



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, February 12, 2020 TIME: 6:00 pm

(NOTE NEW MEETING TIME OF 6:00 pm!)

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

AGENDA

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

ITEM 1: CALL TO ORDER/ROLL CALL

ITEM 2: PETITIONS FROM THE PUBLIC — Pursuant to A.R.S. § 38-431.01(H), public comment is permitted on matters not listed on the agenda, but the subject matter must be within the jurisdiction of the commission. All comments are subject to reasonable time, place, and manner restrictions. All petitioners must fill out a request form with their name and subject matter. When recognized by the chair, please step to the podium, state your name, and please observe the three (3)-minute time limit. No petitioners will be recognized without a request. The commission's response to public comments is limited to asking staff to review a matter commented upon, asking that a matter be put on a future agenda, or responding to criticism.

Possible Direction to Staff

ITEM 3: Approval of Minutes: Minutes of the Regular Meeting of January 8, 2020
Discussion/Possible Action/ Possible Direction to Staff

Continued Items from Previous Meetings:

ITEM 4: R-2 Rezone

The Town of Jerome proposes to rezone properties from R1-5 to R-2 in and around the vicinity of 10, 18, and 21 North Drive; 884, 886, 888, 894, 896, 898, and 899 Hampshire Avenue; and a vacant lot identified as APN 401-11-002A on Hampshire Avenue.

Discussion/Possible Action – P&Z Reso. 2020-1

New Business:

ITEM 5: Update Planning and Zoning Commission Bylaws

APPLICANT: Town of Jerome

ADDRESS: 215 Second Street

Discussion/Possible Action – P&Z Reso. 2020-6

Informational Items:

ITEM 6: Zoning Administrator Informational Items

- Updates from Council Meeting
- Updates from DRB Meeting

Other Items:

ITEM 7: Potential items for next P&Z agenda (Wednesday, March 4, 2020)
Discussion/Possible Direction to Staff



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ITEM 8: Adjourn

The undersigned hereby certifies that this notice and agenda was posted at the following locations on or before 6 p.m. on _____
970 Gulch Road, side of Gulch fire station, exterior posting case
600 Clark Street, Jerome Town Hall, exterior posting case
120 Main Street, Jerome Post Office, interior posting case

Rosa Cays, Attest

Persons with a disability may request reasonable accommodations such as a sign language interpreter by contacting Town Hall at (928) 634-7943. Requests should be made as early as possible to allow sufficient time to make arrangements. Anyone needing clarification on a P&Z Commission agenda item may call John Knight at (928) 634-7943.



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TOWN OF JEROME

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(928) 634-7943 FAX (928) 634-0715

REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, January 8, 2020 TIME: 6:00 pm

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

MINUTES

ITEM 1: CALL TO ORDER/ROLL CALL

Chair Lance Schall called the meeting to order at 6:03 p.m.

Roll call was taken by Rosa Cays. Commission members present were Chair Lance Schall, Vice Chair Joe Testone, Commissioners Jessamyn Ludwig, Scott Hudson, and Henry Vincent.

Staff present were John Knight, Zoning Administrator, and Rosa Cays, Deputy Clerk.

6:04 (01:02) ITEM 2: PETITIONS FROM THE PUBLIC – There were no petitions from the public.

6:04 (01:14) ITEM 3: Approval of Minutes: Minutes of the Regular Meeting of December 4, 2019

Motion to Approve the Minutes of December 4, 2019

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

6:05 (1:50) ITEM 4: R-2 Rezone – table to a date certain

The Town of Jerome proposes to rezone properties from R1-5 to R-2 in and around the vicinity of 10, 18, and 21 North Drive; 884, 886, 888, 894, 896, 898, and 899 Hampshire Avenue; and a vacant lot identified as APN 401-11-002A on Hampshire Avenue.

Mr. Knight explained the posting was not done in time to comply with the zoning ordinance and suggested addressing this item at the next P&Z meeting on February 5, 2020.

Chair Schall asked if timing would work for everyone involved.

Mr. Knight said timing would work.

Resident Carol Anne Teague asked if people would be notified.

Mr. Knight said people could be notified and also submit questions for the next agenda.

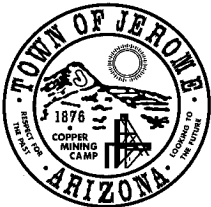
Mr. Knight and Chair Schall discussed logistics of posting. February 5 would work.

Resident Heather Doss asked who was responsible for postings.

Mr. Knight answered the zoning administrator is responsible.

Motion to table until the February 5, 2020 meeting

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



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6:08 (4:59) ITEM 5: Site Plan Review for Single-Family Home

APPLICANT: Matt Dougan

ADDRESS: 174 North Drive

OWNER OF RECORD: Celurius LLC (Terrill Currington)

ZONE: R1-5

APN: 401-11-012N

Applicant is seeking preliminary and final site plan review

Discussion/Possible Action - P&Z Reso. 2020-2

Mr. Knight introduced Matt Dougan, architect of the project.

