



TOWN OF JEROME
POST OFFICE BOX 335, JEROME, ARIZONA (928) 634-7943

Regular Meeting of the Planning and Zoning Commission
Wednesday, January 20, 2021, 6:00 pm
MINUTES

6:02 (0:20) Item 1: Call to order

Chair Jessamyn Ludwig called the meeting to order at 6:02 p.m.

Roll call was taken by Rosa Cays, Deputy Town Clerk. Commissioners present were Chair Ludwig, Lance Schall, Henry Vincent, and Mike Harvey. Vice Chair Chuck Romberger was absent at the time of roll call. Also present was John Knight, Zoning Administrator.

6:03 (1:11) Item 2: Petitions from the public – There were no petitions from the public.

6:03 (1:19) Item 3: Approval of Minutes – Regular meeting of October 21, 2020 and Joint Meeting with Council of December 1, 2020

Mr. Knight pointed out that Commissioner Harvey did not attend the October 21, 2020 meeting and suggested the commission approve the minutes separately.

Motion to Approve the Regular Meeting Minutes of October 21, 2020

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

Motion to Approve the Joint Meeting Minutes of December 1, 2020

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

Public Hearings:

6:06 (4:07) Item 4: Proposed text amendments related to residential lodging may include, but not be limited to, Sections 201, 507, and 510 of the Jerome Zoning Ordinance

Applicant: Town of Jerome

Updates to the ordinance may include, but are not limited to, the definitions for *boardinghouse*, *rooming house*, *bed and breakfast*, *hotel*, and *motel*. Amendments may also include modifications to the permitting process for each type of residential lodging.

Discussion/Possible Action (recommendation to Council) – P&Z Reso. 2021-01

Mr. Knight highlighted the main amendments to the ordinance including the deletion of definitions for *boardinghouse*, *rooming house*, and *motel*, leaving the definition for *hotel* to include all lodging in the commercial district except for B&Bs. He also mentioned that the number of rooms for a B&B in the residential zone was left at a maximum of three rooms. Mr. Knight stated for the record that this was a public hearing, encouraged public testimony, and said the notice was published in the Verde Independent newspaper and posted throughout town.

6:09 (7:25) Jerome property owner Windy Jones commended Mr. Knight on the ordinance amendments and said it was very positive for their project and agreed with the change in definitions.

Commissioner Vincent asked how B&B defined as having no more than three rooms affects the Surgeon's House. Commissioner Schall explained that since she was in the C-1 district, her lodging was considered a hotel. Discussion ensued about changes to the B&B definition, which Mr. Knight clarified.

Commissioner Schall asked if this would be a recommendation to Council; Mr. Knight confirmed it would be.

Motion to Approve P&Z Resolution 2021-01

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

Old (continued) Business:

6:14 (12:15) Item 5: Work session on code amendments related to temporary signs

Applicant: Town of Jerome

Updates to the Jerome Zoning Ordinance related to temporary signs. Amendments may include but are not limited to the following: real estate signs, contractor signs, political signs, temporary banners, and A-frame signs. Amendments may also include modifications to the permitting process for each type of sign.

Discussion/Table to next P&Z Meeting

Mr. Knight said the primary reason for changing the ordinance has to do with the Supreme Court case regarding regulation of sign content (Gilbert, AZ). The town cannot prohibit content but can regulate the size, height, and type of sign as well as the setback. He referred to his staff report and additions to a list of prohibited signs, as well as Mr. Schall's suggestion about the length of flagpoles (which Mr. Schall clarified was already in the ordinance). In residential zones, Mr. Knight suggested a 10-foot setback for temporary signs in most situations (some properties have zero setback). He said real estate signs, along with riders (e.g., "in escrow" sign), fall under 5 square feet, and should not be more than 4 feet tall. Mr. Knight said flag stipulations should be separate from signs and that the most common size for a flag is 15 square feet, and suggested a maximum of 16 square feet be the limit and that the flag cannot be flown any higher than the height of the nearby structure. He also said the square footage of a flag should not be lumped in with signs. As for temporary signs, the total square footage of ALL temporary signs on the property must not exceed the maximum size limit of five (5) square feet.

Mr. Schall mentioned that the one barber pole in the commercial district is not allowed to rotate, although he wishes it could.

