

# AGENDA

## City of Sedona Planning and Zoning Commission Site Visit

4:30 PM

Tuesday, November 1, 2016

**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 special meeting/site visit Tuesday, November 1, 2016, at 4:30 pm, leaving from the Community Development Department Lobby at 102 Roadrunner Drive, Building 104.

**PURPOSE:**

- To give the members of the Planning and Zoning Commission an opportunity to conduct site visits regarding a project currently under review by the Commission.

**NOTES:**

- The Commission will be invited to walk the subject property. Appropriate shoes and clothes must be worn.
- Planning & Zoning Commission Meeting Agenda Packets are available on the City's website at: [www.SedonaAZ.gov/planning](http://www.SedonaAZ.gov/planning)

1. Verification of Notice
2. Call to Order & Roll Call
3. The Commission and Staff will carpool to the site of the following project currently under review by the Commission. The site visit will consist of an overview and discussion of the project.
  - a. **PZ16-00009 (ZC, DEV), Marriott Residence Inn – Conceptual Review**, 4105 W State Route 89A, APN 408-11-430B. This project proposes a Zone Change and Development Review to construct a new 88 room hotel, 4 employee housing units, and associated site improvements.
4. Adjournment and Return by carpool to City Hall



*Scan with your mobile device to access project documents online*

Posted: October 20, 2016      By: DJ

# AGENDA

## City of Sedona Planning and Zoning Commission Meeting

5:30 PM

Tuesday, November 1, 2016

### 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, November 1, 2016 at 5:30 pm in the City Hall Council Chambers.

### NOTES:

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

### 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. CALL TO ORDER, PLEDGE OF ALLEGIANCE, & ROLL CALL
2. ANNOUNCEMENTS & SUMMARY OF CURRENT EVENTS BY COMMISSIONERS & STAFF
3. APPROVAL OF THE FOLLOWING MINUTES:
  - a. September 29, 2016 (SV)
  - b. September 29, 2016 (WS)
  - c. October 4, 2016 (R)



Scan with your mobile device to access meeting documents online

4. PUBLIC FORUM: *(This is the time for the public to comment on matters not listed on the agenda. The Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.)*

### 5. CONSIDERATION OF THE FOLLOWING ITEMS THROUGH PUBLIC HEARING PROCEDURES:

- a. Discussion/possible action regarding a request for Conceptual Zone Change to add lodging units and Conceptual Development Review to construct a new 88 room hotel (Marriott Residence Inn), 4 employee housing units, and associated site improvements at 4105 W State Route 89A. The property is zoned L (Lodging) and OS (Open Space). A general description of the area affected includes but is not limited to the southeast corner of W State Route 89A and Upper Red Rock Loop Road. **APN:** 408-11-430B. **Applicant:** Sunridge Hotel Group (Paul Welker) **Case Number:** PZ16-00009 (ZC, DEV)
- b. Discussion/possible action regarding the Draft Schnebly CFA Plan. **Applicant:** City of Sedona **Case Number:** PZ16-00010 (CFA) (Continued from October 4, 2016 and October 13, 2016)
- c. Discussion/possible action regarding an ordinance and resolution to delete Sedona Land Development Code, Section 918, Accessory dwelling units (ADU). **Applicant:** City of Sedona **Case Number:** PZ16-00012 (LDC)
- d. Discussion/possible action regarding an ordinance and resolution amending Sedona Land Development Code, Section 303, Historic Preservation Commission, and Article 15, Historic Preservation Ordinance, to reexamine the City's preservation philosophy, clarify existing regulations, and establish a process for a Certificate of No Effect to allow for an expedited review process for certain types of alterations, repairs, and maintenance. **Applicant:** City of Sedona **Case Number:** PZ15-00015 (LDC) (Continued from October 4, 2016)

### 6. FUTURE MEETING DATES AND AGENDA ITEMS

- a. Thursday, November 10, 2016; 3:30 pm (Work Session)
- b. Tuesday, November 15, 2016; 5:30 pm (Public Hearing)
- c. Thursday, December 1, 2016; 3:30 pm (Work Session)
- d. Tuesday, December 6, 2016; 5:30 pm (Public Hearing)

### 7. EXECUTIVE SESSION

If an Executive Session is necessary, it will be held in the Vultee Conference Room

# AGENDA

## City of Sedona Planning and Zoning Commission Meeting

5:30 PM

Tuesday, November 1, 2016

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:

- a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).
- b. Return to open session. Discussion/possible action on executive session items.

### 8. ADJOURNMENT

Physical Posting: October 20, 2016 By: DJ

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

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

# Staff Report

PZ16-00009 (ZC, DEV) Residence Inn

Summary Sheet: Conceptual Review



City Of Sedona Community  
Development Department

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

**Meeting Date:** November 1, 2016

**Hearing Body:** Planning and Zoning Commission

**Action Requested:** Conceptual Review of Zone Change and Development Review Application

**Staff Recommendation:** None at this time

**Location:** 4105 W State Route 89A

**Parcel Number:** 408-11-430B

**Owner:** Sedona Hospitality Group, LLC (Paul Welker)  
7255 E Hampton Ave, Ste. 122; Mesa, AZ 85209

**Authorized Agent:** Architecture Plus (Mark Fredstrom)  
2929 E Camelback Rd. #120; Phoenix, AZ 85016

**Project Summary:** Construction of a new 88 room Marriott Residence Inn, 4 Employee Housing Units, and associated site improvements

**Site Size:** ± 8.16 acres (entire site)  
± 3.06 acres (this project)

**Sedona Community Plan Designation:**  
Commercial

**Current Zoning:** Lodging (L) – 121 rooms and Open Space (OS)  
*\* The 121 rooms the zoning currently allows for are contained within the Marriott Courtyard project. No additional rooms are permitted under current zoning.*

**Proposed Zoning:** Lodging (L) – 209 rooms and Open Space (OS)  
*\* The 209 rooms under the proposed zoning would include the existing 121 rooms in the Marriott Courtyard project and the proposed 88 rooms in the Residence Inn project.*

**Current Land Use:** Marriott Courtyard Hotel and Vacant

	<u>Area zoning</u>	<u>Area land uses</u>
<b>North:</b>	PD	Sedona Summit (Timeshare)
<b>Northwest:</b>	C-1 & PD	Office Building, Yavapai College, Cultural Park
<b>West:</b>	C-1 & CF	Vacant Commercial & Sedona Red Rock High School
<b>South:</b>	NF	National Forest
<b>East:</b>	RM-2 & RS-18a	Residential – Park Place & Foothills South

**Report Prepared By:** Cari Meyer, Senior Planner

**Attachments<sup>1</sup>:**

1. [Vicinity Map & Aerial View](#)
2. [Application Documents \(provided by the applicant\)](#)
3. [Comments Received from Reviewing Agencies](#)
  - a. [City of Sedona Community Development](#)
    - i. [Current Planning](#)
    - ii. [Long Range Planning](#)
  - b. [City of Sedona Public Works](#)
  - c. [Sedona Fire District](#)
  - d. [Arizona Department of Transportation \(ADOT\)](#)
  - e. [UniSource Energy Services](#)
  - f. [Yavapai County Community Health Services](#)
4. [Applicant Response to Planning Comments](#)

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<sup>1</sup> Some items that are not relevant to the review of the project, such as letters of authorization, title reports, and letters of serviceability, are not included in the packet but are available for review at the Community Development Department office.

## Staff Report

PZ16-00009 (ZC, DEV) Residence Inn

Conceptual Review



City Of Sedona Community

Development Department

102 Roadrunner Drive Sedona, AZ 86336

(928) 282-1154 • Fax: (928) 204-7124

### PURPOSE OF A CONCEPTUAL REVIEW

The purpose of the Conceptual Review is to give review agencies, Staff, the Planning and Zoning Commission, and the general public an opportunity to familiarize themselves with, and provide comments on, a development proposal in its early, conceptual stage of design. The process also affords the applicant an opportunity to become aware of major issues, concerns and suggestions prior to the completion of more detailed plans for comprehensive development review. This creates a more timely mechanism through which early design concepts may be revised to address areas of concerns.

At the Conceptual Review stage of a project, Staff does not evaluate for full conformance with specific code sections or provide a recommendation on the project. *However, Staff comments are noted in italics throughout this Staff Report.* Staff comments generally refer to future requirements or comments that have already been provided to the applicant.

### BACKGROUND

The property proposed for development is currently partially developed with a 121 room Marriott Courtyard Hotel. The property is zoned L (Lodging) and OS (Open Space). This zoning was approved by the Planning and Zoning Commission and City Council in 2014 (PZ14-00005) to allow for the construction of the Courtyard Hotel. Construction was completed and the hotel opened in October 2016. The property owner is now proposing to develop the remainder portion of the site with a Marriott Residence Inn.

Development of this site is permitted in accordance with the Land Development Code (LDC) requirements, including Article 6 (District Regulations), Article 9 (Development Standards), and Article 10 (Design Review Manual). However, the zoning designation of L (Lodging) requires a zone change for any project that increases the total number of lodging units. The zoning approved under PZ14-00005 allowed for a maximum of 121 rooms. Therefore, in order to build the additional 88 rooms proposed, a zone change to increase this number to 209 is required, along with Development Review for the building and site plan.

#### ***Community Plan Considerations***

The project site is designated as Commercial on the Future Land Use Map and is within the Lodging Area Limits. The Commission should evaluate how this project implements the Community Plan, including recommendations for land use, housing, circulation, environment, and economic development.

However, the primary document that should be used in evaluating the zone change is the recently approved [Western Gateway Community Focus Area \(CFA\) Plan](#). This plan for the area was adopted by the City Council on May 24, 2016, and provides for more specific guidance for future development of the area. Recommendations are included for both the area as a whole and this area specifically. This plan states that the vision for the area is that *“The Western Gateway will be a sustainably developed, distinct, active, walkable, and vibrant place with a diversity of land uses that attracts both locals and visitors while promoting health, wellness, arts, and education, achieving harmony with the natural environment and creating a sense of arrival to the community.”*

This project is within the area identified as the Southside 89A Character Area. The CFA plan states that this area “provides an opportunity to develop commercial, lodging and mixed uses that can serve both visitors and residents in the area.” This area could include the following:

- Official visitor information site
- Access to National Forest trails
- Lodging, commercial, and mixed use development
- Pedestrian linkages across 89A
- Artistic gateway feature

## **SITE CHARACTERISTICS (EXISTING)**

- The project site is one parcel of approximately 8.16 acres (Yavapai County). Of that, approximately 4.33 acres has been developed as the Marriott Courtyard Hotel and approximately 0.77 acres is zoned Open Space, leaving approximately 3.06 acres for the current proposal.
- The property is partially developed with a Marriott Courtyard Hotel. The area proposed for this project is currently vacant.
- The property is not part of any subdivision.
- There is existing vehicular and pedestrian access to the site from State Route 89A and Upper Red Rock Loop Road.
- The property is not within a designated floodplain.
- The existing vegetation onsite consists of a mixture of mature trees along with some shrubs.

## **DEVELOPMENT PROPOSAL**

The applicant is proposing a new lodging development (Marriott Residence Inn) consisting of 88 lodging units. In addition, the proposal includes 4 employee housing units, trail access, and associated site improvements. The building is proposed to be placed on the south side of the site with parking on the north closest to State Route 89A.

### ***Phasing***

The project is proposed to be developed in a single phase.

### ***Access and Traffic***

- Vehicular access to the site is existing via a right-in/right-out entrance on State Route 89A and two additional access points on Upper Red Rock Loop Road. The access to Upper Red Rock Loop Road provides access to a signalized intersection.
- No new access points are proposed and the Residence Inn would share access with the Courtyard Hotel.
- *A trip generation report and potentially a traffic impact study will be required at the next stage of review. The applicant will be working with the Public Works Department to determine the parameters and scope of that study.*

### ***Pedestrian Traffic and Connectivity***

- There is an existing sidewalk along both the northern (State Route 89A) and western (Upper Red Rock Loop Road) property lines.
- The applicant has provided pedestrian connections from the existing sidewalk to the building.
- *Staff has asked the applicant to provide pedestrian connections between the proposed Residence Inn and existing Courtyard Hotel.*

**Parking**

- The applicant has provided preliminary parking calculations showing a total requirement of 106 spaces, which are provided on the site plan.
  - *Staff has asked for clarification on the parking calculations, as it does not appear that parking for the employee units has been provided at the rate required by the LDC for residential uses.*
- The parking lot will be asphalt.
- Parking areas are proposed to be screened by a combination of screen walls and landscaping, in a similar manner and as a continuation of the landscaping and screen walls at the Courtyard Hotel.

**Preliminary Grading and Drainage Report and Plan**

- *A preliminary grading and drainage report and plan will be required at the next stage of review.*

**Wastewater Disposal**

- *The property has the ability to connect to the City's Wastewater System.*

**Sedona Land Development Code: Article 9 (Development Standards) and Article 10 (Design Review Manual)**

- The applicant has provided a preliminary summary of how they intend to ensure the building is in compliance with LDC Articles 9 & 10.
- *Staff has conducted a preliminary review of the plans. While more information is needed and will be provided at the next stage of review, Staff has provided the applicant with a preliminary list of sections of the code that need to be addressed and incorporated into the proposal. Some of these items include building height and alternate standards.*
- *A comprehensive evaluation for compliance with the Land Development Code and the Design Review Manual will be conducted at the next stage of review. In addition, an evaluation of this project for compliance with the Design Guidelines contained in the [Western Gateway CFA](#) plan will be completed at the next stage of review.*

**Vegetation and Landscaping**

- The applicant has shown proposed landscaping areas on the site plan.
- The applicant is proposing to continue the landscaping theme and style from the existing Courtyard Hotel onto this project site.

**Signage**

- *A master sign plan will be required at the next stage of review.*

**Outside Lighting**

- *A full lighting plan will be required at the next stage of review.*

**Mechanical Equipment**

- Mechanical equipment will be screened by parapets or screen walls.
- The dumpster enclosure is shown on the north side of the site near the lift station enclosure and will be constructed in a way that generally reflects the character of the building.

**Utilities**

- *All required utilities are on site and in use at the Courtyard Hotel. These utilities will need to be extended to provide service to the proposed Residence Inn.*

## Public Input

- *Project documents submitted by the applicant were placed on the Current Projects page of the Community Development Department website.*
- *Property owners within 500 feet of the subject properties were notified of the Conceptual Review.*
- *The property was posted with a Notice of Public Hearing and a notice was published in the Red Rock News.*
- *All notices contain contact information or a way to submit comments. As of writing this report, Staff has not been contacted by any members of the public regarding this project.*
- *The applicant sent a letter to the neighboring properties and held an open house at the Courtyard Hotel on October 25, 2016. Staff and/or the applicant will have an update on that meeting at the Conceptual Public Hearing for this project.*

## REVIEWING AGENCY COMMENTS AND CONCERNS

Conceptual Review plans are routed to reviewing agencies for comments. At this stage, comments generally involve what each review agency will expect to see in the submittal packet for final review. Comments were received from the following agencies and are included as [Attachment 3](#):

- a. City of Sedona Community Development
  - i. Current Planning
  - ii. Long Range Planning
- b. City of Sedona Public Works
- c. Sedona Fire District
- d. Arizona Department of Transportation (ADOT)
- e. UniSource Energy Services
- f. Yavapai County Community Health Services

These comments have been provided to the applicant. The applicant has submitted a response to the Planning Comments, which is included as [Attachment 4](#).

## REVIEW GUIDELINES

If the project moves forward past the Conceptual Phase, the following will be requested from the Planning and Zoning Commission:

<b>ZONE CHANGE</b>	Recommendation of approval from the Planning and Zoning Commission, Approval from the City Council
<b>DEVELOPMENT REVIEW</b>	Approval from the Planning and Zoning Commission

## DISCUSSION (ZONE CHANGE)

In considering an application for Zone Change, the review process is guided by Section 400 (Amendments) of the Land Development Code. Zone Change applications are reviewed for conformance with the Community Plan, Community Focus Area Plans, and other adopted plans and policies of the City, if applicable. In reviewing a zone change application, the Commission may recommend, and the City Council may approve, a rezoning conditioned upon one or more of the following (SLDC 400.10):

1. *Development in accordance with a specific schedule for the development of specific improvements or uses for which zoning is requested;*
2. *Development in accordance with a specific Site Plan or a Site Plan to be subsequently approved under this Code;*
3. *Modifications in the otherwise applicable floor area ratio, lot coverage, building height, or density;*

4. *Public dedication of rights-of-way for streets, alleys, public ways, drainage, public utilities and the installation of improvements that are reasonably required by or directly related to the effect of the rezoning;*
5. *Other conditions reasonably calculated to mitigate the impact of the proposed development.*

The zone change component of this project would increase the total number of permitted lodging units from 121 to 209. The OS (Open Space) zoning would remain.

### [Western Gateway Community Focus Area](#)

This site is within the [Western Gateway Community Focus Area \(CFA\) Plan](#) Area. A CFA Plan for this area was adopted by City Council in May 2016 and provides guidance for future development of the area. Recommendations are included for both the area as a whole and this area specifically. This project is within the area identified a Southside 89A Character Area. This plan, its guidelines, and recommendations should be used as a reference document when evaluating this proposal.

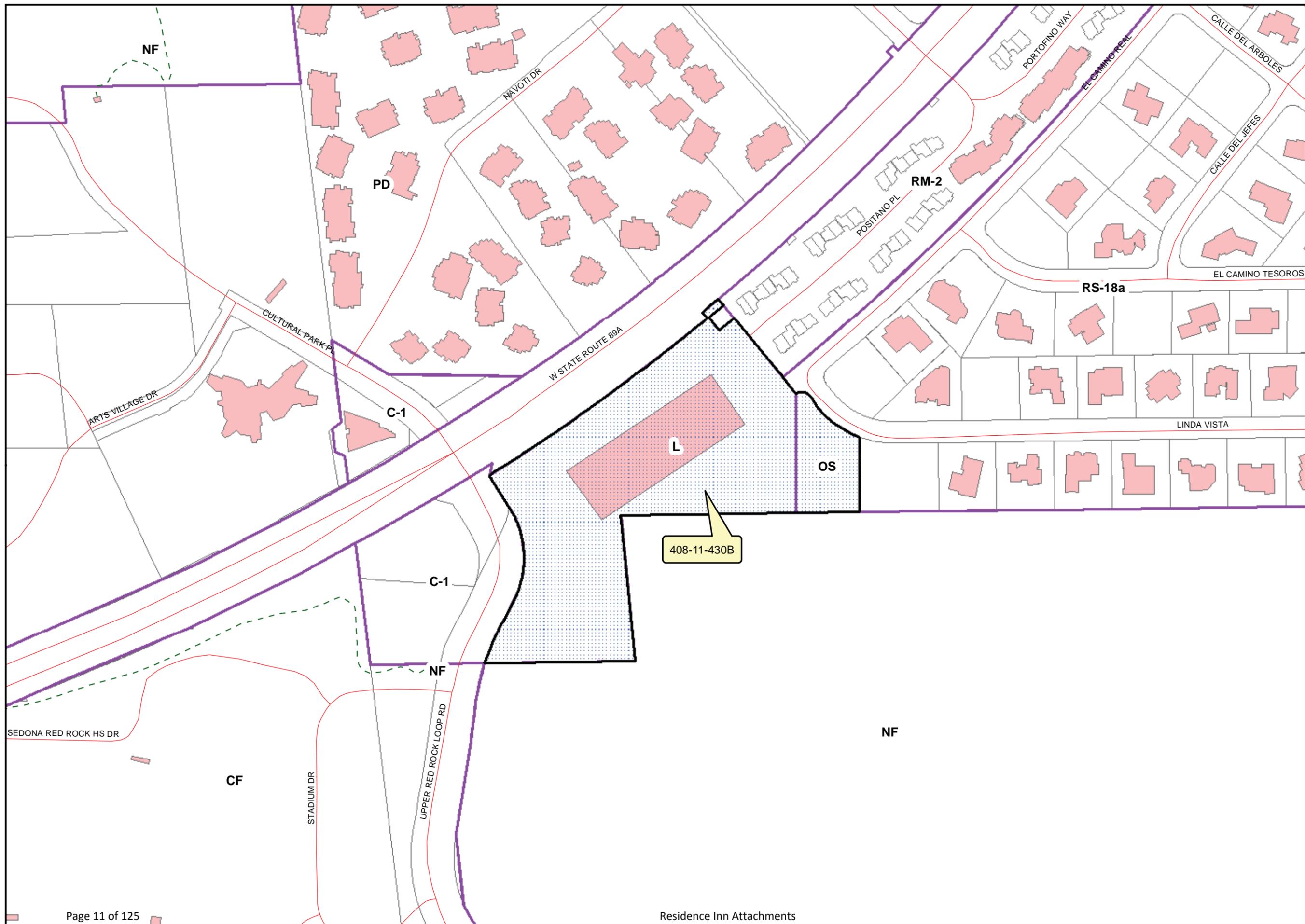
### **DISCUSSION (DEVELOPMENT REVIEW GUIDELINES)**

While the Commission is not being asked to take action on this project at this stage, the following is included to inform the Commission about the scope of and guidelines for review of this project. In considering an application for Development Review approval, the review process is guided by the following criteria noted in Article 4, (Review Procedures), Section 401.06 of the Land Development Code:

1. *The degree to which all of the applicable provisions of this Code and all other ordinances have been complied with.*
2. *The degree to which the proposed development of buildings, uses or structures conforms to the design standards as set forth by the Design Review Manual.*
3. *The degree to which the proposed development integrates the proposed built environment into the natural environment with minimal disturbance to view corridors, existing native vegetation and/or established landscaping, the natural topography of the site, natural drainage ways, known wildlife habitats, rock outcrops, and other natural features.*
4. *The degree to which the proposed development integrates into, and is compatible with, the built form of surrounding properties and existing developments with regard to building height and character, landscaping, signage, building materials, historical structures or features, and pedestrian and vehicular circulation.*
5. *That the proposed use is in general conformance with applicable goals, objectives and recommendations described in the Community Plan and adopted specific plans.*
6. *The degree to which proposed vehicular ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and solid waste collection are designed to promote public safety and convenience.*
7. *The degree to which pedestrian circulation is facilitated both on and off-site through interconnected passages, pathways and plazas, and is designed to promote public safety and convenience.*
8. *The degree to which the proposed development addresses concerns cited by participating reviewing agencies with jurisdiction in the areas of public health and safety.*

### **Staff Recommendation**

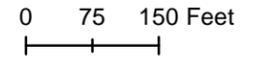
None at this time (Conceptual Review)



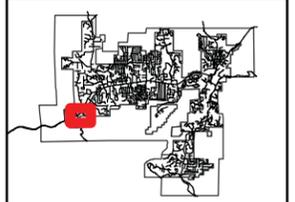
Vicinity Map

Parcel #  
408-11-430B  
Marriott  
Residence Inn

- Parcel #408-11-430B
- Zoning Boundary
- Building Footprint
- Parcel Boundary
- Trail
- Street Centerline



City Index



GIS, City of Sedona  
09/13/2016  
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This map is designed to provide information about Sedona, and has been prepared for general planning and informational purposes only. It is not necessarily accurate to engineering or surveying standards. Every effort has been made to make this map as complete and as accurate as possible; however, no warranty or fitness is implied.

The information is provided on an "as-is" basis. The City of Sedona shall have neither liability nor responsibility to any person or entity with respect to any loss or damages in connection with or arising from the information contained on this map.

# Aerial View

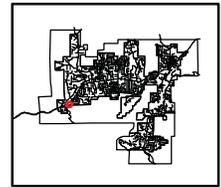
Parcel  
#408-11-430B  
Marriott  
Residence Inn

-  Parcel #408-11-430B
-  Parcel Boundary
-  Street Centerline



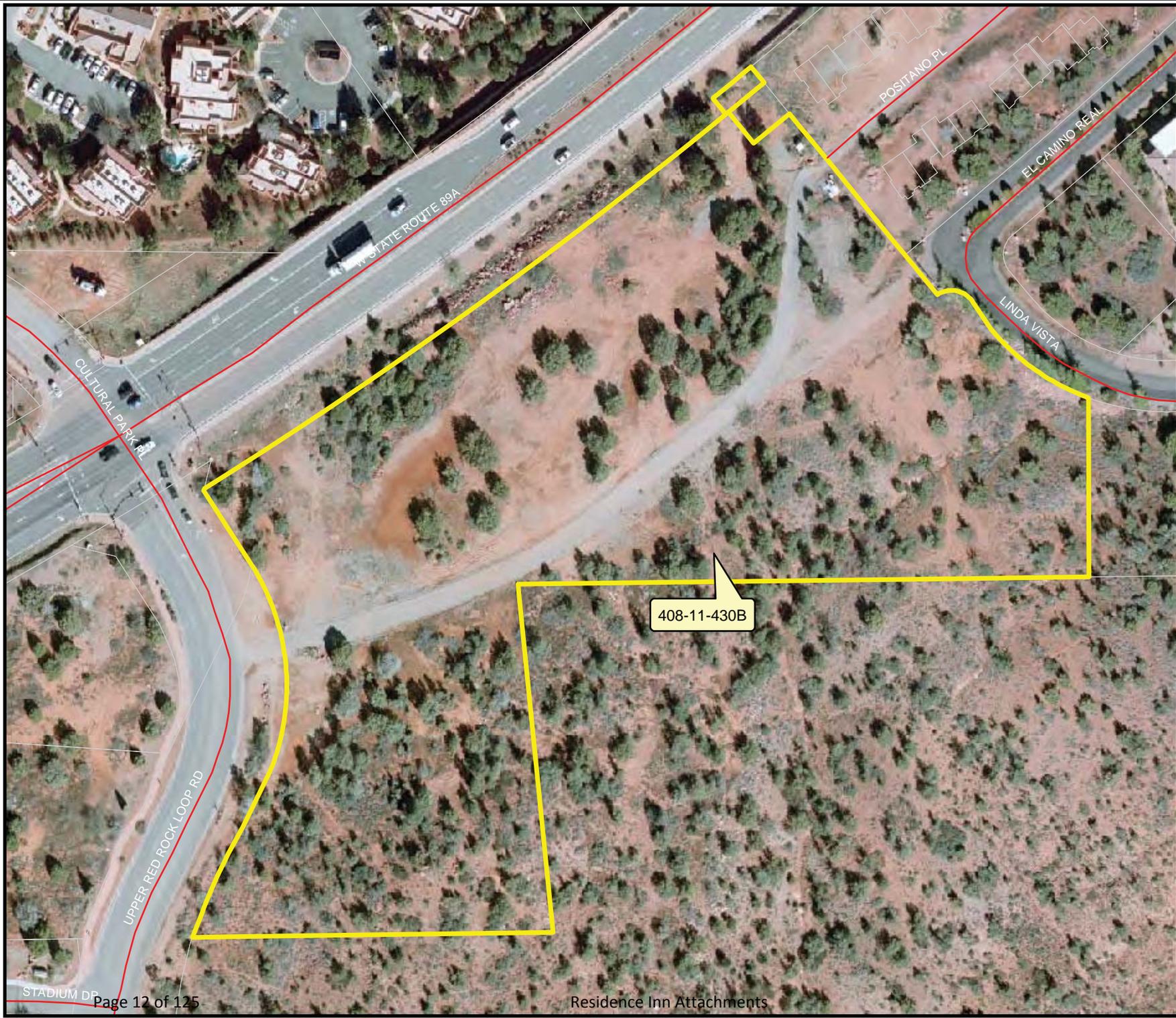
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City Index



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# Project Application



City Of Sedona  
 Community 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  
 Minor Community Plan Amendment

PROJECT CONTACT:	MARK FREDSTROM	Phone:	602-264-7500	App. #:	PZ16-00009 (ZC, DEV)
Address:	2929 E. CAMELSACK	Cell Phone:	602-292-5500	Date Rec'd:	
E-mail:	MARK@ARCHPLUSAZ.COM	Fax:	602-272-2992	Rec'd by:	
PROJECT NAME:	MARRIOTT RESIDENCE INN	Parcel #:	408-11-430B	Fee Pd:	
Project Address/Location:	89A + UPPER RED ROCK	Acres:	3.06	Zoning:	

4105 W State Route 89A

Project Description:	New 88 Room Marriott Residence Inn with 4 Employee Housing Units
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OWNER NAME:	SUNRIDGE HOTEL GROUP	APPLICANT NAME:	PAUL WELKER
Address:	7255 E. HAMPTON # 122	Company Name:	SUNRIDGE PROPERTIES
Phone:	480-854-1414	Address:	7255 E. HAMPTON AVE # 122
Cell Phone:		Phone:	480-854-1414
E-mail:	PAUL@SUNRIDGEPROPERTIES.COM	Cell Phone:	
		E-mail:	PAUL@SUNRIDGEPROPERTIES.COM
ARCHITECT/ENGINEER:	MARK FREDSTROM	AUTHORIZED AGENT/OTHER:	MARK FREDSTROM
Company Name:	ARCHITECTURE PLUS LTD.	Company Name:	ARCHITECTURE PLUS LTD
Address:	2929 E. CAMELSACK # 120	Address:	2929 E. CAMELSACK # 120
E-mail:	MARK@ARCHPLUSAZ.COM	E-mail:	MARK@ARCHPLUSAZ.COM
Phone:	602-264-7500	Phone:	602-264-7500
Cell Phone:	602-292-5500	Cell Phone:	602-292-5500
ID #/Exp. Date:			
City Business License #:			

## LETTER OF INTENT

### Sedona Marriott Residence Inn

#### ▪ SITE DESIGN

It is our intent to develop the remaining 3.06 acres at the SEC of Hwy. 89-A and Upper Red Rock Loop Road. This parcel was rezoned Lodging in 2015, and we are now nearing completion of the adjacent 4.3 acre parcel with the Sedona Marriott Courtyard Hotel. On the remaining portion of this site, we are proposing to build a different product—Marriott Residence Inn.

*Residence Inn is designed to accommodate different needs than a typical hotel, and does not currently exist in the Sedona market. It is designed for long-term stays (typically five nights or more). Rates are based on length of stay, the longer the stay, the lower the rate. Our target guests are:*

- 1) *Those who have been displaced from their homes due to disasters such as fire or flood.*
- 2) *People relocating who need a place to stay while waiting for a home to be ready.*
- 3) *Those who come for long-term work assignments but do not wish to rent an apartment.*
- 4) *Patients who are receiving treatment or medical care.*
- 5) *Those who wish to visit family members who are receiving medical care.*
- 6) *Leisure travelers who wish to stay in an area for an extended period of time while having the conveniences of home.*

*Residence Inn is different from a regular hotel in that the Suites are larger than a normal hotel room. We offer studios as well as one or two-bedroom suites for families. Each suite includes a full kitchen with refrigerator, cooking facilities, dishwasher, plates, utensils, pots and pans, and other items a guest would need. Other amenities include grocery shopping services, expanded laundry facilities, outdoor BBQ for grilling and a small market for supplies.*

*For convenience, it also offers some amenities that a regular hotel may not offer, such as free hot breakfast, free Wi-Fi, and evening socials. A Residence Inn bridges the gap between a normal hotel and an apartment, which generally requires a lease for a certain length of time. It is easier for people to who don't know how long they will be staying to check in and out, and it takes away the worry of trying to furnish an apartment, hook up utilities, cable, and internet. This is a niche that is not currently offered in Sedona.*

We propose setting our building on the southern portion of the site and aligning our parking with the Courtyard parking to the west. Although the Design Standards prefer buildings to be placed at the front and parking to the rear, we feel this site has compelling reasons to locate the building on the south side for the following reasons:

1. The City of Sedona Odor Treatment Facility at NEC emits unpleasant odors and has been a source of complaints to properties in close proximity.
2. Will allow direct easement and access for City to service its Odor Treatment Facility in NEC.
3. Severe topography to the south will allow the building profile to be hidden within the lower grade and would reduce the amount of grading.
4. Sewer, water, and electrical easements currently exist across the north portion of this parcel, as well as access to the sewer lift station.
5. Two points of emergency access need to be preserved from the residential properties to the east.
6. Positioning the building to south and wrapping around private outdoor space provides a more quiet environment for users.
7. Location to south provides views and distant vistas over forest land to south and east.
8. Proposed location provides continuity with existing adjacent Marriott product.
9. Building as proposed has less than half the street frontage of Courtyard facility to west.
10. Frontage of building (less than half of Marriott Courtyard) has been broken into three building components with pocket landscaped courtyards in-between. This will minimize visual impact from Hwy. 89-A.
11. Strong landscape and hardscape themes have been created along Hwy. 89-A with the Courtyard project to the west. We would like to maintain that theme along the frontage of this 3 acre parcel.
12. Locating building to the rear of site at the lower grade affects visibility.
13. Current and only access is from Hwy. 89-A and Upper Red Rock Loop Rd. by existing drive located on Marriott Courtyard site.
14. Staff, Planning and Council previously found this concept appropriate for our adjacent parcel, and we feel this remaining site has the same advantages.

