

AGENDA

City of Sedona Planning and Zoning Commission Meeting

5:30 PM

Tuesday, May 6, 2014

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 public hearing open to the public on Tuesday, May 6, 2014 at 5:30 pm in Vultee Conference Room.

NOTES:

- Times are approximate.
- 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:

- 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. VERIFICATION OF NOTICE
2. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL
3. ANNOUNCEMENTS & SUMMARY OF CURRENT EVENTS BY COMMISSIONERS & STAFF
4. APPROVAL OF THE FOLLOWING MINUTES:
 - a. April 10, 2014 (WS)
 - b. April 15, 2014 (R)
5. PUBLIC FORUM: For items not listed on the agenda within the jurisdiction of the Planning and Zoning Commission – limit of three minutes per presentation. Note that the Commission may not discuss or make any decisions on any matter brought forward by a member of the public.
6. CONSIDERATION OF THE FOLLOWING REQUEST(S) THROUGH PUBLIC HEARING PROCEDURES:
 - a. Discussion/possible action regarding a request for a Conditional Use Permit renewal for Sedona ATV & Buggy Rental. The applicant is proposing to operate in the same manner as the original Conditional Use Permit and subsequent renewals (related cases CUP2006-02, CUP2009-01), with the exception of increasing the number of outdoor display vehicles, to allow an off highway vehicle rental business. The subject property is currently zoned C-1 (General Commercial), is approximately 0.654 acres in size, and is located at 211 State Route 179. A general description of the area affected includes but is not necessarily limited to the area east of State Route 179 between W State Route 89A and Ranger Road. The subject property is further identified as Assessor's Parcel Number: 401-18-035A. Applicant: Sedona ATV & Buggy Rental. Case Number: PZ14-00004 (CUP) (15 minutes; 5:45 pm–6:00 pm)
7. Discussion/update on the Design Review Work Group currently meeting through the City's Citizen Engagement Program (20 minutes; 6:00 pm–6:20 pm)
8. Discussion/update on the Community Benefits Work Group currently meeting through the City's Citizen Engagement Program (20 minutes; 6:20 pm–6:40 pm)
9. FUTURE MEETING DATES AND AGENDA ITEMS (10 minutes; 6:40 pm–6:50 pm)
 - a. Thursday, May 15, 2014; 3:30 pm (Work Session)
 - b. Tuesday, May 20, 2014; 5:30 pm (Public Hearing)
 - c. Thursday, May 29, 2014; 3:30 pm (Work Session)
 - d. Tuesday, June 3, 2014; 5:30 pm (Public Hearing)
10. EXECUTIVE SESSION



Scan with your mobile device to access project documents online

If an Executive Session is necessary, it will be held in the Vultee Conference Room at 106 Roadrunner Drive. 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:

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.

MEETING LOCATION:
VULTEE CONFERENCE ROOM
102 ROADRUNNER DR, SEDONA, AZ

AGENDA

City of Sedona Planning and Zoning Commission Meeting

5:30 PM

Tuesday, May 6, 2014

- 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.

11. ADJOURNMENT

Physical Posting: May 1, 2014 By: DJ

Staff Report

PZ14-00004 (CUP) Sedona ATV
Summary Sheet



City Of Sedona Community & Economic Development Department

102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 • Fax: (928) 204-7124

Meeting Date: May 6, 2014

Hearing Body: Planning and Zoning Commission

Action Requested: Approval of a Conditional Use Permit Renewal

Staff Recommendation: Approval, with conditions, of a 5-year Conditional Use Permit Renewal

Location: 211 State Route 179

Parcel Number: 401-18-035A

Applicant: Sedona ATV & Buggy Rental

Project Summary: Request for a Conditional Use Permit renewal for Sedona ATV & Buggy Rental to operate an off-highway vehicle (OHV) rental agency.

Site Size: ± 0.654 acres

Current & Proposed Zoning: C-1 (General Commercial)

Current Land Use: OHV Rental Agency

Current SCP Designation: Commercial

| | <u>Area Zoning</u> | <u>Area Land Uses</u> |
|---------------|--------------------|---|
| North: | C-1 | Existing Commercial (Trading Post) |
| East: | RS-10b | Undeveloped – Oak Creek |
| South: | C-1 | Existing Commercial (Country Square) |
| West: | C-1 | Existing Commercial (Red Stone Center, Richard David) |

Report Prepared By: Cari Meyer, Associate Planner



The applicant is requesting the renewal of a Conditional Use Permit to operate an off highway vehicle (OHV) rental agency at 211 State Route 179. A Conditional Use Permit (CUP2006-2) to operate an OHV rental agency at this location was originally obtained by Sedona Off-Road Center and approved for a period of three years by the Planning & Zoning Commission on June 6, 2006. On June 2, 2009, the Planning & Zoning Commission approved a renewal of this Conditional Use Permit (CUP2009-1) for an additional five years. In early 2013, Sedona Off-Road Center moved from this location and Sedona ATV & Buggy Rental (the current applicant) moved in and began operations under the conditions of the previously approved CUP. On March 18, 2014, the applicant submitted an application for the renewal of the CUP.

Documents from the current Conditional Use Permit Application and previously approved Conditional Use Permits are attached to this Staff Report. The applicant has requested a change that would allow display of up to five OHVs in front of the store. Staff is recommending an additional condition of approval that would require the holder of the CUP to provide basic OHV and safety training to customers.

Attachments:

| | Page |
|--|-------------|
| 1. Vicinity Map | 1 |
| 2. Conditions of Approval, as Approved by Planning & Zoning Commission, CUP 2009-1 | 2 |
| 3. Staff Memo, Planning & Zoning Commission, CUP 2009-1 | 3 |
| 4. Conditions of Approval, as Approved by Planning & Zoning Commission, CUP 2006-2 | 9 |
| 5. Staff Report, Planning & Zoning Commission, CUP 2006-2 | 10 |
| 6. Application Documents (Submitted by Applicant): | |
| a. Letter of Intent (dated March 18, 2014) | 17 |
| b. Letter of Authorization (dated March 6, 2014) | 18 |
| c. Application Form | 19 |
| d. CUP 2009-1 Application Documents (Letter of Intent and Site Plan) | 20 |
| e. Pictures Showing Display of 5 Vehicles | 22 |
| f. Citizen Participation Report | 24 |
| g. Safety Information Provided to Customers..... | 25 |



BACKGROUND

This location has been used as an off highway vehicle (OHV) rental location since 2006, when the Planning & Zoning Commission approved Conditional Use Permit (CUP) 2006-2 for Sedona Off-Road Center. The original approval was for 3 years and a renewal for an additional 5 years was approved 2009. In 2011, the City of Sedona suspended the CUP and initiated revocation proceedings due to non-compliance with the Conditions of Approval. The issues were corrected and the CUP was reinstated. However, Sedona Off-Road Center subsequently moved out of this location and the current applicant, Sedona ATV & Buggy Rental, moved in and began operation in compliance with the CUP in July 2013.

The current CUP will expire on June 2, 2014 unless another renewal is approved. The applicant submitted an application for renewal and the required documents on March 18, 2014. The only change requested is that the limit on the outdoor display of vehicles be raised to five rather than the current limit of two.

SITE CHARACTERISTICS

- The property is located on the east side of State Route 179 south of the “Y” intersection (See Attachment 1).
- The property abuts Arizona Department of Transportation Right-of-Way along the entire western property line and has 2 driveway entrances/exits onto State Route 179.
- The applicant is the only business on the site.

DEVELOPMENT PROPOSAL

- The applicant is requesting a renewal of the previously approved CUP to allow for the continued use of an OHV rental agency at this location.
- The only change requested from previous conditions of approval is the ability to display up to five OHVs in front of the building. The current limit is two OHVs.
- Hours of operation are seven days per week from 8:00 am to 6:00 pm.
- This location is used exclusively for reservations. Customers are sent to the business’s West Sedona location to pick up the vehicles.
- No washing is done at this location.

Access, Traffic, and Parking

- Access to site is from State Route 179.
- There are no anticipated changes to current traffic levels as a result of this CUP renewal.
- Public and employee parking is available to the north, east, and south of the building.

Public Input

- The applicant mailed letters to all property owners within 500 feet of the property, informing them of the CUP Renewal Application. The applicant did not receive any comments, questions, or objections regarding this application.
- Staff completed the public notification for this project. As of writing this report, Staff has not been contacted by any members of the public regarding this project.

COMMENTS AND CONCERNS

- All internal and external review agencies were given a chance to review application and had no comments.

REVIEW, COMMENTARY, AND ANALYSIS

The following is requested from the Planning and Zoning Commission:

CONDITIONAL USE PERMIT Approval from the Planning and Zoning Commission

DISCUSSION

Section 620.02.B.3 of the Sedona Land Development Code (SLDC) lists automobile rental agencies as a permitted use in the C-1 (General Commercial) zoning district, subject to the minimum requirements of automobile rental agencies in the C-2 District. These minimum requirements are outlined in SLDC 621.02.A.10 and include the following:

- *Outside display areas to be screened from the public right-of-way by a wall, fence, or landscaping a minimum of 3 feet high*
- *Outside display areas to be twenty feet from the nearest edge of pavement and six feet from the right-of way line*

In considering an application for a Conditional Use Permit, the review process is guided by the following criteria noted in Section 402.06 of the SLDC:

- A. That the proposed location of the conditional use is in accordance with the objectives of this Code and the purpose of the zoning district in which the site is located.*
- B. That the granting of the conditional use permit will not be materially detrimental to the public health, safety or welfare. The factors to be considered in evaluating this application shall include:*
 - 1. Property damage or nuisance resulting from noise, smoke, odor, dust, vibration or illumination;*
 - 2. Any hazard to persons and property from possible explosion, contamination, fire or flood;*
 - 3. Any impact on surrounding area resulting from unusual volume or character of traffic.*
- C. That the characteristics of the use as proposed and as may be conditioned are reasonably compatible with the types of use permitted in the surrounding area.*
- D. That the proposed use, as it may be conditioned, will comply with the applicable provisions of this Code, and other ordinances.*
- E. That the proposed expansion or change of a nonconforming use (if applicable) is no more deleterious to other properties in the surrounding area than the existing use.*

It is Staff's opinion that the request for a renewal of the CUP meets the necessary findings. The location of the automobile rental agency is consistent with the purpose of the C-1 (General Commercial) zoning district as well as the SLDC. Requirements of the relevant Code sections have been met in the following ways:

- The outdoor display of vehicles is in an area previously approved for outdoor display of vehicles. A wall required under the previous CUP screens the OHVs from the right-of-way. The outside display area of the rental cars is located more than 20' from the nearest edge of pavement and is more than 6' from the right-of-way line.

- The manner in which the applicant has conducted business has not been detrimental to the public health, safety, or welfare. While there were issues with the previous tenant in the space, as evidenced by the suspension of the CUP, the current tenant has had no code enforcement complaints. In addition, the applicant has made a number of voluntary improvements to the building and site since opening at this location in July 2013.
- In staff's opinion, the automobile rental agency use has had minimal impact on the surrounding area and is compatible with neighboring properties, the majority of which are zoned C-1 (General Commercial).
- In addition to the above, Staff would note that the applicant has been an active participant in the City's current outreach efforts to owners of OHV businesses.

The applicant has requested a change to a previous condition of approval that limited the outdoor display of vehicles to a maximum of 2 vehicles. The applicant has requested that this number be increased to 5 and has provided a picture of what that would look like (Attachment 6.e). Staff is supportive of this change, as the vehicles would still be screened by the existing wall and would not use any parking spaces.

Staff is recommending an additional condition of approval that requires the holder of this CUP to provide a training course prior to allowing customers to use one of their OHVs. This condition is based on the applicant's current business practice and materials provided by the applicant are included as Attachment 6.g. In addition, it is anticipated that a requirement to provide this type of course will be an outcome of the City's current Citizen Engagement Work Group related to OHV businesses. Staff believes this is a valuable course that contributes to the safety of those using the OHVs and the public at large. Including this condition ensures that any future holder of this permit would be required to provide similar training in order to operate an OHV rental business at this location.

