



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331

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

REGULAR MEETING OF THE TOWN OF JEROME

PLANNING AND ZONING COMMISSION

DATE: Wednesday, September 5, 2018 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: APPROVAL OF MINUTES: Minutes of August 1, 2018

Discussion/Possible Action/ Possible Direction to Staff

ITEM 3: 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.

******OPENING OF PUBLIC HEARING******

ITEM 4: REVIEW DRAFT ZONING ORDINANCE 502.M HOME OCCUPATIONS

The Commission shall conduct a public hearing on a proposed amendment to the Jerome Zoning Ordinance, Section 502 General Provisions, M-Home Occupation. Addition of definitions and specific regulations are added regarding storage, sale display, nuisance and traffic generation. The Commission has set this hearing pursuant to Jerome Zoning Ordinance Section 301(C) Commission Action.

Discussion/Possible Action/ Possible Direction to Staff

******CLOSE OF PUBLIC HEARING******

ITEM 5: DISCUSSION REGARDING ZONING ORDINANCE 502.M HOME OCCUPATIONS, RECOMMENDATION TO COUNCIL

The Commission shall, after the public hearing and discussion, make a recommendation to Council to either adopt the ordinance as written, adopt the ordinance with changes, or not adopt the Zoning Ordinance Definition amendments referenced in Item 4 above.

Discussion/Possible Action/Possible Direction to Staff

******OPENING OF PUBLIC HEARING******

ITEM 6: REVIEW DRAFT ZONING ORDINANCE 509.G. SIGNS, TEMPORARY

The Commission shall conduct a public hearing on a proposed amendment to the Jerome Zoning Ordinance, Section 509.G, Signs, Temporary. The definition has limited display to 45 days, and regulations are added that limit the display to 45 days, three (3) times per year, and require temporary signs to apply with Zoning Administrator for each installation. The Commission has set this hearing pursuant to Jerome Zoning Ordinance Section 301(C) Commission Action.

Discussion/Possible Action/ Possible Direction to Staff

******CLOSE OF PUBLIC HEARING******

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ITEM 7: DISCUSSION REGARDING ZONING ORDINANCE 509.G SIGNS, TEMPORARY, RECOMMENDATION TO COUNCIL

The Commission shall, after the public hearing and discussion, make a recommendation to Council to either adopt the ordinance as written, adopt the ordinance with changes, or not adopt the Zoning Ordinance Definition amendments referenced in Item 6 above.

Discussion/Possible Action/Possible Direction to Staff

ITEM 8: P&Z REVIEW OF DEFINITIONS AND PROPERTY DEVELOPMENT STANDARDS IN REGARD TO ACCESSORY BUILDINGS

Discussion/Possible Action/Possible Direction to Staff

ITEM 9: P&Z REVIEW OF ZONING ORDINANCE SECTION 304 DESIGN REVIEW, IN REGARD TO CERTIFICATES OF NO EFFECT

Discussion/Possible Action/Possible Direction to Staff

ITEM 10: P&Z REVIEW OF ZONING ORDINANCE SECTION 509 SIGNS, CHANGES IN DEFINITIONS 7, 14, & 19, CHANGES TO 509.D.1.C, 509.E.6, 509.E.7, 509.E.10, CLARIFICATION 509.G.1

Discussion/Possible Action/Possible Direction to Staff

ITEM 11: P&Z DISCUSSION OF ZONING ORDINANCE SECTION 104, 105 & 106, IN REGARD TO MEMBER ABSENCES

Discussion/Possible Action/Possible Direction to Staff

ITEM 12: FUTURE AGENDA ITEMS

Discussion/Possible Action/Possible Direction to Staff

ITEM 13: ADJOURN

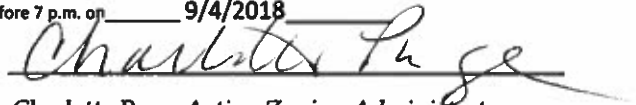
Discussion/Possible Action

The undersigned hereby certifies that this notice and agenda was posted at the following locations on or before 7 p.m. on 9/4/2018

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 Paeg, Acting 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 Paeg, Acting Zoning Administrator.



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REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, August 1, 2018 TIME: 7:00 pm

PLACE: **JEROME CIVIC CENTER**

600 Clark St., JEROME, ARIZONA 86331

MINUTES

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

Vice Chair Schall called the meeting to order at 7:00 p.m.

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

Staff present were Charlotte Page, Interim Zoning Administrator, and Joni Savage, Deputy Clerk/Minute Taker.

7:01 ITEM 2: APPROVAL OF MINUTES: Minutes of July 11, 2018.

Vice Chair Schall asked if there were any comments about the minutes.

Ms. Moore stated that the minutes don't reflect any discussion.

Ms. Savage explained that the Council is doing their minutes this way. They are encouraging the boards and commission to do the same, however they do not have to. The Council is relying on the recordings and it was confirmed that they were available shortly after the meeting.

Ms. Moore said that a few people had told her the recordings were difficult to understand. She believes when there is important discussion a synopsis would be good. She referred to the Council meeting the prior evening; there were questions from Councilmembers in regard to the three-month check on Conditional Use Permits, the past Zoning Administrators didn't follow up and if there is a time-line for them to adhere to then they would perhaps follow up. Had that been reflected in the minutes then there may not have been a question from the Council. She also said, "When a commission member votes no, they are supposed to give a reason."

Vice Chair Schall said he would like a summarization and gave direction to staff.

Ms. Moore wanted to make one more comment: "Al Palmeri, the Town Clerk, used to do abbreviated minutes. If you wanted to go back and see what happened and what the concerns were from the public, it was very difficult to decipher, and those tapes have been destroyed. Sometimes it is nice to reflect the concerns from the public." In her experience these abbreviated minutes can be a problem.

Jane Moore made a motion to approve the Minutes of July 11, 2018. Seconded by Scott Hudson. The motion passed unanimously with five ayes.

7:10 ITEM 3: PETITIONS FROM THE PUBLIC – There were no petitions from the public.

7:11 ITEM 4: ZONING ADMINISTRATOR REPORT – Public Hearing schedule for recommended Ordinance changes to **502.M** Home Occupations and **509.G.8** Temporary Signs. Information regarding Council review of CUP(s) for R. Martin and Four Eight Wineworks.

Ms. Page talked about public hearings scheduled at the next regular meeting, the first Wednesday in September, and the Conditional Use Permit's that had been passed by Council.

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Ms. Moore asked why Cellar 433 wasn't done as well.

Ms. Page informed the Commission that the applicants were out of Town.

13:00 ITEM 5: COUNCIL REQUEST FOR ORDINANCE CHANGE TO REMOVE REQUIREMENT FOR THREE AFFIRMATIVE VOTES TO PASS ANY MEASURE, AND CHANGE TO SIMPLE MAJORITY VOTE. THIS WILL APPLY TO PLANNING & ZONING COMMISSION, DESIGN REVIEW BOARD AND BOARD OF ADJUSTMENT.

Vice Chair Schall clarified the item and asked for discussion.

Mr. Hudson suggested since we have strong boards, why don't we leave it the way it is.

Vice Chair Schall thought it had been safer the way it has been done.

Ms. Page believes that the Council votes by a majority.

Ms. Moore agrees with Vice Chair Schall. She had been in a Council meeting of three people and there was a two to one vote (Ms. Moore being the one no vote), and the outcome of that was being reported to the Attorney General. The Town attorney was present and said it was the majority, however Ms. Moore said it wasn't right, we continued with the meeting and ended up being reported to the Attorney General.

Mr. Vincent believes the three-vote rule has functioned well since the adoption and would like to see it remain the same. He doesn't want to go to simple majority. It is a cornerstone and he doesn't support changing it. There are too many unforeseen variables.

7:17 Suzy Mound, a resident agreed that it should not change to simple majority, it should be at least three.

Vice Chair Schall said, "Direction to staff is leave it alone."

Mr. Vincent asked if the other two boards would have a similar discussion?

Ms. Page explained that ordinances are changed by this Commission or by the Council themselves.

7:19 ITEM 6: COUNCIL REQUEST FOR REVIEW OF POSSIBLE CHANGES TO SIGN ORDINANCE.

Ms. Page explained that the temporary signs portion of the ordinance has been approved, however; there are parts in the ordinance that still need to be changed. She pointed them out to the Commission.

Vice Chair Schall suggested she continue with the changes. He also asked if we were going to do anything about the off-premise signs, does the ordinance say they have to be attached.

Ms. Page said she is not sure if it says that they have to be attached to the building and there is an exception for the district type signs.

The Commission discussed some of the illegal signs.

Vice Chair Schall asked what we should do as a Commission.

Ms. Page said we could break it down into a topic and work on the ordinance that way.

Vice Chair Schall directed staff to incorporate the changes and bring it back as a finished document and then we can look at it again.

7:29 ITEM 7: COUNCIL REQUEST FOR REVIEW OF POSSIBLE CHANGES TO ZONING ORDINANCE WITH REGARD TO ACCESSORY BUILDINGS.

Vice Chair Schall inquired as to why this was on the agenda, did this come from Council.

Ms. Moore asked if this came from Mr. Dabney.

Ms. Page said she had asked Mayor Vander Horst if he thought this would be a good idea and he said she could work on this.

7:30 Hunter Bachrach, a member of the Town Council explained why this item was on the agenda. On Council we have a permit before us for a 25' tall accessory building. I think of an accessory building as a shed or a garage. We have a problem where this person can legally build a 25' tall building. Ms. Page looked at what Cottonwood and Clarkdale do

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and they're accessory buildings are at 15' and 16' respectively. They do this to keep giant buildings from being built on small lots.

7:32 Ms. Mound wanted to add that she agrees, an accessory building is supposed to be incidental to the property. A 25' tall accessory building could tower over the home.

7:33 Mr. Bachrach added in Camp Verde a 26' high building is fine on a two-acre lot, but not in Jerome.

Ms. Moore said in the building code there is a certain size you don't need a building permit for, she believes 120 square feet, but it doesn't say anything about height. She questioned the definition of an accessory building.

Vice Chair Schall suggested an accessory building of a two-story with an office and garage. It is big, but it is incidental in the use. We have some unique problems to Jerome with some of these requirements. An accessory building has to be 10 feet from the main house, which is reasonable, but what if it's already there?

Ms. Page explained it is legal non-conforming and at this time they could build on top of it making it 25 feet.

Mr. Vincent questioned the language where it says you can't put electricity into a garage.

Ms. Page explained she was talking about the 120 square foot shed, which does not require a permit. For a garage you would have to bring the power from your house.

7:40 Mr. Bachrach explained, "When you have ambiguous guidelines and then push it towards DRB you're setting us up for a big fight. This limitation on accessory buildings would help a lot. I was suggesting specific requirements."

