

ORDINANCE NO. 208

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

WHEREAS, the Planning and Zoning Commission has held a public hearing on the items of this amendment; and

WHEREAS, the Commission has voted in the majority to recommend this amendment to the Mayor and Council; and

WHEREAS, the Mayor and Council concur with the recommendations of the Commission, finding it is necessary for the welfare of the Town of Jerome that this Zoning Ordinance Amendment be enacted; and

WHEREAS, by authority conferred by Title 9, Chapter 4, Article 6, Sections 1 through 6, Arizona Revised Statutes, 1956; and statutes amendatory thereto, the Town of Jerome is authorized and empowered to enact the following amendment;

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

AMENDMENT 1: Amend Article II, Section 201 (page 10) to include the following definitions:

ACCESSORY FEATURE - Any manmade structure erected upon or appurtenant to real property.

ANTENNA - Accessory feature used for electronic signal reception or transmission.

AMENDMENT 2: Amend Article II, Section 304 (1) (page 37) to read as follows:

F. REVIEW PROCEDURES AND CRITERIA

1. The Design Review Board shall review a submitted application for design approval for all new construction and/or installation of Accessory Features. In doing so, both the Design Review Board and the applicant shall use photographs, lithographs and the like of Jerome to support their findings. If photographs, etc., are unavailable,

then the determination or finding shall be based on the works of a recognized historic preservation authority; such as, but not limited to, text books or architect/historian. Each of the following criteria must be satisfied before an application can be approved.

AMENDMENT 3: Amend Article III, Section 304 F(1)(i) (page 38) to read as follows:

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

AMENDMENT 4: Amend Article II, Section 304 I to be entitled and include a third and fourth paragraph as follows:

I. VIOLATIONS, ENFORCEMENT, AND FINES

3. If, 30 days after written notification by the Zoning Administrator, a citizen is still in violation of this ordinance, the Zoning Administrator shall take appropriate legal action to abate the violation.

AMENDMENT 5a: Amend Article III, Section 304 (D) (page 36) to be entitled and read as follows:

D. APPLICATION FOR FINAL APPROVAL AND PERMIT

1. An application for Design Review Approval shall be filed with the Zoning Administrator on a form prescribed by the Administrator. All applications, at a minimum must be accompanied by the following:
 - a. the name and address of the property owner;
 - b. the signature of the property owner or an authorized agent;
 - c. two copies of the plot plan or site layout, including all improvements affecting the appearances such as walls, walks, terraces, landscaping, accessory buildings, lights and other elements;

- d. one set of legible photographs showing all sides of existing structures on the site;
- e. one set of legible photographs showing the adjoining properties, buildings and structures;
- f. more involved applications shall be accompanied with two copies of plans and exterior elevations, drawn to scale, on one or more sheets of paper measuring not more than twenty-four (24) by thirty-six (36) inches, with sufficient detail to show, as far as they relate to exterior appearances, the design proposed materials, textures, and colors; and
- g. any other information which the Design Review Board may find necessary to establish compliance with this Section.

AMENDMENT 5b: Amend Article III, Section 304 (F) (page 39) to add item K.

- K. 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.

AMENDMENT 5c: Amend Article V, Section 501 (A)(2) (page 49) to read as follows:

- 2. A nonconforming structure is a structure which was lawfully erected prior to adoption or lawfully erected prior to any subsequent amendment of this Ordinance, but which, under this Ordinance, does not conform with the standards of coverage, yard spaces, height of structures, or distance between structures, prescribed in the regulations for the district in which the structure is located.

AMENDMENT 5d: Amend Article V, Section 501(B) (page 49) to add an additional sentence to read as follows:

It is the expressed intent of this ordinance to discourage nonconforming uses and encourage their eventual conformance.

AMENDMENT 5e: Amend Article V, Section 501(C)(2) (page 49) to read as follows:


2. The lawful use of land, building or structures existing at the time of the passage of this Ordinance, or amendment thereof, although such does not conform to the provisions hereof for said land, may be continued, but if such nonconforming use is discontinued for a period of six (6) months, any future use of said land or structure shall be in conformity with the provision of this Ordinance.

AMENDMENT 5f: Amend Article V, Section 501(C) to add Item 17 (page 50):

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.

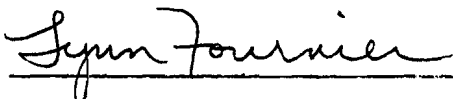
WHEREAS, the immediate operation of the provisions of this Ordinance Amendment is necessary for the preservation of the public health, safety and welfare, and to carry out the expressed intent and purpose of said Ordinance Amendment shall be in full force and effect from and after the date of its passage by the Council.

PASSED AND ADOPTED by the Council of the Town of Jerome this 10th day of February 1986.



Ray Rantapaa
Mayor

ATTEST:


_____, Town Clerk

APPROVED AS TO FORM:

_____, Town Attorney