Due to the issues with the previous tenant and the current applicant's recent occupancy of the location, Staff is recommending renewal of the CUP for an additional 5 years. If the applicant continues operation at this location without code enforcement complaints and in compliance with the Conditions of Approval, a longer time frame may be considered in the future.



Staff Recommendation

Based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings of the Land Development Code, staff recommends approval of case number PZ14-00004 (CUP) subject to all applicable ordinance requirements and the attached conditions of approval:

Recommended Motion for Approval

I move for approval of case number PZ14-00004 (CUP), based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings and applicable Land Development Code requirements and the conditions as outlined in the staff report.

Alternative Motion for Denial

I move for denial of case number PZ14-00004 (CUP), based on the following findings (*specify findings*).

(Please note that the above motions are offered as samples only and that the Commission may make other motions as appropriate.)

Conditions of Approval

PZ14-00004 (CUP) Sedona ATV

As proposed by Staff



**City Of Sedona Community & Economic
Development Department**

102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 • Fax: (928) 204-7124

1. The Conditional Use Permit approval shall be valid for a period of five years and shall expire on June 2, 2019. At least 63 days prior to the expiration date, the applicant shall file a renewal application of the Conditional Use Permit. The Planning and Zoning Commission shall then reevaluate the permit application based on consistency with City ordinances, the conditions of approval, and compatibility with the surrounding area. During this period, staff will complete annual reviews and assessments of the project to ensure that its operation is consistent with the Land Development Code requirements and applicable conditions of approval.
2. All applicable Conditions of Approval for CUP2006-2 and CUP2009-1 shall remain in effect, with the exception of the following:
 - a. No more than five off highway vehicles shall be parked in front of the building. Vehicles parked in front of the building shall be in the area designated on the site plan, shall be screened from the right-of-way by the existing screen wall, and shall not be parked in a designated parking space.
3. Prior to renting an off highway vehicle (OHV), customers shall be required to participate in an OHV training course, covering at least the following topics:
 - a. Proper and safe operation of OHVs
 - b. State laws and regulations regarding OHV use
 - c. Trail etiquette
 - d. Use of forest roads
 - e. Interactions with other traffic and animals
 - f. Emergency procedures
 - g. Penalties for misuse of OHVs and/or forest service land
4. Within thirty days of approval of the Conditional Use Permit, the property owner of record of subject property voluntarily agrees to sign and record a waiver acknowledging their waiver of any right to claim just compensation for diminution in value under A.R.S. §12-1134 related to the granting of this Conditional Use Permit.

CONDITIONS OF APPROVAL

CUP2009-1

(Related Application CUP2006-2)

As approved by the Planning and Zoning Commission on June 2, 2009

Sedona Off-Road Center

1. The Conditional Use Permit approval shall be valid for a period of five (5) years and shall expire on June 2, 2014. At least 63 days prior to the expiration date, the applicant shall file a renewal application of the Conditional Use Permit. The Planning and Zoning Commission shall then reevaluate the ATV sales and rental business based on consistency with City ordinances, the conditions of approval, and compatibility with the surrounding area. During this period, staff will complete annual reviews and assessments of the jeep tour and storage business to ensure that its operation is consistent with Land Development Code requirements and applicable conditions of approval.
2. No more than two off-road vehicles shall be parked in the front of the building.
3. No more than four off-road vehicles shall be parked in the spaces along the back of the parking lot and up to four additional off-road vehicles may be parked parallel to the back of the existing building upon completion of the proposed sidewall.
4. Off-road vehicle loading and unloading shall be restricted to the parking area behind the building.
5. No vehicle washing shall be permitted on the property. If an adequate car wash bay is installed on the subject property in the future, vehicle washing may be permitted if approved by the Engineering Department.
6. The existing roof-mounted mechanical equipment shall be painted dark, reddish brown to blend in with the natural background within 30 days of approval of the Conditional Use Permit.
7. The proposed sidewall extending from the northeast corner of the building shall be constructed within 60 days from approval of the Conditional Use Permit. The applicant shall submit a building permit application to the City prior to construction.
8. A 3-foot high block wall shall be constructed along the back of the new island within 30 days of notification from ADOT of completion of the highway improvement project. An ADOT encroachment permit as well as a City of Sedona building permit application shall be submitted prior to construction.
9. Proposed additional landscaping in the northwest corner shall be installed within 30 days of notification from ADOT of completion of the highway improvement project. An ADOT encroachment permit shall be required.



DEPARTMENT OF COMMUNITY DEVELOPMENT
Current Planning Division

104 Roadrunner Drive
Sedona, Arizona 86336

Tel: 928-203-5044
Fax: 928-204-7124
TDD: 928-282-3113
bescobar@sedonaaz.gov

Memo

To: **Planning and Zoning Commission**

Through: John O'Brien, Director
Nicholas Gioello, Senior Planner
Department of Community Development

From: Beth Escobar, Associate Planner

Meeting Date: June 2, 2009

Applicant: Sedona Off-Road Center

Case number: CUP2009-1

Background:

On June 6, 2006 the Planning and Zoning Commission approved a Conditional Use Permit (CUP06-2) for the Sedona Off-Road Center, an off-road vehicle sales and rental facility on Assessor's Parcel Number 401-18-035A located at 211 SR 179. The original Conditional Use Permit was given an expiration date of June 6, 2009. Staff contacted the current business owner in February 2009 and Mark Ranges submitted the application for renewal on March 27, 2009. Mr. Ranges leases a portion of the existing building at this location. There is currently no tenant in the other portion of the building. The staff report, along with the original conditions of approval, for the original application is attached for reference. The applicant is requesting a five-year extension of the Conditional Use Permit.

Staff Comments:

- The subject property is zoned C-1 (General Commercial) and according to Section 620.02.B.1 of the Land Development Code a Conditional Use Permit is required for the operation of a jeep tour office and staging area in this zoning district. Conditional Use Permits are a specific zoning designation and the award of a Conditional Use Permit is tied to the land, not the applicant or property owner. Uses eligible for a Conditional Use Permit are uses generally compatible with the existing zoning, in this case C-1, however, unlike regularly permitted uses, conditional uses need to have an extra level of scrutiny to determine whether they are appropriate on the subject property.
- The original conditions of approval allowed for the parking of two display vehicles in the front of the building. In October of 2007 the Code Enforcement Officer responded to complaints that there were more than two vehicles being parked in the front area. Mr. Ranges, who did not participate in the original application, stated he was unaware

of this restriction. Since the visit by the Code Enforcement Officer the applicant has complied with this condition.

- Vehicle loading and unloading was permitted in the front area for no longer than 15-minutes at a time. Per the revised Letter of Intent (April 27, 2009) this activity has been moved to the rear of the building.
- The original permit also allowed for the parking of four off-road vehicles in the rear of the building. The applicant is asking to increase the parking for off-road vehicles by four and proposing that the additional vehicles, which are proposed to be the smaller ATV vehicles, be parked along the back of the building. The applicant is proposing to construct a screening wall that comes off of the northeast corner of the building. This would help screen the additional ATV parking being requested.
- Since there is no existing car wash bay on the property, staff has discussed the prohibition against vehicle washing on the site. (See condition #5). The applicant understands that if he chooses to install a car wash bay in the future, he may then be allowed to wash vehicles on the site, pending approval from the Engineering Department. As part of the Stormwater Master Plan, the Engineering Department will regularly inspect the facility to ensure compliance with this condition.
- The hours of operation for Sedona Off-Road Center are from 8:00 a.m. to 6:00 p.m., seven days a week.
- Automobile rental agencies in a C-1 (General Commercial) district are subject to the landscaping requirements outlined in Section 621.02.7 of the Land Development Code. This section of the code requires the following:

Where an area of outside display abuts a public right-of-way, screening shall be established at a minimum height of 3 feet by means of a wall, fence, landscaping, dense live plant material, utilization of natural terrain features, or a combination of these...

- This property is located along the SR 179 Highway Improvement project. ADOT has constructed a new sidewalk and landscape island along the property frontage, as well as expanded the two existing driveways. ADOT's right-of-way extends to the mid-point of the new island. ADOT has a draft landscape plan for this area, which includes the planting of (1) 24-inch box Arizona Ash, (3) Turpentine Bushes, (3) Damianita Bushes and (3) groups of daylilies. ADOT will also be planting two Turpentine Bushes in the smaller island at the northwest corner of the property.
- The applicant is proposing to construct a three-foot keystone wall along the back of the new island. He also plans to add to the proposed landscaping for the northwest corner and introduce landscaping in the back corners of the parking area along the rear property line.
- ADOT has a temporary construction easement (TCE) all along the frontage of the subject property so no activity can occur in this area until the highway improvement project is completed. The project completion date is estimated to be January 2010.
- Fully-shielded gooseneck lights attached to the roof fascia have been installed around the building. An after-the-fact permit for these lights has been submitted.
- The Code Enforcement Division has reviewed all existing signs at the property and found them to be in compliance with the requirements of Section 1106 of the Land Development Code.

REVIEW AGENCY COMMENTS

ADOT

- This area of ADOT right-of-way is currently under an active ADOT Project. The right-of-way will be landscaped under this contract per the project landscaping plans. No additional landscape or hardscape will be permitted in the right-of-way.
- Work is complete under the ADOT contract for this section of roadway with the exception of landscaping work.
- An ADOT encroachment permit is required for any work being proposed within the right-of-way.

SEDONA MAIN STREET PROGRAM

- Overall, the Sedona Main Street Program considers motor vehicle sales lots to be incompatible and inappropriate within the Sedona Main Street District, or any pedestrian-friendly downtown district. If this conditional use permit is granted it is strongly encouraged that the City require improvements that will bring the property and businesses into conformance with the guidelines of the Sedona Main Street Design Manual and the intent of the Visitor Information Signage ordinance related to Timeshare off-premises sales locations. The Visitor Information sign on the exterior building façade should be removed. If the business space is again shared with a timeshare company for an off-premises sales location, the “Tourist Information” portion of the business directory freestanding sign located adjacent to the street should identify the company providing the information. This sign should not have a blue background. The blue creates confusion with the State Arizona Office of Tourism (AOT) sign color for Official Visitor Information locations and though blue was claimed as the former tenant’s logo color, they did change the background of similar signs adjacent to the Chamber Visitor Center on Forest Road in response to a multitude of visitor complaints about misleading signage. *(Staff note: These last comments refer to the signage for the previous tenant.)*
- Relative to Sedona Main Street & Character Districts Design Manual guidelines, it is recommended that the City require:
 - Screening for rooftop equipment (see Section 2.3.5), refuse and other equipment—specifically their ice machine (see Sections 2.2.4, 6.4.1, 6.4.2); *(Staff Note: The building was constructed prior to adoption of Section 907.01 of the Land Development Code which requires screening of mechanical equipment and the adoption of the Sedona Main Street and Character Districts Design Manual (April 2006). The applicant is proposing to paint the existing coolers on the roof a dark reddish brown color to blend in with the red rocks in the background The applicant is also investigating the possibility of painting the existing ice machine a dark color with white letters.)*
 - Landscaping or low wall screening, tall enough to screen a parked vehicle, at the northwest corner of the lot; at the southwest corner of the lot in the cross-hatched area adjacent to the ADOT R-O-W and the first parking space; between parking spaces 6 & 7; and between parking spaces 14 & 15 (as delineated on their “parking” sketch) should be added.
- NOTE: Multiple sections in both the General and 179 Guidelines (Sections 2 & 6) address parking and recommend that 1) parking lots be softened with trees, landscaped islands, potted plants, benches and other amenities; 2) parking areas

should also be screened through low walls and/or landscaping; 3) parking lots be broken up into smaller parking modules separated by landscaping; and 4) street adjacent parking areas should be landscaped with peripheral planting strip to soften harsh edges. (*Staff note: The existing parking, as well as the building, is determined to be legal, non-conforming since it was constructed prior to incorporation of the City.*)

- The proposed screening wall at the rear northeast corner of the building should be made of rock or decorative concrete with rock consistent with the existing building materials and rock details.
- It is strongly recommended that the City encourage this business and property owner to place screening at the property borders adjacent to neighboring buildings. By moving the parking spaces in 3 feet or so from the north edge of the property, screening could be added and serve two purposes: improve aesthetics and prevent unsafe parking in an informal space directly along the north side of the building (as is evidenced in the City's aerial view of this parcel). On the south edge of the property, adjacent to the unappealing rear of the neighboring building, at least the first 3-4 parking spaces could be moved in a few feet since there is a greater angle to the property line and the parking lot is wider there; we recognize the type of screening that could be used is limited by the trenching between the properties, but it is not implausible. It is believed that this additional screening done coincident with the proposed changes would be a relatively nominal investment with an exponentially significant and long-term improvement in business appeal, overall aesthetics and pedestrian site lines.