Vice Chair Schall appreciates the input and he has no objection to doing something with this ordinance, however he feels we need to tread lightly. An accessory building for Jerome needs to be defined. He mentioned some people own three or four small lots. Technically the person who owns the house could easily build an entire house on a separate lot. The other way to get around it is make an addition attached to the house. There will be a way to get around it. He's not saying it's a bad idea, we should think about it and how we can make it work for Jerome. That's a good definition for Cottonwood, but here, in Jerome, insisting that an accessory building be in the back yard, it might not work here.

Mr. Vincent asked why 10' could that prevent the building of a garage. In our neighborhood the lots are 30' wide and if you require 10' from the house, this language would preclude from constructing garages, at least in his neighborhood.

Ms. Moore said there are variances for certain instances. As far as height goes she had thought 12' high.

Mr. Vincent said 16' was fine with him. He summarized that the Council's concern was height so maybe some of the language could be stricken.

Ms. Moore suggested height of accessory buildings could be added to definitions.

Ms. Page said the accessory building definition in the ordinance has nothing to do with height. (She read the definition.) There is a maximum building height in all of the zones. She added, when you just change the definition, it feels hidden to her.

The definition of monument was discussed, the Commission directed staff to remove it from Section 2.A and remove Section 2.B completely. They discussed the definition of a guest house within an accessory building, it states it can't be used for income purposes. They will revisit this again in September.

8:07 ITEM 8: COUNCIL REQUEST FOR REVIEW OF ZONING ORDINANCE REGARDING CERTIFICATE OF NO EFFECT IN ORDER TO STREAMLINE SMALL PROJECTS.

Ms. Page submitted the work Kyle Dabney had previously prepared in regard to Certificate of No Effect.

Vice Chair Schall said he has no problem with the Certificate of No Effect for a garden shed, but when it turns into a garage, it should come before P & Z. Accessory Building has to be changed to garden or storage shed with no utilities.

Mr. Vincent believes the ordinance should discuss or define the conditions that give rise to a situation where a Certificate of No Effect is appropriate. He believes the ordinance should discuss the scope of the certificate.

Vice Chair Schall pointed out an accessory building of 200 square feet or less on the form, he directed staff to strike that and change it to less than 120 square feet.

The commission directed staff to put the sign portion into the ordinance. They discussed solar panels and decided it could stay on the Certificate of No Effect form.

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Vice Chair Schall noted that even if an item is on the form the zoning administrator could still recommend it go before the Commission.

After further discussion the Commission directed staff to remove the Accessory Buildings, Signs and the section on Carports.

Mr. Vincent suggested the form should conform with the definition in the proposed ordinance change.

8:18 Ms. Mound said she understood streamlining the process, but at the same time it is relying on one person's perception and understanding. She doesn't see where the boards are that inundated with decision making. She doesn't feel this form is necessary.

8:23 Councilmember Bachrach explained the necessity of this form, when there are simple maintenance needs, this form would be helpful to homeowners.

Ms. Moore thinks there are six things that could be crossed out unless they had better definitions. She referred to fence heights, setbacks and as far as paint, you can't tell someone what color they can use.

They concluded that better definitions with guidelines would be more helpful. Also, maintenance issues should never come before this commission however, building permits and inspections are pertinent.

ITEM 9: FUTURE AGENDA ITEMS

There were no future agenda items.

ITEM 10: ADJOURN

Ms. Moore moved to adjourn. Mr. Vincent seconded. The motion carried unanimously and the meeting adjourned at 8:30 p.m.

Approval on next page.

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REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Monday, September 5, 2018 TIME: 7:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

Respectfully submitted by Joni Savage on September 5, 2018

Approved: _____ Date: _____
Planning & Zoning Commission Chair

Attest: _____ Date: _____
Planning & Zoning Commission Vice Chair



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Planning & Zoning Commission
Public Hearing – Zoning Ordinance Changes
September 5, 2018 – 7:00 P.M.
TOWN HALL

Zoning Ordinance §502.M Proposed Changes

A HOME OCCUPATION IS AN OCCUPATION, PROFESSION, ACTIVITY OR USE THAT IS CLEARLY A CUSTOMARY, INCIDENTAL AND SECONDARY USE OF A RESIDENTIAL DWELLING UNIT AND WHICH DOES NOT ALTER THE EXTERIOR OF THE PROPERTY OR AFFECT THE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD.

1. HOME OCCUPATIONS SHALL BE CLEARLY INCIDENTAL AND SUBORDINATE TO THE USE OF THE PROPERTY AND DWELLING UNIT FOR DWELLING PURPOSES AND SHALL NOT CHANGE THE CHARACTER THEREOF.
2. THERE SHALL BE NO EMPLOYEES OTHER THAN MEMBERS OF THE IMMEDIATE FAMILY RESIDING ON THE PREMISES.
3. NO BUSINESS SHALL BE CONDUCTED WHICH REQUIRES DELIVERY VEHICLES OR OTHER SERVICE NOT CUSTOMARY TO A RESIDENCE.
4. SIGNS SHALL BE SUBJECT TO APPLICABLE PROVISIONS OF SECTION 509.
5. ALL MATERIALS AND EQUIPMENT USED AND MAINTAINED IN CONNECTION WITH A HOME OCCUPATION MUST BE USED AND STORED INSIDE THE DWELLING, ASSOCIATED ACCESSORY STRUCTURES OR IN SOME OTHER MANNER SUCH THAT THE MATERIALS AND EQUIPEMENT ARE SCREENED FROM SIGHT OF ADJACENT PROPERTIES.
6. NO PUBLIC DISPLAY OF ITEMS FOR SALE SHALL BE PERMITTED
7. A HOME OCCUPATION SHALL NOT CREATE ANY NUISANCE OR HAZARD, OR OTHER OFFENSIVE CONDITION SUCH AS THAT RESULTING FROM NOISE, SMOKE, FUMES, DUST, ODORS, OR OTHER NOXIOUS EMISSIONS. ELECTRICAL OR MECHANICAL EQUIPEMTN THAT CAUSES FLUCTUATION IN LINE VOLTAGE, CREATES ANY INTERFERENCE IN EITHER AUDIO OR VIDEO RECEPTION OR CAUSES ANY PERCEIVABLE VIBRATION ON ADJACENT PROPERTIES IS NOT PERMITTED.
8. THE USE SHALL NOT GENERATE MORE PEDESTRIAN OR VEHICULAR TRAFFIC THAN TYPICAL TO THE ZONE IN WHICH IT IS LOCATED SUCH AS AN AUTOMOBILE REPAIR SERVICE.



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Planning & Zoning Commission

Public Hearing – Zoning Ordinance Changes

September 5, 2018 – 7:00 P.M.

TOWN HALL

Zoning Ordinance §502.M Currently Reads:

HOME OCCUPATIONS SHALL BE PERMITTED IN ANY RESIDENTIAL ZONE, SUBJECT TO THE FOLLOWING REQUIREMENTS:

1. HOME OCCUPATIONS SHALL BE CLEARLY INCIDENTAL AND SUBORDINATE TO THE USE OF THE PROPERTY AND DWELLING UNIT FOR DWELLING PURPOSES AND SHALL NOT CHANGE THE CHARACTER THEREOF.
2. THERE SHALL BE NO EMPLOYEES OTHER THAN MEMBERS OF THE IMMEDIATE FAMILY RESIDING ON THE PREMISES.
3. NO BUSINESS SHALL BE CONDUCTED WHICH REQUIRES DELIVERY VEHICLES OR OTHER SERVICE NOT CUSTOMARY TO A RESIDENCE.
4. SIGNS SHALL BE SUBJECT TO APPLICABLE PROVISIONS OF SECTION 509.



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Planning & Zoning Commission

Public Hearing – Zoning Ordinance Changes

September 5, 2018 – 7:00 P.M.

TOWN HALL

Zoning Ordinance 509.G, Proposed Changes:

Section 509.B Definitions

19. Sign, Temporary – A sign displayed for not more than 45 consecutive days.

Section 509.G.8.

Temporary signs, such as “sale” signs are allowed in addition to other signs.

Temporary signs must meet all restrictions for signs in this section in addition to the following:

- A. No temporary sign may exceed eight (8) square feet.
- B. Temporary signs shall require an application to be filed with the Zoning Administrator.
- C. One temporary sign is allowed per 45 day-period.
- D. Maximum number of occurrences shall not exceed three (3) times per calendar year.
- E. Each occurrence shall require application with the Zoning Administrator



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Planning & Zoning Commission

Public Hearing – Zoning Ordinance Changes

September 5, 2018 – 7:00 P.M.

TOWN HALL

Zoning Ordinance 509.G, Current:

Section 509.B Definitions

19. Sign, Temporary – A sign displayed for not more than 45 consecutive days or a total of ninety (90) days in a calendar year.

Section 509.G.8.

Temporary signs, such as “sale” signs are allowed in addition to other signs. Temporary signs must meet all restrictions for signs in this section in addition to the following:

- A. No temporary sign may exceed eight (8) square feet.**
- B. No business may display a temporary sign more than ninety (90) days per calendar year, or forty-five (45) consecutive days.**
- C. No permit is required for temporary signs.**



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APPLICATION FOR TEMPORARY SIGNS

Before you can obtain a temporary sign permit you will need:

- A letter of authorization signed and dated by the property owner(s).
- In addition to the information below, you will provide a sketch of the proposed sign with dimensions and details such as color, lettering etc.

CONTACT INFORMATION:

CONTACT NAME: _____

PHONE: _____

EMAIL: _____

NAME OF BUSINESS: _____

BUSINESS ADDRESS: _____

SIGN INFORMATION:

DATE OF PLACEMENT: _____

DATE OF REMOVAL: _____

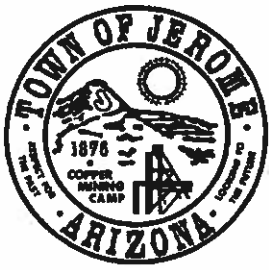
SIZE OF TEMPORARY SIGN: _____

TYPE OF TEMPORARY SIGN:

___ SANDWICH BOARD ___ BANNER ___ STAKED TO GROUND ___ FLAG ___ HANGING

OTHER- HOW WILL SIGN BE MOUNTED? _____

APPLICANT SIGNATURE: _____



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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

September 5, 2018

ITEM 8: REVIEW OF DEFINITIONS AND PROPERTY DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS

Included in the packet are the text amendments as proposed in the August P&Z meeting for discussion. Items with revisions under consideration include:

Article II Definitions – Accessory building, Height of, Building, Height of, Guest House

Section 303.2.f – **discuss if Commission wants to add a item here to further define Accessory Building as separate concept in this provision**

Section 502.H. 7. Accessory buildings, (detached). **NOTE: The current Ordinance does say 'shall not be located in the front yard', and this was suggested to be removed in the August discussion, when reviewing the verbiage in each Zone's Property Development Standards.**

Section 502.I.2 – removal of 'monument'

502.I.3 – review of 'height of a deck may not exceed twenty-seven (27) feet from the natural grade'. Per Commission's instruction a copy of Deck Ordinance – approved by Council Aug 10, 2010 is included for this meeting.

