



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, August 1, 2018 TIME: 7:00 pm
PLACE: JEROME CIVIC CENTER
600 Clark St., JEROME, ARIZONA 86331

MINUTES

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission and to the general public that the Planning & Zoning Commission will hold the above meeting in Council Chambers at Jerome Town Hall. Members of the Planning & Zoning Commission will attend either in person or by telephone, video or Internet conferencing. The Planning & Zoning Commission may recess the public meeting and convene in Executive Session for the purpose of discussion or consultation for legal advice with the Town Attorney, who may participate telephonically, regarding any item listed on this agenda pursuant to A.R.S. § 38-431.03 (A)(3).

ITEM 1: CALL TO ORDER/ROLL CALL

Vice Chair Schall called the meeting to order at 7:00 p.m.

Roll call was taken by Charlotte Page. Commission members present were, Vice Chair Lance Schall, Jane Moore, Henry Vincent and Scott Hudson. Chair Margie Hardie was absent.

Staff present were Charlotte Page, Interim Zoning Administrator, and Joni Savage, Deputy Clerk/Minute Taker.

7:01 ITEM 2: APPROVAL OF MINUTES: Minutes of July 11, 2018.

Vice Chair Schall asked if there were any comments about the minutes.

Ms. Moore stated that the minutes don't reflect any discussion.

Ms. Savage explained that the Council is doing their minutes this way. They are encouraging the boards and commission to do the same, however they do not have to. The Council is relying on the recordings and it was confirmed that they were available shortly after the meeting.

Ms. Moore said that a few people had told her the recordings were difficult to understand. She believes when there is important discussion a synopsis would be good. She referred to the Council meeting the prior evening; there were questions from Councilmembers in regard to the three-month check on Conditional Use Permits, the past Zoning Administrators didn't follow up and if there is a time-line for them to adhere to then they would perhaps follow up. Had that been reflected in the minutes then there may not have been a question from the Council. She also said, "When a commission member votes no, they are supposed to give a reason."

Vice Chair Schall said he would like a summarization and gave direction to staff.

Ms. Moore wanted to make one more comment: "Al Palmeri, the Town Clerk, used to do abbreviated minutes. If you wanted to go back and see what happened and what the concerns were from the public, it was very difficult to decipher, and those tapes have been destroyed. Sometimes it is nice to reflect the concerns from the public." In her experience these abbreviated minutes can be a problem.

Approve the Minutes of July 11, 2018.

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

7:10 ITEM 3: PETITIONS FROM THE PUBLIC -- There were no petitions from the public.

TOWN OF JEROME

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

7:11 ITEM 4: ZONING ADMINISTRATOR REPORT – Public Hearing schedule for recommended Ordinance changes to **502.M** Home Occupations and **509.G.8** Temporary Signs. Information regarding Council review of CUP(s) for R. Martin and Four Eight Wineworks.

Ms. Page talked about public hearings scheduled at the next regular meeting, the first Wednesday in September, and the Conditional Use Permit's that had been passed by Council.

Ms. Moore asked why Cellar 433 wasn't done as well.

Ms. Page informed the Commission that the applicants were out of Town.

13:00 ITEM 5: COUNCIL REQUEST FOR ORDINANCE CHANGE TO REMOVE REQUIREMENT FOR THREE AFFIRMATIVE VOTES TO PASS ANY MEASURE, AND CHANGE TO SIMPLE MAJORITY VOTE. THIS WILL APPLY TO PLANNING & ZONING COMMISSION, DESIGN REVIEW BOARD AND BOARD OF ADJUSTMENT.

Vice Chair Schall clarified the item and asked for discussion.

Mr. Hudson suggested since we have strong boards, why don't we leave it the way it is.

Vice Chair Schall thought it had been safer the way it has been done.

Ms. Page believes that the Council votes by a majority.

Ms. Moore agrees with Vice Chair Schall. She had been in a Council meeting of three people and there was a two to one vote (Ms. Moore being the one no vote), and the outcome of that was being reported to the Attorney General. The Town attorney was present and said it was the majority, however Ms. Moore said it wasn't right, we continued with the meeting and ended up being reported to the Attorney General.

Mr. Vincent believes the three-vote rule has functioned well since the adoption and would like to see it remain the same. He doesn't want to go to simple majority. It is a cornerstone and he doesn't support changing it. There are too many unforeseen variables.

7:17 Suzy Mound, a resident agreed that it should not change to simple majority, it should be at least three.

Vice Chair Schall said, "Direction to staff is leave it alone."

Mr. Vincent asked if the other two boards would have a similar discussion?

Ms. Page explained that ordinances are changed by this Commission or by the Council themselves.

7:19 ITEM 6: COUNCIL REQUEST FOR REVIEW OF POSSIBLE CHANGES TO SIGN ORDINANCE.