No other review agency comments have been submitted.

Compliance with Conditional Use Permit findings

Section 402.06 of the Land Development Code requires that the following findings shall be made before granting a Conditional Use Permit:

- A. *That the proposed location of the conditional use is in accordance with the objectives of the Code and the purpose of the zoning district in which the site is located.*
- B. *That the granting of the Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. The factors to be considered in evaluating this application shall include:*
 1. *Property damage or nuisance resulting from noise, smoke, odor, dust, vibration or illumination.*
 2. *Any hazard to persons and property from possible explosion, contamination, fire or flood.*
 3. *Any impact on surrounding area resulting from unusual volume or character of traffic.*
- C. *That the characteristics of the use as proposed and as may be conditioned are reasonably compatible with the types of use permitted in the surrounding area.*

D. That the proposed use, as it may be conditioned, will comply with the applicable provisions of this Code, and other ordinances.

E. That the proposed expansion or change of a non-conforming use (if applicable) is no more deleterious to other properties in the surrounding area than the existing use.

Per Section 402.01 of the Land Development Code, Conditional Use Permits are designed to allow for ‘the flexibility to achieve the objectives’ of the Land Development Code. These objectives are listed in Section 101 of the Land Development Code.

It is appropriate for the Planning and Zoning Commission to apply the findings as listed to the use being proposed. It is staff’s opinion that the request to extend the Conditional Use Permit to operate an off-road vehicle sales and rental business on the subject property meets the required findings. Staff, as well as the applicant, sent notices of this application to all property owners within a 300-foot radius. No comments have been submitted by the public.

Staff recognizes that this is an older building, and appreciates the applicant’s willingness to address some of the aesthetic issues related to the existing building by painting the roof-mounted cooler units and adding landscaping and a wall along the highway frontage and a sidewall in the parking area to help screen the vehicles in the rear. Staff would point out that the area between Ranger Road and the new roundabout at the SR 179 and SR 89A highway intersection is a neighborhood of older buildings with a variety of commercial uses and wide-open parking areas. The area where the subject property is located is a busy traffic corridor with multiple commercial businesses along both sides of the highway. According to ADOT traffic counts, approximately 19,000 vehicles pass this way on a daily basis.

In staff’s opinion the ATV sales and rental use has had minimal impact on the surrounding area and is reasonably compatible with the neighborhood and the Conditional Use Permit should be renewed. The applicant provides a service that is integral to the tourist-based economy of the City. Staff is suggesting that the permit be renewed for a five-year period as the applicant is requesting. During this time staff will continue to regularly monitor the activity at this location. In summary, this is a request for an extension of an existing use permit for a successful business that has operated at this location for three years with minimal negative impact on the surrounding properties.

RECOMMENDATION

Based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings of the Land Development Code, staff recommends approval of case number CUP2009-1 for a period of five years, subject to all applicable ordinance requirements and the attached conditions of approval:

Recommended Motion for Approval

I move for approval of case number CUP2009-1, based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings and applicable Land Development Code requirements and the conditions as outlined in the staff report.

Alternative Motion for Denial

I move for denial of case number CUP2009-1, based on the following findings (*specify findings*).

Attachments:

1. Revised Letter of Intent
2. Vicinity Map
3. Aerial Map
4. Site Plan
5. ADOT Landscape Plan
6. Staff Report for CUP2006-2
7. Conditions of Approval CUP2006-2

**CONDITIONS OF APPROVAL
CUP2006-2**

**As` approved by the Planning and Zoning Commission, June 6, 2006
Sedona Off-Road Center**

1. The Conditional Use Permit approval shall be valid for a period of three (3) years and shall expire on June 6, 2009. At least 63 days prior to the expiration date, the applicant shall file a renewal application of the Conditional Use Permit. The Planning and Zoning Commission shall then reevaluate the jeep tour and storage business based on consistency with City ordinances, the conditions of approval, and compatibility with the surrounding area. During this period, staff will complete annual reviews and assessments of the jeep tour and storage business to ensure that its operation is consistent with Land Development Code requirements and applicable conditions of approval.
2. Prior to the establishment of business operations at this location, a Tenant Occupancy Permit shall be obtained from the Department of Community Development.
3. No more than four off-road vehicles shall be parked in the rear of the building and two display vehicles in the front, in the exact parking spaces as shown on the approved site plan.
4. Off-road vehicle loading and unloading may occur in front of the building, visible from the highway, for no more than a 15-minute duration for each vehicle being loaded or unloaded.
5. Prior to the erection of any signs, a Sign Permit shall be obtained from the Department of Community Development.
6. Vehicle maintenance, repair, servicing, or washing shall not take place on the subject property.
7. Additional wall height and 45-degree wings shall be installed on the existing stucco wall, as depicted in the applicant's submitted photographs and letter of intent, to provide additional screening of the display area.
8. Additional landscaping shall be installed per the applicant's submitted landscape plan. Curb cuts shall be modified along the highway frontage area to improve vehicle ingress and egress, as determined by the Director of Community Development and at such time as the Highway 179 widening project is completed in this area.



DEPARTMENT OF COMMUNITY DEVELOPMENT
Current Planning Division

Tel : 928-203-5100

104 Road Runner Drive
Sedona, Arizona 86336

Fax : 928-204-7124

TDD: 928-282-3113

E-mail: ngioello@sedonaaz.gov

SUMMARY SHEET

Conditional Use Permit – Sedona Off-Road Center

Case number: CUP2006-2

Parcel number: Portion of 401-18-035

Meeting date: June 6, 2006

Applicant: Marval, LLC (dba Sedona Off-Road Center)

Proposal: Request for a Conditional Use Permit to allow for an off-road vehicle sales and rental facility, vehicle display area and overnight parking for vehicles.

Location: 211 Highway 179.

Site size: ± 0.71 acres

Current zoning: C-1 (General Commercial)

Current land use: Timeshare OPC and tourist information center

SCP Designation **Commercial**

Surrounding land use and zoning:

| Area zoning | | Area land uses |
|--------------------|--------|---|
| North: | C-1 | Existing commercial development |
| South: | C-1 | Existing commercial development |
| East: | RS-10b | Vacant Single-family residential (Harts Village subdivision), and Oak Creek |
| West: | C-1 | Existing commercial development and Highway 179 |

Summary of issues: Vehicle display area adjacent to Highway 179

Report prepared by: Nicholas R. Gioello, Associate Planner



Current Planning Division

STAFF REPORT

To: **Planning and Zoning Commission**

Through: John O'Brien, Director
Department of Community Development

From: Nicholas Gioello, Associate Planner
Department of Community Development

Meeting date: **June 6, 2006**

Applicant: **Sedona Off-Road Center**

Case number: **CUP2006-2**

BACKGROUND

In the early part of 2006, the applicant met with staff to discuss the detailed requirements and process for a Conditional Use Permit to conduct an off-road vehicle sales and display operation including vehicle staging and overnight storage of vehicles adjacent to Highway 179. The applicant filed a request for conditional use permit on April 3, 2006. A project Development Review meeting was held with staff, applicable review agencies and the applicant on Thursday, April 27, 2006.

SITE CHARACTERISTICS AND DEVELOPMENT PROPOSAL

- The applicant proposes to operate an off-road jeep sales and rental company with a base of operations for drivers and vehicles, and some retail activities inside a portion of the existing building.
- The applicant is requesting to display two off-road vehicles behind the existing frontage wall.
- Parking spaces for four rental vehicles will be maintained at the rear of the building. Employee parking will also be at the rear of the building.
- The applicant proposes to establish a rental vehicle loading and unloading area in front of the existing building, with occasional passenger loading and unloading.
- The applicant will operate a reservation and retail sales area within a portion of the existing building.
- The applicant proposes to operate seven days a week, from 8:00 AM to 6:00 PM.
- Vehicles will not be washed or cleaned at this location.

Access and Traffic Issues

- There are two large curb cuts at both ends of the highway frontage. There are no proposed changes and access to the site will remain, as it currently exists.
- Six vehicles are proposed to be stored on the site; two display vehicles in the front and four vehicles in the rear parking area.

Grading/Drainage

- The existing asphalt paving and parking area will remain, and therefore no grading or changes to existing drainage systems are proposed.

Vegetation/landscaping

- The entire site is almost completely paved. A small narrow island of landscaping, consisting of several small shrubs and two short hedges, exists in front of the wall adjacent to the highway.
- The applicant has proposed two planters, located at both ends of the screen wall, to provide more vegetation for screening purposes.
- The Applicant is proposing to delay any expansion of this area or the installation of any additional vegetation until the Highway 179 widening project is complete. This is explained in more detail in the following Comments and Concerns section.

Display area screening

- A stucco block wall exists along the property highway frontage between the two driveway entrances, ranging approximately 2.5 to 3.5 feet in height.
- The applicant is proposing to add one additional course of block along the top of the wall and add two additional 45-degree wings at each end of the wall to provide better screening of the display vehicles from the highway right-of-way.

Signage

- Additional signs will require an approved sign permit with the City of Sedona.

Outside lighting

- There are no proposed changes to existing lighting.

COMMENTS AND CONCERNS

Community Development

- The Sedona Community Plan future land use map designates this site as Commercial. The sales and rental of off-highway vehicles are permitted as a conditional use.
- Several important concerns include the visual compatibility of the use along this corridor, appropriate circulation and access, anticipated ADOT improvements along the Right-of-Way, and the defining characteristics and design features of the development.
- The proposed business is located in the “Creek Area Commercial” Focused Activity Center, as defined in the Land Use Element of the Community Plan Section 5.2.2C1.f (pg. 5-26 and 5-27). The Sedona Off-Road Center is generally compatible with other existing visitor-

oriented retail, service and lodging uses that define this area of the community. This same area has recently been identified as the “State Route 179 Character District” in the Sedona Main Street and Character Districts Design Manual.

- This proposal is generally consistent with the present and future land use designations for this area and the recommendations of the Sedona Community Plan.
- To avoid adding more traffic to an already highly congested area, the applicant is encouraged to promote awareness to visitors of public parking available at the municipal lot and Sinagua Plaza, and the use of the transit system with a nearby stop at Tlaquepaque. (The Road Runner system will be operational in the fall of 2006).
- Consideration should be given to the following items:
 - The visual impacts of off-road vehicles should be minimized as much as possible. It is well known that SR 179 is a scenic highway. Maintaining the area’s scenic and natural resources is a community goal.
 - Although the applicant is not proposing any physical changes to the building and site, landscape screening along the highway frontage should be considered to address the visual impacts and appearance from the highway.
- Staff encouraged the applicant to consider additional landscaping along the highway frontage, and to increase the height of the existing screen wall and to add 45-degree wing additions at each end of the wall. This issue is addressed in the conditions of approval.
- The applicant contacted all neighboring properties by mail within 300 feet of the subject property. No calls or correspondence were received concerning the proposed use.
- Staff is supportive of granting the Conditional Use Permit subject to conditions of approval.

