



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 4, 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).

Before calling the meeting to order, the Clerk will administer the oath of office to: Margie Hardie

ITEM 1: CALL TO ORDER/ROLL CALL

Chair Lance Schall called the meeting to order at 7:06 p.m.

Roll call was taken by Kyle Dabney. Commission members present were Chair Lance Schall, Mike Parry and Margie Hardie.

Staff present were Kyle Dabney, Zoning Administrator, and Joni Savage, Deputy Clerk.

ITEM 2: APPROVAL OF MINUTES: Minutes of February 7, 2018 / March meeting was cancelled

Chair Schall moved to approve the minutes of February 7, 2018 and Mike Parry seconded. The motion passed with three votes in favor of approval.

Mr. Parry wanted to say for the record the minutes were once again very accurate.

ITEM 3: PETITIONS FROM THE PUBLIC

-There were no petitions from the public.

ITEM 4: ELECTION TO APPOINT CHAIR AND VICE CHAIR OF THE PLANNING & ZONING COMMISSION

The Commission shall elect a Chair and Vice chair from among its own members, who shall serve for one year and until their successors are elected and qualified. No individual may serve consecutively as Chair, or consecutively as Vice Chair, for more than two one-year terms. The Chair shall preside at all meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. The Chair shall have the power to administer oaths and to take evidence. The Vice Chair shall perform the duties of the Chair in the latter's absence or disability. Vacancies created by any cause shall be filled for the unexpired term by a new election.

Chair Schall noted that it was this Commission and he could no longer be the Chair.

Ms. Hardie suggested nominating Mike Parry as the Chair and Lance Schall as Vice Chair.

Ms. Hardie made a motion to have Mike Parry be the Chair and it was seconded by Lance Schall. The motion passed with 3 ayes.

Ms. Hardie made a motion to have Lance Schall be the Vice Chair and it was seconded by Mike Parry. The motion passed with 3 ayes.

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ITEM 5: EXISTING GARAGE TO BE REMODELED WITH AN ADDITION ON TOP

APPLICANT: KELLEY FOY

CONSTRUCTED: EST.1980

ADDRESS: 121 THIRD ST.

ZONE: R1-5

OWNER OF RECORD: ABOVE

APN: 401-08-040

Applicant is requesting to remodel the garage on her property with an addition to the top of the structure.

Mr. Dabney said he looked at the preliminary plan submittals, unless the commission finds something wrong with it. The current garage is a legal, non-conforming due to the construction date. It sits on the rear interior property line. This would be new construction, so it needs to meet set-back requirements. The footprint square footage will remain the same. The applicant is asking for approval to add on to the top of the garage as a studio. He has no issues with this submittal, he recommends approval and the conditional plans are provided for the commission.

Chair Parry said, "You said it is sitting on the property line? What about the next-door neighbor's property?"

Mr. Dabney said, "With her home it actually faces Third Street, it's the front of the house."

Vice Chair Schall said, "And the rear is the neighbor?"

Mr. Dabney responded, "Correct."

Chair Parry asked, "Is there a setback of five feet (5') required and is there one?"

Mr. Dabney responded, "Correct and there is one submitted with the proposal." (He showed them the page he was referring to, a survey.)

Ms. Hardie asked what a particular piece of paper was and if it had anything to do with the architecture of the thing.

Ms. Foy said no, it is just the original survey with lot lines.

Ms. Hardie said she reviewed it as best she could, considering. She came to some conclusions that may need further explanation. The way she sees it, every part of the building except for the part facing Third needs a five-foot (5') setback. Diane's lot line has to be five feet (5'), even though the actual setback would be twenty feet (20') for residential property in general. In the case of an accessory building you can build up to five feet (5'). Then you need a five-foot (5') setback from Center and a five foot (5') setback from your porch.

Ms. Foy said, "From the house."

Ms. Hardie replied, "No, from the porch."

Ms. Foy responded, "The porch is not my actual structure."

Ms. Hardie stated that a porch and a deck are the same, we did this before, she wrote the zoning ordinance.

Ms. Foy said she had been on that board.

Ms. Hardie read from the zoning ordinance under the definition of a deck:

"An open structure at least twelve (12) inches above the ground, (that's yours) that is located in the front, rear, or side yard or court of a property. When a structure has a roof or wall enclosure that keeps out the elements, it is not a deck and shall be deemed part of the primary structure for purposes of this Ordinance."

