



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, November 7, 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 7:00 p.m.

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

Staff present were Charlotte Page, Zoning Administrator, and Joni Savage, Deputy Clerk.

7:01 (00:02:26) ITEM 2: APPROVAL OF MINUTES: Minutes of October 3, 2018

Motion to table the minutes of October 3, 2018 until the December meeting.

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

7:03 (00:04:16) ITEM 3: PETITIONS FROM THE PUBLIC – There were no petitions from the public.

7:04 (00:04:30) ITEM 4: PUBLIC COMMENT: ZONING ORDINANCE ARTICLE 1 ADMINISTRATION SECTIONS 104, 105, 106: BOARD MEMBER ABSENCES

The Commission shall conduct a public hearing on a proposed amendment to the Jerome Zoning Ordinance, Section 104, 105, 106, for change of absence policy. The Commission has set this hearing pursuant to Jerome Zoning Ordinance Section 301(C) Commission Action.

Chair Hardie opened the public hearing at 7:04 pm. Upon no comments from the public, the public hearing was closed at 7:04 pm.

7:05 (00:06:00) ITEM 5: REVIEW PUBLIC COMMENT AND PROPOSED TEXT AMENDMENTS ZONING ORDINANCE ARTICLE 1 ADMINISTRATION SECTIONS 104, 105, 106: BOARD MEMBER ABSENCES

The Commission shall, after the public hearing and discussion, make a recommendation to Council to either adopt the ordinance as written, adopt the ordinance with changes, or not adopt the Zoning Ordinance text amendments referenced in Item 5 above.

Chair Hardie asked Ms. Page to read what is being amended. Ms. Page read Section 104 A. in its entirety.

Section 104. Planning and Zoning Commission

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Proposed Text Amendments Deletions

A. Composition; Terms of Members; Vacancies; Compensation of Members

A Planning and Zoning Commission was established upon adoption of the Jerome Zoning Ordinance. At the adoption of this ordinance, the Commission shall consist of five (5) members, each of whom shall be a resident of the Town of Jerome, to be appointed by the Town Council. The members of the Commission shall serve for three (3) years, except as hereinafter provided. In the event of a death, resignation, or removal from the Commission, the vacancy shall be filled by the Council for the unexpired term. Members of the Commission may, after a public meeting, be removed by the Council for inefficiency, neglect of duty or unethical conduct in office. "To be deleted." ~~Three (3) absences without prior notification during a year from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority and such action shall be final.~~ "That is the end of the deletion and to be added." **A Commission member who is absent four (4) regular meetings of a year beginning March 1st and ending February 28th, shall be deemed to have vacated his or her appointment without further action being taken by Commission or Council.** "That's the end of the addition." All members shall serve without pay. However, members of the Commission may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the Commission and approval of such expenditures by the Town Council. [Ord. No. 313]

Chair Hardie confirmed that the exact same changes were also being done in Sections 105 and 106.

Motion that the text amendments for Article 1, Administration, Sections 104, 105, 106 Board Member Absences be forwarded to the Town Council.

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

7:09 (00:09:56) ITEM 6: PUBLIC COMMENT: CHANGES TO ZONING ORDINANCE REGARDING ACCESSORY BUILDINGS (DEFINITIONS, SECTION 303.1 PROJECTS REQUIRING REVIEW, SECTION 303.2 FINAL PLAN PROCEDURES, SECTION 304 DESIGN REVIEW AND PROPERTY DEVELOPMENT STANDARDS FOR EACH ZONE).

The Commission shall conduct a public hearing on a proposed amendment to the Jerome Zoning Ordinance, regarding Accessory Buildings. The Commission has set this hearing pursuant to Jerome Zoning Ordinance Section 301(C) Commission Action.

Chair Hardie opened the public hearing at 7:09 pm. Upon no comments from the public, the public hearing was closed at 7:10 pm.

7:10 (00:10:52) ITEM 7: REVIEW PUBLIC COMMENT AND PROPOSED TEXT AMENDMENTS TO ZONING ORDINANCE REGARDING ACCESSORY BUILDINGS (DEFINITIONS, SECTION 303.1 PROJECTS REQUIRING REVIEW, SECTION 303.2 FINAL PLAN PROCEDURES, SECTION 304 DESIGN REVIEW AND PROPERTY DEVELOPMENT STANDARDS FOR EACH ZONE).