Mr. Knight explained that due to the holidays, changes at town hall, one item was overlooked in the site plan: the height of the building exceeded the height restriction set in the zoning ordinance. Although it is up to the board whether or not to address the change to the site plan at this time, it could also table this item for the next meeting. Mr. Knight pointed out that all other design elements in the site plan meet the town zoning requirements and will also be presented at the next Design Review Board meeting.

Chair Schall asked Mr. Dougan to show the changes made to the building height in the revised site plan.

Mr. Dougan presented to the commission changes made to the plans with the building height now set to comply with the zoning ordinance. Mr. Dougan distributed copies of the revised site plan with the revised, scaled drawing.

Chair Schall and Mr. Dougan further discussed the site plan. Mr. Dougan pointed out the only change is that the loft is no longer in the plan. Setback and other elements remain the same.

Chair Schall asked if one element was skylights or solar panels. Mr. Dougan explained they were solar panels for future implementation.

Motion to Approve P & Z Resolution No. 2020-2 with revised elevation

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

6:17 (14:25) ITEM 6: CUP for Residential in C-1 Zone

APPLICANT: Don Nord

ADDRESS: 128 First Street

OWNER OF RECORD: Don & Paula Nord

ZONE: C-1

APN: 401-10-006

Applicant is seeking a conditional use permit to have a duplex in the C-1 zone

Discussion/Possible Action (Recommendation to Council) – P&Z Reso. 2020-3

Mr. Knight introduced. Zoning is C1 but mostly residential in that area. Applicant has previously received a Conditional Use Permit (CUP) for a single-family residence and wants to add second unit below and create a duplex. Appears all is in compliance with the zoning ordinance, including parking (three spaces).

Chair Schall asked a few questions about the map and access to parking.

Motion to Approve Resolution No. 2020-3

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



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6:24 (21:00) ITEM 7: New Mixed-Use Commercial Building (site of former Cuban Queen building)

APPLICANT: Josh Lindner & Windy Jones

ADDRESS: 324 Queen Street

OWNER OF RECORD: Cuban Queen Bordello LLC

ZONE: C-1

APN: 401-06-127

Applicant is seeking preliminary and final site plan review

Discussion/Possible Action - P&Z Reso. 2020-4

Mr. Knight introduced item; applicant has short PowerPoint presentation, or commission can go straight to the item. Chair Schall asked to go straight to the item; can go to the presentation later if needed.

(23:26) Mr. Knight reminded commission of status of the project. Parking has been main issue. Applicant wants to proceed with project with intention of providing parking offsite through the proposed Parking Overlay District. A Memorandum of Understanding (MOU) was previously approved by the Council. Approval of P&Z Reso. 2020-4 includes a condition regarding the parking Chair Schall asked about three parking spaces on site plan. Mr. Knight explained they are used by tenants in building next to 324 Queen Street. Those parking spaces are actually owned by the town.

Mr. Knight explained the spiral staircase and its use as a supplemental fire escape to a public right of way. Fire chief and applicants have been discussing this as a viable option. Other fire accesses have been designed into the plan and meet zoning standards; this would be an additional fire access.

Chair Schall asked that the MOU be attached to the resolution.

Motion to Approve Resolution 2020-4

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

6:35 (32:10) ITEM 8: CUP for Residential in C-1 (site of former Cuban Queen building)

APPLICANT: Josh Lindner & Windy Jones

ADDRESS: 324 Queen Street

OWNER OF RECORD: Cuban Queen Bordello LLC

ZONE: C-1

APN: 401-06-127

Applicant is seeking a conditional use permit to allow a boarding house in the C-1 zone

Discussion/Possible Action/Recommendation to Council - P&Z Reso. 2020-5

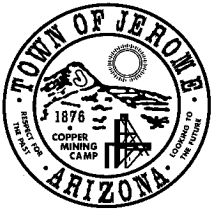
Mr. Knight explained that this is the CUP request that has been in limbo and is now back on the table.

Applicants want approval for a boardinghouse, which is classified by the zoning ordinance as a residential use in the C-1 zone.

Chair Schall said he would like to see the project developed into something more than a pile of rubble.

Motion to Approve Resolution No. 2020-5

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



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6:39 (36:18) ITEM 9: Zoning Administrator Informational Items

Mr. Knight welcomed Rosa Cays as the new deputy clerk. No other items.

6:40 (37:12) ITEM 10: Potential items for next P&Z Agenda (Wednesday, February 5)

Ms. Ludwig asked about the status of the sidewalk encroachment policy.

Mr. Knight said the R-2 rezone will be on the agenda.

6:42 (39:14) ITEM 11: To and from P&Z members

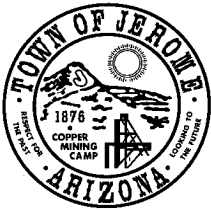
No comments from the Commission.

