



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
(928) 634-7943 FAX (928) 634-0715

REGULAR MEETING OF THE TOWN OF JEROME
PLANNING AND ZONING COMMISSION
DATE: Wednesday, December 5, 2018 TIME: 7:00 pm
PLACE: JEROME CIVIC CENTER
600 Clark St., JEROME, ARIZONA 86331
MINUTES

ITEM 1: CALL TO ORDER/ROLL CALL

Chair Margie Hardie called the meeting to order at 7:08 p.m.
Roll call was taken by Charlotte Page. Commission members present were Chair Margie Hardie, Vice Chair Lance Schall, Scott Hudson and Henry Vincent.
Staff present were Charlotte Page, Zoning Administrator and Joni Savage, Deputy Clerk.

7:09 (2:00) ITEM 2: P&Z DISCUSSION OF RIGGINS RULES

Chair Hardie acknowledged the information received and its pertinence. There was no discussion.

7:10 (3:11) ITEM 3: APPROVAL OF MINUTES: Minutes of October 3, November 7 and 26, 2018

Chair Hardie gave her changes to staff to be made to the minutes.

Approval of the Minutes of October 3, November 7 and 26, 2018 with amendments.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie			x			
Hudson		X	x			
Schall	X		x			
Vincent			x			

7:20 (12:05) ITEM 4: PETITIONS FROM THE PUBLIC – There were no petitions from the public.

7:20 (12:20) ITEM 5: COMMISSION DISCUSSION OF REZONING R1-5 TO R-2
(Chair Hardie requested this item be transcribed verbatim.)

Chair Hardie said, "We have been working on this, rezoning issue and this is new to this commission. We've been diligent about keeping up with all the hard work Ms. Page is doing. We've been provided with information that will help us in working on this. We will not be having any votes tonight, it's a discussion. Direction to staff that we will continue with the process and any new documents, requirements and requests made that we (Planning and Zoning Commission) will be kept up-to-date." She asked Ms. Page what the next step would be.

Ms. Page said the next step is to have a public hearing to solicit input from the community.

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Chair Hardie said, "And that's not an issue of voting or anything like that. We get to hear what the public feels about the rezoning. Is that correct?"

Ms. Page responded, "If we have public come forward then we will hear from them."

Chair Hardie said, "And that has a very specific, is this the kind of public hearing you have to notify in the newspaper?"

Ms. Page responded, "Yes, I believe that this type of rezoning requires a display add in the paper, at a minimum. A higher level of public presence, we'll do another posting on the property that will show the boundaries. And I would like those signs to be quite a bit larger based on what I read in the statutes.

Chair Hardie asked, "Do you see a timeline for this?"

Ms. Page responded, "At a minimum, those items need to be posted 15 days in advance and notify neighbors within 150 feet; we'd probably use the same list as before for the neighborhood meeting of 300 feet.

Commissioner Vincent asked Chair Hardie if he could ask the applicants a question.

Chair Hardie responded, "Of course."

Commissioner Vincent asked Heather and Robert Doss, "Are you willing to limit the change of use to only duplexes?"

Heather Doss, the applicant, explained, "The only reason I brought this up is I wanted to put a stove downstairs. I was told in order to do that, a legal duplex, I would have to become an R2. We only have so many levels."

Commissioner Vincent said, "I think we're talking about the entire zone, all lots within the proposed changed area. I'm just asking, perhaps rhetorically, would the property owners be willing to limit the change of use to only duplexes?"

Ms. Doss responded, "To be honest with you that is all we're shooting for, that's all they know, is duplex."

Commissioner Vincent said, "My other question would be, "Would the property owners; Prop 207 says that if we rezone the property to your detriment then you can come after the municipality, my interpretation, anyway. So, my other question is would all of the other property owners be willing to sign a Prop 207 waiver saying you're not going to come after us (the Town) for taking away other property rights, if we were able to vote in favor of only duplexes in the zone."

Ms. Doss then asked, "Is that changing it to R2 zone, is R2 defined differently than duplex, because I know it's not R3 for apartments or condominiums."

Commissioner Vincent responded, "I think the sentiment, I don't even know if I can comment on the sentiment of the other commissioners, but the thought that I have had is can we limit the use to duplexes."

Ms. Doss replied, "I think that's what everyone around us is thinking."

Mr. Doss said, "We were under the impression that condominiums and apartments were R3."

Commissioner Vincent said, "I think the Chair is hung-up on the conditional uses in the existing ordinance include hospitals, for example."

Mr. and Mrs. Doss both agreed they would sign a waiver, all they want is a duplex.

Chair Hardie asked if there were any questions of the other commissioners, there were none.