City Engineering Department

- Engineering has no concerns with the proposal provided that no vehicle maintenance, repair, servicing, or washing takes place on the premises. This will be addressed in the conditions of approval.

Sedona Fire District

- Vehicles shall not park in a fashion to obstruct fire lanes.
- All indoor display vehicles shall be empty of all flammable liquids.

Arizona Department of Transportation (ADOT)

- No comments or concerns.

Sedona Police Department

- No comments or concerns.

Other applicable review agencies

- No comments on this proposal.

ANALYSIS

Staff's review focused on:

Compliance with ordinance and reviewing agency requirements

Ordinance requirements and reviewing agency concerns have either been satisfied or will be through application of conditions of approval.

Consistency with the Sedona Community Plan

The development proposal is consistent with the General Commercial designation on the Sedona Community Plan Land Use Map.

Compliance with Conditional Use Permit findings

“Automobile...sales and services, including rental agencies” require approval of a Conditional Use Permit when the proposed use is located in a C-1 (General Commercial) zone. Section 402.06 of the Land Development Code requires that the following findings shall be made before granting a Conditional Use Permit.

- A. *That the proposed location of the conditional use is in accordance with the objectives of the Code and the purpose of the zoning district in which the site is located.*
- B. *That the granting of the Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. The factors to be considered in evaluating this application shall include:*
 1. *Property damage or nuisance resulting from noise, smoke, odor, dust, vibration or illumination.*
 2. *Any hazard to persons and property from possible explosion, contamination, fire or flood.*
 3. *Any impact on surrounding area resulting from unusual volume or character of traffic.*
- C. *That the characteristics of the use as proposed and as may be conditioned are reasonably compatible with the types of use permitted in the surrounding area.*
- D. *That the proposed use, as it may be conditioned, will comply with the applicable provisions of this Code, and other ordinances.*
- E. *That the proposed expansion or change of a non-conforming use (if applicable) is no more deleterious to other properties in the surrounding area than the existing use.*

It is staff's opinion that the request for a Conditional Use Permit to operate an off-road vehicle display and rental area on the subject property meets the necessary findings. It is important to note that section 620.02.B of the Land Development Code, "Uses Subject to Conditional Use Permit", states *“Automobile...sales and services, including rental agencies...(subject to the*

minimum requirements of the C-2 District)". Article 621.02A.7 of the Land Development Code describes specific requirements for the outside display area including a twenty foot setback from the nearest edge of pavement or useable road surface, and a six-foot landscaped border around the periphery of the display area. Since the existing screen wall is approximately 12-feet from the edge of the highway road surface, staff believes it is appropriate to allow the off-road display vehicles to be located directly behind the wall, at approximately 13 to 14-feet from the highway road surface, as this will actually provide slightly better screening of the vehicles. The applicant has proposed additional planters at both ends of the screen wall to provide more vegetation for screening purposes, and to raise the screen wall by adding one course of block along the top of the wall.

In July of 2004, this applicant was also a co-applicant with the Arizona Safari Jeep Tour Company, which applied for and received a conditional use permit (CUP2004-3) to operate a jeep tour rental business at this same location. Arizona Safari Jeep Tours no longer operates from this location. During that conditional use permit process, staff encouraged the applicant to consider additional landscaping along Highway 179, and to narrow the unusually wide curb cuts along the highway right-of-way. Staff recognized the high cost involved with such alterations and that the applicant was only subleasing a portion of the building and parking area. The applicant expressed concern that the impending widening of Highway 179 would potentially change the entire area and would likely require significant alterations to the existing frontage along the property, which would be more appropriate for the property owner to undertake. Staff acknowledged it might be more appropriate to alter the curb cuts and add additional landscaping at a later time. This issue was addressed in the conditions of approval for CUP2004-3. A modified version of this condition has been included in the current conditions of approval for this project.

The applicant has indicated a desire to park a maximum of four off-road vehicles overnight in the rear parking spaces as detailed on the site plan. Staff believes in this case it is appropriate to allow overnight storage of a limited number of vehicles, based on section 402.5.B of the Land Development Code that allows the Planning and Zoning Commission to waive or modify regulations of the code. The overnight parking of vehicles in this area would not have a detrimental impact to the surrounding neighborhood. The immediate adjacent properties to the north, south and west are commercially zoned properties. Although the adjacent property to the east is residentially zoned, it is over 50-feet below the parking area and is un-buildable land within the floodway of Oak Creek. The proposed vehicle parking spaces are screened from view behind the building and are not readily visible from Highway 179. Additionally, the Planning and Zoning Commission approved CUP2004-3, Arizona Safari Jeep Tours, which allowed overnight parking of four jeeps in the same parking spaces.

The establishment of a small off-road vehicle rental and sales display area business at this location on Highway 179 is appropriate in staff's opinion. The general vicinity is a typical mix of commercial uses including: lodging, restaurants, art galleries, retail sales, massage therapy and commercial offices. The addition of an off-road vehicle rental and sales business will be compatible with these commercial uses. There is adequate parking available on the site to accommodate the needs of both existing businesses.

Existing vehicular movement patterns on the subject property will be maintained. Vehicles entering and exiting the site can do so by using the existing driveways and no significant increase in traffic is expected. In staff's opinion, there will be no detriment to the public health, safety and general welfare from the proposed jeep tour business.

The applicant has not requested a specific time frame for the Conditional Use Permit. Staff suggests that the Conditional Use Permit should be approved for three years as the SR 179 construction project may be completed by that time and it would seem appropriate to review the conditional use permit for potential renewal at that time. Also, redevelopment along the highway corridor is probable and future land use changes are likely for the subject property.

RECOMMENDATION

Based on compliance with all ordinance requirements and satisfaction of the conditional use permit findings of the Land Development Code, staff recommends approval of case number CUP2006-2 subject to all applicable ordinance requirements and the attached conditions of approval:

Recommended Motion for Approval

I move for approval of case number CUP2006-2, based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings and applicable Land Development Code requirements and the conditions as outlined in the staff report.

Alternative Motion for Denial

I move for denial of case number CUP2006-2, based on the following findings (*specify findings*).

(Please note that the above motions are offered as samples only and that the Commission may make other motions as appropriate.)

**Sedona ATV & Buggy Rental
2740 W. SR. 89A
Sedona, AZ 86336
928-204-0000**

March 18, 2014

LETTER OF INTENT

RE: Renewal of Conditional Use Permit, CUP2009-1 (APN 401-18-035A) City of Sedona

To Whom It May Concern:

From May, 2013, to the present, our company, Sedona ATV & Buggy Rental, has taken over the lease at 211 Highway 179 at the Y in Sedona. Since that time, we have worked with departments within the City of Sedona to update and beautify that location inside and out. The exterior has been painted and landscaped, the parking lot has been re-paved, new fencing has been installed, along with new signage.

This location has been used as a reservation location exclusively, sending potential customers to our main location in West Sedona to depart on vehicles to the trails.

No washing or launching of vehicles is done at this location, and it has been kept clean and neat since we took over the space.

We would like to apply for a renewal of the existing Condition use Permit. Hours of operation will continue to be from 8 to 6 seven days per week. The existing permit allows for displaying two off road vehicles in front of the property, and we would like to increase that display to 5 vehicles (always behind the screening wall-See Site Plan)

All other conditions to remain the same.

Sincerely,



**Debra Rae Housholder
Operations Manager**

Gary F. Anderson & Catherine K.
Anderson Living Trust

7932 E. Desert trail
Mesa, AZ 85208
(Home) 480-354-8630
(Cell) 480-290-3318
jeep3576@hotmail.com

March 6, 2014

Re: Appointment of an authorized agent

To whom it may concern:

As Trustee for the above named Living Trust, I hereby appoint Either Tim Angus or Debra Rae an my Authorized Agent for the purpose of applying for renewal of the Conditional Use Permit currently in effect on my property located at 211 State Route 179 (APN 401-18-035A) in Sedona Az.

Yours truly,



Gary F. Anderson, Trustee
Gary F. Anderson and Catherine K. Anderson Living Trust

Project Application



City Of Sedona Community & Economic Development Department

102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 • Fax: (928) 204-7124

The following application is for:

- Conceptual Review
 Final Review
 Appeal
 Time Extension
 Development Review
 Subdivision
 Variance
 Conditional Use Permit
 Zone Change
 Major Community Plan Amendment

| | | | | | |
|---------------------------|---------------------------|-------------|--------------|-------------|--|
| PROJECT CONTACT: | DeBRA Household | Phone: | 928-204-0000 | App. #: | |
| Address: | 2740 W. SK 89A Sedona | Cell Phone: | 928-274-0883 | Date Rec'd: | |
| E-mail: | debbie@atvsedona.com | Fax: | 928-204-0008 | Rec'd by: | |
| PROJECT NAME: | Sedona ATV & Buggy Rental | Parcel #: | 401-18-035A | Fee Pd.: | |
| Project Address/Location: | 211 State Rte 89A | Acres: | | Zoning: | |

| | |
|----------------------|--|
| Project Description: | |
|----------------------|--|

| | | | |
|----------------------------|--------------------------------------|--------------------------------|---------------------------|
| OWNER NAME: | GARY ANDERSON | APPLICANT NAME: | |
| Address: | 7932 E. Desert Tr. Mesa, AZ 85208 | Company Name: | Sedona ATV & Buggy Rental |
| Phone: | 480-290-3318 | Address: | 2740 W. SK 89A |
| Cell Phone: | | Phone: | 928-204-0000 |
| E-mail: | jeep3576@hotmail.com | Cell Phone: | 928-274-0883 |
| | | E-mail: | debbie@atvsedona.com |
| ARCHITECT/ENGINEER: | | AUTHORIZED AGENT/OTHER: | DeBRA Household |
| Company Name: | | Company Name: | |
| Address: | | Address: | |
| E-mail: | | E-mail: | |
| Phone: | | Phone: | |
| Cell Phone: | | Cell Phone: | |
| ID #/Exp. Date: | | | |
| City Business License #: | | | |



March 26, 2009

To: City of Sedona

Re: Conditional Use Permit Renewal
211 State Route 179, Sedona, AZ 86336

RECEIVED
MAR 27 2009
CITY OF SEDONA
COMMUNITY DEVELOPMENT

To Whom It May Concern:

From June 2006 to present, the property at 211 State Route 179 has been utilized as:

- a) Wyndham Resort Tourist Information Center;
- b) Sedona Off-Road Center off-road vehicle rental business.

Wyndham Resort has discontinued their marketing program in Sedona and will no longer be utilizing that portion of the property. Talks are ongoing with similar businesses to occupy the space vacated by Wyndham.

As of the date of this application, Sedona Off-Road Center plans to continue business operations at 211 State Route 179 and is applying for renewal of its existing Conditional Use Permit. Hours of operation will continue to be 8:00am to 6:00pm seven days a week. Existing permit allows for displaying two off-road rental vehicles in front of the property and continuance as such is requested.

Access and Parking

ADOT right-of-way changes resulted in improved ingress and egress to the property. We encourage customers to turn right onto State Route 179 when leaving our lot and utilize the SR-179/Hwy-89A Roundabout to travel south on SR-179.

Parking spaces were reduced slightly as a result of the ADOT right-of-way changes; there are 21-22 spaces available dependant on final ADOT changes to the property. ADOT does not currently have a date of completion or final plan for landscaping and curb repairs. It is not clear as to the exact number of parking spaces that will be available upon completion. We anticipate a minimum of 21 spaces.

Parking spaces at the rear of the property (numbered on Parking Diagram as 10, 11, 12 and 13) will be reserved for parking of our rental vehicles. Additionally, parking of our small vehicles will be against the back of the building with added screening at the rear north-east corner of the building.