Ms. Page explained that the temporary signs portion of the ordinance has been approved, however; there are parts in the ordinance that still need to be changed. She pointed them out to the Commission; under definition 7, 8, 14 and 19. She added that lighted signs had been previously reviewed but not adopted and mentioned additional information she had gotten about the lighted signs from Alvey Signs.

Vice Chair Schall suggested she continue with the changes. He also asked if we were going to do anything about the off-premise signs, does the ordinance say they have to be attached.

Ms. Page said she is not sure if it says that they have to be attached to the building and there is an exception for the district type signs.

The Commission discussed some of the illegal signs.

Vice Chair Schall asked what we should do as a Commission.

Ms. Page said we could break it down into a topic and work on the ordinance that way.

Vice Chair Schall said it appeared Ms. Pages changes were reasonable and directed staff to remove the fee and verbiage referring to realtors having to pay for their signs. He asked that she incorporate the changes and bring it back as a finished document and then the Commission can look at it again.

TOWN OF JEROME

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

7:29 ITEM 7: COUNCIL REQUEST FOR REVIEW OF POSSIBLE CHANGES TO ZONING ORDINANCE WITH REGARD TO ACCESSORY BUILDINGS.

Vice Chair Schall inquired as to why this was on the agenda, did this come from Council.

Ms. Moore asked if this came from Mr. Dabney.

Ms. Page said she had asked Mayor Vander Horst if he thought this would be a good idea and he said she could work on this.

7:30 Hunter Bachrach, a member of the Town Council explained why this item was on the agenda. On Council we have a permit before us for a 25' tall accessory building. I think of an accessory building as a shed or a garage. We have a problem where this person can legally build a 25' tall building. Ms. Page looked at what Cottonwood and Clarkdale do and they're accessory buildings are at 15' and 16' respectively. They do this to keep giant buildings from being built on small lots.

7:32 Ms. Mound wanted to add that she agrees, an accessory building is supposed to be incidental to the property. A 25' tall accessory building could tower over the home.

7:33 Mr. Bachrach added in Camp Verde a 26' high building is fine on a two-acre lot, but not in Jerome.

Ms. Moore said in the building code there is a certain size you don't need a building permit for, she believes 120 square feet, but it doesn't say anything about height. She questioned the definition of an accessory building.

Vice Chair Schall suggested an accessory building of a two-story with an office and garage. It is big, but it is incidental in the use. We have some unique problems to Jerome with some of these requirements. An accessory building has to be 10 feet from the main house, which is reasonable, but what if it's already there?

Ms. Page explained it is legal non-conforming and at this time they could build on top of it making it 25 feet.

Mr. Vincent questioned the language where it says you can't put electricity into a garage.

Ms. Page explained she was talking about the 120 square foot shed, which does not require a permit. For a garage you would have to bring the power from your house.

7:40 Mr. Bachrach explained, "When you have ambiguous guidelines and then push it towards DRB you're setting us up for a big fight. This limitation on accessory buildings would help a lot. I was suggesting specific requirements."

Vice Chair Schall appreciates the input and he has no objection to doing something with this ordinance, however he feels we need to tread lightly. An accessory building for Jerome needs to be defined. He mentioned some people own three or four small lots. Technically the person who owns the house could easily build an entire house on a separate lot. The other way to get around it is make an addition attached to the house. There will be a way to get around it. He's not saying it's a bad idea, we should think about it and how we can make it work for Jerome. That's a good definition for Cottonwood, but here, in Jerome, insisting that an accessory building be in the back yard, it might not work here.

Mr. Vincent asked why 10' that could prevent the building of a garage it's as though you're adding an additional setback. In our neighborhood the lots are 30' wide and if you require 10' from the house, this language would preclude from constructing garages, at least in his neighborhood. He summarized these restrictions would prohibit him putting a garage on his lot.

Ms. Moore said there are variances for certain instances, she believes this requires some thinking. As far as height goes she had thought 12' high. She added 16' might dwarf the house next to them.

Mr. Vincent said 16' was fine with him.

Vice Chair Schall speculated that the most common way to get around this would be simply adding an addition to their home.

Mr. Vincent summarized, "Council's concern was height, so it would seem to me that some of this language could be stricken dealing with the issue of height, I think we're all ready to embrace that issue."

Ms. Moore suggested height of accessory buildings could be added to definitions and can be no more than a certain height, or a percentage of lot coverage and not in the front yard.

Ms. Page said the accessory building definition in the ordinance has nothing to do with height. (She read the definition.) However, there is a maximum building height in all of the zones. She believes that when you just change the definition, it

TOWN OF JEROME

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

feels hidden to her.

Vice Chair Schall referred to historical garages in Town that for example are level on School Street, but are higher than the house, he further explained the building is 12' tall from the School Street side, but if you go into the back yard the structure can be literally 30' tall.

Mr. Vincent cited other structures built that way and said again he supported a height restriction. He then asked how they could help Ms. Page.

Ms. Page responded, "Tell me what you want, downplay the verbiage and really focus on just height?"