Section 503.E.6 – add 'MAIN' to reference Main Building

Section 503.E.7 – add proposed text amendments for Accessory Buildings

NOTE: These items (503.E.6 & 7) are consistent verbiage for all Zones, same details are included in 504.D.6 & 7 for R1-10, 505.D.6 & 7 for R1-5, 506.D.6 & 7 for R-2, and 507.7 for C-1. For Section 508 in the Industrial Zone the current Property Development Standards are listed as 'Same as the C-1 Zone.'

Additional bullet points are scribed from ZA meeting with Chair Hardie 8/20/18, for discussion.

Charlotte Page
Acting Zoning Administrator

DRAFT TEXT AMENDMENT: ACCESSORY BUILDINGS

Text additions as Proposed

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:

Accessory building - a building or structure which is subordinate to and the use of which is customarily incidental to that of the main building, structure or use on the same lot or parcel

Accessory building, Height of - the vertical measurement down from the highest point on the structure to **the original grade or to** an intersection with the horizontal projection of a plane established as the median between the highest and lowest points of original grade beneath the enclosed portion of the structure. (See Appendix for diagrams.)

Accessory feature - any manmade structure erected upon or appurtenant to real property.

Accessory use - a use incidental, related, appropriate and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of the subject lot or parcel.

Building, Height of - the vertical measurement down from the highest point on the structure to **the original grade or to** an intersection with the horizontal projection of a plane established as the median between the highest and lowest points of original grade beneath the enclosed portion of the structure. (See Appendix for diagrams.)

Guest House - living or sleeping quarters, **having no cooking facilities**, within an accessory building for the sole use of occupants of the premises, guests of such occupants or persons employed on the premises. Such quarters shall not be rented, and/or otherwise used for income purposes.

Guest Room - a room having no cooking facilities intended for occupancy by one or more persons not members of the family. Does not include dormitories for sleeping purposes.

Height, Building or Structure - (see Building, Height of).

SECTION 502. GENERAL PROVISIONS

H. YARD, LOT, AND AREA REQUIREMENTS

6. Accessory Buildings (attached) – A private automobile garage, carport or accessory building having any part of a wall in common with a dwelling shall be considered an integral part of the main building in determining yard, lot, and area requirements.
7. Accessory Buildings (detached) – Any detached accessory building or swimming pool in any zone shall not be located in the front yard, shall be at least five (5) feet from the main structure, shall be at least five (5) feet from the rear and interior side lot lines, and shall maintain side yard setbacks from the street side lot lines as required for the main structure in that zone.

I. BUILDING HEIGHT REQUIREMENTS

1. No building shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the zone in which such building is located, except as otherwise specifically provided.
2. Height regulations established elsewhere in this Ordinance shall not apply:
 - a. In any district, to church spires, belfries, cupolas and domes not for human occupancy, water towers, flagpoles, non-commercial radio or television antennas, provided that such structures and antennas shall be so located and constructed that if it should collapse, its reclining length would still be contained on the property on which it was constructed.
 - b. In industrial districts, to chimneys, smokestacks, derricks, conveyors, grain elevators, or similar structures wherein the industrial process involved customarily requires a height greater than otherwise permitted, provided that such structure shall be so located and constructed that if it should collapse, its reclining length would still be contained on the property on which it was constructed.
3. In any district, the height of a deck may not exceed twenty-seven (27) feet from the natural grade.

SECTION 503. "AR" ZONE, AGRICULTURAL RESIDENTIAL

E. PROPERTY DEVELOPMENT STANDARDS

6. MAXIMUM **MAIN** BUILDING HEIGHT: No building shall exceed the height of twenty five (25) feet as defined in "building, height of". On slopes over forty-five percent (45%) there will be a one (1) foot reduction in height for each additional five percent (5%) 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).

7. ACCESSORY BUILDINGS

- a. Accessory buildings, attached: Shall be considered in determining yard, lot and area requirements.
- b. Accessory buildings, detached: Shall meet all required set backs, and maintain a space of five (5) feet from the main building or other structures.
 1. Accessory buildings shall be constructed to a height not greater than one (1) story or sixteen (16) feet to the peak or highest point of the roof, unless otherwise permitted by a Conditional Use Permit or Variance.
 2. Accessory buildings will not have a separate address or separate utility services from the main building.

SECTION 504. "R1-10" ZONE, SINGLE FAMILY RESIDENTIAL

D. PROPERTY DEVELOPMENT STANDARDS

6. MAXIMUM **MAIN** 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).

7. ACCESSORY BUILDINGS

- a. Accessory buildings, attached: Shall be considered in determining yard, lot and area requirements.
- b. Accessory buildings, detached: Shall meet all required set backs, and maintain a space of five (5) feet from the main building or other structures.
 1. Accessory buildings shall be constructed to a height not greater than one (1) story or sixteen (16) feet to the peak or highest point of the roof, unless otherwise permitted by a Conditional Use Permit or Variance.
 2. Accessory buildings will not have a separate address or separate utility services from the main building.

SECTION 505. "R1-5" ZONE, SINGLE FAMILY RESIDENTIAL

D. PROPERTY DEVELOPMENT STANDARDS

6. MAXIMUM **MAIN** 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).

7. ACCESSORY BUILDINGS

- a. Accessory buildings, attached: Shall be considered in determining yard, lot and area requirements.
- b. Accessory buildings, detached: Shall meet all required set backs, and maintain a space of five (5) feet from the main building or other structures.
 1. Accessory buildings shall be constructed to a height not greater than one (1) story or sixteen (16) feet to the peak or highest point of the roof, unless otherwise permitted by a Conditional Use Permit or Variance.
 2. Accessory buildings will not have a separate address or separate utility services from the main building.

SECTION 506. "R-2" ZONE, MULTIPLE FAMILY RESIDENTIAL

D. PROPERTY DEVELOPMENT STANDARDS

6. MAXIMUM **MAIN** 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).

7. ACCESSORY BUILDINGS

- a. Accessory buildings, attached: Shall be considered in determining yard, lot and area requirements.
- b. Accessory buildings, detached: Shall meet all required set backs, and maintain a space of five (5) feet from the main building or other structures.
 1. Accessory buildings shall be constructed to a height not greater than one (1) story or sixteen (16) feet to the peak or highest point of the roof, unless otherwise permitted by a Conditional Use Permit or Variance.
 2. Accessory buildings will not have a separate address or separate utility services from the main building.

SECTION 507. "C-1" ZONE, GENERAL COMMERCIAL

E. PROPERTY DEVELOPMENT STANDARDS

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."

7. ACCESSORY BUILDINGS

1. Accessory buildings shall be constructed to a height not greater than one (1) story or sixteen (16) feet to the peak or highest point of the roof, unless otherwise permitted by a Conditional Use Permit or Variance.
2. Accessory buildings, detached: Shall meet all required set backs, and maintain a space of five (5) feet from the main building or other structures.
3. Accessory buildings will not have a separate address or separate utility services from the main building.

SECTION 508. "I-1" ZONE, LIGHT INDUSTRIAL

E. PROPERTY DEVELOPMENT STANDARDS

Same as C-1 Zone.

ADDITIONAL NOTES – CHAIR HARDIE – FOR ACCESSORY BUILDING DISCUSSION

- An Accessory Building used for 'Home Occupation' must comply with all regulations in SECTION 502.M.
- Accessory Buildings may not be used for habitation.
- Measure Height as 12-14' from the floor up.
- Limit to one story
- Accessory Buildings in residential zones may not be leased, subleased or rented, separate and apart from the main building, and no main building shall be leased, subleased or rented, separate and apart from an accessory building.
- Use the terminology 'Accessory Use Regulations for Non-Habitable Structures (Attached & Detached).
- Accessory Buildings may not contain kitchens or full baths. Accessory Buildings that is not an approved Accessory Dwelling Unit may contain a sink and toilet, but may not contain a shower or tub.

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:

Abutting - the condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only a corner or corners.

Access - denotes the right vested in the owner of land which adjoins a road or other highway to go and return from his own land to the highway without obstruction. Access to property does not necessarily carry with it possession

Accessory building - a building or structure which is subordinate to and the use of which is customarily incidental to that of the main building, structure or use on the same lot or parcel

Accessory feature - any manmade structure erected upon or appurtenant to real property

Accessory use - a use incidental, related, appropriate and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of the subject lot or parcel,

Acre - an area of land containing 43,560 square feet.

Adjacent, adjoining - nearby, but not necessarily, touching.

Agriculture - the tilling of the soil, raising of crops, horticulture, viticulture, silviculture, small livestock farming, dairying and/or pasture and range livestock production, including all uses customarily incidental thereto but not including slaughter houses, fertilizer yards, or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust or fumes. Agriculture does not include the concentrated single-use operation of feed lots, hog, turkey, chicken, fur-bearing animals or other similar farms, unless these operations are operated in conjunction with or are a part of the crop production of the same or adjoining parcel under common ownership.

Alley - a public passageway, affording a secondary means of access to abutting property and is not intended for general traffic circulation.

Amendment - a change in the wording, context, or substance of this ordinance, or an addition or deletion or a change in the zone district boundaries or classifications of the zoning map.

Animal hospital - facilities for the care, treatment, and boarding of animals including the term "veterinary clinic."

Antenna - accessory feature used for electronic signal reception or transmission.

Antique - a product that is sold or exchanged because of value derived, because of oldness as respects the present age, and not simply because same is not a new product.

Apartment - a room or suite of two (2) or more rooms in a multiple dwelling, occupied or suitable for occupancy as a residence for one (1) family.

Apartment House - A building containing apartments with two (2) or more families living independently of each other.

Appeal - an action which permits anyone to arrange for a hearing from other than the individual or group from whose decision the appellant seeks redress.

Area, open - (see Open Area).

ARS - Arizona Revised Statutes (Arizona State Law).

Artist - one who practices an art in which imagination and taste presides over the execution. This is not deemed to include the business of teaching the mechanics of the art.

Attached building - (see Building, Attached).

Automobile Service Station - (see Service Station).

Automobile Repair Garage - a structure or part thereof, other than a private garage, where motor vehicles are repaired or painted.

Bed and breakfast - a building or buildings containing central kitchen facilities and not more than three (3) rooms used to provide lodging for compensation; provided that, 1) No more than one (1) family is lodged per day, 2) no meals are provided other than breakfast, 3) the host family lives on the premises, 4) smoke alarms are installed and, 5) parking has no negative effect on the neighborhood.