Landscape and Screening

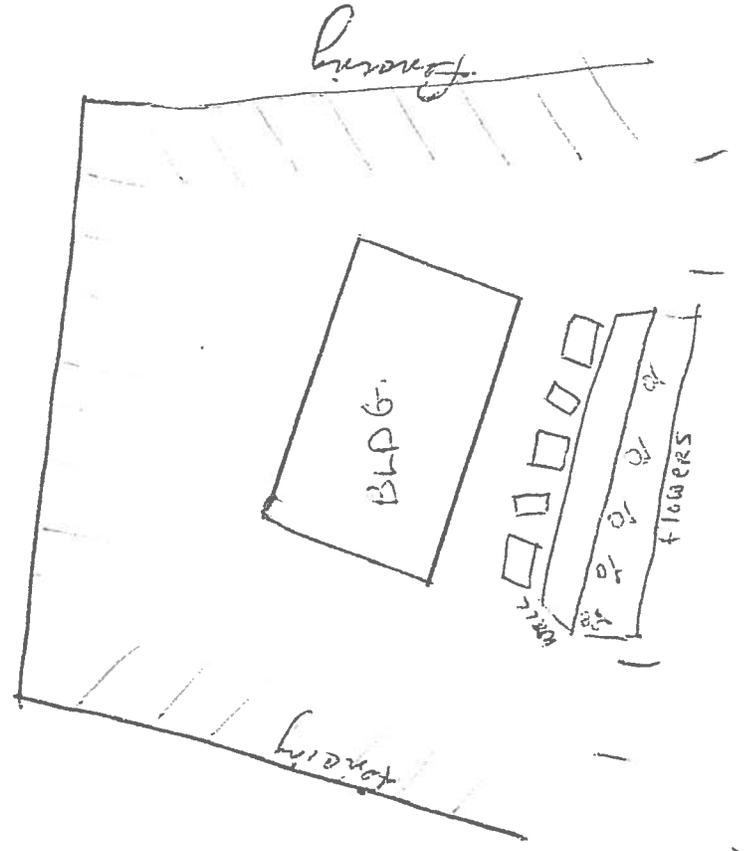
As mentioned above, ADOT has not yet completed a final plan for replacing/reconstructing landscape and hardscape features which were removed during construction process. Attached for approval are two pictures that show conceptual ideas of landscape and hardscape for the property.

A screening wall will be added at the rear north-east corner of the building, slightly angled and extending 8' from the building, start at 48-54" tall and taper down . It would effectively screen vehicles parked at the rear of the building.

Site PLAN Renewed CUP 2009-1

211 SR 179
Sedona, AZ

Sedona ATV & Buggy Rental



(401-18-035A)



Sedona ATV & BUGGY Rental

WE RENT FUN

Sedona ATV & Buggy Rental

ADVENTURE
A LIFETIME

WE RENT FUN

YOU'RE IN
TOTAL CONTROL

211

THE TOUR WITHOUT
THE TOUR GUIDE

EDWIN'S IMPORTS
FRONT APPEARANCE
ON

ENTRANCE

SEDONA ATV

88

Cari Meyer - CUP Application

From: <debbie@atvsedona.com>
To: "Cari Meyer" <CMeyer@sedonaaz.gov>
Date: 4/17/2014 3:17 PM
Subject: CUP Application
Attachments: safety instructions.pdf; Outlaw-DBG MAP.pdf

Hello Cari,

Attached is the orientation and safety information we give with our guests. **received any written or verbal responses to our letter as of yet.**

We have not

Debbie Rae
 Sedona ATV & Buggy Rental
 928-204-0000
debbie@atvsedona.com
 888-204-0045

----- Original Message -----

Subject: CUP Application
 From: "Cari Meyer" <CMeyer@sedonaaz.gov>
 Date: Tue, April 15, 2014 3:11 pm
 To: <debbie@atvsedona.com>

Hi Debbie,

Just a reminder that I need the following from you:

- **A summary of your Citizen Participation Process. Even if you did not receive any comments, I need something stating that.**
- An outline of the training program you use for your customers. As I mentioned on the phone, we believe this is a beneficial program and since you are already doing this, we would like to include it as a condition of approval. This will also set an expectation that others who want a similar permit would be expected to provide a similar program for their customers.

To ensure we stay on schedule for the May 6 hearing date, please have these items to be by Thursday, April 17. Thanks and let me know if you have any questions!

Cari

Cari Meyer
 Associate Planner, Current Planning
 City of Sedona Community & Economic Development
 (928) 203-5049

**Sedona ATV & Buggy Rental
Gear and Safety check-out**

Guest(s) _____

Date _____ Vehicle(s) _____

Vehicle # _____

| | How Many | Guest Initials | Returned | CSR |
|-----------------------------------|----------|----------------|----------|-------|
| Goggles (\$25.00)* | _____ | _____ | _____ | _____ |
| Helmets (\$45.00)* | _____ | _____ | _____ | _____ |
| Helmet Cam (\$150.00)* | _____ | _____ | _____ | _____ |
| Picture Book (\$10.00)* | _____ | _____ | _____ | _____ |
| Map (\$5.00)* | _____ | _____ | _____ | _____ |
| Blanket (\$15.00)* | _____ | _____ | _____ | _____ |

Tires
(up to \$150.00)*

Recovery fee
(\$50.00/hr)

*Replacement fee if lost or damaged

I understand and am comfortable with the instructions given regarding the proper and safe operation of the vehicle(s) I am renting. _____

I understand that any damages incurred while the vehicle is in my possession are my responsibility to pay for, including (but not limited to) pinched flat tires, rollover damages, damaged parts (i.e. mirror, netting, etc.).

Helmets and goggles were offered to our party complimentary (eye protection is required per Arizona law for any vehicle without a windshield) _____

I understand that if I return the vehicle with excessive mud I will be charged a cleaning fee of \$50.00 per hour. _____

I agree to call the office in the event of ANY damages to vehicle or problems encountered while driving _____

I was informed about speed limits, trail etiquette, staying on marked roads, respecting and slowing down for all traffic and animals on forest roads _____

VEHICLE SAFETY AND ORIENTATION BRIEFING

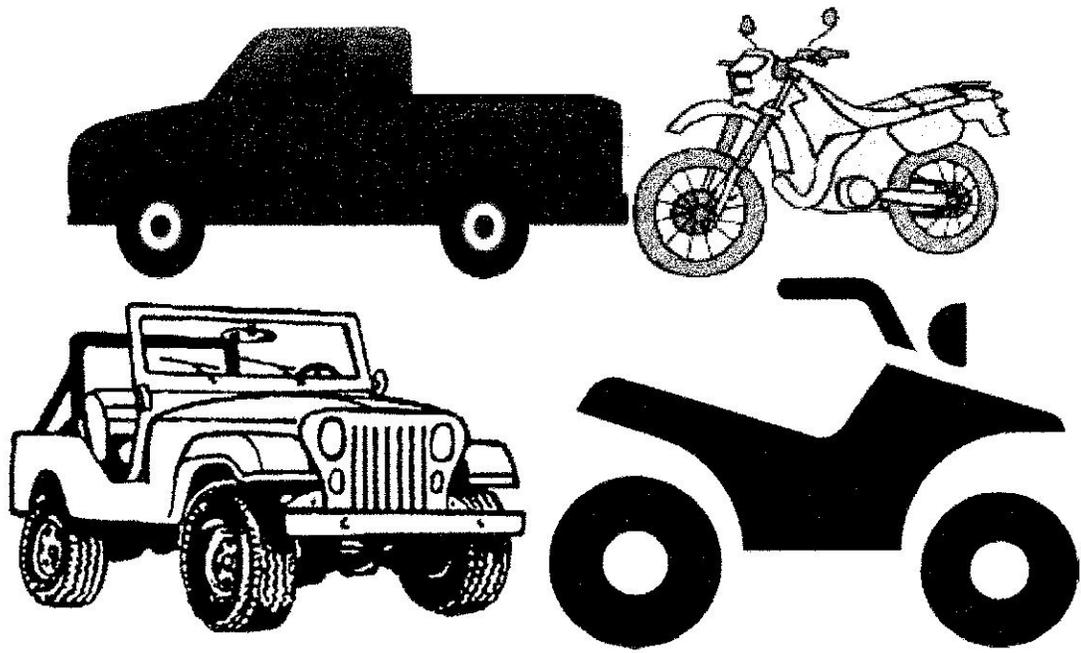
- **No donuts!!**
- **Eye protection required on vehicles without windshields**
- **STAY ON ALL MARKED TRAILS!!**
- **No driving on sidewalks or bike lane**
- **Ride front to back – never side by side**
- **OBEY ALL LAWS**
- **Do a couple of loops around parking lot to get used to vehicle**
- **We heavily encourage helmets on atvs**
- **No fueling of vehicles (includes full tank)**
- **Slow down for rocks**
- **15 MPH on forest roads and trails**
- **Call if you need anything or have questions**
- **(COVER ALL FEATURES OF RUNNING VEHICLE)**
- **Red Rock Pass required at Honanki and Palatki Ruins**



Hand signals

- **RESPECT & SLOW DOWN FOR ALL TRAFFIC ON ROADS AND TRAILS!! (DO NOT DUST OTHER VEHICLES)**
- **STAY ON MARKED TRAILS ONLY!!**
- **FAILURE TO SAFELY OPERATE THE VEHICLE CAN RESULT IN A COLLISION, LOSS OF CONTROL, OVERTURNING AND SERIOUS INJURY OR DEATH.**
- **MULTIPLE VEHICLES: DRIVE SINGLE FILE!**
- **MUST BE 18 TO DRIVE ANY VEHICLE**
- **NEVER CONSUME ALCOHOL OR DRUGS BEFORE OR WHILE OPERATING VEHICLE**
- **UNFAMILIAR TERRAIN MAY CONTAIN HIDDEN ROCKS, BUMPS OR HOLES THAT COULD CAUSE LOSS OF CONTROL OR OVERTURNING**





LIMITED USE AREA

***ALL* vehicles must remain on
*existing routes***

(SEE OFFICIAL Coconino NFS MAP)

**Violators will be subject to fine and
prosecution**

patroled by

Coconino National Forest Service

\$360.00 FINE

(minimum)

Careless, Reckless
driving in

Red Rock Country

(pursuant to USFS. 261.15(g) violation)
patrolled by

Cocoino National Forest Service

\$250.00 FINE

(minimum)

DAMAGING or

DISTURBING

Land, Wildlife

or Vegetation

(pursuant to USFS 261.15(h) violation)

patroled by

Coconino National Forest Service

7. Trail 9549B

Don't miss this trail! It is important to drive the 9549B trail in this direction because of several downhill sections with steps and blind corners. If you run the route in the opposite direction the difficulty rating increases substantially.

Remember – Speed is not your friend on the trails. The majority of vehicle damage charges occur as a result of simply going too fast on the trails. This is not a roller coaster ride! Don't be that guy!

1.3 miles to picture 8

9549B

Outlaw Trail/Honanki Ruins/Diamondback Gulch

Driving time: The entire route takes approximately 3.5 hours to drive.
Trail Difficulty Rating:

Green - Easy (graded forest roads) Orange - Difficult
Purple - Moderate Dark Orange - EXTREME!

Red Rock Pass is required to park at Indian Ruin sites.

NO DONUTS - If you try to do donuts you will most likely flip your vehicle over! Our vehicles all have high ground clearances that result in a high center of gravity just like Jeeps, which allows them to clear the larger obstacles on the trails. Please, use the vehicles as intended!

