



TOWN OF JEROME

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Special Meeting of the Town of Jerome
Planning and Zoning Commission
 via videoconference (Zoom)
 Wednesday, May 20, 2020 Time: 6:00 pm
MINUTES

6:00 (9:08) Call to order/roll call

Chair Jessamyn Ludwig called the meeting to order at 6:00 p.m.

Roll call was taken by Rosa Gays, Deputy Clerk. Commissioners present were Vice Chair Joe Testone, Lance Schall, Henry Vincent, and Chuck Romberger. Also present was John Knight, Zoning Administrator.

6:01 (9:50) Item 2: Petitions from the public – There were no petitions from the public.

6:01 (10:00) Item 3: Approval of Minutes: Minutes of the Joint DRB/P&Z Meeting from April 29, 2020

Discussion/Possible Action/ Possible Direction to Staff

Chair Ludwig asked if anyone had questions or concerns. Commissioner Henry Vincent pointed out that at the end of the joint meeting, he had asked about the status of the Cuban Queen and if a notice of claim had been filed against the Town of Jerome relative to the Cuban Queen, to which Town Manager Candace Gallagher had answered yes. His initial question was in the draft minutes, but his question about the notice of claim was not, and he asked that the minutes be revised to include this material fact discussed in the meeting.

Motion to Approve the Minutes of April 29, 2020 once revised as requested

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

Continued Items from Previous Meetings:

6:04 (12:22) Item 4: Update Planning and Zoning Commission Bylaws

APPLICANT: Town of Jerome

Discussion/Possible Action – P&Z Reso. 2020-7

Zoning Administrator John Knight reminded the commission that although the bylaws are the commission's bylaws, they do need to be approved by the Jerome Town Council. The bylaws did go before Council again, and this time they agreed with the change to the meeting start time of 6:00 p.m. Mr. Knight said that if the commission is fine with the minor changes redlined in the bylaws pages included in the agenda packet, then a motion could be made to approve this item. The final approval/changes would then go before Council along with the changes to the DRB bylaws. He also mentioned Item 8 on the agenda, which is related to the bylaws but warrants a separate discussion.

Mr. Knight clarified Resolution 2020-7 was motioned for approval.

Motion to Approve P&Z Resolution 2020-7

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

New Business:

6:06 (14:18) Item 5: Site Plan Review for new patio cover – Jerome UVX Center

Applicant: John Bartell

Address: 403 Clark Street

Owner of record: 1299 Properties

Zone: C-1

APN: 401-06-152H

Applicant is seeking preliminary and final site plan review for a new patio cover and red tile “eyebrow.”

Discussion/Possible Action - P&Z Reso. 2020-8

Mr. Knight explained that this item was why P&Z was called to a special meeting. The application was submitted when Mr. Knight was out sick with pneumonia for two weeks in late February and essentially “fell through the cracks.” To expedite the process, DRB has already approved the project pending P&Z’s approval. Mr. Knight then explained what was happening with the project and the condition added to the application that an arborist be consulted regarding the large pine tree in the middle of the courtyard where the patio cover will be installed. He pointed out that the applicant was present to answer questions.

(16:39) Building owner and Jerome resident John Bartell said it was a project he had been wanting to do for a long time. The purpose is to better utilize the space for commercial tenants—currently it is Jerome Olive Traders.

Motion to Approve P&Z Resolution 2020-8

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

6:10 (18:51) Item 6: Reapproval/Extension request for apartment building and parking structure

Applicant: Steve Knowlton/Nancy Robinson

Address: 446 Clark Street

Owner of record: Ideas-a-plenty, LLC

Zone: C-1

APN: 401-06-032, -033, and -026Q

Applicant is seeking reapproval/extension of a previously approved apartment project and adjacent parking structure.

Discussion/Possible Action

Mr. Knight clarified that a decision could not be made at this meeting because the item needed to be posted for 14 days, but he wanted to introduce the item to the commission and continue it to the June 3 P&Z regular meeting.

Mr. Knight explained that the project was originally approved in 2016 and that there were two parts to the project: the first phase was to include work on the existing building as well as an addition (approved March 2016), and a parking structure in the second phase (approved December 2016) under a separate application. A building permit was issued for the first phase. The second phase expired unbeknownst to the applicant. Mr. Knight said he spoke with the town attorney who thought the most expeditious approach was to reapprove the project.

(21:28) Applicant Steve Knowlton always viewed this as a single project and explained that it needed to be constructed in a certain order. Mr. Knowlton said the next step is to build the foundation of the addition and the parking structure last. He said they have been following the town ordinances and despite the two separate approvals, wants to treat this as one project.

Mr. Vincent asked Mr. Knight if the motion to approve needed to wait until the June 3 P&Z meeting.

Mr. Knight confirmed this and said at this meeting it was merely to introduce the item.

Motion to Table Item 6 until the next regular P&Z Meeting

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

6:16 (24:44) Item 7: Initiate code amendment to Definitions for Boarding/Rooming House

Applicant: Town of Jerome

Updates to the Zoning Ordinance Section 201, Definitions. Updates may include but are not limited to the definitions for boarding house, rooming house, bed and breakfast, hotel, and motel.

