



# TOWN OF JEROME

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

## AGENDA

### Regular Meeting of the Planning and Zoning Commission

Tuesday, Jan 17, 2023, 6:00 pm

PLACE: **JEROME CIVIC CENTER**

600 Clark St., JEROME, ARIZONA 86331

Members of the public are welcome to participate in the meeting via the following options: By computer at <https://us02web.zoom.us/j/9286347943> or by telephone at 1 669 900 683. The Meeting ID is 928 634 7943. A drive-up internet hotspot is now available in the parking lot in front of the Jerome Public Library. The network is Sparklight Yavapai Free Wi-Fi, and no password is required. Please submit comments/questions at least one hour prior to the meeting to Zoning Administrator William Blodgett at [w.blodgett@jerome.az.gov](mailto:w.blodgett@jerome.az.gov).

#### Item 1: Call to order

**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 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 – Regular meeting of November 15, 2022

**Old (continued) Business:** none

#### New Business:

#### Item 4: Seeking approval for Remodel

Applicant/Owner: Janet Bustrin (Copperstone Remodeling)

Zone: R1-5

Address: 538 School Street

APN: 401-06-092

Applicant is seeking approval for remodels to the home at 538 School Street.

#### Discussion/Possible Action

#### Meeting Updates:

#### Item 5: Updates of recent and upcoming meetings

- Tue Dec 13 Council regular meeting-** Second reading of Ordinances #485, #486 and #487, regarding Water reduction, special event permits, and exemptions from Town Code respectively. Removed from the table resolution #647, which would designate 2<sup>nd</sup> street a one-way street. Had follow-up discussion about the Hotel Jerome project and approved the ARAVAIPA race/event in May. Considered the appointment of an ad hoc water committee, then held an executive session.
- Tue Nov 29 DRB regular meeting** – Approved new paint for 405 Hull Avenue (Flagg) and 665 Main Street (Bingaman) and approved a new fence construction at 841 Gulch Road (Keller).

#### Item 6: Potential items for Februarys Planning & Zoning meeting, Tuesday Feb 21, 2023 – TBD

#### Item 7: 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

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 enough time to make arrangements.

\_\_\_\_\_  
Kristen Muenz, Deputy Town Clerk, Attest



# TOWN OF JEROME

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

## DRAFT MINUTES

Regular Meeting of the **Planning and Zoning Commission**

Tuesday, Nov 15, 2022, 6:00 pm

PLACE: **JEROME CIVIC CENTER**

600 Clark St., JEROME, ARIZONA 86331

### 6:08 (0:01) Item 1: Call to order

Chair Jeanie Ready called the meeting to order at 6:08 p.m.

Present were Chair Ready, Vice Chair Schall, Commissioner Jera Peterson, and Commissioner Lori Riley. Commissioner Chuck Romberger was absent.

### 6:09 (0:42) Item 2: Petitions from the public

#### Possible Direction to Staff

There were no petitions from the public.

### 6:10 (1:36) Item 3: Approval of Minutes – Regular meeting of September 20, 2022

Chair Ready asked her fellow board members if they had any questions, comments, or corrections.

Commissioner Peterson said she remembers the meeting well, and she had a reason why she had said no and it's not there. She was not sure exactly what she said, but she knows she gave a reason.

Ms. Muenz explained that Ms. Peterson had given her reason after the vote had taken place, and that is why it had not been included in the minutes, but she could add it.

Ms. Peterson said she would like it added so that it is on the record because it was spoken.

Ms. Muenz agreed to add it to the record.

Ms. Peterson motioned to approve the minutes with the suggested adjustment.

#### **Motion to approve the minutes of the regular meeting of September 20, 2022, with an adjustment**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson	X		X			
Ready			X			
Riley			X			
Romberger					X	
Schall		X	X			

**Old (continued) Business:** none

#### **New Business:**

**6:12 (3:44) Item 4:** Work Session regarding a proposed text amendment to Section 505.C "Conditional Uses" for the R1-5 Residential Zone, to consider the addition of "(1) two-family dwelling" as a Conditional use for the R1-5 Zone.

#### **Discussion/Possible Direction to Staff**

Chair Ready asked Zoning Administrator Will Blodgett to introduce the topic.

Mr. Blodgett thanked Ms. Ready and said he would like to start by reiterating that this is simply preliminary discussion, no action is required or expected. He said the purpose is, for the benefit himself as well as the public, wanting to hear comments. This is one of many possible fixes where the Zoning Ordinance is deficient or, perhaps it hasn't been up to this point, but we're reaching a point where he can see multiple problems with the same themes coming to his desk in the future. He asked if he should read his analysis and was told to proceed.

Mr. Blodgett read his report aloud. His report briefly explained the Town of Jerome's general plan's language about historic structures and preservation. It also included a description of rehabilitation of historic structures and the SOI standards that should be followed, with an emphasis of preserving uses. He said that problems could arise through the large number of nonconforming, historic buildings that could lose that status through a variety of ways. His report explained that, while the ordinance has language about limiting the number of nonconforming structures, by discontinuing the historic multifamily uses in this district, we have created a situation in which a large number of nonconforming structures exist. He gave an example and explained how they could open the possibility of allowing some of the existing structures to come under conformity with a text amendment. He said again that the work session is only intended for discussion, all comments, ideas, and input are welcomed.

Ms. Ready said that, if the other commissioners agreed, she would like to hear from some members of the public.

There was some discussion as to who should speak first.

Commissioner Riley said she been thinking about it a lot. If we are true to our history, a lot of these homes were multi-family. She said she does not have a problem with that, her issue is with the parking. If we're going to allow it to bring it back to historic use, there needs to be ample parking for each unit. If there's not, then it can't be, and that's her bottom line. Now that we have some regulation for STR's, I'd like to see that most of it is for residential use.

Vice Chair Schall added, or all of it.

Mr. Blodgett responded that this is why keeping it as a conditional use maintains some control over it. Some of the buildings grandfathered in are already in use as such, and we are not going to be able to tackle that issue with this. The idea is, when it's possible, someone who is using a multi-family can apply and become conforming provided they have the parking and all applicable requirements that apply to anyone else.

Ms. Peterson said the R1-5 zone is a huge area, and if we think we can regulate, we're going to have BnB's, and we really can't stop it. So, it opens it up to a lot more congestion, and R1-5 is medium density. She would like to see just one area that is multi-family or two-family as opposed to all one that could possibly, depending on who is in charge, turn into multiple units that become BnB's. There's nothing stopping it.

Mr. Blodgett said that, yes, there is. That's the conditional use permit part of it, and the parking ordinance as well as the other zoning. Not everyone can provide off-street parking, so not all of the nonconforming units will be able to benefit from this. There's plenty of homes he can think of that are nonconforming buildings, already in use as such, but they can't meet the requirements of our zoning ordinance so they cannot come into conformity even with a conditional use permit.

Ms. Peterson asked, you were talking about becoming nonconforming, right?

Mr. Blodgett explained that right now they are nonconforming, and we are trying to bring them back into conformity so that we can regulate.

Ms. Peterson asked, I believe it says you can't switch it?

Mr. Blodgett answered there are some provisions that you can't change uses, that is part of what is prompting this.

Ms. Peterson read a portion of 501-C.

Mr. Schall explained that the term we use colloquially is 'grandfathered in.' Technically, what we call it in Jerome is legal nonconforming, which is a use you can lose if it is not continuous.

Mr. Blodgett said, rather than lose housing stock, he is trying to preserve it.

Mr. Peterson said that we all think we are reasonable and can control, and she asked Ms. Riley about her comment on controlling BnB's.

Ms. Riley asked, we have recently adopted some regulations, have we not?

(16:27) Mr. Blodgett confirmed that we do have regulations, we do permit now. At the same time, he said he knows the town has made some decisions based out of fear of the BnB's. Every policy we do, to some degree, is a roll of the dice. We don't have control over individual properties or property owners. What we can do, through the use of good policy, we can guide, we can create opportunities for housing that are not there currently. Now, when it comes to Airbnb and STR's, our hands are tied by the state, even with our new regulations. But the alternative in the midst of a housing crisis is to do nothing.

Ms. Ready asked, couldn't someone open an Airbnb in that zone, regardless of whether it's single family or multi-family?

Mr. Blodgett replied, yes, it is based on residential use.

Ms. Peterson said however, you can have a much more concentrated form if you have two apartments in one residence as opposed to a lot of rooms because they would have to divide up. As far as the concentration, the sewer, the water, a lot more possibilities and what I'm saying is R1-5 is a huge area. One person says, 'well you gave them a conditional use, why aren't you going to give me one,' it opens it up to not controlling.

Mr. Blodgett said the idea is that those decisions won't be arbitrary, those decisions will be based solely off the zoning ordinance at least in theory and hopefully, in practice. If a person is approved, it is based on meeting requirements and if his neighbor is denied, it's because he didn't.

Ms. Peterson said she agrees that when everyone is of like mind to do the regulations, but if something happens, you can't stop it through the law if one person is doing it. To do it all for R1-5, it's a big area. She said this is my discussion, if we are going to have an area that's open for that, to keep it to that one area. R1-5 pretty much spans most of Jerome.

Mr. Schall added maybe anything we do; we could do in a small area. He said, one of the things you look at when changing an ordinance or zoning, we must think, what if everyone does that? It's a worthy concern, but everybody won't do what you're thinking. That's a slippery slope argument. What we're really concerned about is what if 10 people do it and will 10 be too many? For example, we have no limit in R1-5 on the size of a family, there could be a couple there with 6 kids and they could all have a car. There's nothing to prevent that from happening, so you could have 8 people living in any R1-5 house. Is that something we stay up late at night thinking about? No, not really, generally you don't have 8 people crammed into a 3-bedroom house with cars parked on the front lawn. Technically, it could happen. Mr. Schall explained that, if 10 people did that, we might be tempted to create an ordinance to keep the street from getting ridiculous. He said the way he read it, the goals are historical preservation, which he said is a good thing, workforce housing, and consistent and easy to enforce regulations so that everyone gets the same chance to utilize their property. The problem with it, he said, and what everyone on this board has thought about, the things you want to do for workforce housing, if you're not careful, lend themselves to Airbnb. Making small spaces or multi-family, however you do it, that's the same kind of use that a BnB person is attracted to. For example, what if we by deed restriction, allow a second house on a lot that met size requirements, and it could be a mother-in-law quarters or a small rental. You might say, that's a great idea! But that property looks great for an Airbnb, and they might think, I'll buy more property and put more people in. So, when you craft an ordinance, you have to be careful, especially with workforce housing, because you will encourage an Airbnb. The Goldwater Institute screwed up the whole state, and Prop 207 scares us by Airbnb, and that's their logic, that you can't take people's property value away by saying they can't do an Airbnb. That's what we're all afraid of. And that's why approaches that give people something they didn't have before, so it can't be accused of a Prop 207 taking, that's your workaround. We could do the same thing with this ordinance. Mr. Schall said he was just throwing out ideas and was not sure if it would turn out to be a good ordinance or modification. But you could do it the same way, giving you something you didn't have before, such as the opportunity to rent out your basement, so we can't be accused of a Prop 207 taking.

