



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(928) 634-7943 FAX (928) 634-0715

Founded 1876  
Incorporated 1899

## REGULAR MEETING OF THE TOWN OF JEROME

### PLANNING AND ZONING COMMISSION

DATE: Wednesday, April 3, 2019 TIME: 7:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

### AGENDA

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

#### ITEM 1: CALL TO ORDER/ROLL CALL

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

#### Possible Direction to Staff

#### ITEM 3: APPROVAL OF EXECUTIVE SESSION MINUTES MARCH 6, 2019:

Note: Because this executive session was conducted without the Town Attorney present, these minutes are a public record, available for public review and will be filed accordingly.

#### Discussion/Possible Action/ Possible Direction to Staff

**ITEM 4: APPROVAL OF MINUTES:** Minutes of Special Meetings of February 25, 2019 and December 5, 2018, the Special Joint Meeting of Town Council/DRB/BOA and P&Z of January 16, 2019 and the Regular Meeting minutes of March 6, 2019

#### Discussion/Possible Action/ Possible Direction to Staff

#### ITEM 5: CONDITIONAL USE PERMIT REVIEW, 128 FIRST ST., RESIDENTIAL USE IN C-1 ZONE.

APPLICANT: Lee Christensen

ADDRESS: 128 First St., (128 School St.)

ZONE: C-1

OWNER OF RECORD: Don & Paula Nord

APN: 401-10-006

Review of Conditional Use Permit for Residential Use in C-1 Zone. Site is historical home that has been vacant for some time.

#### Discussion/Possible Action/Possible Direction to Staff

#### ITEM 6: DRAFT TEXT AMENDMENT, REFERENCE TO SOLAR GUIDELINES – ORDINANCE VERSION FOR PRESENTATION TO COUNCIL

Review of Ordinance drafted for Solar Reference, with copies of public hearing draft as approved February 6, 2019.

#### Discussion/Possible Action/Possible Direction to Staff



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## **ITEM 7: DRAFT TEXT AMENDMENT, ARTICLE III PROCEDURES, ADDITION OF REFERENCE TO A.R.S. 9-462.04 PUBLIC HEARING NOTICES.**

Review of Ordinance drafted to be presented to Council for consideration.

**Discussion/Possible Action/Possible Direction to Staff**

## **ITEM 8: DRAFT TEXT AMENDMENT, R-2 & ZONING ORDINANCE**

Commission to review proposed text amendment to Article II Definitions and Article V Use Regulations, about R-2 and other zones and possible creation of additional zone.

**Discussion/Possible Action/Possible Direction to Staff**

## **ITEM 9: REVIEW - SECTION 301(D)(3), REQUIRING ¾ VOTE TO OVERRIDE P&Z DECISIONS.**

Commission to review request from Council to draft change to 'majority vote' for override of P&Z decisions.

**Discussion/Possible Action/Possible Direction to Staff**

## **ITEM 10: REVIEW - SECTION 106(B), CONSIDER ELIMINATING P&Z LIAISON TO DESIGN REVIEW BOARD.**

Commission to review request from Council to draft change to eliminate Planning & Zoning liaison to Design Review Board.

**Discussion/Possible Action/Possible Direction to Staff**

## **ITEM 11: ZONING ADMINISTRATOR UPDATE ON CONDITIONAL USE PERMITS FOR RESIDENTIAL USE IN COMMERCIAL ZONES.**

**Discussion/Possible Action/Possible Direction to Staff**

## **ITEM 12: ZONING ADMINISTRATOR UPDATE ON DRAFT TEXT AMENDMENT FOR CERTIFICATE OF NO EFFECT.**

**Discussion/Possible Action/Possible Direction to Staff**

## **ITEM 13: FUTURE AGENDA ITEMS**

**Discussion/Possible Direction to Staff**

## **ITEM 14: ADJOURN**

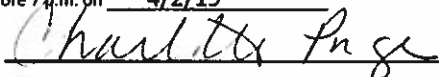
**Discussion/Possible Action**

The undersigned hereby certifies that this notice and agenda was posted at the following locations on or before 7 p.m. on 4/2/19

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

  
Charlotte Page, Zoning Administrator, Attest

*Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting the Deputy Town Clerk Joni Savage at (928) 634-7943. Requests should be made as early as possible to allow sufficient time to make arrangements. Anyone needing clarification on a P&Z Commission agenda item may call Jerome Town Hall at (928) 634-7943 and ask to speak with Charlotte Page, Zoning Administrator.*



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### CLOSED SESSION MINUTES

Note: Because this session was conducted without the Town Attorney present, these minutes are a public record, available for public review and will be filed accordingly

<b>Date:</b>	March 6, 2019
<b>Time:</b>	7:38 PM
<b>Location:</b>	Council Chambers, Jerome Town Hall
<b>Members present:</b>	Planning & Zoning Chair Lance Schall, Vice Chair Joe Testone, Commissioners Margie Hardie, Henry Vincent and Scott Hudson
<b>Members absent:</b>	
<b>Others present:</b>	Zoning Administrator Charlotte Page
<b>Statutory authority:</b>	A.R.S. § 38-431.03 (A)(3) and (A)(4)
<b>Purpose:</b>	Review minutes from Feb 25 <sup>th</sup> , 2019 Executive Session
<p>Two executive session minutes were reviewed. Commissioner Hardie asked for Planning &amp; Zoning to be indicated on the both 'Member present lists' and add 'Commissioners' instead of Board Members.</p> <p>In the minutes of the first session (2<sup>nd</sup> story addition on garage) no changes were made to the minutes.</p> <p>In the minutes of the second session (Rezoning) the following change was made to the minutes in the fifth full paragraph on page 2. "In addition to the delay of the process the continued interest of others including property owned by the Mine was discussed."</p> <p>The session ended around 8:00 PM.</p>	

Attest:

Approved:

Charlotte Page  
Town Zoning Administrator

Lance Schall, Chair  
Planning & Zoning Commission



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

DATE: Wednesday, March 6, 2019 TIME: 7:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

## MINUTES

Before calling the meeting to order, the Deputy Clerk administered the oath of office to Lance Schall.

### ITEM 1: CALL TO ORDER/ROLL CALL

Chair Margie Hardie called the meeting to order at 7:03 p.m.

Roll call was taken by Charlotte Page. Commission members present were Chair Margie Hardie, Vice Chair Lance Schall, Joe Testone, Scott Hudson and Henry Vincent.

Staff present were Charlotte Page, Zoning Administrator and Joni Savage, Deputy Clerk.

7:03 (1:05) ITEM 2: PETITIONS FROM THE PUBLIC – There were no petitions from the public.

7:03 (1:18) ITEM 3: APPROVAL OF MINUTES: Minutes of two Executive Sessions, February 25, 2019  
if necessary, Commission may enter into executive session, pursuant to A.R.S. §38-431.01(A)(2), for the discussion or consideration of records exempt by law from public inspection.

Chair Hardie would like to move these prior to Item #9 or go into E session now, because she has found several errors.

Vice Chair Schall asked if they could have an executive session if it is not on the agenda.

It was explained that it was on the agenda.

### Motion to Move Item #3 Prior to Item #9

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

### 8:11 (1:00) Approval of Executive Session Minutes of February 25, 2019 With Amendments

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

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

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## 7:06 (3:56) ITEM 4: APPROVAL OF MINUTES: Minutes of Regular Meeting February 6, 2019

### Approval of Minutes of February 6, 2019

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

## 7:07 (4:58) ITEM 5: ELECTION OF OFFICERS

Commission to elect Chair and Vice Chair for 2019-2020 term.

*Chair Hardie said she has been on the Planning and Zoning for 10 years. Before we go ahead with the election, she wants to say something very important to her. To be careful and to remember our primary purpose is to uphold the zoning ordinance and to give fair and impartial hearing to everyone who comes before the board. She listed the things she has done as the Chair. She asked who would like to be chair.*

*Vice Chair Schall said he would do it.*

### Motion for Lance Schall to be the Chair

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

*Chair Schall asked who would like to be the Vice Chair.*

*Commissioner Testone said he would do it.*

### Motion to appoint Joe Testone as Vice Chair

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

## 7:11 (8:58) ITEM 6: APPOINTMENT OF DRB REPRESENTATIVE

Commission to appoint representative to Design Review Board for 2019-2020 term.

*Commissioner Vincent volunteered for the position again.*

### Appointment of Henry Vincent to be the DRB Representative

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

## 7:12 (9:40) ITEM 7: FINAL SITE PLAN REVIEW, 222 FIRST AVE., ACCESSORY STRUCTURE, 16 X 16' PLATFORM

APPLICANT: Andrea Allen

ADDRESS: PO Box 1151

ZONE: C-1

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OWNER OF RECORD: Andrea Allen

APN: 401-06-072A

Applicant requests final site plan review for a 16' x 16' platform, constructed prior to review, at the lower level of this property, on the northwest side of the building facing Diaz St.

*Ms. Page stated this item was before this commission last month. The building is historic, she was asked to find a Conditional Use Permit, however she couldn't provide a CUP.*

*Commissioner Hardie suggested that Ms. Allen get a CUP or provide proof that the building has been in continuous use as an apartment prior to 1977 (legal nonconforming.) Once that is in place then she could get an approval for the structure.*

*Chair Schall questioned this when the agenda item is for an accessory structure.*

*Commissioner Hardie said according to the ordinance you can't have an exacerbation of a nonconforming situation. If it is an apartment, then it requires a conditional use in the commercial zone.*

*Ms. Page said there are a number of permits that show that it is an apartment building, since 1991 the Town is aware that there are three units there.*

*Commissioner Hardie said she doesn't see that there would be a problem.*

*Chair Schall said he is inclined to approve the deck tonight, move it off the agenda and bring it back later for the CUP.*

*Commissioner Hardie said, "That would be violating the ordinance then."*

*Ms. Page doesn't believe this is an isolated incident.*

*Chair Schall asked if this building wasn't an apartment what would it be? Was it ever used as retail?*

*Commissioner Hardie said there is nothing in writing to prove the continual use.*

*Vice Chair Testone asked can you rely upon historical documentation, because it was documented as a bordello.*

*7:19 (16:29) Ms. Allen responded that it was originally a bordello. It was salvaged and remodeled in 1983 and has been a three-apartment building since 1983.*

*Commissioner Vincent asked if a Certificate of Occupancy was ever given.*

*Ms. Page said she could not find anything in the file. There is a record of knowledge that it has been an apartment building.*

*Commissioner Hardie wishes to follow the ordinance and get the CUP.*

*Chair Schall asked, "What the use of the building would be if it wasn't an apartment? If the point is, we don't want to exacerbate the nonconforming condition, what nonconforming condition are we exacerbating?"*

*Commissioner Hardie said the building is not permitted in the C1 zone; you have to have a CUP.*

*Vice Chair Testone read from the zoning ordinance, (page 67, Permitted Uses) 19. Any other such uses as determined by the Planning and Zoning Commission and approved by the Town Council to be similar to those uses listed above and not detrimental to the public health, safety and general welfare in accordance with the provisions of this Ordinance.*

*Commissioner Hardie pointed out to Vice Chair Testone that "apartments" was listed under Conditional Uses. She does not believe they should circumvent the ordinance. Ms. Allen can get a CUP and an approval for her platform. The building gets to be on the up and up and we move on from there.*

*Chair Schall stated your position is a procedural matter, wants to move on with the deck approval.*

*Commissioner Hardie objects to the deck approval prior to getting a CUP.*

*Vice Chair Testone asked if she (Ms. Allen) had satisfied what she would need for a CUP with her site plan.*

*Ms. Page said she would need an application, a fee, it takes at least two months to go through the process. There is a chain of documentation that shows this building has been used for an apartment.*



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Commissioner Hardie doesn't think the lady is suffering because the platform was illegally built months ago. Commissioner Vincent recapped, she contacted the prior Zoning Administrator and was told she didn't need to come before the board. He would move that this board approve the platform.

Commissioner Hardie said, "I'm going to repeal this."

Chair Schall stated, "I'd further like to point out that I object to the implication that I am trying to circumvent the ordinance of Jerome." He directed staff to assist the applicant with the Conditional Use Permit.

## Motion to Approve the Platform

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

## **7:28 (26:20) ITEM 8: PRELIMINARY SITE PLAN REVIEW, 221 DUNDEE AVE., SINGLE FAMILY RESIDENCE**

APPLICANT: Lee Christensen for Scott & Wendy Prior

ADDRESS: 3694 Via Bernado, Oceanside CA 92056

ZONE: R1-5OWNER OF

RECORD: Scott & Wendy Prior

APN: 401-11-019S

Applicant requests preliminary site plan review for a new home proposed at a 221 Dundee Ave.

Ms. Page introduced the project and talked about the preliminary site plan.

Commissioner Hardie said one plan doesn't give any numbers so she didn't know what it was for. She wished it had more comprehensive drawings. She can't tell how tall it is.

Ms. Page explained it is 25' from the midpoint.

7:32 (29:43) Mr. Christensen directed them to look at the floorplan and pointed out the midpoint.

Commissioner Hardie asked him where the 33 feet is.

7:34 (31:25) Mr. Christensen pointed it out to her and the other members of the commission.

Chair Schall summarized, we have set backs, heights and lot size.

Commissioner Hardie asked if the parking requirement is sufficient.

7:37 (34:27) Mr. Christensen said two in the garage and two on the driveway.

Chair Schall asked if there were any other questions.

Commissioner Hardie said she would prefer to see better drawings of the house.

## Preliminary Site Plan Approval for the New Home at 221 Dundee Avenue

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

## Motion to Go into E Session at 7:38 p.m.

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

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*Chair Schall stated, "Let the record show that the Executive Session is over, and we resumed the meeting at 8:10 p.m."*

## **8:12 (1:40) ITEM 9: PRELIMINARY SITE PLAN REVIEW, 701 HULL RD., 2<sup>ND</sup> STORY ADDITION ON GARAGE**

**APPLICANT:** Don & Kathi Feher

**ADDRESS:** PO Box 244

**OWNER OF RECORD:** Don & Kathi Feher

**ZONE:** R1-5

**APN:** 401-08-011A & 011B

**Applicant requests preliminary site plan review for a second story addition over existing garage.**

*Chair Schall asked if this would have electric or plumbing.*

*Ms. Page responded there were no plans for that at this time.*

*Commissioner Hardie said this project is beginning to be typical of Jerome. It seems our ability to keep track of approvals, etcetera, using what we have available is the best we can do, whatever documents are available in the files. This garage was built in 1990 and she had documents to prove that. The prior zoning administrator had said it was built in 1917, however it had been demolished and rebuilt in 1990. It cannot be considered a legal non-conforming structure. We have no approvals from either Planning and Zoning or Design Review. On May 1, 1990 Nancy Smith, a Jerome resident, alerted the Planning and Zoning that it had been destroyed.*

*Thorn and Dibble apologized to Design Review for destroying the garage. Sue Goodman, the owner at the time then applied for a permit in May of 1990. The Design Review Board gave no permission for demolition or rebuild. She presented further documentation to substantiate her claims. She read a letter signed by Harry Stewart and Rusty Blair who had worked on the project at 701 Hull Road. (See attachment) She will vote no to the exacerbation of a nonconforming situation because we have a new structure with no permissions. It is an illegal building. This has nothing to do with the new owners, but lack of permissions from the Town in 1990.*

*Pictures submitted by Ms. Page pointing to walls and floors (actually submitted by the owner) indicating from 1917. Her point is to present this information in hopes that it will be considered as well as the issue of the fire hazard. She spoke about the packet from the Fire Official. And she read the Fire Chiefs recommendations dated March 4, 2019 (See attachment) She also read the memo from Barry Wolstencroft. (See attachment)*

*Chair Schall asked if there was any other conversation. He would be inclined to vote for this, despite Commissioner Hardies excellent laying out the history of where the Town screwed up. He concurred, it looks like that is what happened, but what he goes back to is, he likes to go in favor of the applicant. While Commissioner Hardies discussion is clear, they built a structure with a building permit. There was no red tagging, so he's not sure if the Town has a good leg to stand on to say it is illegal. In the end there was a building permit and a building is built. We agree that it exists, he will not call it an illegal building. As far as the fire danger, it is legal to be there and does this additional footage make it significantly more of a problem. Does it increase the noncompliance? The input from the Fire Chief is clear, but if it burns it would already fall in the road.*

*8:36 (0:25:28) Kathi Feher, owner, approached the dais and spoke. She has listened and read the materials carefully. There are three different concerns being setback, height and expansion or safety. She gave supporting information for those three concerns. She finished by saying that she respects the Fire Chief and is concerned that they meet all standards for fire safety.*

*8:52 (0:41:39) Suzy Mound, a resident, spoke. While understanding the need for wanting to create the storage space, the way she sees it is a nonconforming building. She feels it would be a sad day when our boards don't listen to the recommendations of the person that we entrust, the Fire Chief that looks out for our safety. She believes all or our boards should listen to the Fire Chief.*

*Commissioner Hardie said she really appreciates what Ms. Mound said. She feels that the Fire Chief knows more about safety than anyone in the room.*



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Chair Schall has two considerations, would our opinion be changed if we made a stipulation that it be constructed of a fire proof material and require that it has a fire sprinkler in it.