A pedestrian link is proposed across the north parking lot to the walkway along Hwy. 89-A. Proposed Residence Inn will have 88 guest suites and four units available for live-in staff. Lot coverage for remaining parcel, including .77 acre open space, is 23.3%, with an FAR of 42.7%.

▪ **DRAINAGE**

Site currently drains from northeast to southwest. Grades are moderate at north end of site and southern portion has greatest slope. As was developed on our adjacent parcel to the west, we will continue the design of a depression paralleling Hwy. 89-A with a continuation of Gabion baskets.

Further investigation by our Civil will determine if and how much underground storage might be required for water detention. Detention inlets will contain storm water filtration systems in order to comply with APDES requirements. A minor wash flows to the west across the open space .77 acre parcel adjacent our site. We propose a rip-rap channel using on-site rock to divert this flow around the southeast border (see Site Plan). The proposed development will not create a negative impact on any of the surrounding properties, and existing offsite drainage patterns will be undisturbed. Storm water controls are proposed to filter storm water from the paved areas per AZPDES requirements.

▪ **BUILDING PLACEMENT**

As mentioned above, we have positioned the building to the rear of the site. Due to the fact that our access to the site is dictated by the adjacent parking configuration, our vehicular traffic access is already positioned along the north end of the site. Currently, our only access is through the Courtyard project to the west. Because of this and the emergency connections from the east, it would result in an extremely narrow building footprint. The primary entry needs to be seen from Hwy. 89-A and, with the support of a covered drop-off, would be difficult to handle incoming traffic. Should the building be placed to the north with parking to the south, guests would have to walk a good distance from where they park to access the front desk for check-in. As previously mentioned, the grade at the rear of the lot is more conducive to a less-prominent stepped building than a parking lot. We also feel strongly that the views to the south of forest land and red rock formations should benefit our suites which include private patios and second-story balconies. Sewer smells that intermittently come from the City of Sedona Odor Treatment Facility in the NEC will be less noticed by greater separation. When we previously met with the neighboring homeowners to the east, they favored not having to deal with excessive headlight issues at night, so the positioning of the building to the east will minimize traffic along our common property line. As noted previously, we will have a more quiet and private experience in this location. The vertical scale of the building, being 2-story and utilizing alternate standards to a height of 27', will feel less massive than if set further back on the site. Positioning building to south will accommodate vertical stepping of building masses and break up roof lines.

▪ **LINKAGE AND CIRCULATION**

Due to access points provided previously no additional vehicular entries are proposed at this time. Due to the same ownership of this property with the adjacent hotel to the west, we will have cross traffic as was dedicated along the common boundary by our previous approvals. The two adjacent access points to the east will remain gated and only be used for emergency access. We anticipate similar landscape, hardscape, and access for pedestrian flow similar to our adjacent development (see Site Plan for pedestrian pathway from Residence Inn to Hwy. 89-A). Fire access will be maintained between the two sites by use of a hammerhead at the SWC of the site (see Site Plan). Trash will be contained within an enclosure adjacent our lift station at the NEC of the site.

- We are in conversation with the Forest Service regarding access to the Skywalker Trail to the south. An entry point is anticipated in the SWC of our site and a possible kiosk at that connection.

▪ **PARKING**

Current codes call for one parking space for each sleeping room. With our proposed 88 units and 4 employee quarters, we have provided 92 spaces. However, because we have more than 60 rooms, an additional 10 spaces are provided. In addition, the hotel has a small meeting room which will require an additional 4 spaces. This brings us to a grand total of 106 spaces required and provided. Due to the common access, the neighboring site has an additional 3 spaces beyond requirement, so we feel the two properties combined will provide for all future needs.

▪ **EXTERIOR LIGHTING**

Consideration will be given to preserve the dark quality of the night sky. Night lighting shall be low intensity and shielded. Landscape lighting will consist of low-shielded pathway lighting provided

primarily for safety by illuminating sidewalks and pedestrian access ways. These fixtures will be low-voltage, downward-shielded, LED lights 22-26" high, finished in flat black and located in conjunction with shrubs to minimize their visibility. The luminaries will not be visible—only the illumination will be seen. Parking lot lights shall not exceed 12' in height.

In general, lighting shall conform to previously approved fixtures on adjacent Courtyard site. Cut sheets will be attached for all lighting fixtures.

▪ **SIGNAGE**

At the present time we anticipate a free-standing monument sign east of the primary entry off Hwy. 89-A. In addition, a surface-mounted sign will be located on the building (see Rendering), and an additional directional sign will be located in the parking lot (see Site Plan). Lighting, color, texture and readability will be coordinated with staff.

▪ **BUILDING EQUIPMENT & SERVICES**

All mechanical equipment will be screened by parapet and/or screen walls. Dumpster enclosure shall be constructed of masonry walls with solid gates and shall reflect the general character of the architecture. Developer will coordinate with utility suppliers for locations and method of screening service equipment. Electric car pedestals and hook-ups will be provided.

▪ **FENCES & WALLS**

Fences and walls will be designed to be compatible with surrounding landscape and architectural character of the Residence Inn. Suites facing national forest to south and open space to east will have private patios at ground level and balconies on 2<sup>nd</sup> floor. A view fence will be incorporated along Forest Service land similar to Courtyard design. Gabion baskets will continue along Hwy. 89-A to carry the theme created by the Courtyard project.

▪ **ARCHITECTURAL CHARACTER**

Our building is made up of 5 connected two-story components. Three of these wings parallel each other in a northeast to southwest orientation with exterior courtyards in between. The two remaining wings face east to the dedicated open space and south to the Forest Service. The lobby/arrival area is a 1-1/2 stories with a 2-story element behind and a porte-co-chere in front. The 2-story wings will have stairway structures at the end that become signature vertical elements and points of interest. The units within these wings are broken every 20-30 feet by offsets. In addition, enclosed patios and balconies will help break up vertical and horizontal wall surfaces. These buildings will provide vertical offsets of 15' moving from north to south across the site.

Primary building materials will be integral color stucco walls and flat concrete tile roofs. Stone accents are introduced for stair towers, wainscoting and fireplaces. Timber accents occur atop stair towers, entry canopy and building eaves. Pavers and/or colored stamped concrete will be used at entry and designated pedestrian paths. Doors and windows will be dual-pane bronze anodized aluminum.

With the nature of our building being primarily 2-story, it will necessitate the application of alternate standards. Two-story parapet walls shall not exceed 22' in height, and hip and gable roofs shall not

Letter of Intent

exceed 27' in height. Pitch roofs will be 3-1/2 x 12 pitch, and overall building height shall not exceed 40'. Building colors will be within the required LRV levels per Alternate Standard.

▪ **LANDSCAPE DESIGN**

The landscape design for this project will be based on the following design criteria:

**Functional Design Requirements**

- Providing screening/buffering for proposed buildings, parking areas and access ways.
- Providing foundation planting near buildings to soften the building massing and nestle the structure into the site.
- Mitigating the loss of existing trees resulting from implementation of Site Plan.
- Re-vegetation and mitigation of site grading and construction damage.
- Providing vegetative shade and cooling

**Aesthetic Design Requirements**

- Provide visual enhancement and beautification throughout the developed portion of the site throughout the yearly seasonal changes.
- Effectively water all landscape through the use of different irrigation zones with seasonal adjustment ability and settings that deliver minimum amounts of water needed for specific plants to thrive. Plants with similar water needs will be grouped together.

**Preservation of Existing Vegetation & Topographic Features**

The site contains a scattered mix of pinon, pines, and scrub oak occurring in low density. Much of the northern portion of the site was disturbed previously by creation of an access construction roadway and dumping of building materials and landscape debris over time. As soil conditions permit, efforts will be made to relocate trees to planters and landscape zones in and around the Residence Inn. As previously mentioned, the more active grades to the east and south that are not conducive to parking will be utilized to allow our building footprint to follow the contours and step down progressively from the east to the south (see finish floor levels on Site Plan).

**Plant Selection**

The plant selection for this project will consist of an appropriate mixture of evergreens and deciduous trees, shrubs and vines in a variety of sizes, shapes and colors, all of which will come from the Sedona Recommended Plant List. All plants, native or adaptive, are drought-tolerant, low-water-use plants that have equal minimum water requirements: 1.5 gal/hr every two days for 5 gal. shrubs, 2.5 gal/hr every two days for 15-gallon trees, and 4 gal/hr every two days for 24" box trees for the NATIVE AND ADAPTIVE PLANTS. There is no savings in irrigation water by utilizing more native plants than adaptive. Their minimum water-use requirements ARE THE SAME. All proposed plants will be served by an automatic underground irrigation system provided with a moisture-sensing device to deactivate the system when the soil has adequate moisture resulting from the rain or snow and supplemental irrigation water is not required.

### **Outdoor Spaces**

From the lobby and lounge, connections will be made to three primary outdoor areas. To the east of our lobby and dining area we have created an outdoor space for residents' use. An outdoor BBQ is located in this area along with tables and chairs, some hard surface patio, and generous landscape. A second outdoor area is planned on the opposite side of the lobby area. This area will also have seating and landscape and is planned as a more quiet area for reading or just relaxing. The primary outdoor area is the heart of the Residence Inn and is surrounded on four sides by structure for privacy. It will include a pool, spa, water feature, fire pit and BBQ area.

### ▪ **DEVELOPMENT STANDARDS**

Many of the topics mentioned previously address our desire to be in compliance with Article 9 of the Development Standards. Allow us to recap:

- Our building will conform to height standards restricted to 22', 27' and overall 40' height limitations.
- If this building were to be placed to the north, we would have a 27' high structure with no vertical steps.
- Allowing the building to step to the south and set back from Hwy. 89-A reduces the mass and adds greater interest by significant vertical breaks.
- All colors and textures will be within the LRV levels not to exceed 38% (Munsell 7).
- Primary building surface will be stucco with stone accents. Stained wood will be used at entry, stair, towers, and gable end roofs.
- Landscape and hardscape shall be provided consistent with our sister project to the west.
- Parking lot and planters will also follow along the lines of the Courtyard project. Colored curbs, textured paving and rock features shall be provided.

### ▪ **PUBLIC ART**

Developer will provide a contribution to 1809 Public Art Requirement with a money investment of .48 cents per square foot and will coordinate with Director of Community Development after consulting with the Arts and Culture Coordinator. Will seek input from the City and community on what Public Art will be best, as well as the theme to be established at the adjacent Courtyard Hotel.

### ▪ **ADDITIONAL AMENITIES**

- Pedestrian connection from SWC of site to Skywalker Trail.
- Hotel will provide electric car pedestals at convenient locations.
- Access provided to .77 acre open space to the east.
- Employee housing provided on site.
- Pedestrian linkage throughout both hotel sites, providing access to Bistro, bus stop and trailhead.
- Hotel shuttle van providing transportation to uptown shopping.

### PROJECT DATA

SITE AREA (DEVELOPED)	133,294 SF (3.06 AC)
OPEN SPACE (REZONED)	33,664 SF (.71 AC)
LOT COVERAGE	23.30%
F.A.R.	42.7%
MAX. HGT. ABOVE LMG	40'
<b>UNITS</b>	
GUESTS	88
EMPLOYEES	4
TOTAL	92
<b>UNIT BREAKDOWN</b>	
2-BEDROOM	4
1-BEDROOM	14
STUDIO	74
<b>PARKING REQUIRED</b>	
UNITS	92 SPACES
MEETING ROOM	4 SPACES
OVER 60 UNITS	10 SPACES
TOTAL REQUIRED	106 SPACES
PARKING PROVIDED	106 SPACES



**SITE PLAN**

SCALE  
1" = 30'-0"

SEDONA, ARIZONA

RESIDENCE INN by MARRIOTT

SUNRIDGE PROPERTIES

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2029 E. Camelback Road, Suite 120, Phoenix, AZ 85016 602-264-7900

Drawn By:	JKA
Date:	08-15-16
Checked:	16-03-000
Job No:	
Revised:	



*Residence Inn by Marriott*  
*Sunridge Properties    Sedona, Arizona*



## City Of Sedona Community Development Department

102 Roadrunner Drive Sedona, AZ 86336

(928) 282-1154 • Fax: (928) 204-7124

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### Current Planning Comments

Reviewer: Cari Meyer, Senior Planner

PZ16-00009 (ZC, DEV), Marriott Residence Inn, Conceptual Review

4105 State Route 89A, APN 408-11-130B

September 29, 2016

#### 1. Conceptual Review vs. Final Review Comment

- a) The information provided is sufficient for Conceptual Review. A more comprehensive submittal packet will be required for Final Review. While you may make changes to your application documents now, the following comments can be seen as advisory regarding what will be required for Final Review.

#### 2. Resubmittal for Final Review:

- a) Please ensure that all plans and supporting documents accurately reflect all comments (including those from other agencies) and changes.
- b) When resubmitting for Final Review, please provide all hard copies of plans on regular paper, not the glossy paper that was provided with the Conceptual Review Submittal. The glossy paper is very difficult to work with and hard to read.
- c) The site plan submitted for this review is cluttered and difficult to read as there seems to be too much information being provided on a single plan. Please ensure that the plans submitted for Final Review are clear, particularly ensuring that a distinction is made between property lines, contour lines, and building lines. If the plans are too difficult to read, you may be required to provide additional site plans and break up the information further.

3. **Western Gateway CFA Plan:** This property is within the Western Gateway CFA Area. This plan was recently adopted by the Sedona City Council and this application needs to demonstrate compliance with this plan. Please carefully review this plan and show how this project fits within the general recommendations in this plan as well as the specific recommendations for lodging in this location. This project needs to look particularly at pages 49 and 50 of the Western Gateway CFA Plan as well as the Design Guidelines for the entire area, which start on page 68 of the plan. Please see the Long Range Planning Comments for more detailed comments.

#### 4. Context Map and Perspectives:

- a) Please provide a context map, showing how this project fits into the surrounding areas. This should be shown by providing a zoomed out map, showing the other buildings and potential buildings in the area, including the Courtyard Project, the High School, Sedona Summit, Park Place Condominiums, and the Foothills South Subdivision.
- b) Please provide perspectives of the project as it would be seen when approaching the project site from both the north and the south along State Route 89A.

#### 5. Emergency Access:

- a) Currently, the neighboring subdivision (Park Place and Foothills South) have emergency egress through this property. Please indicate if it is possible for that emergency egress to go both ways to allow for better management of an emergency situation. This may require coordination with the neighboring subdivisions.

## 6. Letter of Intent (LOI)

- a) Please indicate whether the project site will be split off from the Courtyard project site. The review may change based on whether it is one or two properties. For example, sign requirements and lot coverage calculations could change if it is all one property.
- b) The LOI states that there will be a mix of studio, one-bedroom, and two-bedroom units. Please provide specifics for that mix – how many of each unit will there be?
- c) The LOI mentions sewer, water, and electrical easements along the north of the property. Please show these on the site plan.
- d) The LOI (and the Site Plan) only state lot coverage and FAR numbers. Please provide the total lot coverage and building area in square footage. By Staff's calculations, the lot coverage and FAR when the Open Space portion of the site is removed is 29.3% and 0.535, respectively. This may be allowed based on the inclusion of affordable housing in the project (SLDC 629.04.C & D) and based on compliance with the recommendations and standards in the Western Gateway CFA (Page 49, Development Guideline 7).
- e) The LOI mentions a potential trail connection at the south side of the property. Please elaborate on this item, providing additional detail on whether there will be any public access (or if it will be just for guests) as well as what type of information will be provided at the kiosk.

## 7. Land Development Code Development Standards (Article 9):

- a) Please carefully review the requirements for Commercial Development contained in the Land Development Code Article 9. Please ensure the plans submitted for Final Review contain sufficient information to allow Staff to review the proposal and evaluate compliance with all applicable sections. Based on the preliminary information provided, you should pay particular attention to the following sections:
  - i) 903.03.A: Overall building height. Based on the plans provided, it appears that this project will be getting close to all maximum heights. In order to review for compliance with height requirements, you must provide detailed information, including a roof plan with all ridge, eave, parapet, and chimney height elevations as well as the contour lines.
  - ii) 903.03.A.4.c: Please indicate the slope of all roofs.
  - iii) 903.03.A.6: This section requires that 20% of the building be no more than 16 feet in height. Please indicate where this is achieved.
  - iv) 903.03.F: Siting and Orientation of Multiple Buildings: A 10' offset or 10° rotation is required when buildings in the same development are facing the same street frontage.
  - v) 903.05: Retaining Walls: Based on the grades, it is assumed that retaining walls will be needed. Please ensure all retaining walls meet the code requirements.
  - vi) 905: Alternate Standards: Based on the preliminary drawings, alternate standards will be needed for this building. Please ensure that sufficient information is provided detailing the building's application of alternate standards. Please note when alternate standards are used, the maximum LRV is automatically reduced to 30%. The LOI mentions a maximum LRV of 38%.

## 8. Design Review Manual (DRM)

- a) For this project, both the City's Design Review Manual and the Design Guidelines in the Western Gateway CFA will be used for evaluation. However, where there are conflicts, the Western

Gateway Design Guidelines will take precedence. Please be sure to include sufficient information showing how this project addresses the recommendation of these two documents.

#### 9. Overall Site Plan:

- a) Given the statements in the Letter of Intent that the Bistro at Courtyard will be available for use by the public and the guests at Residence Inn, please provide the following direct pedestrian connections:
  - i) Between this project and Courtyard
  - ii) Between Park Place and this project
  - iii) Between Foothills South and this project

Provision of some of these connections may require cooperation with the neighboring subdivisions and HOAs.
- b) The gates for the lift station enclosure are shown opening into the drive aisle. Please modify this design so that the gates do not impact the drive aisle.
- c) Please specify the location of the proposed electric car chargers. Depending on their location, screening may be required. This could include walls or landscaping.
- d) Please ensure that the access to the City's Odor Treatment Facility meets the requirements of the Public Works Department and Wastewater Department.

#### 10. Parking (SLDC 912):

- a) Total parking provided: The calculated parking for the hotel rooms and meeting facility appears to be correct. However, the housing units have been provided parking at a rate of 1 space per unit. The City's Parking Requirements (SLDC Table 9-H) requires parking for studio units at 1.25 spaces per dwelling unit and for one-bedroom units at a rate of 2 spaces per dwelling unit. In addition, this section of the code requires one covered space per dwelling unit.
- b) Please state what the meeting room size is proposed to be to ensure parking is being provided at an adequate ratio.
- c) Covered parking: Please consider incorporating some covered parking into the proposed parking area (in addition to that required for the housing units). Covered parking is encouraged by the Design Review Manual and can be beneficial to your guests in both summer and winter, particularly for long-term guests. If incorporated, the covered parking should be designed to be architecturally compatible with the building.
- d) Parking lot design: Please consider reconfiguring the parking at the northwest corner of the site. By rotating the parking in this area 90 degrees, you could continue the center parking aisle and create an entrance driveway without any parking backing directly into the drive aisle. In addition, this could address some of the Fire District's concerns regarding emergency access/egress from the site.
- e) Parking lot landscaping: The parking lot peninsulas have been provided every 7 spaces, as required by the code. However, please evaluate whether they can be moved to save existing trees or to break up the parking lot so that it feels less uniform.

#### 11. Employee Housing Units:

- a) Please provide a larger floor plan for the 4 proposed employee housing units. In reviewing these units, Staff will be looking at the following items:

- i) Provision of an exterior door/entrance to allow the residents to access the apartments without going through the hotel.
- ii) Provision of adequate interior storage, as required by the CFA Plan.

b) Please ensure the housing provided complies with the City's Housing Policy.

12. **Open Space Portion of Property:** During the rezoning process for the Marriott Courtyard, the easternmost portion of the property was rezoned to OS (Open Space and Recreation). Use of that portion of the property is governed by the OS District in the Land Development Code (SLDC 627). The current site plan shows use of this property for a retaining wall and drainage work. Please provide more information on these uses, including the extent of the improvements and what, if any, trees, natural vegetation, and natural slopes will be impacted. This information will allow City Staff to make a determination as to whether the proposed use of that site falls within the allowed uses for the OS zone. Based on the preliminary information provided, it appears that, if permitted, these items would require a Conditional Use Permit (CUP). An application for a CUP may be added to this project and additional fees would be charged.

13. **Landscaping (SLDC 910):** While full landscaping plans are not required at this stage of review, the following are offered as general comments to address if the project moves forward.

- a) The landscaping section of the Letter of Intent appears to be copy and pasted from the LOI from the Courtyard project. While this is not necessarily incorrect, a number of changes were incorporated into that project in regards to the landscaping that are not adequately reflected by a straight copy and paste of this section and it is our understanding that this project will be using the same landscape schematic as the Courtyard ultimately ended up with. Specifically, please address the use of native plants/plant selection, the transplanting of trees salvaged from the site, and the use of natural elements including the red rock excavated from the site.
- b) Wherever possible, the landscaping plan should be adjusted to incorporate the existing trees. While transplanting is possible, it is preferred to leave the trees in the ground and work around them.
- c) Any landscaping in the ADOT or City of Sedona right-of-way will require a right-of-way permit. Please ensure that the plans you have meet the requirements of the applicable agency and could be approved.

#### 14. Signs

- a) The location of the monument sign appears to be off of the property. Please ensure the sign is located on the property.
- b) With the Courtyard project, one of the items that was discussed was moving the sign away from the intersection. This worked because there was an entrance on State Route 89A past the sign location. As there is no entrance to the hotel past the sign location, please consider moving the sign closer to the driveway entrance to ensure that guests approaching the hotel are able to see the sign with sufficient time to turn into the hotel property.
- c) The site plan shows a directional sign at the driveway entrance to this project. This sign should include directional information for both Residence Inn and Courtyard.

15. The following components are not required at this stage but will be required with the final submittal. Please refer to the cited code sections for requirements and contact Staff if you have questions regarding what is expected to be included in these plans.

- a) Landscaping Plan (SLDC 910)

b) Outdoor Lighting Plans (SLDC 911)

c) Master Sign Plan (SLDC 1104.01)

**16. Development Impact Fees:**

a) The following are current rates for Development Impact Fees. These rates are subject to change and the rates in place at the time of building permit submittal will be charged for this project.

i) Citywide Development Fees: \$3,054 per lodging unit and \$4,829 per apartment; total of \$288,068 for the proposed project.

ii) Sewer Capacity Fees: Please contact the Public Works Department to determine the sewer connection fees for this development.

iii) Storm Drainage Fees: This property is not in a drainage basin.

**17. Art in Public Places:**

a) This project will be required to participate in the Art in Public Places Program. Staff would encourage you to consider adding to the art installed at the corner of Upper Red Rock Loop Road and State Route 89A to satisfy the art requirement for this project. Potential ideas could include bronzes of animals other than coyotes that are found in the Sedona area.



## City Of Sedona Community Development Department

102 Roadrunner Drive Sedona, AZ 86336

(928) 282-1154 • Fax: (928) 204-7124

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### Long-range Planning Comments

Reviewer: Michael Raber, Senior Planner

PZ16-00009 (ZC, DEV), Marriott Residence Inn, Conceptual Review

4105 State Route 89A, APN 408-11-130B

October 3, 2016

### Sedona Community Plan

- The subject property lies within the “Commercial” designation in the Sedona Community Plan.
- The property also lies within the Lodging Area Limits in the Sedona Community Plan. New lodging development is supported within the “Commercial” land use designation if it is within the boundaries on the Lodging Area Limits maps (pages 28 and 29 of the Community Plan).
- The subject property is also within the Western Gateway Community Focus Area (CFA) and the boundaries of the Western Gateway CFA Plan. This Plan sets forth a vision for the future of this area, and is an addendum to the Community Plan.
- The CFA Plan, in addition to the Land Development Code, including the Design Review Manual, will be used as part of the review and approval process for new development proposals.
- Applicants of proposed development projects within the CFA Plan area must demonstrate “good faith intent” to comply with the CFA Plan.

This review is conceptual. The attached checklist will be used in the evaluation of the next review phase. The applicant should fill out this checklist and is expected to address all of the specific items on the list.

**For questions regarding the checklist and the Western Gateway CFA Plan, please contact:**

**Michael Raber, Senior Planner**

**City of Sedona**

**102 Roadrunner Drive**

**Sedona, AZ 86336**

**928-204-7106**

**mraber@SedonaAZ.gov**



## City of Sedona Public Works Department

102 Roadrunner Drive Sedona, AZ 86336

(928) 204-7111 • Fax: (928) 282-5348; Ryan Mortillaro, EIT (928) 203-5091

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**PZ16-00009 (DEV)**

**Marriott Residence Inn (Conceptual Review)**

**9/29/16**

### **Engineering Comments**

#### **For the next level of review:**

1. Please provide a trip generation report per City Code 14.10. If the proposed development results in 100 or more new trips, a traffic impact study will be required.
2. Please provide a preliminary drainage report.
3. Please provide preliminary grading and drainage plans.
4. Please provide an amended Geotechnical report that includes boring locations for the proposed development area.
5. Oil separator devices and documentation of proper maintenance shall be required for the proposed parking area.

#### ***Prior to Issuance of Building Permit:***

- For projects involving grading of more than 5,000 cubic yards, a haul plan, a dust control plan, a topsoil reutilization plan, a stormwater pollution prevention plan, and a traffic control plan shall be required. Each must be acceptable to and approved by the City Engineer. (LDC 806.2.I)
- Provide Final Grading and Drainage Plans. The Site Plan shall meet the requirements of LDC Section 803.
- Provide the Final Drainage Report.
- Applicant shall follow the City of Sedona Land Development Code in its entirety.
- Applicant shall provide a Storm Water Pollution Prevention Plan. SWPPP measures shall be in place prior to the start of construction (LDC Article 8). Storm water quality measures shall also comply with City of Sedona Code requirements (City Code Chapter 13.5)
- Accessible sidewalks and parking areas will need to meet the current US Dept. of Justice ADA requirements.
- Any new accessible parking/signage shall meet the requirements of City LDC Section 912.09.
- A City Right-of-Way Permit shall be acquired for any work taking place within City Rights-of-Way.



# SEDONA FIRE DISTRICT

2860 SOUTHWEST DRIVE · SEDONA, AZ 86336 · TEL: (928) 282-6800 · FAX: (928) 282-6857

Safe...Friendly...Dedicated

October 3, 2016

Ms. Cari Meyer  
Associate Planner, Current Planning  
City of Sedona Community Development  
City of Sedona  
104 Road Runner Drive  
Sedona, Arizona 86336

cmeyer@sedonaaz.gov

Dear Ms. Meyer:

A conceptual review has been completed for the project listed below.

<b>Description:</b>	Residence Inn by Marriott
<b>Address:</b>	4105 West State Route 89A, Sedona, Arizona 86336
<b>Case#:</b>	PZ16-00009 (ZC, DEV)
<b>APN:</b>	408-11-430B
<b>Proposal:</b>	92 Room Hotel

Based on the submitted information the following fire code requirements shall be applicable.

1. **Section 503.2:** Fire department access roadways shall be provided. Roadways shall meet the listed requirements:
  - A. Roadways shall be at least 20 feet wide.
  - B. Grades shall not exceed 6% for gravel, 12% for blacktop and 15% for concrete surfaces.
  - C. Overhead obstructions shall not be lower than 13 feet 6 inches.
  - D. Turning radii shall be no less than 20 feet inside, 40 outside.
  - E. Dead-ends longer than 150 feet shall be equipped with turn-a-rounds.
  - F. Bridges shall be designed to carry the imposed loads of fire apparatus.
  - G. Vehicles shall not park in a fashion to obstruct fire lanes. No parking signs shall be installed where parking presents such obstructions.

**NOTE:** Roadways for emergency access shall be made available through the site during the construction process. These requirements may be modified with the approval of the fire marshal when automatic fire sprinklers are provided in the buildings served by these roadways.

**Note:** Provide additional information on any modification to the emergency access from Foothills South and Park Place subdivisions. This shall include proposed fire lanes, gates, and road surface.

**Note:** The proposed access to this property is a single access through the Courtyard by Marriott. This layout will not be approved.

2. **Section 903.2:** All commercial buildings hereafter constructed shall be equipped with an approved automatic fire sprinkler system. Systems shall be installed in accordance with the National Fire Protection Association's pamphlet #13R, "**Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height**" the 2002 edition. Plans, specifications and hydraulic calculations shall be submitted to this office for review prior to installation. A framing inspection will not be conducted until a set of sprinkler plans is approved. **This installation requires a separate construction permit through this office.**
3. **Section 903.4:** All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electronically monitored where the number of sprinklers is one hundred or more in all other occupancies. If applicable, provide electronic monitoring of the water flow switch.
4. **Section 508.1:** An approved water supply capable of supplying the required fire-flow shall be provided. Fire hydrants shall be installed in accordance with the local water purveyor and as required by this office. Hydrants shall be situated on at least six-inch mains, eight-inch if dead-end.

**Note:** Required fire-flows shall be made available prior to any combustible construction materials being brought on site. Fire flow is based on the size and construction type of the proposed buildings.

Fire hydrants shall be installed as directed by this office. An approved water main shall be provided to support the required fire flow for this project. Fire flows are determined by Appendix B, Table B105.1, of the IFC, 2003 edition. **If these are private fire hydrants, not to be owned by Arizona Water Company, this installation will require a separate construction permit through this office.**

**Note:** If the size of the building is 60,000 square feet and the construction type of the building is Type V-B. Based on this information this project will require a minimum of three fire hydrants with average spacing of 400 feet and a maximum of 225 feet from the street. Reference IFC, Appendix B & C. Information on the size and type of construction has not been provided.

5. **Section 508.1:** Water mains and their appurtenances shall be installed in accordance with the National Fire Protection Association's pamphlet #24, "**Standard for the Installation of Private Fire Service Mains and Their Appurtenances**" the 2002 edition. Plans and

specifications shall be submitted for review and approval prior to any installation. **This installation requires a separate construction permit through this office.**

6. **Section 503.6:** Security gates shall be equipped with a Sedona Fire District key over-ride cylinder. This cylinder shall be keyed to the type presently employed by the Sedona Fire District. Operation of the key shall open the gates and the gates shall remain open until such time that the key is returned to its normal position. One clockwise turn shall open the gate. One counterclockwise turn shall return the gate to normal operation. Provide proper key cylinder. This cylinder is available for purchase through this office.

In addition to the key operation, a TOMAR (TOMAR Industries, <http://TOMAR.com>) optical sensor 2091-SD or similar, shall be installed. This sensor allows for emergency apparatus to enter the property having the gate automatically open upon the approach of emergency apparatus. The actuation of the gate is through a signal sent via the strobe lights on the emergency apparatus. The gate will remain open for as long as the signal is being transmitted by the emergency apparatus. Provide proper optical sensor.

A battery backup system shall be provided to open the gate one time upon a power failure. Provide proper battery backup.