Commissioner Vincent said, "I would move that we approve the change, or push the process along in terms of the change of zone with the conditions that all of the property owners in the zone would sign a Prop 207 waiver. And that the use of the properties would be limited to duplexes and that all the property owners would sign a limitation document to be prepared by the Town's attorney."

Chair Hardie said, "Henry, we don't have possible action on this item. There will be no motions on this item. It is only for discussion. We will proceed like you said, Ms. Page. After hearing what is necessary would you say it

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could be two months to do everything you need to do to have the public hearing. All the requirements, the time frame you'll need."

Ms. Page responded, "If this commission is willing to schedule a public hearing at the next meeting? Do I hear instruction to staff about gathering information about Prop 207 waivers?"

Chair Hardie said, "We're going to have to have a lot of that, I am looking forward to public input."

Jayne "Burt" Doss, resident of the rezoning area, asked, "Do we need to have an attorney, since you're seeking information from your attorney about Prop 207, do we need legal people with us as well?"

Chair Hardie said, "I can't answer that, I'm sorry."

Jayne Doss responded, "Okay, so that's probably a yes then."

Chair Hardie responded, "No, I honestly can't answer that. No assumptions, I don't know. That is the end of the discussion for now, for the rezoning. We'll be in touch and it sounds like we'll have that public hearing in January." She then asked the applicants if they had any further questions.

Heather Doss and Robert Doss asked questions: Ms. Doss asked, "Have we turned in a complete packet, do you need anything else from us?"

Chair Hardie responded, "Ms. Page is in charge of the paperwork, and I think there may be some more. It's going to be clerical. She'll be in touch with you on anything required. She'll get a hold of you."

Mr. Doss said, "Is this topic hitting a particular snag with you guys? Living in Jerome, I care about this Town very much so. I've been here my whole life and I will be here for years to come. The well-being of this Town is very important to me also, as of all of you. But I'm trying to figure out where the snag is because it seems like it keeps kind of slowing down with you. I'm curious because if you have a concern that I don't know about I would like to hear about it. He stated, "We want to do what everybody else is doing, legally!"

Chair Hardie responded, "What I could say is, I hate to say this, but we're all new to this process. I don't want to say this is what's going to happen up here, but I've called other communities to get as much information about this as I can. What I've heard from other communities, and I'm not saying this is here, Clarkdale, six months. We're learning and as we learn it may sound, maybe it feels like we're pulling back, but we're really trying to push forward.

Ms. Heather Doss said, "I see that, I just don't want to be in the process four months down the road. I just wanted to know what more you need. I understand now the 207, I'm totally on-board with that."

Chair Hardie said, "I'll give you an example, I've been wondering about this process. I've asked documentation, from Charlotte, on each and every property owner, an affidavit of ownership. We don't have a piece of paper, we never have generated one in this town."

Mr. Doss said, "We get approved for R2, we still have to come in and ask permission for everything we do. It's not like we're R2 and all of a sudden, 'oh, I hope they don't do that.' It's just that (Interrupted)"

Chair Hardie said, "No, you're right, it'll still be. (Interrupted)"

Mr. Doss said, "Living in town, I'm worried, I hear people talk and they get concerned with how much time they're going to spend doing things right, so they do it wrong. There are two kinds of people, once they go under the table, they're either going to do it right, because they care or they're going to get it done however they can. I don't want to live next to the house that did whatever they could because they didn't want to tell."

Chair Hardie said, "It sounds like we need to communicate more so that we can ease your feelings. Whatever we need to communicate with the petitioners, maybe that would set your minds at rest about the process. I don't want to speak for Ms. Page, but I know she appreciates getting calls. At this time that's about all I can offer. The Town is paying attention to your request."

Ms. Page summarized the next steps, "I think what we would do is draft something that is a Prop 207 waiver and supply the Arizona revised statute of Prop 207 to the owner, so everyone has the chance to look at those. That

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could be the affidavit of ownership. Then 30 days after the public hearing this commission will make a recommendation to Council. Does that help?"

Mr. and Ms. Doss said, "Yes that helped, a lot."

Ms. Page said, "Without hearing from the public we don't know what other concerns may come from them."

Chair Hardie thanked everyone.

7:35 (27:30) ITEM 6: FINAL PLAN REVIEW 160 NORTH DR., JEROME

APPLICANT: Jerald Pate

ADDRESS: 160 North Dr.

ZONE: R1-5

OWNER OF RECORD: Jer Rome Holdings, LLC

APN: 401-11-012H

Applicant will have final plans for residential project that received preliminary approval from P&Z, minutes are provided in the packet from the P&Z meeting indicating Commission approval of preliminary plans.

Mr. Pate and his representative Les Smutz approached the dais, explained the project and answered questions from the Commission.