Discussion/Possible Action – P&Z Reso. 2020-10

Mr. Knight introduced the item and said it originally came up in discussions during the “Cuban Queen” project at 324 Queen Street. He said the zoning ordinance currently requires boarding/rooming houses to have a kitchen, an archaic portion of the code that needed to be updated, and that the Cuban Queen project was more like a boutique hotel. Mr. Knight then went through the definitions for bed-and-breakfast (B&B), boarding/rooming house, and hotel/motel. He said the Council is interested in having this section of the ordinance amended and has requested that

P&Z do the "heavy lifting" and present back to Council. Mr. Knight said that this was a preliminary discussion and suggested different approaches the commission could take.

Mr. Schall pointed out that the ordinance can't be changed in any way that disallows anything that currently exists in town; he mentioned the definition of B&B as one example. He mentioned a few lodging places in town. He also suggested that boarding house/rooming house be dropped from the ordinance and to not differentiate between a hotel and a motel because of number of rooms.

Discussion ensued about the rationale for requiring a conditional use permit (CUP) for smaller hotels in the C-1 district.

Mr. Vincent asked if the goal was to clean up the definitions.

Mr. Knight told him yes, but it was to also have them coincide with state definitions/laws. He mentioned short-term rentals as an example.

Mr. Schall made a comment about the lack of practicality of the current B&B definition in the ordinance.

Mr. Knight suggested looking at definitions separately for lodging in residential zones versus the commercial zones.

More was discussed about the difference between a short-term rental and a B&B, with the important distinction that the owner lives on the premises at a B&B, as Chair Ludwig pointed out.

Mr. Knight asked if the town wants to require different "hoops" for B&Bs than short-term rentals, and that it doesn't seem fair. He also said the town seems to prefer the B&B model.

Mr. Vincent asked why the Council delegated this to P&Z.

Mr. Knight answered that Councilmember Jane Moore had requested this. She was interested in changing the definition considering the kitchen requirement for boarding/rooming house, which came up during the Cuban Queen project.

Mr. Schall said he felt it was worth doing.

Mr. Vincent proclaimed the commission signed up to help Mr. Knight with this.

Mr. Schall continued the discussion about B&Bs versus vacation rentals. He suggested cleaning up the definitions but not make it harder for someone to have a B&B in Jerome.

Commissioner Chuck Romberger said he has run B&Bs in Pine and Payson. Pointed out that about four years ago, Ducey made it so municipalities cannot override state regulations. Mr. Romberger elaborated on the state laws and what Jerome could and could not do.

Mr. Vincent asked if the zoning administrator and perhaps the town attorney, Mr. Bill Sims, should educate the commission on the state law.

Vice Chair Joe Testone responded to Mr. Vincent's comment, but unfortunately audio issues made it difficult to hear him. Mr. Knight suggested he call in by phone.

Mr. Knight said he'll bring information on state regulations to the next P&Z meeting. Code amendments do require a public workshop, which will be scheduled. [Mr. Testone joined the meeting again.]

Chair Ludwig asked Mr. Testone if he could repeat what he had said earlier.

Mr. Testone said that he agreed with Mr. Vincent that it was important to determine disparities between Jerome's ordinances and what the state requires but not to make it more difficult for someone to maintain or open a B&B.

Mr. Knight talked about the next steps for this item, which will include a mid-June workshop and adding it to the agenda for the P&Z meeting in July. Tonight's motion was to initiate the process.

Mr. Vincent said it would be helpful if Mr. Knight would please email the revised state statutes to the commissioners.

Motion to Approve P&Z Resolution 2020-10

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

6:35 (44:20) Item 8: Possible change to P&Z Meeting Day of the month

Applicant: Town of Jerome

Discussion/Possible Action

Ms. Ludwig believes third Wednesdays would work best.

Mr. Knight reminded the commissioners that the Council was concerned about efficiency of project approvals. He further explained other reasons why the date change was being considered. He said it was also to reduce the burden on the staff to prepare packets for multiple meetings in one week. Mr. Knight further discussed how the schedule change would work in relation to the P&Z and Council meetings. He mentioned there was talk about moving the DRB meetings to the first Monday of each month.

Mr. Vincent said if it helps the staff, move the meeting. The rest of the P&Z commissioners agreed a change in schedule was fine.

Mr. Knight said it sounded like everyone agreed on moving the P&Z meetings to the third Wednesday of the month.

Motion to Change the P&Z Regular Meeting to the Third Wednesday of the Month; change the bylaws to reflect this change, and recommend this change to Council

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

Informational Items (Current Event Summaries):

6:43 (51:25) Item 9: Zoning Administrator Informational Items

- **Monday, May 11, 2020 DRB** - New sign for Jerome Heritage Shop and new patio at UVX Center
- **Tuesday, May 12, 2020 Council** - Initiate ordinance amendment for temporary signs, setting workshop regarding telecommunication ordinance, blanket six-month extension active zoning permits

Mr. Knight went through the list of informational items to update the commissioners on recent decisions made by DRB and the Council. He said P&Z will be invited to the workshop once the date is set in mid-June. He said the Council approved a six-month blanket extension for all active, approved projects and building permits.

6:46 (55:15) Item 10: Potential items for upcoming P&Z agendas

- **Wednesday, June 3, 2020** - Sidewalk Encroachment Policy, Sign Ordinance Amendments for temporary signs
- **Wednesday, July 1, 2020** - Update ordinance definitions regarding *boarding house, rooming house*

Discussion/Possible Direction to Staff

Mr. Knight went over upcoming agendas.

Item 11: Adjournment

Motion to Adjourn at 6:48 p.m.

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

Approved:


Jessamin Ludwig, Planning & Zoning Commission Chair

Date:

6/11/20

Attest:


Rosa Cays, Deputy Clerk

Date:

11 June 2020