Commissioner Hardie thought those were interesting compromises. She believes it could be proposed to the Fire Chief, it isn't something she would know.

Vice Chair Testone asked if Ms. Page could coordinate that with the Fire Chief and if that would make a difference.

Commissioner Hardie interjected and said it is up to the applicants first and foremost.

Chair Schall said if they have a proposal, we could turn down or we could ask for them to modify it with Chief Blair.

Ms. Page added, "The note from the building inspector said it has to qualify for one-hour construction. A note from the 1990 construction says it is cement board."

9:01 (0:51:20) Mr. Donald Feher, another owner, said the siding is redwood. He went on to say they would be more than happy to explore some ideas that Chief Blair might have. It is about safety for him and maybe they could incorporate it into the construction.

9:02 (0:52:10) Ms. Mound suggested the existing garage might be on Town property. She believes a survey should be done.

9:03 (0:52:51) Mr. Feher said they talked to a surveyor, it is a minimum of \$5,000 and no guarantees. He would like to talk with Chief Blair about a compromise.

Commissioner Hardie stated this is an illegal building and therefore she would not consider adding to it. There is a field appraiser, they do assessments for our properties, maybe they would have information in regard to the survey.

9:05 (0:54:30) Ms. Feher said they worked with the County Assessors office, they do not do surveys.

9:06 (0:54:48) Mr. Feher added they had assessed the square footage of the home incorrectly.

Chair Schall moved to table for further instruction with the Fire Chief and perhaps to derive a solution with the Fire Chief.

## Motion to Table Addition on Garage at 702 Hull Road

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

Commissioner Hardie voted nay because of the status of the building.

## **9:07 (0:56:52) ITEM 10: DRAFT TEXT AMENDMENT, R-2 & ZONING ORDINANCE**

Commission to review proposed text amendment to Article II Definitions and Article V Use Regulations, about R-2 Zone and possible creation of additional zones.

Ms. Page began to explain the text amendment.

Commissioner Hudson asked if he could make a motion to table because of timing.

Ms. Page wanted to say she thought this amendment was better.

## Motion to Table Item 10

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie				X		
Hudson		X	X			

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Testone	X	X
Schall		X
Vincent		X

## 9:09 (0:58:35) ITEM 11: FUTURE AGENDA ITEMS

*Commissioner Hardie would like to ask for a report on any and all conditional use permits that require the Zoning Administrator's inspection. For example, the winery, the outdoor patio and see what's going on and how things are going.*

## ITEM 12: ADJOURN

### Adjourned at 9:10

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

*Approval on next page.*

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

DATE: Wednesday, March 6, 2019 TIME: 7:00 pm

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

*Respectfully submitted by Joni Savage on April 3, 2019*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Planning & Zoning Commission Chair

Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
Planning & Zoning Commission Vice Chair

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## SPECIAL MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: MONDAY, February 25, 2019 TIME: 5:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

## MINUTES

### ITEM 1: CALL TO ORDER/ROLL CALL

Chair Margie Hardie called the meeting to order at 5:03 p.m.

Roll call was taken by Charlotte Page. Commission members present were Chair Margie Hardie, Vice Chair Lance Schall, Joe Testone and Henry Vincent. Scott Hudson arrived late.

Staff present were Charlotte Page, Zoning Administrator and Joni Savage, Deputy Clerk.

**5:04 (00:40) ITEM 2: PETITIONS FROM THE PUBLIC** –There were no petitions from the public.

### 5:05 (00:54) ITEM 3: EXECUTIVE SESSION:

Commission may convene in executive session, pursuant to A.R.S. 38-431.03(A)(3) and (A)(4), to review questions with the Town Attorney in regard to the Zoning Ordinance USE REGULATIONS SECTION 301 NONCONFORMING SITUATIONS, relative to a project that was completed in 1990. The Town Attorney may participate telephonically, regarding same.

#### Motion to Enter into Executive Session for Items 3 and 4

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

### ITEM 4: EXECUTIVE SESSION:

Commission may convene in executive session, pursuant to A.R.S. 38-431.03(A)(3) and (A)(4), to review questions with the Town Attorney regarding the intent of the "Initial R-2 Residential Zone" in the AGREEMENT TO LIMIT USE AND WAIVE CLAIMS. The Town Attorney may participate telephonically, regarding same.

### 6:38 (00:15) (Part 2) ITEM 5: R-2 REZONING: ADDITIONAL REQUEST FOR INCLUSION IN PROPOSED ZONE CHANGE FROM ADJACENT PROPERTY OWNERS.

The Commission shall review and discuss additional requests for inclusion in Proposed Zone Change, for possible recommendation to Council.

Vice Chair Schall suggested with the recent information he believes they should abandon it for now, the extension of the R-2 Zoning and restrain themselves to the original ten parcels.

#### Motion to Abandon the Extension of the R-2 Zoning for Now

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

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## **6:40 (02:06) ITEM 6: R-2 REZONING: DRAFT AGREEMENT, LIMIT USE & WAIVE CLAIMS, PROPOSED ZONE CHANGE.**

The Commission shall review and discuss the agreement drafted for the proposed zone change from R1-5 to R-2.

*Ms. Page explained this agreement will help the Town by asking those involved to sign a waiver limiting the use to a duplex or triplex.*

*Chair Hardie said this was their opportunity to make changes prior to being forwarded on to Council.*

*There was some confusion as to which document was to be used.*

*Eventually, it was determined that the form to be used would add "Zone" after R1-5 in the ninth line down on the first page.*

*Chair Hardie said she has decided to go with the limitation of duplex. After her review, a certain number of the people don't want to do anything at all. It would be more appropriate in view of the objective to see how things go in the waiver.*

### **Motion to Approve the Language of This Agreement in its Proposed Form**

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

## **6:47 (08:40) ITEM 7: R-2 ZONE REVIEW ZONING ORDINANCE CHANGE, ARTICLE V, R-2 ZONE AND POSSIBLE CREATION OF ADDITIONAL ZONES**

Commission may discuss how to modify the Zoning Ordinance to represent future residential zones that may change existing and/or introduce new residential zones. Draft text amendments are in the packet.

*Chair Hardie asked for a better explanation of this change.*

*Ms. Page said we want to change the definitions of article 2 definitions so that multi-family allows two, three or more families, instead of saying multi-family means fourplexes only. That is one change.*

*Chair Hardie reviewed the definition. She asked how are we moving ahead with that.*

*Vice Chair Schall said we don't have to settle this tonight. He tried to explain to Chair Hardie where we would want to move some of the Conditional Uses.*

*Ms. Page pointed out another area of concern, under conditional uses in both the commercial and industrial zones. (Section 507 page 67-68 of the Zoning Ordinance) She read: "1. Any "Permitted" or "Conditional" Uses in the "R1-10", "R1-5" or "R-2" Zones." If we eliminate uses it changes what those opportunities were. That is why she is suggesting we have more than one. It is a possibility and we open ourselves to a liability. Mr. Sims hasn't made any suggestions on this, after we have it more developed, we will use the attorney to recommend how it should be made into an ordinance. Chair Hardie tried to explain the differences she wanted to see in the old versus new zones.*

*Vice Chair Schall summarized what Chair Hardie had said, "The new R-2 will be exactly the old R-2 plus this 207 waiver."*

*Chair Hardie agreed that was the goal.*

*Chair Hardie is concerned about moving the parcels from the old R-2 to the new R-2.*

*Vice Chair Schall explained it doesn't matter.*

*Chair Hardie and Vice Chair Schall discussed this further in detail.*

*Chair Hardie referred to Article V. This is only a piece of it. Will this be the final R-2?*

*Ms. Page said this will be our opportunity to discuss it and decide what type of language we want in here.*

*Chair Hardie feels the R2 developed down the road, could be a duplicate of the R1-5 with the additional multi-family use.*

*Ms. Page asked her to define it.*

*Chair Hardie said she couldn't right now, it's very preliminary right now, we don't need to decide on that right now.*

# TOWN OF JEROME

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Ms. Page said, "Because we had an existing R-2 are we going to amend that text? We will eliminate this and do a new one exactly the same as R-1?"

Chair Hardie explained, "The R-2 would be identical to the R-15 except the addition of multi-family, which has not been voted on yet, but it is presumed it will be duplex, there may be triplex. That is the only difference between the R-2 and R-15."

Commissioner Hudson asked are you bringing this up because of a hospital, and you want to move it to another zone? Ms. Page responded yes.

Chair Hardie said that would be another issue.

Vice Chair Schall explained, "I think the conditional uses that are now on R1-5 would become the same conditional uses on the R-2. And if there are additional conditional uses those would be limited."

Chair Hardie said, "Again it will be identical, there won't be any hospitals, etc., they will go into a different zone. She suggested Ms. Page draft an R-2 with exactly everything as R1-5 except under permitted uses, say number two would be multi-family, either duplex or triplex draft. But otherwise it is exactly the same."

Chair Hardie said that is a direction to staff. The next thing is the Article V Use Regulations for an entirely new zone.

Ms. Page said the only thing it does is add in fourplexes. She changed minimum square footage per dwelling. (This was under the second D. Property Development Standards, Item 3, page 4.)

Chair Hardie asked why she did that.

Ms. Page explained, "It is what has been in the property development standards. All I said was per dwelling, instead of of dwelling." (Of should have been removed.)

Chair Hardie and Ms. Page discussed the possibilities of different sizes.

Chair Hardie suggested she look into that further. The Commission suggested 400 square feet would be a livable space.

Ms. Page directed them to information in the packet titled Cottonwood, page 124.

The Commission reviewed and discussed the information.

Chair Hardie directed Ms. Page to find this information in another local ordinance for comparison. You can't get a variance really, it would be good to have options.

Ms. Page said Clarkdale doesn't do that. Yavapai does a density calculation, but she's not sure how it even works.

Chair Hardie asked her to insert those numbers into the Property Development, instead of the 850. Duplicate what (Cottonwood) has written; 300, 500. (Page 124 of document titled Cottonwood, Type of Dwelling Unit and Minimum Floor Area.)

Ms. Page included Section 508 but didn't make any changes. On page 5 there is information they might consider for what she is envisioning for Jerome's future. Currently there are places in Jerome that have a mix of residential and retail use. She showed some examples that were currently in Jerome. She mentioned Hill Street, Rich Street, Queen Street and Main Street. All of these areas have residential mixed in with commercial zones.

Chair Hardie stated, "Yes, there are apartments in the commercial zone. The Town currently supports mixed use." A concern she's heard is we take those odd conditional uses that are in the current R-2, hospital and all that, and move them into another zone.

Ms. Page is suggesting a new Commercial Residential zone that would allow that and possibly apartment houses.

Chair Hardie asked, "So why wouldn't we just add those to the current C1?"

Ms. Page did not know.

Chair Hardie continued, "Why can't we just add those to the current C1 and make everybody happy who says we have to have those uses."

Ms. Page asked would they be permitted or conditional uses?

Chair Hardie explained, "Keep them conditional uses as they are now in the R-2. Possibly the apartment could be permitted." She thought that would be a simple way to address those uses.



# TOWN OF JEROME

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Vice Chair Schall thought it was a good start. He sees know reason to amend the definition in C1. We talk a lot about the intrusion of commercial into residential, no one complains about residential intrusion into commercial. It could be a problem if too many houses took over the commercial zone.

Chair Hardie referred to the General Plan. And suggested apartments be moved under conditional use permits.

She asked Ms. Page to put together a revised C1 to include the conditional uses they deleted from the new R-2 and add multi-family.

Ms. Page asked, "To conditional."

Chair Hardie said, "I don't know, why would it be conditional? Right, all residential are conditional."

Ms. Page said, "So, the current C1, conditional use says. C. CONDITIONAL USES 1. Any "Permitted" or "Conditional" Uses in the "R1-10", "R1-5" or "R-2" Zones. Since the apartment house would not be there you would add an additional conditional use permit."

Chair Hardie and Vice Chair Schall confirmed she would.

Ms. Page said, "Under the permitted uses in C-1 Zone #13 reads, Medical and dental offices and clinics. (Page 67 of the Zoning Ordinance.)

Chair Hardie asked Ms. Page to give her the conditional uses we are extracting from R-2.

Ms. Page said, nursing and convalescent homes, boarding or rooming house, hospitals.

Vice Chair Schall suggested moving them into C-1 and make them permitted uses.

The Commission all seemed to agree with this idea.

## 7:25 (46:37) ITEM 8: FUTURE AGENDA ITEMS

Commissioner Vincent mentioned the Feher addition on Hull.

Chair Hardie said they would have elections and appointment to DRB. She asked if the Clubhouse was coming back.

Ms. Page said she didn't have anything at this time. There could be a lot line adjustment at the Surgeon's House to be reviewed by Planning and Zoning. Andrea Allen should be back and there are text amendments.

Chair Hardie queried that Home Occupation and Absences have passed and are in effect. She wanted to make sure those items were put in the ordinance.

Ms. Page said Council had passed the height restriction on accessory buildings, but there is a 30-day window.

## ITEM 9: ADJOURN

### Adjourned at 7:28

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

Approval on next page.

# TOWN OF JEROME

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## SPECIAL MEETING OF THE TOWN OF JEROME

### PLANNING AND ZONING COMMISSION

DATE: MONDAY, February 25, 2019 TIME: 5:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

*Respectfully submitted by Joni Savage on April 3, 2019.*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Planning & Zoning Commission Chair

Attest: \_\_\_\_\_ Date: \_\_\_\_\_

DRAFT



# TOWN OF JEROME

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

## SPECIAL MEETING OF THE TOWN OF JEROME

### PLANNING AND ZONING COMMISSION

DATE: Wednesday, December 5, 2018 TIME: 6:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

## MINUTES

### ITEM 1: CALL TO ORDER/ROLL CALL

Chair Margie Hardie called the meeting to order at 6:05 p.m.

Roll call was taken by Charlotte Page. Commission members present were Chair Margie Hardie, Vice Chair Lance Schall, Scott Hudson and Henry Vincent.

Staff present were Candace Gallagher, Town Manager/Clerk, Charlotte Page, Zoning Administrator and Joni Savage, Deputy Clerk.

### 6:06 (0:2:45) ITEM 2: EXECUTIVE SESSION

Commission may convene in executive session, pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4), to review questions regarding rezoning process and State and local Ordinance regulations regarding rezoning R1-5 to R-2 with the Town Attorney. The Town Attorney may participate telephonically, regarding same.

