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# 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, April 3, 2019 TIME: 7:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

## MINUTES

### ITEM 1: CALL TO ORDER/ROLL CALL

Chair Schall called the meeting to order at 7:05 p.m.

Roll call was taken by Charlotte Page. Commission members present were Chair Lance Schall, Scott Hudson and Henry Vincent. Joe Testone arrived later in the meeting.

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

**7:05 (00:45) ITEM 2: PETITIONS FROM THE PUBLIC** – There were no petitions from the public.

**7:05 (00:55) ITEM 3: APPROVAL OF EXECUTIVE SESSION MINUTES MARCH 6, 2019:**

Note: Because this executive session was conducted without the Town Attorney present, these minutes are a public record, available for public review and will be filed accordingly.

#### Motion to Approve the Executive Session Minutes of March 6, 2019

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

**7:06 (02:17) ITEM 4: APPROVAL OF MINUTES:** Minutes of Special Meetings of February 25, 2019 and December 5, 2018, the Special Joint Meeting of Town Council/DRB/BOA and P&Z of January 16, 2019 and the Regular Meeting minutes of March 6, 2019

#### Motion to Approve the Special Meeting Minutes of December 5, 2018 and February 25, 2019, the Special Joint Meeting Minutes of Town Council/DRB/BOA and P & Z of January 16, 2019 and the Regular Meeting Minutes of March 6, 2019

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

**7:08 (03:12) ITEM 5: CONDITIONAL USE PERMIT REVIEW, 128 FIRST ST., RESIDENTIAL USE IN C-1 ZONE.**

APPLICANT: Lee Christensen

ADDRESS: 128 First St., (128 School St.)

OWNER OF RECORD: Don & Paula Nord

ZONE: C-1

APN: 401-10-006

Review of Conditional Use Permit for Residential Use in C-1 Zone. Site is historical home that has been vacant for some time.



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*Ms. Page explained that the footprint of the building gets smaller.*

*Chair Schall said residential use in a commercial zone typically has less of an impact. He sees no issues.*

### Motion to Approve the Conditional Use Permit for 128 First Street

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

### **7:10 (5:27) ITEM 6: DRAFT TEXT AMENDMENT, REFERENCE TO SOLAR GUIDELINES – ORDINANCE VERSION FOR PRESENTATION TO COUNCIL**

Review of Ordinance drafted for Solar Reference, with copies of public hearing draft as approved February 6, 2019.

*Ms. Page said this was here to review it as an ordinance.*

*Chair Schall said let the record show that Joe Testone has arrived and has voted on Item 6.*

### Motion to Advance to Council

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

### **7:14 (9:27) ITEM 7: DRAFT TEXT AMENDMENT, ARTICLE III PROCEDURES, ADDITION OF REFERENCE TO A.R.S. 9-462.04 PUBLIC HEARING NOTICES.**

Review of Ordinance drafted to be presented to Council for consideration.

### Motion to Forward to the Council for Their Consideration

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

### **7:17 (12:30) ITEM 8: DRAFT TEXT AMENDMENT, R-2 & ZONING ORDINANCE**

Commission to review proposed text amendment to Article II Definitions and Article V Use Regulations, about R-2 and other zones and possible creation of additional zone.

*The commission discussed the changes.*

*Ms. Page explained the next step is a public hearing.*

*Chair Schall gave direction to staff to move this on to public hearing and put into an ordinance format.*



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## 7:22 (18:35) ITEM 9: REVIEW - SECTION 301(D)(3), REQUIRING ¾ VOTE TO OVERRIDE P&Z DECISIONS.

Commission to review request from Council to draft change to 'majority vote' for override of P&Z decisions.

*Chair Schall said this is to correct an anomaly in our own procedure. He went on to say the Town Attorney agrees this is unusual and recommend it be stricken.*

*Commissioner Vincent asked why change it, if it's been like that since the adoption of the ordinance.*

*Ms. Page said she didn't know other than changes are made to the ordinance from time to time. She said there are different reasons.*

*Chair Schall directed them to read the memo from Candace Gallagher, he believes her explanations give a good reason to change.*

*Ms. Page explained that Council has requested that this Commission consider a majority vote instead of a super majority.*

*Commissioner Vincent asked does this diminish the effectiveness of this body.*

*Chair Schall said he doesn't mind surrendering the power and he is compelled by the Town Attorneys recommendation.*

### Motion to Approve Change and Prepare a Draft Text Amendment

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

## 7:34 (29:25) ITEM 10: REVIEW - SECTION 106(B), CONSIDER ELIMINATING P&Z LIAISON TO DESIGN REVIEW BOARD.

Commission to review request from Council to draft change to eliminate Planning & Zoning liaison to Design Review Board.

