



TOWN OF JEROME

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MINUTES

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF JEROME

JEROME CIVIC CENTER
600 CLARK STREET, JEROME, ARIZONA

TUESDAY, APRIL 16, 2024, AT 6:00 PM

Due to the length of this meeting, Council may recess and reconvene at the time and date announced.

6:00PM (0:25) 1. CALL TO ORDER/ROLL CALL

*The date for roll call was incorreced read as March 19th. the actual date of the meeting was April 16th.
Present were Chair Lance Schall, Vice Chair Issam "Izzy" Sharif, and commission member Rebecca "Becca" Miller.*

Staff present included Zoning Administrator Will Blodgett and Accounting Clerk/Administrative Specialist Michele Sharif.

2. APPROVAL OF MINUTES

The Board will Approve/Deny the Draft minutes from the regular Planning & Zoning meeting of 03-19-2024.

Mr. Schall shares with 3 people present that the approval of minutes would need to be unanimous. He asks if there are any petitions from the public?

Mr. Blodgett shares there are none.

Mr. Schall asks if anyone has any complaints, corrections, or comments about the minutes.

Mr. Sharif and Ms. Miller both answer no.

Mr. Schall says he has one correction on the first page in the approval of the last meeting minutes under A. It says Ms. Riley motions to approve the meeting minutes. It should say moved to approve.

Mr. Schall says with there being no other complaints he moves to approve the minutes with that correction.

Mr. Sharif seconds the motion.

Mr. Schall calls the question and the motion to approve with correction is approved.

Motion to approve with correction

| BOARD MEMBER | MOTION | SECOND | AYE | NAY | ABSENT | ABSTAIN |
|--------------|--------|--------|-----|-----|--------|---------|
| MILLER | | | X | | | |
| READY | | | | | | X |
| RILEY | | | | | | X |
| SCHALL | X | | X | | | |
| SHARIF | | X | X | | | |

6:03 (3:25) 3. NEW BUSINESS

The Board will open up the Public Hearing regarding the Draft exterior lighting Ordinance (Ordinance No. 490).

Mr. Schall introduces new business and opens the public hearing at 6:03 p.m.

Mr. Blodgett suggests that Mr. Schall opens it up for public comments and questions.

Mr. Schall opens for public comment at 6:04.

Resident Mark Krmpotich introduces himself and says he may have an older version of the packet.

Mr. Blodgett interjects and shares for clarification that the original ordinance published in the packet released to the public did not have the appendices, that had lighting zone descriptions as well as some graphic illustrations. He says we've added physical copies to the packets here tonight and apologizes for the oversight on his part.

Mr. Krmpotich says that was one of his questions; the ordinance kept referencing an Appendix A, but he did not see it any documentation containing an appendix A.

Mr. Schall says he noticed it missing and thought that it was something that was going to be provided later.

Mr. Sharif asks if Mr. Krmpotich needs or wants a copy to see.

Mr. Krmpotich says he picked up a copy on the desk in the hall but hasn't had a chance to read through it completely. He continues, his first question is regarding the street lighting, noticing under 4E – Exemptions, it says the code does not

apply so he is wondering what the plan is to make that lighting uniform, noting 3 of the brightest streetlights that can be seen throughout town.

Mr. Blodgett answers any of the lighting systems that are on Town owned property would have to come into conformity with the ordinance but like with any new ordinance there is usually a timeframe to allow for that, adding there will continue to be nonconforming situations that exist.

Mr. Krmpotich asks if there is any mention of overlapping of light in the ordinance or pointing down, as part of the requirements for dark sky.

Ms. Miller says the ordinance does talk about trying to keep light within property lines.

Mr. Krmpotich asks if that includes Town properties as well.

Mr. Blodgett answers that does include Town owned properties.

Mr. Krmpotich says he is directly referring to the light outside the school, on the west of the building. He says it outshines several other lights already, it's bright and shines right into his house. He says while he doesn't have a major problem with it due to the added security it provides, there are other nearby residents that have complained about it, adding it doesn't down-light, it up-lights and spreads out.

Mr. Blodgett says it is something that needs to be resolved. There have been a number of complaints, and we are sorting out how to adapt and change the lighting and is still an issue of discussion.

Mr. Krmpotich shares that he recalls the meeting with APS talking about the shielding and fixtures not being available.

Mr. Blodgett shares that it is his understanding that part of the issue is that there is no dark sky ordinance in place so there isn't much of an obligation for them to changes those out and come into compliance, but this will help to change that.

Mr. Sharif adds follow up clarification pointing out the charts in appendix B. He shares that we should be able to go back and request a lower kelvin or color temperature light in addition to a lower watt bulb to help minimize the brightness until a new shroud or other solution can be found and implemented.