Ms. Gallagher explained to Chair Hardie she would need to make a motion in order to go into executive session.

#### Motion to Enter Into Executive Session

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie	X		X			
Hudson			X			
Schall		X	X			
Vincent			X			

### ITEM 3: ADJOURN

No motion was made to adjourn however it did occur at or around 6:06 p.m.

*Approval on next page.*

# TOWN OF JEROME

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## SPECIAL MEETING OF THE TOWN OF JEROME

### PLANNING AND ZONING COMMISSION

DATE: Wednesday, December 5, 2018 TIME: 6:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

*Respectfully submitted by Joni Savage on March 6, 2019*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Planning & Zoning Commission Chair

Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
Planning & Zoning Commission Vice Chair



# TOWN OF JEROME, ARIZONA

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Founded 1876  
Incorporated 1899

## MINUTES

### SPECIAL JOINT MEETING OF THE JEROME TOWN COUNCIL, PLANNING & ZONING COMMISSION, DESIGN REVIEW BOARD AND BOARD OF ADJUSTMENT

JEROME CIVIC CENTER - 600 CLARK STREET - COUNCIL CHAMBERS  
WEDNESDAY, JANUARY 16, 2019 AT 6:00 P.M.

<b>ITEM #1:</b>	<p><b>CALL TO ORDER/ROLL CALL</b></p> <p>Mayor to call meeting to order.</p> <p><i>Mayor Alex Barber called the meeting to order at 6:05p.m.</i></p> <p>Town Clerk to call and record the roll for Council.</p> <p><i>Town Manager/Clerk Candace Gallagher called the roll. Present were Mayor Alex Barber, Vice Mayor Sage Harvey, Councilmembers Mandy Worth, Jack Dillenberg and Jane Moore.</i></p> <p><i>Other staff present were Charlotte Page, Zoning Administrator and Joni Savage, Deputy Clerk.</i></p> <p>Zoning Administrator to call and record the roll for the Commission and Boards.</p> <p><i>Roll call was taken by Ms. Page. Planning and Zoning Commission members present were Chair Margie Hardie, Vice Chair Lance Schall, Scott Hudson and Henry Vincent.</i></p> <p><i>Design Review Board members present were Chair Brice Wood, Vice Chair Danny Smith, Henry Vincent, Tyler Christensen and John McDonald.</i></p> <p><i>Board of Adjustment members present were Suzy Mound and Natalie Barlow. Vice Chair Chris Babbage, Carol Yacht and Gary Shapiro were absent.</i></p> <p><i>The Pledge of Allegiance was said.</i></p>
<b>ITEM #2:</b> <b>6:06 (3:00)</b>	<p><b>PRESENTATION / Q&amp;A WITH TOWN ATTORNEY</b></p> <p>Town Attorney Bill Sims will provide information and answer questions regarding Arizona's Open Meeting Law, Robert's Rules of Order, Conflicts of Interest, and the Rezoning process.</p> <p>Mr. Sims spoke about zoning, open meeting law, conflicts of interest and due process. He referred to three different handouts for his presentation, each of which will be placed on file with these meeting minutes.</p> <p>6:24(0:24:00) Margie Hardie asked a question regarding discussion and whether it should be prior to or after a motion. She believes the Chair or Mayor should ask for a motion.</p> <p>6:28 (0:27:58) Ms. Hardie asked about a quorum and referred to the Board of Adjustment only having two members present.</p> <p>6:30 (0:29:30) Councilmember Dillenberg asked about an abstention from voting and whether it is considered a yes vote or a no vote. He had thought that an abstention was neither. Ms. Gallagher noted that our Code currently provides that an abstention is counted as a yes vote, but we have introduced an ordinance to change that.</p> <p>6:32(0:32:30) Tyler Christensen asked about a conflict of interest.</p> <p>Mr. Sims responded that you would abstain and it would not be considered a yes vote.</p>

6:33 (0:32:50) Curtis Lindner, a member of the Yavapai County Planning Commission, asked Mr. Sims to explain the public's perception of a conflict of interest.

Mr. Sims responded that he feels members should recuse themselves if there is appearance of a conflict.

6:34 (0:34:55) Mr. Lindner spoke again about public perception and conflict of interest.

6:38(0:38:30) Danny Smith gave an example of when a council member should have recused themselves.

6:42 (0:42:30) Jeff Koppelmaa, a resident of Jerome, inquired about ending a debate. He asked what vote would end the debate, is it two-thirds or three-fourths.

Mr. Sims said that Robert's Rules is more rigorous, but he feels that we should be more flexible and allow the Mayor to run the meeting.

6:47(0:47:42) Mr. Lindner spoke again and stated there is a history of a procedural way of going through the meeting. Move the agenda along to avoid endless conversation.

6:50 (0:50:10) Ms. Hardie summarized meeting steps for Planning and Zoning.

Mr. Sims said that he believes it is perfectly appropriate to have discussion before or after the motion.

Vice Mayor Harvey asked about splintering the quorum and emails. She confirmed that members should never use "reply all."

Mr. Sims referred to the Open Meeting Law and that one of its intents is deter future infractions. He believes it is best to disclose infractions right away.

6:56 (0:56:40) Ms. Hardie asked a question about knowingly violating the Open Meeting Law. What should happen?

Mr. Sims explained the process.

7:01 (1:01:34) Mr. Smith commented about quorums.

Vice Chair Harvey had a question about a non-salaried officer of a non-profit and whether it was a conflict. Mr. Sims explained that if it was a paid officer then there would be a conflict. He gave examples of conflict and non-conflict.

7:13 (1:05:00) Mr. Koppelmaa asked a question about indirect proprietary interest.

Mr. Sims provided an example regarding a P&Z member that would vote to authorize a development that increases that member's property value. He explained Title 41 and talked about gift restrictions.

Councilmember Dillenberg left the dais at this time and Mayor Barber asked for a five-minute recess.

**Motion to take a recess at 7:17**

COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER			X			
DILLENBERG					X	
HARVEY	X		X			
MOORE			X			
WORTH		X	X			

The meeting reconvened at 7:28 p.m.

Mr. Sims spoke about rezoning and said that development agreements can help with property rights. He discussed the necessity for a General Plan and noted that the Zoning Commission makes recommendations to the Council.

7:36 (Part 2, 0:07:46) Mr. Lindner asked Mr. Sims to explain the difference between how the Council looks at development versus when P & Z looks at it.

Mr. Sims gave a very detailed answer.

Ms. Page asked, "If the Town decided to rezone a particular parcel, that would come from the Council would it not?"

Mr. Sims responded that it could come from the P & Z. Councilmember Moore said that she believed it could come from Planning and Zoning, Council or the public, and Mr. Sims agreed.

Mr. Sims continued speaking about property rights.



7:51(0:23:05) Ms. Hardie asked a question about the R-2 Zone, and whether the Town would have to change the development standards.

Mr. Sims responded that it would not, and explained that a duplex might require different parking. It would be an amendment to the site plan and parking ordinance.

7:53(0:25:15) Ms. Hardie asked if there is a time factor to accomplish a rezoning.

7:55 (0:27:10) Mr. Lindner asked, "Isn't a General Plan a recommendation?"

Mr. Sims responded, "No, it is gold." He talked about development fees and charging people equally.

7:56 (0:28:29) Mr. Lindner talked about the infrastructure issues unique to Jerome and possibility of passing those fees on to a developer. He asked how you would go through the ordinance change.

Mr. Sims spoke about the steps necessary and that it would include a public process.

Councilmember Moore commented that she thought that we would be required to do a lot of research and studies to create a development fee.

Mr. Sims continued to speak about the Constitution and owners' rights. He stated that, when Council acts, they act legislatively in making decisions.

8:03 (0:34:23) Mr. Lindner spoke about Council acting as a majority when modifying recommendations of the Planning & Zoning Commission.

Councilmember Moore asked a question about removing a definition from the Zoning Ordinance because the use was not allowed in any zone. The Council didn't want to remove it because they thought it might be used later.

Mr. Sims and Councilmember Moore discussed this scenario. It was clarified that Ms. Moore was speaking about the definition of "guest house," and that the Zoning Ordinance does not permit more than one dwelling per lot. Mr. Sims agreed that guest houses would, then, not be permitted.

8:06 (0:37:40) Mr. Lindner asked about use permits and variances and Mr. Sims responded at length. It was explained that we do use conditional use permits.

8:09 (0:40:30) Mr. Lindner spoke about use permits and development trends.

8:13 (0:44:10) Mr. Lindner said that he feels it should be up to the applicant if they wanted to apply for a use permit.

Mr. Sims talked about the 1983 claim and Constitutional Rights. He explained Prop 207 and how it came about and why we use the Prop 207 waiver.

8:16 (0:47:20) Mr. Lindner asked if the waiver would protect the town.

Mr. Sims explained that when the waiver is signed, the signer wouldn't be able to sue the town.

8:17 (0:48:22) Ms. Hardie asked for clarification on the Prop 207 waiver. She also asked about changing the R-2 zone prior to rezoning the parcels.

Mr. Sims explained the Code and noted that "multi-family" is not used consistently throughout the code. Rezoning is something the Town has never done before, he said. It goes back to balancing affordable housing and protecting property rights.

Vice Mayor Harvey asked what would happen if Council did not approve the rezoning.

Mr. Sims said that Council needs to ask themselves if they want to make a change for affordable housing.

8:20 (0:52:14) Mr. Lindner asked isn't there another vehicle to accomplish that, with a special use permit?

Mr. Sims responded, No, you wouldn't want to use that," and explained why not.

8:30 (1:01:20) Ms. Hardie asked how important the recommendations are that are made from P & Z to the Council.

Mr. Sims explained that our Code requires P&Z to make a recommendation.

Councilmember Dillenberg commented that a citizens group in Phoenix formed an HOA to oppose vacation rentals. The law says that the HOA could keep them out. He asked if Jerome citizens could do that.

	<p>Mr. Sims said that a Council member should not be involved, but property owners within a community could do that and he thought it would be totally legal.</p> <p>Ms. Page asked, "How much influence does an adjacent Industrial zone have on changing a zone?"</p> <p>Mr. Sims said that it is irrelevant.</p> <p>8:35 (1:07:00) Mr. Lindner commented that we don't factor in what someone else's zoning is. He believes that Planning and Zoning factors in the public.</p> <p>Mr. Sims explained that Planning and Zoning is required to give a recommendation to Council.</p> <p>Councilmember Worth asked Mr. Sims if he had a recommendation as far as a member of one board or commission attending another entity's meeting as a member of the public.</p> <p>Mr. Sims said that he would advise Council members not to attend P&amp;Z meetings, because Council is the ultimate decision maker and there could be an argument that this would violate due process. As a citizen, he said, you have a right to attend, but would be wise not to. Ms. Worth asked about attending Neighborhood Meetings, and Mr. Sims said that those are informational only, and would not be a problem.</p> <p>Mr. Sims recapped and said how much he enjoys working for Jerome.</p>																																										
ITEM #3:	<p><b>ADJOURNMENT</b></p> <p><b>Adjourned at 8:40</b></p> <table border="1"> <thead> <tr> <th>COUNCILMEMBER</th> <th>MOVED</th> <th>SECONDED</th> <th>AYE</th> <th>NAY</th> <th>ABSENT</th> <th>ABSTAIN</th> </tr> </thead> <tbody> <tr> <td>BARBER</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>DILLENBERG</td> <td>X</td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>HARVEY</td> <td></td> <td>X</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>MOORE</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>WORTH</td> <td></td> <td></td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	COUNCILMEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN	BARBER			X				DILLENBERG	X		X				HARVEY		X	X				MOORE			X				WORTH			X			
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MOORE			X																																								
WORTH			X																																								

APPROVE:

ATTEST:

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 Christina "Alex" Barber, Mayor

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 Candace B. Gallagher, CMC, Town Manager/Clerk

Date: \_\_\_\_\_

# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
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**SPECIAL JOINT MEETING OF THE JEROME TOWN COUNCIL,  
PLANNING & ZONING COMMISSION,  
DESIGN REVIEW BOARD AND BOARD OF ADJUSTMENT  
PLANNING AND ZONING COMMISSION**

**DATE: Wednesday, January 16, 2019 TIME: 6:00 pm**

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

*Respectfully submitted by Joni Savage on April 3, 2019*

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Planning & Zoning Commission Chair

Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
Planning & Zoning Commission



# TOWN OF JEROME

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

## ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

**April 3, 2019**

### **ITEM 5: CONDITIONAL USE PERMIT REVIEW, 128 FIRST ST., RESIDENTIAL USE IN C-1 ZONE.**

APPLICANT: Lee Christensen, for Nord

ADDRESS: 128 First St., (128 School St.)

Review of Conditional Use Permit for Residential Use in C-1 Zone. Site is historical home that has been vacant for some time. Residential Use in Commercial Zone requires CUP. The current owner will present Design Review Board with proposed exterior remodel next week. The site plan submitted here demonstrates parking required for single family residential use.

Charlotte Page, Zoning Administrator



# Town of Jerome

Post Office Box 335, Jerome, Arizona 86331

(928) 634-7943 Fax (928) 634-0715 r.borowski@jerome.az.gov

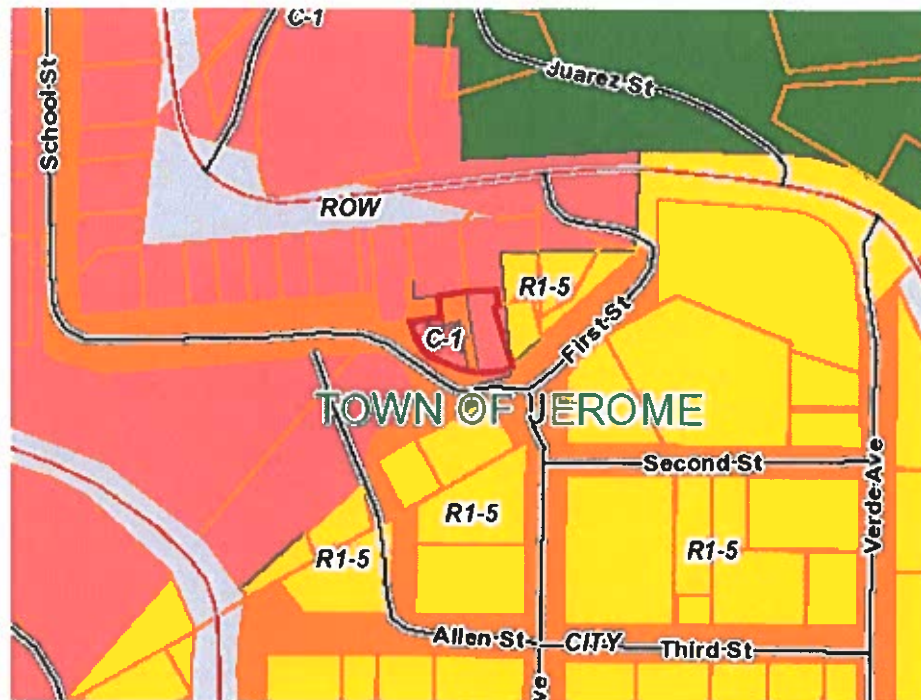
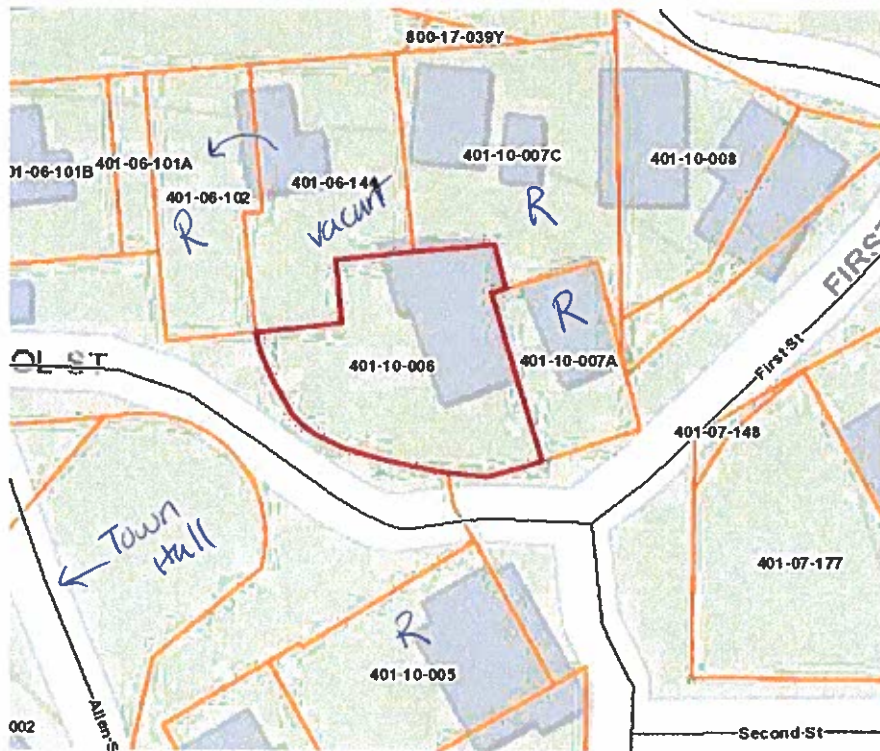
2010 Byrd, L.  
last service Date  
Available