(23:21) Mr. Blodgett suggested that perhaps there is the possibility that one condition could be it is rented to someone with a lease.

Mr. Schall responded that he could think of a couple of conditions that we could put in an ordinance. One would be only structures that currently exist; we don't want to make a vacant lot for infill look more attractive to a BnB. He said he does not want people to build a building to be a BnB based on the fact that they can get more occupancy in it. Although, there is no limit on occupancy in R1-5, I can build a regular building and put 3 bunkbeds in each room. Whatever we do, I don't want to encourage someone to build a bigger, taller structure than they otherwise would have.

Mr. Blodgett said that he had been thinking of existing nonconforming buildings, so perhaps this should only apply to existing and not new construction.

Mr. Schall said, yes, infill would not count. Another thing we could look at is, if you apply for the conditional use, one of the conditions is that

whoever owns the house must be in one of the units.

Ms. Peterson clarified the owner would live on the premises and Ms. Ready referred to this as “resident owner.”

Mr. Schall confirmed that was his meaning, and added parking, you have to have a place to put your cars.

Mr. Blodgett replied that these are great ideas. Some of these building already exist and are already operating as BnB's. There may not be much we can do about those at this time, but anyone that wants to come into conformity must show parking and, if they want to increase or intensify their use by adding a short-term rental, they meet all requirements as well. He said most of the buildings we are discussing here would struggle to do that, so he doesn't see this as opening the door for STR's.

Ms. Riley said she knew of some houses that have become single-family. The floors were connected, it was sold, and people bought it. Then, they turned the downstairs into a separate apartment despite it being connected, and there is only 1 parking space. In other words, they can't do that anymore. How do we handle that?

Mr. Schall explained that falls within consistent enforcement of an ordinance. He said we all know there are some houses that are legal nonconforming in town, with two residents, and some that are nonconforming and not legal. He gave the example of “my ‘nephew’ lives downstairs.”

Mr. Blodgett said that we will not be able to address all the individual situations.

Ms. Peterson said that multi-family unit means you have a kitchen, and it has to have an oven.

Ms. Riley said in response that's how they got around it, the kitchen is a countertop oven and not a built-in; but there's still only 1 parking spot.

Ms. Peterson asked, there's only R-2 for multiple family zoning?

Mr. Blodgett confirmed this and said that, rather than create a new zone and make space for new construction, he was hoping to utilize existing housing stock in some of the ways they were historically used.

Mr. Schall said that particularly, we need to make sure we have parking. In R1-5 it's parking, parking, parking. We have apartments we can't use in the C-1 zone; he said in those cases, he would waive parking requirements because they could park in a public parking space.

In reply, Ms. Peterson said you can walk from the 300-level parking lot from there.

Mr. Blodgett agreed that the lack of parking will seriously limit the number of people in R1-5 that can get conforming status.

Ms. Peterson suggested perhaps having an area in R1-5 that's not as dense as opposed to changing all of R1-5.

Mr. Blodgett explained the idea is to explore this policy for where these houses exist in reality, and most exist in the R1-5 zone.

Ms. Peterson named off the different zones and said we do have R-2.

Mr. Blodgett explained that, from what he understood, R-2 was attempting to address the same thing.

Ms. Peterson said there is a house in R-2 that was sold and is now a BnB. The person who did it said their family was going to be living downstairs and now it is a huge BnB.

Mr. Blodgett replied that having it as a conditional use permit keeps the control in our hands so that we don't have a permitted use in a whole area that can open the door.

Ms. Peterson repeated that the owner must live on the premises because, when somebody sells, how do you control who buys, you just can't.

Mr. Blodgett said that we are far from forming the actual ordinance.

Mr. Schall said that, when we get to the point of drafting the ordinance, we could say we are considering a conditional use permit for R1-5 and we are only going to grant 8 of these in the whole town. Kind of limit it somehow.

Mr. Blodgett said it might be worth his doing an inventory and Mr. Schall agreed we should know how many houses could apply, because if it was a large number, we could come up with a limit.

Ms. Peterson suggested language such as: if you choose to apply, these areas are eligible to receive a conditional use possibly.

Mr. Blodgett admitted that, as he is the entire Planning and Zoning Department, doing the inventory will take some time and work.

Mr. Schall said that he thinks Ms. Peterson is trying to come up w a list, and we may be able to craft a conditional use ordinance that sufficiently constrains so that only certain streets can apply.

Ms. Peterson said that knowing which areas are not congested, and which areas don't have any available parking, will give us an idea.

Mr. Blodgett said that we can narrow it down so that only a handful of applicants were eligible, and that could be a good trial run. Mr. Blodgett said that he would consider all the comments.

Ms. Peterson repeated that she liked the idea of an owner-occupied unit. However, she said that can't stop a BnB, but it might stop people from buying up the town and throwing people out.

Mr. Blodgett said that, in this state, it is very hard to stop.

Ms. Peterson said if we open it up in general, we must look at the issues. There are people that will buy and want to do what they want, and we need to look at limitations to how we can stop people at this point so that we don't open up a mess for the town with sewer, water, and other issues.

Mr. Schall said that he thinks we are all reading off the same page, and we need to find a way to narrowly scope it, so we don't increase BnB's.

Historical preservation and workforce housing are good things. He said that in his mind, workforce housing is not just for the workforce, it is a method that people of modest means, who live in town, have managed to stay in their house and maybe pass it down to their kids. That's a piece of historic preservation. Mr. Schall gave this example: if I can keep my house as a single-family residence, maybe with someone in the basement, that means I can afford it, and when I leave it to my kids, they can afford it. Both of those things are not a given in today's economy. Elderly people may have to give up their home because they can't afford their mortgage. Or, when they pass on, their kids can't afford it. And that's why it's historical preservation; if someone, a pensioner, workforce, local kids... if Jeromies can't afford the house, it goes to market. When it goes to market, someone will buy it to make it a BnB. This is a way to keep that building out of the hands of wealthy people from somewhere else who want to make it a BnB.

Mr. Blodgett added that more importantly from the historical context, not just thinking of the buildings as assets, we want to keep these historic communities alive and together rather than just a row of short-term rentals.

Ms. Peterson suggested that it can help the aging people of Jerome, having someone there to caretaker.



Ms. Riley said that she and George have talked about this for their place. At some point, our property is going to be too much for us, and we don't want to move. So, if we could have an apartment and have a local person living there to help us with the property, we'd love it.

Ms. Ready said that is exactly what our goal should be, to provide homeowners the opportunity to open some long-term rentals while, at the same time, providing housing for our locals. Which in turn would preserve the historic tradition of Jerome of providing housing for its workforce; that's what all these houses were built for.

Mr. Blodgett responded, exactly, and one way in which our Zoning Ordinance is at odds with historic preservation is by forcing a change of use. Instead of being a two-family unit because perhaps it was unoccupied for a certain time, it now must be single-family. Our policies are somewhat at odds with historic preservation in that we forced that change of use.

Ms. Riley commented that the other sad thing is that we are losing our young population; they cannot afford to live here.

Mr. Blodgett agreed that he would not be able to afford to live here if he had not been fortunate enough to be offered to rent a house from the town.

Ms. Ready said that rather than getting too bogged down thinking of ordinances, she likes the idea of incentivizing long-term rentals.

Ms. Riley said that she does not know how you could incentivize someone who wants to buy a house as an investment to turn into a BnB, because they can so much more money with a BnB than a full-time renter.

Ms. Ready said she agrees, but she also agrees with the other limitations that have been discussed such as owner-occupied; have some basic structure, whatever we can do legally, to include in our review process when granting conditional use permits for this purpose.

Mr. Blodgett agreed that the conditional part gives us flexibility and allows us to tailor to the situation. He said we don't have tract homes, most of our homes are unique, and we need to take this case by case.

(39:03) Mr. Schall said he could see a conditional use permit process. The idea is, we agree that in the current environment with state law, once someone owns a house, we can't keep them from turning it into a BnB. But, if we can adjust ordinances to keep historical assets out of the hands of those people, then we're ahead. We could make an ordinance that says it's a conditional use permit and here are the conditions which include A, B, C, D. Which could include owner has to live in one unit, only historical houses and not infill, and any other things we come up with such as parking. That way, anyone who is going for the conditional use permit can see upfront what they have to do.

Ms. Peterson added that could say they have to live there a certain amount of time.

Ms. Ready reference Mr. Schall's comment about potential for apartments in C-1, but for parking restrictions. She said maybe that is something that we could look at, as far as lightening up on some of those parking restrictions if they are in a certain range.

Mr. Blodgett said that is something he would be looking into, as we might be able to find some work arounds.

Ms. Riley said that, as far as the worry about someone moving into and then selling so that we don't have any control; if they sell it, they lose the permit. It would have to be reapplied for.

Ms. Peterson commented that she knew someone who didn't realize this and was trying to sell.

Ms. Ready said the ordinance is already written that way, once a house is sold the permit process starts over.

Mr. Blodgett further explained that it is personal to the property owner and not the property.

Jerome resident Mark Krmpotich said his concern was that there are several homes that could be triplexes; and how would they be handled because we had been talking about one home being two units.

Mr. Blodgett said that is something we could address. All things will be dictated by available parking, as well as the rest of the ZO. If you have a tri-level home and have parking spaces for just two apartments, you would potentially be approved for two apartments. Without parking for the third, we cannot add more undue stress on the street parking.