ITEM 12: ADJOURN

Motion to Adjourn at 6:43 p.m.

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

Approval on next page.



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**REGULAR MEETING OF THE TOWN OF JEROME
PLANNING AND ZONING COMMISSION
DATE: Wednesday, January 8, 2020 TIME: 7:00 pm
PLACE: JEROME CIVIC CENTER
600 Clark St., JEROME, ARIZONA 86331**

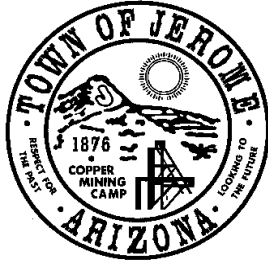
Respectfully submitted by Rosa Cays on January 13, 2020

Approved: _____ Date: _____
Planning & Zoning Commission Chair

Attest: _____ Date: _____
Deputy Clerk

DRAFT

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TOWN OF JEROME

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OFFICE (928) 634-7943 FAX (928) 634-0715

ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION February 12, 2020

ITEM 4: R1-5 to R-2 Rezone

Location: In and around the vicinity of 10, 18, and 21 North Drive; 884, 886, 888, 894, 896, 898, and 899 Hampshire Avenue; and a vacant lot identified as APN 401-11-002A on Hampshire Avenue.

Applicant: Town of Jerome

Recommendation: Resolution 2020-1 Recommending Approval to Council

Prepared by: John Knight, Zoning Administrator

Background and Summary: In November of 2018, affected property owners proposed an amendment to the R-2 Zoning District. This amendment included both an amendment to the text as well as an amendment to the zoning map. The proposed amendment was recommended for approval by Council in the spring of 2019. During that time period, the Council decided to separate the text amendment from the map amendment. The text amendment was subsequently approved by Council but the map amendment was never completed. Staff is now completing the process to finalize the map amendment.

On November 26, 2019, a Neighborhood Meeting was held to gather comments on the proposed rezone map amendment. On December 4, 2019, the Planning and Zoning Commission (the Commission) initiated the proposed amendment and set a hearing date for discussion.

The area proposed to be rezoned is shown in Attachment A. This includes the original property owners that have requested their properties be rezoned. Note that several other property owners also expressed interest in being included. These are shown in Attachment B. The Commission has the discretion to amend the boundaries as needed. Note that staff is recommending that the Commission approve the boundaries shown in Attachment A.

Ordinance Compliance:

Section 301.A.Purpose: *The Council may, from time to time as the public necessity, convenience, general welfare, or good zoning practice requires, change the district boundaries or amend, change, repeal or supplement the regulations herein established. Such change or amendment may be initiated by the Council or the Commission on its own motion or by petition of one or more owners of real property within the area proposed to be changed.*

Response: Ordinance Amendments may be initiated by property owners, the Council, or the Commission. The amendment was originally initiated by the affected property owners. This process resulted in the creation of a new R-2 Zoning District (Section 506 of the Zoning Ordinance). The text is included as Attachment C. Note that the primary difference between the R1-5 and the R-2 is the allowance of one (1) two-family dwelling.

Section 301.C. Commission Action

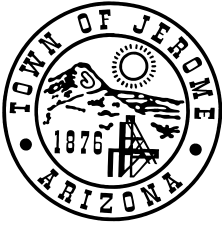
1. *Upon receipt of any complete application for, and prior to holding a public hearing on, rezoning or ordinances that impose a new land use regulation or modify an existing land use regulation, a Neighborhood Meeting shall be required in accordance with Section 306 of this zoning ordinance. The Commission shall then fix a reasonable time for the hearing of the proposed zone change, amendment, or addition and shall give notice thereof to interested parties and to the public by publication of a notice in the official newspaper of the Town, and by posting the area included in the proposed change, not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing including a general explanation of the matter to be considered and including a general description of the area affected. The Commission may for any reason, when it deems such action necessary or desirable, continue such hearing to a time and place certain. Within thirty (30) days after the close of the hearing, the Commission shall render its decision in the form of a written recommendation to the Council. The recommendation shall include the reasons for the recommendation.*
2. *Prior to publishing a petitioned Zoning Map change, the Commission may, on its own motion, delimit or extend the boundaries of such area, so as to constitute a more reasonable zone district boundary.*
3. *The Commission may on its own motion propose any amendments to this ordinance and map. After holding a public hearing as required by this section, the Commission shall either:*
 - a. *Transmit such proposal to the Council which shall thereupon proceed as set forth herein for any other amendment, or*
 - b. *Vote to quash the Commission initiated proposal*

Response: Pursuant to Section 301.C.1, a Neighborhood Meeting was held on November 26, 2019. Posting was also done by direct mail, site posting, and in the newspaper. Note that this section also states that the Commission shall render a decision within thirty (30) days after the close of the hearing. This decision is a recommendation to Council. Section 301.C.2 states that the Commission may delimit (reduce) or extend the boundaries. Note that according to Section 310.C.3., the Commission either transmits their recommendation to Council or votes to “quash” the proposal.