Applicant	For Office Use Only
<b>Project Name:</b> NORD RESIDENCE RENOVATION	<b>Type of Application:</b> Conditional Use Permit
<b>Project Address:</b> 128 SCHOOL ST	<b>Fee (\$100):</b> 100.00 <b>OK #</b> 3597
<b>Assessor's Tax Parcel Number(s):</b> 401-10-006	<b>Receipt#:</b> P & Z
	<b>Current Zone:</b>
	<b>Date Applied:</b>
	<b>Taken By:</b> RC
	<b>Parking Req's:</b>
	<b>Parking Req's Met :</b> Y N <b>Final Action:</b> A D
<b>Property Owner:</b> DON & PAULA NORD	<b>Applicant/Agent:</b>
<b>Mailing Address:</b> P.O. Box 942	<b>Mailing Address:</b>
<b>City:</b> WILLIAMS	<b>City:</b>
<b>State:</b> AZ	<b>State:</b>
<b>Zip Code:</b> 86046	<b>Zip Code:</b>
<b>Phone:</b> 928-635-4090	<b>Phone:</b>
<b>Fax:</b>	<b>Fax:</b>
<b>Email:</b>	<b>Email:</b>
<b>Request (state the proposed usage requiring this permit and any other information pertinent to the consideration of granting of this permit):</b> RESIDENTIAL USE IN C-1 ZONE	
I hereby certify that the information submitted on this application is complete and accurate to the best of my knowledge and that I am the owner or authorized agent of the same as stated in the attached documentation.	
<b>Signature:</b>	
<b>Print Name:</b>	
<b>Date:</b>	





128 School St (AKA 128 FIRST)



- FROM YAVAPAI COUNTY GIS, NOT TO SCALE OR OFFICIAL

## Charlotte Page

---

**To:** blair@jeromefire.us  
**Subject:** RE: 128 First St.

Chief,

Thank you,

Charlotte Page  
Zoning Administration

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**From:** blair@jeromefire.us <blair@jeromefire.us>  
**Sent:** Thursday, March 28, 2019 7:56 AM  
**To:** Charlotte Page <c.page@jerome.az.gov>  
**Subject:** RE: 128 First St.

I have reviewed pulmonary plans of the 128 First St project . It is the opinion of the Fire code official that the plans presented to me would decrease the fuel loading in this area and would also increase separation between the building the buildings at 128 First St. and 132 First St., which at this time has limited separation.

Rusty Blair  
Fire code official, Fire Chief  
Jerome Fire Department



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331

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

## **ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION**

**April 3, 2019**

### **ITEM 6: DRAFT TEXT AMENDMENT, REFERENCE TO SOLAR GUIDELINES – ORDINANCE VERSION FOR PRESENTATION TO COUNCIL**

Review of Ordinance drafted for Solar Reference, with copies of public hearing draft as approved February 6, 2019. Minor changes to wording from creation of the Ordinance version to be reviewed. Motion to be in regard to 'reference to' solar guideline.

Charlotte Page, Zoning Administrator



Founded 1876  
Incorporated 1899

# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(928) 634-7943 FAX (928) 634-0715

## ORDINANCE NO. xxx

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 304, "DESIGN REVIEW," OF THE JEROME ZONING ORDINANCE REGARDING SOLAR INSTALLATIONS

WHEREAS, the Planning & Zoning Commission has recommended that the Jerome Zoning Ordinance be amended to include a reference to Solar Design Guidelines approved by the Town Council on June 9, 2015; and

WHEREAS, the Design Review Board concurs with this recommendation;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. Paragraph F, "Review Procedures and Criteria," of Section 304, "Design Review," of the Jerome Zoning Ordinance is hereby amended by the insertion of new item j, as follows:

j. SOLAR INSTALLATIONS – Refer to "Solar Energy System Design Guidelines" approved by the Town Council in June 2015, utilizing best practices for installing solar on historical buildings as recommended by the Department of the Interior. These Guidelines are available at Jerome Town Hall, the Jerome Library and on the Town of Jerome website, and shall be followed when undertaking a solar installation.

Section 2. Following its adoption, this Ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. § 39-203 *et seq.*

Section 3. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

Section 4. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance, any provision incorporated by reference and any other provision of the Town Code as a whole or any part thereof other than the part so declared invalid.

Date of first reading: \_\_\_\_\_

Dates of publication: \_\_\_\_\_

Date of adoption: \_\_\_\_\_

Date of posting: \_\_\_\_\_

Voting record at adoption:

	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER						
DILLENBERG						
HARVEY						
MOORE						
WORTH						

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA,  
THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2019.

\_\_\_\_\_  
Christina "Alex" Barber, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Candace Gallagher, Town Manager/Clerk

\_\_\_\_\_  
William J. Sims, Esq.  
Town Attorney

As approved P&Z  
2-6-19

**Text Amendment to support a reference to the Solar Design Guidelines adopted by Council in June 2015**

**Additions**

**SECTION 304. DESIGN REVIEW**

**F. REVIEW PROCEDURES AND CRITERIA**

i. ACCESSORY FEATURES – Garages, carports, sheds, fences, walkways, decks, stairways, lighting, antenna and other manmade structures shall be visually compatible with buildings, structures, and places to which they are visually related.

**j. SOLAR INSTALLATIONS – Refer to Solar Design Guidelines as adopted by Town of Jerome in 2015 using 'best practices' for installing solar on historical buildings, as recommended by the Department of Interior. The Solar Design Guideline is available on the town website and from the Town of Jerome offices.**

k. LANDSCAPING – Landscaping shall be visually compatible with the landscaping around the buildings, structures, and places to which it is visually related.

l. SCREENING – The proposed addition, alteration or other changes shall be screened with appropriate materials and in an appropriate design so as to be visually compatible with related properties, when, in the opinion of the Design Review Board, all other means of assuring visual compatibility are not reasonably possible



# TOWN OF JEROME

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## ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

**April 3, 2019**

### **ITEM 7: DRAFT TEXT AMENDMENT, ARTICLE III PROCEDURES, ADDITION OF REFERENCE TO A.R.S. 9-462.04 PUBLIC HEARING NOTICES.**

Review of Ordinance drafted for reference to A.R.S. 9-462.04. Revisions were recommended to Public Hearing Draft Feb 6, 2019. Public hearing was conducted, the item was tabled after recommendation to revise as 'reference to' instead of a 'staff instruction'.

Charlotte Page, Zoning Administrator



**ADDITIONS:** ALL CAPS UNDERLINED TEXT BLUE

**DELETIONS:** ~~Regular text strikethrough text red~~

**P&Z Review Date: April 3, 2019**

**Public hearing 2/6/19 & P&Z approved attached**

## **ARTICLE III PROCEDURES**

### **SECTION 301. AMENDMENTS OR ZONE CHANGES**

#### **C. COMMISSION ACTION**

1. Upon receipt of any complete application for, and prior to holding a public hearing on, rezoning or ordinances that impose a new land use regulation or modify an existing land use regulation, a Neighborhood Meeting shall be required in accordance with Section 306 of this zoning ordinance. The Commission shall then fix a reasonable time for the hearing of the proposed zone change, amendment, or addition and shall give notice thereof to interested parties and to the public by publication of a notice in the official newspaper of the Town, and by posting the area included in the proposed change, not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing including a general explanation of the matter to be considered and including a general description of the area affected. PUBLIC HEARING NOTICES AND MEETINGS ARE TO BE IN COMPLIANCE WITH "A.R.S. 9-462.04 PUBLIC HEARING REQUIRED; DEFINITION".

The Commission may for any reason, when it deems such action necessary or desirable, continue such hearing to a time and place certain. Within thirty (30) days after the close of the hearing, the Commission shall render its decision in the form of a written recommendation to the Council. The recommendation shall include the reasons for the recommendation.

2. Prior to publishing a petitioned Zoning Map change, the Commission may, on its own motion, delimit or extend the boundaries of such area, so as to constitute a more reasonable zone district boundary.

**ADDITIONS:** ALL CAPS UNDERLINED TEXT  
BLUE

**DELETIONS:** ~~Regular text strikethrough text~~  
~~red~~

**P&Z Review Date: Feb 6, 2019**

**Public hearing version w/P&Z Approval 2/6/19. Revision requested to present as 'reference only' – tabled March P&Z Meeting**

## **ARTICLE III, PROCEDURES**

### **SECTION 301. AMENDMENTS OR ZONE CHANGES**

#### **C. COMMISSION ACTION**

1. Upon receipt of any complete application for, and prior to holding a public hearing on, rezoning or ordinances that impose a new land use regulation or modify an existing land use regulation, a Neighborhood Meeting shall be required in accordance with Section 306 of this zoning ordinance. The Commission shall then fix a reasonable time for the hearing of the proposed zone change, amendment, or addition and shall give notice thereof to interested parties and to the public by publication of a notice in the official newspaper of the Town, and by posting the area included in the proposed change, not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing including a general explanation of the matter to be considered and including a general description of the area affected. The Commission may for any reason, when it deems such action necessary or desirable, continue such hearing to a time and place certain. Within thirty (30) days after the close of the hearing, the Commission shall render its decision in the form of a written recommendation to the Council. The recommendation shall include the reasons for the recommendation.

2. PRIOR TO SCHEDULING A PUBLIC HEARING THE ZONING ADMINISTRATOR SHALL REVIEW A.R.S. 9-462.04 PUBLIC HEARING REQUIRED; DEFINITION FOR CURRENT PRACTICES TO ASSURE COMPLIANCE WITH STATE STATUTES.

3. Prior to publishing a petitioned Zoning Map change, the Commission may, on its own motion, delimit or extend the boundaries of such area, so as to constitute a more reasonable zone district boundary.



# TOWN OF JEROME

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## ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

April 3, 2019

### ITEM 8: DRAFT TEXT AMENDMENT, R-2 & ZONING ORDINANCE

Commission may discuss modifications to the Zoning Ordinance to represent future residential zones and may change existing R-2 and/or introduce new residential zones. Draft text amendments are in the packet.

Definitions – changes to Dwelling Definitions

Text Amendment for R-2, to be exactly as R1-5 with addition of Multi-Family uses.

Current draft references single family home 'SHF', duplex and triplex uses.

A possible version of additional residential zones is presented for R-3, allowing SFH and Multi-Family units up to four-plex.

New R-3 Zone, changes in Property Development Standards, as suggested from P&Z February 25, 2019 Special Meeting. Minimum dwelling size revised.

Changes to the C-1 Zone to allow new permitted uses that would be removed from Conditional Uses in the current R-2 Zone. Apartment Houses and the new R-3 Zone are referenced in changes to Conditional use #1 as follows;

1. Any "Permitted" or "Conditional" Uses in the "R1-10", "R1-5", "R-2", or R-3 Zones and Apartment Houses.

Information from Cottonwood and New York City's minimum size dwelling is presented.

Charlotte Page, Zoning Administrator

**ADDITIONS:** ALL CAPS UNDERLINED TEXT BLUE

**DELETIONS:** ~~Regular text strikethrough text red~~

**P&Z Review Date: April 3, 2019**

## **ARTICLE II DEFINITIONS**

### **SECTION 201. GENERAL**

For the purpose of this ordinance, certain words and terms used herein are defined as follows: all words used in the present tense include the future tense; all words in the plural number include the singular number, all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot"; the word "building" includes the word "structure"; and the word "shall" is mandatory and not discretionary. Other words and phrases used in this ordinance shall have the following meaning:

**Dwelling** - a building portion thereof designed exclusively for residential purposes, including one-family, two-family, three-family and multiple dwellings; but not including hotels, apartment hotels, boarding and lodging houses, fraternity and sorority houses, rest homes and nursing homes, or child care nurseries.

**Dwelling, One-Family** - a detached building designed exclusively for occupancy by or occupied by one (1) family for residential purposes.

**Dwelling, Two-Family** - a building designed exclusively for occupancy by or occupied by two (2) families living independently of each other ~~(i.e., duplex).~~

**Dwelling, Three-Family** - a building designed exclusively for occupancy by or occupied by three (3) families living independently of each other ~~(i.e., triplex).~~

**Dwelling, Multi-Family** - a building designed exclusively for occupancy by or occupied by TWO (2), THREE (3), four (4) or more families living independently of each other ~~(i.e., DUPLEX, TRIPLEX, four plex or apartment).~~

**ADDITIONS:** ALL CAPS UNDERLINED TEXT BLUE

**DELETIONS:** ~~Regular text strikethrough text red~~

**P&Z Review Date: April 3, 2019**

NOTE: PER INSTRUCTION OF P&Z COMMISSION FEB 2019, THE CURRENT R-2 ZONE TO BE DELETED ENTIRELY

REPLACED WITH NEW R-2 TO BE EXACTLY THE SAME AS R1-5 IN ALL REGARDS EXCEPT ALLOWING MULTI-FAMILY

## **ARTICLE V USE REGULATIONS**

### **SECTION 506. "R-2" ZONE, SINGLE/MULTI-FAMILY RESIDENTIAL**

#### **A. PURPOSE**

This district is intended to fulfill the need for medium density single family AND MULTI-FAMILY residential development. Regulations and property development standards are designed to protect the ~~single family~~ residential character of the district and to prohibit all incompatible activities. Land use is composed chiefly of individual STRUCTURES UTILIZED AS SINGLE AND MULTI-FAMILY homes, together with ~~required~~ recreational, religious, and educational facilities.