Board of Adjustment - (see Section 105)

Boarding or Rooming House - a building or buildings containing central kitchen facilities and not more than eight (8) rooms where lodging is provided for compensation with or without meals, but not to include rest homes.

Boundary, Zone - the limit and extent of each zone district classification as shown on the official zoning map.

Building - a structure having a roof supported by columns or walls (see Structure).

Building, Attached - a building which has at least part of a wall in common with another building, or which is connected to another building by a roof.

Building, Detached - a building which is separated from another building or buildings on the same lot.

Building, Height of - the vertical measurement down from the highest point on the structure to an intersection with the horizontal projection of a plane established as the median between the highest and lowest points of original grade beneath the enclosed portion of the structure. (See Appendix for diagrams.)

Building, Main - a building, or buildings, in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the main building of the lot on which the same is situated.

Building Area - the total areas, taken on a horizontal plane at the mean grade level, of the principal buildings and all accessory buildings (including decks), exclusive of uncovered porches, terraces and steps.

Building Permit - a permit required for the erection, construction, modification, addition to or moving of any building, structure or use in the incorporated area of the Town of Jerome.

Building Setback Line - the minimum distance as prescribed by this ordinance between any property line and the closest point of the foundation or any supporting post or pillar of any building or structure related thereto.

Garage, Public - any building, except one herein defined as a private or storage garage used for the storage, care or repair or self-propelled vehicles or where any such vehicles are equipped for operation or kept for hire.

Garage, Repair - (see Automobile Repair Garage).

Governmental Agency - includes any agency of the federal, state, county or municipal governments.

Greenhouse - a building or structure constructed chiefly of glass, glass like translucent material, cloth or lath, which is devoted to the protection or cultivation of flowers or other tender plants.

Guest House - living or sleeping quarters within an accessory building for the sole use of occupants of the premises, guests of such occupants or persons employed on the premises. Such quarters shall not be rented, and/or otherwise used for income purposes.

Guest Room - a room having no cooking facilities intended for occupancy by one or more persons not members of the family. Does not include dormitories for sleeping purposes.

Height, Building or Structure - (see Building, Height of).

Home Occupation - any occupation or profession which is incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof, and in connection with which there are no employees other than a member of the immediate family residing in the dwelling unit.

Hospital - a place for the treatment or care of human ailments, and unless otherwise specified, the term shall include sanitarium, preventorium, clinic and maternity home.

Hotel - a building in which there are nine (9) or more rooms where lodging with or without meals is provided for compensation, usually on a transient basis, "hotel" shall not be construed to include motel, trailer court, sanitarium, hospital, or other institutional building or jail or other building where persons are housed under restraint. No provision is made for cooking in the individual rooms or suites.

Industry, Light - those industrial uses which do not result in extensive open yard area, storage of extensive raw materials, nor otherwise result in noise, odors, dust, lights, vibration, waste products or adversely affect the surrounding properties.

Junk Yard - the use of two hundred (200) or more square feet of any lot or parcel of land for outside storage of any used or secondhand materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture. The outside storage of used or secondhand materials in an area less than two hundred (200) square feet is permitted only on the rear half of a lot or parcel.

Kitchen - any room in a building or dwelling unit which is used or intended to be used for cooking or the preparation of food.

Kindergarten - same as nursery school, except when operated in conjunction with a school of general instruction and having accredited instruction.

Laundry, Self Help - a building in which domestic type washing machines and/or dryers are provided on a rental basis for use by individuals doing their laundry.

Land - any lot or parcel, developed or undeveloped, and capable of being located, surveyed, staked and described by a legal description

Lodge - an order or society of persons organized for some common non-profit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

SECTION 303.2. FINAL SITE PLAN REVIEW

A. FINAL PLAN PROCEDURES

A final site plan shall be submitted to the Zoning Administrator for review by the Building Inspector, Zoning Administrator and Planning and Zoning Commission with a permit application. The request for approval shall be accompanied by eight (8) identical copies of the plan. Each copy shall be on one or more sheets of paper measuring not more than twenty-four by thirty-six inches (24" x 36"), drawn to a scale not smaller than forty (40) feet to the inch which show all of the features required in the Preliminary Plan and:

1. Any additional features required as a result of engineering and/or soils studies;
2. Compliance with the appropriate sections of the Zoning Ordinance for the Zoning District including:
 - a. lot area
 - b. lot width
 - c. maximum lot coverage
 - d. yard requirements
 - e. off-street parking and loading
 - f. building height
 - g. any other property development standards specific to the zone.
3. Compliance with all applicable codes, including the Uniform Building Code.
4. Compliance with any conditions recommended by the Planning and Zoning Commission, the Building Inspector or the Zoning Administrator from the Preliminary Site Plan Review.
5. Compliance with any conditions recommended by the Design Review Board from the Preliminary Site Plan Review.

B. REVIEW

1. The Final Plan shall be checked for completeness by the Zoning Administrator. A completed final plan shall be presented to the Planning and Zoning Commission and the Design Review Board, when necessary, at the earliest possible meetings.

The Planning and Zoning Commission may approve, approve with conditions or deny. Once denied, the original plan shall not be resubmitted.

The Design Review Board approval of the Design elements of the Final Plan is outlined in Section 304.

2. All copies of the approved plan, with any conditions shown thereon or attached thereto, shall be dated and signed by the Zoning Administrator. One (1) copy of said approved plan and conditions together with a notification of all Design Review requirements and procedures shall be mailed to the applicant and one (1) copy shall be filed with the Building Inspector.

[Ord. No. 293]

2. No yard or other open space provided about any building for the purpose of complying with the provisions of these Restrictions shall be considered as a yard or open space for any other building; and no yard or other open space on one (1) lot shall be considered as a yard or open space for a building on any lot.
3. Awnings, fire-escape stairs, window-type refrigeration units, suspended or roof evaporative coolers, and forced air furnaces, may not project more than five (5) feet over any required yard, provided that they shall be no closer than three (3) feet to any lot line.
4. Architectural details such as canopies, cornices, and eaves may project not more than three (3) feet over any required yard, provided that they shall be no closer than three (3) feet to any lot line.
5. Sills, leaders, belt courses and similar ornamental features may project not more than six (6) inches over or into any required yard.
6. Accessory Buildings (attached) – A private automobile garage, carport or accessory building having any part of a wall in common with a dwelling shall be considered an integral part of the main building in determining yard, lot, and area requirements.
7. Accessory Buildings (detached) – Any detached accessory building or swimming pool in any zone shall not be located in the front yard, shall be at least five (5) feet from the main structure, shall be at least five (5) feet from the rear and interior side lot lines, and shall maintain side yard setbacks from the street side lot lines as required for the main structure in that zone.
8. No automobile service station pump shall be located closer than twelve (12) feet to a street property line.
9. Except as provided herein, every part of a required yard shall be open to the sky and unobstructed. Trees, shrubbery, etc., shall not be considered obstructions.
10. No portion of any deck shall be located within five (5) feet of the lot line except in those districts where residential use is not a permitted use. In those districts, decks should conform to the required yard for that zone. Decks shall not encroach into any public easement. Square footage of decks shall be included in lot coverage for each zoning district.

[Ord. No. 374]

I. BUILDING HEIGHT REQUIREMENTS

1. No building shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the zone in which such building is located, except as otherwise specifically provided.
2. Height regulations established elsewhere in this Ordinance shall not apply:
 - a. In any district, to church spires, belfries, cupolas and domes not for human occupancy, monuments, water towers, flagpoles, non-commercial radio or television antennas, provided that such structures and antennas shall be so located and constructed that if it should collapse, its reclining length would still be contained on the property on which it was constructed.
 - b. In industrial districts, to chimneys, smokestacks, derricks, conveyors, grain elevators, or similar structures wherein the industrial process involved customarily requires a height greater than otherwise permitted, provided that such structure shall be so located and constructed that if it should collapse, its reclining length would still be contained on the property on which it was constructed.

3. In any district, the height of a deck may not exceed twenty-seven (27) feet from the natural grade.

[Ord. No. 374]

J. WALLS AND FENCES

1. No freestanding wall or fence shall be constructed until a permit for such construction has been issued by the Building Inspector. No such permit shall be issued until the application for such permit has been reviewed and approved by the Zoning Administrator and Design Review Board in accordance with the provisions of Section 303 and Section 304.
2. In any residential or commercial zone, no wall or fence over three (3) feet high shall be constructed or maintained nearer to the street line than the front and side walls of the building erected, nor be more than six (6) feet in height on any side or rear-lot-line. Provided, however, that open wire fences exceeding the above heights may be built around schools and other public or quasi-public institutions when necessary for the safety or restraint of the occupants thereof.
3. No fence or wall shall contain barbed wire, electrical current or charge of electricity, broken glass, or similar hazardous materials or devices, provided, however, that fences enclosing storage areas in industrial districts may use barbed wire so long as such wire is located not less than six (6) feet above grade.

K. EXTERIOR LIGHTING

All lighting for off-street parking or loading areas or for the external illumination of buildings or signs shall be directed away from and shielded from any adjacent residential district and shall not detract from driver visibility on adjacent streets.

L. REMOVAL OR DEMOLITION OF BUILDINGS OR STRUCTURES

No building or structure which has been wholly or partially erected on any property located within the Town of Jerome shall be demolished or removed until a permit for such demolition or removal has been issued by the Zoning Administrator. A permit for removal or demolition of any building or structure shall not be issued until the application for such a permit has been reviewed and approved by the Design Review Board in accordance with the provisions of Section 304.

M. HOME OCCUPATIONS

Home occupations shall be permitted in any residential zone, subject to the following requirements:

1. Home occupations shall be clearly incidental and subordinate to the use of the property and dwelling unit for dwelling purposes, and shall not change the character thereof.
2. There shall be no employees other than members of the immediate family residing on the premises.
3. No business shall be conducted which requires delivery vehicles or other services not customary to a residence.
4. Signs shall be subject to applicable provisions of Section 509.

* "AR", "R1-10", "R1-5", "R-2"
Max Building Height #6 are identical

material do not become a public health nuisance and do not disturb the peace, comfort, or health of any person.

2. Any person, firm, or corporation is prohibited from keeping or sheltering any animal, bird, or fowl other than a household pet within one hundred (100) feet of a building, other than his own, used for human habitation.
3. Pigs shall not be kept within the city limits.

