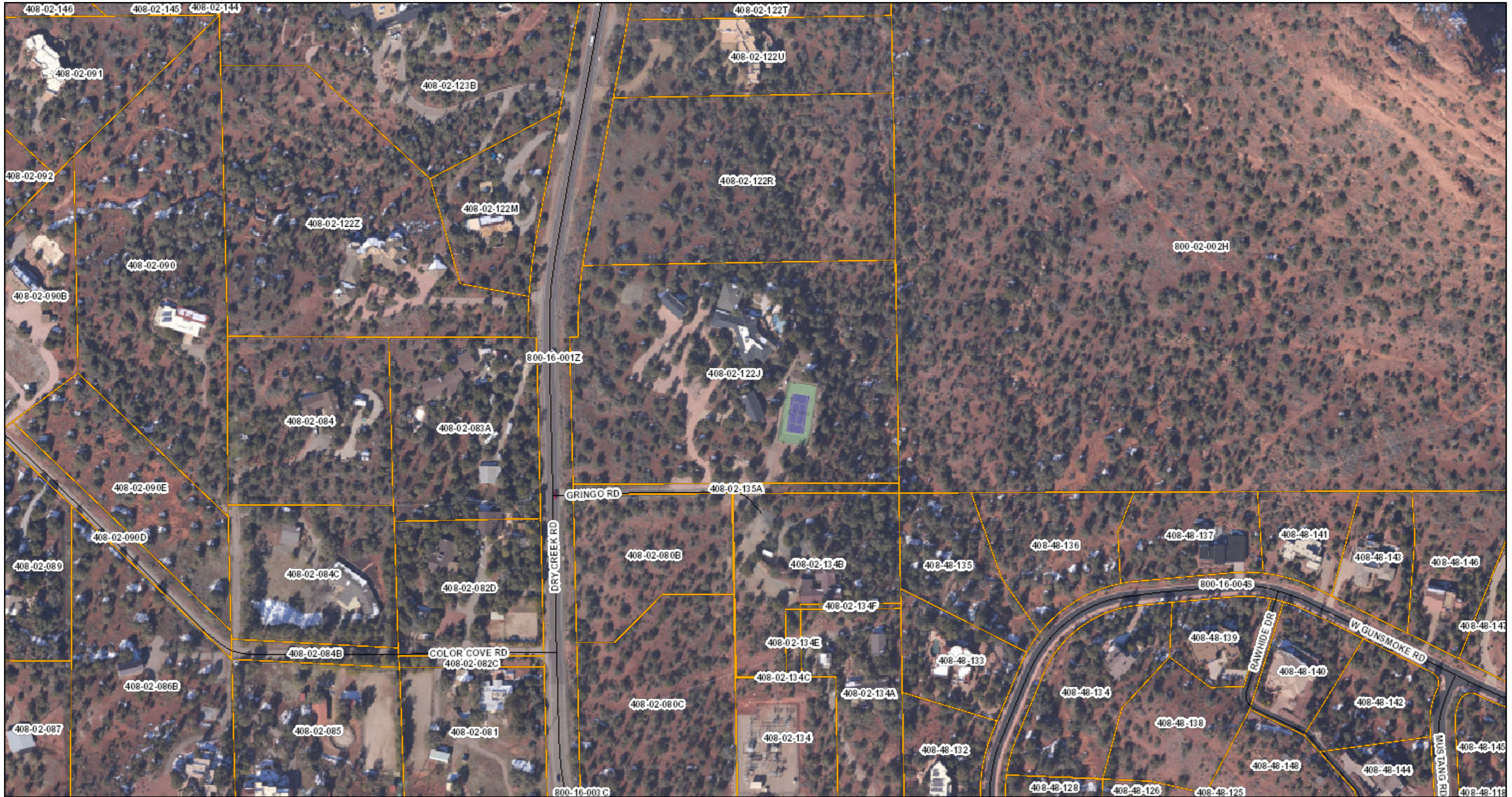
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- PARCEL BOUNDARY
- Street Centerline
- COUNTY LINE
- OAK CREEK