#### **B. PERMITTED USES**

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

#### **C. CONDITIONAL USES (SAME AS R1-5)**

1. Churches or similar places of worship.
2. Schools: Public or private elementary and high.
3. Colleges, universities, and professional schools having a regular curriculum.
4. Nursery Schools and Day Care Centers.
5. Public buildings.
6. Public utility buildings, structures, or appurtenances thereto for public service use.
7. Libraries.
8. Model homes.
9. Bed and Breakfast.
10. ~~RESERVED~~ *pending approval or rejection by voters in August 2014 of Ordinance 405.*

#### **D. PROPERTY DEVELOPMENT STANDARDS (SAME AS R1-5)**

#### **E. GENERAL PROVISIONS (SAME AS R1-5)**

#### **F. SIGNS (SAME AS R1-5)**

#### **G. PARKING AND LOADING (SAME AS R1-5)**

#### **H. PLAN REVIEW (SAME AS R1-5)**

#### **I. DESIGN REVIEW (SAME AS R1-5)**

**CREATE ONE NEW ZONE TO ALLOW LARGER MULTI-FAMILY RESIDENTIAL OCCUPATION**



## APARTMENT HOUSES TO BE ALLOWED IN C-1 OR INDUSTRIAL ZONE AS CONDITIONAL USE

REGULAR TEXT IS REPRODUCED FROM ARTICLE V USE REGULATIONS SECTION R1-5

**ADDITIONS:** ALL CAPS UNDERLINED TEXT BLUE

**P&Z Review Date: April 3, 2019**

## ARTICLE V USE REGULATIONS

### SECTION 507. "R-3" ZONE, SINGLE/MULTI-FAMILY RESIDENTIAL **NEW**

#### **A. PURPOSE**

This district is intended to fulfill the need for medium density single family AND MULTI-FAMILY residential development. Regulations and property development standards are designed to protect the **single family** residential character of the district and to prohibit all incompatible activities. Land use is composed chiefly of individual STRUCTURES UTILIZED AS SINGLE AND MULTI-FAMILY homes, together with **required** recreational, religious, and educational facilities.

#### **B. PERMITTED USES**

1. One (1) single-family dwelling or one (1) modular home per lot. Mobile homes are prohibited.
2. Multi-family dwellings; LIMITED TO TWO, THREE OR FOUR FAMILIES (DUPLEX, TRIPLEX OR FOUR-PLEX).
3. Customary accessory uses and buildings, provided such uses are incidental to the principal use.
4. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion of or abandonment of the construction work.
5. Publicly owned and operated parks and recreation areas and centers.
6. Home occupations.

#### **C. CONDITIONAL USES (SAME AS R1-5)**

1. Churches or similar places of worship.
2. Schools: Public or private elementary and high.
3. Colleges, universities, and professional schools having a regular curriculum.
4. Nursery Schools and Day Care Centers.
5. Public buildings.
6. Public utility buildings, structures, or appurtenances thereto for public service use.
7. Libraries.
8. Model homes.
9. Bed and Breakfast.
10. **RESERVED** *pending approval or rejection by voters in August 2014 of Ordinance 405.*

#### **D. PROPERTY DEVELOPMENT STANDARDS**

Minimal Changes were made to the Property Development Standards BELOW are presented WITH BOLD TYPE, ALL CAPS & UNDERLINED.

## D. PROPERTY DEVELOPMENT STANDARDS

1. MINIMUM LOT AREA: Five thousand (5,000) square feet.

2. MINIMUM LOT WIDTH: Fifty (50) feet.

3. MINIMUM SQUARE FOOTAGE **PER DWELLING**:

<u>TYPE OF DWELLING UNIT</u>	<u>MINIMUM FLOOR AREA</u>
EFFICIENCY OR STUDIO	300 SQ. FT.
ONE BEDROOM	500 SQ. FT.
TWO BEDROOM	650 SQ. FT.
OVER TWO BEDROOM	750 SQ. FT PLUS 150 SQ. FT. PER ADDITIONAL BEDROOM OVER TWO

4. MAXIMUM LOT COVERAGE: Not more than sixty (60) percent of the net area of the lot may be covered by the main building and all accessory buildings.

5. YARDS:

a. Front Yard:

1) There shall be a front yard of not less than ten (10) feet in depth except when the following conditions prevail:

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

2) Where lots have a double frontage on two (2) streets, the required front yard shall be provided on both streets.

b. Side Yard:

1) There shall be a side yard along interior lot lines of not less than five (5) feet in width.

2) Where a side lot line abuts a street, the side yard shall be considered a front yard for the purpose of determining width.

c. Rear Yard:

1) There shall be a rear yard of not less than twenty (20) feet in depth. Except where the rear lot line is in common with or separated by an alley from the side lot line of another lot, there shall be a rear yard of not less than ten (10) feet in depth.

2) Where the rear lot line abuts an alley, the required rear yard shall be measured from the center line of the alley.

6. MAXIMUM BUILDING HEIGHT: No building shall exceed the height of twenty five (25) feet as defined in "building, height of." On slopes over forty-five (45) percent there will be a one (1) foot reduction in height for each additional five (5) percent of slope or portion thereof. Notwithstanding these provisions, no face of any building shall exceed thirty-five (35) feet above the low point of original grade as defined in "original grade". (see Appendix for diagrams).



**ADDITIONS:** ALL CAPS UNDERLINED TEXT BLUE

**DELETIONS:** ~~Regular text strikethrough text red~~

**P&Z Review Date: April 3, 2019**

**SECTION ~~507~~508. "C-1 ZONE, GENERAL COMMERCIAL**

**A. PURPOSE**

This district is intended to provide for and encourage orderly development in existing and future commercial areas within the Town.

**B. PERMITTED USES**

1. Retail sales of apparel and accessories, dry goods, foods, drugs, flowers and plants, garden supplies, hardware, gifts and novelties, pet and hobby supplies, art and art supplies, jewelry, liquor, tobacco, newspapers and magazines, music and records, household supplies, stationary, books, paint, wallpaper and glass, sporting goods, toys, variety store goods, appliances, auto parts and supplies, furniture, office supplies, leather and leather products, carpet, antiques, fabrics, photo supplies, second hand and used goods and similar convenience goods.
2. Repair services such as, but no more objectionable or intensive in character than, watches, jewelry, shoes, locksmith, minor household appliances.
3. Personal services such as: barbers, beauty shops, health clubs, laundries and cleaners, mortuaries.
4. Hotels and motels.
5. Establishments serving food or beverages inside a building such as: restaurants, cafes, coffee shops, bars, taverns, cocktail lounges, excluding entertainment and dancing in connection therewith.
6. Manufacturing incidental to a permitted use is permitted, but subject to the following limitations:
  - a. All products incidental to a permitted use which are manufactured or processed on the premises shall be sold at retail only and on the premises only.
  - b. Such manufacturing activity shall be restricted to not over fifty (50) percent of the ground floor area of the building allocated to the permitted use.
7. Pawn shops.
8. Printers and print shops.
9. Radio and TV studios, provided that no masts, towers or antenna used for transmission or broadcasting purposes are erected on the premises.
10. Banks, stock brokerage firms, savings and loan associations, loan companies and credit unions.
11. Governmental services, public utility offices and exchanges, excluding storage or repair services.
12. Offices related to any of the following occupations: executive, administrative, professional, accounting, banking, writing, clerical, stenographic, graphic art, real estate and sales.
13. Medical and dental offices and clinics.
14. NURSING HOMES AND CONVALESCENT HOMES.
15. BOARDING OR ROOMING HOUSE.
16. HOSPITALS
17. Establishments primarily supplemental in character to other permitted principal uses, such as: pharmacy, apothecary shop, sales of corrective garments, prosthetic devices and optical goods, medical and dental laboratories.
18. Establishments whose principal function is basic research, design, and pilot or experimental product development, when conducted within a completely enclosed building.
19. Business and trade schools, dancing, art and music schools and studios.
20. Headquarters buildings of charitable, philanthropic, and welfare organizations provided that their primary activities are administrative and clerical rather than residential in nature.
21. Accessory buildings, structures and other uses customarily incidental to a permitted use except as otherwise provided in this Ordinance.

22. Any other such uses as determined by the Planning and Zoning Commission and approved by the Town Council to be similar to those uses listed above and not detrimental to the public health, safety and general welfare in accordance with the provisions of this Ordinance.

[Ord. No. 293]

### **C. CONDITIONAL USES**

1. Any "Permitted" or "Conditional" Uses in the "R1-10", "R1-5", ~~or~~ "R-2" OR "R-3" Zones, AND APARTMENT HOUSES.

2. Establishments serving food or beverages for consumption on the premises, but outside of an enclosed building.

3. Establishments serving food or beverages which include entertainment or dancing.

4. Temporary outdoor sales, displays and other outdoor activities.

5. Indoor commercial recreation establishments, such as bowling alleys, billiard parlors, skating rinks and similar establishments.

6. Outdoor commercial recreation establishments.

7. Indoor theaters, assembly halls, ballrooms and similar places of assembly.

8. Taxi stand, bus stop, parking lots and garages.

9. Gas service stations.

10. Outdoor sales of nursery stock.

11. Pet shops.

12. Any such other uses as determined by the Planning and Zoning Commission and approved by the Town Council to be similar to those uses listed above and not detrimental to the public health, safety and general welfare in accordance with the provisions of this Ordinance.

13. Residential use of a building, including boarding houses, rooming houses, lodging houses, apartments and Bed and Breakfasts, when in the opinion of the Planning and Zoning Commission, said use has little or no adverse affect on the public health, safety and general welfare. Residential use with historic precedence in the subject buildings are exempt from the well-being criteria but remain subject to nonconforming use clauses.

14. RESERVED *(pending approval or rejection by voters in August 2014 of Ordinance 405)*

15. Spirituous Liquor Tasting Facility.

### **D. ZONE RESTRICTIONS**

1. All activities, except as otherwise addressed herein, shall be conducted entirely within enclosed buildings.

2. Outdoor storage or display of goods or materials shall be prohibited.

3. Warehousing or indoor storage of goods or materials, exceeding that normally incidental to permitted uses, shall be prohibited.

[Ord. No. 293]

### **E. PROPERTY DEVELOPMENT STANDARDS**

1. MINIMUM LOT AREA: None, provided all other provisions of the ordinance are met.

2. MINIMUM LOT WIDTH: None, provided all other provisions of the ordinance are met.

3. MINIMUM SQUARE FOOTAGE OF MAIN BUILDING: None, provided all other provisions of the Ordinance are met.

4. MAXIMUM LOT COVERAGE: None provided all other provisions of the ordinance are met.

5. YARDS:

a. Front Yard:

1) There shall be a front yard of not less than ten (10) feet in depth except when the following conditions prevail: The front yard is required equal to that established by any commercial building within one hundred (100) feet on either or both sides of the lot. Where more than one such building is within one hundred (100) feet of the lot then the front yard of the nearest such building shall be the required front yard of the lot, except that where the lot is between two (2) such buildings, each within one hundred (100) feet of a lot, then the front yard of this lot shall be that established by a line joining the nearest front corner of the other such building. Nothing in the above shall require that a front yard in this district exceed twenty (20) feet.

2) Where lots have a double frontage on two (2) streets, the required front yard shall be provided on both streets.

**b. Side Yard:**

1) Where the side lot line is in common with the side lot line of a property in a commercial or industrial zone, no side yard shall be required on that side.

2) Where a side lot line abuts a street, the side yard shall be considered a front yard for the purpose of determining width.

3) Where the side lot line is in common with the side lot line of a property in a residential zone, the side yard requirements of the residential zone shall apply to that side yard, provided nothing shall require such a side yard to be greater than ten (10) feet in width.

**c. Rear Yard:**

1) There shall be a rear yard of not less than twenty (20) feet in depth, except where the rear lot line is in common with or separated by an alley from the side lot line of a lot in a commercial or industrial zone, there shall be a rear yard of not less than ten (10) feet in depth.

2) Where the rear lot line abuts an alley, the required rear yard shall be measured from the centerline of the alley.

**6. MAXIMUM BUILDING HEIGHT:** The maximum building height shall not exceed the height of twenty-five (25) feet except when the following conditions prevail:

a. The maximum building height shall not exceed that established by any building within one hundred (100) feet on either or both sides of the lot. Where more than one such building is within one hundred (100) feet of the lot then the maximum building height of the nearest such building shall be the maximum building height of the lot. Except that where the lot is between two (2) such buildings, each within one hundred (100) feet of the lot, then the maximum building height of the center of this lot shall be that established by a line joining the highest point of the other such buildings. Nothing in the above shall require that the maximum building height in this district be less than twenty-five (25) feet. (see Appendix for diagrams).

b. Notwithstanding these provisions no face of any building shall exceed thirty-five (35) feet above the low point of original grade as defined in "original grade."

**NUMBER SEQUENTIALLY DEPENDING ON CHANGES**

**SECTION ~~509~~. 508 “I-1” ZONE, LIGHT INDUSTRIAL**

**C. CONDITIONAL USES**

1. Any conditional use in the C-1 Zone.

**SECTION 510 PARKING AND LOADING REQUIREMENTS**

**SECTION 511 HISTORIC OVERLAY DISTRICT**



## **ZA ANALYSIS OF EXISTING COMMERCIAL/RESIDENTIAL USE IN C-1 ZONE 2019**

### **EXAMPLES OF SIMILAR TYPES OF CURRENT USE EXISTING TODAY IN JEROME HILL ST.**

- CURRENT RESIDENTIAL USE IN C-1, WITH B&B USE MIX
- CURRENT RETAIL USE IN C-1, MIXED WITH RESIDENTIAL USE
- CURRENT HOTEL/RESTAURANT IN C-1
- RESIDENTIAL USE BEYOND GRAND HOTEL IN R1-5 ZONE

### **RICH ST.**

- CURRENT RESIDENTIAL USE IN C-1
- CURRENT TWO (2) DUPLEX PROPERTIES IN C-1
- CURRENT FOUR PLEX USE IN C-1

### **FIRST AVE & QUEEN ST**

- CURRENT MIX USE RESIDENTIAL/GALLERY IN C-1
- CURRENT TRIPLEX USE IN C-1 (RESIDENTIAL AND SHORT TERM RENTAL)
- CURRENT RETAIL/MANUFACTURING USE IN C-1 (GLASS BLOWING)

### **MAIN ST., FROM ALTI LEATHER to MILLION DOLLAR VIEW**

- CURRENT THREE (3) MIX USE RESIDENTIAL/RETAIL HOTEL
- CURRENT MIX RESIDENTIAL & SHORT TERM RENTAL
- CURRENT MIX USE RETAIL & SHORT TERM RENTAL

### **NOTES FROM JEROME'S GENERAL PLAN:**

#### **GOAL 2: Provide orderly and compatible land use development patterns throughout the Town of Jerome.**

A. Create and maintain the proper balance of separate areas primarily devoted to residential, commercial, industrial, agricultural and public land uses.

##### **Strategy:**

- Actively solicit citizen input and participation in the land use planning and decision making process.

B. Promote a policy which coordinates private and public development with the expansion of public services and facilities.

##### **Strategy:**

- Prioritize infrastructure upgrades and maintenance to encourage redevelopment and infill and meet land use goals.

#### **GOAL 3: Maintain a distinctive physical image for the Town of Jerome which reflects the historical and architectural character, culture, lifestyle, and natural environment of the area.**

C. Promote the downtown sector as a mixed-use area. Strive for the widest variety of activities downtown to create a healthy mix of housing, services, working, shopping, cultural and civic uses.

D. Encourage historic preservation in all future developments.

##### **Strategy:**

- Continue to develop and apply design standards which emphasize historic preservation.
- Conduct workshops and provide training for members of the Design Review Board and Planning and Zoning Commission.

E. Encourage visual compatibility in all new development by supporting development which is complimentary to Jerome's community character, environmental setting and urban form.

##### **Strategy:**

- Develop design standards for new construction and building modification.