Ms. Foy said she would argue that it does not keep out the elements.

Ms. Hardie replied, "You can argue that, but the specifics are it has a roof. That you can't take away."

Ms. Foy explained it has a floor from the structure above, but she doesn't think it would justify "from the elements." It could be argued that it has a roof or a deck. The only roof that it has is from the top deck.

Ms. Hardie explained if you have a covering on the top it is a roof. Whatever the intent, it has a roof and therefore would need a five-foot (5') setback from the porch and the start of the accessory building.

Chair Parry said there was ten feet ten inches (10' 10"). (I believe he was referring from the house)

Ms. Hardie stated, "I looked at it, in my view there is no setback there right now."

Ms. Foy replied, "There is a setback, there is absolutely a setback. The buildings do not touch one another, they're not connected, there is a setback."

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Ms. Hardie said, "That may be, I'm sorry if I'm incorrect in that regard."

Ms. Foy said, "It has been discussed and we've tried to figure out what needs to happen. In my understanding, because it doesn't keep out the elements, and because it is actually a wrap-around porch I consider the roof the top of the building. If it were enclosed, if it had walls, if it kept you from being rained on I would consider that a total enclosure. But to me it is a deck above and doesn't keep anything out. So that's ten feet, ten inches (10' 10"), but in addition to that it is four feet (4') from the property to that. I'm sure that can be worked out, but I don't want to reduce the foot-print of the garage. It is my intention to improve the property. I had wanted to do this fourteen years ago and at that time the zoning administrator said I shouldn't have any problems doing it."

Chair Parry asked if there were any further questions.

Ms. Hardie stated as far as the back side of it against the other persons property it is a five-foot (5) setback.

Chair Parry asked are you going to take the old building down.

Ms. Foy said it is her intention to take it down, she wanted to keep anything historic.

Chair Parry said it says it was built in 1980.

Mr. Dabney said in his research he could only find a photo from the 1980's.

Ms. Foy talked about her research and found that at one time there was a country store and residence there.

Chair Parry said he was looking at the construction and it looks like 2 x 4, so he's not sure it will support a second story.

Ms. Foy said, "The original one, no, but it does have an original wall."

Ms. Hardie asked about moving it back from Center Street.

Ms. Foy explained it has a five-foot (5') set back that already exists.

Ms. Foy said if you look at her drawing she will still give herself plenty of room to still have the three spaces as well as the two in the garage. (parking)

Ms. Hardie stated, "On your application, it is confusing as to whether you're speaking of the new building or your home. You mention 5,200 square feet as the lot. What is 16,000? On the administrators report, the fourth one down, it says it is 16,800 square feet."

Mr. Dabney responded it is the lot size.

Ms. Hardie said on the application it says under lot area 5200 square feet.

Mr. Dabney responded he had pulled that 16,800 from the Yavapai County website. There was further discussion on this and it was determined that the website was incorrect.

Ms. Foy said based on what she has written, 35% of 5200 is well within the requirement.

Ms. Hardie summarized, "The footprint of your home and the footprint of the new building will be less than 60% of the entire lot."

Ms. Foy said yes it would be.

Mr. Dabney said, "I will look at that and contact someone at the County regarding the 16,800. I apologize for the confusion I should have checked it closer."

Chair Parry asked if there were any further questions.

Ms. Hardie said the main issues are the set-backs. Issues meaning requirements, and, in her mind, there is an issue that it should be five feet (5') from the decks. Maybe there could be some change in that.

Mr. Dabney said this is all preliminary. His interpretation was, "I can argue all day long that if you sit on the front porch during a rain storm you will get wet. That doesn't keep out the elements. My interpretation is, it is not considered to be part of the main structure."

Vice Chair Schall said, "My inclination is to interpret it generously and approve the plans as submitted."

Chair Parry said, "I'm on the same page. She has about eleven feet (11") just about, between the structures. Does the ordinance say "foot-print"? A porch isn't a foot-print of a building."

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Mr. Dabney responded, "Only when you're considering square footage of a home."

Chair Parry said, "That is not livable square footage, it is not heated or cooled."

Ms. Hardie read the definition from the zoning ordinance again.