Recommendation: Staff recommends that the Commission hear the proposed rezoning map amendment, consider whether to delimit or expand the boundary, and recommend approval to Council of the proposed amendment by approving Resolution 2020-1. Note that staff is recommending the boundary included in Attachment A.

Attachments:

- P&Z Resolution 2020-1
- A – Zoning Map Exhibit
- B – Adjacent properties requesting inclusion
- C – R2 Text Excerpt from Zoning Ordinance



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P&Z RESOLUTION NO. 2020-1

R-2 ZONING MAP AMENDMENT

WHEREAS, the Town of Jerome is interested in rezoning an area from R1-5 to R-2; and

WHEREAS, the property to be rezoned is located in and around the vicinity of 10, 18 and 21 North Drive; 884, 886, 888, 894, 896, 898, 899 Hampshire Ave.; and a vacant lot identified as APN 401-11-002A on Hampshire Ave; and

WHEREAS, a Neighborhood Meeting was held on November 26, 2019; and

WHEREAS, on December 4, 2019, the Jerome Planning & Zoning Commission initiated a Zoning Map Amendment under Section 301.A. of the Zoning Ordinance; and

WHEREAS, the Jerome Planning and Zoning Commission is required to set a public hearing date and provide public notice in accordance with Section 301.C. of the Zoning Ordinance; and

WHEREAS, notice was provided (1) by direct mail to parties in the area to be rezoned and within 300 feet of the proposed rezone, (2) by posting on the site at least fifteen (15) days prior to the hearing, and (3) by posting in the *Verde Independent Newspaper* on January 26, 2020; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on February 12, 2020; and

WHEREAS, the Commission may, on its own motion, delimit or extend the boundaries of such area, so as to constitute a more reasonable zone district boundary; and

WHEREAS, the Commission may on its own motion propose any amendments to the proposed map.

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the Town of Jerome, Arizona, that an amendment to the Zoning Map, in accordance with Exhibit A, is hereby recommended for approval to the Town Council.

ADOPTED AND APPROVED by a majority vote of the Planning and Zoning Commission on the 12th day of February 2020.

ATTEST:

APPROVED:

Rosa Cays, Deputy Town Clerk

Chairman Lance Schall

Exhibit A – Area Proposed for Rezone

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**Original
Proposed
Boundary**



401-111-019F

DOWN OF JEROME

10

Coconino National

Yavapai County GIS Department. Sources: Esri, HERE, DeLorme, Intermap, increment p Corp., ©BGCN, USGS, FAO, NPS, NRCAN, GEBCO, IGN, swatch
Ordnance Survey, Esri, Swatch, METI, Esri, Githia (China), OpenStreetMap contributors, and the GIS User Community, Yavapai County, City of Colton
City of Prescott, City of Sedona, Town of Chinle, Navajo Nation, Navajo National Monument, Navajo National Monument, Navajo National Monument,
Valley, Town of Wickenburg, Yavapai County, Yavapai County, City of Cottonwood, City of Cottonwood, City of Prescott, City of Sedona, Town of Cottonwood, Town of Guano Valley,
Town of Clarkdale, Town of Dewey-Humboldt, Town of Jerome, Town of Prescott Valley, Town of Williamsburg, Prescott National Forest, Prescott National Forest,
Kaibab National Forest.

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February 4, 2020



401-11-019F

401-11-019F

Attachment B - Additional Properties Requesting Inclusion

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SECTION 506. “R-2” ZONE, SINGLE- AND TWO-FAMILY RESIDENTIAL

A. PURPOSE

This district is intended to fulfill the need for medium density residential development regulations and property development standards are designed to allow maximum flexibility and variety in residential development while prohibiting all incompatible activities. Land use is composed chiefly of single- and two-family homes, together with required recreational, religious, and educational facilities.

B. PERMITTED USES

1. One (1) single-family dwelling or one (1) two-family dwelling or one (1) modular home per lot. Mobile homes are prohibited.
2. Customary accessory uses and buildings, provided such uses are incidental to the principal use.
3. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion of or abandonment of the construction work.
4. Publicly owned and operated parks and recreation areas and centers.
5. Home occupations.

B. CONDITIONAL USES

Any conditional use in the R1-5 zone.