7. **Section 506.1:** All buildings equipped with automatic fire sprinklers, fire alarms or commercial kitchen cooking fire suppression systems shall be provided with an approved KNOX key box. This box is available for online purchase through the Knox Company, <http://www.knoxbox.com/store/Knox-Box-3200-Series.cfm>. The minimum unit is a Knoxbox 3200 series.
8. **Section 304.3.3:** Dumpsters, larger than 1.5 cubic yard capacity, shall not be located within five feet of the nearest structure. Provide proper separation for dumpsters from buildings.
9. **Section 906.1:** All buildings shall be provided with UL listed or equivalent portable fire extinguishers. Fire extinguishers shall be installed in accordance with the National Fire Protection Association's pamphlet #10, "**Standard for Portable Fire Extinguishers**" the 1998 edition. The travel distance to any fire extinguisher shall not exceed 75 feet from any point in a building. Extinguishers shall be classified at least 2A10BC or greater, containing at least 5 pounds of dry chemical agent. Units shall be serviced and tagged by a reputable fire extinguisher company prior to the unit being displayed for use. Provide a unit near each exit on each floor.
10. **Section 505.1:** Premises-identification shall be clearly posted prior to final occupancy. Numbers shall be visible and legible from the street. Number colors shall be contrasting to their background. Provide proper address numbers.
11. A vegetation plan shall be submitted to this office. **FIREWISE** concepts shall be made as part of the vegetation plan. Provide proper plans for review.

**Note:** Access to the east side of the building shall be provided. This is adjacent to the open area. The intent is to provide access for suppression activities through this area.

12. **Section 907.1:** A fire alarm system shall be installed throughout this project. The system shall be installed in accordance with the National Fire Protection Association's pamphlet #72, **National Fire Alarm Code** the 2002 edition and Section 907 of the IFC, 2003 edition. Plans, specifications and battery calculations shall be provided to this office for review. **This installation requires a separate construction permit through this office.**
13. **Section 908.7, Carbon Monoxide Alarms:** Group R occupancies located in buildings containing a fuel-burning appliance or in a building which has an attached garage shall be equipped with single-station carbon monoxide alarms.
14. **Section 610.2:** Kitchen equipment, which produces grease-laden vapors, shall be protected in accordance with the National Fire Protection Association's pamphlet #96, **"Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations"** the 2004 edition and National Fire Protection Association's (NFPA) pamphlet #17A, **"Standard for Wet Chemical Extinguishing Systems"** the 2002 edition. Plans and specifications shall be submitted to this office for review and comment. A complete description of the equipment being protected and its intended location under the hood shall be provided. The fire alarm system, if provided, in this building shall accommodate for fire suppression system supervision. Provisions for fuel supply shut down devices for both gas and electricity shall be made. Provide plans for review. **This installation requires a separate construction permit through this office.**
15. **Section 1011.2, International Fire Code 2012 edition:** Floor-level exit signs shall be installed in Group R-1 occupancies.
16. **Section 611.1 Phone Service:**
  - Shared Residential Voice System Service:** Operators of shared System service serving residential customers are required to assure that the telecommunications system is connected to the public switched network such that calls to 9-1-1 result in one distinctive automatic Number Identification (ANI) and Automatic Location Identification (ALI) for each living unit.
  - Exception:** At all times, if the facility maintains an Alternative Method to Support Enhanced 9-1-1.
  - Business Voice Systems:** For Voice Systems connected to the public switched network and serving business locations of one employer, the Operator shall deliver the 9-1-1 call with an Emergency Location Identification Number (ELIN) which will result in one of the following:
    - a. An ERL which provides a minimum of the building and floor location of the caller, or

- b. An ability to direct response through an alternative and adequate means of signaling by the establishment of a private answering point, or
- c. A connection to a switchboard operator, attendant or a designated individual which provides for the establishment of Local Notification capability.

**Exceptions:**

- a. Workspace less than 7000 square feet and located on a single contiguous property is not required to provide more than one ERL.
- b. Key Telephone Systems are not required to provide more than one ERL.
- c. MTLS Operators with less than 49 stations installed and occupying not more than 40,000 square feet and located on a single contiguous property are not required to provide more than one ERL.

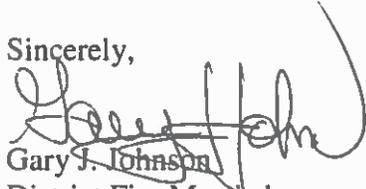
**Shared Telecommunications Services:** Providers of shared Telecommunications Services shall assure that the system is connected to the public switched network such that calls to 9-1-1 from any telephone result in Automatic Location identification for each respective ERL, as defined in this section, of each entity sharing the telecommunications services.

These comments shall not be meant to exclude any applicable requirements adopted by the Sedona Fire District or other regulatory agency. The adopted fire code is based on the 2003 edition of the *International Fire Code* with amendments as approved by the Arizona State Fire Marshal and the *International Fire Code*, 2012 edition as adopted by the Arizona State Fire Marshal.

**As of February 27, 2008 the Sedona Fire District adopted a fee for service schedule. Service fees include construction plan reviews.**

If you have any questions concerning these comments please feel free to contact me at (928) 204-8907 or gjohnson@sedonfire.org.

Sincerely,



Gary J. Johnson  
District Fire Marshal

C: City of Sedona  
Community Development

Mr. Mark Fredstrom  
Architecture Plus  
2929 East Camelback Road  
Suite 120  
Phoenix, AZ 85016  
Mark@Archplusaz.com

## Cari Meyer - RE: City of Sedona Development Application (Residence Inn)

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**From:** Nathan Reisner <NReisner@azdot.gov>  
**To:** Cari Meyer <CMeyer@sedonaaz.gov>  
**Date:** 9/8/2016 3:51 PM  
**Subject:** RE: City of Sedona Development Application (Residence Inn)  
**Cc:** Audree Juhlin <AJuhlin@sedonaaz.gov>, Warren Campbell <WCampbell@sedonaa...

---

Please have any applicant proposing any work in the ADOT right of way to contact the local District Office for ADOT requirements.

Nate Reisner, P.E.  
 Northcentral District Development Engineer  
 1801 S. Milton Road, Flagstaff AZ, 86001  
 928-779-7545




---

**From:** Cari Meyer [[CMeyer@sedonaaz.gov](mailto:CMeyer@sedonaaz.gov)]  
**Sent:** Thursday, September 08, 2016 3:02 PM  
**Cc:** Audree Juhlin; Warren Campbell  
**Subject:** City of Sedona Development Application (Residence Inn)

*\*\*\*I use the same distribution list for all new development projects. If the project(s) on this list are not in your county or area of service, do not feel obligated to respond, but feel free to contact me with any questions you have or clarifications you may need.\*\*\**

The City of Sedona Community Development Department has received the following development application and is requesting your review.

- PZ16-00009 (ZC, DEV) Marriott Residence Inn at 4105 W State Route 89A (APN 408-11-430B).**  
 The property is in *Yavapai County*. As a conceptual review, comments should focus on what will be expected in future stages of review and what issues the applicant will need to address in moving this project forward. The applicant is proposing to develop an 88 room Marriott Residence Inn with 4 employee housing units. This project would be on the vacant area of the site currently under construction as a Marriott Courtyard.

Please review the materials at the link below. There will be a review agency meeting for this project on **Tuesday, September 20, 2016, at 8:00 am** in the Schnebly Conference Room at the Community Development Department Office. Comments are due by **Thursday, September 29, 2016**.

Application materials can be found on the City's website at the following link:

<http://www.sedonaaz.gov/your-government/departments/community-development/development-services/current-projects>

If you are not the correct person in your agency to review these types of projects, please let me know so that I can update my mailing list and get these projects to the correct people to review them. Thank you for your time and please let me know if you have any questions.

Cari Meyer, Senior Planner  
City of Sedona Community Development

[\(928\) 203-5049](tel:(928)203-5049)

**Sedona City Hall is open for business Monday through Thursday from 7 a.m. to 6 p.m. and closed on Fridays. The Municipal Court and Wastewater system maintenance remain on a Monday through Friday, 8 a.m. to 5 p.m. schedule. Police and maintenance services are not impacted.**

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**Cari Meyer - RE: [EXTERNAL E-Mail] City of Sedona Development Application (Residence Inn)**

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**From:** <IFreeman@uesaz.com>  
**To:** <CMeyer@sedonaaz.gov>  
**Date:** 9/12/2016 8:33 AM  
**Subject:** RE: [EXTERNAL E-Mail] City of Sedona Development Application (Residence Inn)

---

UniSource has no conflicts with this project.

Thanks

Irene

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**From:** Cari Meyer [[CMeyer@sedonaaz.gov](mailto:CMeyer@sedonaaz.gov)]  
**Sent:** Thursday, September 08, 2016 3:02 PM  
**Cc:** Audree Juhlin <[AJuhlin@sedonaaz.gov](mailto:AJuhlin@sedonaaz.gov)>; Warren Campbell <[WCampbell@sedonaaz.gov](mailto:WCampbell@sedonaaz.gov)>  
**Subject:** [EXTERNAL E-Mail] City of Sedona Development Application (Residence Inn)

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**Cari Meyer - RE: City of Sedona Development Application (Residence Inn)**

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**From:** Robert Mumper <Robert.Mumper@yavapai.us>  
**To:** 'Cari Meyer' <CMeyer@sedonaaz.gov>  
**Date:** 9/20/2016 11:46 AM  
**Subject:** RE: City of Sedona Development Application (Residence Inn)  
**Cc:** Monica Kriner <Monica.Kriner@yavapai.us>

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Hi Cari,

Here are notes from Yavapai County Community Health Services:

Yavapai County Community Health Services (YCCHS) does not have any concerns with this project. Should the project move forward, plan submission and plan review approvals will be required for the hotel lodging as well as any proposed food service establishment (i.e. breakfast service, restaurant, etc...). Plan submission will also be required to Yavapai County Development Services (Environmental Unit) if a semi-public swimming pool or spa is constructed.

Please forward any questions, concerns or comments to Robert Mumper at [\(928\) 634-6891](tel:9286346891) or [robert.mumper@yavapai.us](mailto:robert.mumper@yavapai.us).

Thanks.

*Robert Mumper, RS*  
*Environmental Health Specialist III*  
*Yavapai County Community Health Services*  
[\(928\) 634-6891](tel:9286346891)

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**From:** Cari Meyer [[CMeyer@sedonaaz.gov](mailto:CMeyer@sedonaaz.gov)]  
**Sent:** Thursday, September 08, 2016 3:02 PM  
**Cc:** Audree Juhlin; Warren Campbell  
**Subject:** City of Sedona Development Application (Residence Inn)

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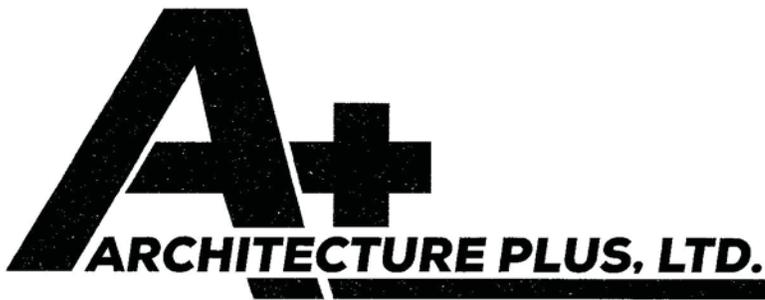
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Cari Meyer, Senior Planner  
City of Sedona Community Development

[\(928\) 203-5049](tel:9282035049)

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October 17, 2016

Cari Meyer, Senior Planner  
Community Development Department  
102 Roadrunner Drive  
Sedona, AZ 86336

RE: Follow-up on 9/29/16 Planning Comments

Dear Cari:

With respect to your planning comments last week, we are responding as follows:

**2. Resubmittal for Final Review:** All future documents will be submitted on non-gloss paper. I will simplify site plan by only showing 5' contour lines and remove backgrounds to make text clearer.

**3. Western Gateway CFA Plan:**

- Some additional points of compliance (Figure 1.22) identifies this parcel as appropriate for lodging as well as vested zoning previously granted.
- Residence Inn elevation facing 89A is broken into three building masses perpendicular to 89A with outdoor patio/ lounging areas within these enclosed courtyards. Remaining building wings are screened at rear and east and lowered to accommodate descending grades (see section Figure 1.26, page 55). Lowered building minimizes visual impact.
- We are in conversation with Adam at the Forest Service regarding future connection to the Skywalker Trail.
- A meeting has been scheduled for October 25 with neighboring parties. We will encourage access across this property to our Bistro next door at the Marriott Courtyard.
- Previously a single access point was established for this entire site with the intent of minimizing traffic on to 89A and creating additional landscape planting along roadway.
- Community transit has been previously addressed by our extended turn-in lane to accommodate bus service and we have also provided a shelter. Pedestrian access will be provided from Residence Inn to bus stop. In addition, Developer will provide transportation for guests to uptown and other destinations.

**4. Context Map and Perspectives:**

- A context map will be forthcoming.
- A colored perspective rendering is underway and will be shared with neighbors at October 25 meeting. We will make additional copies when complete for staff and P&Z.

**5. Emergency Access:** At this time we believe the emergency access to the east residential land is for their use only.

**6. Letter of Intent:**

- This property will be split into two parcels--the Courtyard to the west and proposed Residence Inn to the east.
- The mix of unit types is currently shown on the project data, upper corner of site plan.
- Lyon Engineering is currently preparing documents to show all utility and access easements.
- Lot coverage statistics for this parcel include the .77 acre open space parcel to the east.
- We anticipate public access to the trail system with limited shared parking.

**7. Land Development Code Development Standards (Article 9):**

- Elevations of all building sides will be provided showing natural grade and heights of ridgelines or parapets, whichever the case may be.
- We will be utilizing alternate standards per Section 905 of the Development Standards.

**8. Design Review Manual (DRM):** It is understood that the Western Gateway CFA takes precedence over the Design Guidelines. It is our intent to comply with both.

**9. Overall Site Plan:**

- Pedestrian connections will exist between Residence Inn and Marriott Courtyard. Additional connections will be created to residential to east, trail system to south and 89A to north.
- Gates at lift station have been installed on west side of enclosure. Equipment is placed in southern portion of this structure and would prohibit entry from that point.
- Locations for future electric car chargers will be determined when parking layout is finalized.
- Access to City's Odor Treatment Facility will be available.

**10. Parking (SLDC912):**

- The four units dedicated for employee housing differ only in that they have separate entries and will be seasonal at times. Since their units are the same as the Inn's, we feel the parking as allocated will be sufficient.
- The meeting Room for the Residence Inn is 525 sq. ft. Three additional spaces have been allocated. See site statistics.
- We do not foresee the need for covered parking at this time.
- Response to 9/29/16 Planning Comments

- Current parking north of the Inn provides for planters and landscape to parallel 89A and actually screens more of the parking.
- Current layout also provides all turning radii requested by Fire Department.
- Due to site retention and detention of water, we will need to provide underground pipes as was done on Courtyard site.
- Any trees that do not interrupt this grading will be preserved. All efforts will be made to salvage and relocate trees where possible.

**11. Employee Housing Units:**

- Staff living on site will have same accommodations as guests of the Inn, with the exception of separate exterior entrances.
- Residence Inn is designed for intermediate and long-term stays. All units contain full kitchens, closets and other required provisions.

**12. Open Space Portion of Property:**

- It is our intent to maintain the .77 acre parcel to the east as open space as currently exists. This area has been designated as a buffer to the residential community to the east.
- A seasonal wash currently crosses this property flowing in a westerly direction. As opposed to trying to pipe this flow under our building (which would increase the velocity of flow), we would propose a rip-rap depression utilizing rock on site and diverting the flow around the SEC of our building to where it currently outlets on our south property line (see Site Plan for location).

**13. Landscape (SLDC910):** At this schematic phase we are not yet submitting a plan. We do, however, want to maintain the level of work you have seen on the Courtyard project and will make every effort to exceed the standards called for in the Design Guidelines.

**14. Signs:** We will work with staff regarding design and location of all signs.

**16. Development Impact Fees:** Developer will pay respective fees during course of review.

**17. Art in Public Places:** Developer will work with staff to establish appropriate solution per Public Works Department request.

I realize these bullet points are brief and more conversation will follow, but we thought it wise to respond in short at this time. If you need additional exhibits or further clarification on some of these points, please give me a call.

Thanks for your help.



Mark Fredstrom, Architect

**End of Previous Agenda Item**

**Beginning of Next Agenda Item**



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**Meeting Dates:** November 1, 2016 Public Hearing, continuation  
October 13, 2016 Public Hearing, continuation  
October 4, 2016 Public Hearing  
September 29, 2016 Work Session

**Hearing Body:** Planning and Zoning Commission

**Action Requested:** Recommendation to City Council regarding the Draft Schnebly Community Focus Area Plan

**Staff Recommendation:** Recommend the Draft Plan to City Council

**Project Summary:** The Schnebly Community Focus Area (CFA) Plan addresses the neighborhoods along Schnebly Hill Road north of the roundabout at SR 179 and Schnebly Hill Road. Staff is requesting a recommendation from the Planning and Zoning Commission to City Council regarding the Draft Schnebly Community Focus Area Plan.

**Report Prepared By:** Cynthia Lovely, Senior Planner

**Attachments:** Exhibit A: Revised Draft Schnebly Community Focus Area Plan  
Exhibit B: Public Comments  
Exhibit C: September 29, 2016 Staff Report

---

## **BACKGROUND**

Please see Exhibit C, the Staff Report from September 29, 2016 for the background information which includes a description of the area and history of the project.

## **SUMMARY OF PROPOSED REVISIONS**

The Commission discussed the Draft Plan at the following meetings: October 13, 2016 Public Hearing continuation, October 4, 2016 Public Hearing, and the September 29, 2016 Work Session. The Draft Plan has been revised based on the Commission's input from at these meetings (see Exhibit A). The Revised Draft Plan shows additions in red, with notes regarding deletions. Grammatical corrections, and minor editorial changes that provide clarification are not shown in red. Below is a summary of the substantive changes to the Draft Plan.

Page 1, Cover: Revised vision statement to the following:

*This CFA is located within the Heart of Sedona, a pedestrian-friendly area focused on Oak Creek and Sedona's heritage. Future development and redevelopment is a mix of uses that preserves the Oak Creek riparian corridor, with natural hillsides, open fields, and a variety of modestly scaled buildings, thus sustaining the distinct historic context and character.*

Page 2, Table of Contents: The Proposed Oak Creek Heritage District was moved from Land Use Recommendations to Implementation at the end of the plan.

Note: As a result of moving this section, page numbers in the Revised Draft change beginning with page 20. Previous page numbers are shown below in italics.

Page 21, Pedestrian and Bicycle Network (*p. 24*)

Removed what was 2d: "Incorporate trail use parking into developments where appropriate." This was inconsistent with a change made to page 22 (see below).

Page 22 (*p. 25*)

Added the following to the first paragraph:

*Creek access for residents and visitors will be part of the pedestrian network, and not developed with vehicle parking as a destination in of itself.*

This addresses the concern that parking for trails or a creekwalk in the CFA would attract more visitors and thus more traffic into the area.

Page 25 Lodging – Proposed New Zone (*p. 20*)

Replaced the lodging density of "8 units/acre maximum" to the following:

- *Lodging Density: not to exceed double the established residential zoning density of the property*
  - *For example, if the property was zoned RS-10 which is a maximum of 4 houses per acre, the new zone would allow for a maximum of 8 units of lodging per acre.*
- *Lodging will be limited to no more than half the acreage of the CFA to ensure a mix of land uses.*

The revision still provides an incentive for property owners while limiting the total amount of lodging in the area. The incentive is intended to encourage a form of development that will achieve the CFA goals, such as clustered development that preserves open space.

Page 25, Commercial – Proposed New Zone (*p. 20*)

Under the proposed zoning district, commercial as a primary land use would be permitted at the southern end of Schnebly Hill Road. The revision extended the limit from 500 to 750 feet from the roundabout, and the revised statement now reads:

*To limit traffic impacts, commercial development should be located on Schnebly Hill Road within 750 feet of the roundabout.*

The limitation keeps this higher traffic activity from entering the core of the area, yet is also an incentive to develop or redevelop property in a manner that may better achieve the CFA goals than the current zoning. This CFA Plan and other planning efforts are designed to improve walkability, and commercial use in this area is intended to serve pedestrians already walking the shopping district as well as neighborhood residents and guests.

Page 26, Residential – Proposed New Zone (*p. 20*)

Single-Family Residential: changed the density from "maximum of 1 unit per acre; 1 acre minimum lot" to the following:

- *Density: not to exceed the established residential zoning density of the property*
- *The housing must be clustered in order to preserve areas of open space.*

Added the following under Multi-Family Residential:

- *Density: not to exceed established residential zoning density of the property*
- *Increased density may be considered when community benefits are included in the proposal, such as affordable housing.*

The following was removed: "To limit traffic impacts, multi-family housing must be located on Schnebly Hill Road within 500 feet of the roundabout." The revision is to allow for multi-family and affordable housing which is a significant need for the city.

Page 27, Development Guidelines – Proposed New Zone (p. 22)

To ensure that the Oak Creek creekwalk was specifically addressed, the statement was revised:

*Trails and pathways that connect across other properties are encouraged and will be publicly accessible, including the proposed Oak Creek creekwalk.*

## **SUMMARY**

The revisions to the Draft Plan address the Commission's suggestions and concerns raised at the previous three meetings. Unless there are any outstanding issues, the Commission may choose to recommend the Draft Plan to City Council. The planning process would then continue with City Council review of the Draft Plan and a public hearing that will offer the public an opportunity for input.



***Staff Recommendation***

Staff supports the November 1, 2016 Draft Plan with no further revisions being recommended by staff.

***Sample Motions for Commission Use***

Please note that the sample motions below are offered as samples only and that the Commission may make other motions as appropriate.

***Recommended Motion of Support***

I move to recommend to City Council the adoption of PZ16-00010(CFA), the Schnebly Community Focus Area Draft Plan of November 1, 2016 that may include grammatical corrections and minor editorial changes.

***Alternative Motion***

I move to not recommend PZ16-00010(CFA), the Schnebly Community Focus Area Draft Plan of November 1, 2016 to City Council.



11/1/16 Revised Draft

# Draft

## Schnebly Community Focus Area Plan

### CFA Vision

This CFA is located within the Heart of Sedona, a pedestrian-friendly area focused on Oak Creek and Sedona's heritage. Future development and redevelopment is a mix of uses that preserves the Oak Creek riparian corridor, with natural hillsides, open fields, and a variety of modestly scaled buildings, thus sustaining the distinct historic context and character.

*Revision: The Proposed Oak Creek Heritage District was moved from Land Use Recommendations to Implementation*

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### Acknowledgments

*Thank you to the Stakeholders Group, Staff, Commission, Council (details to be added in final draft)*

### Note:

References to existing conditions are as of 2016. Relevant sections of the Sedona Community Plan may be listed on each page.

## INTRODUCTION

This Community Focus Area (CFA) Plan is an addendum to the Sedona Community Plan and serves as a guide for future development of this area. The intent is to address issues that are specific to this geographic area in more detail than the City-wide Sedona Community Plan. This unique Sedona neighborhood is located across Oak Creek from the bustling tourist district of Uptown. Driving up Schnebly Hill Road from State Route 179, the shops and galleries are quickly left behind as you pass through a sparsely developed area that soon transitions to the National Forest. There are only 41 houses within this 91 acre area, most of which are hidden in the hills or set back from the road. Sedona's only RV Park is here, hidden in the trees along Oak Creek, with 84 camping sites. Visible above the trees is the glass spire of the Creative Life Center, a draw for visitors and residents to its seminars and programs.

This area is bound to see significant growth and change in the future as only 56% of the lots in this area have been developed. The area is currently zoned single-family residential, and future growth would result in far more houses than today, changing the area from its open, rural character to a typical residential area. The intent of this CFA Plan is to guide future growth in a manner that will retain the unique character of the area.

### Community Expectations

The Sedona Community Plan listed the following expectations for this CFA:

- *“Retain large parcels and rural character.*
- *Support agriculture as a key character element.*
- *Support non-residential uses (e.g., bed and breakfast, neighborhood cafe) if tied to the preservation of large land areas and generates less traffic than medium-density residential.*
- *Retain similarly affordable housing currently provided in existing mobile home/RV park.*
- *Protect riparian environment along Oak Creek.*
- *Evaluate potential for environmentally sensitive public creek access.*
- *Preserve historic resources (Gassaway House).”*

- Sedona Community Plan p. 45

### Existing Conditions

CFA Planning Area: 91 acres

Current Land Use:

- 75 lots, 44% of the lots are undeveloped
- 41 houses on 30 acres
- 1 office building, 1 religious institution, and 1 RV Park (84 sites)

Zoning:

- The majority of the CFA is either zoned RS-10b (40 acres) or RS-18b (44 acres):
  - RS-10b permits Single Family Residential with a minimum lot size of 10,000 square feet and a maximum of 4 dwelling units per acre
  - RS-18b permits Single Family Residential with a minimum lot size of 18,000 square feet and a maximum of 2 dwelling units per acre
- Other Zoning: Commercial (C-1): 2 lots; Transitional (T-12): 1 lot; Planned Residential Development (PRD): Red Rock Creek subdivision

Subdivisions:

- Red Rock Creek subdivision on Gassaway Place (The Gassaway House Historic Landmark and 9 undeveloped lots)
- The Gem subdivision on Quail Ridge Lane (8 lots, 1 undeveloped)

Streets:

- 1 public street (Schnebly Hill Road) maintained by the City of Sedona
- 4 private streets

Natural Resources:

- Oak Creek and its riparian area of large sycamore trees separates this area from Uptown
- Bear Wallow Canyon drains into Oak Creek, starting at the Mogollon Rim and running parallel to Schnebly Hill Road until entering Oak Creek next to the RV Park
- The north and east side of the CFA is characterized by steep hillsides and canyons

## History of the Area

Oak Creek was the original attraction for settlers to the Sedona area with its flow of water year-round. The first homesteaders settled along the creek in the 1880s with the new community forming at the base of the canyon. In 1902 “Sedona” was created when the community’s first post office was established. The core of the community was concentrated near the intersections of Ranger Road and Schnebly Hill Road where a bridge eventually crossed Oak Creek.

While this area grew into what is now known as Uptown Sedona with hotels, shops, and houses, the area along Schnebly Hill Road remained agricultural. The Farley family had the original homestead on the creek, and with their daughter’s marriage to W.C. Steele in 1924, the Farleys and Steeles owned most of the land along Schnebly Hill Road.

In the 1950s the land shifted away from agricultural as the Farleys and Steeles began to split and sell property. In 1952 Schnebly Hill Road was established officially as a county highway. It was in 1954 that the one platted subdivision built in the area was created (The Gem subdivision on Quail Ridge Dr.).

Development was not influenced by zoning until 1969, at which point most of the area was zoned residential by Coconino County. When the City of Sedona was incorporated in 1988, the residential zoning was carried forward. Despite the zoning and proximity to Uptown, development of the area has been minimal compared to the surrounding area.

### Highlights in the History of the Area

1896	Flagstaff residents petition for a new wagon road to Jerome (to become the Schnebly Hill Road)
1902	Schnebly Hill Road constructed
1907	Farley homestead patented on Oak Creek
1924	Minnie Farley marries W.C. Steele
1925	Farley cabin built (now City Historic Landmark)
c. 1927	Sedona and T.C. Schnebly House built
1930s	Steele cabins built (now in the Rancho Sedona RV Park)
1932	Farley house built (now City Historic Landmark)
c. 1937	Gassaway House constructed (now City Historic Landmark)
1950s	Schnebly Hill Road designated county highway, Steele Trailer Court established (now Rancho Sedona RV Park)
1954	The Gem subdivision platted (Quail Ridge neighborhood)
1969	Coconino County designates zoning of area as residential
1982	Church established at 333 Schnebly Hill Rd by the Aquarian Educational Group (site of Creative Life Center)
1988	City of Sedona incorporated
2000	Creative Life Center established

## Planning Area Boundary

The Community Plan established the general planning area for this CFA. The specific boundary (shown here in blue) encompasses 91 acres of private land north of the State Route 179 roundabout at Schnebly Hill Road and bounded by Oak Creek on the west and National Forest to the east.

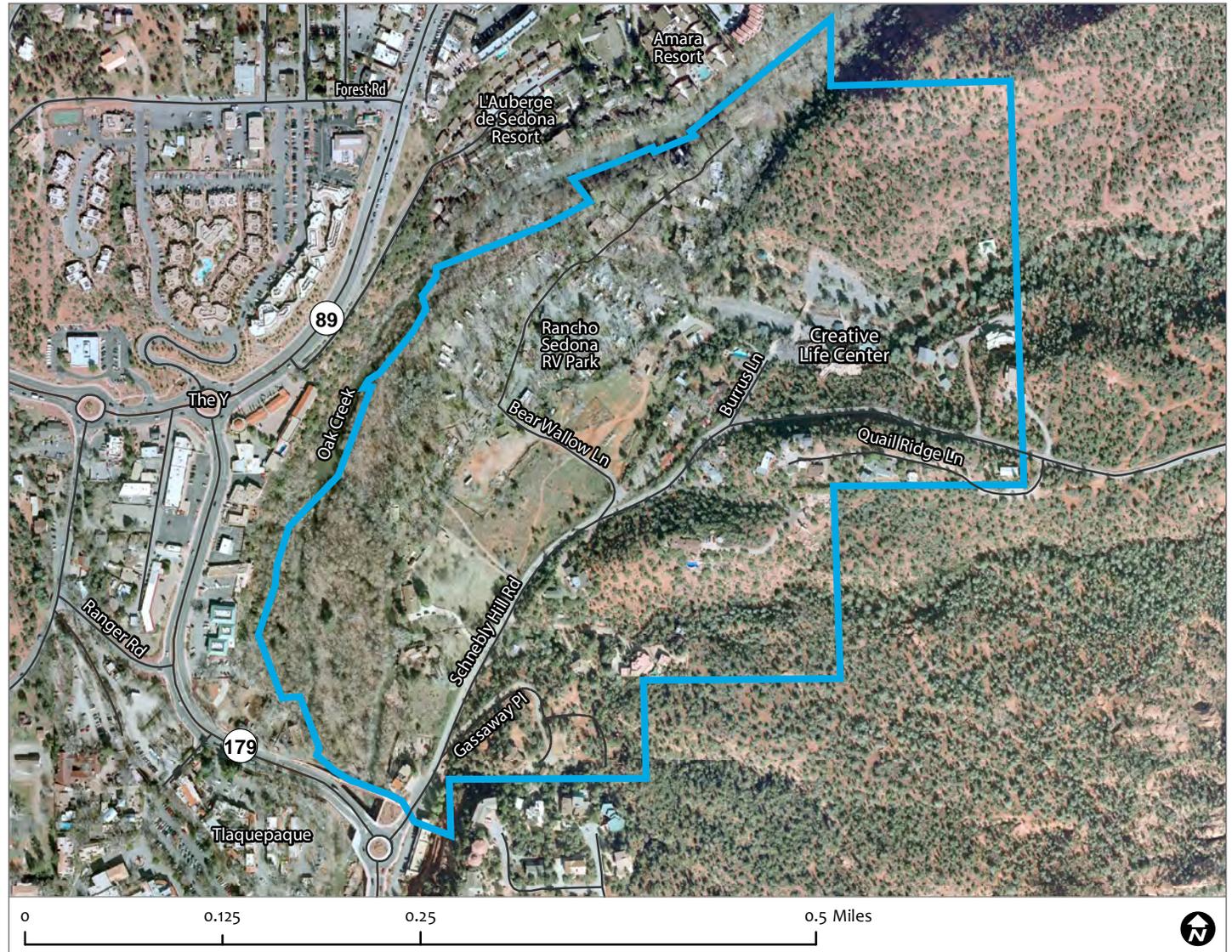


Figure 1. CFA Planning Area Boundary

## KEY ISSUES

### Character

The key issues for this CFA can be considered strengths and opportunities as well as limitations and constraints. The key issues, most of which are quite unique to this area include its character, Oak Creek, open space, traffic, walking and bicycling, and the potential for future development. The following (pages 6-11) will summarize those key issues.