F. Encourage in-fill within existing commercial districts, rather than creating new commercial districts.

#### **GOAL 6: Manage growth; discourage use which reduces the number of residents.**

A. Discourage the extension of commercial activity into residential neighborhoods.



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331

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

## ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

**April 3, 2019**

### **ITEM 9: REVIEW - SECTION 301(D)(3), REQUIRING $\frac{3}{4}$ VOTE TO OVERRIDE P&Z DECISIONS.**

Town Council asks Commission to review ARTICLE III Procedures, Section 301, Amendments or Zone Changes (D Council Action). Town Manager has solicited information from multiple towns and finds a simple majority is the regular action adopted by most towns. Various reasons are presented. The Town Attorney agrees that our requirement is unusual and recommended it be stricken, he noted the requirement is contrary to A.R.S. 9-462.04.C

Charlotte Page, Zoning Administrator



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(928) 634-7943 FAX (928) 634-0715

Founded 1876  
Incorporated 1899

## MEMO

**FROM:** Candace Gallagher, Town Manager/Clerk *CMG*  
**TO:** Charlotte Page, Zoning Administrator  
**CC:** Mayor and Council  
**SUBJECT:** Council requests for P&Z consideration  
**DATE:** March 18, 2019

---

At the regular Council meeting of March 12, 2018, Council requested that the Planning & Zoning Commission consider changes to the following sections of the Jerome Zoning Ordinance, and submit their recommendations back to Council:

- Section 301(D)(3), which requires that, in order to override a recommendation of the Planning & Zoning Commission, it requires the vote of three-fourths (3/4) of all members of the Council.
  - FYI, I reached out to other Arizona towns through the Arizona Municipal Clerks Association listserv, and none of the towns that responded have this provision. Rather, a simple majority is all that is required in those towns to override a recommendation of the Planning & Zoning Commission. They commented that the Commission is a recommending body rather than a legislative body, and it is the Council members that are elected by the citizens to legislate.
  - Although not discussed by Council, I have taken the liberty of offering here an example of the complications that this provision can create:
    - Using rezoning as an example ... the Commission voted to recommend rezoning. If Council were to vote against it and the vote was 3 to 2, it would not meet the  $\frac{3}{4}$  vote requirement of the ordinance, so it would not be overridden. Yet, it would also not be approved, and while it would be effectively overridden (as no action to rezone would have been taken), it would technically be in limbo.
    - Another theoretical example: If the Commission had recommended AGAINST rezoning, and Council voted 3-2 FOR rezoning, the rezoning would not take place as it would not have the  $\frac{3}{4}$  vote required to override the commission's recommendation. This in effect makes the Commission more powerful than the Council, despite a majority vote of Council.
  - I have spoken with the Town Attorney about this, who agrees that the  $\frac{3}{4}$  vote requirement is unusual and should be stricken, and noted that it is contrary to A.R.S. § 9-462.04.C.
- Section 106(B), which provides that one member of the Design Review Board shall be a member of the Planning & Zoning Commission, designated annually by that Commission.
  - Concern was expressed by Council that this offers one member two votes.
  - Council questioned the need for this, as the Zoning Administrator attends meetings of both boards and can act as liaison between the two.

Please bring these requests to the Planning & Zoning Commission as soon as possible. Thank you.



**From:** AMCA Listserv <[amca@list.azclerks.org](mailto:amca@list.azclerks.org)>

**Sent:** Monday, March 4, 2019 4:17 PM

**To:** AMCA Listserv <[amca@list.azclerks.org](mailto:amca@list.azclerks.org)>

**Subject:** [amca] Council votes needed to overrule recommendation of Planning/Zoning Commission

Good afternoon -

Can you tell me if your Code requires anything greater than a majority vote for your Council to override the recommendation of the Planning & Zoning Commission?

Thank you,  
Candace

*Candace B. Gallagher, CMC*

Town Manager/Clerk

Town of Jerome

600 Clark Street

P.O. Box 335

Jerome, AZ 86331

(928) 634-7943

[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)

## **RESPONSES...**

**From:** Katie Melser <[kmelser@ci.snowflake.az.us](mailto:kmelser@ci.snowflake.az.us)>

**Subject:** RE: Council votes needed to overrule recommendation of Planning/Zoning Commission

**Date:** March 5, 2019 at 10:35:57 AM MST

**To:** Candace Gallagher <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

Our Planning and Zoning Commission is only a recommending body, therefore, our council can choose to follow the recommendation or not with a simple majority. It doesn't make our commissioners very happy when they don't follow the recommendation though. . .

**KATIE MELSER**

*Town Clerk*

(928)536-7103 ext. 222



**From:** Kandace <[Kandace@carefree.org](mailto:Kandace@carefree.org)>

**Subject:** RE: Council votes needed to overrule recommendation of Planning/Zoning Commission

**Date:** March 4, 2019 at 4:33:48 PM MST

**To:** Candace Gallagher <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

Candace

In Carefree, the council can override a recommendation of P & Z with a majority vote (4 of 7).

However, if it is a major plan amendment, it requires an override by a 2/3<sup>rd</sup> vote, which is 6 of 7.

**Kandace French Contreras, CMC**

**Town Clerk/Treasurer**

8 Sundial Circle  
P.O. Box 740  
Carefree, AZ 85377  
**Office: 480.488.3686**  
**Cell: 623.810.9040**

**From:** Virginia Jones <[Virginia.Jones@campverde.az.gov](mailto:Virginia.Jones@campverde.az.gov)>  
**Subject: RE: [amca] Council votes needed to overrule recommendation of Planning/Zoning Commission**  
**Date:** March 5, 2019 at 7:06:49 AM MST  
**To:** Candace Gallagher <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

Good morning Candace: Our Code DOES NOT require anything greater than a majority. Have a great day.

*Virginia Jones CMC*  
*Deputy Town Clerk*  
*Town of Camp Verde*  
*928-554-0023*

**From:** Jane Fuller <[jfuller@cavecreek.org](mailto:jfuller@cavecreek.org)>

**Subject: RE: Council votes needed to overrule recommendation of Planning/Zoning Commission**  
**Date:** March 4, 2019 at 5:03:50 PM MST  
**To:** Candace Gallagher <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

Candace,

For the Town of Cave Creek the answer would be no:

The Commission shall hold public hearings as required by state statute and the town zoning and subdivision codes, and forward its recommendations over the signature of the Chair to the Town Council.

The Commission primarily advises the Town Council on planning and zoning policies, plans, amendments, and regulations as authorized by A.R.S. §§ 9-461 et seq. and A.R.S. §§ 9-462 et seq. The Commission is the planning agency for the town and has the powers necessary to enable it to fulfill its planning function, in accordance with A.R.S. § 9-461.01(A) and (B), as described in A.R.S. § 9-462, including:

Jane Fuller, Deputy Town Clerk  
Town of Cave Creek  
P: 480.488.6621  
C: 602.478.7428

**From:** Kathy Connelly <[kconnelly@ajcity.net](mailto:kconnelly@ajcity.net)>

**Subject: RE: Council votes needed to overrule recommendation of Planning/Zoning Commission**  
**Date:** March 4, 2019 at 4:57:22 PM MST  
**To:** 'Candace Gallagher' <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

Hello Candace. P&Z is a recommending body to the mayor and council. Their recommendations can be accepted, changed, sent back for further review or ignored without any super majority requirement.

Kathy Connelly, City Clerk  
City of Apache Junction

300 E. Superstition Boulevard  
Apache Junction, AZ 85119  
[kconnelly@ajcity.net](mailto:kconnelly@ajcity.net)  
480-474-5061  
Monday-Thursday 7am-6pm  
Closed Fridays and holidays

**From:** Vicki Vivian <[vvivian@benzonaz.gov](mailto:vvivian@benzonaz.gov)>  
**Subject:** RE: Council votes needed to overrule recommendation of Planning/Zoning Commission  
**Date:** March 5, 2019 at 8:16:20 AM MST  
**To:** Candace Gallagher <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

Ours does not. The only time we require more than a majority is when state law calls for it. (I have kept a list of those times that I add to when I encounter something that requires more...not sure it's complete, but I have it to refer to for some things.)

*Vicki*

Vicki L. Vivian, CMC  
City Manager/City Clerk  
City of Benson  
120 W. 6th Street  
P.O. Box 2223  
Benson, AZ 85602  
Phone: 520-720-6311  
Fax: 520-720-6311  
[www.cityofbenzon.com](http://www.cityofbenzon.com)

**From:** Amy Brown <[abrown@wickenburgaz.org](mailto:abrown@wickenburgaz.org)>  
**Subject:** RE: Council votes needed to overrule recommendation of Planning/Zoning Commission  
**Date:** March 5, 2019 at 7:38:16 AM MST  
**To:** Candace Gallagher <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

No our code does not require that.

Thanks,  
Amy Brown, IPMA-SCP  
Town Clerk  
Town of Wickenburg  
(928) 668-0517  
(602) 506-1580 FAX  
[abrown@wickenburgaz.org](mailto:abrown@wickenburgaz.org)

Town Hall Hours: Monday – Thursday from 7:00 am-6:00 pm

**From:** "Bushong, Lynda - City Clerk" <[Lynda.Bushong@yumaaz.gov](mailto:Lynda.Bushong@yumaaz.gov)>  
**Subject:** RE: Council votes needed to overrule recommendation of Planning/Zoning Commission  
**Date:** March 4, 2019 at 4:30:37 PM MST  
**To:** 'Candace Gallagher' <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

Hi Candace,

At the City of Yuma our Boards/Commissions are looked upon as a recommending committee to City Council. Although they consider their recommendation strongly, a simple majority vote would be acceptable.

Lynda

**From:** Mary Ellen Dunn <[MaryEllen.Dunn@clarkdale.az.gov](mailto:MaryEllen.Dunn@clarkdale.az.gov)>  
**Subject:** RE: Council votes needed to overrule recommendation of Planning/Zoning Commission  
**Date:** March 4, 2019 at 4:19:03 PM MST  
**To:** Candace Gallagher <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

Hello Candace,

Our Council makes the final decision. The P & Z recommendations are just that. Hope that helps!

Mary Ellen Dunn  
Town Clerk  
Town of Clarkdale  
P.O. Box 308  
Clarkdale, AZ 86324  
(928) 639-2453  
[maryellen.dunn@clarkdale.az.gov](mailto:maryellen.dunn@clarkdale.az.gov)

\*\*\* Town of Clarkdale office hours are Monday – Thursday from 8:00 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 12:00 p.m. (noon). \*\*\*

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All messages created in this system belong to the Town of Clarkdale and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. 39-121). Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology.

In addition, to ensure compliance with the Open Meeting Law, Council or Board/Commission members who are recipients of this message should not forward it to other members of the Council or Board/Commission of the Town of Clarkdale. Council Members or Board/Commission Members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board Members.

**From:** Jami Lewis <[jlewis@chinoaz.net](mailto:jlewis@chinoaz.net)>  
**Subject:** FW: Council votes needed to overrule recommendation of Planning/Zoning Commission  
**Date:** March 4, 2019 at 7:29:45 PM MST  
**To:** Candace Gallagher <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

No, it does not.

**Jami C. Lewis, CMC**  
Town Clerk

---

Town of Chino Valley  
202 N. State Route 89  
Chino Valley, AZ 86323  
928.636.2646 ext. 1208  
[jlewis@chinoaz.net](mailto:jlewis@chinoaz.net)  
[www.chinoaz.net](http://www.chinoaz.net)

**From:** Denise Tapia <[dtapia@bensonaz.gov](mailto:dtapia@bensonaz.gov)>  
**Subject:** RE: Council votes needed to overrule recommendation of Planning/Zoning Commission  
**Date:** March 4, 2019 at 4:22:46 PM MST  
**To:** Candace Gallagher <[c.gallagher@jerome.az.gov](mailto:c.gallagher@jerome.az.gov)>

Hope this helps!

Our code doesn't require anything greater. Council majority votes makes the decision, whether or not it is in line with P&Z recommendations.

*Thank You,*

*Denise*

Denise Tapia

Deputy City Clerk

City of Benson

120 West 6<sup>th</sup> St.

P.O. Box 2223

Benson AZ. 85602

Phone (520) 720-6331

**9-462.04. Public hearing required; definition**

**A. If the municipality has a planning commission or a hearing officer, the planning commission or hearing officer shall hold a public hearing on any zoning ordinance. Notice of the time and place of the hearing including a general explanation of the matter to be considered and including a general description of the area affected shall be given at least fifteen days before the hearing in the following manner:**

- 1. The notice shall be published at least once in a newspaper of general circulation published or circulated in the municipality, or if there is none, it shall be posted on the affected property in such a manner as to be legible from the public right-of-way and in at least ten public places in the municipality. A posted notice shall be printed so that the following are visible from a distance of one hundred feet: the word "zoning", the present zoning district classification, the proposed zoning district classification and the date and time of the hearing.**
- 2. In proceedings involving rezoning of land that abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice of public hearing shall be transmitted to the planning agency of the governmental unit abutting such land. In proceedings involving rezoning of land that is located within the territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, the municipality shall send copies of the notice of public hearing by first class mail to the military airport. In addition to notice by publication, a municipality may give notice of the hearing in any other manner that the municipality deems necessary or desirable.**
- 3. In proceedings that are not initiated by the property owner involving rezoning of land that may change the zoning classification, notice by first class mail shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be rezoned and all property owners, as shown on the last assessment of the property, within three hundred feet of the property to be rezoned.**
- 4. In proceedings involving one or more of the following proposed changes or related series of changes in the standards governing land uses, notice shall be provided in the manner prescribed by paragraph 5 of this subsection:**
  - (a) A ten percent or more increase or decrease in the number of square feet or units that may be developed.**
  - (b) A ten percent or more increase or reduction in the allowable height of buildings.**
  - (c) An increase or reduction in the allowable number of stories of buildings.**
  - (d) A ten percent or more increase or decrease in setback or open space requirements.**
  - (e) An increase or reduction in permitted uses.**
- 5. In proceedings governed by paragraph 4 of this subsection, the municipality shall provide notice to real property owners pursuant to at least one of the following notification procedures:**
  - (a) Notice shall be sent by first class mail to each real property owner, as shown on the last assessment, whose real property is directly governed by the changes.**

(b) If the municipality issues utility bills or other mass mailings that periodically include notices or other informational or advertising materials, the municipality shall include notice of the changes with such utility bills or other mailings.

(c) The municipality shall publish the changes before the first hearing on such changes in a newspaper of general circulation in the municipality. The changes shall be published in a "display ad" covering not less than one-eighth of a full page.

6. If notice is provided pursuant to paragraph 5, subdivision (b) or (c) of this subsection, the municipality shall also send notice by first class mail to persons who register their names and addresses with the municipality as being interested in receiving such notice. The municipality may charge a fee not to exceed five dollars per year for providing this service and may adopt procedures to implement this paragraph.

7. Notwithstanding the notice requirements in paragraph 4 of this subsection, the failure of any person or entity to receive notice does not constitute grounds for any court to invalidate the actions of a municipality for which the notice was given.

B. If the matter to be considered applies to territory in a high noise or accident potential zone as defined in section 28-8461, the notice prescribed in subsection A of this section shall include a general statement that the matter applies to property located in the high noise or accident potential zone.

C. After the hearing, the planning commission or hearing officer shall render a decision in the form of a written recommendation to the governing body. The recommendation shall include the reasons for the recommendation and be transmitted to the governing body in such form and manner as may be specified by the governing body.

D. If the planning commission or hearing officer has held a public hearing, the governing body may adopt the recommendations of the planning commission or hearing officer without holding a second public hearing if there is no objection, request for public hearing or other protest. The governing body shall hold a public hearing if requested by the party aggrieved or any member of the public or of the governing body, or, in any case, if a public hearing has not been held by the planning commission or hearing officer. In municipalities with territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, the governing body shall hold a public hearing if, after notice is transmitted to the military airport pursuant to subsection A of this section and before the public hearing, the military airport provides comments or analysis concerning the compatibility of the proposed rezoning with the high noise or accident potential generated by military airport or ancillary military facility operations that may have an adverse impact on public health and safety, and the governing body shall consider and analyze the comments or analysis before making a final determination. Notice of the time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the planning commission as specified in subsection A of this section. A municipality may give additional notice of the hearing in any other manner as the municipality deems necessary or desirable.