Ms. Ready said we should keep that in mind and not limit it to a 2-family dwelling unit; here's the possibility of multi-family units.

Mr. Krmpotich brought up outside stairwells.

Ms. Peterson said we also have to consider our water sources; it is not a forever situation. It will be like San Francisco where you're packed in one area. She said we should consider not having all of R1-5, just one area for conditional.

Mr. Blodgett reassured her that no matter how radical we get, we will never have the 15,000 residents Jerome used to have.

Ms. Peterson countered that they didn't have the tourists like we have. With tourists coming and going, the sewer and water is taxed already. It is already tense with parking in certain areas.

(45:00) Jerome resident Margie Hardy said that you keep referring to R1-5, but once you put a conditional use in R1-5, it applies to whole town. Every single zone from R1-5 up, when you have conditional use, R-2 on up, the line says 'and all conditional uses in R1-5' also apply. Ms. Hardie said let's be aware we are talking about the whole town, not just R1-5.

Mr. Blodgett asked to respond. He said one of the things he had noted with was that if we add 2-dwelling units as a conditional use in R1-5, she is correct. However, in the R-2 zone and others, that would already be the case as it is allowed in R-2; the effect would be more in the commercial district. He said we should discuss the nonconforming buildings in the commercial zone at a separate time.

Ms. Hardie asked, you weren't aware it was affecting the whole town?

Mr. Blodgett answered that he was aware. The zoning for that would not be affected because a 2-dwelling unit is already a permitted use in R-2.

Ms. Hardie countered that it is only in R-2. She said her point is this, 7 years ago Ms. Peterson's neighbor came to the town begging to have a duplex; an apartment for her sister to live downstairs with a kitchen etcetera. Our town attorney, Bill Sims, said there is only 1 way you can do that, and that is to rezone. She said she was not sure what the town attorney would have to say about a CUP now, but that is what he said then. That was the only way to accomplish what they wanted. In 1980 or 90, we had a gentleman on East Avenue with a single family, 2-story home that he rented out. He then said he wanted to live upstairs and the other could live downstairs. He came to the town, or he got caught, and was told no, you can't do that. On 5th Street, there was a couple name Rappaport, this was public history. They had a vacation rental and they wanted to do exactly what Will is referring to: to turn the basement into an apartment. That house had been a single-family home for 60 or 70 years. They couldn't prove that it had ever been an apartment. They went to BOA and got turned down, went to a Superior Court, and got turned down. Those are my top numbers of the effect the on whole town. Ms. Hardie said, coming to the section on historic preservation, you have to remember this does not apply to just old buildings; this is new construction. My neighbor has enough space for at least 2 new apartment buildings and parking, no problem. We will then have others throughout my neighborhood that will do the same thing because people want to make money in Jerome, and

they do that by buying property. In China, Ms. Hardie said she has heard, there are properties owned in Jerome by Chinese people. It sounds crazy, maybe it's not true, but she heard it. Because you can make money here on your vacation rentals, right? So, picture 2 apartment buildings, brand new, on the intersection of 1<sup>st</sup> Street and School Street. That, to her mind, sets a new vision of Jerome, and this is going to go all through the town, don't forget. Next, Ms. Hardie said she wished they would remember about the attorney saying flat out the only way you can do it... i.e., that is why we have R-2, because that was the only recourse for these people. We had the Rappaports on 5<sup>th</sup> Street turned down because it was bad for the neighborhood. The other thing she said, explaining that she lives on 2<sup>nd</sup> Street, 2 weeks ago Council decided to perhaps that street into a 1-way street because there is a traffic problem due to the increase in density in the town. She said she cannot see how anybody can anyone dispute this will bump up the density; double. You had a house in R1-5, now you have an apartment, double. Ms. Hardie said she doesn't know if we pay attention, but there is a water and sewer crisis in this town. 4 years ago, myself and another group of people wrote the General Plan. The General Plan is there for guidance for any ordinance created by this town; you and the Council because you guys are the start and then it goes to Council. In the Plan, we have a couple of things and that is there's a desperation in sewer and water shortage. In 2018, we were on the verge of being cited for overuse. Now, in 2022, the town is funding a new sewer plant out of desperation. For water, Ms. Hardie asked, how many times this past summer have we had to put on restrictions due to lack of water? She said she was sorry, but she heard increased density coming from this situation. She said she had to ask, why is this discussion taking place? Ms. Hardie said she had asked Mr. Blodgett and he replied that she brought up the fact that the Zoning Ordinance needs help. She said that is for sure, there are discrepancies, there's this, that, and the other. She said today, Mr. Blodgett told her it was because she had said we need to fix the ordinance, but why are we focusing on this when the streets are rotten, the sewer's all down, we're running out of water, and there's an enormous number of discrepancies that you guys can fix in our ordinance. That is when Mr. Blodgett mentioned this work session. She said, if it's not broke, don't fix it. She lives on a street with about 8 buildings, and half of it is multi-family, and it's been that way for as long as she has been there. She said, it's perfect, the whole distribution of the area is beautiful. It provides housing for a lot of people because it's not just single-family. All the people that have apartments in that area are, she said she does not want to presume, but she would say they were legal nonconforming. Like Madam Chairman stated, there were a lot of miners digs. She said that, at one point, her house was 4 apartments, but someone fixed it in the 40s. So, all the wonderful ideas about we could do this, and we can do that... remember, there is no enforcement in Jerome, not much. The police are overtaxed as it is. We have one-way streets through my neighborhood, not one person has gotten a ticket for going the wrong way and they never will because there's not enough police in town to deal with that. Council actions contradict increased density, and that was 2 weeks ago.

Ms. Ready commented that she wanted to give Ms. Hardie a chance to speak, but we were getting tight on time.

Ms. Hardie said she talked to her neighbor who has had an apartment on East for 40 years and had her list on what's wrong with this idea. Ms. Hardie said she also wanted to say that everything you have said, if things were different, would be really nice. Except, in this particular case, it's detrimental to the whole town. In density, you will be affecting parking, the traffic, infrastructure, water, sewer, etcetera; it will compound all the problems you have right now. You have been liberal about letting me talk. She said the historic character they spoke about will be destroyed; you can't think about this as a bubble, it's huge. Ms. Hardie said the last thing she was asking is that, given the impact of what you're discussing, and that you might alter the parking ordinance, there goes your safety net. Also, can you discriminate with your CUP's? She gave an example of: do we want this person moving to Jerome? Maybe give can give them some whopper conditions to prevent them from moving to town. As far as she knows, there's no legal, but if there's anything like prejudicial CUP's, you can't rely on them. She said if it was her, she would be upset. Ms. Hardie said she hopes they get from the message that it needs to be broadened. First of all, she thinks this topic should be stopped. She wished they would look at our General Plan before entering into conversations that are so impactful to this town.

Ms. Ready thanked Ms. Hardie and said she appreciated her coming and sharing her thoughts. Ms. Ready stated that here, we are just talking, throwing out ideas, and getting feedback from people like you so that we learn more and get a better idea about issues that affect Jerome.

Ms. Hardie said, this isn't broke.

Ms. Ready continued, saying that we are losing population, our businesses are having a hard time staffing because the workforce can't afford to live in Jerome, there is a lack of workforce housing, and it is a crisis. So, we are trying to be a little proactive and we don't want to open it all up. She said she wants her to have faith that the members of this board are very diligent and will be cautious in the way we make recommendations. Again, it is not our job to decide anything, that is for the Town Council. Ms. Ready said she thinks it's good to talk about it and thinks Ms. Hardie raised some good concerns that we should think when we are discussing housing.

Ms. Hardie asked to say something else; they just built 300 new units in Cottonwood, 20 minutes away.

Ms. Ready replied that they weren't affordable.

Ms. Hardie said that nothing in Jerome is affordable because it is in the hands of the landlords.

Ms. Ready explained that we can't rely on people commuting to Jerome because it isn't reasonable. If they can get same job in the valley, where they live, they will work where they live. To bring workforce into Jerome, we have to provide housing in Jerome.

Ms. Hardie asked, what's the crisis?

Several people responded, housing.

(1:00:10) Ms. Hardie said we are going to have 11 new apartments in a while. She asked, did you know that, with the Hotel Jerome? It will be a while, but we will have them.

Ms. Ready responded that it will be years.

Ms. Riley added, in the meantime, we're losing staff and businesses may not survive.

Ms. Hardie asked, so you planned to have this discussion?

Mr. Blodgett said it was entirely his idea.

Ms. Hardie said she wondered why, when there's so many other things at stake, to preserve what we have right now. Why expand?

Ms. Ready said that we also have many unoccupied homes right now. Families who are in transitions; are the children going to be able to maintain and preserve them? Providing ways for families to generate income can be way to keep those homes family owned.

Ms. Hardie responded that she thinks that's short-sited.

Mr. Schall said the specific thing we are trying to change with this ordinance is to limit vacation rentals.

Ms. Hardie replied you're not, you are increasing them.

Mr. Schall responded, no, we're on the same page, we want the same thing. When you say we're not going to limit vacation rentals, I would say well, then we've done something wrong. Help us get it right. We want to reduce vacation rentals, period.

Ms. Hardie said that is going to be up to the state.

Mr. Schall said we want to do that, you want to do that, and this is one way to do it. If what we come up with doesn't work, you tell us. We're trying to think about how to do an ordinance, to craft it closely and tightly enough so that we don't increase vacation rentals, i.e., decrease them and provide workforce housing.

Ms. Hardie responded that she is telling him it won't work in her opinion. She asked, if we create new apartments, how is that better?

At this point, Mr. Blodgett asked to interject. He said first, he has spoken with our town attorney, and he thinks this is a good idea if we can get approval, the first think I did was run it by him.

Ms. Hardie said well, then he changed his mind.

Mr. Blodgett said he couldn't speak to that. He continued, secondly, we are not talking about new construction, we are trying to limit this to our existing housing stock, specifically, the nonconforming buildings. The whole hope, as stated in the General Plan, is to reduce the number of nonconforming buildings and to limit them. We have a lot of nonconforming buildings and that speaks to a failure in policy to me. So, if we can bring some of these buildings back into conformity, that is a net positive.