#### Character

The unique character, identity, or “sense of place” that distinguish this area is the combination of features addressed throughout this plan: the presence of Oak Creek, open space, historic features, and the proximity to Uptown and the National Forest. The rural, agricultural nature of the area is characterized by the unpaved roads, remnant orchards and irrigation ditch, and large open lots. The area is also defined by a lack of features such as sidewalks, curb and gutters along the street, block walls, and stucco-sided buildings seen elsewhere in Sedona.

The open space of the undeveloped vacant land is one of the defining features of the area. Once agricultural farms and orchards, this open land now provides the pastoral setting and views seen from Schnebly Hill Road. This sense of open space could be retained as a positive feature of new development and not necessarily lost to future development.

One of the fundamental goals for this CFA is to ensure that its unique character is retained and enhanced as changes occur. Many of the recommendations in this plan are intended to provide incentives for future development that will cultivate the desired character.

Examples of the CFA's character:



Orchard trees



Gassaway Place Historic Landmark



Rural look of driveway and building



RV Park and sycamore trees

## KEY ISSUES:

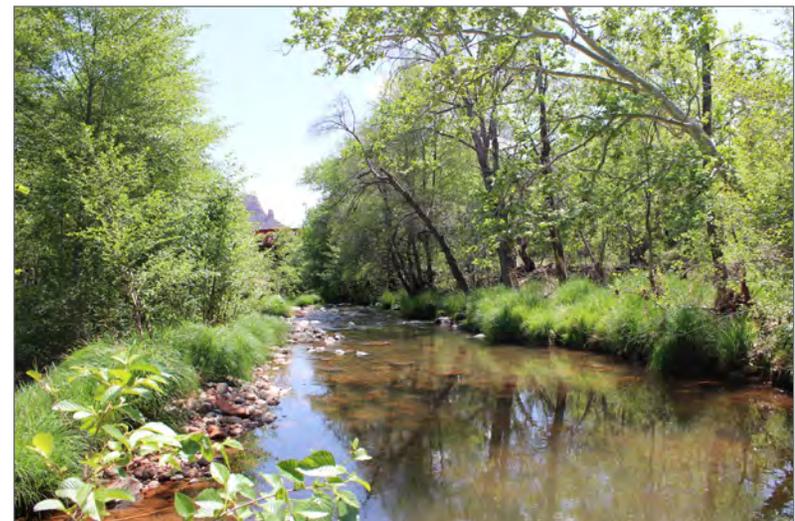
### Oak Creek

Oak Creek's riparian habitat of large Sycamore trees and lush plants are the prominent feature of this CFA. The creek is also a historic focal point of the City, as the original homesteads were located next to the creek, dependent on the water for homes, businesses, and agriculture.

Oak Creek is still a magnet for people that are drawn to the water, yet the creek is entirely on private land, prohibiting legal access by the public. People still access the creek, usually by crossing vacant land. This unmanaged access has led to some problems with trespassing, including trash and occasionally transient campsites and campfires.

The natural riparian habitat along the creek and tributary washes is important to accommodate flooding and to provide wildlife habitat. There is a higher diversity and density of plants found along the creek than seen in the surrounding arid uplands typical of Sedona. The original settlers may have thought of the creek as an oasis in the desert, and today it is still a treasured community asset.

Riparian:  
Areas located along a  
watercourse with distinct,  
water dependent habitat  
and plants.



Views of Oak Creek

## KEY ISSUES:

### Circulation

#### Traffic

The majority of traffic on Schnebly Hill Road is from tourists heading to the National Forest, a historic use that continues today. The road historically provided access to the higher elevations of the National Forest, but is no longer maintained to accommodate passenger vehicles. The pavement ends at the Huckaby Trailhead, a parking and picnic area that leads to multiple trails popular with hikers and mountain bikers. Due to the deteriorated condition of Schnebly Hill Road, traffic beyond the trailhead is now primarily off-road vehicles. Most of this traffic is due to the increased popularity of guided jeep tours, and more recently the introduction of off-highway rental vehicles, in addition to private vehicles. This traffic is due to the proximity of the National Forest from Uptown, and the fact that Schnebly Hill Road is one of only 4 roads within the City that leads directly into the backcountry.

Schnebly Hill Road was once a viable route to Flagstaff until the highway through Oak Creek Canyon was improved. There has been speculation about improving the Schnebly Hill Road to Interstate 17. Only a half-mile of the road is within the city limits, and the remainder is on the National Forest within Coconino County. Improving the road to acceptable transportation engineering standards would be costly, and neither the County or National Forest have indicated any interest in doing so. Improving the road is not compatible with the recommendations of this CFA as it could significantly increase traffic and alter the character of the area.

#### Note:

The City of Sedona is conducting a comprehensive study of circulation issues throughout the city in 2016-2017 which may result in recommendations that could affect this area.

See CFA Recommendations: Pedestrian and Bicycle Network pages 21-23

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#### Pedestrians and Bicycles

With the shops and restaurants of Uptown so close, it is only natural that residents and visitors would want to walk or bike to Uptown. Unfortunately for those walking and biking, there are no trails or sidewalks and Schnebly Hill Road is narrow with no shoulder and several blind curves that can make for a hazardous experience. There is one trail across private land that is used as a shortcut from the RV Park, but that does not go far until you are forced to share the road. Mountain bikes are also commonly seen on Schnebly Hill Road as they head to the National Forest trails.



Schnebly Hill Road where the pavement ends



Huckaby Trailhead

## KEY ISSUES:

### Development Potential

#### Existing Conditions: Built and Vacant Property

56% of the lots in this CFA are built with at least one or more buildings (shown in gray in Figure 2). Most of these lots could be considered underdeveloped, because current zoning allows for a higher density of development than what exists.

The core of this CFA (the land between Schnebly Hill Road and Oak Creek) is currently zoned RS-10b Single Family Residential which allows for minimum size lots of 10,000 sq. ft., and a maximum of 4 units per acre. Much of the remainder of the CFA is zoned RS-18b, which allows a minimum lot size of 18,000 sq. ft. and a maximum of 2 units per acre.

Some of the lots do have limitations such as the Oak Creek floodway and steep hillsides which present challenges to development. Despite the limitations, there is a considerable amount of property that could be developed or redeveloped at a significantly higher density under current zoning.

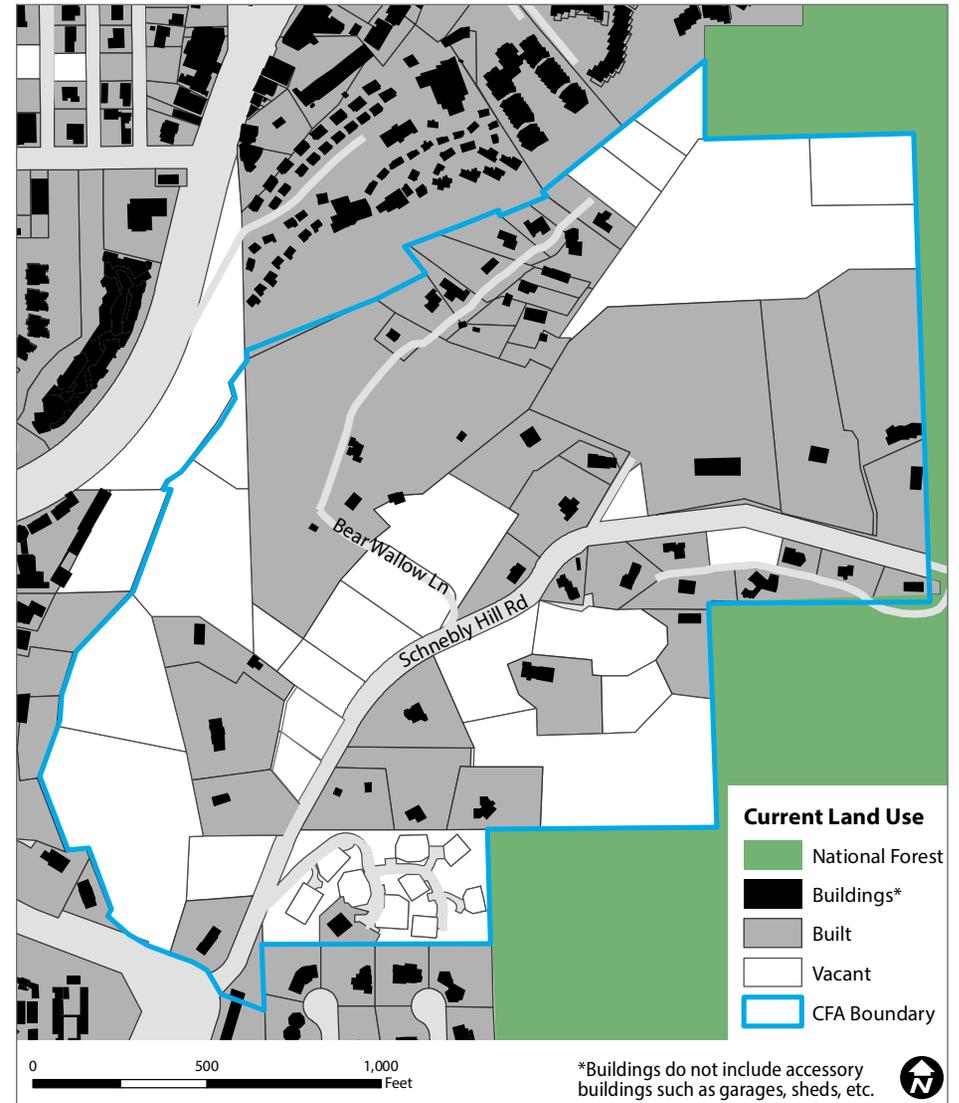


Figure 2. Current Land Use: Built and Vacant Lots

**Comparison of Lot Sizes**

Figure 3

- Current lot boundaries are outlined in Figure 3
- The minimum lot sizes under current zoning is either 10,000 sq. ft. (RS-10b) or 18,000 sq. ft. (RS-18b) - see examples to the right
- Future development could subdivide larger lots to the minimum lot size to accommodate more units

**Potential Development Scenarios**

Figure 4 (following page)

To provide an alternative to existing zoning, this CFA Plan proposes a new zone: the Oak Creek Heritage District (see page 25). Figure 5 on the following page illustrates what future development may look like under existing zoning (Scenario 1) and the new zoning (Scenario 2).

The new zoning district would allow for lodging and camping which could serve a different niche that would diversify the City’s lodging inventory with camping and small, intimate options such as cottages and cabins. Although outside of the Lodging Area Limits designated in the Community Plan, allowing lodging in this area as an alternative to residential could be an incentive for development that is consistent with the desired character of the CFA.

Figure 3.  
Comparison of Lot Sizes  
The examples shown on the map are representative of the minimum lot sizes for either RS-10b or RS-18b zoning.

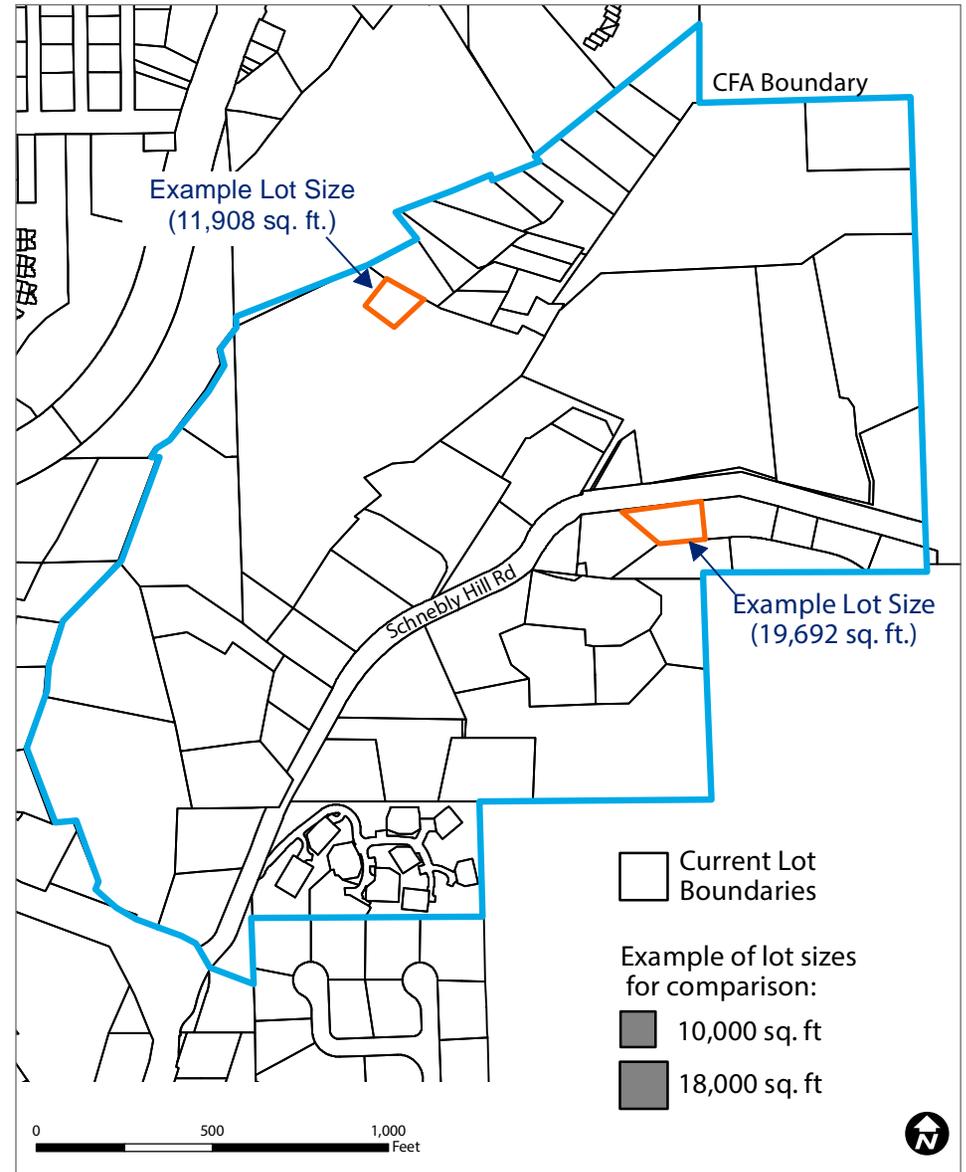
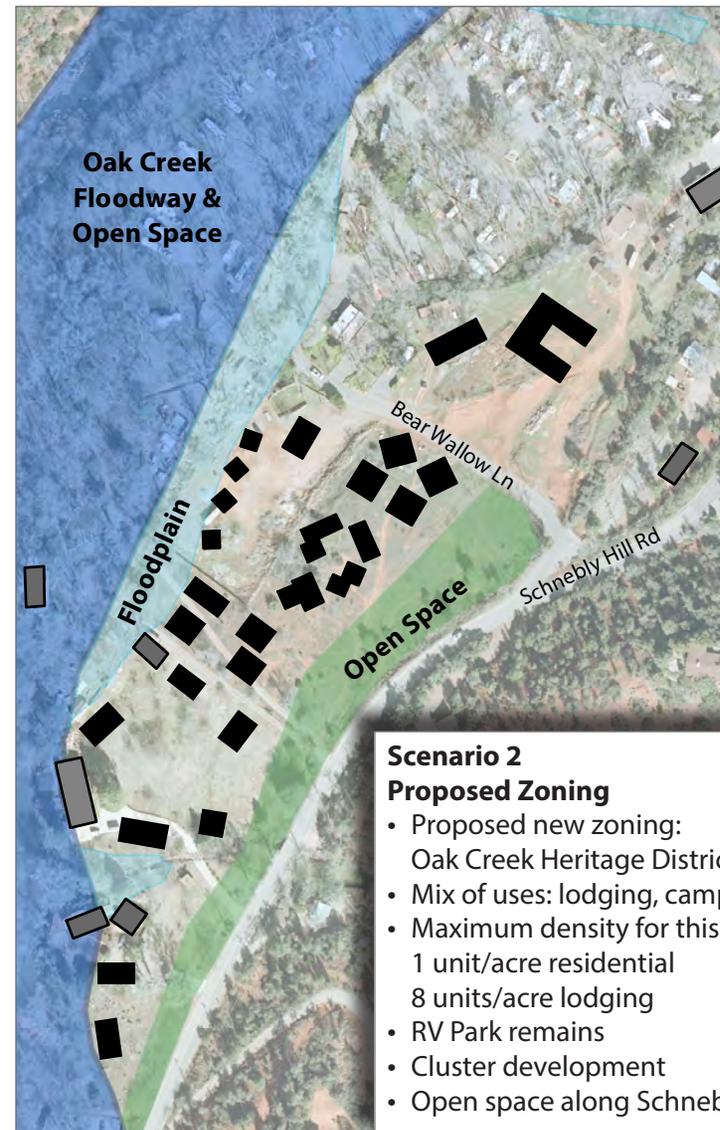
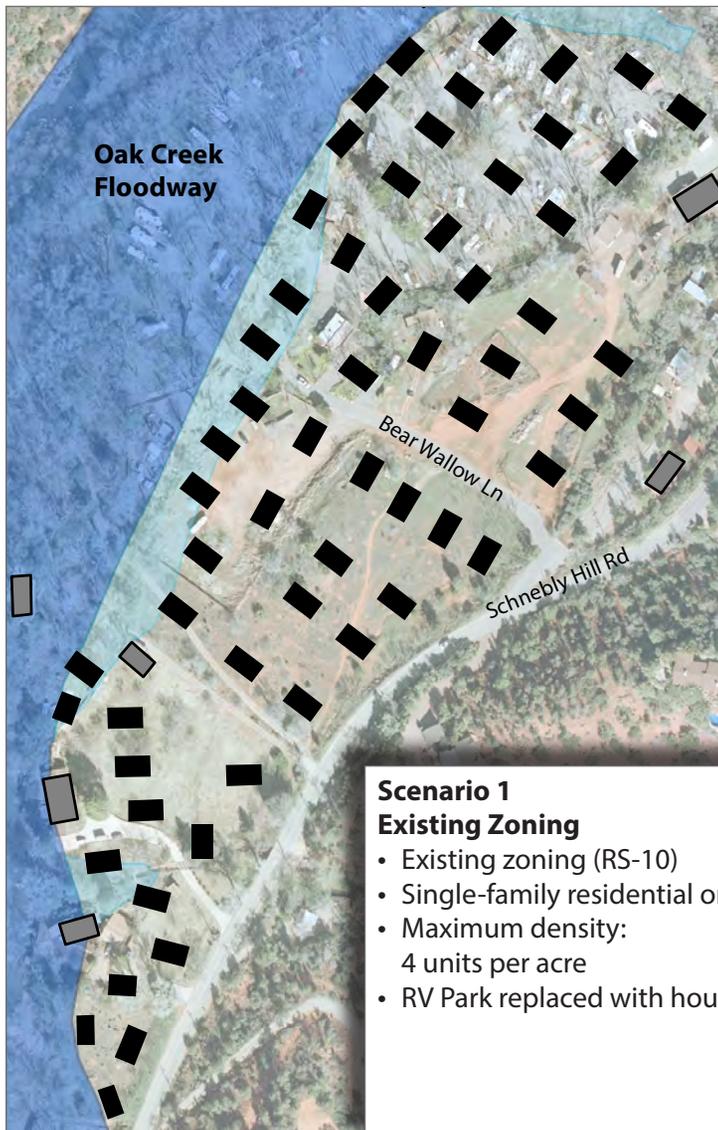


Figure 4. Comparison of Potential Development Scenarios



## RECOMMENDATIONS

The Recommendations section of this CFA Plan includes goals, objectives, and strategies. The Sedona Community Plan is the guiding document for the CFA Plan, with the goals of this plan taken from the Community Plan. The CFA objectives are statements describing the desired future of the area. The strategies (listed on the following pages) describe methods that will lead to achieving the goals and objectives. Two chapters of the Community Plan are not listed below ("Parks, Recreation, and Open Space" and "Economic Development") however those topics are covered by the other categories as shown in the summary below.

ENVIRONMENT	LAND USE	COMMUNITY	CIRCULATION
<p><b>Community Plan Goals</b></p> <ul style="list-style-type: none"> <li>• Protect Oak Creek and its riparian habitat.</li> <li>• Reduce the impacts of flooding and erosion on the community and environment.</li> <li>• Protect and preserve natural open space.</li> </ul>	<p><b>Community Plan Goals</b></p> <ul style="list-style-type: none"> <li>• Reflect a unique sense of place in architecture and design.</li> <li>• Ensure harmony between the built and natural environments.</li> <li>• Create mixed use, walkable districts.</li> </ul>	<p><b>Community Plan Goals</b></p> <ul style="list-style-type: none"> <li>• Preserve and celebrate the community’s history.</li> </ul>	<p><b>Community Plan Goals</b></p> <ul style="list-style-type: none"> <li>• Reduce dependency on single-occupancy vehicles.</li> <li>• Create a more walkable and bike-able community.</li> </ul>
<p><b>CFA Objectives</b></p> <ul style="list-style-type: none"> <li>• Oak Creek is permanently protected in its natural state as a vital resource for the natural environment, community, and region.</li> <li>• Open space is a defining feature of the area, and preserved for its natural resource and scenic values.</li> </ul> <p>➤ See page 13-15</p>	<p><b>CFA Objective</b></p> <ul style="list-style-type: none"> <li>• A distinct identity unique to the area which reflects its rural, agricultural, and historical qualities.</li> </ul> <p>➤ See page 16-19</p>	<p><b>CFA Objective</b></p> <ul style="list-style-type: none"> <li>• The historic values that contribute to the character of the area are protected and interpreted.</li> </ul> <p>➤ See page 20</p>	<p><b>CFA Objective</b></p> <ul style="list-style-type: none"> <li>• A system of trails that connects residents and visitors to destinations within the neighborhood and to Uptown that is safe and convenient for walking and bicycling.</li> </ul> <p>➤ See page 21-23</p>

# ENVIRONMENT RECOMMENDATIONS

## Protection of Oak Creek

### Community Plan Goal:

- *Protect Oak Creek and its riparian habitat*
- *Reduce the impacts of flooding and erosion on the community and environment.*

### CFA Objective:

Oak Creek is permanently protected in its natural state as a vital resource for the natural environment, community, and region.

### Strategies:

1. Maintain the Oak Creek floodway in a natural state, with only minor improvements within the riparian corridor, such as trails, parks, or temporary structures such as yurts.
2. Permanently protect the Oak Creek corridor through land preservation measures.
  - a. Property owners can partner with a public or non-profit organization to establish conservation easements on the property to ensure permanent protection.
  - b. Land could be donated to or acquired by a public or non-profit organization.
3. Drainages flowing into Oak Creek should be retained unaltered, as linear corridors of natural open space.

**Floodway:**  
The channel and overbank areas that carry the deeper, faster moving water during a flood.  
**Floodplain:**  
Land adjacent to the creek that is subject to flooding.

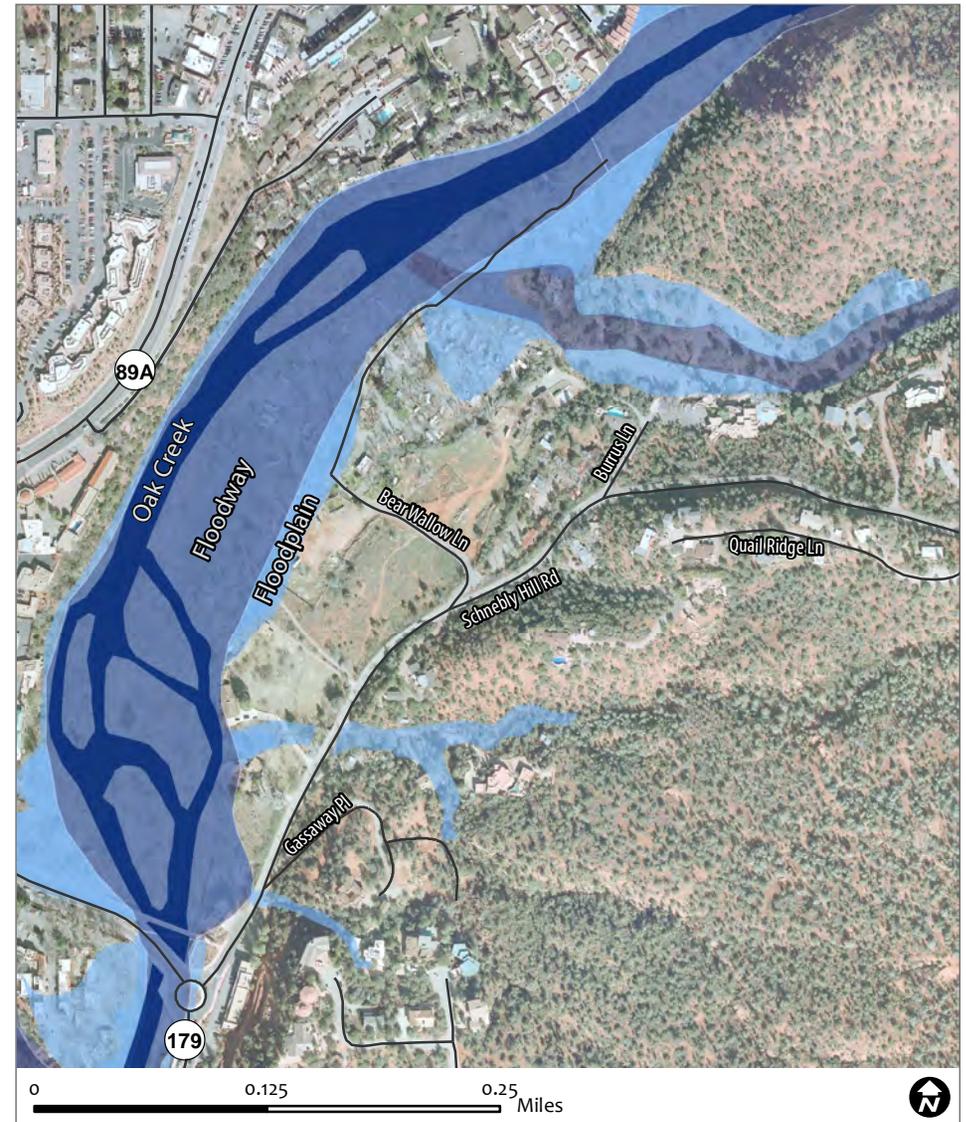


Figure 5. Oak Creek Flood Zones

## Preservation of Open Space

### Community Plan Goal:

*Protect and preserve natural open space.*

### CFA Objective:

Open space is a defining feature of the area, protected for its natural resource and scenic values.

### Strategies:

1. A corridor of undeveloped open space along Schnebly Hill Road should be preserved as open space or a linear park or greenway and may include a trail, orchards, or gardens.
2. Scenic views from Uptown and Highway 89 should be preserved by limiting development on visible hillsides.
  - See Figure 7 on the following page.
3. Oak Creek and its associated floodway shall be preserved as the spine of an open space system linked to corridors of open space along tributary drainages.
4. To enable the preservation of the Oak Creek floodway, open space, and hillsides, flexibility in site design standards will be considered.

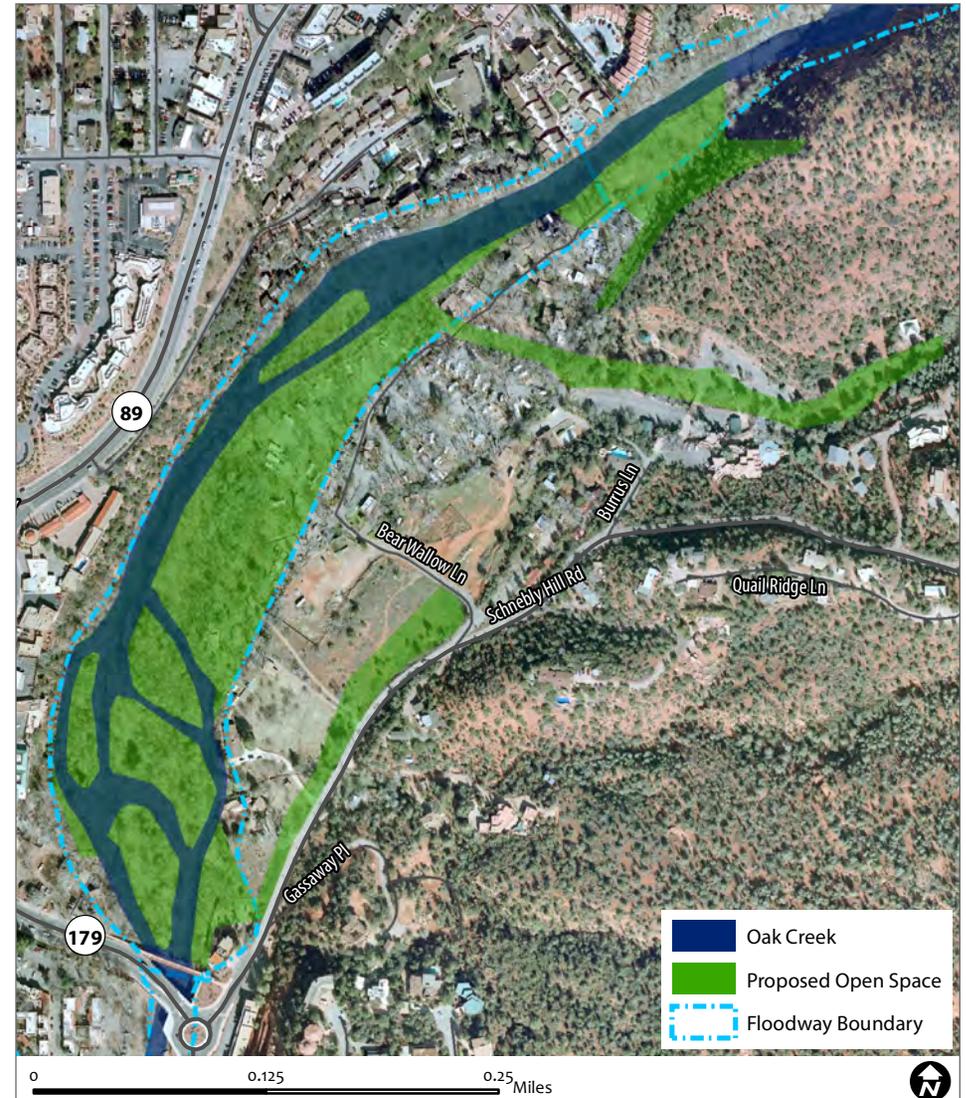


Figure 6. Proposed Open Space



Figure 7. Viewshed from Highway 89 in Uptown  
 The Schnebly CFA makes up the foreground of this scenic view from above S.R. 89A in Uptown. New development within the CFA should be sensitive to the high visibility of this area.

## LAND USE RECOMMENDATIONS

### Sense of Place

#### Community Plan Goals:

- *Reflect a unique sense of place in architecture and design.*
- *Ensure harmony between the built and natural environments.*
- *Create mixed use, walkable districts.*

#### CFA Objective:

A distinct identity unique to the area which reflects its rural, agricultural, and historical qualities.

#### Strategies:

1. The design of new development shall be of a style and scale that reflects the desired character and identity unique to this area.
  - See the Development and Design Guidelines on pages 17-19 for examples of the desired character.
2. Cluster development in order to preserve open space, hillsides, and floodplains.
  - a. This approach can be applied to all land uses.
  - b. Open space that is contiguous with the open space on adjacent properties is preferred.
3. Establish the Oak Creek Heritage District to enable new development to meet the goals and objectives of this plan.
  - See Implementation, pages 25-27 for a description of the proposed district.