E. A municipality may enact an ordinance authorizing county zoning to continue in effect until municipal zoning is applied to land previously zoned by the county and annexed by the municipality, but in no event for longer than six months after the annexation.

F. A municipality is not required to adopt a general plan before the adoption of a zoning ordinance.



G. If there is no planning commission or hearing officer, the governing body of the municipality shall perform the functions assigned to the planning commission or hearing officer.

H. If the owners of twenty percent or more of the property by area and number of lots, tracts and condominium units within the zoning area of the affected property file a protest in writing against a proposed amendment, the change shall not become effective except by the favorable vote of three-fourths of all members of the governing body of the municipality. If any members of the governing body are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the governing body, provided that such required number of votes shall in no event be less than a majority of the full membership of the legally established governing body. For the purposes of this subsection, the vote shall be rounded to the nearest whole number. A protest filed pursuant to this subsection shall be signed by the property owners opposing the proposed amendment and filed in the office of the clerk of the municipality not later than 12:00 noon one business day before the date on which the governing body will vote on the proposed amendment or on an earlier time and date established by the governing body.

I. In applying an open space element or a growth element of a general plan, a parcel of land shall not be rezoned for open space, recreation, conservation or agriculture unless the owner of the land consents to the rezoning in writing.

J. Notwithstanding section 19-142, subsection B, a decision by the governing body involving rezoning of land that is not owned by the municipality and that changes the zoning classification of such land may not be enacted as an emergency measure and the change shall not be effective for at least thirty days after final approval of the change in classification by the governing body.

K. For the purposes of this section, "zoning area" means both of the following:

1. The area within one hundred fifty feet, including all rights-of-way, of the affected property subject to the proposed amendment or change.
2. The area of the proposed amendment or change.



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331

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

## ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

April 3, 2019

### ITEM 10: REVIEW - SECTION 106(B), CONSIDER ELIMINATING P&Z LIAISON TO DESIGN REVIEW BOARD.

Town Council asks Commission to review Article I, Administration, Section 106 Design Review Board. Consider change to eliminate Planning & Zoning liaison to Design Review Board. Council expressed concern that this cross over gives one member two votes on agenda item approvals and suggested the Zoning Administrator would act as a liaison between the Commission and DRB.

Charlotte Page, Zoning Administrator

### SECTION 106. DESIGN REVIEW BOARD

#### A. PURPOSE

The purpose of the Design Review Board is to review the exterior design of new buildings and structures, the alteration of buildings and structures, landscaping plans, signs, and proposed demolition of structures, within the Historic Overlay District, in order to ensure that new development is compatible with the surrounding environment, and to preserve and protect the historic character of the Town of Jerome.

#### B. COMPOSITION; TERMS OF MEMBERS; VACANCIES; COMPENSATION OF MEMBERS

The Design Review Board of the Town of Jerome shall be composed of five (5) members. The membership shall consist of a Town Planning and Zoning Commission member and four (4) residents of Jerome, who shall be persons qualified by design background, training or experience, to be appointed by the Town Council. The member of the Planning and Zoning Commission shall be designated annually by the Commission, and may not serve as Chair of the Design Review Board concurrently with serving as Chair of the Planning and Zoning Commission. In the event of a vacancy in the seat held by the member of the Planning and Zoning Commission, the Commission shall appoint another member to serve on the Design Review Board for the remainder of that year. The four (4) public members shall serve for a term of three (3) years. Members may, after a public meeting, be removed by the Council for inefficiency, neglect of duty, or unethical conduct in office. A Board member who is absent four (4) regular meetings of a year beginning March 1st and ending February 28th shall be deemed to have vacated his or her appointment without further action being taken by the Board or Council. In the event of death or resignation, or removal from the Board, the vacancy shall be filled by the Council for the unexpired term. All members shall serve without pay. However, members of the Board may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the Board and approval of such expenditures by the Town Council.

[Ord. No. 313; Ord. No. 378; Ord. No. 410; Ord. No. 445]



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331

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

## ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

April 3, 2019

### ITEM 11: ZONING ADMINISTRATOR UPDATE ON CONDITIONAL USE PERMITS FOR RESIDENTIAL USE IN COMMERCIAL ZONES.

Residential uses in the C-1 Zone are legal nonconforming situations if dating prior to the enactment of the Zoning Ordinance in 1977. This information, what and/or how buildings were occupied in 1977 is not well documented. Historically, we rely on collective memory and local knowledge to document the current need for Conditional Use Permits (CUP) for residential use in the commercial zone.

In 1997, there was a change in the Zoning Ordinance. Prior to this time, **Section 501(C), Nonconforming Situations** made this exception: **(11) For the purposes of this section, the fact that a dwelling unit is not occupied shall not be considered a discontinuance of that use.** This exception in Nonconforming Situations was used with the restoration of the upper floors of the Sullivan Apartments. Buildings revitalized prior to the 1997 change in the Ordinance may not have required any CUP if they had history of residential use.

Presently, there are three homes within the C-1 Zone that have been unoccupied for some time. These residences will require a Residential CUP to be 'legal' use when they are reoccupied.

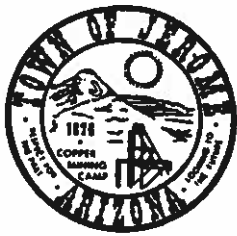
The earliest C-1 Residential CUP's were issued for new homes or new uses in the C-1 Zone. First on Juarez St. in 1984, next a mixed retail/residential use in 1992 on Hull Ave. In 1998, the Catholic Church obtained a CUP for new residential use. All other Residential type CUP's, prior to the re-development of the Boyd Hotel in 2001, are for new B&B or Hotel uses. After 2001, CUPs in C-1 are given for new homes at 553 Main (2005), restoration of 460 Clark (2005) and new home at 40 Rich St. (2006). In 2008, 527 Main St., was given a residential CUP and 314 Queen St. (2012), has not yet been built.

It is possible that more than one residence or multi use project was built in the commercial zone without obtaining the CUP that could have been required. One example, 38 Rich St., built in 1995, was given a 'use permit' by Council Action in 2015.

We may find the buildings that were built in more contemporary times were reviewed and approved by P&Z and DRB, with appropriate building permits issued.

Zoning Administrator asks Commission for recommendations for Council to consider if Residential CUP may be documented retroactively for projects where the requirement was overlooked in the approval and building process.

C. Page, Zoning Administrator



FOUNDED 1876  
INCORPORATED 1899

# TOWN OF JEROME, ARIZONA

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(520) 634-7943 FAX (520) 634-0715

## ORDINANCE NO. 293

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, ARIZONA, AMENDING ORDINANCE NO. 177, COMMONLY KNOWN AS THE JEROME ZONING ORDINANCE.

WHEREAS, by authority conferred by Title 9-462.01 of the Arizona Revised Statutes Annotated, the Town of Jerome is authorized and empowered to enact a Zoning regulation; and

WHEREAS, under Section 201 of the Jerome Zoning Ordinance, the Planning and Zoning Commission held a public hearing on September 23, 1997; and

WHEREAS, the Planning and Zoning Commission has recommended an amendment to the Jerome Zoning Ordinance to the Council of the Town of Jerome; and

WHEREAS, there has been no objection, request for public hearing, or other protest;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF JEROME, THE FOLLOWING AMENDMENT TO THE JEROME ZONING ORDINANCE;

### REVISION OF:

- A. SECTION 303 - PLAN REVIEW
- B. SECTION 507. B. C. AND D. - C-1 ZONE
- C. SECTION 501. NONCONFORMING USES AND STRUCTURES

Passed and adopted by the Mayor and Common Council of the Town of Jerome, Arizona, this 14 day of October, 1997.

John Scarcella, Mayor

APPROVED AS TO FORM:

Corbin Vandemoer, Town Attorney

Attest:

Al Palmieri, Town Clerk

ORDINANCE NO. 293

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, ARIZONA, AMENDING ORDINANCE NO. 177, COMMONLY KNOWN AS THE JEROME ZONING ORDINANCE.

WHEREAS, by authority conferred by Title 9-462.01 of the Arizona Revised Statutes Annotated, the Town of Jerome is authorized and empowered to enact an Zoning regulation; and

WHEREAS, under Section 201 of the Jerome Zoning Ordinance, the Planning and Zoning Commission held a public hearing on April 1, 1997; and

WHEREAS, the Planning and Zoning Commission has recommended an amendment to the Jerome Zoning Ordinance to the Council of the Town of Jerome; and

WHEREAS, there has been no objection, request for public hearing, or other protest;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF JEROME, THE FOLLOWING AMENDMENT TO THE JEROME ZONING ORDINANCE;

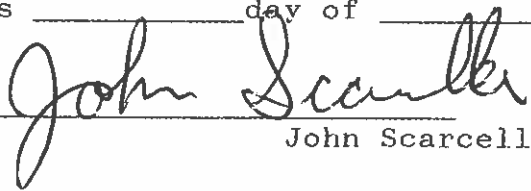
DELETION OF:  
SECTION 501. NONCONFORMING USES AND STRUCTURES  
C. APPLICATION:


11 and 17. Delete entirely. Deleted wording is shown with strikeouts below:

~~11. For the purposes of this section, the fact that a dwelling unit is not occupied shall not be considered a discontinuance of that use.~~

~~17. All nonconforming uses shall be discontinued as soon as is reasonably possible, but in no event, shall the nonconforming use exist for a period in excess of five years.~~

Passed and adopted by the Mayor and Common Council of the Town of Jerome, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

  
John Scarcella, Mayor

APPROVED AS TO FORM:  
  
Corbin Vandemoer, Town Attorney

Attest:  
\_\_\_\_\_  
Lucy Abbot, Town Clerk



## Town of Jerome, Arizona

PO Box 335, Jerome, Arizona 86331  
Al Sengstock, Planning & Zoning Administrator  
Historic Preservation Officer

Office: (928) 634-7943 Fax: (928) 634-0715 [a.sengstock@jerome.az.gov](mailto:a.sengstock@jerome.az.gov)

Founded 1876  
Incorporated 1899

Celebrating Our 116<sup>th</sup> Anniversary  
1899-2015

COPY

### NOTICE OF DECISION

November 11, 2015

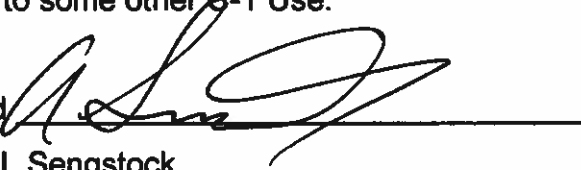
Mr. Hunter Bachrach  
Ms. Charlotte Page  
PO Box 4401  
Cottonwood, AZ 86326

Re: Use Permit for a Duplex      38 Rich Street      APN: 401-06-135A

On November 10, 2015, your request for a Use Permit for a Duplex, was approved by the Town Council.

Your request was approved with the following condition and rights:

- The Use Permit was granted retroactively, due to past miscues by The Town.
- Your historic on-street parking, satisfies all parking standards for this use.
- This Use Permit runs with the land, and need not be renewed by any future property owner, unless they wish to change the use from a duplex to some other 6-1 Use.

Signed   
Albert L. Sengstock,  
Zoning Administrator

If you have any questions regarding this Notice of Decision please contact Al Sengstock, Zoning Administrator.



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(928) 634-7943 FAX (928) 634-0715

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## RESIDENTIAL CUP'S Jerome 2019 Review

DATE GRANTED	LOCATION	DESCRIPTION	CONDITIONS	LAST REVIEW DATE	UPDATE 2018
1/23/1984	Juarez St.	Residence in C-1/AR Zone	R1-5 Use & Develop Standards	2018, VOID	2018, RESIDENTIAL USE
10/7/1985	Juarez St.	B&B in C-1	rev 6 mo	Apr-86	2018, VOID
11/25/1985	Hampshire?	B&B in R1-5 zone	rev 6 mo	Jun-88	2018, VOID
1/16/1986	880 Hampshire	Residential & retail in I-1 Zone		2018, VOID	Copper Shop
10/12/1992	420 Hull Ave	Apartment in C-1 Zone	approved		2018, mixed residential/retail use new owner
10/25/1993	Entrance on Main St noted.	Boarding House, C-1	granted	1996	parking variance granted 3 spaces 12/1/93, discussion 10/21/96 calls this 6 rm B&B
10/25/1993	unknown	B&B	granted w/transferrable to new owner noted		2018, VOID
7/25/1994	101 Hill	B&B, C-1	granted w/smoke alarms installed		2018, Current B&B 2018



DATE GRANTED	LOCATION	DESCRIPTION	CONDITIONS	LAST REVIEW DATE	UPDATE 2018
8/8/1994	UV Hospital	Hotel in C-1	granted w/amendment to include one residence		2018, Current site of Grand Hotel
9/1/1995	120 Juarez	B&B, not clear C-1/AR	granted		2018, VOID -- address not found
5/7/1996	401-07-102	B&B, R1-5	granted 2 rms only, fire extinguishers and clear exits, on site parking		2018, VOID
10/1/1996	401-07-076	B&B, R1-5	tabled		2018, VOID
12/17/1997	880 Hampshire	Residential Use in I-1	granted/parking to be developed prior to occupancy		2018 Still has residential use & retail.
6/2/1998	101 County Road 401-06-156C	Residential use in C-1	granted no review to follow		2018, still has residential use
11/17/1999	164 Main St.	caretaker residence C-1	approved subject to FD & BI inspector for safety		2018, No longer in use
3/16/2001	403 Clark St.	Time Shares UV, Apartments C-1	forward to Council		2018, not current business
3/16/2001	United Verde	Time Shares hotel like	forward to Council		not current business
6/5/2001	37 Rich St.	Multi family residence in C-1	tabled/6/20 approved w/lease on 401-06-076A parcel	2018, Void	2018, currently occupied as LT Rental 2 units.
8/7/2001	333 Main St.	Boyd 4 apartments	approved 3 w/5 parking spaces at Episcopal Church		
11/6/2001	Boyd	1 apartment in C-1 total 4 apartments	install sign: parking for Boyd Apartments		2018, in use

4/2/2002	894 Hampshire	B&B, R1-5			2018, VOID
4/2/2003	37 Rich St	B&B, R1-5			2018, currently occupied as LT Rental - 2 units
10/5/2005	460 Clark St. 401-06-030	Residential apartment in C-1 Zone			2018, residence
1/4/2006	40 Rich St.	Residential apartment in C-1 Zone		2018, VOID	2018, occupied residence
5/3/2006	511 School St.	Residential apartment in C-1 Zone			2018 is for sale as residence with 2 entrances at street level, 2 bedrooms down and main entrance on upper level. 2019, STR
3/7/2007	778 East Ave	B&B, R1-5			2018, VOID
4/4/2007	898 Hampshire	B&B, R1-5			2018, VOID
6/4/2008	527 Main St.	Residential apartment in C-1 Zone	must record easement for parking space		sold in 2018, is 2nd floor ST Rental, w/retail space downstairs
5/6/2009	527 Main St.	Mix commercial residential use C-1			2018 occupied as retail wine & tasting downstairs w/ST Rental upstairs - no change of use 2018
4/6/2011	323 Main St	Mix commercial residential use C-1			2018, still currently in use
6/6/2012	314 Queen St.	Residential Use in C-1 Zone			2018, structure unoccupied, building permit open
1/2/2013	509 (511) Main St.	Residential Use in C-1 Zone	Mixed use retail & residential		2018, mix residential retail use
4-Jun-14	537 School St.	B&B in C-1 Zone	inspect by FD & Building Insp, rev in 1 year, no on street parking		reported as 'expired' in 11/4/15 minutes - also request for a duplex at that time.
7/1/2015	123 Beal St.	B&B one room AR Zone	per zoning ordinance restrictions		2018, currently in use

[illegible]



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331

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

## ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

**April 3, 2019**

### **ITEM 12: ZONING ADMINISTRATOR UPDATE ON CERTIFICATE OF NO EFFECT.**

At the suggestion of Design Review Board, Zoning Department is developing applications for DRB and P&Z to streamline application processes for simple projects.