Ms. Hardie said she had an idea. What about putting a moratorium on all duplexes, illegal, legal, whatever, that exist in the town right now? None of this. Put a moratorium on every duplex right now. Prove to us you are truly an apartment, no increase, just who already exist, and make them all legal. Then you can have your additional places and it will be legal.

Mr. Blodgett replied that is not a bad idea, he didn't think anyone would entertain that option.

Ms. Hardie said she didn't know if anyone will, but she's seen it done other places and we've had moratoriums on buildings here in the past.

Ms. Peterson said she thinks that is a 6-month time period in which you have to make changes. In general, changing R1-5 to conditional use is too broad and too scary for her because it opens it all up.

Mr. Blodgett explained that he specifically chose R1-5 because the bulk of the buildings are there.

Ms. Peterson said it looks big if you look at it on a map.

Ms. Ready said, but if you're applying it only to existing duplexes, or multi-family units, then you're not broad brushing it.

Ms. Peterson agreed that is why we are discussing it. She said she knows, with the annex, that they are working on having affordable housing going down toward where the horses are. It's part of what the town is looking for. We might not have a solution right away, but it is something we set up for that, let's not put it all on top of your head.

Mr. Blodgett said we get the opportunity to discuss policies that will affect the town in decades ahead. We want to be careful to take the time to have these discussions.

Ms. Hardie asked permission to say one more thing. She said if we were to do the moratorium and leave R1-5 the way it is without the conditional use, people that are coming to Jerome looking for a place to live, a lot of times go by zone. If we don't have one, single R1-5 in this town, which if this passes, we don't. No medium to low density, except of course the lowest which is AR. For normal, single family residential, there would be a zone for people to come to town; do you have that? No, Jerome doesn't have that, we have multi-family throughout the whole town. It's the same if someone wanted to have a business and asked where to go; C-1. Or wanted horses and asked where to go; AR. Ms. Hardie thanked the Commission for listening.

Ms. Ready thanked Ms. Hardie for being at the meeting. She asked if anyone else present would like to speak.

Jerome resident Nancy Robinson said, in reference to the comment on the C-1 zone and parking at the 300 level, that no one can park overnight at 300 level.

Ms. Peterson replied that is something we could address.

Ms. Ready added that maybe there could be a designated residential section. She said that if she lived on Main Street, she would have no problem walking from the 300-level lot.

Ms. Riley stated the Police Department has been having a lot of the tour vans park out there.

Ms. Peterson said they could discuss creating a space for someone who works in town; perhaps that space can be designated.

There were a few more comments about parking in the C-1 zone, permits, and shuttling.

Mr. Blodgett said, in response to questions about water usage statistics, that he does know residential use is significantly lower than commercial use. He said it is definitely a concern and something he will look into because it does all add up and is something we should consider. He said that he would like to repeat that, in the midst of a housing crisis, he feels we should at least be talking about this. Whether or not this is the right action, he does not know yet, that is why we are discussing it. We are ignoring the issue if we don't talk about it. He said he appreciated everyone humoring him in this.

Ms. Ready said she would like to read comments from town resident Suzy Mound who could not attend the meeting. Ms. Mound asked how many homes are in the R1-5 zone, and Ms. Ready said she sent her a map. Ms. Mound's letter said the residential parking ordinance only allows 1 permit per household, maybe 2 by lottery. If this can be expanded, if space is available, then more single-family homes could have roommates and create more housing. Julie Perkins' house is in a trust, can the town buy more houses, especially for board members, volunteers, or employees? Can Hotel Jerome offer work trade incentives to get the building rehabilitated? Ms. Ready commented that was a good suggestion.

Mr. Blodgett asked Ms. Ready to kindly thank Ms. Mound for her comments.

Ms. Hardie said this is the first discussion and it is really impactful for the town. She said people don't ready agendas and, even though it is just a work session, it's the start, and people need to speak up about it. She asked if a notice could be placed in the water bills or something, to tell the whole town.

Mr. Blodgett said that would be appropriate.

Ms. Riley said that she likes the town alerts, it could be a town alert that goes out.

Mr. Blodgett explained that, if we proceed and craft new ordinance language, the standard notices for a neighborhood meeting would go into



effect. He said he is all about being as transparent as possible. He likes the idea of putting it on the website.

There was more discussion as to how to make people of the town aware of the topic.

(1:16:17) Mr. Blodgett said we don't want to push through anything that the town doesn't want. If this is the start of a discussion that leads to a solution, he is happy with that.

Ms. Riley said we do have a housing issue that we have to deal with.

Mr. Schall asked to make a comment. He said, Margie I apologize for raising my voice. This is a high energy discussion, and I respect and appreciate your input and I'm glad you're here to share this information with us.

Ms. Hardie responded to Mr. Schall, thanks a lot, thank you all.

Mr. Schall said he would like to emphasize Mr. Blodgett's comment that we don't want to do something the town doesn't want. Anything we do will conform with our General Plan. What we want to do is help the town. It is important and critical in my mind that we do something with housing if we can. At the same time, anything we come up with should be tightly focused and guardrailed to not double the population of town, we understand we can't do that. What we're talking about is, can we put enough guardrails on this to allow several apartments, not the whole town. It can be challenging, and if we can't find a way to put guardrails on it, we should abandon the whole idea. Our intention, if we go forward with this, is to change that part of the ordinance and if we can't limit or manage R1-5, we'll stop. If our town attorney says you can't do that, we'll stop. That is the kind of thing we are talking about; we want the same thing. We're going to limit it to existing housing, so nobody can build something ridiculous around you. If we can't do that, for whatever reason, we'll stop. We want to make the town viable, and part of that is workforce housing; people who live here and can stay living here, their kids can stay here, people working here can stay here. Mr. Schall says what that means is we can keep Jerome someplace someone wants to visit.

Ms. Hardie said we don't have any problems getting people who want to visit.

Mr. Schall said that even with our struggles with water and sewer, it's always a balance. We could solve the water and sewer problems immediately by turning the town into someplace no one wants to visit. Most of the water is used in the commercial district, washing dishes and flushing toilets.

Ms. Hardie agree it is an issue.

Mr. Schall agreed it certainly is an issue; and it's a balance. If nobody wanted to visit, we would have all the water we needed, but no money left to fix the pipes.

Ms. Riley agreed it's a balance that is tricky.

Ms. Ready said we are mindful of it for sure.

Mr. Blodgett said he would like to comment that this has been a fantastic discussion and he appreciates everyone and their opinions. He said it has been greatly edifying for him and he has some things to dig into, and he will have discussions with some of you in the next few weeks. He thanked everyone.

Ms. Peterson said that always looking at the welfare of citizens of Jerome is important. We want it to be a community and not become strangers in our own town because there are so many tourists coming through that we can't have a community.

Mr. Blodgett wanted to say, as a newer member of the community, that he loves this town and does not want it to see it fall apart; he wants to see it maintained.

Ms. Peterson said the historic part is Jerome, let's not make it new and shiny because that is not Jerome.

Mr. Blodgett said he do what he can to preserve the history.

Ms. Ready said she does not believe this topic needs an action from the board, so it is time to move on to the next item.

## Meeting Updates:

### Item 5: Updates of recent and upcoming meetings

- **Tue Oct 11 Council regular meeting-** Approved resolution #646, amending and adopting user fees and charges for permits, licenses, development fees and other town services. Recognized the promotion of Fire Captain Carl Whiting promoted to the rank of Battalion Chief and approved the purchase of a new Fire Department Brush truck. Entered into an IGA for maintenance of fire apparatus with Copper Canyon Fire & Medical district and approved the purchase of an Agenda management system.
- **Tue Oct 26 Council special meeting-** Staff was directed to gather additional information regarding the Hotel Jerome project, discussed options for the wastewater treatment plant upgrade and discussed the Yavapai County Comprehensive Plan update.
- **Tue Oct 25 DRB regular meeting –** Approved new signage for Copper Country Fudge and for Vino Zona.

### Item 6: Potential items for December's Planning & Zoning meeting, Tuesday Dec 20, 2022 – TBD

### Item 7: Adjourn

#### ***Motion to adjourn at 7:37 p.m.***

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson		X	X			
Ready			X			
Riley	X		X			
Romberger					X	
Schall			X			



Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
*Chair Ready, Planning & Zoning Commission Chair*

Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
*Kristen Muenz, Deputy Town Clerk*



# TOWN OF JEROME

Post Office Box 335, Jerome, Arizona 86331  
(928) 634-7943

## Zoning Administrator Analysis Planning & Zoning Commission Tuesday, July , 2022

**Item : 4**

**Location:** 538 School Street  
**Applicant/Owner:** Copperstone Remodeling / Janet Bustrin  
**Zone:** C-1  
**APN:** 401-06-092  
**Prepared by:** Will Blodgett, Zoning Administrator  
**Recommendation:** Discussion/possible action

**Background and Summary:** The applicant is seeking approval to remodel the building at 538 School street, which will include the following work as described in a letter from the applicant; 1. Gut two lower level bedrooms (interior & exterior) 2. Pouring new foundation for approximately 30 feet (replacing a collapsed portion of foundation) 3. Installation of new floor joists. 4. Installation of new 2x6 stud framing. 5. Installation of new windows. 6. Updating the electrical. 7. Installation of one-hour rated cement siding (Hardiplank) between the structure and the Ghost City Inn. 8. New drywall, paint, flooring, etc...

**Building Background:** The Arizona State Historic Property Inventory, 2007 survey describes this property as; "Built in 1900 this Two and a half story rectangular frame structure is supported at the East end by concrete retaining wall, elsewhere by concrete and stone footings. A clapboard siding sheaths all surfaces for all levels up to the roof, including the gable ends. Extensive remodeling has replaced all the windows with sliding aluminum units, or free form random sized units as at the first floor front corner, or stained glass at the west gable end. The roofing is composition shingle."