The Commission shall, after the public hearing and discussion, make a recommendation to Council to either adopt the ordinance as written, adopt the ordinance with changes, or not adopt the Zoning Ordinance text amendments referenced in Item 6 above.

TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
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Ms. Page read the changed parts:

Article II, Definitions

Section 201. General

Accessory Building – a building or structure which is visually subordinate to and the use of which is customarily 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.

Accessory Building, Height of – the vertical measurement down from the highest point on the structure to the original grade or to an intersection with the horizontal projection of a plane established as the median between the highest and lowest points of original grade beneath the enclosed portion of the structure. (See Appendix for diagrams.)

Building, Height of – the vertical measurement down from the highest point on the structure to the original grade or to an intersection with the horizontal projection of a plane established as the median between the highest and lowest points of original grade beneath the enclosed portion of the structure. (See Appendix for diagrams.)

Ms. Page said the deletion of the definition of Guest House in its entirety. She continued and read the following changes:

Section 303.1

B. Projects Requiring Review

Projects requiring Preliminary Site Plan Review shall include but not be limited to: lot splits, lot line adjustments, new construction, alterations, accessory buildings or structures, grading and excavation and clearing and grubbing.

Section 303.2

A. Final Plan Procedures “under section 2. we add:”

2. Compliance with the appropriate sections of the Zoning Ordinance for the Zoning District including:
f. building height

g. accessory building height

Section 304. Design Review “We are adding:”

i. ACCESSORY BUILDINGS – Garages, carports, sheds, shall be visually compatible with buildings, structures, and places to which they are visually related.

“We are deleting.”

~~j. ACCESSORY FEATURES – Garages, carports, sheds, Fences, walkways, decks, stairways, lighting, antenna and other manmade structures, “and more text that will not change.”~~

Ms. Page continued, under:

Article V, Sections 503, 504, 506 and 507

E. Property Development Standards

6. MAXIMUM **MAIN** BUILDING HEIGHT:

7. ACCESSORY BUILDINGS

a. Accessory buildings attached: Shall be considered in determining yard, lot and area requirements.

b. Accessory buildings detached: Shall meet all required setbacks and maintain a space of five (5) feet from the main building or other structures.

1. Accessory buildings shall be constructed to a height not greater than fourteen (14) feet to the peak or highest point of the roof.

2. Accessory buildings shall not be used for human habitation.

TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
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Ms. Page confirmed that it did other than the Industrial Zone, which does not change because it is referenced the same as C1 zone. There are no other changes in the text document.

Motion that we forward to the Council the amendment to the Zoning Ordinance regarding Accessory Buildings definitions Section 303.1. Projects Requiring Review Section 303.2. Final Plan procedure Section 304 Design Review and Property Development Standards for each zone.

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

Chair Hardie asked if Vice Chair Schall would like to explain his vote of no.

Vice Chair Schall said he has pointed out when they were developing the standard that he generally disagrees with the whole operation. He thinks the current lot coverage, setback and height requirements are sufficient to define any accessory building. He thinks the addition of these requirements is not necessary. He specifically disagrees with "not for use of human habitation." It precludes the use of a small accessory cottage. When it was written we made the assumption it was a garage, but an accessory building could be a mother-in-law quarter or a caretaker for those of us who wish to age in place. This would preclude the use of that building for those purposes.

7:18 (00:19:05) ITEM 8: CONDITIONAL USE PERMIT – MIXED RESIDENTIAL/BUSINESS USE OF THE CENTRAL HOTEL, 2ND FLOOR.

APPLICANT: Lee Christensen

ADDRESS: 507 B. Main St.

OWNER OF RECORD: Lee Christensen

ZONE: C-1

APN: 401-06-088

Applicant is seeking approval to CUP within this location as mixed use of residential/commercial shared space. CUP is required due to residential use in space previously occupied as retail.

Ms. Page explained it is a mixed residential/retail use since prior to the ordinance being passed.

