



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
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## REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: WEDNESDAY April 2, 2014 TIME: 7:00 pm

PLACE: Jerome Town Hall

600 Clark St., JEROME ARIZONA, 86331

## Minutes

### **ITEM 1: CALL TO ORDER at 7:01 pm by Chair Lance Schall**

Roll call by Zoning Administrator.

Commissioners Present: Lance Schall, Ellen Smith, Frank Vander Horst, Leo Shakespeare, Mike Parry.

Staff: Zoning Administrator, Rebecca Borowski

**ITEM 2: APPROVAL OF MINUTES:** *Upon motion by Commissioner Parry and second by Commissioner Smith, the minutes of March 5, 2014 were approved unanimously.*

**ITEM 3: PETITIONS FROM THE PUBLIC:** Mrs. Margie Hardie, a Jerome resident, read from The Arizona Open Meeting Law. Section 7.7.7: "In 2000, the Legislature clarified the limitations on open calls to the public during public meetings. A.R.S. § 38-431.01(H) now provides that a public body may make an open call to the public to allow individuals to address the public body on any issue within the jurisdiction of the public body. Members of the public body may not discuss or take action on matters raised during the call to the public that are not specifically identified on the agenda. Id. Public body members may, however, respond to criticism made by those who have addressed the public body, ask staff to review a matter, or ask that a matter be put on a future agenda. Id. See also Ariz. Att'y Gen. Op. 199-006.

The best practice is to include language similar to the following on the agenda to explain in advance the reason members of the public body cannot respond to topics brought up during the call to the public that are not on the agenda: "Call to the Public: This is the time for the public to comment. Members of the Board 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."

**ITEM 4: DESIGN REVIEW BOARD REPRESENTATIVE DESIGNATION** - The Commission will designate a Planning and Zoning Commission member to serve as Design Review Board representative.

*Motion by Chair Lance Schall to appoint Mike Parry to serve as Design Review Board representative. Second by Ellen Smith. Motion carried with 4 yes votes and Mike Parry abstaining.*



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**ITEM 5: DRAFT ORDINANCE REFERRAL FROM TOWN COUNCIL**

On March 11, 2014, following its first reading, the Jerome Town Council referred Ordinance No. 410, "AN ORDINANCE TO AMEND SECTIONS 104 C., 105 C. AND 106 D. OF THE TOWN OF JEROME ZONING ORDINANCE TO PROVIDE THAT CHAIRS AND VICE CHAIRS OF THE PLANNING AND ZONING COMMISSION AND DESIGN REVIEW BOARD MAY ONLY SERVE TWO CONSECUTIVE ONE-YEAR TERMS AND TO MAKE THOSE SECTIONS GENDER NEUTRAL, AND AMENDING SECTION 106 B. REGARDING MEMBERSHIP OF THE DESIGN REVIEW BOARD," to the Planning and Zoning Commission. The Commission may review and discuss the Ordinance, and schedule a Public Hearing as required by A.R.S. 9-462.04.

Discussion ensued regarding impacts of the Ordinance on current Chair and Vice Chair. Margie Hardie, a resident of Jerome, commented on the verbiage regarding terms of Chair and Vice Chair being possibly misconstrued to mean terms of Commission members. Commissioners then discussed the wording.

*Motion by Chair Lance Schall to schedule a Public Hearing for May 7<sup>th</sup> regular meeting. Second by Frank Vander Horst. Motion carried unanimously.*

**ITEM 6: DECIDE FUTURE DIRECTION OF DRAFT ZONING ORDINANCE AMENDING DEFINITIONS FOR "BED AND BREAKFAST", "BOARDING OR ROOMING HOUSE", "HOTEL" and "MOTEL"**

On January 8, 2014 the Commission discussed a proposed amendment to the Jerome Zoning Ordinance, Article II, Section 201, definitions for "Bed and Breakfast", "Boarding or Rooming House", "Hotel" and "Motel." At that time, the issue was tabled "for further consideration." The Commission may determine at this meeting if and when they wish to further consider the amendment. Any further discussion of the matter will require action by the Commission to "untable" it. **No discussion regarding the definitions themselves will take place at this meeting.** Action will be limited to untabling the matter, if that is the Commission's choice, and, if the item is untabled, scheduling a time for further discussion.

Commissioner Parry recused himself and left the dais. Frank Vander Horst requested clarity as to why the definitions are under scrutiny. Commissioners Ellen Smith and Leo Shakespeare voiced opinion that the definitions may be inadequate.

Mr. Doug Freund, a Jerome resident, requested the Commission consider not untabling the definitions. The bed and breakfast definition, specifically, has been in place for 30 years and residents like what it says and how it says it. The inclusion of requirements that parking have no negative impact on the neighborhood grants residents certain rights of protection. For this reason, he suggested the definitions be left as they are.

Discussion ensued regarding appropriateness of the comments from the public and whether or not it represented discussion regarding the definitions themselves.

Commissioner Ellen Smith made a motion to untable for further discussion.



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Mrs. Margie Hardie requested the definitions remain tabled based on lack of public support and extreme opposition from residents. She urged the Commission to abandon work on definitions.

Commissioner Ellen Smith resigned from the Commission and excused herself from the meeting.

Mr. Doug Freund suggested other changes may be more appropriate and more pressing, such as working on definitions for lodging and home occupations, and revisiting the Neighborhood meeting ordinance.

Chair Schall voiced support for continuing consideration – because the current definitions could use more clarity. Chair Schall and Commissioner Leo Shakespeare shared the belief that public is justified with their concerns, based on the Commission’s last attempt, which was unsuccessful in clarifying the definitions. Frank Vander Horst supported clarifying. Leo Shakespeare reiterated that the first attempt was unsuccessful and hopes for more public participation in the future.

*Chair Schall made a motion to untable the item and have Staff to schedule a work session after the regular meeting in May. Second by Leo Shakespeare. Motion carried unanimously.*

**ITEM 7: FUTURE AGENDA ITEMS**

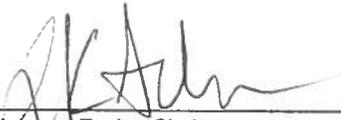
The Commission will direct staff to schedule future agenda items to be considered by the Commission, if desired. No specific properties, individuals, or situations may be discussed, only general topics may be suggested.

Frank Vander Horst suggested the Commission review and discuss timelines and meeting dates. He would like to have a discussion about the 15 day application submission deadline. In addition, he suggested the Commission explore possible options for revising the timing of regular meetings to reduce the amount of time applicants are required to wait to be heard by Town Council. Staff was directed to agendize these items for discussion.

**ITEM 8: ADJOURNMENT at 7:31 pm.**

*Motion by Mike Parry. Second by Frank Vander Horst. Motion carried unanimously.*

Respectfully submitted by Rebecca Borowski on the 4<sup>th</sup> day of June, 2014.

Approved:   
Planning and Zoning Chair

Date: 6/4/2014

Attest:   
Planning and Zoning Vice Chair

Date: 6-4-14