D. PROPERTY DEVELOPMENT STANDARDS

1. MINIMUM LOT AREA: Five thousand (5,000) square feet.
2. MINIMUM LOT WIDTH: Fifty (50) feet.
3. MINIMUM SQUARE FOOTAGE OF DWELLING: Eight hundred and fifty (850) square feet of enclosed floor space exclusive of any attached garage.
4. MAXIMUM LOT COVERAGE: Not more than sixty (60) percent of the net area of the lot may be covered by the main building and all accessory buildings.
5. YARDS:
 - a. Front Yard:
 - 1) There shall be a front yard of not less than ten (10) feet in depth except when the following conditions prevail:

A front yard is required equal to that established by any building within one hundred (100) feet on either or both sides of the lot. Where more than one such building is within one hundred (100) feet of the lot then the front yard of the nearest such building shall be the required front yard of the lot, except that where the lot is between two such buildings, each within one hundred (100) feet of a lot, then the front yard of this lot shall be that established by a line joining the nearest front corner of the other such building. Nothing in the above shall require that a front yard in this district exceed twenty (20) feet.
 - 2) Where lots have a double frontage on two (2) streets, the required front yard shall be provided on both streets.

- b. Side Yard:
 - 1) There shall be a side yard along interior lot lines of not less than five (5) feet in width.
 - 2) Where a side lot line abuts a street, the side yard shall be considered a front yard for the purpose of determining width.
- c. Rear Yard:
 - 1) There shall be a rear yard of not less than twenty (20) feet in depth. Except where the rear lot line is in common with or separated by an alley from the side lot line of another lot, there shall be a rear yard of not less than ten (10) feet in depth.
 - 2) Where the rear lot line abuts an alley, the required rear yard shall be measured from the center line of the alley.
- 6. **MAXIMUM BUILDING HEIGHT:** No building shall exceed the height of twenty five (25) feet as defined in “building, height of.” On slopes over forty-five (45) percent there will be a one (1) foot reduction in height for each additional five (5) percent of slope or portion thereof. Notwithstanding these provisions, no face of any building shall exceed thirty-five (35) feet above the low point of original grade as defined in “original grade”. (see Appendix for diagrams).
- 7. **ACCESSORY BUILDINGS**
 - a. Accessory buildings shall be considered in determining yard, lot and area requirements.
 - b. Accessory buildings shall not be used for human habitation.
 - c. Detached accessory buildings shall meet all required setbacks and maintain a space of five (5) feet from the main building or other structures.
 - d. Detached accessory buildings shall be constructed to a height not greater than fourteen (14) feet to the peak or highest point of the roof, as defined in “Accessory Building, Height of.”

[Ord. No. 446; Ord. No. 454]

E. GENERAL PROVISIONS

The provisions of Section 502 shall apply.

F. SIGNS

The provisions of Section 509 shall apply.

G. PARKING AND LOADING

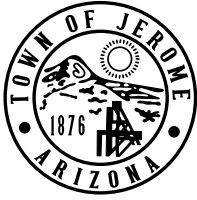
The provisions of Section 510 shall apply.

H. PLAN REVIEW

The provisions of Section 303 shall apply.

I. DESIGN REVIEW

The provisions of Section 304 shall apply to all property, buildings and structures within the Historic Overlay District.



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ZONING ADMINISTRATOR ANALYSIS PLANNING AND ZONING COMMISSION February 12, 2020

ITEM 5: Update Planning and Zoning Commission Bylaws
Prepared by: John Knight, Zoning Administrator

Summary: The bylaws previously adopted by the Planning and Zoning Commission need to be updated to address the change in the meeting time from 7:00 pm to 6:00 pm. Several minor changes also need to be made to typos and grammatical errors. A redlined version is attached for the Commission's review.

Zoning Ordinance Compliance -

Section 104.E. Rules; Regulations; Records; Meetings: *The Commission shall make and publish rules and regulations, to govern its proceedings and to provide for its meetings, subject to Council approval. All meetings of the Commission shall be open to the public. The minutes and records of all Commission proceedings shall be kept and filed as public record in the office of the Town Clerk.*

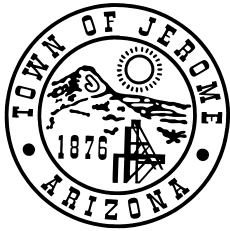
Response: The Commission has the authority to make and publish rules and regulations to govern its proceedings (aka bylaws). Note that the bylaws will be forwarded to Council for final approval.

Recommendation: The zoning administrator recommends the Commission approve Resolution 2020-6. As noted above, the bylaws will be forwarded to Council for review at their next regular meeting.

Attachments:

- P&Z Resolution 2020-6
- Redline DRAFT of bylaws

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P&Z RESOLUTION NO. 2020-6 APPROVING REVISED PLANNING AND ZONING COMMISSION BYLAWS

WHEREAS, the Planning and Zoning Commission has the authority under Section 104.E. of the Jerome Zoning Ordinance to make and publish rules and regulations (bylaws) to govern its proceedings; and

WHEREAS, on February 12, 2020, the Planning and Zoning Commission reviewed a draft of proposed revisions to its bylaws and wishes to make those changes; and

WHEREAS, changes to the bylaws are subject to Council approval.

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the Town of Jerome, Arizona, that the revised bylaws attached hereto and made a part hereof are hereby adopted, subject to Council approval; and

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to the Town Clerk.