Applicant is asking that the space be used for residential and business. It is a legal non-conforming building.

Mr. Christensen explained it had been a working man's hotel. When he got it, it had a shop and apartments since he's owned it in 1976. The space he is seeking a CUP for has been vacant for a number of months. There are four rooms and he is proposing it to be a living/working space. He stated it is around 680 square feet.

Chair Hardie asked what percentage, or square feet, would be used as residential and how much for retail? That is a question to do with our parking ordinance. Are you requesting about 300 square feet for retail?

Mr. Christensen approached the dais and explained how he thought the rooms would be used.

Ms. Moore asked Mr. Christensen, "You have no intentions to split this up?"

Mr. Christensen answered, "No it would be one tenant/rental, not subdivided."

TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
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Ms. Moore said parking is the issue, one of the things she wondered is if as a condition we could request that the person residing there could be asked to park on School Street. There was discussion about School Street parking. The building address is Main Street.

Mr. Christensen mentioned the Air BNB on School Street that is actually bringing in additional cars. They are supposed to park on their property, however they are parking on the street.

Chair Hardie said she believed that School Street parking is only for people that live on School Street. The building is on Main Street.

Ms. Moore sees the people that live up town are taking up parking spaces that people buying things in the shops could be parking in. Having two uses could add additional parking problems in that area. She asked Ms. Page if that could be made as part of the condition.

Mr. Christensen said he could put in the lease that he requests that they park in the lower parking lot.

Ms. Moore referred to Ordinance 510 regarding parking, talks about a base number of parking spaces for the building. She is inclined to believe it is basically a wash.

Chair Hardie said based on the ordinance Section 501.2 She read that section of the ordinance:

"2. The lawful use of land, buildings or structures existing at the time of the passage of this Ordinance, or amendment thereof, although such does not conform to the provisions hereof for said land, may be continued, but if such nonconforming uses is discontinued for a period of six (6) months, any future use of said land or structure shall be in conformity with the provision of this Ordinance."

She referred to Section 510.B.4 and read: "Any subsequent change of use that requires an increase of off-street parking spaces beyond the established base number of parking spaces shall be in accordance with the schedules set forth in Section 510.D." And 510D says for an apartment you have to have 1 and ½ spaces. In her experience, this has not a situation where we look at a building in total for parking requirements, but individual floors and uses. She has never had an application where it was advised to take the whole building and add the parking, the so-called grandfathered parking together to achieve a certain number. You are required to have two and ½ parking spaces, and per the ordinance we round up. Based on the ordinance it would require three (3) spaces. When the use changes it has to have the parking required today.

Vice Chair Schall stated it had been completely retail, which required two spaces. He is inclined to overlook the half space.

Motion to approve the Conditional Use Permit as submitted.

Ms. Moore asked him to **amend that with the condition that the landlord ask the tenant not to take up parking in the main commercial area.**

Vice Chair Schall so amended.

Chair Hardie commented in this case we are now divesting the property owner and allowing them to use public space for commercial purposes.

Motion to approve the Conditional Use Permit with the condition that the landlord ask the tenant not to take up parking in the main commercial area.

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

TOWN OF JEROME

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7:42 (00:42:58) ITEM 9: P&Z REVIEW OF PROPOSED ZONE CHANGE FOR PARCELS LOCATED ON NORTH AVE AND HAMPSHIRE AVE.

APPLICANT: Robert & Heather Doss

ADDRESS: 896 Hampshire Ave.

ZONE: R1-5

OWNER OF RECORD: Robert & Heather Doss

APN: 401-11-005A

Applicant is seeking to change R1-5 Zoning to R-2 for several properties: 10, 18, 21 North Ave, 884, 886, 888, 894, 896, 898 Hampshire Ave and one vacant lot on Hampshire Ave., identified as APN 401-11-002A. Neighborhood meeting input to be reported.

Ms. Page presented and explained the parameters. She explained the outcome of the neighborhood meeting. She summarized that R-2 would allow for multiple family use.

Heather and Robert Doss presented. Ms. Doss provided them with an attendance record and a list of questions and answers.