"An open structure at least twelve (12) inches above the ground, (that's yours) that is located in the front, rear, or side yard or court of a property. When a structure has a roof or wall enclosure that keeps out the elements, it is not a deck and shall be deemed part of the primary structure for purposes of this Ordinance."

Which would put it into inclusion of the foot-print of the main structure.

Chair Parry said, "I think I would have to interpret that as enclosure, total enclosure. A porch is not an enclosure."

He feels it is up for interpretation. It does not have four walls, a roof and a floor.

Ms. Hardie said to her it is very clear and clear-cut. This isn't the final vote anyway.

Ms. Foy said she doesn't want to go through multiple meetings.

Ms. Hardie responded it is completely up to you. She is just saying what the alternatives are.

Ms. Foy said, "Is this based on your survey of the survey, is that where your getting your impressions of it?"

Ms. Hardie said, "It's not an impression Ms. Foy, I can see the roof, the roof on your porch. If there is a roof it becomes part of the structure."

Chair Parry said, "Ms. Hardie it says enclosure also, and a porch is not an enclosure."

Ms. Hardie argued that it has a roof and that it may be part of the foot-print.

(This was discussed/argued about for a while.)

Vice Chair Schall said, "I would interpret generously and I have no objection to the plan and if there is a set-back detail that we're worried about between the house and garage, that set-back is on the applicant's property between two buildings that are both on that lot and both belong to the applicant. If this set-back confusion was to a neighbor, then I might be concerned. I don't see it as being that big of an issue."

Vice Chair Schall moved to accept the plans as submitted and Chair Parry seconded it.

Ms. Hardie asked, "You said you have four feet (4') between your porch and the wall of the garage?"

Ms. Foy confirmed that was correct.

Chair Parry called the question, all those in favor of passing the plan as drawn. There were 2 ayes and one nay.

There was quite a bit of confusion at this point Chair Parry and Vice Chair Schall thought that since it was a majority that the motion had passed. Ms. Hardie informed them that it had to be three votes. Mr. Dabney read from the zoning ordinance and determined that the motion had passed. Vice Chair Schall said that they had a written interpretation from the Town attorney saying that when there are three on the board the majority rules.

The commission decided to move on to the next item #6 until they had received information from Ms. Gallagher regarding the vote.

Returned to Item 5 after the conclusion of Item 7.

After consulting with Ms. Gallagher and Mr. Sims via text it was determined:

The motion failed with 2 ayes and 1 nay.

Ms. Foy questioned the information. Because Vice Chair Schall had suggested the attorney had interpreted at one time that two out of three was a majority and majority would rule, Ms. Foy stated that she wanted clarification. Does he (attorney) remember saying it and if he did we have a new issue.

Chair Parry said hearsay is not an issue.

It was suggested that there be an alteration in her plan.

Ms. Foy asked if it were possible to pass with the conditional use. To the wall is four feet (4') if in addition to that she builds on the inside of it she can build it with a five-foot (5') setback. She asked, "Could we approve this if I agreed on the condition that I would build within the wall that's there making it a five-foot (5') setback."

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Mr. Dabney asked, "Are you talking about the back wall?"

Chair Parry said, "If you left the existing wall up that would be a possibility. An existing wall is a remodel not a new construction. If the motion was made to keep the same wall and make your garage shorter he thinks she would be in good shape."

Ms. Foy asked, "If I keep the same wall?"

Chair Parry confirmed, it is a remodel, not a new construction.

Ms. Foy said, "That's what I understood, but I thought that was out the window with this project, so I'm happy to go with that?"

Chair Parry summarized, "She will leave her existing wall where it is and use it to be part of the new construction. Therefore, the wall does not move, it's a remodel."

Ms. Hardie said, "If Ms. Foy wants to come back to P&Z with a new plan that would be okay, because I've already said no." Ms. Hardie quoted from the ordinance: Once you've denied something, unless it's changed it shouldn't be readdressed. "That's what it says in the ordinance. Unless, there is a change and so if you want to come back with a new plan. I believe the zoning administrator should get involved with this and help her move forward. This particular item has already been denied."

Mr. Dabney said, "I don't think it has, we've tabled it until we got an answer from the attorney."

Chair Parry stated, "We can't re-vote on the issue, but I think you might want to consider what we discussed."