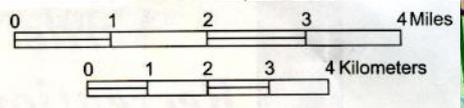
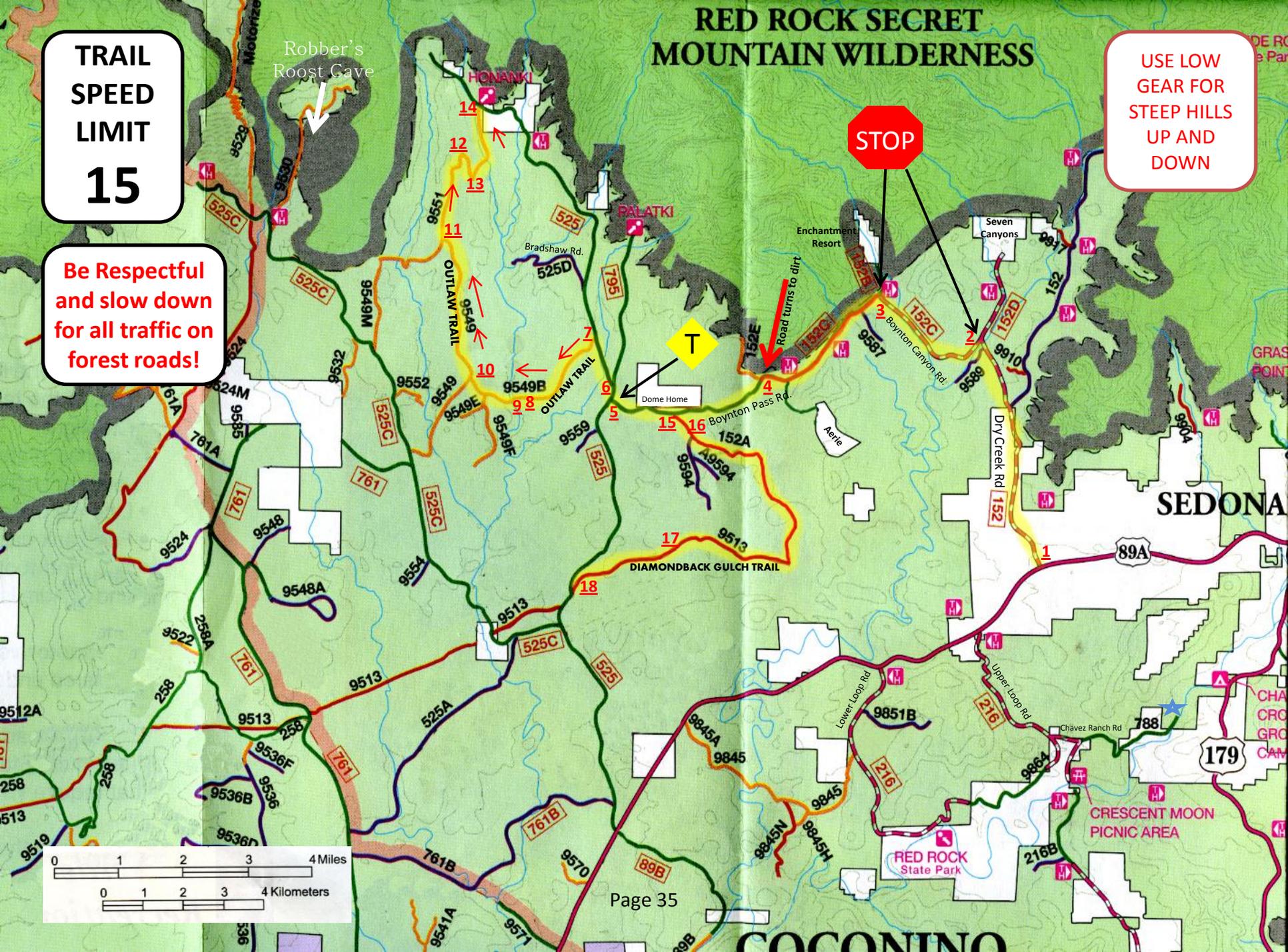
It takes approximately 20 minutes to drive from the intersection at photo 5 back to Sedona ATV & Buggy Rental. Please make note of this in order to avoid late return fees.

RED ROCK SECRET MOUNTAIN WILDERNESS

TRAIL SPEED LIMIT
15

Be Respectful and slow down for all traffic on forest roads!

USE LOW GEAR FOR STEEP HILLS UP AND DOWN





City Of Sedona Community & Economic Development Department

102 Roadrunner Drive Sedona, AZ 86336

(928) 282-1154 • Fax: (928) 204-7124

Memorandum

To: Planning and Zoning Commission

From: Cari Meyer, Associate Planner

Date: May 6, 2014

RE: Design Review Work Group

In February of 2014, a work group was established through the City's Citizen Engagement Program and tasked with reviewing the current development review process and providing recommendations for changes. The work group consists of the following members:

- Marty Losoff, Planning & Zoning Commission Chairman
- John Currivan, Planning & Zoning Commissioner
- John Wesnitzer, Shephard Wesnitzer Engineering
- Max Licher, Design Group Architects
- Gary Muise, Eagle Cliff Development
- Cari Meyer, City of Sedona Associate Planner

To date, this work group has met 4 times. Thus far, the general consensus has been that the current one-size-fits-all approach does not work and the process needs to be more flexible to respond to each individual project. In looking at the current process compared to what the code actually requires, it was found that the actual code requirements are very minimal and a number of extra steps have been added as the City's process has evolved over the years (See Attachment 1).

The group was in general agreement that, while the elongated process may be appropriate in some instances, there should be an option for the developer to "fast track" a project. The procedure currently proposed by the work group would be to make a distinction between required and optional meetings. Applicants and Staff would work together to determine which optional meetings would be held for each individual project. Staff would help the applicant to understand the purpose and implications of each optional meeting. Based on the information provided by Staff, the applicant would make a decision on which meetings they want based on the complexity of, and their confidence in, their project. Staff would then provide the Planning & Zoning Commission a summary of the proposed project scheduling as a part of their packet so Commissioners would have an understanding of each project's anticipated schedule.

Subdivision Procedures

The group has also discussed whether it would be possible to change the City's subdivision process to be brought in line with state requirements. The Work Group was in agreement that these types of changes should be explored. After doing some initial research and consulting with the City Attorney, Staff concludes that the City's current subdivision process is largely in line with State Requirements. (See Attachment 3)

One area where some changes could be made would be the number of times the proposed subdivision is subject to review. The City currently requires a Conceptual Plat review for subdivisions greater than 10 lots in size. This step is not required by the State. In addition, the State allows waiving the requirement for submittal of a Preliminary Plat for subdivisions with 10 lots or less. The City's process does not allow for the Preliminary Plat to be waived under any circumstance.

Legal Opinion

As the main document being presented by this group seeks to work within the confines of the existing Sedona Land Development Code, there will not be a legal issue with implementation. If changes to the Subdivision Ordinance are ultimately proposed, the City Attorney's office will be involved to ensure changes proposed are in conformance with State requirements.

Planning and Zoning Commission Role

The draft Project Scheduling Work Sheet is being presented to the Planning & Zoning Commission as an update for discussion (Attachment 2). The Commissioners should review the attached draft and be prepared to discuss and offer feedback. Feedback could include (but is not limited to) comments regarding the following:

- The concept as a whole
- Required vs. optional meetings
- How the process would be determined and communicated to the Commission
- Flexibility of the process

It is anticipated that, after Planning & Zoning Commission's work session, the work group will have one more meeting to finalize their recommendation. After the work group finishes its work, the final recommendation will be presented to the Planning & Zoning Commission for review.

Attachments:

1. Development Review: Code Requirements vs. Current Process
2. DRAFT Project Scheduling Work Sheet
3. Subdivision Review: City Requirements vs. State Requirements

Development Application Process: Code Requirements vs. Current Process



City Of Sedona Community & Economic Development Department

102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 • Fax: (928) 204-7124

Article 4 of the Sedona Land Development Code (SLDC) outlines the required processes and procedures to review new development applications, including zone changes, development review, conditional use permits, and waivers. Article 7 of the SLDC contains the requirements for Subdivision Review.

While these Articles of the SLDC contain the basic requirements for review of these applications, the current process in Sedona will sometimes include additional meetings that, though not required by code, have become standard operating procedure for development projects in Sedona. The following tables attempt to separate and compare SLDC requirements to the current process. These tables focus primarily on processes for projects where a public hearing is required.

Zone Change; SLDC 400

| Code Requirement | Current Process |
|--|--|
| Pre-Application Consultation | Pre-Application Consultation |
| | Conceptual Application Submittal |
| | Investigation |
| | Introductory Work Session, Conceptual (Planning & Zoning Commission) |
| | Report, Conceptual |
| | Work Session, Conceptual (Planning & Zoning Commission) |
| | Public Hearing, Conceptual (Planning & Zoning Commission) |
| Application Submittal | Final Application Submittal |
| Investigation | Investigation |
| | Introductory Work Session, Final |
| Report | Report, Final |
| | Work Session, Final (Planning & Zoning Commission) |
| Planning and Zoning Commission Hearing | Public Hearing, Final (Planning & Zoning Commission) |
| | Work Session (City Council) |
| City Council Hearing | Public Hearing (City Council) |

Development Review; SLDC 401

| Code Requirement | Current Process |
|--|--|
| Pre-Application Consultation | Pre-Application Consultation |
| <i>Conceptual Application Submittal (at discretion of Director)</i> | Conceptual Application Submittal |
| <i>Investigation</i> | Investigation |
| | Introductory Work Session, Conceptual (Planning & Zoning Commission) |
| <i>Report, Conceptual</i> | Report, Conceptual |
| | Work Session, Conceptual (Planning & Zoning Commission) |
| <i>Public Hearing, Conceptual (Planning & Zoning Commission)</i> | Public Hearing, Conceptual (Planning & Zoning Commission) |
| Application Submittal | Final Application Submittal |
| Investigation | Investigation |

| | |
|--|--|
| | Introductory Work Session, Final |
| Report | Report, Final |
| | Work Session, Final (Planning & Zoning Commission) |
| Planning and Zoning Commission Hearing | Public Hearing, Final (Planning & Zoning Commission) |

Conditional Use Permits; SLDC 401

| Code Requirement | Current Process |
|--|--|
| Pre-Application Consultation | Pre-Application Consultation |
| Application Submittal | Application Submittal |
| Investigation | Investigation |
| | Introductory Work Session, Final |
| Report | Report, Final |
| | Work Session, Final (Planning & Zoning Commission) |
| Planning and Zoning Commission Hearing | Public Hearing, Final (Planning & Zoning Commission) |

Subdivision Review, SLDC Article 7

| Code Requirement | Current Process |
|---|--|
| Pre-Application Consultation | Pre-Application Consultation |
| Conceptual Plat Submittal | Conceptual Plat Submittal |
| Investigation | Investigation |
| | Introductory Work Session, Conceptual (Planning & Zoning Commission) |
| Report, Conceptual | Report, Conceptual |
| | Work Session, Conceptual (Planning & Zoning Commission) |
| Public Hearing, Conceptual (Planning & Zoning Commission) | Public Hearing, Conceptual (Planning & Zoning Commission) |
| Application Submittal | Preliminary Plat Submittal |
| Investigation | Investigation |
| | Introductory Work Session, Preliminary Plat |
| Report | Report, Preliminary Plat |
| | Work Session, Preliminary Plat (Planning & Zoning Commission) |
| Planning and Zoning Commission Hearing | Public Hearing, Preliminary Plat (Planning & Zoning Commission) |
| City Council Hearing | Public Hearing, Preliminary Plat (City Council) |
| Final Plat Approval | Consent Agenda Approval, Final Plat (City Council) |

Work Sessions

As seen from the above chart, work sessions are not required by the SLDC. Work sessions are used to introduce the project to the Planning & Zoning Commission and allow the Commissioners to ask questions and ask for additional information. In some circumstances, such as for a renewal of a Conditional Use Permit or a Time Extension where no changes are being requested, Staff has recommended that the work session not be held. However, for larger projects, not having a work session would not allow the Commissioners to ask questions ahead of time. Presuming they still have these questions, they would then ask them at the public hearing and if their questions were not answered satisfactorily or additional research was needed, the Commission would have the ability to continue a project to their next meeting. Not having the work session, though not required by code, could have the effect of lengthening the entire process.