➤ See Recommendations: Protection of Oak Creek page 13; and Preservation of Open Space page 14

Examples of the rural, agricultural, and historic qualities of the area:

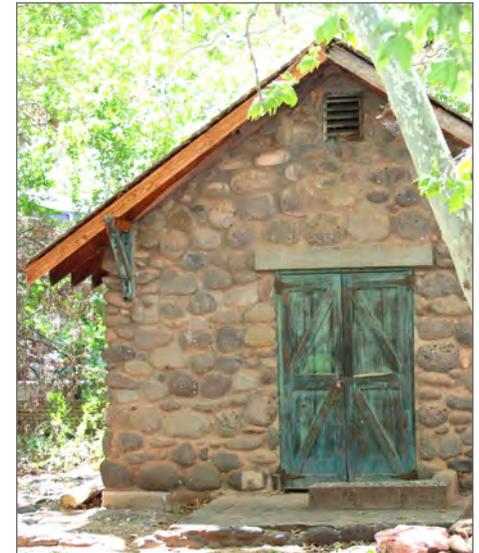
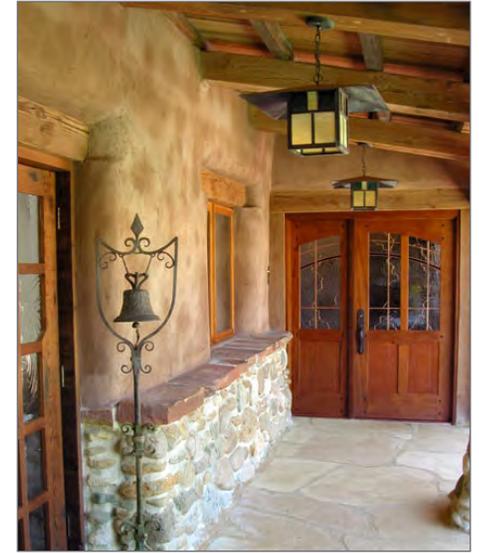


## Development and Design Guidelines

The following illustrates the desired character of the area with representative design features. The following Design Guidelines are applicable to development projects within this CFA. In the case of conflicts with other guidelines or regulations, the developer shall consult with City Staff to determine which is most applicable and appropriate for the project.

### Building Style and Materials

Use of natural materials representative of the local environment for an authentic appearance that blends with the landscape and neighborhood.



**Development and Design Guidelines, continued**

**Landscaping**

- Use of native or drought tolerant plants appropriate to the setting which may be riparian along the creek, historic orchard trees, or native uplands.
- Preserve and integrate natural features as part of the landscaping.

**Screening & Fencing**

- Buildings and other improvements should be screened from the road with appropriate vegetation, fencing, or other methods.
- Land uses other than residential shall be screened from adjacent houses.
- Fencing of open space areas should allow for open views.
- Fencing and screening materials should fit with the character of the area.

**Streets & Parking**

- Streets, driveways, parking lots, and walkways should be surfaced with gravel or permeable pavers
- Permeable surfacing allows for water infiltration and creates a less urban, more rural look.



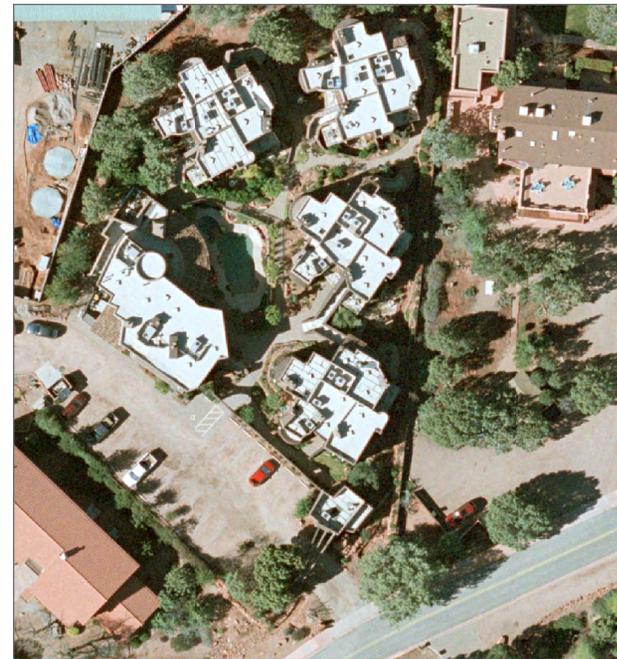
## Development and Design Guidelines, continued

### Site Layout

- Cluster buildings to preserve open space
- Multiple smaller buildings are preferable to one large building.
- Multiple buildings may form a courtyard or common space.
- Building placement appears scattered and at an angle, not lined up.
- Other land uses should be designed to have a residential appearance that will blend with the neighborhood.



Example of a 12 unit development on less than two acres. The four buildings are clustered together leaving an open space buffer along the road.



Example of a 15 unit development on one acre, with five buildings at an angle and not visible from the road.

## COMMUNITY RECOMMENDATIONS

### Historic Preservation

#### Community Plan Goal:

*Preserve and celebrate the community's history.*

#### CFA Objective:

The historic values that contribute to the character of the area are protected and interpreted.

#### Strategies:

1. Support the adaptive reuse of historic buildings in order to preserve and maintain the historic integrity of the buildings.
2. Provide educational information to the public about the significance of historic features.
  - a. Interpretive signs or other media should be accessible to the public, such as along a trail.
3. Recognize and protect historic resources, such as the historic irrigation ditch (west of Schnebly Hill Road).
  - a. Determine the history and significance of historic features and include in the City's inventory of historic sites (Sedona Historic Resource Survey).
  - b. Designating the land to each side of the ditch as open space will protect its historic integrity.
  - c. Placing a trail along the alignment of the ditch can provide for public use and interpretive opportunities of this and other historic features.

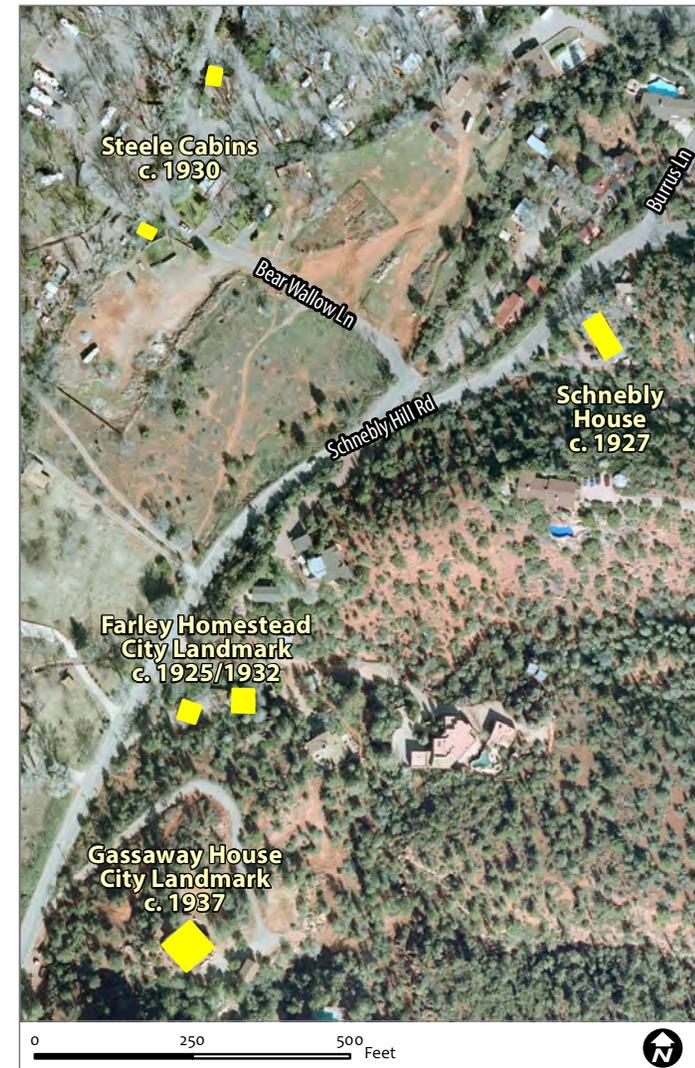


Figure 8. Historic Sites

## CIRCULATION RECOMMENDATIONS

### Pedestrian & Bicycle Network

#### Community Plan Goal:

- Reduce dependency on single-occupancy vehicles.
- Create a more walkable and bike-able community.

#### CFA Objective:

A system of trails that connects residents and visitors to destinations within the neighborhood and to Uptown that is safe and convenient for walking and bicycling.

#### Strategies:

1. Provide a non-motorized alternative to Schnebly Hill Road with a pedestrian and bicycle trail.
  - a. The trail should be set back from the road to improve the safety and experience wherever possible.
  - b. To enable complete connectivity, the trail should provide a connection from the SR 179 roundabout to the Huckaby Trailhead and National Forest trails.
2. Develop a network of trails throughout the CFA to encourage walking and bicycling and reduce vehicular traffic.
  - a. Establish access easements across private property to ensure future accessibility.
  - b. Consider connections to National Forest trails where feasible, in partnership with the Coconino National Forest and landowners.
  - c. Consider trail alignments that may also serve as open space corridors, such as along drainages and irrigation ditches.

*Revision: removed 2d: "Incorporate trail use parking into developments where appropriate" (inconsistent with #3 on following page).*



Trail from Schnebly Hill Road to the RV Park

➤ See page 23 for a map of the "Potential Pedestrian and Bicycle Network"

### Pedestrian & Bicycle Network continued: Creekwalk along Oak Creek

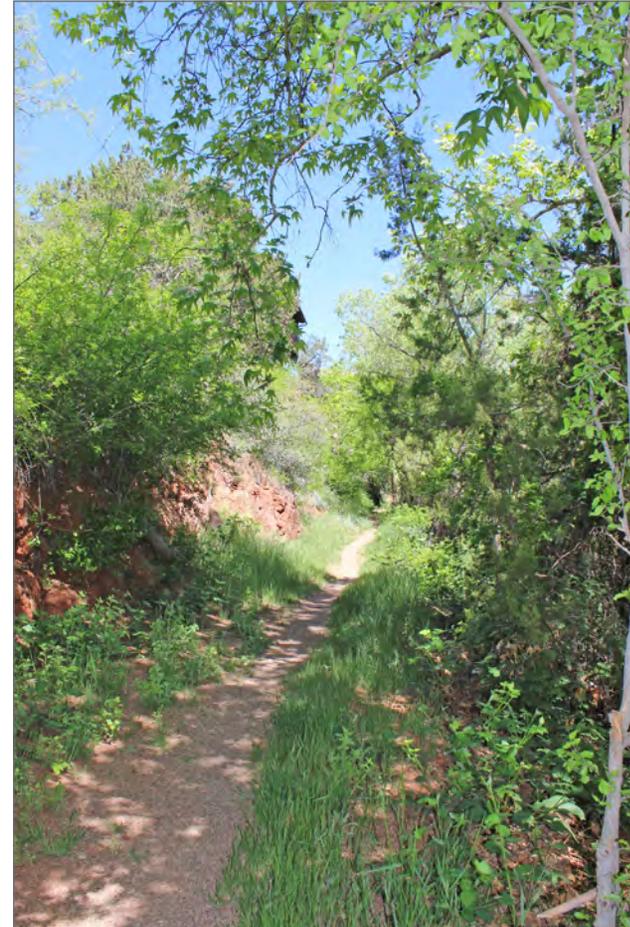
3. A creekwalk along Oak Creek should be considered as a recreational and circulation amenity that can benefit residents, visitors, and businesses. **Creek access for residents and visitors will be part of the pedestrian network, and not developed with vehicle parking as a destination in of itself.**

- a. The creekwalk should be designed to have minimal impacts on the riparian habitat and floodway of Oak Creek, with materials and construction that blends with the natural environment.
- b. Establish access easements across private property to ensure future accessibility.
- c. Bridges may be considered to cross the creek at appropriate and feasible locations.
- d. Include interpretive signage along the trail with information about Oak Creek, environmental stewardship, and the natural and cultural history of the area.

➤ See following page for a map of the  
“Potential Pedestrian and Bicycle Network”



Trail along the edge of Oak Creek in Uptown



Trail on the historic Owenby Ditch, on the west side of Oak Creek

**Pedestrian & Bicycle Network continued:  
Map of Potential Pedestrian and Bicycle Network**

This map shows potential routes that could create a connected system of pedestrian and bicycle paths. The intent is to provide safe and convenient access to Uptown and the National Forest trail system. More people walking and biking means less cars contributing to traffic congestion.

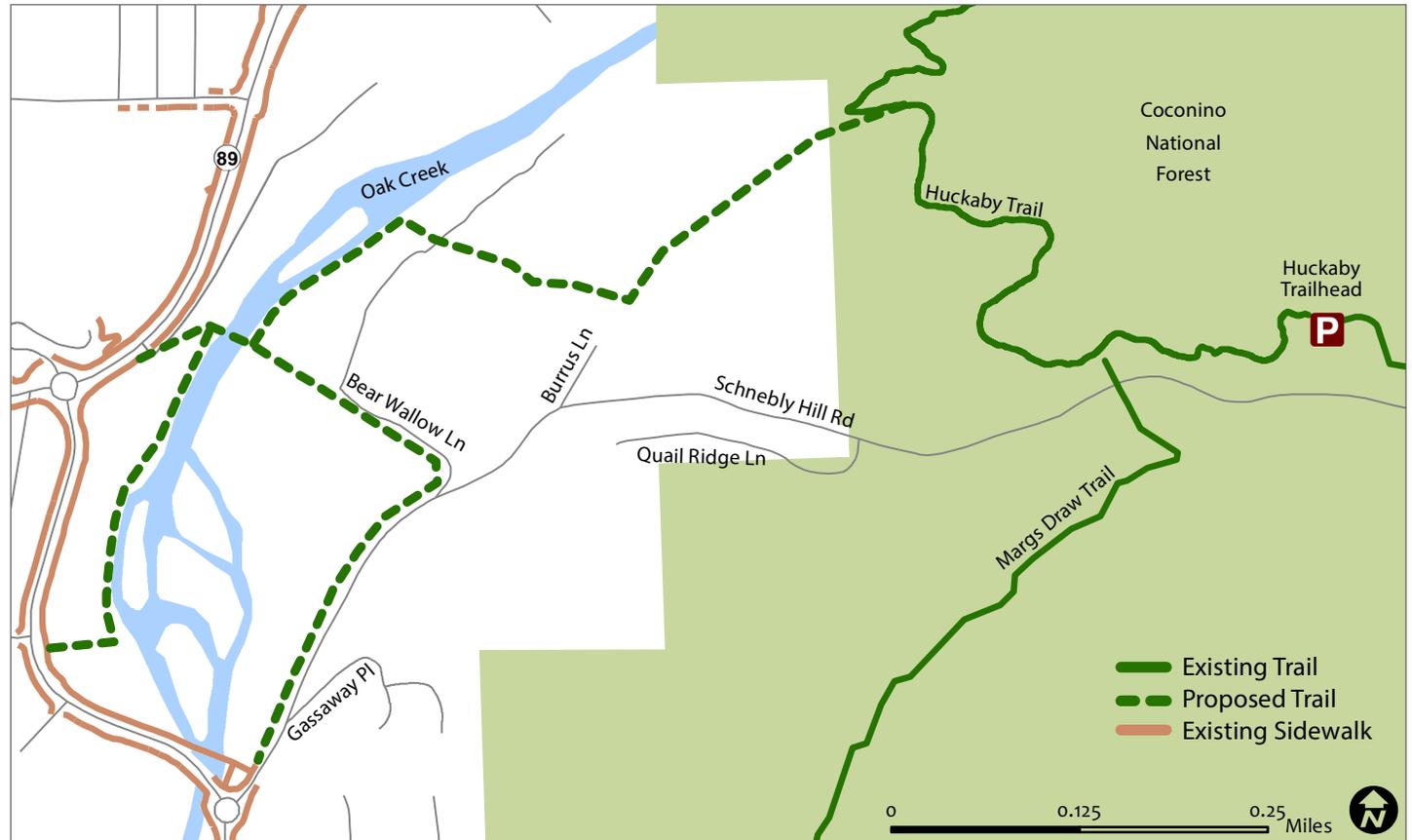


Figure 9. Potential Pedestrian & Bicycle Network

Note:  
The routes shown on the map are conceptual only, and the feasibility depends on many factors such as suitable topography and land ownership.

## IMPLEMENTATION

This CFA Plan is an addendum to the Sedona Community Plan which provides the overarching vision for future development of the City. The CFA Plan provides a more specific vision and strategies for this area and is an important tool in the City's development review process that evaluates new construction, redevelopment, and renovations, including residential, commercial, and lodging development. This plan will be used by City staff, the City's Planning and Zoning Commission, and City Council when reviewing and evaluating proposed projects.

The CFA Plan is also a tool that can be used by property owners, developers, and residents preparing a development proposal. By using this plan as a guide when putting together a development proposal, the applicant will understand the community's vision for the area.

This plan provides policy direction to guide development, whereas the Land Development Code sets forth the requirements. To make some of these strategies possible, the City of Sedona may need to amend existing regulations and processes, such as elements of the Land Development Code. The City may also consider providing incentives to encourage the participation of private developers in implementing the CFA Plan's recommendations.

Implementation of the plan is likely to occur incrementally over time with property redevelopment, new development projects, and public infrastructure improvements. Whether it is a private developer, property owner, or a City of Sedona Capital Improvement Project, projects should be designed in alignment with the plan's recommendations.

To realize the vision set forth in this plan, contributions and participation from both public, private, and non-profit entities will be necessary. The public-private partnerships to be developed might include the provision of public benefits, or financial participation which could include, but not be limited to, assisting in the offset of costs associated with development plan elements,

capital improvements, or purchase of property for a specific community benefit. These community improvements or benefits might include, but are not limited to:

- permanent protection of the Oak Creek corridor,
- trails, parks, and open space, and
- preservation of historic resources.

### **Proposed Oak Creek Heritage District**

To better enable new development projects to meet the objectives of this CFA Plan, a new zoning district is recommended. The Oak Creek Heritage District will offer options for multiple compatible land uses that may be more suitable to the area's unique features than residential zoning. The new district will encourage creative site design that will preserve the area's natural and cultural resources while strengthening the sense of place.

The new district will be an important tool in the implementation of this plan, and to facilitate the plan's implementation the City will initiate the rezoning process at the request of the landowner following adoption of the CFA Plan. The CFA Plan and the new district regulations (in the Land Development Code) will both apply to development projects under the new district.

Rezoning to the Oak Creek Heritage District will provide property owners with more flexibility by expanding their land use options. Property owners may also consider partnering with neighboring landowners to further expand the development potential of their property. This is particularly important when a community resource such as Oak Creek or pedestrian paths cross property lines. Coordination and cooperation among neighboring landowners and the City will be key to realizing the vision for this CFA.

## Proposed Oak Creek Heritage District

The Oak Creek Heritage District is a new zoning designation that provides the means for a land use that exemplifies the distinctive natural and cultural values of this area. Those features that set it apart, such as Oak Creek, the hillsides, and the historic sites are all valuable assets that should be considered a highlight rather than a hindrance for property owners. Under this district, property can be developed in a manner that maintains the historic character, scenic views, and natural resources that are the defining features of this unique setting.

One objective of this district is to encourage development that will best protect Oak Creek and the surrounding riparian habitat. Coordinated and consolidated development allows for designs that can cluster buildings and preserve larger areas of connected open space. The alternative is small, individual building lots with more driveways and more fences that will fragment wildlife habitat and eliminate the scenic characteristics of the area.

This district would also diversify the City's lodging options by offering a variety of unique alternatives that are not the typical hotel experience. This is an ideal location for low intensity lodging and camping where visitors can easily walk to the Uptown restaurants and shops and not contribute to traffic congestion.

Landowners with property in the CFA may voluntarily choose to rezone their property to the Oak Creek Heritage District to take advantage of this opportunity once the new zone district regulations are adopted. The City will assist landowners by facilitating the rezoning application process.

The new zoning district is being proposed as an option available only at the request of a landowner.

### *Revisions:*

*Under Lodging Density, replaced "8 units/acre maximum."*

*Under Commercial: changed 500 ft to 750 ft.*

### Permitted Uses

#### Lodging:

- Lodging Density: **not to exceed double the established residential zoning density of the property.**
  - **For example, if the property was zoned RS-10 which is a maximum of 4 houses per acre, the new zone would allow for a maximum of 8 units of lodging per acre.**
- **Lodging will be limited to no more than half the acreage of the CFA to ensure a mix of land uses.**
- Lodging styles supported include small designer hotels, bed and breakfast inns, cottages, bungalows, and cabins.
- Lodging may have associated amenities and accessory uses as listed below.

#### Campground/RV Parks:

- Campground density: 12 sites/acre
- Camp sites for recreational vehicles (RVs), tents, travel trailers, etc.
- Alternative camping experiences may include tent structures, yurts, RVs, and other temporary or mobile structures.

#### Agricultural uses:

- Gardens, nurseries, vineyards, and incidental operations.

#### Park and Recreation Amenities:

- Park amenities such as picnic tables, benches, etc.
- Trails
- Amenities may be publicly accessible or for customer use only

#### Commercial:

- To limit traffic impacts, commercial development should be located on Schnebly Hill Road within **750** feet of the roundabout.
- Appropriate businesses may include restaurants, markets, offices, galleries, studios, and retail shops.

*Revisions: Single-Family Residential: Replaced "maximum of 1 unit per acre; 1 acre minimum lot."  
Multi-Family Residential: Replaced "Multi-family housing density: 12 units/acre maximum" and removed: "To limit traffic impacts, multi-family housing must be located on Schnebly Hill Road within 500 feet of the roundabout."*

### Proposed Oak Creek Heritage District, continued

#### Single-Family Residential:

- Density: **not to exceed the established residential zoning density of the property**
- **The housing must be clustered in order to preserve areas of open space.**

#### Multi-family Residential:

- Density: **not to exceed established zoning density**
- **Increased density may be considered when community benefits, such as affordable housing are included in the proposal.**
- Multi-family housing may include duplexes, apartments, patio homes, courtyard bungalows, condos, or townhouses.
- The housing must be clustered in order to preserve areas of open space.

#### Accessory Uses:

- Employee, caretaker, or owner-occupied housing
- Spa, fitness, yoga, or other wellness studio
- Outfitter and guide services
- Outdoor recreation equipment supplies and rentals
  - Excluding motorized vehicle rentals
- Retail shop (gifts, gear, and supplies)
- Produce stand
- RV storage (must be screened from view)
- Café, bar, or restaurant

#### Examples of lodging accommodations:



### Proposed Oak Creek Heritage District, continued

#### Development Guidelines:

The CFA Development and Design Guidelines (pages 17-19) and all other CFA strategies are applicable to this district, in addition to the following.

- Oak Creek Floodway: All structures are to be located outside of the floodway. This will preserve the Creek's natural habitat, maintain the stormwater functions, and minimize flood damage.
- Open Space Viewshed:
  - A continuous corridor of open space along Schnebly Hill Road will preserve the viewshed from the road which is one of the defining features of the district.
  - Development may need to be clustered in order to preserve open space, including hillsides.
- Habitat Preservation:
  - Site design shall retain large native trees and as much of the natural vegetation as possible.
  - Open space should be uninterrupted and contiguous with open space and natural areas on adjacent properties.
- Historic Features: historic buildings and other historic resources should be preserved, adapted for reuse, and integrated with new development.
- Trails and pathways that connect across other properties are encouraged and will be publicly accessible, **including the proposed Oak Creek creekwalk**. Internal paths do not need to be publicly accessible.
- Limit the number of driveways off of Schnebly Hill Road by using existing driveways or private roads or sharing driveways wherever possible.
- Existing land uses would continue as non-conforming uses.

#### Examples of campground accommodations:



## Schnebly Hill Community Focus Area Plan 3<sup>rd</sup> Letter

**Introduction:** 91 acres 75 lots 44% are undeveloped to date 41 houses on 30 acres note (would that leave 61 acres?) 1 office building, (note on the corner of 179 and Schnebly Hill), a religious institution and RV Park.

### **Current Zoning is RS - 10b 40 acres RS -18b**

The Schnebly Community Focus Area draft is completely inaccurate. This is being proposed by a group of individuals that have been buying up property that live in the area. This plan they proposed is not good for all the people that live in this area. This plan is for their own personal gain. This is why there is a request for new zoning. Please note this area is very topographically challenged and is physically impossible to get 260 homes in this area more like 80 would be max this is not flat like Kansas.

### **Concern for the expanding RV Park:**

Please see attached maps of 135 Bear Wallow Lane. The RV park has been buying new property and hoping to change the zoning to allow them to expand. If this is allowed you are going to have to allow other owners in this area to do the same. Please note if the proposed income they are making is accurate, then I would like to request that I would like to make the rest of my property an RV Park.

### **Items of concern for commercial use:**

Please see attached map. The other group of individuals 115 Schnebly Hill Road, Thumb Butte and David Tracey is a bit confusing, when you look up the tax records. They are buying cheaper residential property hoping to profit by making it commercial and not keeping the area pristine as they have suggested.

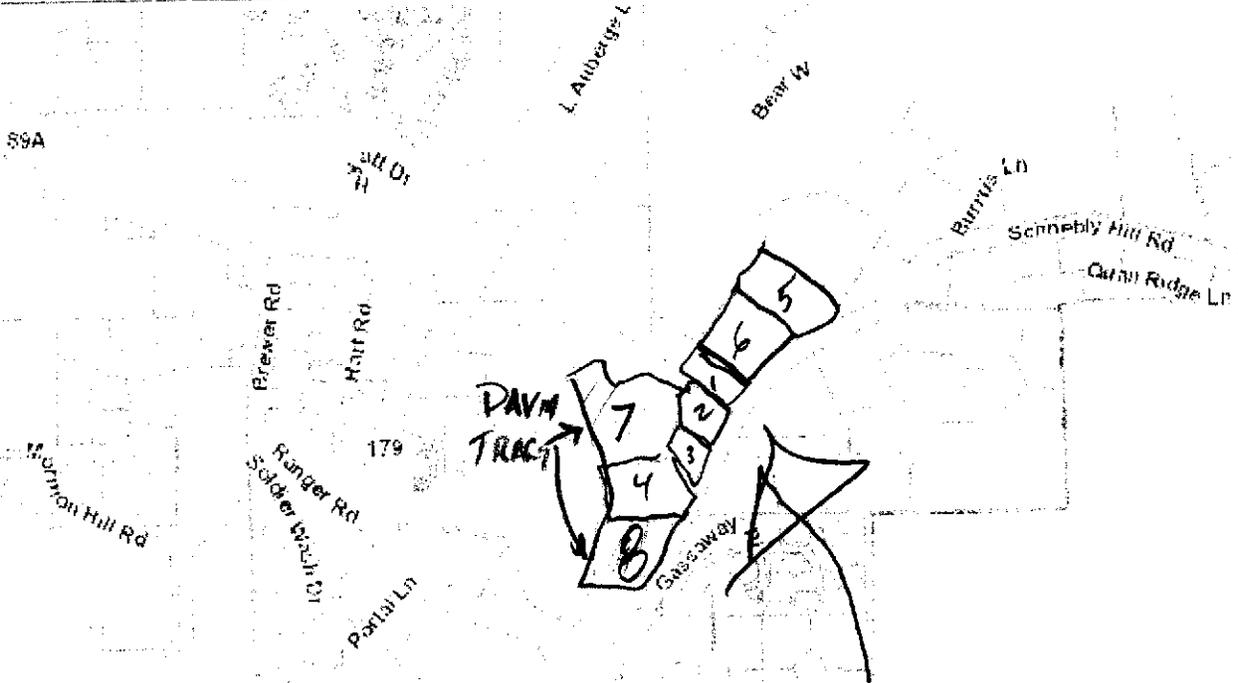
### **Best use for all of Sedona:**

Enclosing this could be the last time the City of Sedona can get creek access for everyone to enjoy, not just a few people trying to build their own portfolio. They are only suggesting this zoning change because it benefits them not all of Sedona.

My suggestion is for the City of Sedona to buy the property before it's too late. Please note no property owner, be it individual or business is ever going to work with the City to allow them access to the creek ever! The only way the city is going to gain access to the creek is if the city owns the property. There is always going to be a problem with traffic why make it worse. Note if the City of Sedona owns the property they could add a park and parking, which would help the congested area during events. This would provide extra parking and gain access to the creek, which the city has been trying to do for years. We propose the City of Sedona buy the property and make it available to all citizens of Sedona.

Kris Husa and Pandora Harris

Enter Search Here



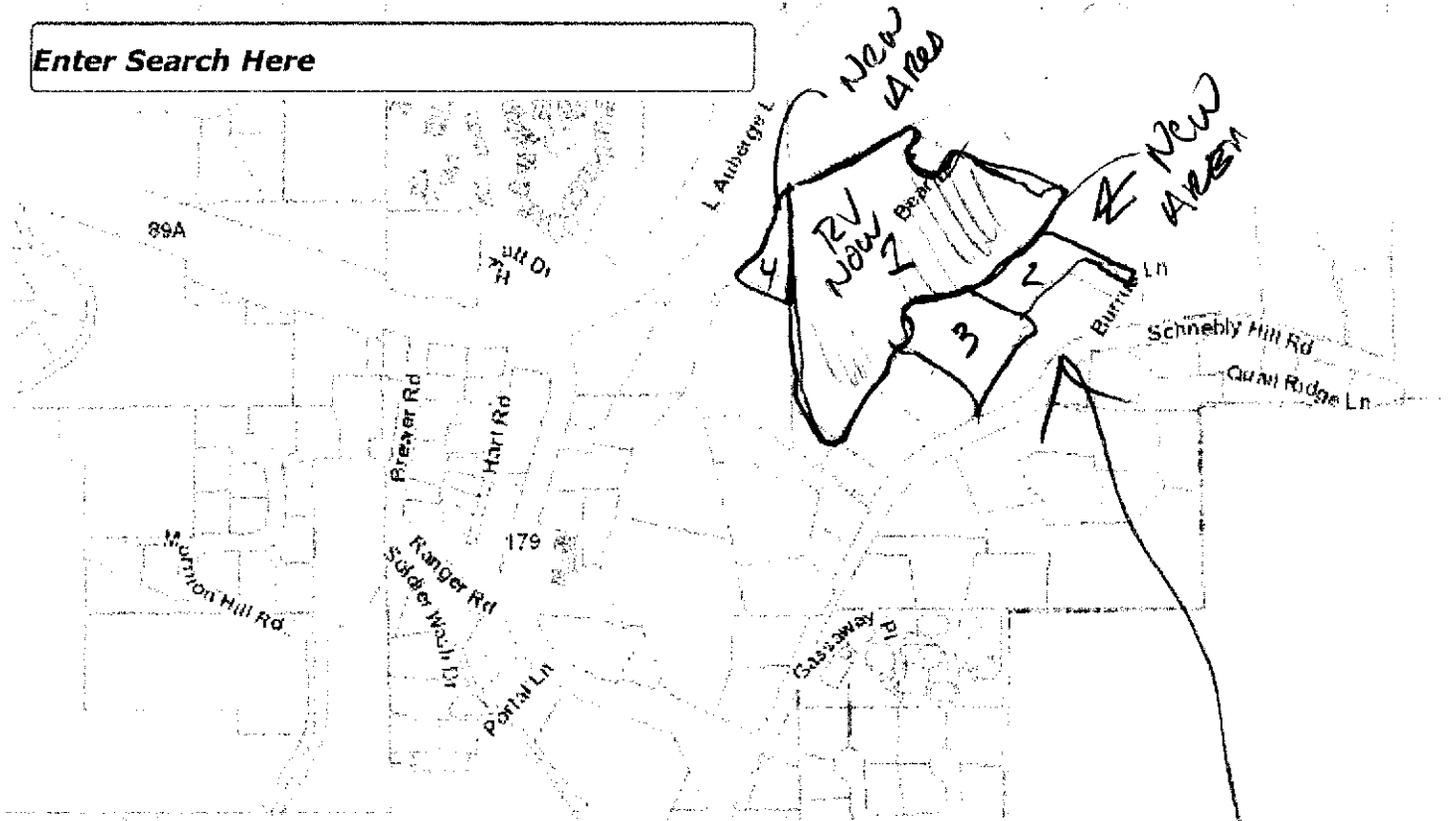
#	Parcel	OWNER	SIZE
1	40118002B	Thumb BUTE System	.151
2	40118031E	" "	.15
3	40118031F	" "	.34
4	40118001A	" "	1.04
5	40112016C	" "	1.08
6	40111001B	" "	1.04
7	40118031D	TRACI DAVI	4.51
8	40118002C	" "	2.08
			<hr/>
			6.55

115 Schnebly Hill

New  
 Commercial  
 Area 1, 2, 3, 4, 5, 6 & 8  
 He owns 7 now

1/P

Enter Search Here



#	PARCEL #	OWNER	SIZE
1	40112016B	Frey (RV)	10.75 AC
2	40112015A	Frey (RV)	1.55 AC
3	40112016D	Frey (RV)	1.96 AC
4	40117019Y	Frey (RV)	1.69 AC

} 4.70

RV  
 EXPANSION  
 LOT- 3, 4 & 2

1/c

528



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<b>Meeting Dates:</b>	September 29, 2016 Work Session October 4, 2016 Public Hearing
<b>Hearing Body:</b>	Planning and Zoning Commission
<b>Action Requested:</b>	Recommendation to City Council regarding the Draft Schnebly Community Focus Area Plan
<b>Staff Recommendation:</b>	Recommend the Draft Plan to City Council
<b>Project Summary:</b>	The Schnebly Community Focus Area (CFA) Plan addresses the neighborhoods along Schnebly Hill Road north of the roundabout at SR 179 and Schnebly Hill Road. Staff is requesting a recommendation from the Planning and Zoning Commission to City Council regarding the Draft Schnebly Community Focus Area Plan.
<b>Report Prepared By:</b>	Cynthia Lovely, Senior Planner
<b>Attachments:</b>	Exhibit A: Draft Schnebly Community Focus Area Plan Exhibit B: Proposed Amendment Exhibit C: Public Comments

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**BACKGROUND:**

The Sedona Community Plan introduces Community Focus Areas “*where the City will play a proactive planning role to implement the community’s vision. With participation from property owners, neighbors, and stakeholders, the City will develop a Specific Plan...*” (Community Plan, page 34). CFA Plans are supplemental to the Community Plan and are intended to guide future development of a specific area. The basis of a CFA Plan is the Community Plan’s vision and goals as well as the “Community Expectations” for each CFA.