Ms. Foy said, "I am frustrated because that was the plan that I initially submitted. To keep the existing wall and then calling it a remodel. I was told that it would be a new construction. So, the plan I initially wanted to present would have passed."

Chair Parry asked, "Am I not correct about that, if you use an existing wall?"

Mr. Dabney explained, "The fact that there's an addition now, creates new construction. This is a second story on top of what she has currently."

Ms. Foy said, "I witness remodels all over Arizona. I don't know why we are so different, all I'm asking for is a studio above my garage. This feels unconstitutional to me, considering it happens all over the state, but not here in Jerome. I am within the historical requirements and I am not changing anything that would impact my neighborhood in a negative way. I am respectful of what is going on there."

Chair Parry said, "I think the point is it has been voted on and not passed, the issue is done. If you want to come back and discuss the remodel with the wall we can go back and discuss that."

Mr. Dabney said, "I don't think we can actually, you cannot bring back an item that has been denied."

Chair Parry said, "If she decides to change the plan, she can."

Mr. Dabney replied, "Oh, she could do that, or the other option would be an appeal."

Ms. Foy said, "You mean the plan that I had presented?"

Chair Parry moved on to Item 8.

ITEM 6: REQUEST FOR A CONDITIONAL USE PERMIT TO CONVERT ONE SPACE (879 HAMPSHIRE) TO A RESIDENTIAL APARTMENT AT THE HIGH SCHOOL

APPLICANT: JOHN WESTCOTT

CONSTRUCTED: 1920

ADDRESS: 879 HAMPSHIRE

ZONE: I-1

OWNER OF RECORD: VERDE EXPLORATION

APN: 401-11-021A

Applicant is requesting a conditional use permit to convert a space at 879 Hampshire to a residential apartment.

Ms. Hardie asked if there was currently someone residing in the second apartment.

John Westcott asked what second apartment. We're talking about one here.

Mr. Dabney said we can only do one item at a time.

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Ms. Hardie asked, "In this particular apartment, is someone residing in it?"

Mr. Westcott confirmed that there was.

Ms. Hardie asked when I get to the second item then I can refer to this one.

Mr. Dabney confirmed that she could.

Chair Parry asked, "Were there other units that were approved prior to this for residential at the high school?"

Mr. Dabney responded, "No there has never been."

Chair Parry asked if it were on the second floor.

Mr. Westcott responded yes, this one is.

Chair Parry asked, "Have there been some health issues there, at that address, I understand there are radio waves that are bothering people."

Mr. Dabney said, "I call a point-of-order on that, we can't discuss another issue."

Chair Parry said, "If it's an unhealthy situation is it something that the Planning and Zoning Commission would want to approve?"

Mr. Dabney confirmed his understanding.

Mr. Westcott said, "We're dealing with that, it's taken care of."

Chair Parry said, "I don't understand that, there's a bunch of antennas all over."

Mr. Westcott said, "That is a separate, private matter and has nothing to do with Planning and Zoning, as far as I am concerned."

Chair Parry replied, "If it's unhealthy I think it does. If I found out there was raw sewage pumping out onto somebody's lot I wouldn't want to build there."

Mr. Westcott replied, "That's different from radio waves, you don't have any jurisdiction over radio waves, nobody does accept the FCC."

Chair Parry asked again, "Is it a health issue?"

Mr. Westcott said, "We consider it one, yes. It is a private matter between us and the owners of the towers."

Chair Parry said, "So you would want to move somebody else into a unit that might cause health issues."

Mr. Westcott replied, "It is a unique situation and that's not really why I came here. What is your specific question?"

Chair Parry said again, "I understand there are health issues there. Someone is ill over radio transmissions from towers there."

Mr. Westcott replied, "There are cell and radio towers and we are taking care of it."

Ms. Hardie asked, "How long have you lived there."

Mr. Westcott replied, "A year."

Ms. Hardie asked, "Is there a reason why you haven't come before now?"

Mr. Westcott replied, "We never knew we had too, there was someone living there twenty years before us."

Ms. Hardie said she wondered why they didn't come for a CUP. She discussed the application and why they hadn't come before and then stated, she was glad they did it right this time. You have come to the conclusion that you have enough parking in relation to the number of businesses there and now the residents. She was going to ask before, you decided to develop the old high school in this way as apartments. Do you see the owners continuing on in that direction? Do you think you might be doing more renovating?