The Sedona Land Development Code specifies a minimum number of meetings required for a project. However, based on the complexity of a project, additional meetings may be recommended or required. The following chart should be reviewed with City Staff to determine which meetings will be needed for a specific project.

| Required Meetings | Optional Meetings | Purpose | Time Frame |
|--|--|---|---|
| Pre-Application Consultation | | Review the project and go over submittal requirements and timing | At least 2 weeks prior to application submittal |
| | Conceptual Application Submittal | Conceptual review allows for review and comment on a project prior to preparation of more detailed project plans | 4-8 weeks to complete entire Conceptual review |
| | Work Session, Conceptual (P&Z) | To be held in advance of a conceptual public hearing to get "pre-initial" comment | 4 weeks |
| | Public Hearing, Conceptual (P&Z) | Minimum requirement for conceptual review | 4 weeks |
| Application Submittal | | A meeting is required to submit all application materials to Staff | A public hearing (P&Z) will be scheduled 6-10 weeks after submittal of complete application |
| | Introductory Work Session, Final | Approximately 1 month in advance of the public hearing to determine if significant revisions or additional information will be needed | 3-4 weeks (addition of this meeting would put a project at the upper end of the 6-10 week time frame) |
| | Work Session, Final (Planning & Zoning Commission) | Scheduled approximately 5 days in advance of the public hearing to address any last minute questions or requests for additional information | No additional time |
| Planning and Zoning Commission Hearing | | Commission takes action on the project | |
| | Work Session (City Council) | Allow the City Council to review the project, ask questions, request additional information | 2-3 weeks |
| City Council Hearing | | City Council takes action on the project | 6-8 weeks after P&Z action on project |

Subdivision Process: State of Arizona vs. City of Sedona



City Of Sedona Community & Economic Development Department
 102 Roadrunner Drive Sedona, AZ 86336
 (928) 282-1154 • Fax: (928) 204-7124

The following is a non-exhaustive list of comparisons between the subdivision regulations of the City of Sedona and the State of Arizona. If any changes to the City of Sedona’s regulations are proposed, they cannot be less restrictive than the State of Arizona’s regulations.

Subdivision Review

| City of Sedona, SLDC Article 7 | State of Arizona, ARS 9-463 |
|---|--|
| <p>“Land division” means the division of improved or unimproved land into 2 or 3 tracts or parcels for sale or lease with no new streets. “Land division” includes “land splits” as defined by Arizona Revised Statutes (as the division of improved or unimproved land of 2-1/2 acres or less for the purpose of sale or lease), and any division of a parcel of improved or unimproved land which is greater than 2-1/2 acres in size</p> | <p>"Land splits" as used in this article means the division of improved or unimproved land whose area is two and one-half acres or less into two or three tracts or parcels of land for the purpose of sale or lease.</p> |
| <p>“Plat” includes: A. “Conceptual plat” B. “Preliminary plat” C. “Revised preliminary plat” D. “Final plat” E. “Recorded plat” F. “Minor amendment” G. “Amended final plat”</p> | <p>"Plat" includes: (a) "Preliminary plat" (b) "Final plat" (c) "Recorded plat"</p> |
| <p>The Director of Community Development may waive the conceptual plat requirement on the basis of potential location or visually related impacts for small subdivisions and condominium projects that are 10 lots or less in size.</p> | <p>For any subdivision that consists of ten or fewer lots, tracts or parcels, each of which is of a size as prescribed by the legislative body, the legislative body of each municipality may expedite the processing of or waive the requirement to prepare, submit and receive approval of a preliminary plat as a condition precedent to submitting a final plat and may waive or reduce infrastructure standards or requirements proportional to the impact of the subdivision. Requirements for dust-controlled access and drainage improvements shall not be waived.</p> |
| <p>“Subdivision” means improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into 4 or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into 2 or more lots, tracts or parcels of land, or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than 2 parts. “Subdivision” also includes any condominium, cooperative, community apartment, townhouse or similar project containing 4 or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located on it. Plats of such projects need not show the buildings or the manner in</p> | <p>"Subdivision" means improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into 4 or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into 2 or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than 2 parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing 4 or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in</p> |

| | |
|--|--|
| <p>which the buildings or air rights above the property shown on the plat are to be divided. "Subdivision" does not include the following:</p> <p>A. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots;</p> <p>B. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership;</p> <p>C. The leasing of apartments, offices, stores, or similar space within a building or trailer park, or mineral, oil or gas leases.</p> | <p>which the buildings or airspace above the property shown on the plat are to be divided. "Subdivision" does not include the following:</p> <ol style="list-style-type: none"> 1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots. 2. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership. 3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases. |
| <p>SLDC 302: Duties of Planning & Zoning Commission: 302.01.F: Hearing, reviewing, and making recommendations to the Council regarding subdivision plat applications</p> | <p>The legislative body of every municipality shall regulate the subdivision of all lands within its corporate limits</p> |



City Of Sedona Community & Economic Development Department

102 Roadrunner Drive Sedona, AZ 86336

(928) 282-1154 • Fax: (928) 204-7124

Memorandum

To: Planning and Zoning Commission
From: Cari Meyer, Associate Planner
Date: May 6, 2014
RE: Community Benefits Work Group

In February of 2014, a work group was established through the City's Citizen Engagement Program and tasked with reviewing the current process for evaluating community benefits for a zone change and providing recommendations for changes. The work group consists of the following members:

- Rob Adams, City of Sedona Mayor
- Barbara Litrell, City of Sedona Councilmember
- Marty Losoff, Planning & Zoning Commission Chairman
- Michael Hadley, Planning & Zoning Commission Vice Chairman
- Greg Zucco, Citizen
- Jon Thompson, Citizen and former Community Plan Steering Committee Chairman
- Mike Raber, City of Sedona Senior Planner
- Cari Meyer, City of Sedona Associate Planner

To date, this work group has met 3 times. The general consensus has been that there needs to be a way to rank zone changes and then quantify the benefits provided to ensure that expectations are clear for the applicant, City Staff, the Planning & Zoning Commission, and City Council. What the group is currently proposing is a Community Benefits Policy that would place zone changes into different tiers and then have different requirements for each tier. The current working draft of this Policy is included as an attachment and contains a more in depth explanation of how the policy would work.

Legal Opinion

The City Attorney's Office has reviewed the current draft of this policy and stated that the concept is legally supportable. They will continue to be involved through the development and implementation of this policy document.

Questions, Clarifications, and Concerns

The work group members have identified the following items that need to be addressed and/or clarified if the policy moves forward.

- Ensuring that the new policy is reflective of Sedona's New Community Plan.
- Legal Department review.
- Ensuring the policy is used as a guide and is not seen as guarantee of a zone change approval.

- Exploring other applications of the proposed policy, such as allowing for a greater height or density for projects that are proposing to develop under the existing zoning.
- Questions regarding how the Community Benefits Policy would tie in to the Community Focus Area Planning.
- Making sure points are awarded equitably and allowing for modifications and refinements to the policy as it is used.

Planning and Zoning Commission Role

This draft policy is being presented to the Planning & Zoning Commission as an update for discussion. The policy attached to this memo is the first draft and modifications are expected. The Commissioners should review the attached draft and be prepared to discuss and offer feedback. Feedback could include (but is not limited to) comments regarding the following:

- The policy as a whole
- How the policy would be implemented
- Zone change tier distinctions
- The benefits identified and other benefits that could be included
- How points are assigned

It is anticipated that, after Planning & Zoning Commission's work session, the work group will have one more meeting to finalize their recommendation. After the work group finishes its work, the policy as recommended by the work group will be presented to the Planning & Zoning Commission and City Council for consideration, as the Commission and Council are the bodies that ultimately act on projects that will be using the policy.

Attachment:

1. DRAFT Community Benefits Policy



It should be noted that evaluation of Community Benefits is only one factor involved when evaluating a zone change. Compliance with this policy should not be seen as a guarantee that a requested zone change will be approved.

Classification of Zone Changes

While all zone change requests fall under the same general category, it is recognized that the potential for negative impacts due to the zone change is dependent on the request. In an attempt to categorize those impacts, all zones in the city were grouped into 3 general categories: Residential (Z1), Commercial (Z2), and Open Space/Community Facility (Z3). Z1 zones include all single family and multi-family residential zones. Z2 zones include all commercial, office, lodging, and special use zones. Z3 zones include community facilities, open space, national forests, and overlay zones, such as the historic overlay.

Using these categories as a baseline, the following matrix was developed, grouping zone change types into 4 tiers, based on whether the request is staying within the same zoning category, which category is proposed, and the size of the property to be rezoned. There is a basic underlying assumption with all of these that the Community Plan is supportive of the proposed zone change or that the applicant is pursuing a Community Plan Amendment concurrently with the zone change request. Community Plan Amendments are evaluated using separate criteria.

| | Tier 1 (Small) | Tier 2 (Medium) | Tier 3 (Large) | Tier 4 (X-Large) |
|----------|-----------------------|-----------------------------------|-----------------------------------|-------------------------|
| Z1 to Z1 | Same or lower density | Higher density, less than 2 acres | Higher density, more than 2 acres | |
| Z1 to Z2 | | Less than 0.5 acres | 0.5 to 2 acres | Over 2 acres |
| Z1 to Z3 | All | | | |
| Z2 to Z1 | | Less than 1 acre | Over 1 acre | |
| Z2 to Z2 | | Less than 1 acre | Over 1 acre | |
| Z2 to Z3 | All | | | |
| Z3 to Z1 | | | | All |
| Z3 to Z2 | | | | All |
| Z3 to Z3 | All | | | |

*Category 1 Zones (Z1): Residential (all RS, all RMH, all RM, MH, PRD)
 Category 2 Zones (Z2): Commercial (CN, OP, C-1, C-2, C-3, RC, PD, P, L, T, SU)
 Category 3 Zones (Z3): Open Space/Community Facility (CF, OS, NF, H Overlay)*

As shown above, Tier 1 zone changes include any rezoning to a Z3 zone or a residential rezoning that has the same density as the existing zone (such as for a cluster development). Tier 2 rezonings are on parcels that have a lesser potential to have a significant impact due to their relatively small size. Tier 3 rezonings have a greater potential to have an impact on neighboring properties and the City as a whole due the greater area involved. Tier 4 rezonings have the potential to have the greatest impact and include rezoning any Z3 (community facility/open space) parcel to any other use. Removal of an overlay district (such as the historic overlay) would also fall into this category.

Level of Benefit Based on Specified Tier of Zone Change

When evaluating the need for Community Benefits for a rezoning proposal, the level of benefit required would be based on the Tier the rezoning request falls into. After determining the Tier the request is in, the applicant, in conjunction with Staff, will work from the Community Benefits menu to determine the most appropriate benefits for the project to get to the required number of points for the Tier

Points required based on the designated tier are as follows:

- Tier 1: 0 points
 - Very few zone change requests would fall into the Tier 1 category. Those that do include rezoning a residential property to a zone with the same or lower density (such as for a cluster development to preserve open space, ridge lines, drainage areas, etc.), rezoning a property to an open space designation, or adding a historic overlay zone to any property.
 - Tier 1 zone changes do not require any points as the zone change itself is seen as the community benefit.
- Tier 2: 20 points
 - Tier 2 zone changes have the potential to have an impact on the neighboring properties. While the impact is limited based on the size of the parcel, these should include some additional benefits to minimize those impacts.
- Tier 3: 40 points
 - Tier 3 zone changes have a greater probability of having a significant impact on the Community due to the size of the property to be rezoned and should provide a higher level of Community Benefit to offset those impacts.
- Tier 4: 60 points
 - Tier 4 zone changes have the greatest potential to have an impact on surrounding property owners and the City as a whole and would be expected to provide Community Benefits at a level that would account for those increased impacts.