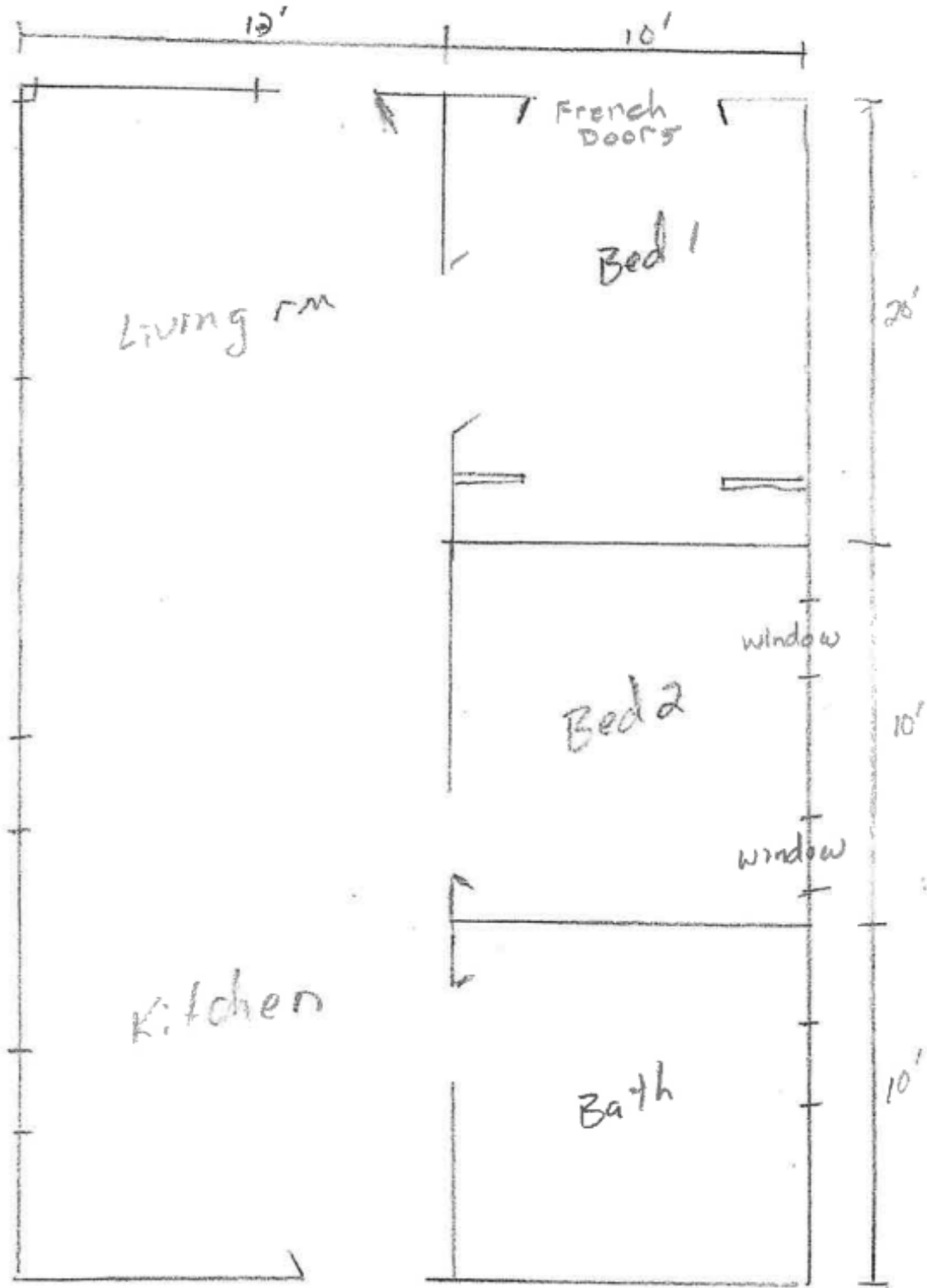
**Purpose:** The purpose of the site plan review is to provide for the public health, safety and general welfare, and to protect the environment and the historical character of the Town of Jerome. The plan review will include an examination of all proposed site work, and excavation and grading regulations, with special regulation of work sites with extreme slope or unstable soils. Essential to this purpose is the review of possible impacts on surrounding properties.

**Property Standards:** The Town of Jerome Zoning Ordinance in section 303.1.B.a says that "*Additions and alterations to Residential, Commercial or Industrial structures...*" will require review by the planning and zoning commission.

**Response:** The first step of the proposed project involves gutting two bedrooms on the lower floor. Some of this work is structural in nature, but will not result in additional dwelling space, and thus no additional, and no fewer parking spaces will be required. The foundation work to be done is replacement of existing foundation that has crumbled & collapsed and is highlighted in one of the following sketch-maps. Once the new foundation has been poured, new floor joists will be installed followed by new 2x6 Stud framing. Lastly, after the new stud framing, comes the installation of windows