Mr. Westcott replied, "The ultimate goal is getting a conditional use for the whole place at once."

Ms. Hardie asked, "Do you see a good portion of the high school becoming apartments?"

Mr. Westcott said maybe six.

Ms. Hardie said, "You know that if and when you decide to do that then you'd get into another league of regulations. I know this isn't really my purview, but somebody else asked me about it as far as the fire department and all that kind of stuff."

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Mr. Westcott responded, "We're all up on that."

Chair Parry noted that we need more places for people to live. He asked Vice Chair Schall if he had any questions.

Vice Chair Schall moved to approve and it was seconded by Chair Parry. The motion passed unanimously with 3 ayes.

ITEM 7: REQUEST FOR A CONDITIONAL USE PERMIT TO CONVERT ONE SPACE (889 HAMPSHIRE) TO A RESIDENTIAL APARTMENT AT THE HIGH SCHOOL

APPLICANT: JOHN WESTCOTT

CONSTRUCTED: 1920

ADDRESS: 889 HAMPSHIRE

ZONE: I-1

OWNER OF RECORD: VERDE EXPLORATION

APN: 401-11-021A

Applicant is requesting a conditional use permit to convert a space at 889 Hampshire to a residential apartment.

Mr. Westcott explained that's above Western Heritage, above the gym.

Chair Parry and Vice Chair Schall both commented that it would make a nice apartment.

Ms. Hardie wanted to comment, "On this particular CUP, that in the future Mr. Westcott would be forthcoming, now that you know the routine, as you develop, part of the CUP is a requirement that it gets checked on. I would like to see the Town involved and to make sure that in a year things are continuing in good order."

Mr. Dabney said they do that with the business licenses. He said Mr. Westcott has been very cooperative with anything he has asked of him.

Ms. Hardie stated, "You said you didn't know you had to do this, who knows what you might need to do as you build out."

Ms. Hardie moved to approve the Conditional Use Permit for the apartment at 889 Hampshire. Vice Chair Schall seconded. The motion passed unanimously.

Mr. Westcott said his goal is not to have to come before the board for each one separately from now on and get the whole parcel done. He asked if that was a possibility.

Mr. Dabney said he could do one application and present it.

Vice Chair Schall has no challenge with that, an application with six or seven apartments.

Mr. Westcott said well maybe not that specific.

Ms. Hardie said, "You can't CUP until you get the thing going. It has to exist."

The Commission returned to Item 5.

ITEM 8: REVIEW OF ZONING ORDINANCE §509.E.7 – REVIEW FOR A TYPE OF LIGHTING IN CERTAIN SIGNAGE.

APPLICANT: N/A

ADDRESS: N/A

ZONE: N/A

OWNER OF RECORD: N/A

APN: N/A

Staff is requesting review of sign ordinance §509.E.7 for a possible amendment to allow a specific type of interior lighting in signage.

Mr. Dabney said this goes back to something we discussed previously for a specific type of sign. The commission had asked for further information on lumens and examples. He has decided that along with the verbiage change to make these signs legal. He read it last time and asked if they would like it read again.

Vice Chair Schall said he didn't need it read again. He asked if there would be action on this.

Chair Parry said it's just review and asked Mr. Dabney to read it again.

Existing: Lighting shall be directed at the sign from an external incandescent light source and shall be installed so as

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to avoid any glare or reflection into any adjacent property, or onto a street or alley so as to create a traffic hazard.

Change: Internally lighted signs may only be permitted if the sign is constructed of opaque materials that block the transmission of light except through apertures in the sign that constitute no more than 25% of the area of the sign.

For example, a sign with internal lighting that is constructed of steel and has apertures designed to form the image of letters would be permitted if the area encompassed by the apertures is less than 25% of the sign. A bulb shall produce no more than 3100 lumens for this type of sign.

Existing: No sign that flashes or blinks shall be permitted. No visible bulbs, neon tubing, or luminous paints, shall be permitted as part of any sign.

Chair Parry said we used to talk about filaments, that's ancient. An LED light is tiny and yet it can be outrageously bright. Maybe we should put in something about LED lights, because they are extremely bright.

Vice Chair Schall said he did address lumens, which are basically watt equivalent, 3100 lumens are about a 200-watt bulb. We could have a detail to say you can't see a filament or LED. It can't be in direct view in the sign.