Ms. Moore moved on to the section involving monuments and the height of a deck may not exceed 27' from the natural grade.

The Commission discussed both items and directed staff to remove the word Monuments in Section 502.1.2A and also to remove the proposed Section 2.B completely. In summary, they did not want to address monuments. There was confusion about the 27' height restriction.

Mr. Hudson asked if that included the railing.

Mr. Vincent asked if Ms. Page were asking them to change the ordinance regarding decks.

Ms. Moore interjected she had just noticed it and wondered why it said 27'.

Vice Chair Schall stated, "It's in the ordinance so why don't we just leave it alone for now." He still believes there is a specific deck ordinance and directed staff to find it for discussion at the next meeting.

Ms. Page summarized, "Remove monuments, discuss decks again and pare down the accessory building thing. Do you want to remove separate meters, separate address, you don't want that language?"

Mr. Vincent said, "I don't care, I just didn't understand it."

Vice Chair Schall said, "I'd keep that in there, we don't want to create other houses really."

Ms. Moore read the definition of a guest house and it includes the word accessory building. It shall not be used for income purposes.

Vice Chair Schall summarized, "It says I can build an extra bedroom, I just can't rent it."

They discussed the definition of a guest house within an accessory building further and directed staff to review all definitions for accessory.

8:07 ITEM 8: COUNCIL REQUEST FOR REVIEW OF ZONING ORDINANCE REGARDING CERTIFICATE OF NO EFFECT IN ORDER TO STREAMLINE SMALL PROJECTS.

Ms. Page submitted the form the former Zoning Administrator, Kyle Dabney had prepared in regard to a Certificate of No Effect.

Vice Chair Schall said, "On this form, the first thing that catches my eye is 'Accessory Building' on the Certificate of No Effect, and that's probably not the term we should use. Accessory Building shall not have electricity or plumbing." I have no problem to use the form for a garden shed, but when it turns into a garage, it should come before P & Z. He continued, "The title 'Accessory Building' should be struck and add garden shed or storage shed and it should say less than 10' x 12" storage shed, with no utilities."

Mr. Vincent believes the ordinance should discuss or define the conditions that give rise to a situation where a Certificate of No Effect is appropriate. He believes the ordinance should discuss the scope of the certificate.

Vice Chair Schall pointed out verbiage of an accessory building of 200 square feet or less on the form and then directed staff to strike that and change it to less than 120 square feet.

The Commission discussed the 'Signs' portion and directed staff to put the sign portion into the ordinance. They discussed solar panels and decided it could stay on the Certificate of No Effect form. Vice Chair Schall said you could install them in an ugly way, but most people wouldn't do that, he believes state law written and we pretty much can't stop them.

TOWN OF JEROME

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

Vice Chair Schall said, "Even if an item is on this form the zoning administrator could still recommend it go before the Commission, and that language should be in there, it would be up to the discretion of the zoning administrator if they felt any project should go before the boards."

Mr. Vincent said, "I think this form should conform with the definition in the proposed ordinance, so you've probably got some form changes after we get the ordinance taken care of."

After further discussion the Commission directed staff to remove the Accessory Buildings, Signs and the section on Carports.

8:18 Ms. Mound said she understood streamlining the process, but at the same time it is relying on one person's perception and understanding. She doesn't see where the boards are that inundated with decision making. She doesn't feel this form is necessary.

Vice Chair Schall responded, "Point taken. I think what we're trying to accomplish is if we make it too difficult then it's not a matter of the inconvenience of the public, but if it is something trivial they won't come before any board, at all." He gave an example of repairing steps. "The risk is if it is so trivial, they will rip out the stairs and repair. We're trying to give them an easy way to do it and it would give us an opportunity to review simple repairs."

8:23 Councilmember Bachrach explained the necessity of this form, when there are simple maintenance needs, this form would be helpful to homeowners.

Ms. Moore said, "I think there are six things, if we crossed out signs and solar, that if they had better definitions. We don't want decks that are on a property line, so saying a rear patio or deck is okay, but if it's next to your neighbor's property you don't want that. As far as a rear yard fence with height restrictions, in-kind repair would be okay, but paint, you can't tell people what color they can use. I'm fine with these, but with better definitions."

They concluded that better definitions with guidelines would be more helpful. Also, maintenance issues should never come before this commission however, building permits and inspections are pertinent. They wanted to make sure that they had some control over decisions the zoning administrator made based on the history of zoning administrators of the past.

ITEM 9: FUTURE AGENDA ITEMS

There were no future agenda items.

ITEM 10: ADJOURN

The meeting adjourned at 8:30 p.m.

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

Approval on next page.

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: Monday, August 1, 2018 TIME: 7:00 pm

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

Respectfully submitted by Joni Savage on September 5, 2018

Approved: *Margie Hardie*
Planning & Zoning Commission Chair

Date: *9/5/18*

Attest: *J. Adams*
Planning & Zoning Commission Vice Chair

Date: *9/5/2018*