E. PROPERTY DEVELOPMENT STANDARDS

1. MINIMUM LOT AREA: Ten thousand (10,000) square feet.
2. MINIMUM LOT WIDTH: One hundred (100) feet
3. MINIMUM SQUARE FOOTAGE OF DWELLING: Eight hundred and fifty (850) square feet of enclosed floor space exclusive of any attached garage.
4. MAXIMUM LOT COVERAGE: Not more than forty (40) 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 not less than twenty (20) feet in depth.
 - 2) Where lots have a double frontage on two (2) streets, the required front yard of twenty (20) feet shall be provided on both streets.
 - b. Side Yard
 - 1) There shall be a side yard along interior lot lines of not less than ten (10) feet in width.
 - 2) Where a side lot line abuts a street, there shall be a side yard of not less than twenty (20) 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 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 percent (45%) there will be a one (1) foot reduction in height for each additional five percent (5%) 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).

F. GENERAL PROVISIONS

The provisions of Section 502 shall apply.

G. SIGNS

The provisions of Section 509 shall apply.

7. Accessory Buildings

* "C-1" Zone

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."

F. GENERAL PROVISIONS

The provisions of Section 502 shall apply.

G. SIGNS

The provisions of Section 509 shall apply.

H. PARKING AND LOADING

The provisions of Section 510 shall apply.

I. PLAN REVIEW

The provisions of Section 303 shall apply.

J. DESIGN REVIEW

The provisions of Section 304 shall apply to all property, buildings and structures within the Historic Overlay District.

"I-1" Zone Property Development Standards
"Same as C-1 Zone."

<p>ITEM #7: 7:23 pm</p>	<p>PETITIONS FROM THE PUBLIC</p> <p>Pursuant to A.R.S. 38-431.01 (G) public comment is permitted on matters not listed on the agenda but the subject matter must be within the jurisdiction of the Council. 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 microphone, state your name and please observe the (3) three minute time limit. No petitioners will be recognized without a request. The Council's response to public comments is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.</p> <p><i>There were no petitions from the public.</i></p>
<p>ITEM #8 7:23 pm</p>	<p>ITEM #8A: SECOND READING: ORDINANCE #374, AN ORDINANCE AMENDING SECTIONS 201, 304 AND 502 OF THE JEROME ZONING ORDINANCE TO ADD REGULATIONS AND PROVISIONS REGARDING DECKS</p> <p>The Mayor and Council will review and possibly adopt Ordinance #374, which would amend the Jerome Zoning Ordinance to add regulations and provisions regarding decks. A public hearing on this Ordinance was conducted by the Planning and Zoning Commission on May 5, 2010, in accordance with the requirements of A.R.S. 9-462.04, and the Commission has recommended its adoption by the Mayor and Council. The governing body may adopt the ordinance without holding a second public hearing if there is no objection, request for a second public hearing or other protest.</p> <p><i>Lew Currier made a motion to read Ordinance 374 in title only. Anne Bassett seconded. Mayor Kinsella called the question. The vote was 5 ayes.</i></p> <p><i>Mayor Kinsella read the ordinance in title only.</i></p> <p><i>Ms. Gallagher stated that the Planning & Zoning Commission held a public hearing on this ordinance and have recommended its adoption.</i></p> <p><i>Lew Currier moved to adopt Ordinance 374. Christine Barag seconded. Mayor Kinsella called the question. The vote was 5 ayes.</i></p>
<p>7:25 pm</p>	<p>ITEM #8B: PUBLIC HEARING AND SECOND READING : ORDINANCE #375, AN ORDINANCE OF THE TOWN OF JEROME, ARIZONA, ADOPTING MODEL OPTION 5B, REMOVING AN EXEMPTION IN THE TOWN TAX CODE (SECTIONS 8A-445, 8A-300.1 AND 8A-445.1) FOR OWNERS OF LESS THAN THREE RESIDENTIAL RENTAL UNITS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR SEVERABILITY; AND DESIGNATING AN EFFECTIVE DATE.</p> <p>The Mayor and Council will conduct a public hearing on Ordinance #375, which would amend the Town Tax Code to remove the exemption from taxation for residential rental properties with less than three units. The change would be effective on October 1, 2010. Following the public hearing, the governing body may adopt the Ordinance.</p> <p><i>Mayor Kinsella opened the Public Hearing at 7:26 p.m.</i></p> <p><i>Rebekah Kennedy spoke in favor of the ordinance.</i></p> <p><i>Mayor Kinsella closed the Public Hearing at 7:28 p.m.</i></p> <p><i>Anne Bassett made a motion to read Ordinance 375 in title only. Lisa Rappaport seconded. Mayor Kinsella called the question. The vote was 5 ayes.</i></p> <p><i>Anne Bassett read the ordinance in title only.</i></p> <p><i>Lew Currier moved to adopt. Anne Bassett seconded. Mayor Kinsella called the question. The vote was 5 ayes.</i></p>

Adoption of Deck Ordinance by Council 2010



Founded 1876
Incorporated 1899

TOWN OF JEROME, ARIZONA

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Celebrating Our 110th Anniversary
1899 – 2009

MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, **FEBRUARY 3, 2010** TIME: 7:00 P.M.

PLACE: **JEROME CIVIC CENTER/ TOWN HALL, 600 CLARK STREET**

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission will hold the above meeting in Council Chambers at Jerome Town Hall.

THE MINUTES FOR THE MEETING IS AS FOLLOWS:

ITEM 1: CALL TO ORDER/ROLL CALL

Meeting was called to order by Chairman Lance Schall at 7:03 PM. Roll Call by P & Z Administrator Annie Kelly – attendees: Chairman Lance Schall, Vice Chairperson Margie Hardie, Commissioner Louis Galluzzi, Commissioner Leo Shakespeare, Commissioner Bob Latterman.

Staff: P & Z Administrator Annie Kelly and Minute Taker Laura Cornelius.

Audience attendees: None

ITEM 2: APPROVAL OF MINUTES: September 2, 2009; October 7, 2009; and January 6, 2010

Discussion/Possible Action

A motion was made by Chairman Schall to approve January 6, 2010 Minutes as is and 2nd by Vice Chairwoman Hardie. Call to question and all in favor: 5/Ayes 0/Nays – Motion Carries.

The January 6, 2010 was signed in this meeting.

- Please note: September 2 and October 7, 2009 Minutes were not corrected, due to the recording tapes which have noisy background and recorder's notes were unclear. The tape was hard to translate and the notes were hard to transcribe into the minutes. What this means, things got blend in and the minutes were unclear. However, P & Z Administrator Ms. Kelly and Town Manager Mrs. Gallagher will gather notes and tapes to work on them and submit the final 2009 Minutes Draft, before the next meeting (March 3, 2010). If, the administration will succeeds to correct the draft minutes. Will do other option to finalize the 2009. Also noted in the today meeting, Vice Chairwoman Hardie rejected both September 2, 2009 and October 7, 2009 Minutes due to inaccurate minutes and not enough of a quorum to make a motion.

ITEM 3: PETITIONS FROM THE PUBLIC – Please complete a request form with your name and subject and submit to the Chair. When recognized by the Chair, please come to the front and state your name. Please observe the five-minute time limit per speaker pursuant to the Jerome Town Code.

- No petitions from the Public.

ITEM 4: REVIEW OF THE PROPOSED DECK ORDINANCE: AN AMENDMENT TO THE JEROME ZONING ORDINANCE

The Commission will consider an amendment to the Zoning Ordinance to clarify the definition of decks and like structures. The following sections of the Zoning Ordinance are proposed to be amended: Section 201; Section 304 F (1) (e), (i), and 2 (a); Section 502 H and I.

Discussion and Possible Action

- Started in 2007, Town Hall was receiving applications to add new decks to their homes and altering existing decks. There were no references or definition for decks in zoning ordinance or the like structures. Now, the applicants need to have precise definition of a deck, height regulation, and light coverage. In those days, there were 5 of us working on this project and on-off bases for months. Had worked to have a comprehensive proposal and amended the ordinance for Deck. This proposal will be the guidelines for deck to be remodeling or restoration or habilitation or the preservation of Town of Jerome.
- Propose Changes and to be amended in the Sections as followings:

- o Article II, Section 201. General Definitions: add a new definition. **Deck: An open structure at least twelve (12) inches above the ground that is located in the front, rear, or side yard or court of a property. When a structure has a roof or wall enclosure that keeps out the elements, it is not a deck and shall be deemed part of the primary structure for purpose of this ordinance.**

This was discussed and reviewed. The Commissioners were in consensus to use it.

- o Article II, Section 201. General Definitions: On page 12, additional changes to the old version, BUILDING AREA: **TOTAL AREAS, TAKEN HORIZONTAL PLAN AT THE MEAN GRADE LEVEL OF THE PRINCIPLE BUILDINGS AND ALL ACCESSORY BUILDING AT EXCLUSIVE OF UNCOVERED PORCHES, TERRACES AND STEPS.**

Changes are deleting the word "uncovered porches" and adding in the word "deck" after the buildings. The Commissioners would like to revise the definition because the words "uncovered porches" was no longer clear to use in the definition and the word "deck" is add in because the deck is inclusive.

The revised definition read: The total areas, taken horizontal plane at the mean grade level of the principle buildings, all accessory buildings, and decks exclusive of terraces and steps".

- o Page 38 – Article II, Section 304: Design Review, F: Review Procedures and Criteria, e: Entrances, Porches, **Decks**, and Projects: The height, projection, supports, and relationship to streets and sidewalks, of entrances, porches, awnings, canopies, and balconies of a building shall be visually compatible to the buildings, structure, and places to which it is visually related.

This was discussed and reviewed. Change was to add in "**DECK**" and the Commissioners were in consensus to use it.

- o Page 38 – Article II, 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.

This was discussed and reviewed. Change was to add in "**deck**" and the Commissioners were in consensus to use it.

- o Section 304 (F), (2), (a): was not discussed in the meeting.

- o Page 55 – Article II, Section 502: General Provisions, H: YARD, LOT, and Area Requirements, 3: Awnings, **open-fire balconies**, fire-escape stairs, window-type refrigeration units, suspended or roof evaporative coolers, and forced air furnaces, any project not more than five (5) feet over any required yard, provided that they shall be no closer than three (3) feet to any lot line.

This was discussed and reviewed. The change to omit the "open fire balconies" and the Commissioners were in consensus to use it.

- o Section 502, (I): was not discussed in the meeting.

- Several steps to proceeds with "Amendment Deck Ordinance" by the P & Z Commission: Step 1) The Commission would like to have the Town Attorney Kathleen Williamson to review the ordinance and make official alteration, if any. Step 2) The Commission would like to see the changes if any. At this point, the P & Z Commission had already a motion for "Conditional Approve" the recommendation. Step 3) P & Z Administrator Ms. Kelly will presents to the Town Council on February 9, 2010 and asks for their approval. Without any issues. Then, go to the next, step 4) The "Amendment Deck Ordinance" will return in an Official Ordinance Form from the Town Council and the Town Attorney. Step 5) P & Z Administrator Ms. Kelly will set a notice for Public Hearing on March 3, 2010. Step 6) after the 30 days from the Public Hearing, without any issues. Final step 7) the P & Z Commission will present the final product of Deck Ordinance Recommendation to the Town Council and asks for their final approval.