1:2,500



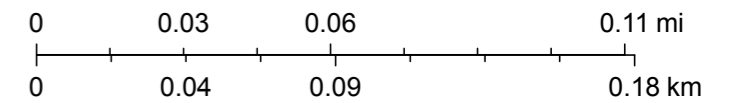
RESIDENTIAL - Tennis - 790 Dry Creek Rd. - 408-02-122J



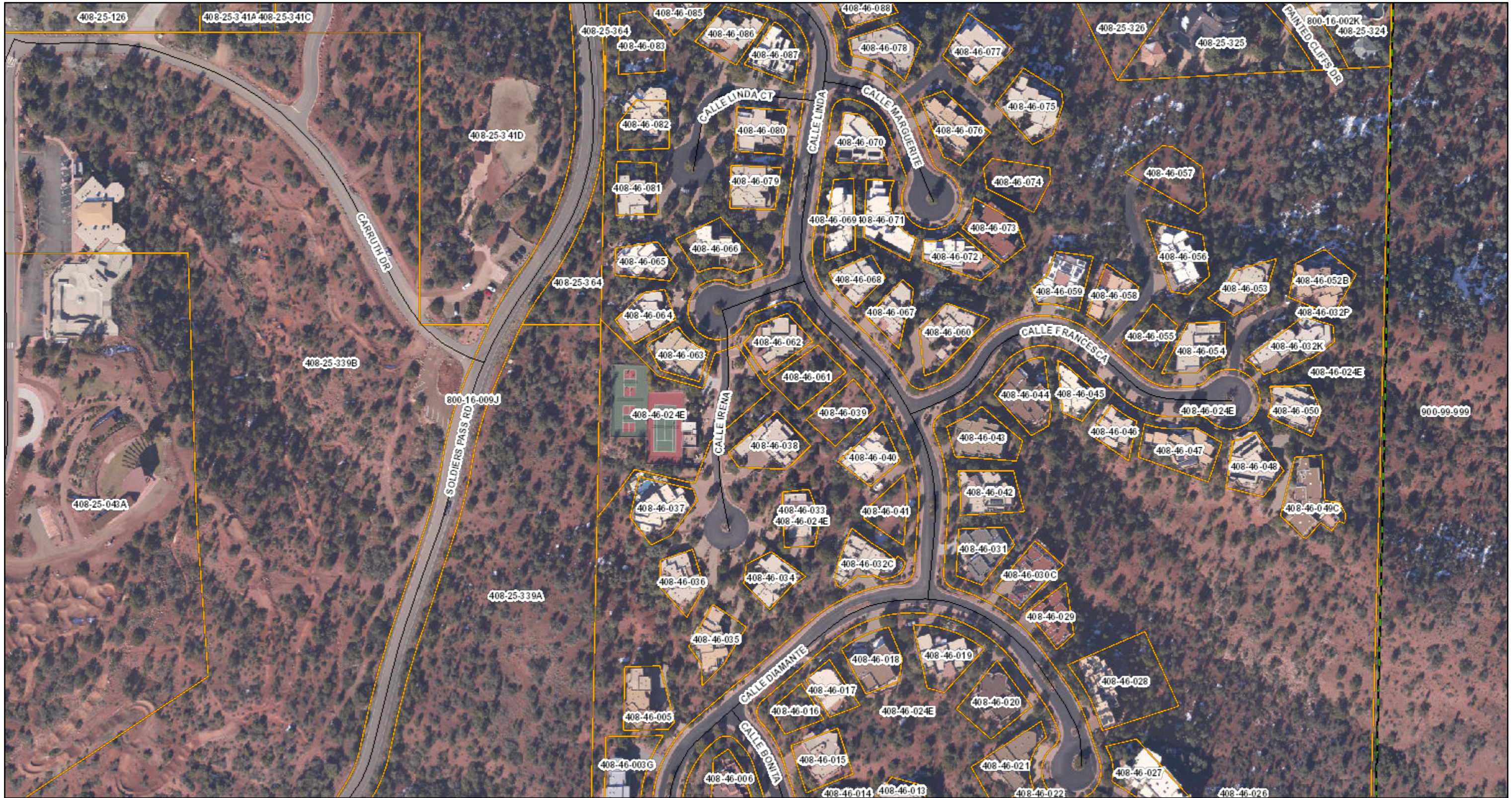
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1:2,276