ADOPTED AND APPROVED by a majority vote of the Planning and Zoning Commission on the 12th day of February 2020.

ATTEST:

APPROVED:

Rosa Cays, Deputy Town Clerk

Chairman Lance Schall

Attachment – Draft Bylaws

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TOWN OF JEROME PLANNING AND ZONING COMMISSION BYLAWS

Updated: February 12, 2020

I. ORGANIZATION AND RESPONSIBILITIES

A. Commission, Officers and Staff

- (1) Commissioners shall make unbiased, well-reasoned decisions and recommendations to the Town Council on planning and zoning issues based on commonly accepted land use principles, Town Codes, and the health, comfort, convenience, safety and general welfare of the residents of Jerome. -Commissioners are expected to study the agenda packet and visit the case sites before each meeting and to educate themselves on planning issues. -See Section 104 of the Town of Jerome Zoning Ordinance for a detailed description of responsibilities.
- (2) The Commission shall elect a Chair and Vice-Chair annually from among the appointed members at its first meeting in March of each year. -The election may be postponed by a majority vote of the members of the Commission present. -If the election is postponed, the current Chair and Vice-Chair will remain in office until the election.
 - a) The term of Chair and Vice-Chair shall be one (1) year. ~~-Any member serving~~No individual may serve consecutively as Chair, or consecutively as Vice-Chair ~~-shall be eligible, for re-election more than two one-year terms.~~
 - b) The Vice-Chair shall act as Chair in the Chair's absence. -In the absence of the Chair and Vice-Chair, the senior member, based upon years of membership, shall act as Chair.
 - c) Any vacancy in the office of Chair or Vice-Chair shall be filled from the Commission membership by majority vote of the Commission members present at the next meeting. Any Chair or Vice-Chair so elected shall serve for the remainder of the vacated term.
 - d) The Chair or Vice-Chair may be removed from office by a majority vote of the full Commission.
- (3) The Chair shall preside at all meetings and hearings of the Commission, decide all points of order and procedure, and perform any duties required by law, ordinance, or these bylaws.

- a) The Chair shall have the right to vote on all matters before the Commission and to make or second motions if a motion or a second is not made by another member of the Commission.
- (4) The Zoning Administrator, or designated representative, shall serve the Commission as Executive Secretary. -Planning staff shall furnish professional and technical advice to the Commission.

II. MEETINGS

A. Regular Meetings

- (1) Regular meetings shall be held at the call of the Chair on the first Wednesday of each month at ~~7~~6:00 P.M. and may be preceded or followed by a study session. With a majority vote, the Commission may change the meeting time and day of the month provided that the agenda is posted in advance of the meeting. Special meetings may be held on another date set by the Chair and Zoning Administrator. - Whenever a legal holiday is the same day as a meeting, such meeting shall either be cancelled or rescheduled.
- (2) Meetings of the Commission shall be open to the public, except for executive sessions held pursuant to A.R.S. § 38-431.03. -The minutes of the public proceedings shall be filed in the Planning Department as a public record. -At the public hearing, upon being recognized by the Chair and stating their name and the names of persons on whose behalf they are appearing, any person may speak about the matter being considered. The Chair, at ~~his or her~~their discretion, may limit the discussion.
- (3) The Commission may, by a single consent motion, approve any number of applications where the Commission, staff, and applicant are in agreement and where, after call and invitation by the Chair to do so, no member of the Commission, staff, or public wishes to address any particular item designated for consent action by the Commission. -Should any member of the Commission, staff, or public so request, the Commission shall then withdraw an item from the consent agenda for the purpose of public discussion and separate action.
- (4) Petitions, remonstrances, communications, and comments or suggestions from the citizens present may be heard by the Commission if Petitions from the Public is listed as an item on the agenda. All such remarks shall be addressed to the Board as a whole, and not to any member thereof. Such remarks shall be limited to three (3) minutes per speaker, unless

additional time is granted by the Chair. The Commission's response to public comments is limited to asking staff to review a matter commented upon, asking that a matter be put on a future agenda, or responding to criticism.

- (5) Regular meetings of the Commission shall be held in the Council Chambers of the Jerome Civic Center, 600 Clark Street, Jerome, Arizona, unless a different location is set forth in the notice of the meeting.
- (6) Commissioners are expected to attend all meetings and study sessions unless prior notice of an inability to attend is provided to the Chair or Zoning Administrator. Meetings may be attended in person or telephonically, with advance notice to the Chair. Failure to attend a meeting or notify the Chair or Zoning Administrator of an absence may result in a recommendation to the Town Council that the Commission member be removed from the Commission. -Commission members are subject to the automatic removal provisions set forth in Section 104 of the Town of Jerome Zoning Ordinance.