Draft for P&Z application is presented here, with a suggested list of projects that may be considered.

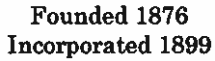
Last month, Town Council directed staff to review the fee schedule with goals that are similar. Current fees for board reviews are the same for small projects as building new residential or commercial buildings. These review fees for large projects like new houses may go up, but review of a simple project should not cost the same as commercial buildings.

The goal is to develop separate applications for these small projects and make it easier to fulfill the requirements for submissions. Reviews will continue with the Commission and DRB. Certificate of No Effect may be a future goal but streamlining and fee adjustment will be good for the community also.

P&Z will always need a site plan, but the current application is very complex with details that may not be necessary on simple projects.

Full reviews will continue for all large additions and new construction of residential and commercial buildings.

Charlotte Page  
Zoning Administrator



Marked for Change  
3/27/19  
/CP

**Jerome Town Hall and Civic Center**  
**600 Clark Street**  
**P.O. Box 335, Jerome, AZ 86331**  
**(928) 634-7943 FAX (928) 634-0715**

**FOR P & Z COMMISSION – NOT FOR NEW BUILDINGS OVER 200 SQ. FT.**

APPLICANT'S NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PROJECT ADDRESS: \_\_\_\_\_

PARCEL NUMBER: \_\_\_\_\_ ZONE DISTRICT: \_\_\_\_\_

PERMITTED USE?: ☐ CONDITIONAL USE ☐

APPLICATION FOR (Please describe the project.): \_\_\_\_\_

- I hereby apply for consideration and conditional approval by the above Commission.
- I understand that any approval is not valid until application fees are received by the Town.
- I have obtained and reviewed information on the criteria used in evaluation by these bodies and/or reviewed the application provisions in the Town Zoning Ordinance.
- I understand that this application will not be scheduled for consideration until all required materials have been submitted and reviewed.

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**TOWN USE BELOW**

RECEIVED FROM: \_\_\_\_\_ DATE: \_\_\_\_\_

Received the sum of \$\_\_\_\_\_ as: ☐ Check No. \_\_\_\_\_ ☐ Cash ☐ Credit Card

**Per Fee schedule – Ordinance 332**

BY: \_\_\_\_\_ FOR: \_\_\_\_\_

**PLANNING & ZONING** — Please review ZONING ORDINANCE, ALL OF §303, Conditional Use Permits must also be approved by Council

ZONING DISTRICT: \_\_\_\_\_ PROPOSED USE: \_\_\_\_\_

PERMITTED USE?: ☐ \_\_\_\_\_ CONDITIONAL USE?: ☐ \_\_\_\_\_

### PROPERTY DESCRIPTION

1. ~~Non-conforming lot of record?~~ \_\_\_\_\_

2. Name of connecting public street \_\_\_\_\_

3. ~~Public water (domestic)?~~ \_\_\_\_\_ ~~Public Sewer?~~ \_\_\_\_\_

~~Public water (fire suppression?)~~ \_\_\_\_\_ ~~Public Septic?~~ \_\_\_\_\_

4. Lot area \_\_\_\_\_ Required for zone \_\_\_\_\_

5. Lot width \_\_\_\_\_ Required for zone \_\_\_\_\_

6. Square footage of EXISTING buildings \_\_\_\_\_ SQ FT PROPOSED PROJECT \_\_\_\_\_

~~Required for zone~~ \_\_\_\_\_

~~Square footage of footprint~~ \_\_\_\_\_

7. Percentage of lot covered (IF ADDING SQUARE FOOTAGE/BUILDING TO LOT) \_\_\_\_\_

8. Yards (FILL OUT #8 IF PROPOSED PROJECT WILL INCLUDE NEW STRUCTURE WITHIN 5' OF LOT LINE)

Front \_\_\_\_\_ Front of buildings within 100' \_\_\_\_\_

Side yard (1) \_\_\_\_\_ Side yard (2) \_\_\_\_\_

Rear yard \_\_\_\_\_

~~Single or double frontage~~ \_\_\_\_\_

9. ~~Building height from median~~ \_\_\_\_\_ ~~Maximum face~~ \_\_\_\_\_

10. NEW EXTERIOR LIGHTING? \_\_\_\_\_

11. NEW WALLS OR FENCES? \_\_\_\_\_

12. NEW ACCESSORY BUILDING? \_\_\_\_\_

SQUARE FOOTAGE \_\_\_\_\_ HEIGHT \_\_\_\_\_

**Engineering may be required on Items 10 and 11**

13. Fill required? \_\_\_\_\_ Evidence of safety of fill \_\_\_\_\_

14. Excavation required? \_\_\_\_\_ Evidence of safety of excavation \_\_\_\_\_

15. Design Review required? \_\_\_\_\_

Sign proposed? \_\_\_\_\_

16. Performance Standards — Please review and indicate compliance with the following:

**Standard** \_\_\_\_\_ **Compliance Guaranteed**

Noise \_\_\_\_\_

Smoke \_\_\_\_\_

Glare or heat \_\_\_\_\_

Vibration \_\_\_\_\_

Fly ash, dust, fumes, vapors, gases  
or other forms of air pollution \_\_\_\_\_

Liquid and solid waste \_\_\_\_\_

Odors \_\_\_\_\_

17. Is land suitable for building? (Engineering verification may be necessary.) \_\_\_\_\_

Slope \_\_\_\_\_

Engineering report submitted? \_\_\_\_\_

18. Home occupation? \_\_\_\_\_

19. Exterior lighting? \_\_\_\_\_

20. Walls and fences? \_\_\_\_\_

21. Accessory building(s)? \_\_\_\_\_

Square footage \_\_\_\_\_ Height \_\_\_\_\_



22. Projections from building (type of projection in feet) \_\_\_\_\_

## **PARKING AND LOADING** – Please review ZONING ORDINANCE, §510

1. Use \_\_\_\_\_

2. Is this a change of use or a new use of a pre-existing structure? \_\_\_\_\_

3. Loading requirement \_\_\_\_\_

How will requirements be fulfilled? \_\_\_\_\_

4. Parking requirement \_\_\_\_\_

How will requirement be fulfilled? \_\_\_\_\_

### 5. Off-street parking

#### EXISTING

#### NEW

Spaces required

\_\_\_\_\_

\_\_\_\_\_

Spaces provided

\_\_\_\_\_

\_\_\_\_\_

Access from public street (which street)

\_\_\_\_\_

\_\_\_\_\_

Dimensions 8' X 20' REQUIRED

\_\_\_\_\_

\_\_\_\_\_

Grading required

\_\_\_\_\_

\_\_\_\_\_

Surface

\_\_\_\_\_

\_\_\_\_\_

Circulation pattern and exiting procedure

\_\_\_\_\_

\_\_\_\_\_

## PLAN REVIEW

Each application for ~~design~~ **SITE PLAN** approval will be filed with the Zoning Administrator to be forwarded to the Planning & Zoning Commission. The application for approval shall be submitted with eight (8) identical copies of the plan. Each copy shall be on one or more sheets of paper, not measuring more than twenty-four inches (24") by thirty-six inches (36"), drawn to a scale not smaller than forty feet (40') to the inch, which show the features referenced in Section 303 I.C. 1-11. The following checklist is provided for the applicant's convenience to ensure inclusion of all necessary data.

Eight (8) copies of the site plan enclosed – INCLUDE ITEMS BELOW

- \_\_\_\_\_ North arrow
- \_\_\_\_\_ Scale
- \_\_\_\_\_ PROPERTY LINES & Lot dimensions
- \_\_\_\_\_ Street ~~dedications~~ NAMES
- ~~\_\_\_\_\_ Easements~~
- ~~\_\_\_\_\_ Utilities~~
- ~~\_\_\_\_\_ Property lines~~
- \_\_\_\_\_ Location of all buildings and structures and number of stories (building height)
- ~~\_\_\_\_\_ Dimensions of all~~ INDICATE SETBACKS FOR required yards.
- \_\_\_\_\_ Space between buildings, 5' REQUIRED FOR NEW CONSTRUCTION
- \_\_\_\_\_ Dimensions of all proposed NEW AND EXISTING walls and fences
- \_\_\_\_\_ Exterior lighting – PROPOSED NEW
- \_\_\_\_\_ Dimensions of all required yards
- \_\_\_\_\_ Lot coverage, INDICATE ON APPLICATION PG. 2
- \_\_\_\_\_ Parking and loading, LOCATION, NUMBER AND DIMENSION OF SPACES
  - ~~\_\_\_\_\_ Location of spaces~~
  - ~~\_\_\_\_\_ Number of spaces~~
  - ~~\_\_\_\_\_ Dimension of spaces~~
  - ~~\_\_\_\_\_ Circulation patterns~~
  - ~~\_\_\_\_\_ Surface materials~~
- \_\_\_\_\_ Existing man-made features (roads, walkways, stairways, etc.)
- \_\_\_\_\_ Driveways – proposed, LOCATION AND DIMENSION DESCRIBE SURFACE MATERIAL
  - ~~\_\_\_\_\_ Location~~
  - ~~\_\_\_\_\_ Number~~
  - ~~\_\_\_\_\_ Dimensions~~
  - ~~\_\_\_\_\_ Circulation patterns~~
  - ~~\_\_\_\_\_ Surface materials~~
- ~~\_\_\_\_\_ Other access ways – proposed~~
  - ~~\_\_\_\_\_ Location~~

\_\_\_\_\_ Number

\_\_\_\_\_ Dimensions

\_\_\_\_\_ Circulation patterns

\_\_\_\_\_ Surface materials

\_\_\_\_\_ Pedestrian walkways and stairways – proposed, LOCATION AND DIMENSION DESCRIBE SURFACE MATERIAL

\_\_\_\_\_ Location

\_\_\_\_\_ Number

\_\_\_\_\_ Dimensions

\_\_\_\_\_ Circulation patterns

\_\_\_\_\_ Surface materials

\_\_\_\_\_ Vicinity sketch, INCLUDE adjacent properties and their uses

\_\_\_\_\_ Existing and proposed drainage

\_\_\_\_\_ Existing natural features (rock outcroppings, washes, etc.)

\_\_\_\_\_ Existing and proposed grades

\_\_\_\_\_ Slope of property

\_\_\_\_\_ Proposed excavation and grading

\_\_\_\_\_ Engineering reports where needed

**PLAN REVIEW CHECKLIST CONTINUED ON NEXT PAGE**

\_\_\_\_\_ Legal description of property to be developed

\_\_\_\_\_ Additional information requested by Zoning Administrator

\_\_\_\_\_ Additional information requested by Design Review Board

**PLEASE NOTE:**

After Planning & Zoning Commission approval and Design Review Board approval, building projects must then be submitted to the Building Inspector for review, approval and issuance of building permit(s).

**REGARDING BUILDING PERMITS:**

There are additional fees required for building permits to reimburse the Town for costs of providing plan review and construction inspection services. Please refer questions to the Building Inspector. Commercial projects, and some residential projects, generally require plans to be prepared and/or sealed by an Arizona registrant, such as a licensed architect or engineer, per A.R.S. §32-144. Licensed contractors are required for construction projects per A.R.S. §32-1121.



**STAFF CONTACT:**  
k.dabney@jerome.az.gov



**WEBSITE:**  
www.Jerome.az.gov



**OFFICE PHONE:**  
928-634-7943



**TOWN HALL ADDRESS:**  
600 CLARK ST.



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## TOWN OF JEROME, ARIZONA

Jerome Town Hall and Civic Center  
600 Clark Street  
P.O. Box 335, Jerome, AZ 86331  
(928) 634-7943 FAX (928) 634-0715

### SMALL PROJECT APPLICATION, SITE PLAN REVIEW

#### FOR P & Z COMMISSION – NOT FOR NEW BUILDINGS OVER 200 SQ FT.

PLEASE PRINT LEGIBLY SO THAT PROCESSING WON'T BE DELAYED - THIS APPLICATION FOR FENCING & WALLS, ACCESSORY STRUCTURES UNDER 200 SQ FT. & PROJECTS UNDER \$1,500 IN VALUE

APPLICANT'S NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PROJECT ADDRESS: \_\_\_\_\_

PARCEL NUMBER: \_\_\_\_\_ ZONE DISTRICT: \_\_\_\_\_

PERMITTED USE?: ☐ CONDITIONAL USE?: ☐

APPLICATION FOR (Please describe the project.): \_\_\_\_\_

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APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

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RECEIVED FROM: \_\_\_\_\_ DATE: \_\_\_\_\_

Received the sum of \$ \_\_\_\_\_ as: ☐ Check No. \_\_\_\_\_ ☐ Cash ☐ Credit Card

Per Fee schedule – Ordinance 332

BY: \_\_\_\_\_ FOR: \_\_\_\_\_

ZONING DISTRICT: \_\_\_\_\_ PROPOSED USE: \_\_\_\_\_



For TTY Access, Call the Arizona Relay Service at 1-800-367-8939 and ask for Town of Jerome at 928-634-7943



**PROPERTY DESCRIPTION**

1. Name of connecting public street \_\_\_\_\_
2. Lot area \_\_\_\_\_ Required for zone \_\_\_\_\_
3. Lot width \_\_\_\_\_ Required for zone \_\_\_\_\_
4. Square footage of existing buildings \_\_\_\_\_ Proposed Project Sq. Ft. \_\_\_\_\_
5. Percentage of lot covered (if adding square footage or new building to lot) \_\_\_\_\_
6. Yards (fill out this section if proposed project includes new structure within 5' of any property line).
 

Front _____	Front of buildings within 100' _____
Side yard (1) _____	Side yard (2) _____
Rear yard _____	Single road? _____ Double road frontage? _____
7. New Exterior lighting? \_\_\_\_\_
8. New Walls or fences? \_\_\_\_\_
9. New accessory building(s)? \_\_\_\_\_
 

Square footage _____	Height _____
----------------------	--------------

**PARKING AND LOADING** – Please review ZONING ORDINANCE, §510

1. Off-street parking	Existing	New
Spaces required	_____	_____
Spaces provided	_____	_____
New? Describe Access from public street	_____	_____
New? Indicate Dimensions (8' x 20' req.)	_____	_____

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### Eight (8) copies of the site plan – include items below

- \_\_\_\_\_ North arrow
- \_\_\_\_\_ Scale
- \_\_\_\_\_ Property lines & Lot dimensions
- \_\_\_\_\_ Street names
- \_\_\_\_\_ Location of all buildings and structures and number of stories (describe building height)
- \_\_\_\_\_ Indicate setbacks for required yards
- \_\_\_\_\_ Space between buildings – 5' required for new construction
- \_\_\_\_\_ Dimensions of all proposed new walls and fences
- \_\_\_\_\_ Exterior lighting – proposed new
- \_\_\_\_\_ Parking and loading; location, number and dimension of spaces
- \_\_\_\_\_ Existing man-made features (roads, walkways, stairways, etc.)
- \_\_\_\_\_ Driveways or other access ways – proposed new & existing
- \_\_\_\_\_ Pedestrian walkways and stairways – proposed new & existing
- \_\_\_\_\_ Lot coverage (total square footage of all buildings as % of total lot square footage)
- \_\_\_\_\_ Vicinity sketch w/adjacent properties & uses
- \_\_\_\_\_ Additional information requested by Zoning Administrator
- \_\_\_\_\_ Additional information requested by Design Review Board

### PLEASE NOTE:

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