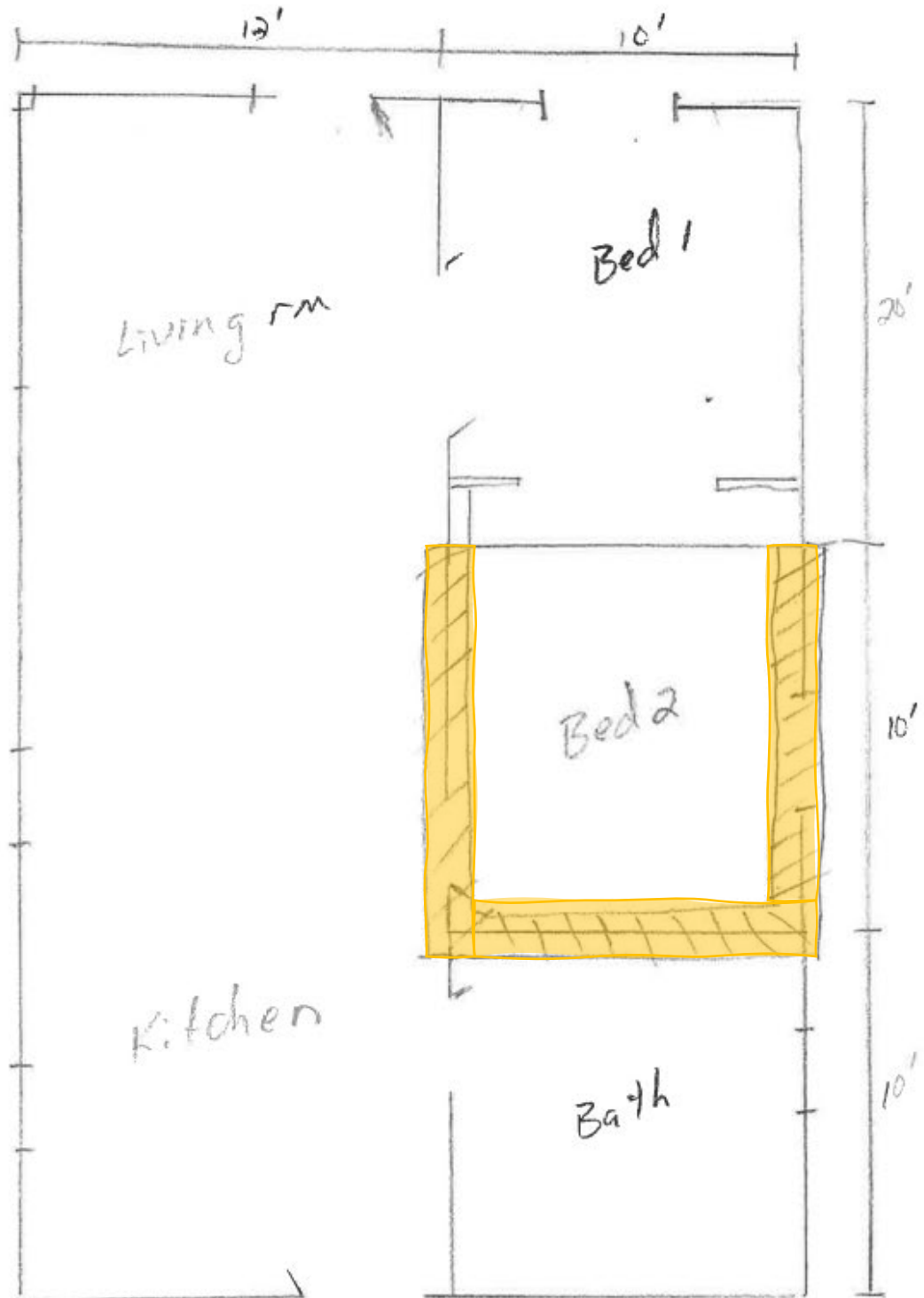


# Existing floor Plan



# Proposed floor Plan

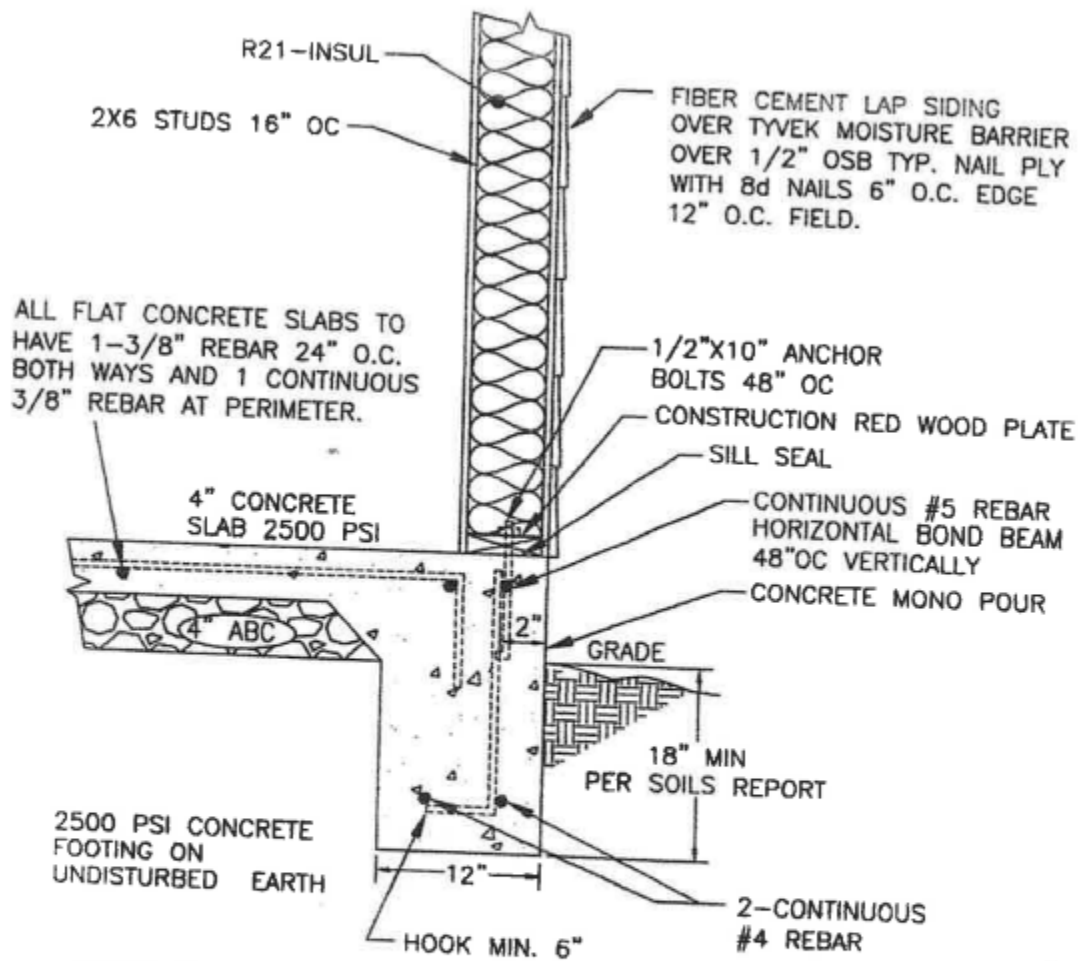
Foundation work  
to be Re-done



See Detail ①







TYPICAL ALL STEM WALLS:  
24" TO 48" IN HEIGHT PROVIDE A BOND  
BEAM COMPOSED OF (2) HORIZONTAL #4  
REBAR OR (1) #5 REBAR IS REQUIRED AT  
THE TOP OF WALL

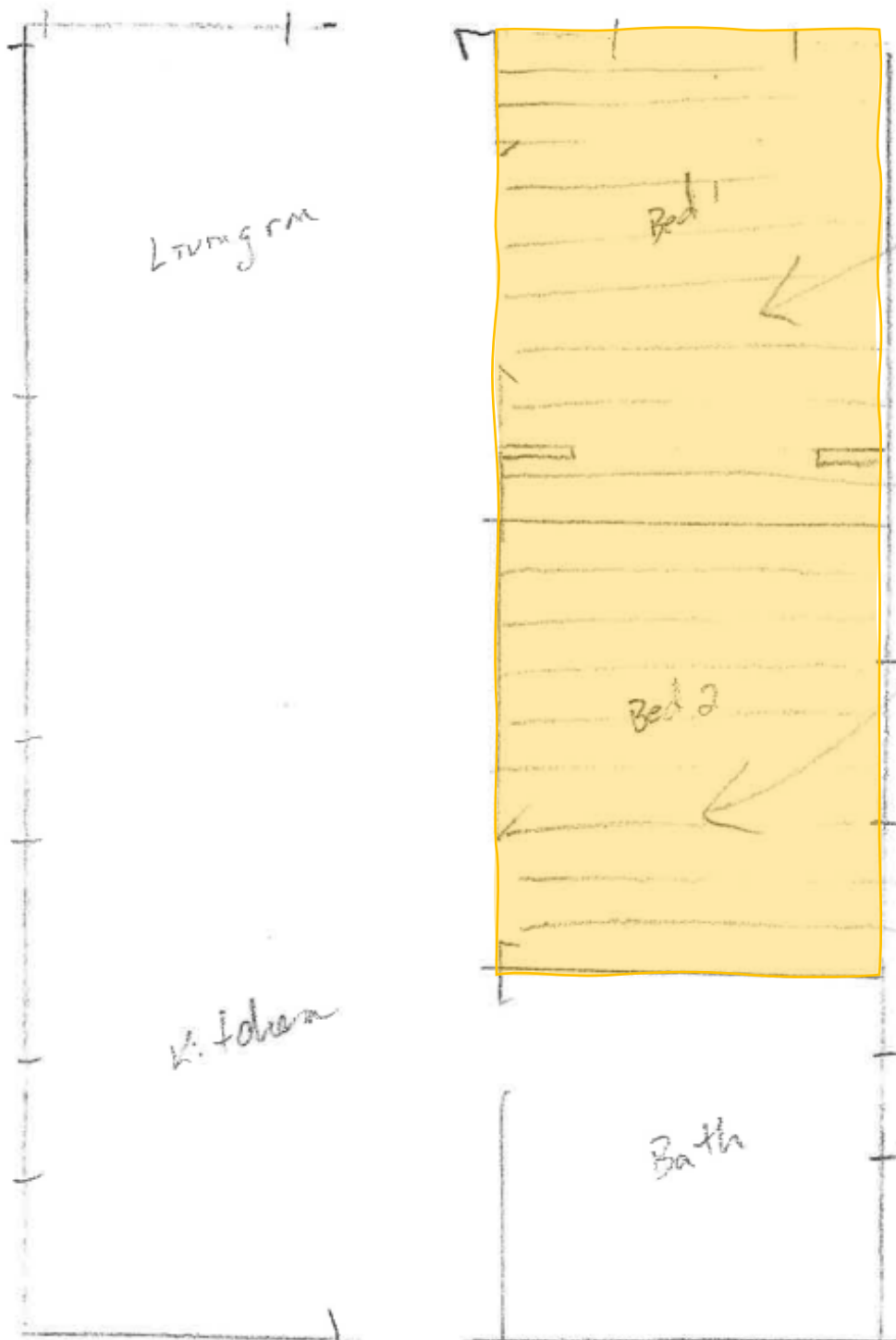
**DETAIL 1**

\* ASSUME  
#4 VERTS @ 48" O.C.  
GRADE 60  
IF GRADE 40 IS USED  
INCREASE TO 32" O.C.

# Proposed floor Plan

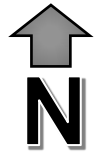
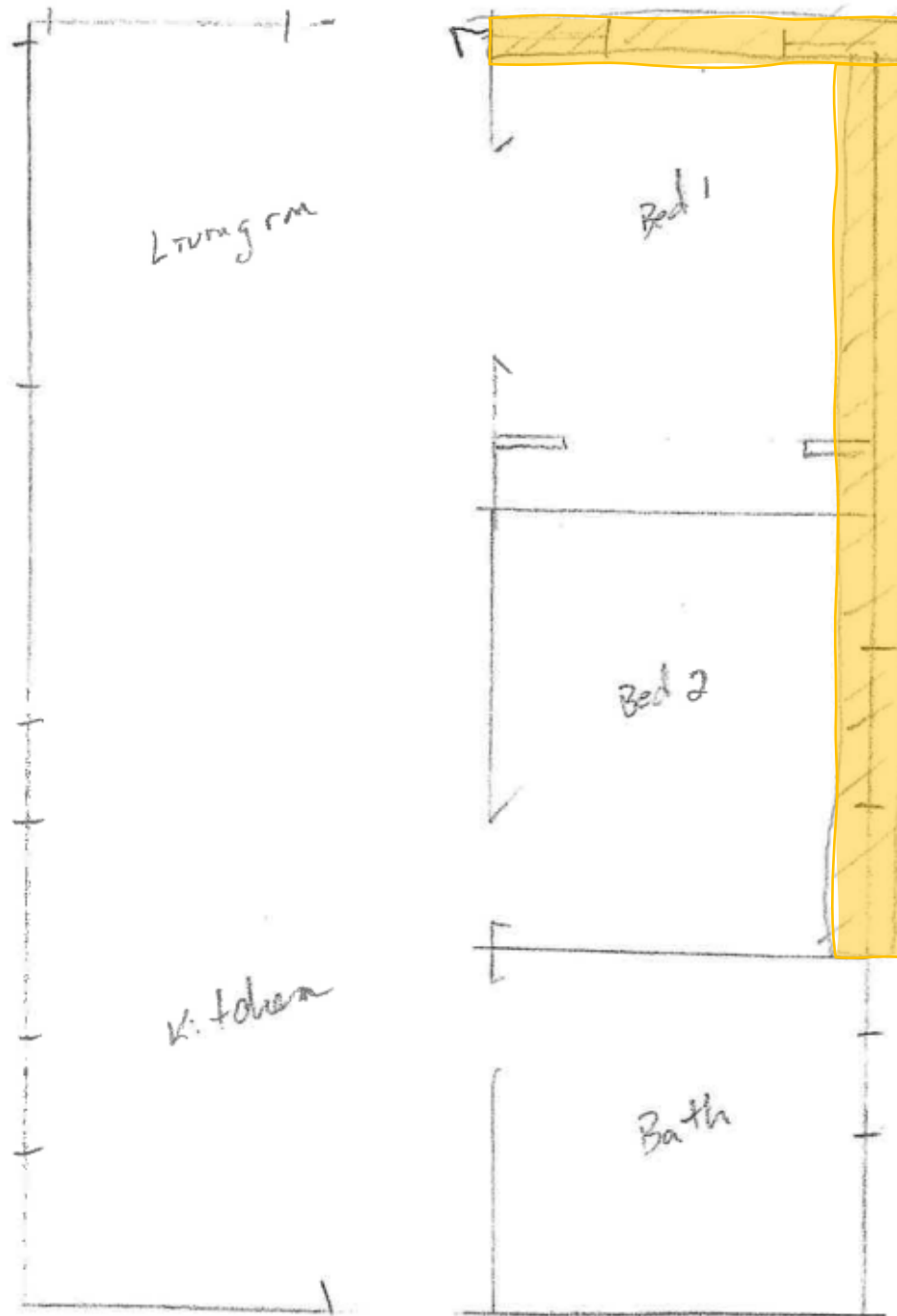
New Floor joists

2x8 pressure treated 16" o.c.