- PARCEL BOUNDARY
- Street Centerline
- COUNTY LINE
- OAK CREEK







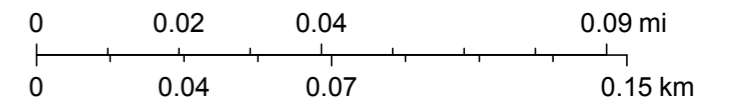
HOA - Pickleball/Tennis - Casa Contenta - 408-46-024E



9/16/2024, 10:21:42 AM

1:1,921

-  PARCEL BOUNDARY
-  Street Centerline
-  COUNTY LINE
-  OAK CREEK



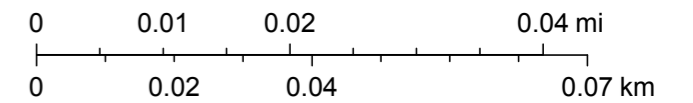
HOA - Tennis - Les Springs - 401-70-108A



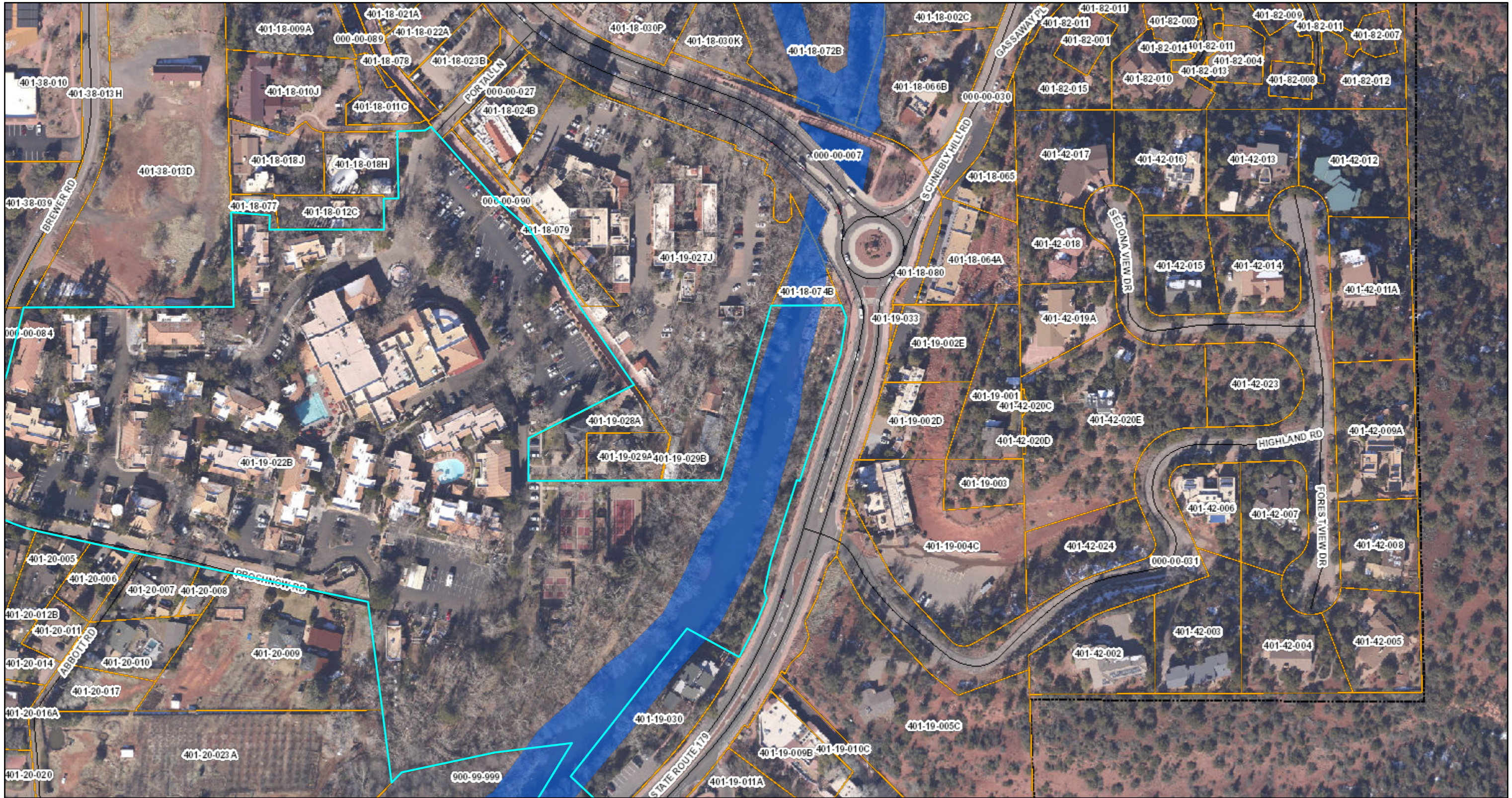
9/16/2024, 10:23:15 AM

1:961

- PARCEL BOUNDARY
- Street Centerline
- COUNTY LINE
- OAK CREEK







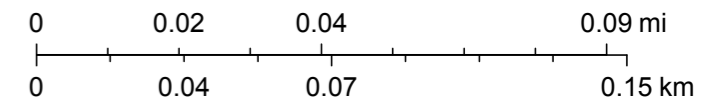
RESORT - Pickleball - Los Abrigados - 401-19-022B



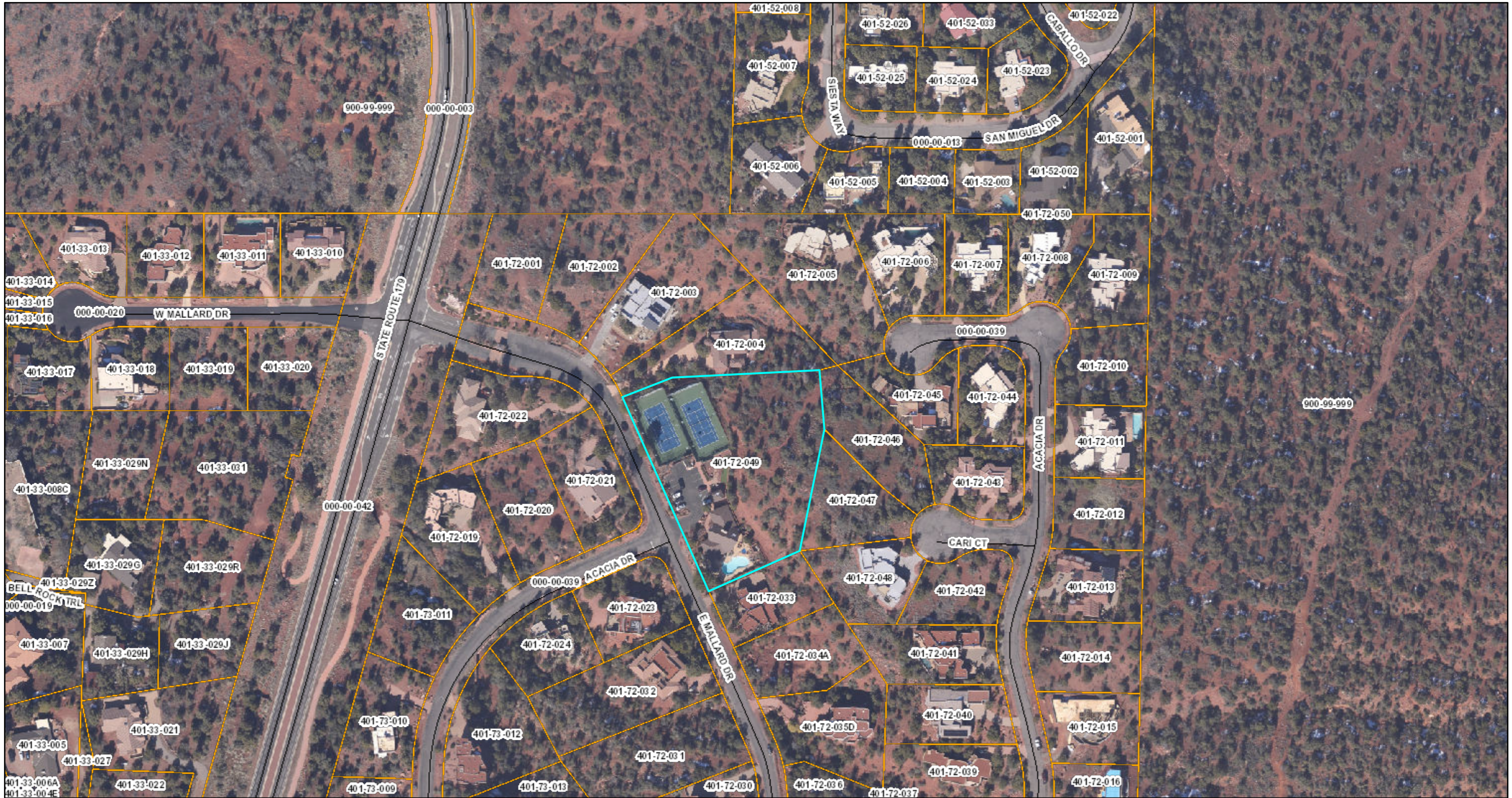
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1:1,921