The Schnebly CFA is a unique area of the city with potential for future development due to the amount of undeveloped land in close proximity to the Uptown commercial area, Oak Creek, and the National Forest. A draft of the Schnebly Community Focus Area Plan (Draft Plan) is attached, and dated “8/1/16 Working Draft.”

Description of the Area

The Schnebly CFA is located along a half mile stretch of Schnebly Hill Road north of the S.R. 179 roundabout. The road continues into the National Forest which makes up the eastern boundary of the CFA. Beyond the city limits is the Huckaby Trailhead, then the road turns to dirt which limits traffic to high clearance and recreational vehicles. The CFA’s western boundary is Oak Creek with large sycamore trees that are more noticeable than the creek itself. The creek setting is an attractive feature but also a limiting factor for development as the floodplain is 300’ to 800’ wide along this stretch of the creek. The CFA is 91 acres with large tracts of vacant land and 41 single family homes. Other uses include Sedona’s only RV campground with 84 RV sites, the Creative Life Center which often hosts seminars, and an office

building on the north side of the SR 179 roundabout.

### History of Previous Planning

Most of the area is currently zoned residential, which is a carry-over of county zoning prior to city incorporation. The area has been addressed by the following plans and planning projects.

1993: The area was included in the Uptown Creek Area planning project.

1998: The 1998 Sedona Community Plan designated the area as the “Schnebly Hill Transitional Area” and listed criteria for development/redevelopment and recommended uses (allowing for an expansion of uses in addition to residential).

2002: The 2002 Community Plan changed the future land use designation to “Special Planning Area” and listed community needs and benefits which are similar to the CFA Plan’s vision, such as *“Preserve/create large parcels and lower densities relative to existing zoning to retain the distinctive historic ranch-style character of the area and to reduce traffic impacts to Schnebly Hill Road.”*

2004: A portion of the area was addressed in the Heart of Sedona planning project

2012: The Citizens Steering Committee for the Community Plan facilitated a planning workshop that developed a proposal for this area.

2013: The Community Plan designates this as a “Planned Area” on the Future Land Use Map. The 2012 proposal for this area is Appendix B: “Schnebly Hill Neighborhood Vision” which was intended to serve as an example for future CFA planning.

### Planning Process

The planning process for the Schnebly CFA began at the request of several area property owners concerned about the potential for development to drastically alter the character of the area. They approached the City Manager’s office and requested that this CFA be considered a higher priority because some planning had already been done and they would provide assistance with the planning process.

A stakeholder group was convened in June 2015, which was made up of the owners of 14 properties representative of the area’s four zoning districts. There have been four meetings with an average of 12 people in attendance. In addition to the stakeholder meetings, there was a neighborhood meeting to review the Draft Plan on August 25, 2016.

The approach taken to drafting the plan was to consider previous planning and stakeholder suggestions, the features unique to this area, as well as what would be most appropriate for this area in the context of the city as a whole. Traffic impacts of different land uses was a significant consideration, not just on the neighborhood, but also impacts to the already congested SR 179. As an example, small-scale lodging may be more appropriate than residential because of its close proximity to tourist destinations. On the other hand, high-density or senior housing may be more appropriate in West Sedona closer to resident services such as groceries, offices, pharmacies, hardware stores, etc.

### Key Elements of this CFA Plan

Due to its unique qualities and location this has been considered a special planning area since the 1998 Community Plan designated the area as suitable for a mix of land uses. The 2002 and 2013 Community Plans also recognized the value of retaining the distinctive character of the area, which is tied to the history of Sedona. The community began with settlement along the banks of Oak Creek, and this was the site of the main creek crossing at the junction of two major roads. The views from Schnebly Hill

Road were probably similar to what you can see today, with orchard trees and fields, tourist cabins, and ranch style homes.

This CFA Plan provides a more detailed direction than the previous planning efforts, and defines the area's desired character, design, and suitable land uses. Without the CFA Plan and incentives to implement the proposed strategies, development will most likely result in higher density residential subdivisions because that is the current zoning and easiest option for a landowner to pursue.

One of the key issues addressed throughout the Draft Plan is Oak Creek, with several strategies that "Protect Oak Creek and its riparian habitat," one of the Community Plan goals. Oak Creek is also a significant feature that defines the character of the area. It is proposed as an open space greenway that may feature a creekwalk, which is listed as a major outcome of the Community Plan. Portions of the proposed open space will also include a network of trails that provide off-street routes for bicycles and pedestrians.

Another key issue is the development potential of the area, which is covered on page 9 to 11 of the Draft Plan. The fact that a large portion of the area is either undeveloped or under-developed provides a unique opportunity to accomplish the goals of both the Community Plan and CFA Plan. Achieving some of the goals, such as preserving Oak Creek as open space is more likely to happen with more innovative development that may be better accomplished with flexible standards that encourage clustering of development in order to set aside open space. If future development proceeds under the single-family residential zoning on multiple parcels it may not be feasible to obtain contiguous open space, connected paths, and shared driveways. Older developments in Sedona are an example of where there was little coordination and opportunities for connected streets, shared driveways, or trails are no longer feasible. In anticipation of the future development in this area, and to provide landowners and developers an incentive over current zoning, a new zoning district is being proposed for this CFA.

#### Proposed New District

The challenge to implementing this CFA Plan is that the single-family residential zoning is not consistent with the vision of the area as outlined in the CFA Plan. The current zoning would lead to a much higher density of housing, and thus the loss of open space and greater impacts to Oak Creek. Given the fact that a CFA Plan is a guiding document and not regulatory, the challenge is to encourage future development that is consistent with the vision.

To provide an alternative to the existing zoning the Draft Plan proposes a new zoning district specific to this area that will allow for uses other than single-family residential – the Oak Creek Heritage District. This would expand the options available to a landowner that may be considering development or redevelopment of their property. The land uses allowed in the new district would be limited to a density, scale, and style appropriate to the CFA which is not possible with the city's existing zoning districts. The Planned Development District is an existing district that could accommodate some of the needs; however it would be applied in isolation and could vary with each individual project. The new district would set uniform design and development guidelines tailored to the unique aspects of the area, which would be consistent for all new projects in the district regardless of the size or type of project.

The proposed new district would be optional, available to any landowners interested in rezoning their property. The Community Development Department would offer assistance with the rezoning process

as another incentive to encourage implementation of the CFA Plan. Without providing the opportunity for alternate land uses and the City's help with the process, the simple and quick route for development may be to subdivide into numerous residential lots. Standard housing developments, especially when each lot is built by separate landowners at different times can make it difficult if not impossible to secure trails, preserve open space, and retain the desired character of the area.

### Comments on the Draft Plan

The following is a summary of the comments and concerns about the Draft Plan. The comments were made primarily by area residents and came from: the August 25, 2016 meeting, emails, phone calls, and individual meetings.

- **New District**

There is a concern from residents that they expected adjacent properties to be residential and that the new district could allow for a less desirable use. Others thought that the proposed district's permitted uses are too limiting and could restrict the options for development. There was also a question as to how the new district would benefit existing homeowners. Another concern was that the city would be rezoning all properties to the new zoning district.

Several people commented on the proposed multi-family housing: what would be the allowed density; and that it does not fit the area unless very site specific. Another comment is that it is overly restrictive to limit multi-family and commercial to within 500 feet of the roundabout and that commercial should be allowed up to the Creative Life Center.

- **RV Campground**

There is a concern about the potential expansion of RV camping. Concerns included: the potential to negatively affect property values of residential lots; future high end land uses may not want to overlook an RV park or RV storage; the need for screening or another land use buffer between residences and the RVs; the potential for sewage overflow from RVs into Oak Creek; and that there should not be any RVs.

- **Design Guidelines**

Not all agreed with the proposed design guidelines: "The old homestead architecture you want is not aesthetically pleasing," in reference to the poor condition of some of the historic buildings; the proposed guidelines would not permit contemporary architecture; the proposed materials such as rock is cost prohibitive. There was also reference to the city's existing regulations about design and that it should be sufficient to ensure tasteful designs and thus guidelines specific to this CFA are unnecessary.

- **Trails**

The Draft Plan proposes several trails through the area. Concerns about the proposed trails: trail users may stray off a proposed path and onto private property; there are already people trespassing onto private property to access the creek; there could be conflicts if pedestrians and bicycles are using the same trail; the creekwalk should be on both sides of the creek and there should be two footbridges.

- **Oak Creek**

There was a comment in support of clustering development and designating building footprints in order to not develop on the creek and preserve open space. On the contrary, another comment was that development should be pushed into the floodplain in order to preserve the open land and views along

Schnebly Hill Road. There was also a comment that locating all structures out of the floodway was too restrictive and that federal regulations should be adequate.

Summary

To address neighborhood concerns about potential changes from residential to another land use, the Draft Plan could be modified to limit the new district to what is designated as “Planned Area” on the Community Plan’s Future Land Use Map (as shown on the map to the right and on Exhibit B).

To address concerns about RV camping throughout the CFA, RV camping could be limited to the same Planned Area or limited to the current RV Park’s parcel boundaries.

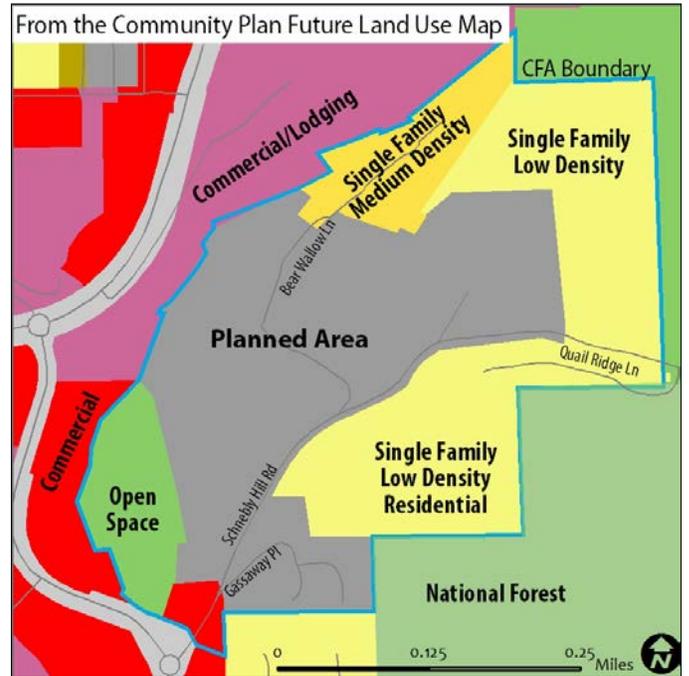
Meeting Expectations

September 29, 2016 Work Session:

The purpose of the work session is to provide the Commission with a detailed review of the Draft Plan, answer questions, and allow for discussion among Commissioners and staff. Staff will lead a review of the Draft Plan page by page, allowing for questions and discussion on each page as needed.

October 4, 2016 Public Hearing:

The purpose of the hearing will be to provide the Commission and public with an overview of the Draft Plan, allow for public comments and Commission discussion. The Commission may choose to take an action at the public hearing by making a decision to forward a recommendation to City Council, or postpone any decision and request that staff revise the draft or provide more information, or to continue the discussion at another meeting.





***Staff Recommendation***

Staff recommends one change to the Draft Plan which is to limit the proposed new district to the Planned Area, amending page 20 and 21 of the Draft Plan as shown on Exhibit B. This modification will resolve concerns about potential land use changes to existing residential areas that are designated as single family residential on the Community Plan's Future Land Use Map.

***Sample Motions for Commission Use***

Please note that the sample motions below are offered as samples only and that the Commission may make other motions as appropriate.

***Recommended Motion of Support***

I move to recommend the adoption of PZ16-00010(CFA), the Schnebly Community Focus Area Draft Plan of August 1, 2016 to City Council with the amendment to page 20 and 21 as shown in Exhibit B that limits the new Oak Creek Heritage District to the Planned Area as designated in the Community Plan Future Land Use Map.

***Alternative Motion***

I move to not recommend PZ16-00010(CFA), the Schnebly Community Focus Area Draft Plan of August 1, 2016 to City Council.

**End of Previous Agenda Item**

**Beginning of Next Agenda Item**



**Meeting Date:** November 1, 2016

**Hearing Body:** Planning and Zoning Commission

**Agenda Item:** Discussion/possible action to amend the Sedona Land Development Code by removing Section 918, Accessory Dwelling Units (ADU)

**Staff Recommendation:** Forward a Recommendation of Approval to City Council

**Project Summary:** Based on Senate Bill (SB) 1350, the City can no longer prohibit single-family residential properties from being used as short-term vacation rentals. Dwelling units are specifically identified in the preemption language outlined in the legislation. The intent of the ADU ordinance was to provide long-term housing options; ADUs as currently regulated cannot be rented for less than 90 days. Because ADUs are allowed to be short-term vacation rentals, the ordinance is in conflict with its original intent and restrictions/incentives. ADUs as short-term vacation rentals have the potential to significantly change the character of single-family residential districts to more multi-family in nature. Therefore, staff is recommending that ADUs be removed from the Land Development Code as an allowable use.

**Attachments:**

1. [SB 1350 Regulations](#)
2. [ADU Ordinance, Section 918 of the LDC](#)

## Staff Report

PZ16-00012 (LDC) Article 9 (Development Standards)

Section 918 (Accessory Dwelling Units)



City of Sedona

Community Development Department

102 Roadrunner Drive Sedona, AZ 86336

(928) 282-1154 • Fax: (928) 204-7124

### ISSUE

With Senate Bill (SB) 1487 signed into law and codified as A.R.S. § 41-194.01, the City must be mindful of any officially adopted action by City Council that may be in violation of State law. SB 1487 provides that the Attorney General shall investigate any ordinance, regulation, order, or other official action adopted or taken by the governing body that the member alleges violates state law or the Constitution of Arizona. Jurisdictions with substantiated violations of State law are subject the consequences of SB 1487, including the withholding of State shared revenues.

Senate Bill (SB) 1350, which allows for the short-term rental of single-family homes, preempts City ordinances which currently prohibit this type of use in single-family residential zoning districts. In order to not be in violation of SB 1350 and thus trigger SB 1487, it is incumbent upon the City to amend applicable regulations to ensure compliance with State laws.

Based on SB 1350, the City can no longer prohibit single-family residential properties from being used as short-term vacation rentals. Relevant residential properties include, but are not necessarily limited to, single-family dwelling units (1-4 units), guest homes, accessory dwelling units (ADUs), condominiums, cooperatives and timeshares. The Land Development Code restriction of single-family rentals for less than 30 days can no longer be enforced and those provisions will be removed from the applicable residential zoning districts in accordance with SB 1350. However, because the ADU Ordinance provides specific and distinct restrictions and incentives intended to provide for long-term affordable housing options, this Section of the Land Development Code warrants further discussion. The use of ADUs for short-term vacation rentals is not compatible with the Ordinance's original intent and restrictions. Additionally, ADUs used as short-term vacation rentals have the potential to significantly change the character of single-family residential districts to be more multi-family in nature, especially if the other allowable dwelling units (primary dwelling unit and guest homes) can also be used for short-term vacation rental purposes on one single-family lot

### BACKGROUND

#### **SB 1350**

Since 1995, the rental of single-family homes for periods of less than 30 days has been prohibited within the Sedona city limits. However, during the 2016 state legislative session, SB 1350 was introduced with the intent of streamlining the collection and distribution of transaction privilege taxes for online booking agencies, like Airbnb and Vacation Rental by Owner (VRBO), that market short term vacation rental properties. As the bill progressed, an amendment was offered by Senator Debbie Lesko (R-Peoria) that would prevent cities and towns from having local ordinances that don't allow the use of single-family residences for short term vacation rentals.

On May 12, 2016, Arizona Governor Doug Ducey signed SB 1350 into law, which will go into effect January 1, 2017 and is now codified as A.R.S. § 9-500.39. Thus, the City's ban on short term rentals is no longer valid and the City must amend existing Codes accordingly.

The definition in A.R.S. § 9-500.39 for a short-term vacation rental is as follows:

*“Vacation rental or similar short-term rental means any individually or collectively owned single-family or one-to-four-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under section 42-12001. Vacation rental and short-term rental do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center or another similar use.”*

### **Accessory Dwelling Unit (ADU) Ordinance**

In 2010, City Council adopted an ordinance allowing for the long-term rental of Accessory Dwelling Units (ADUs). This Ordinance is contained in Section 918 of the Sedona Land Development Code. The purpose of the ADU Ordinance is as follows:

- Utilize existing housing stock while preserving the appearance and character of single-family neighborhoods
- Provide additional affordable options for long-term rental housing
- Provide a broader range of more affordable housing
- Provide a mix of housing that responds to changing family needs and smaller households
- Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods and obtain extra income, security, companionship and services
- Encourage a more economic and energy-efficient use of Sedona’s housing supply
- To maintain consistency with City of Sedona growth policies as recommended in the Sedona Community Plan

An ADU is considered a complete independent residential living space that can be created within, attached to or detached from a single-family home. An ADU must include provisions for living, sleeping, eating, cooking, and sanitation. An ADU is intended to function as a supplementary housing option and integrated into existing single-family neighborhoods to provide a typically lower priced housing alternative.

The Land Development Code defines an ADU as follows:

*“Accessory dwelling unit (ADU) is a second dwelling unit that is located on the same parcel as the primary single-family dwelling unit. An ADU shall be small in size to the primary dwelling unit and can be located either within, attached to, or detached from the primary single-family dwelling unit. An ADU must provide a complete, independent residential living space and shall include provisions for living, sleeping, eating, cooking and sanitation. ADUs are not required to be connected to the same utility services as the primary dwelling unit. ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than 90 consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.”*

During the three-year process to create and adopt the ADU ordinance, there were significant concerns from the community, the Planning and Zoning Commission, and City Council that the allowance of ADUs would significantly and negatively impact residential neighborhoods. The concerns primarily centered on a belief that ADUs would change neighborhoods from single-family to multi-family, attract crime and drug activity, create public nuisances such as noise complaints, result in deteriorated property conditions, and decrease

overall property values. To address the concerns the ADU regulations adopted with very specific restrictions including the following key elements:

- Restriction on the number of ADUs to one per lot
- Prohibition on allowing mobile homes, travel trailers and recreational vehicles to be used as a detached ADU
- Requirement of the property owner to occupy either the primary dwelling unit or ADU for at least 6 months of the year
- Establishment of a minimum and maximum size requirements based on the overall size of the primary dwelling unit
- Requirement to meet development, design, and building requirements of the Land Development Code
- Requirement that the design preserve or complement the architectural design, style, and appearance of the primary structure
- Requirement for ADUs which have a separate entrance to be located on the side or rear of the structure wherever possible
- Requirement of a minimum of one parking space but no more than two parking spaces for an ADU
- Restriction on the total occupancy of both the primary dwelling unit and the ADU to what is currently allowed (no more than 4 unrelated adults) based on the definition of a “Family” in the Land Development Code
- Prohibition on the rental of an ADU for less than 90 days

While SB 1350 may not negate all of the key elements of the ordinance, it does negate several of the main concessions in its approval, including the restriction on the rental of an ADU for less than 90 days.

## SUMMARY

Based on SB 1350, the City can no longer prohibit single-family residential properties from being used as short-term vacation rentals, including ADUs. The intent of the ADU ordinance was to provide long-term housing options including a minimum 90 day rental requirement. This 90 day minimum rental requirement is in direct conflict with the new State law. Conversely, allowing ADUs to be used as short-term vacation rentals is also in direct conflict with the ADU Ordinance’s original intent and restrictions/incentives. ADUs used as short-term vacation rentals have the potential to significantly change the character of single-family residential areas to more multi-family in nature. This was a significant concern raised in the original approval of the the ADU Ordinance. Currently, the City has approved 21 ADUs. Based on State law, any ADU approved through the proper City approval process is no longer held to the 90 day minimum rental restriction and can be used as a short term vacation rental unit. Since an ADU is considered a long-term residential dwelling unit and SB 1350 allows for residential properties to be used as a short-term vacation rental, the regulations outlined in Section 918, Accessory Dwelling Units, directly contradict the new State law.

## RECOMMENDATION

To be in compliance with SB 1487 and to address the contradictions between SB 1350 and the City’s ADU Ordinance, the City has several options:

1. Do nothing
2. Revise LDC, Section 918 (ADU Ordinance) to adhere to state law
3. Repeal Section 918 (ADU Ordinance) in its entirety

---

### Option 1 – Do nothing

While the City always has the option to do nothing, as a result of SB 1487 it is important that the City complies with governing state law, SB 1350. Because Section 918 (ADU Ordinance) of the Sedona Land Development Code as currently drafted is in direct conflict with SB 1350, SB 1487 would come into play. Staff does not recommend this option.

### Option 2 – Revise Section 918 (ADU Ordinance) to adhere to state law

The City can revise Section 918 (ADU Ordinance), removing all references that contradict State law and including new language that provides for short-term vacation rental use. Because the intent of allowing for a second dwelling unit in the form of an ADU was to address affordable housing needs, this option is contrary to the original intent of providing for ADUs. This option would essentially allow for two single-family dwelling units that can be rented out on a nightly basis. Additionally, SB 1350 provides for the short-term rental of guest homes as well. The possibility of allowing for two or three rental units on a single-family lot may increase the chances for single-family residential neighborhoods to feel and function more like a multi-family district. Staff does not recommend this option.

### Option 3 – Repeal Section 918 (ADU Ordinance) in its entirety

Because Section 918 (ADU Ordinance) explicitly restricts the use of an ADU as a short-term vacation rental or bed and breakfast use, and specifically states that rental of an ADU for a period of less than 90 consecutive days is prohibited, the Section is in direct conflict with SB 1350, which in turn could result in SB 1487 issues. As stated above, because the primary purpose of allowing ADUs originally was to provide long-term affordable housing options and because SB 1350 negates this provision, staff believes that ADU ordinance is no longer appropriate and recommends this option to repeal Section 918 (ADU Ordinance) of the Sedona Land Development Code.

**Recommendation and Motion**  
PZ16-00012 (LDC) Article 9  
(Development Standards)  
Section 918 (Accessory Dwelling Units)



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

***Staff Recommendation***

Staff recommends approval of case number PZ16-00012 (CUP), repealing Section 918 (ADU Ordinance) of the Sedona Land Development Code, subject to all applicable ordinance requirements.

***Recommended Motion for Approval***

I move to approve case number PZ16-00012 (LDC) to repeal Section 918 (ADU Ordinance) of the Sedona Land Development Code.

***Alternative Motion for Denial***

I move to deny case number PZ16-00012 (LDC) to repeal Section 918 (ADU Ordinance) of the Sedona Land Development Code 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.)*

**User Name:** Robert Pickels

**Date and Time:** Sep 22, 2016 17:27

**Job Number:** 37433503

## Document (1)

1. [A.R.S. § 9-500.39](#)

**Client/Matter:** -None-

**Search Terms:** a.r.s. 9-500.39

**Search Type:** Natural Language

## [A.R.S. § 9-500.39](#)

Current through all 2016 legislation and the May 17, 2016 ballot measure vote. Unless an effective date is specified in the act, the effective date of 2016 legislation is August 6, 2016.

**LexisNexis® Arizona Annotated Revised Statutes > Title 9 Cities and Towns > Chapter 4 General Powers > Article 8. Miscellaneous**

### **9-500.39. Limitations on regulation of vacation rentals and short-term rentals; state preemption; definitions [Effective January 1, 2017]**

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- A. A city or town may not prohibit vacation rentals or short-term rentals.
- B. A city or town may not restrict the use of or regulate vacation rentals or short-term rentals based on their classification, use or occupancy. A city or town may regulate vacation rentals or short-term rentals for the following purposes:
  - 1. Protection of the public's health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation or traffic control, solid or hazardous waste and pollution control, and designation of an emergency point of contact, if the city or town demonstrates that the rule or regulation is for the primary purpose of protecting the public's health and safety.
  - 2. Adopting and enforcing residential use and zoning ordinances, including ordinances related to noise, protection of welfare, property maintenance and other nuisance issues, if the ordinance is applied in the same manner as other property classified under sections 42-12003 and 42-12004.
  - 3. Limiting or prohibiting the use of a vacation rental or short-term rental for the purposes of housing sex offenders, operating or maintaining a structured sober living home, selling illegal drugs, liquor control or pornography, obscenity, nude or topless dancing and other adult-oriented businesses.
- C. This section does not exempt an owner of a residential rental property, as defined in section 33-1901, from maintaining with the assessor of the county in which the property is located information required under title 33, chapter 17, article 1.
- D. For the purposes of this section :
  - 1. "Transient" has the same meaning prescribed in section 42-5070.
  - 2. "Vacation rental" or "short-term rental" means any individually or collectively owned single-family or one-to-four-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under section 42-12001. Vacation rental and short-term rental do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center or another similar use.

## **History**

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[Laws 2016, 2nd Reg. Sess., Ch. 208, § 1.](#)

## **Annotations**

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## **Notes**

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**Editor's note.**

A.R.S. § 9-500.39

Enacted as [A.R.S. § 9-500.38](#) and renumbered by the reviser.

**Delayed effective date.**

By [Laws 2016, 2nd Reg. Sess., Ch. 208, § 16](#), this section is effective January 1, 2017.

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End of Document

### **918 Accessory dwelling units (ADU).**

**918.01 Purpose.** The purpose of this section is to allow for and regulate the establishment of accessory dwelling units (ADUs). ADUs are allowed in certain situations to:

- A. Utilize existing housing stock while preserving the appearance and character of single-family neighborhoods.
- B. Provide additional affordable options for long-term rental housing.
- C. Provide a broader range of more affordable housing.
- D. Provide a mix of housing that responds to changing family needs and smaller households.
- E. Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods and obtain extra income, security, companionship and services.
- F. Encourage a more economic and energy-efficient use of Sedona's housing supply.
- G. To maintain consistency with land use policies as recommended in the Sedona Community Plan.

**918.02 Creation.** An accessory dwelling unit (ADU) is a second dwelling unit that is located on the same parcel as the primary single-family dwelling unit. An ADU is smaller in size to the primary dwelling unit and can be located either within, attached to, or detached from the primary single-family dwelling unit. ADUs must provide a complete, independent residential living space and shall include provisions for living, sleeping, eating, cooking, sanitation, and parking. ADUs can be studio units, and 1- and 2-bedroom units. An ADU may be created through the following methods:

- A. Converting floor area of an existing structure or portions thereof.
- B. Adding floor area to an existing single-family home.
- C. Constructing a detached ADU on a parcel with an existing single-family home.
- D. Constructing a new single-family home with an internal attached or detached ADU.

**918.03 Criteria.** The criteria that govern ADUs are intended to preserve the character of a single-family neighborhood.

- A. The property owner(s) must occupy either the primary single-family dwelling unit or the ADU as his/her principal residence. At no time shall both the primary single-family dwelling unit and the ADU unit be used simultaneously as rental units. "Full-time occupancy" is defined as a legal property owner who makes his/her legal residence at the site, as evidenced by voter registration, vehicle registration or similar means, and actually resides at the site more than 6 months out of any given calendar year.
- B. The owner(s) shall sign an affidavit verifying that either the primary single-family dwelling unit or the ADU is the legal residence of the property owner.
- C. ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than 90 consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.
- D. For the purpose of this section, the total number of people residing on the property, including the primary single-family dwelling unit and the ADU, shall not exceed 4 unrelated adults with or without minor children.

**918.04 Development Standards.** The development standards that govern the design and appearance of ADUs are intended to preserve the visual and single-family character of neighborhoods. ADUs will be reviewed on a case-by-case basis.

- A. An ADU is allowed in the following single-family residential zoning districts: RS-5A, RS-70, RS-36, RS-35, RS-18a, RS-18b, RS-12, RS-10a, RS-10b, RS-6, RMH-12, RMH-10, and RMH-6, subject to specific development, design, and owner-occupancy standards outlined in subsection 918.03 of this section.
- B. The ADU must be located on the same parcel as the primary single-family dwelling unit.
- C. Only 1 ADU is allowed per parcel.
- D. Manufactured homes, travel trailers and recreational vehicles shall not be used as a detached ADU. However, an ADU, meeting all requirements, may be added to a property with an existing manufactured home.
- E. ADUs shall meet all Sedona Land Development Code (LDC) requirements at the time of construction (e.g., height, setback requirements, and lot coverage standards) applicable to the primary single-family dwelling unit, except as otherwise noted.
- F. ADUs shall meet all Building Code requirements including Building, Electrical, Mechanical, and Plumbing Code requirements as well as all Fire Code requirements.
- G. ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of a single-family property.
- H. ADUs shall be designed to preserve or complement the architectural design, style, and appearance of the primary single-family dwelling unit. Specifically, whether attached or detached, the roof pitch, siding materials, color, and window treatment of the ADU shall be the same as, similar to, or an improvement to the appearance of the primary single-family dwelling unit.
- I. The following size standards are applicable for ADUs:
1. The ADU shall be no larger than 1,000 square feet for a new construction primary dwelling unit with 1,500 square feet or more of living space (excluding garage area).
  2. The ADU shall be no larger than 650 square feet for a new construction primary dwelling unit with less than 1,500 square feet of living space (excluding garage area).
  3. The Director may allow for an increase in maximum allowable ADU floor area, by up to 25%, when the ADU involves the conversion of existing structures more than 5 years old, if in the determination of the Director it is warranted by the circumstances of the particular structure and/or property.
- J. If a separate external entrance for an ADU is necessary it shall be located in such a manner that the structure does not take on the appearance of a duplex, and where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are 2 entrances visible from either street, where possible, solid screening is required to screen at least 1 of the entrances from the street. Solid screening includes solid walls, fences, landscaping, or grade differences subject to the review and approval of the Director.
- K. Exterior stairs shall be located in the side or rear yard wherever possible and must comply with setback and Building Code requirements.
- L. The following parking requirements are applicable for ADUs:
1. There shall be at least 2 off-street parking spaces for the primary single-family dwelling unit and at least 1 off-street parking space for the ADU, but no more than 2 off-street parking spaces for the ADU. The parking spaces for each unit shall be able to operate independently without impeding the parking spaces of the other unit. The Director may grant a waiver of the parking requirement for the ADU if the topography of the site or existing structure location makes the provision physically or economically not feasible. The location for the parking space shall be determined through consultation with Community Development Department staff.

2. Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties. Solid screening includes solid walls, fences, landscaping or grade differences subject to review and approval of the Director.

3. The required parking for each unit shall not be met through the use of on-street parking.

4. If additional parking is necessary, new parking space(s) shall utilize existing curb cuts. If not possible, the Director may allow exceptions on a case-by-case basis.

M. On-site wastewater systems are required to meet current standards as reviewed and approved by all applicable jurisdictions.

**918.05 Application Submittal and Review Procedure.**

A. Prior to approval of any ADU, a property owner or agent of the property owner shall submit the following information:

1. Completed application forms;
2. Statement or letter of authorization from the property owner (if different from the applicant);
3. Site Plan to include the following:
  - a. Parcel identification;
  - b. Existing zoning;
  - c. Lot size, existing lot coverage and proposed lot coverage with ADU if different from existing;
  - d. Building configurations and heights;
  - e. Front, rear and side setbacks;
  - f. Location of the primary single-family dwelling and garage (if applicable);
  - g. Location of proposed ADU, the entrance and outdoor space (if applicable);
  - h. Square footage of the primary single-family dwelling unit and garage (if applicable);
  - i. Square footage of the ADU;
  - j. Designated off-street parking space(s) for ADU and primary single-family dwelling unit;
  - k. Landscape areas;
4. Parking plan delineating parking spaces for ADU and primary dwelling unit;
5. Additional information as may be required by the Director.

B. The property owner or agent of the property owner shall submit plans depicting both the primary dwelling unit and the ADU for new residential construction, which includes an ADU as defined in this section.

C. Conditions of Approval Agreement. The property owner(s) shall sign a Conditions of Approval Agreement. This Agreement shall be recorded with the county in which the property is located after final inspection of an ADU. The Agreement is intended to indicate the presence of an ADU and all applicable requirements, including but not limited to the following information:

1. The ADU shall not be sold or transferred separately or subdivided and sold independently from the primary dwelling unit on the site, unless the subdivision complies fully with the regulations of Article 7 SLDC, Subdivision Regulations and Land Divisions.
2. The ADU and primary dwelling unit shall be restricted to overall occupancy requirements as specified in subsection 918.06 of this section.
3. The ADU permit shall be in effect only so long as the owner of record of the primary dwelling unit occupies either the primary single-family dwelling unit or the ADU.

**918.06** Conditions of Approval.

- A. The property owner shall disclose and notify prospective buyers of the property about the conditions of approval of the ADU.
- B. ADU permit and conditions of approval run with the land. New owners are subject to the same conditions of approval and ordinance requirements.
- C. The property owner agrees to periodic inspections, at the discretion of the Director, of the ADU and/or primary single-family dwelling unit.
- D. The combined total number of occupants in both the primary single-family dwelling unit and the ADU shall not exceed 4 unrelated adults with or without spouses and/or minor children.

**918.07** Existing Illegal Accessory Units. It is recognized that, although unlawfully occupied, currently utilized accessory units are filling a market demand for housing at more affordable rent costs. The following apply to illegal accessory units:

- A. In order to be considered for lawful status, existing illegal accessory units must submit an ADU application as outlined in subsection 918.05 of this section, Application Submittal and Review Procedure.
- B. Existing illegal accessory units, which do not apply for and/or do not receive approval for an ADU use, are subject to all applicable fines and/or enforcement actions as outlined in Article 14 SLDC, Enforcement.
- C. Community Development staff shall inspect the premises for compliance with Building, Public Safety, and Public Health Codes. For the purpose of Building Code interpretation, the accessory use shall be required to conform to the Director's interpretation of minimal life safety standards.

**918.08** Fees.

- A. ADUs are subject to all applicable building permit and inspection fees.
- B. Where the City wastewater system is available to a property, an ADU shall connect with the City wastewater system and pay a capacity fee. As defined in SCC 13.15.060, Wastewater fees – Installment payments for capacity fees and lift pumps, an ADU is equal to 1/2 an equivalent residential unit (ERU).
- C. In accordance with Chapter 14.05 SCC, Development Impact Fees, an ADU shall not be subject to development impact fees.

**918.09** Exercise of Discretion. For existing and new ADUs, the Director has the discretion to modify or waive applicable LDC requirements; provided, that the waiver differs by no more than 25% from the regulations in question, except as noted in subsection 918.04(I)(3) of this section, and consideration is due to special circumstances applicable to the property or structure, including size, shape, topography, location and surroundings. The Director may also grant a waiver subject to specific conditions in order to mitigate the impact of the waiver on adjacent properties. The exercise of discretion shall ensure the compatibility of the ADU with its site and surrounding properties and the manner in which discretion is exercised will result in a more practical application of the provisions of these requirements based on specific unique or unusual characteristics of the property and its surroundings.

**918.10 Enforcement.**

A. ADUs are subject to all requirements set forth in Article 14 SLDC, Enforcement. Complaints received by the City of Sedona regarding a possible ADU violation shall be processed in accordance with all applicable procedures, remedies and enforcement actions.

B. Upon notice of a code enforcement complaint or other violation regarding the ADU, the property owner must make every reasonable attempt to correct the situation. If in the opinion of the Director the property owner does not cooperate in a timely manner to correct the violation, an ADU permit may be revoked as a result of an enforcement action including, but not limited to, the following: (1) illegal alteration of the ADU, (2) failure of property owner to reside in either the primary or accessory dwelling unit as required, (3) failure to maintain required off-street parking spaces, (4) failure to meet any other requirements including number of occupants, (5) general nuisance violation convictions such as excessive noise levels.

C. The revocation of an ADU permit will require that the property revert to a single-family use. The City will then record a notice of revocation of the accessory dwelling unit permit.

**918.11 Growth Cap.** The Sedona Community Plan's Land Use Policy No. 1 recommends that the city:

approve new housing units only if within the City's current overall limit on the total number of homes that can be built under current zoning.

In order to be consistent with these Community Plan recommendations, this section establishes a growth cap of 89 approved ADUs. The growth cap of 89 ADUs represents approximately a 1% increase over the residential build out projection.

[Ord. 2010-01 § 1, 1-12-2010 (Res. 2010-01 Exh. A, 1-12-2010); Ord. 2015-02, 2-10-2015; Ord. 2016-01 § 1, 2-9-2016 (Res. 2016-02 Exh. A, 2-9-2016)].

**End of Previous Agenda Item**

**Beginning of Next Agenda Item**



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**Meeting Dates:** November 1, 2016 (Public Hearing)  
October 10, 2016 (Public Hearing), continuation

**Hearing Body:** Planning and Zoning Commission

**Project Number:** PZ15-00015 (LDC)

**Action Requested:** Discussion/possible action regarding an ordinance amending Section 303, Historic Preservation Commission, and Article 15, Historic Preservation Ordinance, Sedona Land Development Code to reexamine the City's preservation philosophy, clarify existing regulations, and establish a process for a Certificate of No Effect to allow for an expedited review process for certain types of alterations, repairs, and maintenance.

**Staff Recommendation:** Recommendation of approval to City Council of the recommended amendments to Section 303, Historic Preservation Commission, and Article 15, Historic Preservation Ordinance, of the Land Development Code.

**Report Prepared By:** Warren Campbell, Assistant Director

**Attachments:**

- A. [HPC recommended amendments to Land Development Code Section 303, Historic Preservation Commission, and Article 15, Historic Preservation Ordinance.](#)
- B. [Link to October 10<sup>th</sup> P&Z Public Hearing Packet.](#)

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**Background**

Several years ago the City Council directed the Historic Preservation Commission (HPC) and staff to review Article 15, Historic Preservation Ordinance, of the Land Development Code, to reexamine the City's philosophy with regard to historic preservation and recommend changes where appropriate. At the Commission's July 13, 2015, work session, based on HPC direction, staff introduced several proposed amendments to Article 15 which primarily included several minor amendments and the establishment of a process for a Certificate of No Effect to simplify and expedite certain types of alterations, repairs, or maintenance which would have no effect on the historic characteristics of a historic resource. The following objectives were identified for the amendment of Article 15:

- Clarify the regulations.
- Streamline and simplify the process.
- Create a sense of partnership between the property owner and the city within the Historic Landmark process.

Participation in the Landmark Program is voluntary. Staff and the Commission have been seeking to balance the process demands with the desire to participate in the program which ultimately results in the preservation of the past for future generations. On September 19, 2016, the HPC voted unanimously to forward a recommendation of approval to the Planning and Zoning Commission for amendments to

Articles 3 and 15 (Attachment A). This recommendation was made after a nine (9) public meetings over the past year and a half. Staff has provided a link to the October 10<sup>th</sup> P&Z packet materials which include the draft minutes and hearing materials from the September 19<sup>th</sup> and July 11, 2016, meetings (Attachment B).

### **Proposed Amendments**

As a result of multiple public meetings with the HPC regarding Section 303 (Decision Making and Administrative Bodies; Historic Preservation Commission) and Article 15 (Historic Preservation Commission), pursuant to direction provided, staff has amended the adopted language to address the identified objectives. The proposed amendments meet the identified objectives as follows:

- Clarify the regulations.
  - Removed duplicated text.
  - Corrected grammatical errors.
  - Clarified and reviewed the Purpose of the HPC.
  - Clarified and added multiple definitions.
  - Clarified process for removal of a Landmark designation by including findings.
- Streamline, simplify the process, and create a sense of partnership between the property owner and the city within the Historic Landmark process.
  - Defined Routine Maintenance and Repair and established a process by which no review is required by the HPC or staff. Consultation is recommended.
  - Established a Certificate of No Effect process much like those found in other communities.
    - Allows for a more expedient administrative review with one member of the Commission for applications which will have no “detrimental” effect on the character of the property.

The result is a document containing language proposed to be stricken (shown in strikethrough) and added (shown underlined in red text) to address the desire to create clarity, consistency, and expediency, within the LDC regulations to foster a greater sense of partnership. The more substantive changes as a result of the HPC hearing include the following:

#### **Article 3 (Decision Making and Administrative Bodies), Section 303 (Historic Preservation Commission)**

- **Subsection 303.01 (Duties)** is proposed to be amended to clarify the powers and duties in the performance of duties associated with requirements of Article 15.
- **Subsection 303.02 (Commission’s Time to Act)** is proposed to be amended to eliminate the required time frames for the HPC to act on applications as they are contained within Article 15 .

#### **Article 15 (Historic Preservation Ordinance)**

- **Section 1503 (Definitions)** is proposed to be amended to clarify and add multiple definitions. An addition of note is the definition creation of Routine Maintenance and Repair.
- **Section 1505 (Historic Preservation Commission), Subsection 1505.06 (Powers and Duties)** is proposed to be deleted as the proposed amended Powers and Duties are contained within Section 303.

- **Section 1507 (Historic Landmarks Designation Process), Subsection 1507.07 (Effect of Landmark Designation)** is proposed to include language stating that work falling within the definition of Routine Maintenance and Repair are permissible without review by staff or the HPC.
- **Section 1509 (Certificate of Appropriateness)** is proposed to be amended to include an expedited Certificate of No Effect which would provide for an expedited review process for certain types of work performed on designated landmarks.
- **Section 1512 (Architectural Documentation Prior to Demolition of Historic Buildings)** is a new section which is proposed to be added to establish a requirement for the document of structures not designated as a landmark, but in excess of 50 years in age, which are proposed for demolition to provide a minimal level of documentation for preservation by the community. All sections of Article 15 after the insertion of this new section were renumbered.

### **Planning and Zoning Commission's Role and Responsibility**

The Planning and Zoning Commission makes recommendations to the City Council regarding changes to the Land Development Code. The Commissioners should review the documents provided and be prepared to take formal action at the October 4th Public Hearing.



***Staff Recommendation***

Based upon general consistency with the Land Development Code, consistency with and conformity to the Sedona Community Plan, Staff recommends approval of the proposed amendments incorporated in PZ15-00015 (LDC) to the Sedona Land Development Code amending Section 303, Historic Preservation Commission, and Article 15, Historic Preservation Ordinance, Sedona Land Development Code to reexamine the City's preservation philosophy, clarify existing regulations, and establish a process for a Certificate of No Effect to allow for an expedited review process for certain types of alterations, repairs, and maintenance.

***Sample Motions for Commission Use***

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

***Recommended Motion for Approval***

I move to recommend that the City Council approve an ordinance approving PZ15-00015 (LDC), amending the Sedona Land Development Code Section 303, Historic Preservation Commission, and Article 15, Historic Preservation Ordinance, Sedona Land Development Code based upon the proposed amendments general consistency with the Land Development Code, consistency with and conformity to the Sedona Community Plan

***Alternative Motion for Denial***

I move to recommend that the City Council not approve an ordinance approving PZ15-00015 (LDC), amending the Sedona Land Development Code Section 303, Historic Preservation Commission, and Article 15, Historic Preservation Ordinance, Sedona Land Development Code based upon the following findings (specify findings).



## Proposed Code Text Amendments

Text proposed to be stricken is shown in ~~red strikethrough~~. Text proposed to be added is shown in red underline.

### 303 Historic Preservation Commission.

303.01 Powers and Duties. ~~The Commission has the following powers and duties: The responsibility of the Commission is to promote the purposes and objectives of Article 15 and shall include, but not be limited to, the following duties:~~

- A. Maintain and ~~periodically~~ update, as needed, a work program plan for historic preservation.
- B. Maintain review criteria to assure fair and impartial evaluation and designation of properties as landmarks and Historic Districts. The Commission shall periodically review these criteria, and make such adjustments or updates as may be required.
- C. Maintain criteria to assure fair and impartial review of applications for Certificate of Appropriateness and Certificate of No Effect. Such criteria shall be subject to review by the Planning and Zoning Commission and ratification by the City Council.
- D. Review properties proposed for designation as landmarks, explain to the owners thereof the potential effects of designation as known to the Commission at that time and make a decision to designate, conditionally designate, or deny designation.
- E. Review property nominations for designation as a Historic District, explain to the owners thereof the potential effects of designation as known to the Commission at that time, and make recommendations regarding rezoning ~~of to~~ a Historic District to the Planning and Zoning Commission and City Council.
- F. Propose design guidelines appropriate to individual Historic Districts.
- G. Review and approve, conditionally approve or deny applications for a Certificate of Appropriateness, Certificate of Demolition and Certificate of Economic Hardship.
- H. Conduct public hearings and render decisions on major alterations as set forth in Article 15.
- ~~H~~. Maintain and periodically update the Historic Property Register.
- ~~I~~. ~~Determine and cause to be created a system of~~ Issue historic resource identification markers for designated properties.
- ~~J~~. Recognize the owners of designated properties; ~~issue~~ commendations to owners of historical properties who have rehabilitated their property in an exemplary manner.
- ~~K~~. When City Council approval is appropriate, make recommendations to the City Council regarding the acquisition of property suitable for preservation. Such acquisition may include the purchase or acceptance of donated property.
- ~~L~~. Make recommendations to the City Council regarding the utilization of federal, state, city or private funds to promote historic preservation.

~~MN~~. Make recommendations to the City Council to accept gifts, grants, funds, contributions, and bequests from individuals and public and private entities, agencies, foundations, trusts, corporations, and other organizations or institutions.

~~NO~~. Cooperate with and enlist the assistance of persons, organizations, foundations and public agencies in matters involving historic preservation, renovation, rehabilitation and reuse, with City Council approval as appropriate.

~~OP~~. Increase public awareness of the values of historic, cultural, archaeological and architectural preservation, by developing and participating in public education programs and publications.

~~PQ~~. Annually prepare a written ~~reports~~ report of Commission activities ~~and~~; submit it ~~such reports~~ to the City Council and the State Historic Preservation Office (SHPO). ~~This~~ These reports shall be available for public review.

~~QR~~. Conduct detailed studies and surveys of properties and areas and assess their potential for designation.

~~RS~~. ~~Periodically~~ r~~R~~review the Historic Resource Survey and consider the inclusion of any properties, ~~which that~~ which that may have come to meet the requirements herein, and the deletion of any properties ~~which that~~ which that may no longer exist or have been irreversibly altered to the detriment of their historic character and integrity.

~~ST~~. Work with and assist departments of the city in matters affecting historic preservation and related publicity.

~~TU~~. Assist property owners, on request, on the restoration, rehabilitation, alteration, decoration, landscaping, or maintenance of any historic property resource.

~~UV~~. Encourage and assist property owners of historic properties on procedures for inclusion on state historic listings and the National Register of Historic Places.

~~VW~~. Carry out such other duties as may be determined by the City Council, and present other such recommendations as may be deemed pertinent.

### ~~303.02 Commission's Time to Act.~~

~~A. Upon receipt of a complete application, or initiation by the Historic Preservation Commission, after discussion with the property owner, for the designation of a landmark or Historic District, the Chairperson of the HP Commission shall place it on the agenda for a public hearing within 60 days to consider the designation. The Chairperson shall cause notice to be delivered in person or sent by certified mail to the owner(s) of the property announcing the hearing, not later than 15 days preceding said hearing.~~

~~B. Upon receipt of a complete application for a Certificate of Appropriateness, the Chairperson of the HP Commission shall place it on the agenda for a public hearing within 30 days.~~

**Article 15  
HISTORIC PRESERVATION ORDINANCE**

Sections:

- 1501 Purpose.
- 1502 Relation to Community Plan.
- 1503 Definitions.
- 1504 Historic Property Register.
- 1505 Historic Preservation Commission.
- 1506 Incentives.
- 1507 Historic landmark designation process.
- 1508 Historic District designation.
- 1509 Certificate of Appropriateness or Certificate of No Effect.
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**1501 Purpose.**

A. It is hereby declared as a matter of public policy that the City of Sedona joins with the United States of America and the State of Arizona in promoting the protection, enhancement, and perpetuation of properties and areas of historic, cultural, archaeological, architectural, and aesthetic significance as being necessary for the economic, cultural, educational and general welfare of the public. This is done pursuant to the provisions of the National Historic Preservation Act of 1966 as amended, and A.R.S. Section 9-462.01.

B. Inasmuch as the identity of a people is founded on its past, and inasmuch as Sedona has many historic, archaeological, architectural, and cultural resources which constitute its heritage, this article is intended to:

1. Identify and preserve the historic resources properties, which that represent distinctive elements of Sedona's historic, archaeological, architectural and cultural heritage. Maintain and foster their unique identities and legacies, which in turn helps to help to make the community a desirable place to live, work and visit;
2. Promote the use and adaptive reuse of historic properties resources for the education, pleasure, and welfare of the people of the city community;
3. Foster civic pride in the accomplishments of indigenous people, pioneers, artists and others of the past;
4. Protect and enhance Sedona's attractiveness as a destination to visitors and the economic benefit incurred through tourism; support and stimulus to the economy thereby provided;
5. Stabilize and improve property values of restored, renovated, rehabilitated and protected sites historic resources;
6. Provide incentives where appropriate for restoration by owners of landmarks or historic properties resources;

7. Provide standards for restoration and adaptive reuse of designated properties historic resources and new construction within Historic Districts.

### **1502 Relation to Community Plan.**

The administration of this article shall be pursued in accordance with the recommendations set forth in the Sedona Community Plan.

### **1503 Definitions.**

For the purpose of this article, certain words, phrases and terms used herein shall have the meaning assigned to them by this section. When not inconsistent ~~with~~ within the context of this section, words used in the present tense include the future; words in the singular include the plural and those in the plural include the singular. The word **“shall”** signifies mandatory; the word **“may”** ~~is permissive~~ signifies optional.

**“Adaptive reuse” see “Rehabilitation”.**

**“Alteration”** means any aesthetic, architectural, ~~mechanical or~~ structural or mechanical change to the exterior surface of any significant part of a designated historic resource property, as defined herein.

**“Archaeological site”** means a site containing any structure, evidence of occupation, articles or remains resulting from historic human life, habitation or activity, including but not limited to camp sites, petroglyphs, pictographs, paintings, pottery, tools, ornamentation, jewelry, textiles, ceremonial objects, games, weapons, armaments, vessels, vehicles or, most importantly, human remains.

**“Building”** means a structure created to shelter any form of activity, such as a house, cabin, barn, church, hotel, shed or similar structure. **“Building”** may also refer to a historically related complex, such as a courthouse and jail, or a farmhouse and barn.

**“Cemetery”** means any site which contains at least 1 human burial, marked or previously marked, and/or considered a dedicated cemetery under Arizona state statutes, even though it may be currently suffering neglect and abuse.

**“Certificate of Appropriateness”** means a document issued by the Commission, following prescribed public review procedures, certifying that proposed work on a designated property historic resource is compatible with the historic character style and building materials of the property historic resource, and therefore may be completed as specified in the Certificate of Appropriateness, and any building permits needed to do the work specified in the Certificate may be issued.

**“Certificate of Demolition” means a document issued by the Commission authorizing removal of all or part of a historic resource which is identified as part of a historic Landmark or located within a Historic District.**

**“Certificate of Economic Hardship” means a document issued by the Commission when a property owner demonstrates that a reasonable rate of return cannot be obtained for an income producing commercial property or that no beneficial use exists for a non-income producing residential property, or that the cost to participate in the City of Sedona’s Historic Preservation Program is financially outside the property owner’s means.**

**“Certificate of No Effect” means a document issued by the Director, following prescribed review procedures, stating that the proposed work on a designated historic resource will have no detrimental effect on the historic character of the resource, and therefore may be completed as specified in the Certificate of No Effect, and any building permits needed to do the work specified in the Certificate of No Effect may be issued.**

~~“Construction” means the act of adding to a structure, or the erection of a new principal or accessory structure on a lot or property, which requires a city building permit.~~

~~“Chairman”~~ **“Chairperson”** means the Chair~~man~~ of the Historic Preservation Commission or his/her designee.

**“City”** means the City of Sedona, Arizona.

**“Commission”** means the Historic Preservation Commission of the City of Sedona, Arizona, as described in this article.

**“Construction”** means any site preparation, assembly, erection, repair, addition, alteration or similar action (excluding demolition) for or of historic resources sites, structures, or of public or private rights-of-way, utilities or other improvements.

**“Contributing”** means a classification applied to a ny historic resource building site, structure, or object within a Historic District or landmark property signifying that it contributes to the defining characteristics and integrity of the Landmark or Designated Historic District ~~or landmark~~.

**“Demolition”** means any intentional act or process, ~~which that~~ totally or partially destroys a designated property.

**“Designated ~~property~~ Historic Resource”** means any property, site, building, structure, area, landscaping, or object property which that has received city designation as a landmark, or as a contributing property within a Historic District, according to the provisions of this article.

**“Director”** means the Director of Community Development or his/her designee for the city pursuant to Article 3 SLDC.

**“Historic District”** means a geographical area whose boundaries are defined by a Historic District zoning designation ~~which that~~ contains ~~properties, structures, sites or objects~~ historic resources which are considered to have historic, architectural or cultural value.

**“Historic Property Register”** means the listing and defining of designated properties of Sedona as provided in this article.

**“Historic Resource”** means any property, site, building, structure, area, landscaping, or object identified as representing distinctive elements of Sedona’s historic, archaeological, architectural and cultural heritage.

**“Historic Resource Survey”** means the official Historic Resource Survey books of the city ~~as produced by the Commission~~, listing and describing ~~properties, structures, sites or objects~~ historic resources (whether designated or not) which are considered by the Commission to have historic, architectural or cultural value.

**“Integrity”** means a measure of the authenticity of a ~~historic resource’s property’s historic~~ identity, evidenced by the survival of physical characteristics that existed during ~~the property’s its~~ historic or prehistoric period in comparison with its unaltered state. For example, a historic building of high integrity has few alterations or ones that can be easily reversed, and an archaeological site with high integrity is one that is relatively undisturbed. ~~criteria evaluated include~~ Evaluation criteria in determining integrity include a historic resource’s include association, design, feeling, location, and materials.

**“Landmark”** means a designation, as a result of processes provided in this article, applied by the Commission to a ~~an individual property, structure, site or object~~ historic resource, which has a historic value or expresses a distinctive character or style worthy of preservation.

**“Maintenance”** means regular, customary or usual care for the purpose of preserving a property historic resource and keeping it in a safe, sanitary and usable condition, without causing any alteration to the historic resource’s distinctive exterior appearance and character ~~of the property~~.

**“Move”** means any relocation of a building or structure on its site or to another site.

**“National Register of Historic Places”** means the official list of historic resources established by the federal government through the National Historic Preservation Act of 1966, and as amended.

**“Noncontributing”** means a classification applied to ~~any historic resource on a property, site, structure or object~~ a historic Landmark site or within a Historic District ~~or landmark property~~ signifying that it does not contribute to the defining characteristics of the Landmark or Historic District ~~or landmark~~.

**“Planning and Zoning Commission”** means the Planning and Zoning Commission of the City of Sedona, Arizona.

**“Preservation”** means the act or process of applying practices and measures to sustain the existing form, integrity and material of a ~~structure~~ historic resource, ~~and the existing form, and vegetative cover of a site~~. It may include stabilization work where necessary, as well as ongoing maintenance of the historic materials.

**“Preservation covenant”** means a deed restriction filed with the appropriate county, which identifies the property as a landmark or a contributing property within a Historic District.

**“Protected Interior”** means a property listed on the City of Sedona Register of Historic Resources that is routinely and customarily open for inspection and is identified as significant at the time of the property’s landmark designation

**“Reconstruction”** means the act of reproducing by new construction the exact form and detail of a vanished or severely deteriorated structure or object, or part thereof, as it appeared at a specific period of time.

**“Rehabilitation”** means the act or process of returning a property to a state of utility through repair or alteration ~~which makes possible that make~~ an efficient contemporary use possible, while preserving those portions or features of the property ~~which that~~ are significant to its historical, architectural and cultural ~~values-value~~.

**“Removal”** means any relocation, in part or whole, of a structure on its site or to another site.

**Renovation.** See **“Rehabilitation.”**

**“Repair”** means any physical change that is not alteration, construction, removal or demolition.

**“Restoration”** means the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time, ~~by the removal of~~ by removing later work or by ~~the replacement of missing~~ replacing earlier work that is missing or was destroyed.

**“Review criteria”** means the preservation standards, tests, norms or guidelines applied by the City Staff and the Commission during any review process, including but not limited to surveys, designations, ~~or~~ Certificates of Appropriateness, or other decision making process.

**“Routine Maintenance and Repair”** means any alteration to a designated historic resource or protected interior that does not conflict with its ongoing eligibility for listing on the City of Sedona Register of Historic Resources including restoration and repair of damage resulting from fire, flood, earthquake, or act of God. Alterations shall be same-for-same with regard to all details, including but not limited to, material type, dimension(s), texture, and architectural appearance, in order to be deemed routine maintenance and repair. Alterations to the exterior requiring a building permit shall be in conformance with this definition in order to be considered routine maintenance and repair. Any alteration to a noted contributing factor shall not be considered routine maintenance or repair. Routine maintenance and repair may involve, but is not limited to:

- a) Repair and/or replacement of any exterior wall material;
- b) Repair or replacement of roof cladding materials;
- c) Repair and/or replacement of a protected interior;
- d) Repointing of masonry joints;
- e) Replacement of window or door glazing except for glazing identified as a contributing feature at the time of the property’s designation;

- f) The removal, maintenance, and/or installation of landscape materials except those identified as significant to the property's history at the time of the property's designation;
- g) The application of vapor-permeable paint or stain finishes to wall cladding materials provided that the finish does not change the existing texture of the material or a color identified as a contributing feature at the time of the property's designation;
- h) Any other work determined by the Director of Community and Development to constitute "routine maintenance and repair".

**"Secretary of the Interior Standards"** means preservation standards developed and published by the office of the United States Secretary of the Interior, as part of the Department of the Interior regulations. They pertain to historic buildings resources of all materials, construction types, sizes and occupancy, and encompass the interior and exterior.

**"Stabilization"** means the act or process of applying measures designed to reestablish a weather-resistant enclosure and the structural stability of an unsafe or deteriorated property, while maintaining the essential form as it exists at present.

**"Structure"** means anything constructed or erected, the use of which requires a permanent or semi-permanent location on or in the ground, including but not limited to bridges, dams, water distribution systems, buildings, garages, fences, walls, gazebos, advertising signs, antennas, satellite sending or receiving dishes, paved parking or circulation areas, sculpture, and recreational facilities.

#### **1504 Historic Property Register.**

A Historic Property Register is hereby established for the purpose of listing and defining the landmarks and Historic Districts to be designated under the provisions of this article.

This Register may be periodically amended by the Commission and shall be held and made available for public reference and historical study. The document can be found on the City's website, at the Community Development office, and at the Sedona Public Library.

#### **1505 Historic Preservation Commission.**

Pursuant to Ordinance 97-09, there is hereby created a Commission to be known as the City of Sedona Historic Preservation Commission of the city.

##### **1505.01 Membership.**

A. The Historic Preservation Commission shall be composed of 7 members, 5 of which whom shall be residents of the city, and up to 2 of which who need not be residents of the city; provided, that the City Council finds at the time of their appointment that they have substantial ties within the corporate limits of the city, such as owning real property, owning a business, being employed within the city limits, or based on any other activities and factors deemed relevant by the Council. The members of the Commission shall be appointed by the Mayor and Council.

B. Prospective members should have demonstrated significant interest in and commitment to the field of historic preservation, evidenced either by involvement in a local historic preservation group, current nonconflicting or previous employment or volunteer activity in the field of historic preservation, or other demonstrated serious interest in the field. To the extent possible, it is desirable that at least 2 members be current or previous professionals in the areas of architecture, history, planning or archaeology.

C. Immediately prior to assumption of the duties of office, each member shall take and subscribe to the oath of office.

D. All Commission members shall serve without pay, except that members may be reimbursed for actual expenses incurred in connection with their duties, upon authorization.

#### 1505.02 Term of Office.

A. Membership appointment to the Commission shall be for a period of 3 years. Terms shall be staggered so that no more than 3 members' terms shall expire in any given year. All terms shall begin on December 1 and shall end on November 30 or until a successor is appointed and qualified.

B. In the event of a resignation, removal or death of a member, the Council shall fill the vacancy for the unexpired term.

C. The Council by a majority vote may remove any member of the Commission ~~by a majority of the Council, or~~ as otherwise provided by ordinance or the City Code.

#### 1505.03 Officers.

A. The members of the ~~HP~~ Commission shall elect from among themselves a Chairperson and a Vice Chairperson. These officers shall serve a 1-year term and until their successors are elected. Officers may serve successive terms, if so chosen by the Commission.

B. The Chairperson shall preside at meetings and ~~execute~~ exercise the usual rights, their duties and prerogatives as the head of similar organizations as set forth in the City of Sedona Commission Handbook and this article. The Chairperson shall serve as Commission liaison with the city staff, ~~and shall also be responsible for other duties as described in this article.~~

C. The Vice Chairperson shall perform the duties of Chairperson in the latter's absence or disability.

D. The members shall fill a vacancy in either office for the unexpired term through a new election.

#### 1505.04 Meetings.

A. The Commission shall meet a minimum of 4 times per year, and more often if needed.

B. Four members shall constitute a quorum. The affirmative vote of the majority of members present shall be required for passage of any matter before the Commission. Any member may abstain from voting on a matter by declaring a conflict of interest, in which case such member shall step down and take no part in discussions or deliberations on that matter.

#### 1505.05 Rules.

A. The Commission shall ~~make and publish rules to govern its proceedings, subject to ratification by the City Council~~ adhere to the rules, policies, and procedures as outlined in the City of Sedona Commission Handbook. All meetings of the Commission shall be open to the public and noticed as provided by Arizona law.

B. Minutes shall be kept of all meetings. The minutes shall include all issues considered and shall record the individual votes of members on each action item.

