



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, October 3, 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 7:02 p.m.

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

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

7:02 (00:00:30) ITEM 2: APPROVAL OF MINUTES: Minutes of September 5, September 13, 2018

Following are the changes requested for the September 5 minutes:

Item 2: Chair Hardie abstained because she had not been present at the August 1, 2018 meeting. Added per request of Chair Hardie October 3, 2018.

Item 5: Chair Hardie asked that the changes in their entirety be added to these minutes. However, since they had not been discussed at the September 5, 2018 meeting they are attached to these minutes as proposed Ordinance No. 442.

Item 7: Chair Hardie asked that the changes in their entirety be added to these minutes. However, since they had not been discussed at the September 5, 2018 meeting they are attached to these minutes as proposed Ordinance No. 443.

Item 8: Chair Hardie couldn't understand what Ms. Moore had meant on page 6. "Ms. Moore would like the definition..." It was clarified Ms. Moore meant to say subordinate and the sentence was adjusted for clarity.

Item 11: Chair Hardie had wanted to be consistent in saying four (4) absences within one year. The correction was made to the minutes.

Following are the changes requested for the September 13 minutes:

Item 2: Mr. Hudson clarified that an average 8' ceiling home inside would be 14' outside, not 16'.

Item 2: "Chair Hardie said her concern is the ultimate use which could become." She asked for a completed sentence. After listening to the recording again this is verbatim and is added to the minutes of September 13 as such: Chair Hardie said, "My concern is the ultimate use, the ultimate use which is, could become, and the thing is this, once you've created a guest house, you don't have, and Charlotte put in here "having no cooking facilities," well 'comme ci, comme ça.' But, if you build a guest house, it's fairly habitable and then one day it could be turned into a vacation rental."

Approval of the Minutes of September 5 and September 13, 2018 with revisions.

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

7:07 (00:09:00) ITEM 3: PETITIONS FROM THE PUBLIC - There were no petitions from the public.

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7:08 (00:09:10) ITEM 4: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 104, 105 & 106 IN REGARD TO MEMBER ABSENCES

Chair Hardie said she gave her changes to Ms. Page and she would like to use her sample.

Vice Chair Schall stated he would like to include that if a member is present telephonically or over the internet they would not be considered absent.

Chair Hardie said, "At the top of the Agenda it states, 'members will attend either in person or by telephone, video or internet conferencing.' That's okay, there won't be any confusion." She doesn't want it in (ordinance) because it is not needed.

Ms. Page added, "The agenda is not the Town Code or Zoning Ordinance."

Chair Hardie responded it is covered. She would like it to read like this. She added, "I spoke to Candace and she approved my changes." Chair Hardie read: "A Commission member who is absent four (4) regular, (not regular and special, just regular. I don't think we should penalize people for special meetings) Commission meetings from March 1st to Feb 28th shall be deemed to have vacated his or her appointment without further action being taken by the Commission or Town Council."

Vice Chair Schall and Mr. Hudson both agreed it was the same description they had already decided upon.

Chair Hardie summarized the differences and read her changes again.

There was some discussion but in the end it was decided to use the phrase Chair Hardie suggested.

Motion to approve the changes to ordinance as noted for recommendation to public hearing.

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

7:15 (00:16:50) ITEM 5: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE IN REGARD TO DEFINITIONS AND PROPERTY DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS

Ms. Moore referred to page one (1) of the draft amendment, after reading the definition of the accessory building, she is wondering about the statement, "Footprint will be no more than 2/3rds the area of the foot print of the main structure with a maximum footprint of 600 square feet." She wonders if the 2/3rds should be left there and does it make it too difficult.

Chair Hardie doesn't think it is needed. She believes it is pretty well defined.

Mr. Vincent said, "My opinion all along is this issue came to us to restrict the height of accessory buildings. I believe the additional verbiage is trying to micromanage. The ordinance provides for setbacks and lot coverage. This amendment should simply limit the height of the accessory building and we shouldn't have spent eight (8) hours beating this thing to pieces. We agreed on 14 feet and we don't need to spend any more time on this than we already have."

Chair Hardie said she has read all of the different definitions and rules that they came up with and she likes what they came up with. We came to the conclusion that 14 feet would be a sufficient height. She re-wrote the definition and she read it: "A building or structure which is visually subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot or parcel. Accessory buildings or structures shall not be used for human habitation." She wants the 600 square feet maximum size put into the development standards not in the definition.

Mr. Hudson added that a decent size garage is 700 square feet and if it is still subordinate to the house and you have the room he thinks someone should be able to build that. He thinks the 600 square feet should be stricken.

Vice Chair Schall agreed with Mr. Hudson and gave an example, what if you had a house with two floors at 600 square feet each with a 400 square foot attic. You could only have a 400 square foot garage. He added, "Don't design an ordinance to one neighborhood in Jerome." He does not want to limit a garage size. He added that he doesn't have a problem with a 25' tall accessory building. The height limitations are written into the ordinance.

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The Commission discussed the specifications and changes that had been discussed before.

