

ORDINANCE NO. 287

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, 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 303 of the Jeorme Zoning Ordinance, the Planning and Zoning Commission held a public hearing on November 5, 1996; 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 510.F. OTHER VARIANCE FROM GENERAL OFF-STREET PARKING REQUIREMENTS in its entirety.

The deleted portion is shown with strikeouts below:

~~F. OTHER VARIANCE FROM GENERAL OFF STREET PARKING REQUIREMENTS~~

~~The loading requirements of Subsection D and E (Schedule of Required Off Street Parking Spaces and Off Street Loading Requirements) may be varied upon a variance granted by the Board of Adjustment based on the findings listed herein below and only upon the conditions set forth herein below.~~

~~1. Findings Necessary as a Prerequisite to Granting of Variance~~

- ~~a. That compliance with the off street parking requirements may be tantamount to a physical impossibility.~~
- ~~b. That adequate conditions may be placed on the granting of the variance to ensure public safety and welfare.~~
- ~~c. The applicant has agreed to payment of the required parking fund fee for each waived space.~~
- ~~d. Payment in lieu of parking in residential districts should be discouraged.~~

~~2. Conditions Required to be Placed on an Off Street Parking or Loading Variance~~

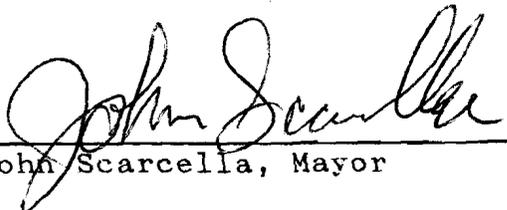
~~If the Board of Adjustment makes the findings set forth above it shall grant a variance on the following minimum conditions:~~

- ~~a. That any waiver shall include the most limited number of waived spaces possible~~
- ~~b. That the applicant pays in advance of building permit approval, one time parking fund fee of ONE THOUSAND DOLLARS (\$1,000), times each waived space into the Town's Parking Development and Maintenance Fund.~~
- ~~c. Any other conditions the Board might deem reasonable to protect the public's health and welfare.~~

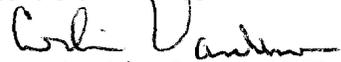
WHEREAS, the immediate operation of the provisions of this Ordinance Amendment is necessary for the preservation of the public health, safety, and welfare, and to carry out the expressed intent and purpose of said Ordinance, Amendment shall be in full force and effect from and after the date of its passage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

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Jerome, Arizona, this 14th day of January, 1997.

APPROVED this 14th day of January, 1997, by an affirmative vote of three-fourths of the members of the Common Council of the Town of Jerome.


John Scarcella, Mayor

APPROVED AS TO FORM:


Corbin Vandemoer, Town Attorney

Attest:

Lucy Abbot, Town Clerk

PUBLISHER'S AFFIDAVIT

STATE OF ARIZONA, }
County of Yavapai, } ss

Richard E. Larson first having

been duly sworn, on his oath says:

That he is the Publisher of The Verde Independent, a Twice Weekly Newspaper published at Cottonwood, Yavapai County, Arizona; that the notice attached hereto, namely, Ordinance 287

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has, to the personal knowledge of affiant, been published and legally printed in said County of Yavapai in the newspaper aforesaid, according to law, from the 20th day of November 1996, to the 27th day of November 1996, both inclusive, without change, interruption or omission, amounting in all to 2 insertions, made on the following dates:

November 20, 27, 1996

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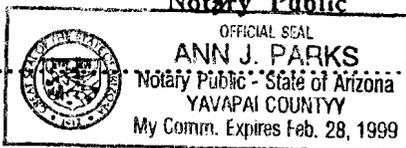
Richard E. Larson
.....
(Signature)

Subscribed and sworn to before me this 29th day of November, 1996,

in witness whereof I have hereunto set my hand and seal of office.

Ann J. Parks
.....
Notary Public

My Commission Expires



ORDINANCE NO. 287
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WHEREAS, under Section 303 of the Jerome Zoning Ordinance, the Planning and Zoning Commission held a public hearing on November 5, 1996; 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 510.F. OTHER VARIANCE FROM GENERAL OFF-STREET PARKING REQUIREMENTS in its entirety.

The deleted portion is shown below:
F. OTHER VARIANCE FROM GENERAL OFF-STREET PARKING REQUIREMENTS

The loading requirements of Subsection D and E (Schedule of Required Off-Street Parking Spaces and Off-Street Loading Requirements) may be varied upon a variance granted by the Board of Adjustment based on the findings listed herein below and only upon the conditions set forth herein below.

1. Findings Necessary as a Prerequisite to Granting of Variance

a. That compliance with the off-street parking requirements may be tantamount to a physical impossibility.

b. That adequate conditions may be placed on the granting of the variance to ensure public safety and welfare.

c. The applicant has agreed to payment of the required parking fund fee for each waived space.

d. Payment in lieu of parking in residential districts should be discouraged.

2. Conditions Required to be Placed on an Off-Street Parking or Loading Variance

If the Board of Adjustment makes the findings set forth above it shall grant a variance on the following minimum conditions:

a. That any waiver shall include the most limited number of waived spaces possible

b. That the applicant pays in advance of building permit approval, one time parking fund fee of ONE THOUSAND DOLLARS (\$1,000), times each waived space into the Town's Parking Development and Maintenance Fund.

c. Any other conditions the Board might deem reasonable to protect the public's health and/or welfare.

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

day of November, 1996.

John Scarcella, Mayor
APPROVED AS TO FORM:

Corbin Vandemoer, Town Attorney
Attest: Lucy Abbot, Town Clerk
2TVIPublish: November 20, 27, 1996.