Chair Hardie requested the information be placed with the minutes. (See Attached) She referred to Section 301 and commented there is quite a list, starting with the petition, of documents that will be required to move ahead. At this time, the commission can ask any questions.

Ms. Moore mentioned the 301 amendments or zone changes. She noted there was a list of items on page 23 that are required. She read from the Zoning Ordinance. She believes that some of those items are probably not necessary.

Ms. Page responded that in section B it refers to the tentative development plan, however we have a fully developed neighborhood. She doesn't believe that the county map is 100% accurate. She summarized where she was in the process so far.

Ms. Moore asked where the properties are in relation to the street, do the property lines go right to the street.

Mr. Doss responded that ADOT owns a portion of it before the street.

Ms. Moore said there had been a sidewalk there at one time. She believes it is an unsafe area for pedestrians. If there is parking up to the street it is really dangerous. If there are more cars there, people will have to walk on the highway. She wondered why the sidewalk had not been required to be maintained along that stretch of road.

Jayne "Burt" Doss responded there never was a sidewalk there. There was no concrete removal.

Ms. Moore said there had been at one time.

Mr. Doss said that portion of the road is actually wider than the rest of the road. They had to get permission from ADOT to put their driveway out to the highway.

The Commission discussed sidewalks, pedestrians and parking in that area.

Ms. Moore stated when you are re-zoning an area like this you can potentially double the population and traffic. She understands the need for more affordable housing.

Mr. Vincent said as far as your draconian concerns about apartments, it seems to me the existing ordinance and parking requirements would limit the apartment density. In terms of the application they need to comply with the ordinance. He believes our code will limit future development in terms of density. He questioned whether they would have to come before Planning and Zoning again once a CUP is granted.

Chair Hardie proposed that Ms. Page provide the Commission with a packet that fulfills what is required under Section 301. A tentative development plan where we can address things, possibly adding sidewalks. Once they have that perhaps have a work session and possibly include the town attorney.

TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
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Vice Chair Schall likes the proposal and the neighbors seem to be in agreement. He would like to see more affordable rents. He believes that R2 is for a duplex not an apartment, but he'd like clarification on that. He would like to make this happen properly by meeting the necessary requirements. He would like staff to address each of the issues.

Ms. Moore added that she wanted to make it clear she was not suggesting they build a sidewalk.

Chair Hardie said she is new to this and she needs to find out more about what Planning and Zoning and the other property owners involved are required to do. She directed staff to set up a work session for the commission.

8:26 (01:28:00) ITEM 10: PROPOSED RESIDENTIAL DEVELOPMENT IN C-1 ZONE, PRELIMINARY PLAN REVIEW

APPLICANT: Dewayne Woodworth

ADDRESS: 123 Hill St.

OWNER OF RECORD: Jerome Clubhouse LLC

ZONE: C-1

APN: 401-07-169A

Applicant is seeking preliminary approval for planned residential development in the C-1 Zone the building will have continued commercial use. Work planned on exterior of building is limited.

Ms. Page presented this as a mixed-use property and additional parking to be developed. Because there is no CUP in place, she had advised the applicant this item could be tabled.

Bob Woods, architect for Mr. Woodworth spoke. He's proposing to keep the commercial units and develop apartments. In total seven (7) residences and two (2) commercial spots. It would have tandem parking. He presented a drawing to the commission stating, "This is very preliminary." This site plan is very conceptual. He would like some assurances about whether they will accept tandem parking, that is critical. Without tandem parking it would limit the number of apartments. If we have to push the parking lot into the side of the hill it would change the parking lot. He explained the parking lot and said the ordinance didn't give all of the parking requirements he needed. He needs to know if he can do tandem parking.

Chair Hardie said this is so very preliminary and she doesn't know if they can go with this document that doesn't provide the information that they need. We have direction in our Zoning Ordinance to that affect, in ingress and egress.

Ms. Moore asked if the building code or fire code says anything about tandem parking. In the past it has been approved for a single-family home when it's the same owners. She believes we need to do some legal research. She mentioned that Hill Street is a private road. She doesn't see how we can make any preliminary decisions.