B. Study Sessions

- (1) Study sessions for any purpose may be held at the call of the Chair, at the request of two or more members, or at the request of staff. -Such ~~request~~requests shall be made at least 24 hours prior to the study session by submittal to the Zoning Administrator or by verbal request made at a Planning and Zoning Commission meeting. -Notice to the public of the study session shall be posted at the Civic Center at least 24 hours before the study session, and as otherwise required by the Zoning Ordinance and Arizona state law. -The call and notice shall include the time and place of the study session, and an agenda of the business to be transacted.
- (2) Study sessions may be held before or after any regular or special meeting of the Commission, subject to providing notice as set forth herein. -When a matter is set for a study session, public testimony may be barred or limited to particular persons at the discretion of the Chair.

D. Quorum

Three (3) members shall constitute a quorum for transacting business at any meeting. No action shall be taken at any regular or special meeting in the absence of a quorum, except to adjourn the meeting to a subsequent date. -At a study session, any number of Commission members may discuss agenda items.

E. Agenda

The Zoning Administrator shall prepare an agenda for each Commission meeting and study session. -The agenda shall include all matters of business scheduled for consideration by the Commission.- Items may be added to an agenda prior to posting at the request of the Chair or any Commissioner.

F. Field Trips

The Commission may take field trips to view property or for any purpose relevant to a public hearing or matter under consideration. -All Commission field trips shall be taken as part of a regular or special meeting or study session. -All interested persons shall be given the opportunity to be present to view the property and hear any reports or comments. -A record of the field trip shall be entered into the minutes and shall indicate that the field trip was considered as evidence. -Nothing herein shall prevent less than a quorum of the Commission, or Commission members individually at their own convenience and expense, from taking field trips to view property ~~which~~that is the subject of an application or other matter being considered.

III. **ORDER OF BUSINESS**

A. Parliamentary Procedure

- (1) The Chair shall call the Commission to order and the Secretary shall record the members present or absent. -The Chair may call each item of business in the order of the approved agenda.- The Commission, by majority vote, may change the order of the posted agenda to accommodate the Commission, staff, the applicant, or members of the public.
- (2) The Chair shall conduct meetings pursuant to Robert's Rules of Order unless such rules are suspended by majority vote of the Commission.

B. Hearing Conduct

All public hearings of the Commission shall be conducted in conformance with Arizona state law.

C. Public Hearing Testimony

- (1) Public hearings need not be conducted according to technical, judicial Rules of Evidence. -Any relevant evidence may be considered if it is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs.
- (2) Any person may appear at a public hearing and submit oral or written evidence related to the application, either individually or as a representative of a person or an organization. -Each person who appears at a public hearing shall state their name, and, if appearing on behalf of a person or organization, the name of the person or organization being represented.
- (3) The Chair may establish time limits for individual testimony and may require that individuals with shared concerns select one or more spokespersons to present testimony on behalf of those individuals.
- (4) The Chair may exclude testimony that is irrelevant, immaterial, or redundant and may make other rulings necessary for the orderly conduct of the proceedings, while ensuring basic fairness and a full airing of the issues involved. -Evidentiary objections shall be waived unless made timely to the hearing.
- (5) If testimony or evidence is excluded as irrelevant, immaterial, or redundant, the person offering such testimony or evidence shall be given an opportunity to offer a written statement in regard to such testimony or evidence for the record. -Such written statement shall be presented to the Zoning Administrator within three (3) working days of the hearing.
- (6) If an applicant fails to appear, the Commission may continue the hearing on the matter until the next regularly scheduled meeting or special meeting, unless the applicant has requested in writing that the Commission act without the applicant being present at the hearing. -The Commission may hear persons requesting to speak on such a matter, even if the matter is to be continued.

D. Voting

- (1) In taking action on any application or other matter, the Commission may recommend to Council or grant approval, grant approval with conditions, modify the request so as to make more restrictions, or deny the item altogether, as set forth in the Zoning ~~Code.~~ Ordinance. In making its decisions, the Commission shall be guided by the provisions and elements of the General ~~/Comprehensive~~ Plan, the Zoning Ordinance, ~~and~~ development standards, policies, and area plans adopted by the Town.
- (2) Three (3) members shall constitute a quorum. The affirmative vote of three (3) members shall be required for the passage of any matter before the Board. The minutes of the meeting shall reflect the “~~aye~~ ayes” and “nays” cast on a particular measure and shall reflect the vote of each member present.
- (3) A member shall recuse himself or herself, abstain from voting, leave the dais, and leave the ~~dais~~ meeting chambers during discussion and action whenever ~~he or she has~~ they have a conflict of interest in the item under consideration, as required by the Arizona Revised Statutes, A.R.S. § 38-501 to § 38-511.
- (4) Each member attending shall be entitled to one vote. ~~-The minutes of the proceedings shall indicate the vote of each member on every matter acted upon,~~ and shall indicate any absence or failure to vote. ~~- No member shall be excused from voting except in compliance with Section III.D.3 of these bylaws.~~
- (5) When making a motion to recommend or approve, approve with modifications and/or conditions, revoke, or deny the request, the Commission shall make findings of fact required by the Zoning Ordinance. If not specifically stated, a motion to adopt or approve staff recommendations or simply to approve the action under consideration shall be deemed to include adoption of all proposed findings and execution of all actions recommended in the staff report on file in the matter. Whenever practical, Commission decisions should be documented by a written Resolution. Copies of the resolutions shall be maintained at Town Hall.
- (6) A member who is absent from any portion of a public hearing conducted by the Commission may not vote on the matter at the time it is acted upon by the Commission, unless they have reviewed the minutes or the recording of any portion of the hearing from which they were absent, and