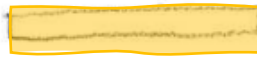
# Proposed floor Plan

New 2x6 16" oc. studs



## Proposed floor Plan

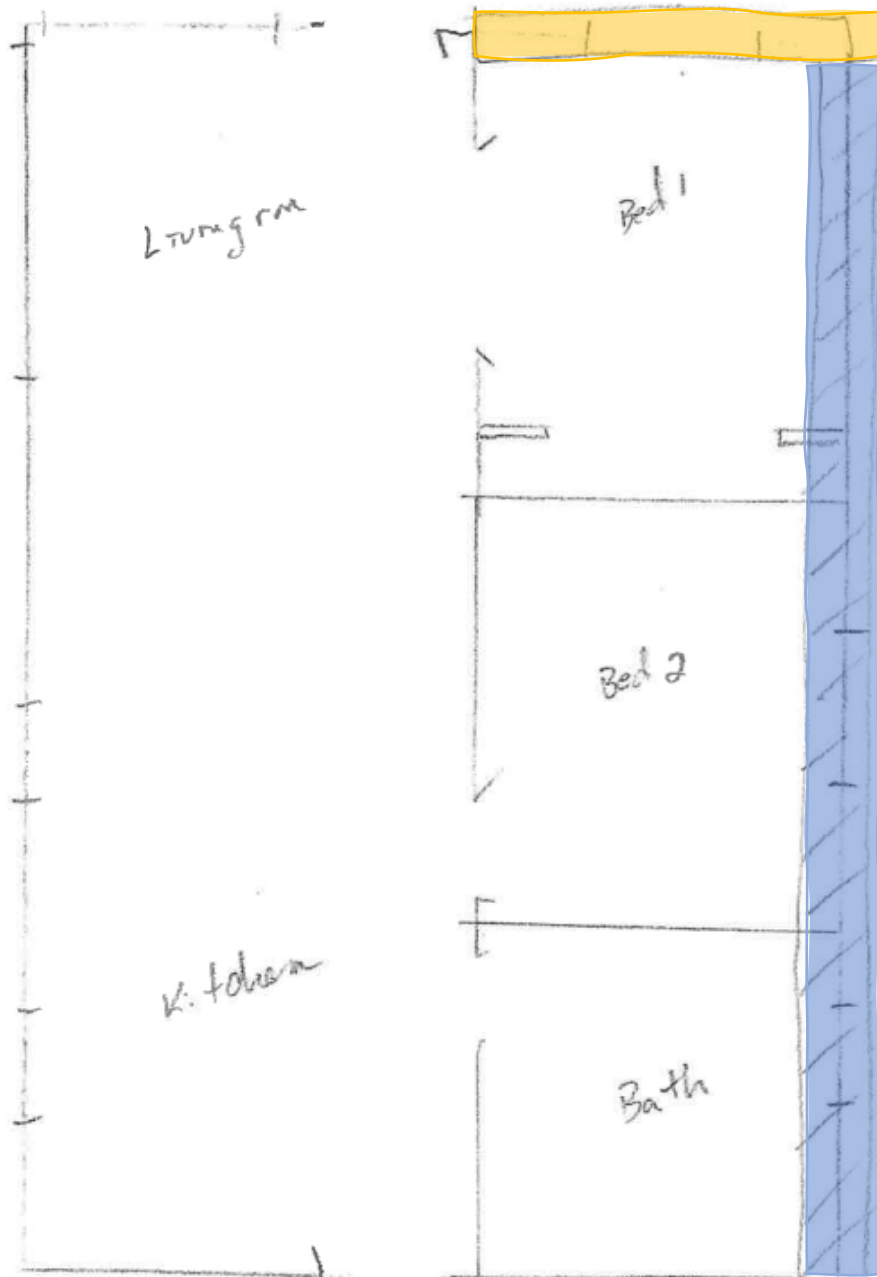
Siding -



New cedar beveled siding to match existing front.



New Fire rated cement beveled siding (entire East side of structure)



See Detail ①



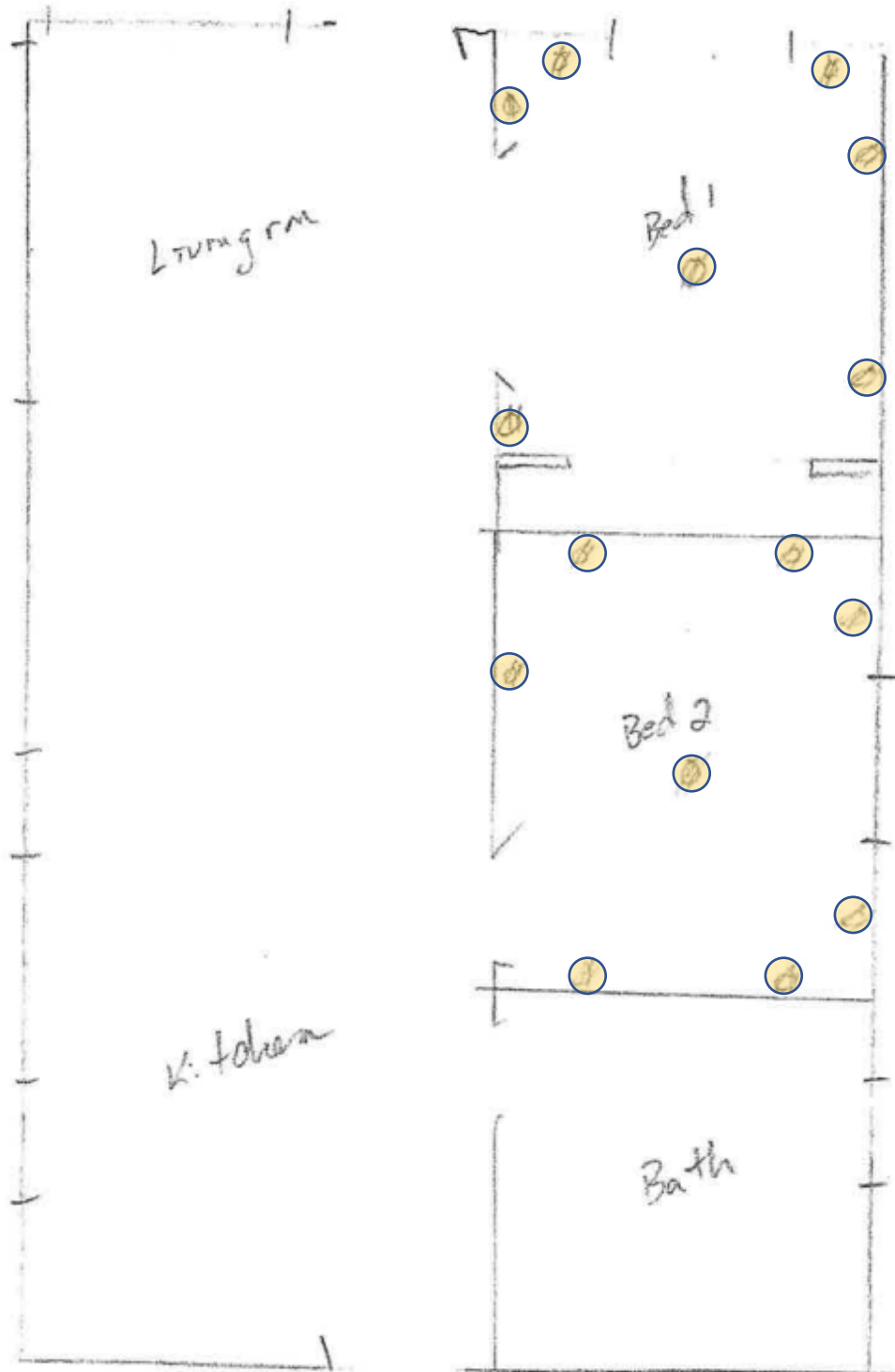
**Siding:** The applicant intends to utilize a modern material that is weather resistant, termite resistant and better insulated in addition to having increased fire-protection as it is a non-combustible material. The modern material is a cement that mimics the woodgrain texture, and comes factory primed. The siding will be painted the same color that currently exists on the house.



Hardie describes their siding material on their website as follows:

*“Hardie® Plank Cedarmill® Fiber Cement Lap Siding has a woodgrain appearance making it ideal for exteriors where a traditional wood siding look is desired. ASTM E136 noncombustible cladding will not attract pests including termites and woodpeckers. HZ10® engineering means it is made to withstand high heat, humidity, moisture, hail, tropical storms and hurricane winds. Board is factory primed using a primer with a slight yellow hue. To finish, apply an acrylic, water-based exterior house paint to the primed board within 180 days of installation.”*