Chair Hardie stated, "The parking is not in the setback."

Mr. Smutz referred to the drawing and showed the 20 feet of parking on the side.

Chair Hardie explained, "You know you have your setback and you have to establish space; there needs to be two 8 x 20 spaces that don't sit in the setback."

Vice Chair Schall explained to Chair Hardie that he can park in the setback.

Commissioner Vincent asked what the distance was from the house to North Drive.

Mr. Smutz said it was 45 feet.

Chair Hardie advised them that they must pull the permits within six months.

Mr. Pate said he was aware and has already begun the process with Barry Wolstencroft.

Mr. Smutz said since the preliminary approval the original setback was further from the road at 54 feet and it is now 45 feet.

Chair Hardie asked if they had any plans for solar.

Mr. Pate said he is open to solar but did not confirm that he was using solar.

Chair Hardie asked for a motion.

Motion to Approve the Final Plan for 160 North Drive.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie			X			
Hudson		X	X			
Schall	X		X			
Vincent			X			

7:46 (38:40) ITEM 7: P&Z REVIEW OF ZONING ORDINANCE SECTION 304.F DESIGN REVIEW, INSERTING A REFERENCE TO SOLAR DESIGN GUIDELINES ADOPTED BY COUNCIL 2015.

As requested by Design Review Board and Town Council

Ms. Page showed the Commission the pamphlet she had made for use as a handout to solar applicants.

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Chair Hardie suggested this was done in 2015 and now it is 2018. She wonders how much change has occurred. SHPO and the National Park Service has concerns and guidelines regarding solar technology. She thinks it is a great idea, but instead of inserting this specific booklet and the reference to it and we directed them to the National Park Service website link that this information was taken from. That URL would have the most current information.

Vice Chair Schall stated, "I think websites disappear." He would prefer to keep our own document and have control over it.

The Commission discussed this for some time.

Ms. Page informed them the link Chair Hardie was referring to is included in the pamphlet.

Motion to Include a Reference to the Solar Design Guidelines as Adopted by Council in 2015 in the Zoning Ordinance Section 304.F.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie			x			
Hudson		X	x			
Schall	X		x			
Vincent			x			

Ms. Page added she would take this to a public hearing next.

7:56 (48:55) ITEM 8: P&Z REVIEW OF ZONING ORDINANCE 509 IN REGARD TO SIGNS

Town Council did not adopt proposed text amendments in regard to temporary sign, based on public input at the final Council reading. Council suggests P&Z consider input received from public and review proposed text amendments.

Ms. Page explained the opposition from the public received at the Council meeting.

Chair Hardie wanted to know some of the specifics.

Ms. Page said there was a question about menu signs and sandwich boards.

Vice Chair Schall said he was at the meeting and gave his interpretation. Originally, he had thought a temporary sign was a canvas sign. The business owners questioned whether menu boards and sandwich boards (kept off the sidewalk) would need permission.

Commissioner Vincent had thought the goal was to eliminate clutter. He expressed his disappointment that no one had shown up for the public hearing but then go to the Council meeting.

The Commission discussed this topic amongst themselves.

Chair Hardie gave direction to staff to get further clarification and then tabled Item 8.

Ms. Page said she would take this up with Design Review.

Commissioner Vincent said he would bring it up to the Design Review Board.

8:15 (1:08:00) ITEM 9: PROPOSED MEETING SCHEDULE 2019

Zoning requests review of 2019 meeting schedule. November meeting will fall on public holiday, consider alternate dates.

Chair Hardie asked Ms. Page to explain.

Ms. Page informed the Commission of the schedule for next year. She began to state that there was a conflict and then she realized that there was no conflict with this schedule for the Planning and Zoning

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Commission, only with Design Review.

Chair Hardie confirmed they had no meetings on public holidays and that this document was for informational purposes.

(This item was just for informational purposes, however Chair Hardie asked that the conversation be expounded upon for the typed minutes.)

8:17 (1:09:00) ITEM 10: FUTURE AGENDA ITEMS

The Commission discussed having a neighborhood meeting about the Club House project.

ITEM 11: ADJOURN

The meeting adjourned at 8:18 p.m.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie			X			
Hudson			X			
Schall	X		X			
Vincent		X	X			

Approval on next page.

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DATE: Wednesday, December 5, 2018 TIME: 7:00 pm

PLACE: **JEROME CIVIC CENTER**
600 Clark St., JEROME, ARIZONA 86331

Respectfully submitted by Joni Savage on February 6, 2019

Approved: Margie Hardie Date: 2/6/19
Planning & Zoning Commission Chair

Attest: J. Adam Date: 2/6/2019
Planning & Zoning Commission Vice Chair