Community Benefits Recognized by the Community Plan

The Sedona Community Plan recognizes a number of Community Benefits that an applicant could choose from in order to achieve the minimum points required based on the Tier the zone change is in. When evaluating benefits, points would not be given for meeting other code requirements. For example, since the Sedona Land Development Code (SLDC) already requires all new development to contribute to the City's Art in Public Places Fund, an applicant could not receive Community Benefit points for making this contribution. However, if an applicant chose to make a contribution to the Art in Public Places Fund in excess of what is required by the SLDC, Community Benefit points could be granted for the extra contribution.

When determining allowable Community Benefits, the starting place was determining the visions and desired outcomes of the Community Plan. These visions and outcomes can generally be grouped into 6 categories:

1. Environmental Protection and Environmental Stewardship
2. Housing Diversity
3. Community Gathering Places, Community Connections, and Sense of Place
4. Economic Diversity
5. Reduced Traffic, Improved Traffic Flow, and Walkability
6. Access to Oak Creek

In addition to the above 6 categories, the Community Plan states that Community Sustainability is an overarching goal of the plan. This item would be considered the 7th desirable outcome of the Community Plan.

"Sustainability as envisioned by the Community Plan is not just about reducing our impact on the environment, but is equally about maintaining and enhancing the connections and ties that bind individuals and form Sedona's community fabric."

Sedona Community Plan Summary

In determining possible Community Benefits, the Community Benefit Work Group went through the City's Community Plan and listed different ways the plan seeks to achieve each of the above listed visions and outcomes. The Work

Group was able to come up with a menu of desired Community Benefits that future developers could offer while going through a zone change process.

Community Focus Areas

The Community Plan identifies 13 areas within the City that will be the subject of more specific planning efforts, called Community Focus Areas (CFA). As the CFA planning process develops, more specific needs and benefits for a particular area may be developed. Projects within a CFA should refer to the plan for the relevant CFA, as those plans dictate which benefits are expected.

City Council Priorities

Each year, the Sedona City Council sets its goals and priorities for the year. During this process, if the City Council decides that one of the desired outcomes in the Community Plan will be a priority in the coming year, they could choose to apply a multiplier to benefits provided in that category, making benefits provided in the priority category more valuable than benefits in other categories.

Quantifying Recognized Community Benefits

The approach the Community Benefit Work Group aims to take is to award points for providing various benefits. Enough choices should be provided to allow the developer to choose the benefits that make the most sense based on their specific project. Points awarded for providing benefits to achieve the Community Plan's visions and desired outcomes would be limited to a total of 20 points per category. Therefore, Tier 2 rezoning applications could satisfy the Community Benefit requirement by addressing one category while Tier 3 rezonings would have to address at least 2 categories and Tier 4 rezonings would have to address at least 3 categories.

The menu of benefits provided here is not an exhaustive list of possible benefits. Applicants are encouraged to explore options for Community Benefits beyond what are listed on the following menu. If exploring alternate items, the applicant should consult with Staff to determine which category they fit into and how many points may be assigned.

Community Sustainability

*"Sustainability in the Sedona of today and tomorrow will lead to policies and actions by government and citizens that enhance our natural and built environments, create a diversified economy, improve individual and collective quality of life, and create an educated, equitable, and prosperous community."
Sedona Community Plan Summary*

As community sustainability is recognized as an overarching goal of the Community Plan, many of the items listed under other desirable outcomes incorporate sustainability. Therefore, no specific items are listed under this desired outcome. However, if a developer proposed a benefit that does not fit into another category, but addresses the goal of community sustainability, this desired outcome could be used to categorize that benefit.

Environmental Protection and Environmental Stewardship

*"Protection of the environment is the community's top priority, and sustainability is a fundamental goal of the Plan"
Sedona Community Plan, page 72*

As environmental protection and stewardship is a priority for the community, Community Benefit points may be awarded for development that takes steps to decrease its impact on the environment. The primary ways this could be seen are through water conservation, protection of Oak Creek and the riparian habitat, reducing flooding and erosion impacts, and green building design.

| Description of Benefit | Points Available |
|---|--|
| Water Conservation <ul style="list-style-type: none"> ➤ Landscape Design using 100% native, adaptive, and drought tolerant plants ➤ Incorporation of a rainwater harvesting system that meets: <ul style="list-style-type: none"> ▪ 100% of landscaping needs ▪ 50% of landscaping needs | 5 10 5 |
| Reduction of Flooding and Erosion Impacts <ul style="list-style-type: none"> ➤ Contributions above minimum requirements for drainage fees. (Cannot count towards Development Impact Fee Credits) <ul style="list-style-type: none"> ▪ Base amount to be determined by multiplying the square footage of the site to be rezoned by the current fees in the Development Impact Fee Schedule for the applicable drainage basin | 5 for each full payment of base amount |
| Green Building Design <ul style="list-style-type: none"> ➤ LEED Certified Platinum Building ➤ LEED Certified Gold Building ➤ LEED Certified Silver Building ➤ LEED Certified Building | 20 15 10 5 |

Housing Diversity

*“Choice in housing is important to both individual families and the community as a whole.”
Sedona Community Plan, page 23*

Currently, 82% of the housing in Sedona is single family detached and apartments make up only 4% of Sedona’s total housing stock. A lack of options may translate into loss of revenue when people who work in Sedona choose to live (and shop) in another community due to the lack of housing options in Sedona. In addition, single family detached housing is the most expensive type of housing. By having a lack of diversity, many people and families are not able to afford to live in the community and others are not able to stay in the community as their needs change. Therefore, projects will be awarded Community Benefit points for providing a mix of housing types. As the City already has an adopted Housing Policy, that document should be used to guide the development of different housing types in the City.

| Description of Benefit | Points Available |
|---|-------------------------------|
| <i>Affordable rental housing in conformance with the City’s Housing Policy</i> | <i>10 per unit</i> |
| <i>Affordable ownership units in conformance with the City’s Housing Policy</i> | <i>20 per unit</i> |
| <i>Incorporation of market rate housing (for rent or ownership) in a commercial project</i> | <i>5 per unit</i> |
| <i>Contributions to the City’s Housing Fund in conformance with the City’s Housing Policy</i> | <i>10 per unit equivalent</i> |

Community Gathering Places, Community Connections, and Sense of Place

*“Recreation is an important aspect of the community’s quality of life, economy, and tourism. The breathtaking landscape, abundance of trails, and favorable climate are the reasons many people have chosen to visit or live in Sedona.”
Sedona Community Plan, page 83*

The community plan process found that a number of Sedona’s residents have a desire for more opportunities that allow for social interaction while taking advantage of the natural beauty that surrounds Sedona. Therefore, projects that provide opportunities for the public to interact with each other and with the natural surroundings will receive Community Benefit points.

| Description of Benefit | Points Available |
|--|---|
| <i>Public gathering space incorporated into the project and not associated with a tenant space</i> <ul style="list-style-type: none"> ➤ <i>Public gathering spaces are outdoor spaces that are open to the public and have the potential to be used for concerts, festivals, markets, or a similar use. Points awarded would be based on the size and function of the space proposed.</i> | 5-20 |
| <i>Publicly accessible open space incorporated within the project</i> <ul style="list-style-type: none"> ➤ <i>An area equal to at least 20% of the property</i> ➤ <i>An area less than 20% of the property</i> | 10 5 |
| <i>Community Facility incorporated into the project: 10-20 points</i> <ul style="list-style-type: none"> ➤ <i>A community facility is an indoor space for public use, such as a museum, performance venue, or exhibit space. Points awarded would be based on the size and function of the space proposed.</i> | 10-20 |
| <i>Contributions to the Art in Public Places Fund above the minimum requirements.</i> <ul style="list-style-type: none"> ➤ <i>Base amount to be determined by fees for the proposed development</i> | 10 for each full payment of base amount |

Economic Diversity

“The Sedona economy has been and will continue to be a visitor-driven economy. However, diversification into other strategic sectors would create a much healthier, robust economy that is not as dependent on tourism.”
Sedona Community Plan, page 91

Sedona has a largely tourist based economy and the Community Plan acknowledges this lack of economic diversification. As the City has limited resources available for economic development, projects that seek to address economic development issues will receive Community Benefit points for their efforts.

| Description of Benefit | Points Available |
|---|-------------------------|
| <i>Support for locally owned businesses</i> <ul style="list-style-type: none"> ➤ <i>One point for each percentage of leasable space permanently reserved for locally owned businesses</i> | 20 max |
| <i>Commitment to market leasable space to non-tourism based businesses</i> <ul style="list-style-type: none"> ➤ <i>25% of leasable space permanently reserved for non-tourism based businesses</i> ➤ <i>50% of leasable space permanently reserved for non-tourism based businesses</i> | 10 20 |

Reduced Traffic, Improved Traffic Flow, and Walkability

“We want to create a more walkable and bike-able community with less dependence on cars, although we recognize that Sedona’s circulation system must continue to accommodate personal vehicles.”
Sedona Community Plan, page 58

As more people move to and visit Sedona, traffic conditions will continue to deteriorate. As the main vehicular circulation patterns are state highways where little change is possible, developments that make contributions that improve the traffic circulation in the City will be granted Community Benefit points.

| Description of Benefit | Points Available |
|--|-----------------------------------|
| <i>For any points to be considered in this category, the project shall include bicycle parking at a ratio of 1 bicycle parking space per 10 vehicle parking spaces. No points are given for this, but if bicycle parking is not included, none of the following points may be awarded.</i> | 0, but required for this category |

| | |
|--|--|
| <p><i>Extension of sidewalks beyond the property to be rezoned</i></p> <ul style="list-style-type: none"> ➤ <i>Base length of a sidewalk extension would be equal to the street frontage on the subject property</i> <ul style="list-style-type: none"> ▪ <i>The maximum of 20 points would be awarded if sidewalks of a length equaling 4 times the street frontage of the subject property are built</i> | <p><i>5 for each base length installed</i></p> |
| <p><i>Parking provided above minimum requirements, available for public use</i></p> <ul style="list-style-type: none"> ➤ <i>1 point awarded for each 2 percentage point increase over required parking</i> <ul style="list-style-type: none"> ▪ <i>A project that requires 10 parking spaces but provides 12 is providing 20% more parking than is required and would be awarded 10 points but a project requiring 100 parking spaces would be required to provide 120 spaces to receive the same points.</i> ➤ <i>Parking must be available for free public use</i> ➤ <i>This benefit should only be used in an area with a recognized parking shortage and an area with high pedestrian traffic</i> | <p><i>20 max</i></p> |
| <p><i>Support of regional transit</i></p> <ul style="list-style-type: none"> ➤ <i>Providing a designated turn off area and transit shelter for regional transit</i> <ul style="list-style-type: none"> ▪ <i>This benefit would need to be coordinated with the regional transportation system and would need to be approved by them to count.</i> | <p><i>10</i></p> |

Access to Oak Creek

“Parks, Recreation, and Open Space Policies: (6) Improve and manage public access to Oak Creek within the City. (10) Preserve natural open space, including areas with significant natural resource values, the riparian habitat of Oak Creek, and viewsheds such as ridgelines, scenic vistas, along highways, and gateways into the community.”
Sedona Community Plan, page 86

Oak Creek is a valuable natural resource for the community. However, much of the land along Oak Creek is privately owned and very little public access is provided. While very few properties will be able to use this Community Benefit, for properties along Oak Creek that are redeveloping, a high priority should be placed on gaining public access to Oak Creek. Therefore, properties along Oak Creek that provide dedicated public access to Oak Creek on their property will receive the full 20 points in this category. Design of the public access areas should be done in an environmentally sensitive manner and be incorporated into the project. If additional amenities are provided, such as a concert venue or picnic area, additional benefit points may be achieved under the guidelines set forth in the Community Facilities category.