state for the record prior to voting that they deem themselves to be familiar with the record. -A member who misses only the presentation of the staff report may vote on the matter at the time it is acted upon by the Commission, provided that they state for the record that they read the staff report and are familiar with it.

E. Recommendation to Town Council

The Zoning Administrator shall forward all recommendations to Town Council of the Commission's findings and/or actions and reasons ~~therefore~~therefor in writing with respect to the merits of the application ~~within 30 days of~~at the conclusion of the public hearing. The item shall be scheduled for review by the Council in accordance with the provisions of the Zoning Ordinance.

IV. **OFFICIAL RECORDS**

A. Retention of Files

The official records of the Commission shall include these rules and regulations, resolutions, minutes, and records of all Commission proceedings, the originals of which shall be kept and filed as public records in the Planning Department and copies and or electronic copies kept in the office of the Town Clerk. -All applications and other matters coming before the Commission shall be filed in the Planning Department in accordance with that ~~Department's~~department's general file system.- Original papers of all applications and other matters shall be retained in compliance with the State of Arizona's Document Retention Schedule.

B. Recording of Meetings

Minutes of public meetings of the Commission shall be recorded in written form. Any person desiring to have a meeting recorded by an electronic device or by a stenographic reporter may do so at his or her own expense. Advance notice to the Director of Planning to arrange facilities for such recording shall be made at least 72 hours prior to commencement of the meeting. Such recording shall not disrupt the proceedings and may, at the discretion of the chair, be stopped if it is disruptive.

V. AMENDMENTS

These bylaws may be amended by majority vote of Commission members present at any meeting of the Commission provided that notice of said proposed amendment is given to each member in writing at least 5 days prior to said meeting. ~~Such~~ amendment shall become effective at the next meeting of the Commission.

From: [Robert S. Pecharich](#)
To: [John Knight](#)
Subject: FW: Verde Exploration & Jerome Verde: Possible R-2 Rezoning Properties
Date: Thursday, February 6, 2020 7:50:14 PM
Attachments: [image001.png](#)
[image002.png](#)

Dear Mr. Knight

On behalf of Verde Exploration and its subsidiary, Jerome Verde Development Company, please be advised that my clients own 2 large parcels which contain much smaller areas that should be rezoned by the Town to R-2, to allow duplex housing. Those parcels are identified below.

Those portions of these parcels which are nearby to either Highway 89A or Cemetery Road are well suited for duplex housing since they have easy access to existing roads, are relatively flat, and duplex housing could be constructed at a reasonable cost, which would allow for affordable housing. Since the Town of Jerome has a well-known shortage of housing, rezoning of small portions of the parcels below makes sense for Town, the public and the owner.

Both of these areas are adjacent to or nearby those areas that the Town is already considering rezoning to R-2 zoning in order to allow for duplex housing units which would make this rezoning consistent with the current action by the Town to rezone those nearby areas.

The advantage of the parcels below is that they are vacant lands that can be best designed for duplex housing and are owned by an owner willing to invest in the Town of Jerome.

In addition, Verde Exploration has demonstrated its intent to be a good neighbor to the Town by its past actions, including, but not limited to: cooperating with the Town to provide land for the Town's wastewater treatment plant, providing land to the Town Fire Department for its burn pile and for a fire station in the Gulch area, providing easements, by cooperation with the Jerome State Park by providing land for the past expansion of its parking areas, leasing space at the old Jerome High School at very reasonable rates to attract artist and artisans to the Town, selling land cheaply to Jerome residents who built, bought or inherited houses on its land but which residents did not own the land underneath the houses, in order to solve obvious problems for those owners.

Please consider this request for future rezoning of these small portions to R-2. If the Town is interested in adding more affordable housing in Jerome, then these owners could undertake the expense of surveying these smaller portions to create legal descriptions for just those

areas for the R-2 zoning.

What further information do you need in this regard?

Thank you.

Robert S. Pecharich, Esq.

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This email is protected by law and may be privileged and confidential.

Please call me and delete the email if it was not intended for your use.

Those smaller portions of Yavapai County Assessor's Parcel # 401-03-001P and 401-03-031D located near either Highway 89A or Cemetery Road that should be rezoned as R-2:

Yavapai County Assessor's Parcel 401-03-031D (approximately 5.92 acres) – Verde Exploration