Chair Hardie added the agenda item says it is a preliminary site-plan review, which is not what is really happening here. It seems you have one question, "Do we approve tandem parking?"

Mr. Vincent said if those spaces are allocated specifically to each apartment, isn't the problem of getting in and out that of the renters. He asked the applicant if they would be allocated to each of the apartment tenants.

Mr. Woods said it is not part of the Towns purview, but up to the owner.

Chair Hardie read section 510.B.2 from the Zoning Ordinance:

"2. An applicant for a new building permit must submit plans showing the off-street parking required by this subsection. These plans must show location, arrangement, and dimensions of the off-street parking, turning spaces, drives, aisles, and ingress and egress, and must be approved by the Zoning Administrator in accordance with the provisions of Section 303."

"That is a given then that there would be ingress and egress for every single parking space, that is how I

TOWN OF JEROME

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interpret it. She then read from General Provisions, Section 502.O.3:

"3. A proposed development shall have adequate provisions for such items as convenience of access for public service vehicles such as garbage collection vehicles, movement of emergency vehicles, and convenience of access to parking sites and other site improvements by site resident or users."

Those are her concerns when it comes to tandem parking.

Vice Chair Schall pointed out that the Town has approved tandem parking before. He doesn't see any reason that he couldn't get a car out of that, however usability wise he would expect that the back tandem spaces are assigned to the apartments. If there are enough parking spaces no one would ever be trapped in the tandem parking.

Mr. Woods explained it is not a part of your ordinance, he can't find it anywhere in the ordinance.

Chair Hardie asked Vice Chair Schall where the other tandem parking had been approved.

Ms. Moore said the only instance she could think of was a bed and breakfast where the owner parked in the garage and the guest parked in front of the garage.

Chair Hardie said her concern is the agenda item is to approve a preliminary site plan review, and she doesn't see that we're given sufficient documentation to do this. We need more apartments in Jerome. As it stands, she would like to table it. She doesn't want to deny this however she doesn't know the ins and outs of tandem parking.

Ms. Page wants to get legal advice.

Vice Chair Schall added there is tandem parking at the Surgeon's House. Mr. Vincent added also on School Street. (An Air BnB.)

Mr. Woods reiterated several times that he needs confirmation that tandem parking will be allowed.

Chair Hardie suggested tabling it and getting legal advice from the Town attorney. She would like to see a more coherent plan.

Mr. Vincent mentioned the two retail spaces, it doesn't appear that you reflect the parking spaces required.

Mr. Woods explained the retail spaces are only 1200 square feet so that they wouldn't require more than four (4) parking spaces. (You don't include storage areas or restroom areas.)

Motion to Table Site Plan Review for the Jerome Club House Until the Next Convenient Time for all Participants.

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

Ms. Moore asked if they could have a special meeting if they get the information they need.

Vice Chair Schall asked if the lawyer is okay with tandem parking could we move forward.

Mr. Vincent stated the applicant is asking for help with tandem parking.

Ms. Moore said again she would like legal advice on that. And since this is a private road, she would also like a neighborhood meeting.

Ms. Page will research the building and fire code and also consult with the attorney for legal advice.

TOWN OF JEROME

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

9:06 (01:50:00) ITEM 11: CONDITIONAL USE PERMIT – RESIDENTIAL USE IN C-1 ZONE

APPLICANT: Dewayne Woodworth

ADDRESS: 123 Hill St.

ZONE: C-1

OWNER OF RECORD: Jerome Clubhouse LLC

APN: 401-07-169A

Applicant has plans for additional residential development in the C-1 Zone. Residential use in the C-1 Zone requires Conditional Use Permit.

Chair Hardie believes this should be tabled because there is no preliminary site plan.

Mr. Woods explained they are looking for approval of an existing use. The fire marshal wants us to put in a sprinkler system and another exit.

Chair Hardie said, "Will it be owner occupied?"

It was confirmed.

Ms. Page explained, "There is residential use in that building and there has never been a CUP which is required in the commercial zone."

Chair Hardie said prior to the writing of the ordinance, since it has been owner-occupied for many years, she doesn't think it would need a CUP.

Vice Chair Schall argued that since he has been there why can't we give him one.