*Ms. Page explained the input from Council is one member sitting on two boards has two votes.*

*Chair Schall agreed and asked for discussion.*

*Commissioner Hudson asked if the ordinance says specifically there has to be a liaison.*

*It was confirmed it did. Specifically, a member of Planning and Zoning sits on Design Review.*

*Commissioner Vincent asked how the Chair of the Design Review Board felt, isn't that the Board that would be affected. He asked Ms. Page if she had received any feedback from him.*

*Ms. Page responded she didn't know if he was even aware of it.*

*Chair Schall would like to receive input from Design Review.*

*Commissioner Vincent asked Ms. Page how she feels about having that role.*

*Ms. Page said, "When I see you working in the role or Lance or even Mike Parry, when we have a large project in front of the boards, I believe the continuity between the two is very helpful."*

*Chair Schall gave direction to staff to check with Design Review first and put it on the May agenda.*



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## **7:39 (34:02) ITEM 11: ZONING ADMINISTRATOR UPDATE ON CONDITIONAL USE PERMITS FOR RESIDENTIAL USE IN COMMERCIAL ZONES.**

*Ms. Page explained in 1977 legal nonconforming situations were grandfathered. Building occupancy was not documented well. However, there was a piece in the non-conforming section of the zoning ordinance (not discussed in the meeting, however had been removed from the ordinance in 1997) and she read, "A nonconforming building, in the purpose of this section, the fact that the dwelling is not occupied shall not be considered a discontinuance of that use." So, for residential use in the commercial zone any building that had been historically occupied as residential was allowed. She had prepared a spread sheet and went over it with the Commission showing the buildings that have a conditional use permit. She would like this commission to decide whether a conditional use permit would be needed.*

*Chair Schall doesn't believe there is a need to go back and ask all of these homeowners to get CUP's. He would be inclined to document each one of them as okay for residential use.*

*Commissioner Vincent asked Ms. Page if there was something they could do to help her with this.*

*Commissioner Testone does not see the need for this, he doesn't see why it couldn't be a permitted use as long as it wasn't contrary to the infrastructure or conditions of the building. We should consider that because we don't have enough affordable housing in Town.*

*Chair Schall stated residential is a less intensive use and at the same time he would hate to see store fronts turn into residential use. He sees no problem with apartments above stores.*

*Commissioner Testone, after listening to Chair Schall's compelling synopsis, changed his position.*

*Chair Schall doesn't want to make these homes in the Commercial district get CUP's. Direction to staff to clean this up and document it administratively. We can have this Commission vote on it, but we'll just grant CUP's.*

*Ms. Page said this board can only recommend to Council.*

*Chair Schall said some kind of solution along those lines, it would be a fair and appropriate approach.*

## **8:01(56:35) ITEM 12: ZONING ADMINISTRATOR UPDATE ON DRAFT TEXT AMENDMENT FOR CERTIFICATE OF NO EFFECT.**

*Ms. Page said Design Review requested she come up with a "Small Projects" application.*

*Chair Schall asked her if she had a list of projects that a short form could be used.*

*The commission asked Ms. Page to come up with a list of projects.*

*Chair Schall gave direction to staff to come back with a list of small projects.*

## **8:07 (1:02:05) ITEM 13: FUTURE AGENDA ITEMS**

*Ms. Page said we have a lot line adjustment coming. Next month she will bring a report on sheds allowed with no P & Z approval, there are ten structures built with DRB approval, but not P & Z approval.*

*Chair Schall explained how the debacle possibly occurred.*



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## ITEM 14: ADJOURN

### *The Meeting Adjourned at 8:10 p.m.*

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

*Approval on next page.*



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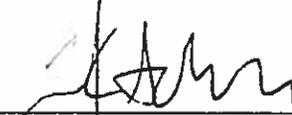
## REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, April 3, 2019 TIME: 7:00 pm

PLACE: JEROME CIVIC CENTER  
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Respectfully submitted by Joni Savage on May 1, 2019

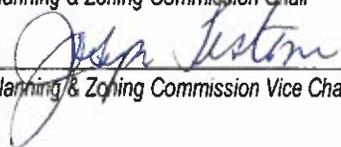
Approved: \_\_\_\_\_

  
Planning & Zoning Commission Chair

Date: \_\_\_\_\_

5/1/2019

Attest: \_\_\_\_\_

  
Planning & Zoning Commission Vice Chair

Date: \_\_\_\_\_

5/1/2019