Mr. Krmpotich adds if you go out to where the old dump used to be and look back at town you can see two things, some of the bright street lights and the Grand Hotel.

Mr. Blodgett clarifies that we are going to continue to run into nonconforming situations, adding this will be a gradual change as fixtures are updated or replaced. He shares there are other concerns and how to mitigate them and there are some situations where roof lines are lower than the slope above them so light trespass may still be an issue.

Ms. Miller, referencing section E. General Requirements, reads "particular care is to be taken to ensure direct illumination does not fall onto or across any public or private street or road." She notes that the phrase "particular care" is problematic, because there is a lot of flexibility in interpretation and it can mean a lot of different things to different people, so maybe we can think about that phrase. She then shares she has a handful of questions and asks if they should go through them or go through the document in order.

Mr. Shall and Mr. Sharif agree to go through her questions.

Ms. Miller asks if there are any studies that show that conforming to Dark Sky is just as safe as having a super bright light outside of your garage.

Ms. Sharif shares that there are studies from other Dark Sky communities that can be obtained.

Ms. Miller says that it would be great to have them on hand, noting with an ordinance like this having an informational packet would be helpful. She continues, another idea is to include examples of what suitable fixtures look like and encourage more downward lighting. She then notes people want to put up exterior lighting and asks what the cost is of applying to modify their exterior.

Mr. Blodgett shares it's as low as \$50 but it's still \$50.

Ms. Miller asks if we could consider waiving that to obtain quicker compliance.

Ms. Sharif shares there is also language included in the ordinance that gives both the Zoning Administrator and the Building Inspector the ability to administratively approve or send something before the Design Review Board (DRB).

Mr. Schall notes he did also see that written in there, noting if a new fixture is \$100 he wouldn't want to pay another \$50.

Mr. Blodgett shares that he likes that there is the ability to send something before DRB because they act as the historic preservation commission. He continues, if we are working on a building that is on the National Register of Historic Places then in order to keep things good federally then we need that review process.

Mr. Krmpotich asks where you see in this ordinance it requiring or suggesting submission to DRB.

Mr. Blodgett says that is not in this ordinance that is the general provisions in the ordinance for design review regarding exterior modifications.

Mr. Krmpotich asks if that means he needs to modify or update the design guidelines.

Mr. Blodgett says no not necessarily. Any exterior modifications would mean I would need to review it for administrative approval or if it's appropriate send it before the Design Review Board.

Ms. Sharif shares she can get a chart of suggested or approved lighting fixture styles based on Dark Sky standards.

Mr. Blodgett asks instead of putting additional pages with examples in this document, should we put that information into a section of lighting in the Design Review Guide.

Mr. Krmpotich says that would be good.

Mr. Schall agrees.

Ms. Miller shares they do have examples on their website showing options of "good", "better", "best" so people can see the range of compliance and if they are willing to, select the "best" option.

Mr. Blodgett shares we can incorporate a lot of that information into the design guidelines.

Ms. Miller says she thinks that would be great because a lot of the work has been done already.

Ms. Sharif shares with the commission members that the research for this ordinance was done using as examples other communities, like Jerome, that hold a Historic Landmark status as a whole.

Mr. Schall says it's good to have examples of what works and what doesn't. He shares that he'll probably have to shield the lights over his garage doors because he can see them from the high school.

Mr. Blodgett says that can also be due to the elevation change and isn't sure what the proper solution is for the height differential.

Mr. Sharif shares that if you look between wattage and color that will also help.

Mr. Blodgett says he doesn't know enough about that.

Mr. Sharif shares the differences between Kelvin colors and how they can change how far or bright the light is seen. He continues that with the right fixture or sconce, and the proper corresponding bulb you can eliminate some of the excess light.

Mr. Schall shares even industry standards now give the more options, sharing his whole house is LED. You now even have all kinds of bulb sizes.

Mr. Sharif follows, this is helping to guide people to the right path, and if there are complaints then we can analyze the situation based on data collected.

Mr. Schall shares that very often the discussion is centered around APS streetlights, noting about only about half are shielded. He continues if we have a Dark Sky ordinance in the Town that gives us a hand to go back to them (APS) and say, hey the rest of Town is conforming, what about your lights.

Mr. Sharif adds we can use the surrounding communities as examples if we need to as well.

Mr. Schall asks if the wash lights on the front of the Grand shut off on a timer.

Everyone present all state they do not. It was discussed could they put them on a timer or a dimmer.

Mr. Krmpotich shares he read some limitations say to turn off lights at 10, and some of his concern is that we do have some business open past 10.