Mr. Dabney pointed out in the statement "materials that block the transmission of the light."

Ms. Hardie referred to the examples that he had provided. She didn't like the intensity of the light on the "Boss" sign. She stated that the Haunted Hamburger or the Mile High sign don't obliterate her by the light. She expressed her opinions on the examples and asked for an explanation.

Vice Chair Schall believes it could have extra lumens and we are making sure that we won't have a bright sign that might be found offensive.

Ms. Hardie asked for further explanation from Vice Chair Schall about lumens and asked him to guess the lumens above them in the Council Chambers. This discussion went on for a while.

Ms. Hardie likes the idea of updating the ordinance, but why couldn't we get a recommendation from the Design Review Board, she asked Chair Parry what he thought.

Chair Parry explained that the Design Review Board approve signs, they don't make ordinances. He pointed out to her that Mr. Dabney is making a recommendation to us.

Vice Chair Schall said what we talk about is how big, how high or how bright it can be. That would be something objective. Planning and Zoning make decision on something that is quantifiable.

Mr. Dabney explained the lumen is the total quantity of visible light emitted by the source. You have to keep in mind that these apertures dissipate that light, which makes it difficult to measure the lumen.

Ms. Hardie asked if you could add up the bulbs and the total couldn't exceed a determined amount.

Vice Chair Schall said our problem from a sign perspective is measuring the lumens after they are behind the apertures. If I put three 200 lumen bulbs and cover with apertures I would have way less than 600 lumens.

Ms. Hardie suggested that the ordinance be changed to not have more than 3,100 lumens total.

Vice Chair Schall explained to Ms. Hardie that the ordinance has to be carefully written so that the bulbs combined do not exceed 3,100 lumens.

It was suggested that the proposed reading be changed from "A bulb shall" to "The bulbs shall."

Mr. Dabney referred to the signs we approved in the past, we're just trying to make them legal, so we should try to match the ordinance to what has already been approved.

Ms. Hardie said she'd like to know what the actual signs that are up there now are, and if you could find out how many lumens are coming from the Mile High for example?

Mr. Dabney said he would try to reach the sign maker and see if he can get an answer. The problem is he is not getting return phone calls. If he can't reach him he'll drive down to his shop.

Chair Parry asked is there a meter that measures Lumens?

Mr. Dabney said no.

Chair Parry said it would be on the bulb.

Vice Chair Schall said, you go to the store by a light bulb and it says 75 watts, are you suspicious of that number.

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Chair Parry said I am now, and Ms. Hardie won't buy another light bulb until she knows.

Mr. Dabney suggested that we pass something before another person wants to put up a sign like this again.

Ms. Hardie said let's do it right.

Vice Chair Schall suggested that they find out what is in the signs right now and match to it.

Chair Parry said, to recap we want to research the 3100 lumens and make sure it's the right number.

Mr. Dabney said okay done.

ITEM 9: REVIEW OF ZONING ORDINANCE §509.G.8 – REVIEW OF TEMPORARY SIGNS TO INCLUDE ADDITIONAL VERBIAGE AND AN APPLICATION OR PERMIT PROCESS.

APPLICANT: N/A

ADDRESS: N/A

ZONE: N/A

OWNER OF RECORD: N/A

APN: N/A

Staff is requesting review of sign ordinance §509.G.8 for a possible amendment to add a permit or application process for temporary signage as well as restrictions on time limit those would be allowed.

Mr. Dabney said this is an attempt to control temporary signs. As it is currently written he can't control it. The 90 days per calendar year is really screwing this up. He read the **current ordinance**:

Temporary signs, such as "sale" signs are allowed in addition to other signs. Temporary signs must meet all restrictions for signs in this section in addition to the following: A) No temporary sign may exceed eight (8) square feet B) No business may display a temporary sign more than ninety (90) days per calendar year, or forty-five (45) consecutive days. C) No permit is required for temporary signs.

His proposal is to leave item A) and add; B) No business may display a temporary sign more than forty-five (45) days. C) No business may display more than two (2) temporary signs per forty-five (45) day period and D) Temporary signs shall require an application to be filed with the Zoning Administrator.

Vice Chair Schall said he liked D), you're asking for an application for the temporary sign or a permanent sign. And it's not a precursor to a permanent sign.