A motion was made by Vice Chairwoman Hardie to "Conditionally Approve" the Deck Ordinance and like structures, and with changes. Second the motion by Commissioner Latterman. Call to question: 5 Ayes 0/Nays Motion Carries

The P & Z Commission would like to proceed with this ordinance in one day. All this can be done on March 3, 2010.

ITEM 5: FUTURE AGENDA ITEMS

The Commission will direct staff to schedule future agenda items to be considered by the Commission, if desired. This is limited to discussion and direction to staff only. No specific properties, individuals, or situations may be discussed, only general topics may be suggested.

Discussion Only

- Seating, bar, table counts and parking ordinance workshops will be presented, if there no applicants. A suggestion to have the first 30 minutes to conduct a regular meeting and take one break. If, nothing else comes up will continue on the second 30 minutes to have workshop.

ITEM 6: ADJOURNMENT:

A motion was made by Chairman Schall; it was moved by Vice Chairwoman Hardie and second by Commissioner Shakespeare to adjourn this meeting at 7:37 PM

Respectfully submitted by Laura Cornelius on March 10, 2010

Approved: _____
P & Z Commission Chair

Date: _____

Approved: _____
P & Z Commission Vice-Chair

Date: _____

PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION SUCH AS A SIGN LANGUAGE INTERPRETER, BY CONTACTING THE DEPUTY TOWN CLERK, ROSEMARIE SHEMAITIS AT (928) 634-7943. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION. Anyone needing clarification on any agenda item may call Jerome Town Hall at 634-7943 and ask to speak with Annie Kelly, Zoning Administrator and Historic Preservation Officer.



Founded 1876
Incorporated 1899

TOWN OF JEROME, ARIZONA

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Celebrating Our 111th Anniversary
1899 – 2010

MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, May 5, 2010 TIME: 7:00 P.M.

PLACE: JEROME CIVIC CENTER/TOWN HALL, 600 CLARK STREET

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission will hold the above meeting in Council Chambers at Jerome Town Hall.

ITEM 1: CALL TO ORDER/ROLL CALL

Meeting was called to order by Chairman Lance Schall at 7:04 PM. Roll Call by P & Z Administrator Annie Lutes -- attendees: Chairman Lance Schall, Vice Chairperson Margie Hardie, Commissioner Louis Galluzzi, Commissioner Bob Latterman, Commissioner Leo Shakespeare.

Staff: P & Z Administrator Annie Lutes and Minute Taker Laura Cornelius.

Audience attendees: Barbara Fowler and Brett Jirsa

ITEM 2: APPROVAL OF MINUTES: March 10, 2010 and April 7, 2010

- March 10, 2010 minutes Corrections listed below:
 - Minutes Item #4 – Motion was made by the Vice Chairperson Hardie and seconded motion by Commissioner Galluzzi.
 - Minutes Item #6 – The Town Manager Gallagher has created Chapter 16 and this will be added to the Town Code.

A motion to approve the March 10th with the amendments & the April 7th minutes was made by Chairman Schall and second by Vice Chairperson Hardie. All in favor: 5/Ayes, 0/Nays, 0/oppose – motions carries

ITEM 3: PETITIONS FROM THE PUBLIC – Please complete a request form with your name and subject and submit to the Chair. When recognized by the Chair, please come to the front and state your name. Please observe the five-minute time limit per speaker pursuant to the Jerome Town Code.

OPENING OF PUBLIC HEARING

Start time: 7:11 PM

ITEM 4: DECK ORDINANCE: AN AMENDMENT TO THE JEROME ZONING ORDINANCE

The Commission shall conduct a public hearing on an amendment to the Zoning Ordinance to clarify the definition of decks and like structures. The following sections of the Zoning Ordinance are proposed to be amended: Section 201; Section 304 F (1) (e), F (1) (i) and 2 (a); Section 502 H and I. The Commission has set this hearing pursuant to Jerome Zoning Ordinance Section 301(C) (1) Commission Action.

Discussion/Possible Action

- No Petitions and No Discussion in the Public Hearing. The P & Z Administrator Lutes did carry out the Policies & Procedures – notifying the public of this hearing.

CLOSE OF PUBLIC HEARING

Ended time: 7:12 PM

ITEM 5: RECOMMENDATION TO TOWN COUNCIL REGARDING DECK ORDINANCE

The Commission shall, at the conclusion of the public hearing thereon, vote to make a recommendation to Town Council for or against adoption of the deck ordinance referenced in Item 4 above.

Discussion/Possible Action

- Correction on page 2, section 3, B, last sentences: Change "desks" to "decks"
- Let record show Vice Chairperson Hardie made comments: Why did the P & Z Commission create this ordinance? About 4 years ago, the P & Z Commission had been presented with numerous applications for "adding a deck" or "deck in their new construction" by the Town Residents. The Definition of Decks was not clear; whether a deck should be part of the foot print or included in the setback. These issues would come up and the applicant would be denied and had to make an appeal to construct a decks, because of non-compliance on their part. We did not have a Deck Ordinance in place that defines the "deck" and how the "deck" fits into a structure. Historically, this is how the deck ordinance came about and now, we can move forward with guidelines for new constructions. We have some people building new construction in town or making an addition. Now, the P & Z Commission will know how to address Construction of a deck.

The motion was made by Vice Chairperson Hardie to approve the Deck Amendment to the Town Zoning Ordinance and to include sections that are listed in the agenda regarding a deck. Describing it as a part of the structure and making a recommendation to the Town Council. Second the motion by Chairman Schall. Call to question – 5/Ayes, 0/Nays, 0/Oppose Motion carries

ITEM 6: APPLICATION FOR NEW CONSTRUCTION OF ACCESSORY BUILDING

ADDRESS: 620 Center Ave.....OWNER OF RECORD: Barbara and Dudley Fowler

REPRESENTATIVE: Barbara Fowler and/or Nick Jacovitte

ASSESSOR'S PARCEL NUMBER: 401-07-014.....R1-5

The property owners wish to construct a small accessory building to be used as a studio/storage space. The accessory building will be detached and accessible from Second St. The Commission shall review for compliance with the Jerome Zoning Ordinance.

The Commission may approve, conditionally approve, or deny the application.

Discussion/Possible Action

- Barbara Fowler is here to present the application and answer any question.

A motion was made by Chairman Schall to approve the submitted application packet item #6 and it was seconded by Commissioner Latterman. Chairman Schall asked, "Any further discussion". Commissioner Shakespeare said, "This question will not affect the motion, however, at the last Town Council meeting they were looking at the parking situation in the Town of Jerome. The parking issues such as moving cars into the street because the residents have decided to use the existing garage to work in or use the space for storage. He wondered if Mrs. Fowler will use her space for vehicles or for storage or working in it." Ms. Fowler asserted that there are already four parking spaces available on the lot and that they only have two vehicles. Chairman Schall called, "any further discussion, call to question, and all in favor; 5/Ayes, 0/Nays, 0/Oppose, and motion carries.

ITEM 7: APPLICATION FOR SMALL ADDITION ON EXISTING RESIDENCE

ADDRESS: 659 Clark St.....OWNER OF RECORD: Hermanos Gillenwater

REPRESENTATIVE: Brett Jirsa

ASSESSOR'S PARCEL NUMBER: 401-08-009.....R1-5

The property owners wish to construct a small addition to serve as a laundry room for the residence. The addition will be partially visible from the street and located behind the property. The Commission shall review for compliance with the Jerome Zoning Ordinance.

The Commission may approve, conditionally approve, or deny the application.

Discussion/Possible Action

- The Owner would like to have the 6' x 5' room to service a hot water heater and a laundry room and to build walls on to the existing patio. The patio already has a roof and a good structure. The Lot coverage is good. The Owner has met all requirements.

Chairman Schall called a motion to approve the application, 1st motion by Commissioner Latterman and motion seconded by Commissioner Shakespeare. Chairman Schall called, "Any further discussion". Vice Chairperson Hardie question on the staff report – addition encroach to the setback. She pointed out the "encroach" was improper term and should have been written as "extends into the existing patio". Chairman Schall called, "Any further discussion, call to question, and all in favor, 5/Ayes, 0/Nays, 0/Oppose, and motion carries.



TOWN OF JEROME

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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

September 5, 2018

ITEM 9: REVIEW OF ZONING ORDINANCE SECTION 304. FOR POSSIBLE INTRODUCTION OF CERTIFICATES OF NO EFFECT

This is a new concept for the Zoning Ordinance. As instructed I removed the application, which can be developed at a later date. I also described a process for application that could be included in the Ordinance, if this Certificates of No Effect is adopted. In this verbiage the application has an expiration date and the Zoning Administrator would be responsible to document completed projects, more details are provided similar to requirements for P&Z or DRB applications.

The concept further defines exactly the types of projects that may be considered for Certs. of No Effect, if adopted. As suggested this document says Zoning Administrator would be allowed to require additional review for any project submitted at their discretion.

This proposal gives a deadline for ZA Review and prohibits issue of Cert of No Effect for any project not specifically named in the proposed new Section 304.F.8

Recommendation: It would be useful to Zoning to identify any projects that can be completed without Board(s) review. I believe we agree that like-for-like is allowed for paint, repairs, roofing, even trim replacement, or siding repair. The Ordinance supports maintenance of one's property, but it is vague and interpreted by the public by not submitting projects for approval. Having a specific directive to refer to would be useful. It should be limited and perhaps not every example outlined can be adopted, but please consider the utility of this concept.

Charlotte Page
Acting Zoning Administrator

DRAFT TEXT AMENDMENT: CERTIFICATES OF NO EFFECT

SECTION 304.D.4

Except for an application for a Certificate of No Effect under Section 304.F.8, upon receipt of a complete application for Final Approval, the Zoning Administrator shall forward it to the chairman of the Design Review Board. The application shall be reviewed by the Design Review Board within the time limits established in Subsection F of this Section. The Zoning Administrator shall notify the applicant of the time and place of the meeting

SECTION 304.F.1

The Design Review Board shall review a submitted application for design approval for all new construction and/or installation of Accessory Features except for projects eligible for Certificates of No Effect under section 304.F.8. 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. ...

SECTION 304.F.8 (NEW)

CERTIFICATES OF NO EFFECT

An application for Certificate of No Effect shall be filed with the Zoning Administrator on a form prescribed by the Planning & Zoning Department which shall include the following:

1. Name, Address and contact information for the Property Owner(s)
2. Photographs of the existing structure
3. Parcel Number & Zone
4. Description of the proposed project
5. Photographs of the adjoining properties
6. Materials, examples and color samples
7. Fee \$25.00
8. Signature space to indicate acceptance of proposal by Zoning Administrator with date, or recommendation for additional review.