Ms. Sharif clarifies that there is language that says 10 p.m. or at the close of business, whichever is later.

Mr. Krmpotich says that is for that business, but the streetlights are going to be on. He continues if you look at the Police reports every month, we have 7-10 people who fall, but isn't sure how many of those are at night.

Ms. Miller asks if that is causation or correlation.

Mr. Blodgett says that he will make contact with the police department for additional information regarding those incidents.

Mr. Krmpotich shares that his concern is how do we protect, even those who are a little inebriated, from tripping and falling.

Ms. Miller shares headlamps are pretty inexpensive these days and she carries one when she's walking around at night. She shares that she enjoys how dark the streets are, feels safe here, and feels it is ok to put a little bit of onus on the public to provide illumination for themselves when they are walking in the dark.

Mr. Sharif shares his agreement and gives the idea that in some instances can we look at low end lighting that illuminates a sidewalk.

Mr. Blodgett shares that could be a second part of this as we identify areas that are problematic and the way we approach lighting in those scenarios.

Mr. Schall says he's not sure if there is data available but for a person that is walking at night do they feel safer when walking at night having this island of light with a light that is higher up shining down making both them and the ground more visible. He doesn't want to lose sight of having enough visibility and safety in the quest for Dark Sky.

Mr. Sharif shares that we could look into motion triggered lighting or lighting different colored lighting. He shares he however would not want the colored lighting up here because it is not historic. He continues to share information based on his career field expertise regarding lighting.

Ms. Miller says under section C. (2) new lighting shall meet the requirements of this code. She clarifies that the way she reads that means that everything right now is grandfathered in until it needs to be replaced.

Mr. Blodgett confirms yes.

Ms. Miller asks would it be this documents job to define a time period in which we should all be in compliance or are we talking 20-30 years for this.

Mr. Blodgett says that is one of the problems with nonconforming situations. It can take a while to come into compliance.

Mr. Schall says some compliance can sometime be achieved just by changing a light bulb.

Mr. Sharif says there are also other places that will donate bulbs for energy conservation. Maybe we could figure out how to do that as a whole Town.

Mr. Blodgett shares he did look into that and reach out to some sources for maybe some grant funding or donation of direct goods.

Ms. Miller says with grant money there are a couple of good things that can come from that. She shares you can have a finite pot of money for the use of everyone in town.

Mr. Schall says that is a good idea.

Ms. Miller continues, in section C. (3), she says that this paragraph is wildly confusing to her.

Mr. Blodgett confirms it is establishing a threshold for remodel.

Ms. Miller says she understands what it means but the language is cumbersome and things we could look at rewording

that paragraph to make it more digestible to the average citizen.

Mr. Sharif adds that he doesn't think we should simplify it so much that there are loopholes.

Ms. Miller agrees that it shouldn't be simplified, just written better.

Mr. Blodgett shares that some of this language is clunky because it's legally defining something, however the design review guidelines are for exactly that purpose. We can boil it down and rephrase things to a user friendly version that refers back to the legal definitions.

Ms. Miller continues under C. (4) Exemptions under a. Emergency Lighting. Are we intending to leave this as broad as this sentence is?

Mr. Blodgett says she is correct; how are we defining emergency conditions, are they for first responders, or a private individual who has what they consider their emergency lighting?

Mr. Sharif says that may need to be explained a little further.

Ms. Miller agrees.

Mr. Krmpotich says that is something that could be put in the definitions to explain that.

Ms. Miller says she likes the definition 13. Light Trespass. She says she thinks it's good that we are leaving it "in an objectionable manner". She says once it gets passed, Mr. Blodgett may field lot of calls. She says she like's that it's left into the hands of the neighbors, that's really important but it might result in a lot of calls.

Ms. Miller says she has a question under section E. (9) Prohibited Lighting Types and Fixtures, under d. She says when she read that, the first thing that came to mind was the roller skating group that set up something that could fall under that definition, but she wouldn't call it obtrusive or too bright. She then references holiday or Christmas lights or the lights that move on the sides of the buildings.

Mr. Sharif points out that there under C. Applicability, (4) Exemption, d. Special Events is where that would fall under.

Ms. Miller says she has one more question. Under E (10) b., she's says she's curious where the number 3,850 initial lumens per net acre came from.

Ms. Sharif confirms that came directly from Dark Sk.

Ms. Miller says it's so specific but it's an expert number.

Ms. Sharif shares it speaks specifically to original light output when a fixture/light are brand new because they naturally change lighting output over time and use.