Chair Parry summarized right now he has no way of knowing when a sign comes up and down, it will prevent sign clutter. He referred to a particular "Sale" sign being up all year round.

Ms. Hardie asked about C) do you think you should add "any calendar year?"

The commission discussed it in detail.

Mr. Dabney explained that some businesses say they don't have enough foot traffic, one of them is the UVX building. He hopes the district signs help them and they want temporary signs. "I have been asked (by Council) to enforce the zoning ordinance and I need to adjust this so that I can." And he added, "There is no charge for temporary signs."

Vice Chair Schall said filling out this application would keep the sign clutter down and it will give Mr. Dabney good visibility.

Ms. Hardie further suggested one sign versus two signs. The possibility of more time between temporary signs. She added it is more complicated than you think.

Chair Parry pointed out to Ms. Hardie that we're trying to help him get a handle on signage and clutter.

Vice Chair Schall pondered holiday signage.

Ms. Hardie commented that he's got a good start on this and asked if he had a chance to look at other Towns. She would be happy to do some research. She'll look it up and next month she'll have some suggestions and then the next month it will be a done deal.

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ITEM 10: REVIEW OF ZONING ORDINANCE §502.M – REVIEW OF HOME OCCUPATIONS TO INCLUDE ADDITIONAL VERBIAGE.

APPLICANT: N/A

ADDRESS: N/A

ZONE: N/A

OWNER OF RECORD: N/A

APN: N/A

The Planning & Zoning Commission has requested review of ordinance §502.M for possible amendment to include additional verbiage on Home Occupations.

Mr. Dabney said the commission asked him to include certain sections from other Towns. If you'd like me to read the proposed reading I can, or you can read it yourselves.

The commission read the document.

Chair Parry and Vice Chair Schall said they both liked his new items.

Ms. Hardie commented that she thinks number eight (8) should be more specific and say in the "residential zone."

Vice Chair Schall said, "By definition it is in the residential zone."

Ms. Hardie said she had gathered more information on home-based businesses. She referred to the definition that a community in New York used. She wanted to know what our definition says.

Mr. Dabney read the definition directly from the ordinance.

"Home Occupation - any occupation or profession which is incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof, and in connection with which there are no employees other than a member of the immediate family residing in the dwelling unit."

Ms. Hardie read the definition from New York State.

"Home Occupation is: "An occupation, profession, activity or use that is clearly a customary, incidental and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood."

Ms. Hardie stated, "I like their definition, or is that too detailed?"

Chair Parry asked is that something that can be defined.

Ms. Hardie discussed when the brewery idea was brought up and the odors and delivery trucks, it would clearly affect the residential character of the neighborhood. She discussed the phrases that she liked in their definition. She believes we should tweak our definition more. She read more from her hand out. **(Included with these minutes.)**

Vice Chair Schall said he would hate to put himself in a situation where something didn't need a license and then suddenly did need a license for.

The commission discussed different possibilities of home businesses.

Mr. Dabney added that if there was a change to the exterior of the home it would have to go through DRB anyway so why put that in this.

Ms. Hardie argued that it could be a truck pulling up and not the house. "Not alter the exterior or the property or affect the residential character of the neighborhood." She wants to see it in the definition.

Vice Chair Schall said let's put it in there because Ms. Hardie likes it.

ITEM 11: FUTURE AGENDA ITEMS

Ms. Hardie was thinking about the person that gets appointed to DRB, that's an annual thing she feels the necessity of it or the lack of it. She would like that on a future agenda item. To discuss assigning a planning and zoning commissioner to be a member of DRB. Whether to have it or not.

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Chair Parry said he is supposed to be the liaison between P&Z and DRB and sometimes he can move them along. We're having situations lately where member are not being objective.

ITEM 12: ADJOURN

Vice Chair Schall moved to adjourn. Ms. Hardie seconded. The motion carried unanimously and the meeting adjourned at 8:39 p.m.

Approval on next page.

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MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, April 4, 2018 TIME: 7:00 pm

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

Respectfully submitted by Joni Savage on May 2, 2018

Approved: _____

J. Savage
Planning & Zoning Commission Chair

Date: _____

4-4-18

Attest: _____

M. Hardin
Planning & Zoning Commission Vice Chair

Date: _____

5/30/18