Ms. Moore doesn't remember if it has been continually lived in.

Chair Hardie believes that they have two choices; issue a CUP for a conditionally permitted use as a residence. She asked Ms. Page to read the permitted uses from the Zoning Ordinance.

Ms. Page read from the Zoning Ordinance:

"C. CONDITIONAL USES 1. Any "Permitted" or "Conditional" Uses in the "R1-10", "R1-5" or "R-2" Zones."

Steve Knowlton, a resident, asked if it is different if it is not owner occupied. Dewayne owns the building, but he does not live there. He rents the apartment to someone else.

Nancy Robinson, a resident said they were required to have a CUP for their home, but they are owner occupied.

Chair Hardie said she can't confirm who lives there but she doesn't think there is.

Ms. Moore said the difference with your building requiring a CUP is because the home was not continually occupied. To be above board we could require it and then there would be no issues.

Chair Hardie asked if there was sufficient parking for this apartment.

Ms. Page said yes there was.

Chair Hardie asked if there were any other conditions.

Motion to grant a Conditional Use Permit for the residential use in a C1 Zone for Agenda Item #11.

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

TOWN OF JEROME

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

Ms. Page added this is a preliminary conditional use permit, it would need to go to Council for final approval.

9:19 (02:19:00) ITEM 12: FUTURE AGENDA ITEMS

Ms. Moore would like to do something in the ordinance regarding tandem parking. She would like to be in the discussion with the attorney when he interprets this.

Mr. Vincent thinks they should all be a part of it.

ITEM 13: ADJOURN

The meeting adjourned at 9:21 p.m.

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

Approval on next page.

TOWN OF JEROME

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REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, November 7, 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: *Margie Hardie*
Planning & Zoning Commission Chair

Date: 12/5/18

Attest: *Joni Savage*
Planning & Zoning Commission Vice Chair

Date: 12/5/18

NEIGHBORHOOD MEETING, November 6, 2018

Proposed R-2 Zone Hampshire Ave. & North Dr.

A meeting was conducted at 896 Hampshire Ave at 6:00 pm on November 6, 2018. The following persons were in attendance:

*Robert McWhirter	2730 N. Morrow St., Tempe, AZ (21 North Dr.)
*Jayne Doss	888 Hampshire Ave.
*Wayne Koller	888 Hampshire Ave.
Brighid McLaughlin	898 Hampshire
*Steve Hanna	894 Hampshire representing Francis & Monique Marcil
Sybil Melody	150 North Dr.
Nancy R. Smith	858 Hampshire Ave.
Jane Moore	747 Gulch Rd.
Margie Hardie	275 2 nd St.
Carol Anne Teague	209 3 rd St.
Lance Schall	659 Giroux
*Robert Doss	896 Hampshire
*Heather Doss	896 Hampshire
Charlotte Page	38 Rich St.

*Property owners in the proposed R-2 Zone.

Property owners were asked if they have any tentative developments planned for their personal property based on this proposed R-2 Zone. The following input was given:

McWhirter	21 North Dr.	“continue as a duplex”
Robert & Heather Doss	896 Hampshire	“apply for a legal duplex”
Flagg	884, 886 Hampshire	“no plans or changes”
Flagg	401-11-021	“no plans or changes”
Marcil	894 Hampshire	“Single Family Residence”
Doss / Koller	888 Hampshire	“yes, future development, possibly splitting when we are later on in years and unable to maneuver stairs.”

These property owners were not present at the Neighborhood Meeting:

Canto	898 Hampshire	no information
Martin	10 North Dr.	no immediate plans, verbal on phone
Weaver	18 North Dr.	no information

Questions were taken from the attendees:

Sybil Melody: Q. She has concern about the traffic, access to North Drive, and was considering the zone change would change all the properties into duplexes. Concern for increase in traffic and danger for access to 89A from the identified properties in the zone and from North Drive.

A. Zoning - First, the zoning change will not change the status of the existing single family homes in the proposed zone. The proposed R-2 Zone allows single family home as the first permitted use, and multi-family use as the second permitted use.