~~1505.06 Powers and Duties. The responsibility of the Commission is to promote the purposes and objectives of this article and shall include, but not be limited to, the following:~~

~~A. Maintain and periodically update, as needed, a plan for historic preservation.~~

- ~~B. Maintain review criteria to assure fair and impartial evaluation and designation of properties as landmarks and Historic Districts. The Commission shall periodically review these criteria, and make such adjustments or updates as may be required.~~
- ~~C. Maintain criteria to assure fair and impartial review of applications for Certificate of Appropriateness. Such criteria shall be subject to review by the Planning and Zoning Commission and ratification by the City Council.~~
- ~~D. Review properties proposed for designation as landmarks, explain to the owners thereof the potential effects of designation as known to the Commission at that time and make a decision to designate, conditionally designate, or deny designation.~~
- ~~E. Review property nominations for designation as a Historic District, explain to the owners thereof the potential effects of designation as known to the Commission at that time, and make recommendations regarding rezoning to a Historic District to the Planning and Zoning Commission and City Council.~~
- ~~F. Propose design guidelines appropriate to individual Historic Districts.~~
- ~~G. Review and approve, conditionally approve or deny applications for a Certificate of Appropriateness.~~
- ~~H. Maintain the Historic Property Register.~~
- ~~I. Determine and cause to be created a system of markers for designated properties.~~
- ~~J. Recognize the owners of designated properties; issue commendations to owners of historical properties who have rehabilitated their property in an exemplary manner.~~
- ~~K. When City Council approval is appropriate, make recommendations to the City Council regarding the acquisition of property suitable for preservation. Such acquisition may include the purchase or acceptance of donated property.~~
- ~~L. Make recommendations to the City Council regarding the utilization of federal, state, city or private funds to promote historic preservation.~~
- ~~M. Make recommendations to the City Council to accept gifts, grants, funds, contributions, and bequests from individuals and public and private entities, agencies, foundations, trusts, corporations, and other organizations or institutions.~~
- ~~N. Cooperate with and enlist the assistance of persons, organizations, foundations and public agencies in matters involving historic preservation, renovation, rehabilitation and reuse, with City Council approval as appropriate.~~
- ~~O. Increase public awareness of the values of historic, cultural, archaeological and architectural preservation, by developing and participating in public education programs.~~
- ~~P. Annually prepare written reports of Commission activities; submit such reports to the City Council and the State Historic Preservation Office (SHPO). These reports shall be available for public review.~~
- ~~Q. Conduct detailed studies and surveys of properties and areas and assess their potential for designation.~~
- ~~R. Periodically review the Historic Resource Survey and consider the inclusion of any properties, which may have come to meet the requirements herein, and the deletion of any properties which may no longer exist.~~

~~S. Work with and assist departments of the city in matters affecting historic preservation~~

~~T. Assist property owners, on request, on the restoration, rehabilitation, alteration, decoration, landscaping, or maintenance of any historic property~~

~~U. Encourage and assist property owners of historic properties on procedures for inclusion on state historic listings and the National Register of Historic Places.~~

~~V. Carry out such other duties as may be determined by the City Council, and present other such recommendations as may be deemed pertinent.~~

~~**1505.07 Committees.** Advisory Committees may be created by the Chairperson or by the Commission to study and report on pertinent matters. Such Committees may include citizens who are not members of the Commission, but shall include at least 1 Commission member who shall serve as Chair of the Committee. Committees appointed for a specific task shall dissolve when the task is completed and its report has been presented to the Commission.~~

## **1506 Incentives.**

It is the City of Sedona's intent ~~of the city~~ to make ownership of a landmark or contributing property within a Historic District as beneficial as possible. In addition to the intangible benefits of owning a historic resource with community importance ~~property recognized as an important community resource~~, the Commission may, when applicable and possible, provide such owners with 1 or more of the following:

A. Recommendation to the Department of Community Development that an alternate ~~or transitional~~ use be considered;

B. Advice in locating potential sources of financial assistance and tax credits;

C. Advice in preparing grant applications and potential third party sponsorship;

D. Advice in routine or emergency technical information and referrals;

~~E. Assistance in locating buyers and/or sellers;~~

~~F. Assistance-Advice~~ in the formulation of a neighborhood preservation or historic district association;

~~G. Assistance-Advice~~ in obtaining other benefits as may become available;

~~H. G.~~ Waiver of fees. Fees for applications as they pertain to this article may be waived or reduced by the Director upon a request from the property owner, or an authorized agent or by the Commission, if it is determined that such a waiver or reduction of fees would further the intent, ~~and~~ purpose and enactment of this article.

## **1507 Historic Landmark Designation Process.**

The Commission may designate ~~as a landmark~~ an entire property, an identified portion of a property, or 1 or more individual structures on a property as a landmark.

**1507.01 Application Submittal and Review Requirements.** An application for a landmark designation shall be submitted by the owner of the subject property or authorized agent and involves the following steps:

A. Pre-Application Consultation. Prior to the submittal of an application for a landmark designation, the applicant should consult with the Director ~~to explain~~ regarding the application submittal requirements.

B. Application Submittal Requirements. An application for a landmark designation shall contain at a minimum the following, any of which may be waived by the Director:

1. Completed application.
2. Location and description of property.
3. Filing fee.
4. Statement or letter of authorization from the property owner, if different from the applicant.
5. An ownership map of property owners within 300 feet of the exterior boundaries of the subject property as shown on the last assessment of the property. A list of these property owners shall also be provided on mailing labels and keyed to the map showing the location of the identified properties.
6. A written description of the proposed property. Description should include special aesthetic, cultural, architectural, archaeological or engineering interest or value of a historic nature, including information about the architecture, notable construction features and other information, such as its association with notable people or events, all indicating the historical significance of the property. Supporting sketches, drawings, current and historic photographs, or other descriptive materials are desirable.
7. A written statement and photographs of condition of property and/or structure(s) including any known threats.
8. Other information as may be requested.

C. Incomplete Applications. Incomplete applications may be returned to the applicant and not processed until all materials have been submitted. If all the required materials have been submitted, the application shall be considered complete and shall be accepted by the Director.

D. Application Review. Following acceptance of a complete application, the Director shall conduct a formal review and prepare a comprehensive report which shall be submitted to the Commission and made available to the applicant, media and general public at least 7 days prior to the Commission's public hearing on the landmark application.

DE. Application Acceptance. Upon acceptance of a complete application, no building or demolition permits affecting the proposed landmark shall be issued by the city until the process as described herein has been completed and the Commission has made its decision.

#### **1507.02 Notice of Commission Hearing.**

A. Upon receipt of a complete application for a landmark designation, the item Commission shall be placed ~~#~~ on the Commission's agenda for a public hearing within 60 days. Public notice of this hearing shall be given as prescribed by Arizona law. The city shall give notice of the date, time, and place of a public hearing for consideration of a proposed landmark, including general explanation of the matter to be considered and a general description of the area affected at least 15 days before the hearing in the following manner:

1. Publication at least once in a newspaper of general circulation in the city.
2. Posting on the affected property so that the words "Public Hearing" and the date and time of the hearing are visible from a distance of 100 feet. It shall be the responsibility of the applicant to maintain the posting once erected.

3. Notification by first class mail shall be sent to each real property owner as shown on the last property assessment as located of the property within 300 feet of the property to be landmarked.

4. In addition to notice by the means set forth above, the city may give notice of the hearing in a specific case in such other manner as it deems necessary or appropriate.

5. As provided in A.R.S. Section 9-462.04(A)(7), or any successor statute, the failure of any person or entity to receive notice as set forth in the statute or SLDC 400.05 shall not constitute grounds for any court to invalidate the actions of the city.

B. Persons with specific issues or concerns regarding a proposed landmark are encouraged to contact the Department of Community Development in writing, by phone or in person prior to the hearing.

**1507.03 Landmark Designation Criteria.** The Commission shall evaluate each historic resource structure, site, building or property within an area that is included in an application and may designate it as a landmark if it is determined to possess integrity of location, design, setting, materials, workmanship, feeling and association; and, being at least 50 years old or having achieved significance within the past 50 years if the property is of exceptional importance; and exhibits 1 or more of the following:

A. Association with events that have made significant contributions to the broad patterns of our local, state or national history; or

B. Association with the lives of persons significant in our local, state or national past; or

C. Embodiment of distinctive characteristics of a type, period or method of construction, or representing the work of a master architect, artist, engineer or craftsman, or high artistic values value or representing a significant and distinguishable entity whose which individual components may lack individual distinctiveness; or

D. Information important in the understanding of the pre-history or history of our community or region.

**1507.04 Commission Public Hearing and Designation.**

A. The Commission shall hold at least 1 public hearing on each landmark application. At the public hearing, the Commission shall review the proposal with consideration given to the review criteria. Approval, conditional approval or denial of a landmark application shall be based on the findings of the Commission as they relate to the criteria.

B. The Commission's decision shall be final unless appealed to the City Council as provided for in this article. A recommendation for approval may be subject to conditions as the Commission deems applicable.

**1507.05 One-Year Bar Restriction on Refiling.** If the Commission denies an application, the Commission may refuse to accept another application for the same or substantially the same landmark request on the same property or any part of it within a year of the date the original application was filed on the same property or a portion of it.

**1507.06 Removal of Landmark.** The procedure to remove a landmark status to a property shall be the same as the procedure to designate. However, in the case of removal of a landmark designation, the Commission may initiate the application.

A. The Commission shall consider and make findings for removal of landmark status and removal

from the City of Sedona's Historic Resource Register. The removal of any designated historic resource shall be granted only if the Commission finds that the historic resource no longer conforms to any of the findings as set forth in this article and as identified below:

1. That the historic resource has been destroyed or demolished by natural disaster, accident or fire,
2. That the historic resource has diminished historic significance or value upon a showing of clear and convincing evidence, including that this diminution is not the result of deterioration by neglect or work performed without a permit,
3. That the historic resource cannot be restored, rehabilitated, stabilized or renovated for any use permitted in the zone in which it is located without causing an economic hardship disproportionate to the historic value of the property substantiated by clear and convincing evidence. Proof of economic hardship shall require a showing that the cost of stabilization of the historic fabric of the property exceeds the appraised value as determined by a qualified appraiser of the historic improvements on the site.

B. If the removal of landmark designation from the National Register is initiated by the Commission, the Commission must prove the grounds for removal of a landmark designation meet the criteria for removing properties from the National Register as set forth by the United States Department of Interior.

#### **1507.07 Effect of Landmark Designation.**

A. Upon approval of a landmark designation, the affected property shall be included in the Historic Property Register and on any other applicable documents as appropriate for its preservation.

B. No person shall carry out any exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, on any landmark, without first obtaining a Certificate of Appropriateness, ~~from the Commission.~~ Certificate of No Effect or other applicable approvals.

C. No person shall make any material change in the exterior appearance of any landmark or contributing factor, such as, its color, materials, light fixtures, signs, sidewalks, fences, walls, landscaping, steps, paving or other elements which affect the appearance of the property historic resource without first obtaining a Certificate of Appropriateness, Certificate of No Effect or other applicable approvals.

D. No person shall carryout any demolition, in whole or part, on any landmark, without first obtaining a Certificate of Demolition approval from the Commission.

~~DE.~~ Each property designated as a landmark shall be maintained to ~~in~~ ensure weather resistance and a secured condition, ~~and~~ faithful to its historic character.

~~FE.~~ Nothing in this article shall be construed to prevent normal routine maintenance and repair, as defined herein. ~~which does not involve change in the exterior design, material, color or appearance.~~ Any exterior alteration, restoration, renovation, reconstruction in compliance with the definition of routine repair and maintenance as contained herein shall be permissible without application and review. Property owners and/or their representatives are encouraged to consult with staff prior to any work being performed to discuss its scope and compliance with the definition of routine maintenance and repair; however, consultation is not required. [Ord. 2009-15, 10-13-2009].

## 1508 Historic District designation.

A. A rezoning approval is required in order to receive a Historic District designation. The rezoning process to receive a Historic District designation is set forth in Article 4 SLDC, Review Procedures.

B. The Historic District is an overlay zone in which designated properties retain the uses of and are subject to the regulations of the underlying zoning. The underlying zoning, which relates primarily to land use and density, continues to be administered by the Planning and Zoning Commission. The Historic Preservation Commission administers the regulations as they relate to the Historic District designation. In the case where historic preservation and zoning regulations conflict, the Historic Preservation Ordinance takes precedence.

C. The Commission, the Planning and Zoning Commission, City Council, a property owner or agent of property owner of the subject area ~~subject to the request~~ may initiate a request to rezone to a Historic District.

### 1508.01 Application Submittal and Review.

A. Pre-Application Consultation. A pre-application consultation with the Director is required in order for the Director to explain the rezoning review process and application submittal requirements.

B. Application Submittal Requirements. In addition to the submittal requirements set forth in SLDC 400, all Historic District rezoning applications shall include the following:

1. Written description of the proposed Historic District. Description should include approximate construction dates, special aesthetic features, cultural, architectural, archaeological or engineering interest or value of a historic nature, including information about the architecture, notable construction features, and other information indicating the historical significance of notable people, events or the area's development, etc.
2. Identification of prospective contributing properties and how they each meet 1 or more of the Historic District criteria. District boundaries should be continuous, but non-continuous boundaries may be considered on a case-by-case basis.
3. Current and historic sketches, photographs or architectural drawings.
4. Written description and photographs ~~Statement~~ of exterior condition of all structures.
5. Explanation and photographs if applicable of any known threats to any property or structures involved.

**1508.02 Notice of Public Hearing.** Notice of the Commission's public hearing shall be the same as set forth in SLDC 400.

**1508.03 Historic District Designation Criteria.** Each structure, site, building, landscape or property within an area that is included in a Historic District rezoning application will be evaluated and ~~using the following criteria to determine if it has historical or other cultural significance or integrity, and is suitable for preservation may be designated a historic district if it is determined to possess integrity of location, design, settings, materials, workmanship, feeling and association; and, be at least 50 years old or having achieved significance within the past 50 years if the property is of exceptional importance; and exhibits 1 or more of the following:~~

- A. Association with events that have made significant contributions to the broad patterns of our local, state or national history.
- B. Association with the lives of persons significant in our local, state or national past.

C. Embodiment of distinctive characteristics of a type, period or method of construction, or representing the work of a master architect, artist, engineer or craftsman, or high artistic ~~values~~ value, or represent~~ative~~ ing of a significant and distinguishable property or person entity whose individual components may lack ~~individual~~ distinctions.

D. ~~Yielding i~~Information important in the understanding of the pre-history or history of the community or region.

~~E. Being at least 50 years old, or having achieved significance within the past 50 years if the property is of exceptional importance.~~

~~F. Possessing integrity of location, design, setting, materials, workmanship, feeling or association.~~

#### **1508.04 Adoption of Historic District.**

A. Action by the Historic Preservation Commission. Upon completing its public hearing on the Historic District application, the ~~Historic Preservation~~ Commission shall transmit its recommendation to the Planning and Zoning Commission. The ~~Historic Preservation~~ Commission's recommendation shall include the following:

1. A map showing the proposed boundaries of the Historic District and identifying all structures properties within the boundaries, including classification as contributing or noncontributing.
2. An explanation of the significance of the proposed district and description of the cultural and architectural resources within the proposed boundaries.
3. A set of findings documenting the recommendation of the ~~Historic Preservation~~ Commission.
4. Proposed design guidelines for applying the criteria for review of Certificate of Appropriateness or Certificate of No Effect to the nominated Historic District.
5. The recommendations of the ~~Historic Preservation~~ Commission may include reasonable additional conditions and/or modifications to the proposed district property boundaries as deemed necessary to promote the purpose of the district.

B. Action by the Planning and Zoning Commission. The Planning and Zoning Commission shall hold a public hearing to consider the Historic Preservation Commission's recommendations. Following conclusion of its public hearing, the Planning and Zoning Commission shall transmit its recommendation to the City Council.

C. Action by the City Council. Following conclusion of its public hearing, the Council may approve the Historic District as recommended or in a modified form, stipulating those conditions it deems necessary to carry out the purpose of this district and this Code.

D. Approval and Adoption. The supporting statements, design guidelines and documents submitted with the application for a Historic District shall be approved and adopted by the Council and included in the ordinance establishing the Historic District.

#### **1508.05 Effect of Historic District Designation.**

A. Upon approval of a Historic District designation by the City Council, the affected propert~~iesy(ies)~~ shall be included in the Historic Property Register and on any other applicable documents as appropriate for its preservation. The City's Zoning Map shall be updated to reflect the new zoning district boundaries. The city's parcel information database shall be updated to include those properties identified within the Historic District as contributing and noncontributing.

B. No person shall carry out any exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, without first obtaining a Certificate of Appropriateness or Certificate of No Effect as set forth in this article.

C. No person shall make any material change in the exterior appearance of a designated property, its color, materials, light fixtures, signs, sidewalks, fences, walls, steps, paving or other elements which affect the appearance of the property without first obtaining a Certificate of Appropriateness-or Certificate of No Effect as set forth in this article.

D. Each property designated as a contributing property shall be maintained in good condition and faithful to its historic character.

E. Nothing in this article shall be construed to prevent normal maintenance and repair which does not involve change in exterior design, material, color or appearance.

F. In addition to any other required review and/or approval, any proposed construction within a Historic District shall also be subject to Commission review according to any design guidelines which may have been applied to that district and other applicable criteria.

### **1509 Certificate of Appropriateness or Certificate of No Effect.**

A Certificate of Appropriateness is required before commencing any exterior improvements or development, including alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, of any landmark or property located within a Historic District, that will alter the historic appearance or character of the exterior or that of the Historic District, whether or not the work will require a building permit. Building permits for exterior work on landmarks or properties within Historic Districts cannot be issued without first obtaining a Certificate of Appropriateness.

Requests for exterior improvements, including alterations, restoration, renovation, reconstruction, or new construction for exterior work on landmarks that are deemed to be of "No Effect" by the Chairperson and Director may be eligible for a Certificate of No Effect, which can be issued administratively. If a building permit is sought from the city without a Certificate of Appropriateness or Certificate of No Effect, the issuance of the permit shall be deferred until after a Certificate of Appropriateness or Certificate of No Effect is issued ~~by the Historic Preservation Commission~~ for the subject property.

**1509.01 Application Submittal and Review Procedure.** An application for Certificate of Appropriateness or Certificate of No Effect shall be submitted by the owner of the subject property or agent and involves the following steps:

A. Pre-Application Consultation. Prior to the submittal of an application for a Certificate of Appropriateness or Certificate of No Effect, the applicant should consult with the Director ~~to explain~~ regarding the application submittal requirements.

B. Application Submittal Requirements. An application for a Certificate of Appropriateness or Certificate of No Effect shall contain at a minimum the following, any of which may be waived by the Director:

1. Completed application.
2. Location and description of property with photographs of areas affected by proposed project and photographs of the landmarked structures depicting a street view, in order to establish a context for the proposed work.
3. Filing fee.

4. A letter of intent describing the overall project specifically addressing architectural style, its compatibility within its context area, building materials, colors, exterior lighting, signage and landscaping if applicable.
5. Site Plan identifying all existing and proposed structures.
6. Scaled illustrations showing all existing and proposed site improvements and conditions, landscaping, signage and building elevations.
7. Samples of all proposed exterior paints or stains and colors and samples of roof and other exterior materials to be used, with an explanation on how they relate to existing colors and materials.
8. If the proposal includes signs or lettering, a scale drawing showing dimensions, lettering, colors, materials and any illumination.
9. Any additional information which the Commission may require to visualize the proposed work.

C. Acceptance of Application. Upon receipt of an application for a Certificate of Appropriateness or Certificate of No Effect, the Director shall complete a preliminary review within 2 working days to ensure that all the required materials have been submitted. Incomplete applications may be returned to the applicant and not processed until all materials have been submitted. If all the required materials have been submitted, the application shall be considered complete and shall be accepted by the Director. The Director shall, upon receipt of a complete application, determine whether the proposed changes qualify for a Certificate of Appropriateness or Certificate of No Effect.

If an application qualifies for a Certificate of No Effect, the Director shall contact the Chairperson to review the application and confirm qualification of the application. If an application is found to qualify for a Certificate of No Effect the Director shall issue a Certificate of No Effect within 7 working days of receipt of the complete application.

If the Director determines that the proposed changes would require a Certificate of Appropriateness, the application shall be forwarded to the Commission for review as prescribed herein.

#### **1509.02 Notice of Public Hearing for Certificate of Appropriateness.**

A. Within 20 days of the ~~Upon~~ receipt of a complete application for a Certificate of Appropriateness, the ~~Chairperson of the Commission~~ item shall be scheduled place it for a public hearing on a the future agenda ~~for a public hearing within 30 days with the applicant being notified of the meeting date, time, and location.~~ Public notice of this hearing shall be given as prescribed by Arizona law. The city shall give notice of the date, time and place of a public hearing for consideration of a Certificate of Appropriateness, including a general explanation of the matter to be considered and a general description of the area affected at least 15 days before the hearing in the following manner:

1. Publication at least once in a newspaper of general circulation in the city.
2. Posting on the affected property so that the words "Public Hearing" and the date and time of the hearing are visible from a distance of 100 feet. It shall be the responsibility of the applicant to maintain the posting once erected.
3. Notification by first class mail shall be sent to each real property owner as shown on the last property assessment ~~of the property as located~~ within 300 feet of the subject property.

B. Following acceptance of a complete application, the Director shall conduct a formal review and prepare a comprehensive report, which shall be submitted to the Commission and made available to the applicant, media and general public 7 ~~calendar~~ days prior to the Commission's public hearing. Commission members shall make every effort to inspect the property prior to the hearing.

C. At the hearing, concerned persons may present testimony and/or documentary evidence which will become part of the record of the hearing and the deliberations of the Commission.

### **1509.03 Commission Review and Decision for Certificate of Appropriateness.**

A. It is the intent of this article to ensure, insofar as possible, that a historic resource properties designated as a landmark ~~or a property~~ within an Historic District shall be in harmony with and complementary to the architectural and historical character of the historic resource property or district.

B. When reviewing an application for a Certificate of Appropriateness, the Commission may approve, conditionally approve or deny a Certificate of Appropriateness based on the following:

1. The proposed work does not detrimentally alter, destroy or adversely affect any architectural or landscape feature; and
2. The proposed work will be compatible with the relevant historic, cultural, educational or architectural qualities characteristic of the structure or district and shall include but not be limited to materials and elements of size, scale, massing, proportions, orientation, surface textures and patterns, details and embellishments and the relationship of these elements to one another; and
3. The proposed work conforms with review guidelines and/or other applicable criteria; and
4. The exterior of any new improvement, building or structure in a designated Historic District or upon a landmarked site will not adversely affect and will be compatible with the external appearance of existing designated buildings and structures on the site or within a Historic District.

5. Any proposed new construction shall be distinguishable from the historic architecture.

### **C. Review Guidelines and Criteria.**

1. The Commission may utilize the following documents and criteria as guidelines when considering an application for a Certificate of Appropriateness:

- a. Approved design guidelines for a designated Historic District.
- b. Secretary of the Interior's Standards for Restoration or Rehabilitation.
- c. Secretary of the Interior's Preservation Briefs and other information developed by U.S. Department of the Interior Park Service, Arizona Historic Preservation Office, National Trust for Historic Preservation, National Alliance of Preservation Commissions, Association of Preservation Technology, and the Old House Journal.
- d. Any other guidelines as adopted by the city.

D. No change shall be made in the approved plans of a project after issuance of a Certificate of Appropriateness without resubmittal to the Commission Director and approval of the change in the same manner as provided at an Administrative level, if that change is determined to be of no significant impact on the original proposed work set forth in the application. If the change is determined to have a significant impact on the original proposed work, the Director shall schedule a

public hearing before the Commission in the same manner as the original Certificate of Appropriateness consideration.

E. A Certificate of Appropriateness expires 6 months from the date of issuance unless work is started within that time. A Certificate of No Effect expires 6 months from the date of issuance unless work is started within that time.

F. If work exceeds that specified in the Certificate of Appropriateness or Certificate of No Effect, the Certificate of Appropriateness or Certificate of No Effect shall be revoked.

G. The Certificate of Appropriateness or Certificate of No Effect required by this article shall be in addition to any other permit(s) or review required for the proposed project.

#### **1509.04 Demolition of Historic Landmark or a Contributing Property within a Historic District.**

A. No person, firm, corporation, or other entity shall demolish a landmark or contributing property within a Historic District or cause or permit allow such demolition to be done, nor shall any permit for such demolition be issued, unless the demolition is approved by the Commission and a Certificate of Appropriateness-Demolition is issued.

B. A landmark or contributing property may be demolished if:

1. The Chief Building Official has determined that an imminent safety hazard exists and that demolition of the structure is the only feasible means to secure the public safety; or
2. The Commission finds, after review, that maintenance, use and/or alteration of the designated property in accordance with the requirements of this article would cause immediate and substantial economic hardship on the property owner(s) because rehabilitation in a manner which preserves the historic integrity of the resource:

a. Is infeasible from a technical, mechanical, or structural standpoint; and/or

b. ~~i.~~ Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking into account such factors as current market value, permitted uses of the property, and the cost of compliance with applicable local, state and federal requirements.

~~c.ii.~~ Costs necessitated by the neglect or failure of the current owner(s) to maintain the property need not be considered in making this finding; or

~~d.~~ The Commission finds that the demolition of a contributing property would not have a substantial adverse impact on the historic significance or integrity of a Historic District.

C. The applicant shall bear the burden of proof for all findings required for approval of a Certificate of DemolitionAppropriateness-for-demolition.

D. If demolition is approved, the property owner(s) may be required to publish notice at least 10 days prior to the scheduled demolition date, in a newspaper of general circulation, or notify contractors and manufacturers, of the availability of materials for salvage. Upon request, the Commission may make this information available to persons who may be interested in contacting the owner(s) to arrange for possible salvage of historic building materials.

### **1510 Maintenance and repair.**

Each property historic resource designated as a landmark, and properties historic resources designated as contributing properties within a Historic District, shall be properly maintained in good-weather resistant, secure condition and faithful to its historic appearance and character.

Nothing in this article shall be construed to prevent normal maintenance and repair of any exterior feature of any structure historic resource designated as a landmark or contributing property within a Historic District, which does not involve change in design, material, color or outward exterior appearance. The Commission shall not consider the interior arrangements or alterations to the interior of a building, unless designation specifically includes the interior or a portion thereof.

All exterior maintenance and repair not deemed to be routine maintenance and repair as defined herein, requires an application for determination of a Certificate of Appropriateness or Certificate of No Effect. Repairs that involve change in exterior appearance may be determined by the Director and Chairperson to have no significant impact on historic appearance and character, and thereby qualify for a Certificate of No Effect.

### **1511 Economic hardship.**

An application for demolition or removal of a landmark or property within a Historic District may, if appropriate, be accompanied by a request for relief from economic hardship.

Before granting such request, the Commission shall study the historic or cultural value of the property and shall review options including incentives to the owner for restoration or recommendation to Council that the city purchase the property.

Separate standards and application requirements may be established by the city for granting economic hardship relief for income-producing properties and for non-income-producing properties.

A. Investment or Income-Producing Properties. Economic hardship relief may be granted if the applicant satisfactorily demonstrates that a reasonable rate of return cannot be obtained from a property which retains features which contribute to its distinctive appearance and character in its present condition nor if rehabilitated, either by the current owner or a potential buyer. Economic hardship relief shall not be granted due to any of the following circumstances: willful destructive acts committed or caused by the owner or tenants; purchase of the property for substantially more than its fair market value; failure to perform normal maintenance and repair; or failure to diligently solicit and retain tenants or provide normal tenant improvements.

B. Non-Income-Producing Properties. Economic hardship relief may be granted if the applicant satisfactorily demonstrates that the property has no reasonable use as a single-family dwelling or for institutional use in its present condition or if rehabilitated, either by the current owner or a potential buyer. Economic hardship relief shall not be granted due to any of the following circumstances: willful destructive acts committed or caused by the owner; purchase of the property for substantially more than its fair market value; failure to perform normal maintenance and repair; or failure to diligently solicit and retain tenants or provide normal tenant improvements.

### **1512 Architectural Documentation Prior to Demolition of Historic Buildings.**

Applications for permits for the demolition of buildings that are in part (original structure with later additions) or in their entirety fifty (50) or more years old must include architectural documentation to

provide a permanent record of buildings of historical significance before their loss. Demolition applications are available from the Community Development Department.

1512.01 Applicability. These regulations apply to all demolition permit requests involving buildings that are in part or in their entirety fifty (50) or more years old, but are not individually listed on the National Register of Historic Places; and do not meet the eligibility criteria for the National Register of Historic Places or Designation as a Landmark in Sedona. Documentation is not required if the demolition will be limited to an addition that is less than fifty (50) years old, for an accessory buildings such as sheds, and mobile or manufactured homes regardless of age.

1512.02 Review Required. The applicant must submit documentation in conjunction with a demolition permit application submittal. The documentation will be reviewed and found complete pursuant to this Article prior to issuance of a demolition permit.

1512.03 Application and Review Process.

A. Prior to the submittal of a demolition permit application, the applicant may meet with the Director. At that time, the Director will determine whether the application requires documentation.

B. At the time of submittal, the applicant must submit the demolition permit application and all required architectural documentation to the Community Development Department.

C. The Director shall reviewed the submitted architectural documentation and approve the materials for completeness. The Director determines and informs the applicant that the required architectural documentation is complete, or of any additional documentation which is required within five (5) working days of the submittal date.

D. If the Director determines that the required architectural documentation is complete, then a demolition permit application may be processed. The applicant must demonstrate compliance with all provisions of the LDC before a demolition permit will be issued.

1512.04 Documentation Required:

A. Current photographs of the front, rear and sides of the building to be completely or partially demolished; and

B. Copies of old photographs of the building to be completely or partially demolished (taken at least 20 years prior to the demolition application), if in the possession of the applicant; and

C. A list of any important historical events or historically significant persons related to the building to be demolished, if known to the applicant.

1512.05 Documentation Optional:

A. Floor plans with measured dimensions; and

B. Photographs of all interior rooms; and

C. A 'context photograph' illustrating the relationship between the building to be completely or partially

demolished and the nearest adjacent buildings; and

D. A general description of construction materials, such as exterior walls, roofing, windows, porches, and carports of the building to be demolished; and

1512.06 Documentation Retention.

Upon approval of the demolition permit, the Director shall retain the architectural documentation as a record of a lost historic resource.

**15123 Appeals.**

Any person or group of persons aggrieved by a decision of the Commission may appeal to the City Council within 10 working days of the Commission's action; by filing ~~with the City Clerk~~ a written notice of appeal and any applicable fee as may be adopted with the City Clerk. The Council shall render a decision to sustain, conditionally overrule or overrule the Commission decision. The Council may choose to hold a public hearing if deemed appropriate.

**15134 Violations and enforcement.**

All work performed pursuant to a Certificate of Appropriateness or Certificate of No Effect under this article shall conform to requirements thereof. Compliance shall be confirmed by inspections made by the Building Inspector, Director and the Commission Chairperson or ~~his~~ designee. ~~Certain r~~Requirements of the Certificate of Appropriateness or Certificate of No Effect, such as signs, lighting, landscaping and site development, shall be reviewed for compliance.

Any action regarding a violation of any provision of this article shall be ~~brought to the City Attorneys~~ subject to code enforcement action. Any person, firm, corporation or other entity found to be in violation of any provision of this article shall be guilty of a Class 1 misdemeanor, punishable in accordance with Article 14 SLDC.

Any person, firm, corporation or other entity who causes unauthorized demolition, alteration, construction, or permits degradation or disrepair of a designated property as defined in this article may be required to restore the property and site to its condition prior to the violation. The civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.

**15145 Severability.**

This article and its sections are hereby declared to be severable. If any section, subsection, clause, word or phrase of this article is held to be void, unlawful or unconstitutional, such holdings shall not affect the validity of the remainder of this article or of the Land Development Code.