Commissioner Harvey asked if there was any distinction between private and business flags, e.g., a business-related statement versus a patriotic flag. Mr. Knight said the content is not regulatable.

Mr. Harvey asked if a business was advertising with a flag if that made it fall under a sign rather than a flag. Mr. Knight said that if it was a specific event, it would be considered temporary and would need to come down within a certain number of days in the residential zone (e.g., a garage sale). In the commercial district, the limit is 45 consecutive days or 90 days total in a calendar year and would include flags. Discussion ensued about the challenge of tracking this.

Chair Ludwig asked what action, if any, was needed for this item, which Mr. Knight clarified, then explained it would require a public hearing and notice posted, as did Item 4 above.

(25:22) Ms. Jones asked what the best way would be to put up a temporary sign for the Cuban Queen to advertise its imminent opening. Mr. Knight explained how the current ordinance addresses this. He then suggested hanging a temporary sign for 45 consecutive days, take it down for a few days, then put it up again for another 45 days for an allowable total of 90 days in a calendar year.

Ms. Cays asked if campaign signs on private property need to be removed by a certain number of days after an election. Mr. Schall said the state statute regarding campaign signs in the right of way (ROW) is what addresses the time limit. Mr. Knight said that on private property, campaign signs can stay up indefinitely, although if it is reflective of a specific past event, those signs would be treated like a garage sale sign and would need to be removed. Mr. Vincent also referred to the state statute and the time limit of signs in the ROW.

Mr. Knight said he was looking for direction concerning maximize size, height, and setback for temporary signs, and suggestions on how flags should be treated.

Mr. Harvey said the state statute requires campaign signs to be removed within 10 days after an election. Mr. Knight clarified that this was for signs in the right of way and that the Jerome Zoning Ordinance regulates signs on private property. .

[Vice Chair Chuck Romberger joined the meeting at 6:34 p.m. (31:56)]

Mr. Knight also explained the "clear vision triangle," which he had added to the draft amendment changes.

6:35 (33:28) Item 6: Work session on code amendments related to administrative approval of small projects

Applicant: Town of Jerome

Possible ordinance amendments to allow small projects to be processed administratively by staff instead of through the Planning and Zoning Commission and Design Review Board/s.

Discussion/Table to next P&Z Meeting

Mr. Knight said this has been a longtime topic in P&Z, and said a meeting was held with two P&Z commissioners and two councilmembers to discuss it. He said "repair and replace" projects are not a concern and would be listed as exempt in Category 1, and he would also add anything landscape related (though not structures) to the same category. Mr. Knight said Category 2 would include projects that could be administratively approved but would still have to meet all the P&Z requirements (i.e., design, setback, coverage, etc.), and may need review by the Jerome Design Review Board. A few remarks were made regarding paint color.

Mr. Knight said he would like to add concrete work to Category 2, like the strips added to MaryBeth Barr's driveway, unless the work will be above a certain height. He said basic window and door replacements should be allowed, as should stairs and awnings, and that ground-level decks and patios (anything less than 18 inches) should not require a permit. He said fences and walls are a little more controversial in Jerome. As for Category 3 (projects for future consideration), Mr. Knight said there was less consensus for this one and that sheds (no permit needed for 120 square feet or less), additions, modifications, and anything commercial should still need to go through site plan review. He asked for input and said this item would also require a public hearing.

Mr. Harvey asked if sheds require setbacks; Mr. Knight said they do, but a lesser setback than main structures.

Mr. Schall suggested moving Category 3 projects to Category 4 (projects to be reviewed by P&Z and/or DRB) and be done. Mr. Knight said that Councilmember Jane Moore suggested waiting until the design guidelines were approved to determine the third and fourth categories. He turned the discussion back to Category 2 projects.

Mr. Harvey asked if walls 48 inches tall or more would have to go before DRB. Mr. Knight described the requirements for building a wall.

Ms. Cays asked for clarification regarding ground-level decks and patios, which Mr. Knight explained.

To get administrative approval, Mr. Schall said window (and door) replacements should include a condition of "simulation" and be the same size, materials, and style if possible, and gave examples of replacements (e.g., double-hung for double-hung).

Chair Jessamyn asked if there was a limit to the height of a fence for it to be administratively approved; Mr. Knight said they all go before DRB, but typically not P&Z since no setback is required. Discussion ensued regarding topographical changes, fence material, building codes, engineering needs, setbacks, and property lines.