The Zoning Administrator shall review applications for Certificates of No Effect with regard to protecting the historic character of the subject property and the historic status of the Town of Jerome. If accepted these documents and submitted details shall be filed with property files.

Applicants shall have six (6) months to act on a Certificate of No Effect or the application will expire. Zoning Administrator shall visit the project within six (6) months and confirm project completion, photograph and complete file or expire the Certificate of No Effect by notifying applicant, in writing.

Only the following types of projects shall be eligible for consideration of Certificates of No Effect:

1. In-Kind repair or replacement: roofs, doors, windows, broken glass, trim repair, stairwells, porch, similar paint colors on historic properties
2. Paint on non-historic properties
3. Stabilizing deteriorated or damaged masonry, wood or metal
4. One-story playhouse or garden shed, located in rear yard, 10' x 12' or smaller without utilities, constructed of wood
5. Retaining walls less than 4' tall
6. Sidewalks and driveways
7. Paver bricks used for landscaping or driveway covering
8. Treehouse or playground equipment located in rear yard
9. Example?

At the discretion of the Zoning Administrator, any application may require additional review for the Design Review Board and/or the Planning and Zoning Commission.

Zoning Administrator may take up to 10 days to review details, ask for additional input and make site visits. Projects accepted as submitted may begin work as soon as Zoning Administrator approves and signs off the application. Projects that require additional review, will be notified within 10 days and scheduled at the earliest possible board meeting(s). The fee charged for Certificate of No Effect will be applied to subsequent application for review.

If the Zoning Administrator determines the proposed work will in any way diminish, eliminate or adversely affect the historic character of the subject property or historic status of the Town of Jerome, Certificate of No Effect will NOT be issued. In such cases, applicant shall be required to submit for full review of Design Review Board and Planning and Zoning Commission as appropriate.

Zoning Administrator shall not issue Certificates of No Effect, for any items not specifically named in SECTION 304.F.8.

SECTION 304.G

1. When, in the opinion of the Design Review Board, upon hearing and considering all relevant information, a project is not in keeping with either the tenets of this Ordinance or the Jerome Comprehensive Plan, the project shall be denied by specific motion of the Board. Any applicant who is aggrieved by such a decision may petition the Mayor or Council for a review within thirty (30) days of the decision. Questions of esthetics or design standards are not appealable to the Mayor and Council, but may be presented to a Court of Record within thirty (30) days of the decision. Additionally, if in the opinion of the Zoning Administrator a decision is not in conformance with the Zoning Code or Comprehensive plan, the Zoning Administrator may request a review by the Mayor and Council within thirty (30) days. By specific motion during an official meeting, the Mayor and Council may refuse to consider a request for review brought by the Zoning Administrator. Finally, the Mayor and Council shall maintain the right: (i) to review any and all decisions of the Design Review Board and (ii) to act on any application for a Final Approval if the Design Review Board fails to act on such application within ninety (90) days after the application is submitted.
2. In relation to SECTION 304.F.8, the Zoning Administrator's decision may be appealed to Council.



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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

September 5, 2018

ITEM 10: REVIEW OF SECTION 509 SIGNS FOR POSSIBLE TEXT AMENDMENTS

INCLUSIONS:

Section 509.B.7 – Clarify definition

Section 509.B.14 – add verbiage to support variety of sign attachments currently approved in use

Section 509.B.19 - these are specifics for temporary signs which have been reviewed and are the subject of Public Hearing, September 5, 2018, not adopted

Section 509.D.c – remove **'and other temporary signs'**

Section 509.D.d – 'NEW' consider what signs are actually allowed that are described in the ordinance as a result of removing 'temporary' in 509.D.c above

509.E.6 – Remove 'temporary' from this reference

509.E.7 – remove **'shall be prohibited'** and add 'NEW' verbiage to support signs as actually allowed and in use by Haunted Hamburger and Mile High

509.E.10 – remove references to payment for realtor or realtor brokerage signs as this is no longer current practice

509.G.1 – add verbiage that is in the definitions and not supported in this section of the regulation

509.G.8 – the current 'b & c' will be removed and replaced with specifics for temporary signs which have been reviewed and are the subject of Public Hearing, September 5, 2018, not adopted

Recommendation: Consider a simpler description for 509.E.7

Charlotte Page
Acting Zoning Administrator

DRAFT TEXT AMENDMENT: SIGNS – LIGHTING, REAL ESTATE, OTHER MINOR CLARIFICATIONS

Text additions: as Proposed

SECTION 509. SIGN

A. PURPOSE This section provides a set of standards for the design and construction of signs within the Town of Jerome. The purpose of this section is to encourage the preservation of historic buildings and artifacts, to protect the general public from damage and injury, to protect property values, to preserve the beauty and unique character of Jerome, to aid in the free-flow of traffic within the town, and to promote the tourist industry which is important to the economy of Jerome, and the Historic Overlay District.

B. DEFINITIONS

Within and for the purposes of this section, the following definitions, and only these definitions, apply.

1. Sign - An object meant to convey a message through the use of words or symbols. A sign can be painted on one surface, or both surfaces, be free-standing or be signs supported by a pole or be attached to a building. All exterior whether public or private, are regulated by this ordinance.
2. Area - A rectangular area calculated by drawing horizontal and vertical lines from all sign extremities excluding those which are essentially sign supports.
3. Sign, Campaign - A sign whose sole purpose is to advertise a political candidate or issue.
4. Sign, District - A sign which advertises one or more than one business in a single building or area. A district sign operates as a directory with a heading stating the district and uniform nameplate signs for those businesses within the district.
5. Sign, Canopy - A sign mounted on or painted on a canopy or awning.
6. Sign, Free-Standing - A sign not attached to or supported by a building.
7. Sign, Height - The vertical distance from the ground directly under a sign to the bottom of the sign.
8. Sign, Interior - Signs within a building not accessible from outside. Interior signs are not regulated by this ordinance, except if stating a business name and placed within twenty-four (24) inches of a window. Such signs will fall under the sixteen (16) square foot rule and require Design Review Board approval.
9. Sign, Gas Generated - Gas generated signs or signs illuminated by gas generated lighting, other than those existing on June 14, 1977, are prohibited.

10. Sign, Off-premise - A sign not located on the premises of the business which it advertises. A district sign is not an off-premises sign.
11. Sign, On-premise - A sign, the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, services, or activities of or on those premises, or the sale or lease of those premises.
12. Sign, Nameplate - A sign which is limited to the name and/or business of the residents of the premises, not exceeding two inches by twelve inches (2" x 12").
13. Sign, Business Door Identification - A nameplate sign of a business name on an entry door, not exceeding two inches by twelve inches (2" x 12").
14. Sign, Projecting - A building mounted sign which projects from and is supported by a wall of a building **or other appropriate secure location, such as a porch rail or freestanding pole located on the property.**
15. Sign, Wall - A sign attached flush to the exterior surface of a building, or permanently applied to a window of a building. The sign must not project above the roof. Light sources aimed at the wall sign may project further.
16. Sign, Historical/Historical Period - A sign in use in Jerome during the period between 1876 and 1953.
17. Sign, Service - An interior sign whose purpose is not to advertise the business displaying the sign, but to inform or provide for the safety of the public. Signs such as credit card placards, directional signs, "No Smoking" signs, and menu boards are examples of service signs.
18. Sign, Open/Closed - A sign indicating that a place of business is open or closed.
19. Sign, Temporary - A sign displayed for not more than forty-five (45) consecutive days.

C.APPLICABILITY

The provisions of this section shall apply to all signs placed or maintained within the Town of Jerome with the exception of the following:

1. Non-illuminated names of buildings, dates or erection, monument citations, commemorative tablets and the like when carved into stone, concrete, metal or any other permanent type construction and made an integral part of a permitted structure or made flush to the ground.
2. Signs required by law or signs of a duly constituted governmental body, such as traffic signs, warning signs, or no trespassing signs.
3. Signs placed by a public utility for the safety, welfare, or convenience of the public, such as signs identifying high voltage, public telephone, or underground cables.

4. Signs upon a vehicle, provided that any such vehicle is used for bona fide delivery or other business purposes.
5. Temporary holiday decorations.

D.PERMITS

1. A sign permit shall be required before a sign may be placed, constructed, re-constructed, or altered within the Town of Jerome with the exception of the following:
 - a. Name-plate signs - and business door identifiers two inches by twelve inches (2" x 12").
 - b. Repainting or maintenance of signs, provided there is no change in size, shape, wording, composition, or color.
 - c. Political signs.
 - d. Realtor, contractor, architect, construction warning signs or project funding source signs are allowed associated with a specific project under regulations outlined in Section 509.E. numbers 9, 10, and 11.**
2. An application for a sign permit shall be filed with the Zoning Administrator on a form prescribed by the Zoning Administrator. The application shall be accompanied by eight identical copies of the sign plans. Each copy shall be on one or more sheets of paper measuring not more than twenty-four inches by thirty-six inches (24"x 36") drawn to scale, which shall show the following:
 - a. Signature of the applicant.
 - b. The name and address of the sign owner and sign erector.
 - c. Drawings showing the design, dimensions, color, material, and structure of the sign.
 - d. A drawing or photograph of the building façade indicating the proposed location of the sign, and all other existing signs maintained on the premises and regulated by this ordinance.
 - e. Proposed method of lighting the sign.
 - f. Any additional information which the Design Review Board may require in order to decide on the application.
 - g. Payment of a non-refundable, one-time filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the offices of the Town Clerk. Applicant may re-submit modified plan without paying an additional fee. Payment of the filing fee shall be waived when the applicant is an agency of Town, County, State or Federal Government.

3. Plan Review
The Zoning Administrator shall review and accept completed plans in accordance with the provisions of Section 303. These plans shall be placed on the agenda of the next Design Review Board meeting.
4. Design Review
The Design Review Board shall, in accordance with the provisions of Section 304, deny, approve, or conditionally approve any application for a sign permit. Upon approval of an application by the Design Review Board, the Zoning Administrator shall be instructed to issue the sign permit.
5. Design Review Board may waive the requirements of this section in order to allow the preservation or restoration of signs or commercial graphics which are determined to be of historical significance.