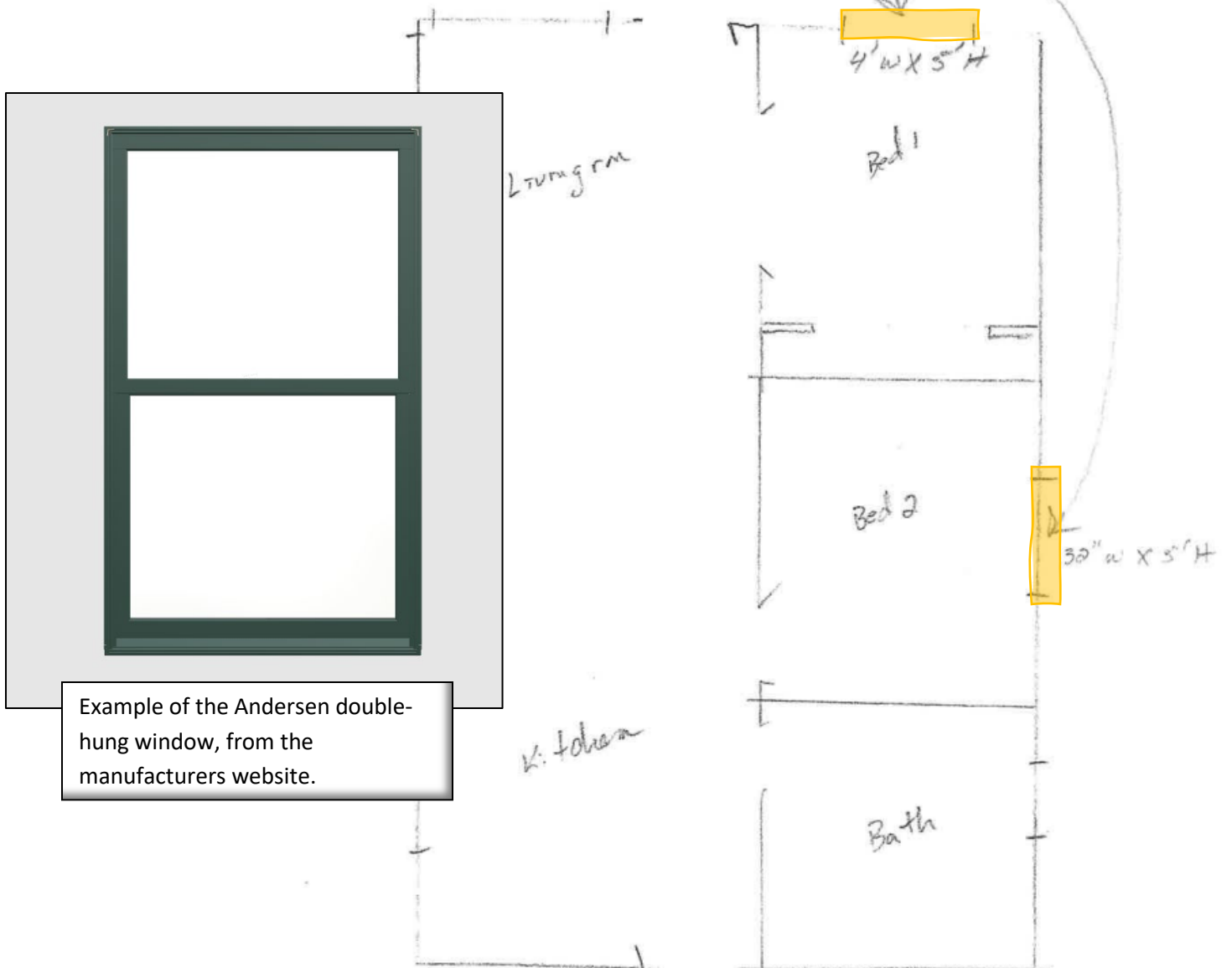
# Proposed floor Plan Electrical





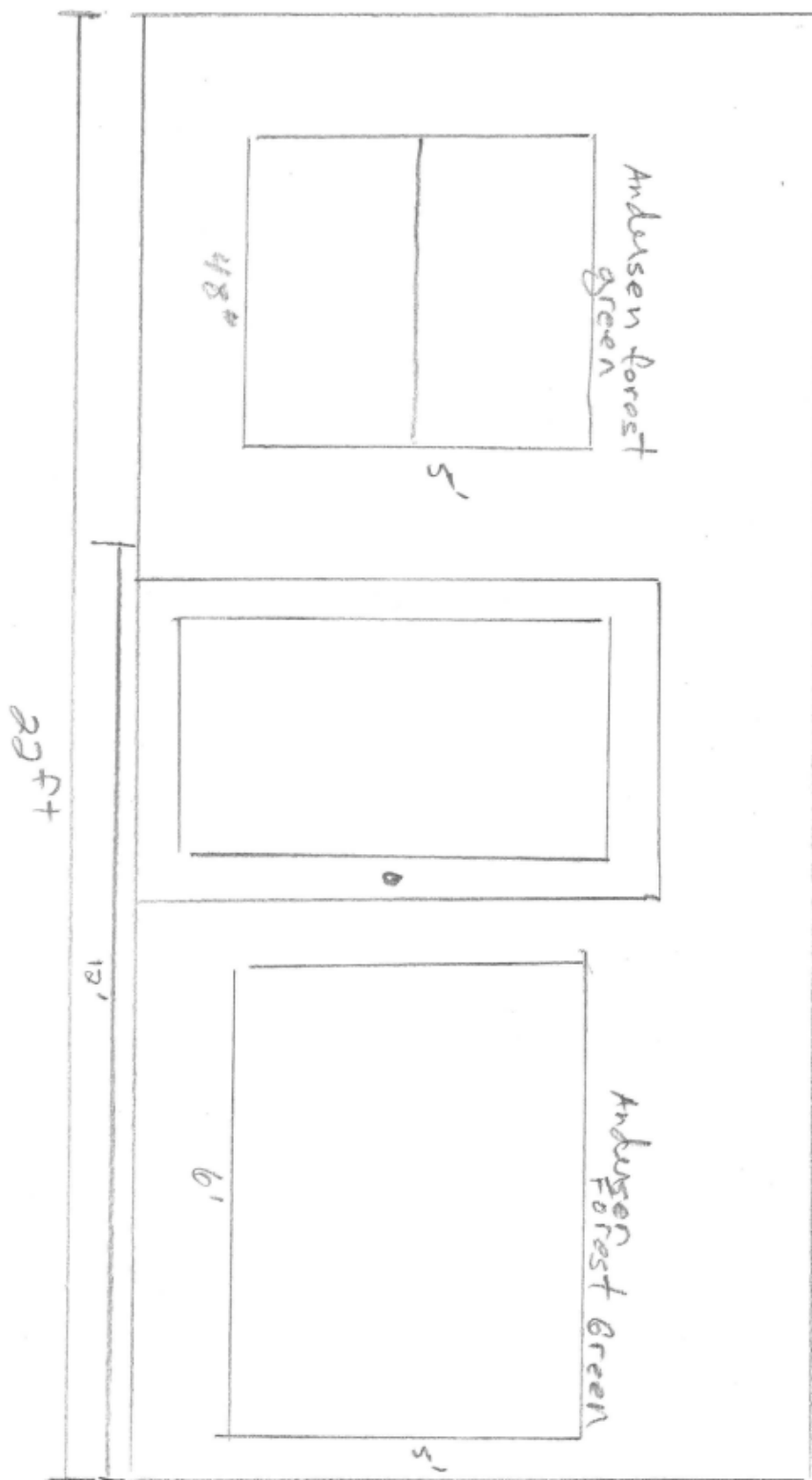
## Proposed floor Plan

windows/Andersen Double Hung



Example of the Andersen double-hung window, from the manufacturers website.

# East View





# Application & Related Information



**TOWN OF JEROME, ARIZONA**  
600 Clark Street, P.O. Box 335, Jerome, AZ 86331  
(928) 634-7943

File #:

Town Use

**General Land Use Application – Check all that apply**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Site Plan Review \$300       | <input type="checkbox"/> Design Review \$25 to \$500 | <input type="checkbox"/> Conditional Use Permit (CUP) \$500 |
| <input type="checkbox"/> Demolition \$50/\$200        | <input type="checkbox"/> Signage/Awning \$50         | <input type="checkbox"/> Paint/Roofing \$25                 |
| <input type="checkbox"/> Time Extension \$25 to \$200 | <input type="checkbox"/> Other: _____                | <input type="checkbox"/> Other: _____                       |

Note: Refer to the corresponding Project Application Checklist/s for additional submittal requirements.

Applicant: Copper Star Remodeling	Owner: Janet Bustrin
Applicant mailing address: PO Box 1082 Jerome AZ	Property owner mailing address: 156 Irving Ave South Orange, NJ 07079 2309
Applicant role/title: Owner	
Applicant phone: 928-301-6715	Owner phone:
Applicant email: scott.hudson@earthlink.net	Owner email: bustbelt@verizon.net
Project address: 538 School St	Parcel number: 401-06-092
Describe project: (Lower South side of Building) New Footings, framing, siding, and windows	

- I understand that review by the Jerome Design Review Board, Planning and Zoning Commission, and Town Council is discretionary.
- I understand that the application fee is due at submission and review will not be scheduled until fee is paid to the Town.
- I understand review criteria are used in evaluation by the Jerome Design Review Board and/or Planning and Zoning Commission. These criteria are included in the Jerome Zoning Ordinance.
- I understand that this application will not be scheduled for consideration until all required materials have been submitted and the application is determined to be complete.

Applicant Signature: Scott Hudson Date: 9/25/22  
Property Owner Signature: [Signature] Date: 9-25-22

Received from: <u>Scott Hudson</u>	For Town Use Only	Date: <u>10/10/22</u>
Received the sum of \$ _____	as: <input checked="" type="checkbox"/> Check No. <u>1221</u>	<input type="checkbox"/> Cash <input type="checkbox"/> Credit Card
By: <u>T. Carr</u>	For: _____	
Tentative Meeting Date/s - DRB: <u>10/25/22</u>	P&Z: _____	

Nov 5/2022

Copper Star Remodeling

PO Box 1082

Jerome, AZ 86331

To Whom It May Concern:

Proposed work at 538 Main street:

1. Gut two lower level bedrooms- interior/exterior
2. Pour new foundation for approximately 30 feet that has collapsed.
3. Install new floor joists.
4. Install new 2x6 stud framing.
5. Install two new windows.
6. Update electrical.
7. Install one hour fire rated cement siding in between house and ghost city inn.
8. And of course new drywall, paint, flooring, etc.

Thank you,

Scott Hudson



## Site Plan Review Application Checklist

Each application will be filed with the zoning administrator and forwarded to the Jerome Design Review Board once the application has been reviewed by staff and determined to be complete. All application materials must be submitted electronically in PDF format (8.5-by-11 inches or 11-by-17 inches). Contact the zoning administrator at 928-634-7943 if assistance is needed regarding submitting materials.

- ☒ General Land Use Application Form
- ☒ Written narrative of the proposed project (include uses, hours of operation, number of employees, etc.)
- ☒ Plot plan or site layout, including all improvements drawn to scale
- ☒ Location, dimension, and calculation of required parking spaces
- ☒ Dimensions of all setbacks (front, rear, sides) *(existing)*
- ☐ Diagram and calculation of median grade and maximum building height
- ☐ Topographic survey (note: may be waived for some projects)
- ☐ Existing and proposed grades
- ☐ Location and dimensions of property lines, street right-of-way boundaries, and easements
- ☐ Location and dimensions of all existing buildings, structures, and nearby features
- ☐ Square footage and coverage of existing and proposed buildings
- ☒ Elevations and dimensions of all sides of proposed building walls
- ☐ Location and dimensions of existing and proposed pedestrian walkways and stairways
- ☒ Photographs showing all sides of existing structures
- ☐ Location of trees and other natural features
- ☐ Utility locations and connections
- ☐ Method of disposal for storm drainage (including energy dissipaters and retention/detention)
- ☐ Fire sprinkler and fire safety components
- ☐ Landscape plan
- ☐ Lighting plan and lighting fixtures
- ☐ Signage (if applicable)
- ☒ Photographs showing adjoining properties, buildings, and structures
- ☒ Explanation and location of any building or structure to be demolished or removed
- ☐ Depth and volume of any cut and fill or other proposed excavation
- ☐ Additional information requested by zoning administrator
- ☒ *Details of windows, siding and footings*
- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_

*Lillian*