Mr. Knight said he would redline the ordinance and present the amendments at the next meeting.

Chair Ludwig asked if Category 3 should be discussed further. Mr. Schall suggested waiting for the design guidelines or roll it into Category 4 as was mentioned earlier in the meeting.

Mr. Harvey suggested moving numbers 13–15 [13. Sheds under 120 square feet, 14. Residential additions less than 120 square feet 15.

Modifications/improvements to existing residential structures that add no additional square footage] into Category 2. Mr. Schall said that was fine, and that he was going the more conservative route by suggesting they go into the fourth category. Mr. Vincent suggested that placing them in the second category would require less administrative time, money, and burden on the board, plus it helps the taxpayers. Mr. Knight said no. 15 could go into category 2, but perhaps nos. 13–14 could still go through DRB.

Mr. Harvey asked if height restrictions apply to sheds. Mr. Schall said they do, as do setbacks, although they necessitate a smaller setback. This was momentarily discussed.

7:02 (59:55) Item 7: Joint Meeting follow-up

Discussion and follow-up on items discussed at the joint meeting with Council.

Discussion/Possible direction to staff

Mr. Knight said Ms. Cays had suggested adding this to the agenda to give the commissioners the opportunity to talk about the items discussed at the joint meeting.

No one had any significant comments.

New Business: none

Informational Items (Current Event Summaries):

7:04 (1:02:12) Item 8: Updates of recent and upcoming meetings – John Knight, Zoning Administrator

- a. **November 2, 2020 DRB Meeting** – 136 Main Street cornice (Nellie Bly); 200 Hill Street pipe fence (Grand Hotel); 420 Hull Avenue sign for Mimi (formerly Lola); 123 Beale Street paint (Gallagher residence); discussion about changes in the field
- b. **November 10, 2020 Council Meeting** – Ordinance to prohibit recreational marijuana (first reading); six-month blanket extension of permits; district signs; draft of beekeeping ordinance, COVID restrictions and timeline for reopening town hall; P&Z appointment (Harvey)
- c. **December 1, 2020 Joint P&Z and Council meeting** – discussion of various ordinance amendments
- d. **December 7, 2020 DRB Meeting** – 146 Juarez Street deck; 538 School Street windows; 403 Clark Street sign (tour business in B-7); 639 Center Avenue color and siding change
- e. **December 8, 2020 Council Meeting** – beekeeping discussion and business license for Jerome Ghost Tours
- f. **January 4, 2021 DRB Meeting** – cancelled
- g. **January 12, 2021 Council Meeting** – district signs, presentation on bees, porta-johns, soda machine for Paul and Jerry's

Mr. Knight reminded everyone that the last regular P&Z meeting was in October 2020, then covered the highlights of the other board meetings, as listed above. He did elaborate on the beekeeping ordinance and shared details with the commissioners, as did Mr. Harvey. He also shared the latest information on the COVID vaccine and how to schedule an appointment for a vaccination via the county website. Mr. Knight also announced that new members would be needed to serve on the boards.

Chair Ludwig asked if there was any discussion on sidewalk encroachment when the soda machine was denied at Paul & Jerry's. Mr. Knight said no, but that he almost brought it up. Mr. Harvey said the soda machine was denied and that sidewalk encroachment was the problem (and why the previous soda machine was removed). Mr. Knight said the councilmembers cited that allowing sales on the sidewalk would set a precedence of vendors selling other wares on public property.

Chair Ludwig proclaimed that the sidewalk encroachment policy was to be her legacy.

**7:14 (1:12:18) Item 9: Potential items for Wednesday, February 17, 2021: Various code amendments
Discussion/Possible Direction to Staff**

Mr. Knight said more code amendments would be on the agenda, but no applications have been submitted.

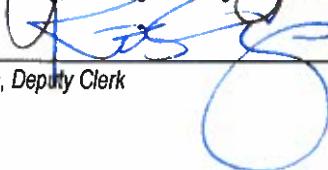
Item 10: Adjourn

Motion to Adjourn at 7:16 p.m.

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

Approved:  _____
Jessamyn Ludwig, Planning & Zoning Commission Chair

Date: 2.22.21

Attest:  _____
Rosa Cays, Deputy Clerk

Date: 22 Feb 21