-  PARCEL BOUNDARY
-  Street Centerline
-  COUNTY LINE
-  OAK CREEK



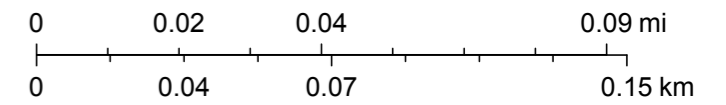
HOA - Tennis - Mystic Hills - 401-72-049



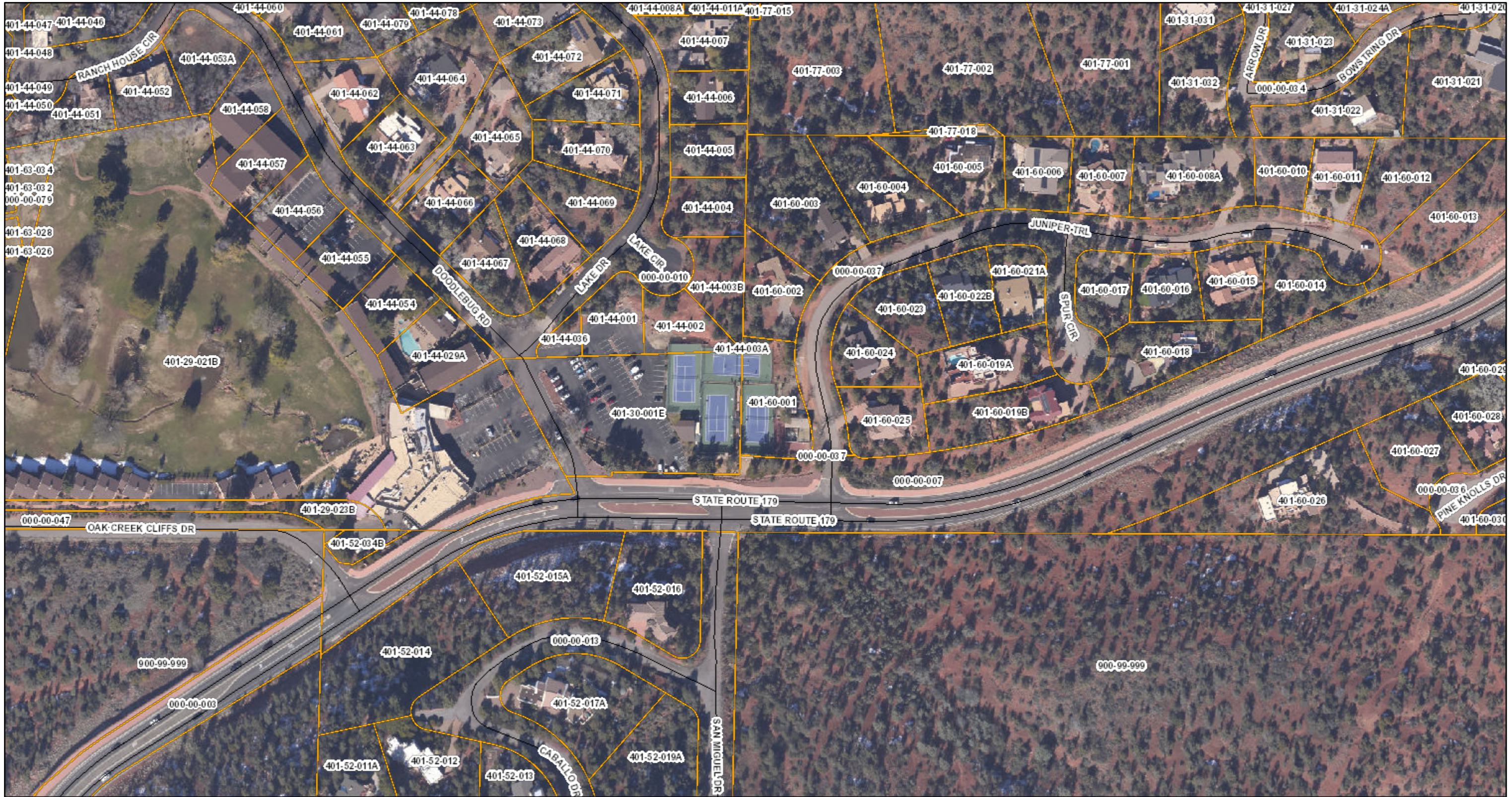
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-  PARCEL BOUNDARY
-  Street Centerline
-  COUNTY LINE
-  OAK CREEK