To have a legal duplex or a multi-family status, the individual property owners would also have to submit for a status change and will be required to demonstrate adequate parking and comply with all property development standards in the new zone for the request to be granted. (A handout of the R-2 Zone was available to attendees.)

There was discussion about what parking is required.

Single family homes require 2 spaces, apartment use requires 1.5 per unit. A duplex will require 3 parking spaces.

There was discussion about how newer built properties have been required to provide turn around space to access 89A without backing out of their driveways.

Robert McWhirter: Q. Are garage spaces allowed as a parking space?

A. Zoning - Yes, garages with interior spaces that meet the space requirements are accepted as parking space. The space requirement is 8' x 20', inside or out.

Nancy Smith: Q. What percentage of support does a zone change need to pass and what is the process?

A. Zoning - The land area owners must have 75% agreement. This petition currently has 91% support from the affected land owners with one owner not responding.

There was discussion as to if this owner would be counted as a negative. That the parcels in question are 'for sale' and under contract. There was input about the possible new owner being in support of this zone change as well.

A. Zoning - The current owner has not responded, if the parcel is acquired by others we would ask for support after they close and own the property.

The process for a zone change, in this example the land owner has brought a petition and made an application for the zone change. The petition is representing the land owners' support. The zoning department organized this neighborhood meeting by notifying neighbors within 300' by mail and posting the zone 15 days in advance of the meeting. The next step is the neighborhood meeting we are conducting. The Planning & Zoning commission will review the input from this meeting and either recommend additional information to be supplied or set a date for a public hearing. A public hearing notice will be posted in town and in the local newspaper, at least 15 days in advance of the hearing. The public hearing takes place at the next regular P&Z meeting. After the public hearing, depending on the community input, the P&Z will make a recommendation to Town Council or they may extend or reduce the proposed zone and another neighborhood meeting could be necessary. Eventually the cycle gets to a recommendation to Town Council by P&Z to either adopt or deny the request and will be scheduled on the next regular Town Council agenda for consideration as an Ordinance change. If the Council adopts the zoning change there is a second reading of the proposed Ordinance at a future Council meeting. During all these periods of waiting, public comment is considered. After a second reading, the ordinance can be adopted and would be effective 30 days later. Then, finally, a new zoning map would be drawn to reflect the zoning change.

Sybil Melody comments she is “not hot about this being extended to North Dr., and this is a ‘big change for Jerome.”

- A. Zoning – the block of properties is selected from one industrial zoned property and includes all properties to 21 North Dr., because the town would not support having any break in the zone. 21 North Dr could not be included unless the three properties indicated are accepted into the proposed zone.

Nancy Smith Q. She had understood this was more of a spot zone change initially and is not in favor of changing single properties. Now she would not oppose this zone change but still will not sign the petition.

- A. Zoning - The town’s legal advice is to not have a ‘spot’ zone. This is why the proposed zone will end at the property that is zoned industrial.

Nancy Smith Q. Will individual properties be required to provide second meters for utilities.

- A. Zoning - Existing homes would have to gut their properties to separate water, electric and gas. This would not be a requirement for changing the legal status of an existing home. New development would be required to provide separate utilities as well as any safety measures required for multi family residential development.

Flagg, comments now days it is very expensive to build. He feels this is the coming trend that if a home has the space to become a duplex and collect supplemental income it covers some of the costs.

Robert Doss, comments he doesn’t feel this would cause any real change, they have a large family, often have multiple guests and their property changing into a legal duplex wouldn’t be much of an impact. He mentions the industrial wood shop and traffic to the high school with both artist businesses and apartments across the street, the town’s maintenance to the sewer plant, tourist traffic to the cemetery, tours that access North Drive and again how newer built homes in this area have been required to provide turn around space so they would not back onto 89A. His input is these things have a greater affect on the neighborhood than the proposed zone change.

The evening concludes Jayne Doss commenting again about a property owner that hasn’t responded shouldn’t be counted as opposing.

Zoning agrees we will call that a ‘no response’ and then there are no more questions from the neighbors. Zoning say thank you to attendees and a suggest that input at the P&Z meeting tomorrow (7:00 pm on November 7th) would be welcome.