Chair Hardie referred to page 38 of the Zoning Ordinance regarding accessory, under F. Review Procedures and Criteria, I. that is under the DRB: It already says accessory features must be okay to change building and structures. She wants the text change to remove "accessory features" and use "accessory buildings and structures."

Ms. Page pointed out there that they also review accessory features. So, we either add accessory buildings separate or separate the two concepts.

Chair Hardie asked what accessory features were.

Ms. Page noted it was listed in the ordinance but went on to say walkways, stairways, lighting and antennas. She suggested that accessory buildings be separated from accessory features. The Commission agreed with that.

Chair Hardie said, "Now we're on to the part in each of the zones." She referred to Ms. Page's packet Page 1, where she has made small changes to the definition. She then referred to the definition Accessory Building, Height of, "to keep our goal clear, we could come back to changing that. Right now, this particular change to the ordinance is just in regard to accessory buildings. I thought maybe we could do that later on, at another time." She explained to the Commission she was talking about the changes in red Ms. Page had made.

Ms. Moore thought it should be done now at the same time.

Chair Hardie thought it would be difficult to describe.

Ms. Moore said it all had to do with accessory buildings.

Chair Hardie then agreed to leave that change in red. She itemized all of the changes Ms. Page had made to the ordinance to the Commission. She suggested that anywhere "Accessory Building" is in the text "and Structures" should be added. On page 3 under b. they decided to remove "one (1) story or." They discussed "five (5) feet" and determined that was not a change, it was already in the ordinance.

Mr. Vincent said, "It seems to me if we simply strike the language pertaining to 2/3's and 600 square feet, I think we can all agree on this thing and get it done." He would like to finish this.

Chair Hardie said we're just reviewing, but we are done. She would like her definition reviewed.

Ms. Page referred to the General Provision page 53 "detached accessory building" definition. She read the definition on page 53 and explained why she had added this in other areas. She read the amended definition: "Accessory Building – A building or structure which is visually subordinate to and the use of which is incidental to that of the main building, structure or use on the same lot or parcel. Accessory buildings shall not be used for human habitation."

Chair Hardie directed her to add "and structures" after buildings. She said "Guest House" does not belong in the definitions and explained her reasons in detail. She believes that both "Guest House" and "Guest Room" should be deleted.

Mr. Vincent suggested they stay on task and bring up "Guest House" at another time.

Mr. Hudson suggested leaving "Guest Room."

They discussed this for some time.

Vice Chair Schall suggested to remove "within an accessory building" from the Guest House definition.

Chair Hardie made a motion to forward for public hearing amendment to the ordinance regarding accessory buildings which included, a new definition, new property development standards, a 14-foot height restriction and delete "Guest House" from the Zoning Ordinance definitions.

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

Vice Chair Schall explained he doesn't want to limit the height to 14 feet and he wouldn't eliminate "Guest House" from the definitions either.

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7:58 (00:59:00)

Chair Hardie made a motion to move on to Item 7.

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

8:50 (01:50:00) ITEM 6: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 509 SIGNS (Draft Text Amendment: Signs – Lighting, Real Estate, Other Minor Clarifications)

Chair Hardie asked for changes or comments. She referred to number 7. on the first page "Sign, Height." She didn't understand the changes.

Ms. Page explained them to her.

Mr. Vincent said that if no one had a problem with the sign being eight (8) feet off the ground we should move on. The sign has a square foot limit.

Ms. Page explained she was trying to be consistent with the verbiage. No sign could be larger than 16 square feet.

Chair Hardie continued to go through the document asking questions about wording and changes Ms. Page had made. On page 4, Section E. Number 6. She would like that to read: Organizations may apply for a temporary Sign Permit from the Zoning Administrator for special event banners or signs.

Vice Chair Schall referred to Number 7. Lighting shall be directed at the sign from an external incandescent light source... He would like incandescent to be struck. The commission agreed with that.

Mr. Hudson argued an external light would have to be incandescent otherwise people could use fluorescent or LED. However, the commission decided to eliminate incandescent.

Chair Hardie referred to Number 10. One (1) real estate sign located on the property it refers to will be permitted upon the application and payment in accordance with Section 509.2. asked why she had deleted that. If it is not on the Town Fee list, then go ahead and delete that.

Motion to move the sign ordinance amendments on to public hearing with the changes made.

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

7:59 (01:00:00) ITEM 7: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 304 DESIGN REVIEW, IN REGARD TO CERTIFICATES OF NO EFFECT

Chair Hardie stated this came about because a member of the DRB asked to expedite certain applications so that they would not have to be reviewed. She said, "I for one disagree with the concept, I have various multiple reasons why." She asked for discussion.

Ms. Moore said it was her understanding that the Zoning Administrator thought this might help.

Chair Hardie said, "No it was simply a DRB individual felt they were being over-loaded with inconsequential (didn't finish) this is what I heard."

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Mr. Vincent said, "My impression has been that Ms. Page also has suggested that she have the ability to let you fix your steps without coming in front of the boards."

Ms. Moore rebutted by saying, "You can already do that."