Ms. Miller says going back to business that might be keeping lights on overnight, under 11, (b) 1. She notes if you're a hotel you might be open 24 hours a day, she reads "Lodging businesses are encouraged to reduce lighting during off-peak hours overnight." she says she is not sure how much compliance will be seen using language that says encourages.

Ms. Miller says under H, she asks if we have an outdoor display lot, she was trying to figure out what that might be.

Mr. Krmpotich and Mr. Sharif both share the park, like for example Christmas when they light it all up.

Ms. Miller asks if anyone has been to an astronomy program before, like at a national park. She says food for thought, the curbs for those facilities are painted in glow in the dark paint.

Mr. Sharif says that would go back to Lance pointing out safety and security.

Mr. Schall notes that he notices some of the steps have been lit he assumed by the residents that live there by garden lights. He wonders if there is something better quality that we could use.

Mr. Sharif adds now that he's thinking about it how would the glow in the dark paint affect the Town from a historic standpoint.

Mr. Blodgett says he's already thinking about that. He says if we could find something translucent during the day then that is low impact.

Ms. Miller says she believes they have some that is cement colored.

Mr. Sharif says it is, sharing he's been looking into something similar for his own home.

Mr. Schall says that could be fun, you can't see it during the day, but it would glow at night.

Mr. Blodgett says we are trying to keep the historic town intact, but it has to be a functional living community, and we can work with it if it's a little bit off grey or cement colored. Especially if we're getting added security and resolving lighting issues without spending millions on new lighting infrastructure.

Ms. Miller asks if definition number 22 was intended to match verbatim C. (1), because she notes two more things noted in the definition that are not included in the applicability.

Mr. Schall says there are more items, he didn't notice that.

Ms. Miller says it does have the catchall "shall include but are not limited to".

Ms. Sharif says it wasn't intended to be the same, but we could add it.

Mr. Schall says this will get revised at least once.

Mr. Blodgett says he appreciates all of the questions, comments and feedback, it has been very productive.

Mr. Schall asks what are the next steps on this, are we going to revise it and look at it again?

Mr. Blodgett shares that it is likely it will come back for a second hearing at some point. They will probably vote to recommend approval to the Council.

Mr. Schall asks if it's going to be spruced up before that.

Mr. Blodgett says yes.

Mr. Schall notes this is a lot of work here and it's 99% good.

Mr. Blodgett says he'll double check the next steps of the process, so this is a new learning experience for him. He says before we proceed off topic he suggests closing the public hearing officially.

Mr. Schall closes the public hearing at 6:54 p.m.

Mr. Schall says he's glad that this is finally moving along, adding he knows Flagstaff has been a Dark Sky community for a long time.

Mr. Sharif says he believes they were the first ones.

Mr. Schall shares a field trip he took to the Discovery Telescope. He shares the dome is not a rounded dome it's a flat galvanized and that's why when it's facing the right direction you see the glint. He then gives a brief story about the trip.

Mr. Sharif says he thinks this will make some very happy.

Ms. Miller expresses her agreement.

Mr. Schall shares that speaking from a historical standpoint if you think about it back in 1910 the town was not likely very bright.

There was discussion regarding the different types of light throughout the history of the town.

Mr. Schall says we've covered everything here and moves to the next item.

6:59 (59:35) 4. NEXT MEETING ITEMS

Mr. Blodgett shares that there will be at least one project for review at the next meeting. He shares he's not sure if there is a timeframe for a second public hearing.

Mr. Schall asks if this ordinance will be revised to be reviewed again at the next meeting or the one after.

Mr. Blodgett shares he will confirm any necessary timeline requirements for posting and notification.

Mr. Schall says whatever it takes he doesn't want it to appear that they are trying to just push this through, so if we can't do it in 30 days, then we'll do it in 60.

Mr. Blodgett continues to share that he is trying to get training sessions squared away and form an advisory committee for revising the zoning ordinance. He says he would like to have people who have worked on previous versions of the ordinance and can help craft changes in policy.

7:01 (1:01:09) 5. ADJOURNMENT

Mr. Schall moves to adjourn the meeting.

Mr. Sharif seconds the motion.

Mr. Schall calls the question, and the meeting is adjourned at 7:02

Motion to adjourn at 7:02p.m.

| BOARD MEMBER | MOTION | SECOND | AYE | NAY | ABSENT | ABSTAIN |
|--------------|--------|--------|-----|-----|--------|---------|
| MILLER | | | X | | | |
| READY | | | | | X | |
| RILEY | | | | | X | |
| SCHALL | X | | X | | | |
| SHARIF | | X | X | | | |

Approved: _____ Date: _____

Lance Schall, Planning & Zoning Commission Chair

Attest: _____ Date: _____

Kristen Muenz, Deputy Town Clerk