1:1,921







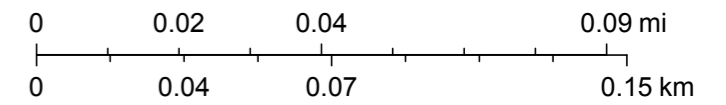
RESORT - Tennis - Poco Diablo - 401-30-001E



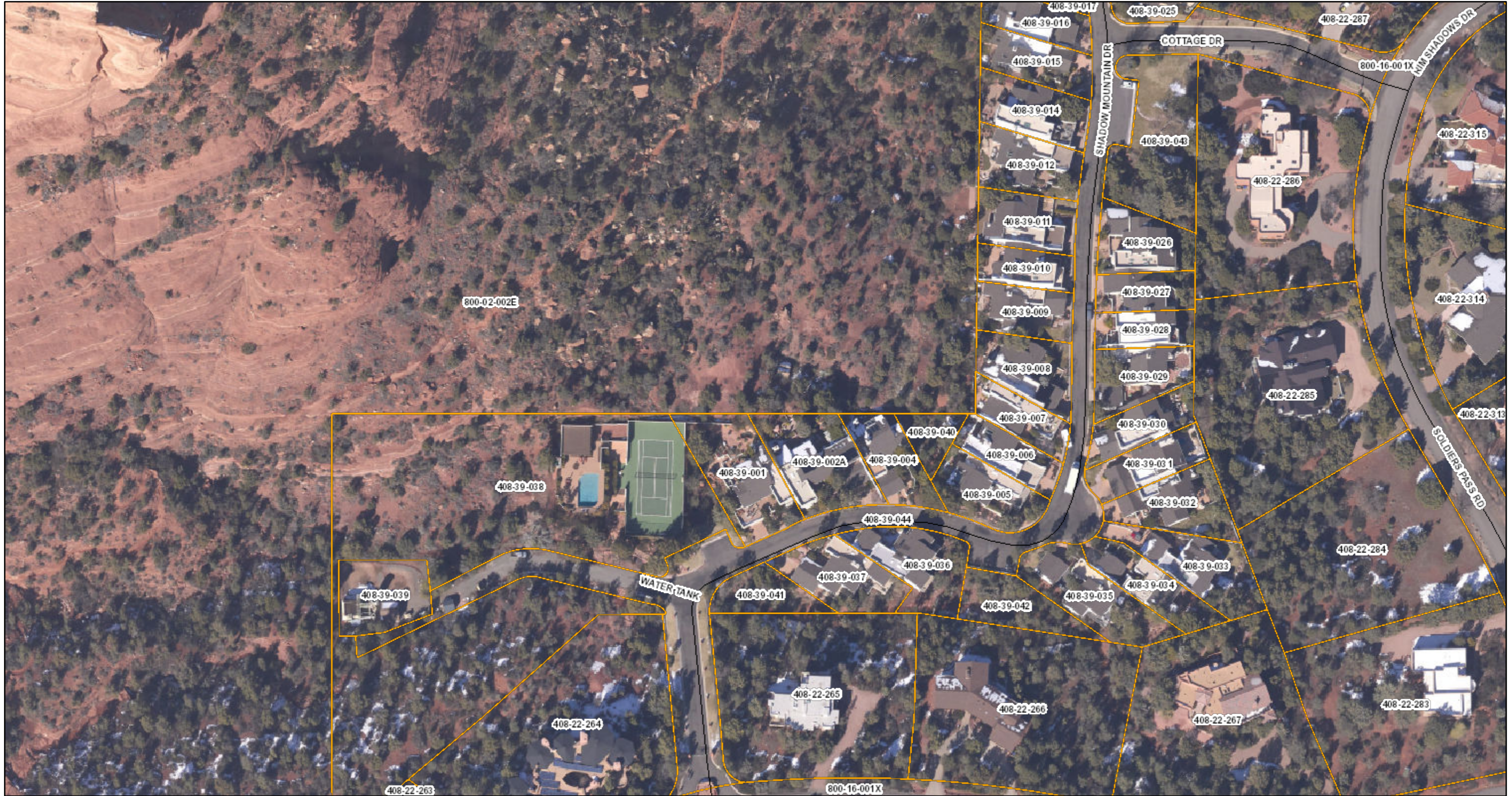
9/16/2024, 10:28:24 AM

1:1,921

-  PARCEL BOUNDARY
-  Street Centerline
-  COUNTY LINE
-  OAK CREEK







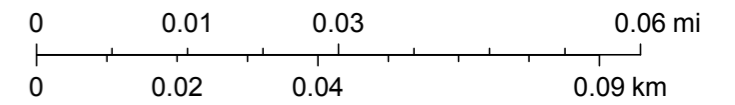
HOA -HYbb]g! Cottages at Coffeepot - 408-39-038