Mr. Vincent said his thinking is if it is inconsequential and a citizen has to come before the board that you (Ms. Page) can expedite the process and it falls under the criteria of a Certificate of No Effect.

Ms. Page said it would be nice to have a documented list of what needs to be reviewed and by who and what needs a building permit. She read from the Building Code, she would like a hand-out she could use at the front desk. She believes a Certificate of No Effect would be issued when someone required a Building Permit, but no review before Design Review.

Chair Hardie believes it is a good idea and that the Town administration could figure out what is required, but none of that is P & Z. That is the building department that decides on that. "Our book is pretty clear on what we're allowed to approve and works with the building department. As far as Certificate of No Effects, I found the majority of what was listed is 90% repairs. Repairs are already allowed without any other approvals from the Town. In the Zoning Ordinance under exclusions it states all of the things you can do without coming before P & Z. On page 21 in the Zoning Ordinance, under Structure Alteration '.... excepting those changes which may result from providing minor repairs and building maintenance.' It says it right there."

Mr. Vincent asked for an example from Ms. Page.

Ms. Page gave the example of deck material being replaced with Trex® the size of the deck was not being changed. She stated paint colors. Window replacement, the building inspector wants tempered glass in some situations. This would have nothing to do with P & Z or DRB. However, it would give us a way to track these changes that people make.

Chair Hardie is concerned about what Ms. Page had written. She referred to page one (1) of Ms. Page's documents and read: The Zoning Administrator shall review applications for Certificates of No Effect with regard to protecting the historic character of the subject property and the historic status of the Town of Jerome. If accepted these documents and submitted details shall be filed with the property files. "Now I'm not directing this at you, but I don't know who would come in here and make decisions on the historic character of the subject property or the historic status of the Town of Jerome. I don't have any qualifications that would allow me to make those decisions."

Ms. Page said the intent is if it does have an effect on the historic nature then (she was interrupted). She explained it would be a very specific list of items. She explained again why she thought the Certificate of No Effect would be beneficial. She stated, "If there was a conflict between my decision and the applicant, then it would go on to the DRB."

Vice Chair Schall explained how if the Certificate of No Effect was not appropriate, she would send it on to the DRB and this is already the case.

Ms. Savage gave another example: An applicant had received approval from DRB for placement of their sign. They changed their mind about the location and they had to go before DRB again. Why couldn't Ms. Page have approved it and filed the Certificate of No Effect saying she had given them approval for the location change? However, the way the Zoning Ordinance is, the applicant had to go back before DRB. The Certificate of No Effect is not meant to make more work for anyone, this has been explained many times.

Ms. Moore believes that Chair Hardie's concern is it will make more work.

Chair Hardie stated, "It is going to make more work." She explained that repairs would go to DRB if Ms. Page said no. She asked Ms. Page, "Anything that would ordinarily go before DRB is not what you want to deal with? Right, you're not interested in taking over much of what DRB does, is that correct?"

Ms. Page explained, "I think paint is the primary example. They (applicants) don't want to wait until the next meeting."

The Commission seemed to agree that the DRB should not review paint colors.

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Ms. Moore stated she believes this will add more work for the Zoning Administrator.

After further discussion see additions in red and deletions:

1. **Exterior** projects eligible for Building Permits that do not require P & Z or DRB review.
2. In-Kind repair or replacement: roofs, doors, windows, ~~broken glass, trim repair,~~ stairwells, porch, repainting similar colors on historic properties.
3. As written.
4. Repairs to deck boards, planking only or replacing wood with ~~Trex~~ **manufactured wood**.
5. **Repair** ~~Stabilizing~~ deteriorated or damaged masonry, wood or metal.
6. As written.
7. As written.
8. Removed
9. **Repair for damage.**
10. **Approved minor changes to a sign such as re-location.**

Ms. Page wants to see what kind of support DRB gives her.

Chair Hardie gave direction to staff, see if this is listed anywhere else, like exclusions and repairs not being necessary. Take this list to DRB and see what their opinion is.

9:09 ITEM 8: FUTURE AGENDA ITEMS

Chair Hardie would like to have the public hearings on the next agenda.

Ms. Page summarized that would include absences, accessory building property standards and the text amendments for signs, but not for the Certificate of No Affect.

Ms. Page added that a CUP would be coming before them for the Central Hotel. Also, there is a petition circulating to rezone part of Hampshire Avenue to R2.

ITEM 9: ADJOURN

The meeting adjourned at 9:13 p.m.

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

Approval on next page.

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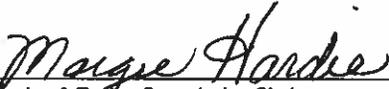
REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, October 3, 2018 TIME: 7:00 pm

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

Respectfully submitted by Joni Savage on December 5, 2018

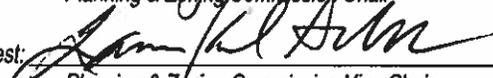
Approved:


Planning & Zoning Commission Chair

Date:

12/5/18

Attest:


Planning & Zoning Commission Vice Chair

Date:

12/5/18