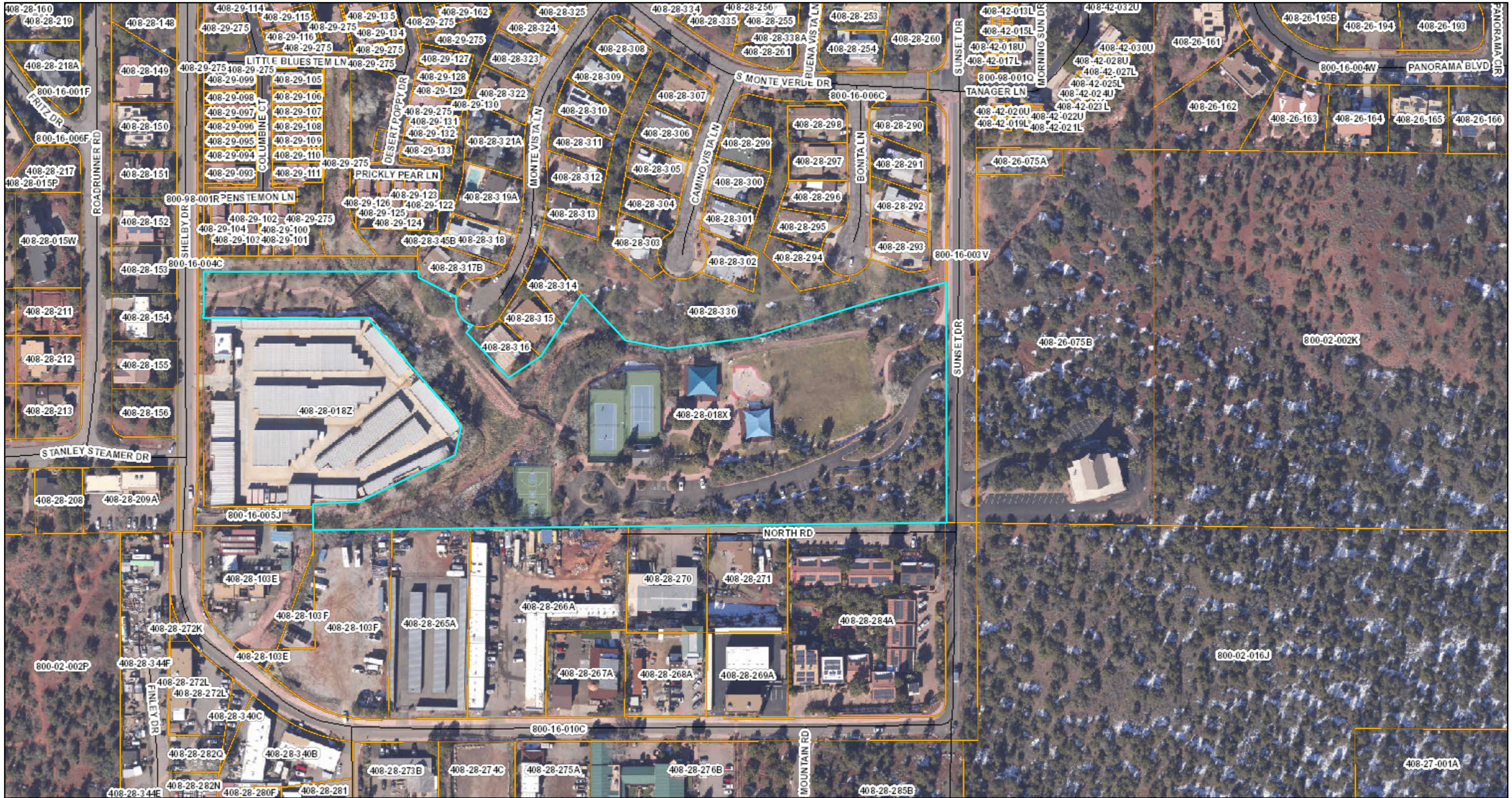
9/16/2024, 10:17:29 AM

1:1,209

-  PARCEL BOUNDARY
-  Street Centerline
-  COUNTY LINE
-  OAK CREEK



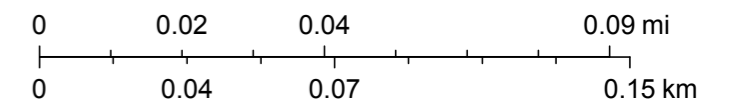
SUNSET PARK



9/16/2024, 10:24:33 AM

1:1,921

- PARCEL BOUNDARY
- Street Centerline
- COUNTY LINE
- OAK CREEK



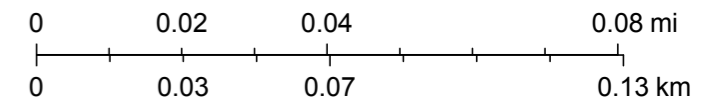
POSSE GROUNDS - Pickleball/Tennis



9/16/2024, 12:21:49 PM

- PARCEL BOUNDARY
- Street Centerline
- COUNTY LINE
- OAK CREEK

1:1,675



AB 3127 Exhibit B:

Information and Sample Ordinances from other cities, including Paradise Valley, Scottsdale, Centennial, CO, and Park City, UT are available for review at the following link:

<https://www.sedonaaz.gov/i-want-to/find/documents/-folder-5806>