E. REGULATIONS APPLICABLE TO SIGNS IN ALL ZONES

1. The design, color, shape, materials and style of signs shall be subject to review and approval of the Design Review Board.
2. All signs shall be constructed, designed, or attached to structures in conformance with the building code adopted by the Town of Jerome.
3. No sign shall be constructed, erected or lit in such a manner as to interfere in any way with, the flow of traffic on the public right of way, or present a traffic hazard.
4. Free-standing signs shall not exceed four (4) feet in height.
5. There shall be no off-premise signs.
6. Organizations may apply for a Sign Permit from the Design Review Board or for special event banners or signs.
7. Lighting shall be directed at the sign from an external incandescent light source, and shall be installed so as to avoid any glare or reflection into any adjacent property, or onto a street or alley so as to create a traffic hazard. Internally lighted signs **may only be permitted if the sign is constructed of opaque materials that block the transmission of light except through apertures in the sign that constitute no more than 15% of the area of the sign. For example, a sign with internal lighting that is constructed of steel and has apertures designed to form the image of letters would be permitted if the area encompassed by the apertures is less than 15% of the sign. A bulb shall produce no more than 3,100 lumens for this type of sign. Any new installation of a lit sign will be required to be turned off one hour after close of business.** No sign that flashes or blinks shall be permitted. No visible bulbs, neon tubing, or luminous paints, shall be permitted as part of any sign.
8. No sign or part of a sign shall have mechanically moving parts or audible devices.
9. Political signs shall be permitted up to a total area of six (6) square feet in area for each

premise, but shall not be placed in the public right-of-way or upon power or telephone poles. Political signs may be erected no earlier than sixty (60) days prior to any primary or general election; they shall be removed within ten (10) days after the election.

10. One (1) real estate sign located on the property it refers to will be permitted.
 - a. The sign shall be a maximum size of eighteen inches by twenty-four inches (18" x 24"). Additionally, one (1) rider denoting the name of the agent not exceeding six inches by 24 inches (6" x 24") may be attached to the real estate sign. Upon opening of an escrow, an additional rider not exceeding six inches by twenty-four inches (6" x 24") and containing the word "sold" or "pending" may be attached. Any other types of descriptive riders are specifically prohibited.
 - b. All real estate signs must be removed within three (3) days of any transfer of ownership (recordation of the property).
11. Contractor identification signs or Contractor and/or Architect identification signs may be erected for the duration of construction. Such construction signs are to be removed seven days after certificate of occupancy is issued. The signs shall not exceed four (4) square feet in area. Also, signs warning of construction debris or denoting project sponsored by a funding source may be erected.
12. Any existing nonconforming sign may be continued in use; if such a sign is damaged, it may be restored or repaired. If a new sign is constructed, it must conform to the provisions of this chapter.
13. Once a year it shall be the duty of the Zoning Administrator to review all district signs and make appropriate recommendations to the Design Review Board.
14. Signs shall be removed upon thirty (30) days of business relocation or closure.
15. If any sign becomes a danger to the public or becomes deteriorated or is abandoned, the property owner, or owner of the sign shall be notified to remove or repair the sign. If he/she does not comply within ten (10) days, the Zoning Administrator shall have the sign removed, and the cost assessed to the owner of the property on which such sign is located.

F.REGULATIONS APPLICABLE TO SIGNS IN RESIDENTIAL ZONES

1. One nameplate sign not exceeding two inches by twelve inches (2"x 12") indicating the names of the occupants or business, and one set of numbers four inches by twelve inches (4"x 12") indicating the street address shall be allowed for each dwelling unit without a permit.
2. One non-illuminated sign not exceeding eight (8) square feet in area shall be allowed to identify a home business and requires a permit. A two-sided sign is one sign.
3. No sign shall extend above the eaves line of a building, or extend higher than ten (10) feet above the ground directly below it.

G. REGULATIONS APPLICABLE TO SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES

1. No more than two (2) signs are permitted for any one business except that a business having frontage on and physical access from two (2) or more streets will be allowed a total of three (3) signs. Signs stating a business name and placed within twenty-four (24) inches of a window, will count as an additional exterior sign, fall under the sixteen (16) square foot rule and require Design Review Board approval.
2. The area of any single wall, projecting, free-standing or canopy sign shall not exceed sixteen (16) square feet.
3. No sign shall extend above the roof of the building to which it is attached.
4. The bottom of any projecting sign shall be no lower than eight (8) feet above the ground directly below it.
5. No part of any projecting or free-standing sign may project over any roadway.
6. One (1) set of address numbers not exceeding four inches by twelve inches (4" x 12") in total area shall be allowed in addition to normal sign allowances.
7. District signs, in addition to other allowed signs, will be considered on a case by case basis by the Design Review Board.
8. Temporary signs, as defined herein, such as "sale" signs are allowed in addition to other signs. Temporary signs must meet all restrictions for signs in this section in addition to the following:
 - a. No temporary sign may exceed eight (8) square feet.
 - b. Temporary Signs shall require an application to be filed with the Zoning Administrator.
 - c. One Temporary Sign is allowed per 45 Day Period.
 - d. Maximum number of occurrences shall not exceed three (3) times calendar year. Each occurrence shall require application with the Zoning Administrator.
9. Exterior signs indicating open and closed are permitted in addition to normal sign allowances. These signs should be no more than four (4) square feet in area. Such an exterior open/closed sign requires a permit and approval from the Design Review Board.
10. Standard copyright signs offering information on incidental services or recommendations, e.g., AAA or Bank Americard, are permitted in addition to normal sign allowances, provided:
 - a. They conform to all provisions contained in this section.
 - b. They are inside a window.

c. There is no more than one (1) sign per incidental service per public entrance to the business.

d. No sign's area shall exceed sixteen (16) square inches.

DRAFT

SECTION 509. SIGNS

A. PURPOSE

This section provides a set of standards for the design and construction of signs within the Town of Jerome. The purpose of this section is to encourage the preservation of historic buildings and artifacts, to protect the general public from damage and injury, to protect property values, to preserve the beauty and unique character of Jerome, to aid in the free-flow of traffic within the town, and to promote the tourist industry which is important to the economy of Jerome, and the Historic Overlay District.

B. DEFINITIONS

Within and for the purposes of this section, the following definitions, and only these definitions, apply.

1. Sign - An object meant to convey a message through the use of words or symbols. A sign can be painted on one surface, or both surfaces, be free-standing or be signs supported by a pole or be attached to a building. All exterior whether public or private, are regulated by this ordinance.
2. Area - A rectangular area calculated by drawing horizontal and vertical lines from all sign extremities excluding those which are essentially sign supports.
3. Sign, Campaign - A sign whose sole purpose is to advertise a political candidate or issue.
4. Sign, District - A sign which advertises one or more than one business in a single building or area. A district sign operates as a directory with a heading stating the district and uniform nameplate signs for those businesses within the district.
5. Sign, Canopy - A sign mounted on or painted on a canopy or awning.
6. Sign, Free-Standing - A sign not attached to or supported by a building.
7. Sign, Height - The vertical distance from the ground directly under the to the sign highest point of the sign.
8. Sign, Interior - Signs within a building not accessible from outside. Interior signs are not regulated by this ordinance, except if stating a business name and placed within twenty-four (24) inches of a window. Such signs will fall under the sixteen (16) square foot rule and require Design Review Board approval.
9. Sign, Gas Generated - Gas generated signs or signs illuminated by gas generated lighting, other than those existing on June 14, 1977, are prohibited.
10. Sign, Off-premise - A sign not located on the premises of the business which it advertises. A district sign is not an off-premises sign.
11. Sign, On-premise - A sign, the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, services, or activities of or on those premises, or the sale or lease of those premises.
12. Sign, Nameplate - A sign which is limited to the name and/or business of the residents of the premises, not exceeding two inches by twelve inches (2" x 12").
13. Sign, Business Door Identification - A nameplate sign of a business name on an entry door, not exceeding two inches by twelve inches (2" x 12").

14. Sign, Projecting - A building mounted sign which projects from and is supported by a wall of a building.
15. Sign, Wall - A sign attached flush to the exterior surface of a building, or permanently applied to a window of a building. The sign must not project above the roof. Light sources aimed at the wall sign may project further.
16. Sign, Historical/Historical Period - A sign in use in Jerome during the period between 1876 and 1953.
17. Sign, Service - An interior sign whose purpose is not to advertise the business displaying the sign, but to inform or provide for the safety of the public. Signs such as credit card placards, directional signs, "No Smoking" signs, and menu boards are examples of service signs.
18. Sign, Open/Closed - A sign indicating that a place of business is open or closed.
19. Sign, Temporary - A sign displayed for not more than forty-five (45) consecutive days or a total of ninety (90) days in a calendar year.

C. APPLICABILITY

The provisions of this section shall apply to all signs placed or maintained within the Town of Jerome with the exception of the following:

1. Non-illuminated names of buildings, dates or erection, monument citations, commemorative tablets and the like when carved into stone, concrete, metal or any other permanent type construction and made an integral part of a permitted structure or made flush to the ground.
2. Signs required by law or signs of a duly constituted governmental body, such as traffic signs, warning signs, or no trespassing signs.
3. Signs placed by a public utility for the safety, welfare, or convenience of the public, such as signs identifying high voltage, public telephone, or underground cables.
4. Signs upon a vehicle, provided that any such vehicle is used for bona fide delivery or other business purposes.
5. Temporary holiday decorations.

D. PERMITS

1. A sign permit shall be required before a sign may be placed, constructed, re-constructed, or altered within the Town of Jerome with the exception of the following:
 - a. Name-plate signs - and business door identifiers two inches by twelve inches (2" x 12").
 - b. Repainting or maintenance of signs, provided there is no change in size, shape, wording, composition, or color.
 - c. Political signs and other temporary signs.
2. An application for a sign permit shall be filed with the Zoning Administrator on a form prescribed by the Zoning Administrator. The application shall be accompanied by eight identical copies of the sign plans. Each copy shall be on one or more sheets of paper measuring not more than twenty-four inches by thirty-six inches (24"x 36") drawn to scale, which shall show the following:
 - a. Signature of the applicant.
 - b. The name and address of the sign owner and sign erector.

- c. Drawings showing the design, dimensions, color, material, and structure of the sign.
 - d. A drawing or photograph of the building facade indicating the proposed location of the sign, and all other existing signs maintained on the premises and regulated by this ordinance.
 - e. Proposed method of lighting the sign.
 - f. Any additional information which the Design Review Board may require in order to decide on the application.
 - g. Payment of a non-refundable, one-time filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the offices of the Town Clerk. Applicant may re-submit modified plan without paying an additional fee. Payment of the filing fee shall be waived when the applicant is an agency of the Town, County, State or Federal Government.
3. Plan Review
- The Zoning Administrator shall review and accept completed plans in accordance with the provisions of Section 303. These plans shall be placed on the agenda of the next Design Review Board meeting.
4. Design Review
- The Design Review Board shall, in accordance with the provisions of Section 304, deny, approve, or conditionally approve any application for a sign permit. Upon approval of an application by the Design Review Board, the Zoning Administrator shall be instructed to issue the sign permit.
5. Design Review Board may waive the requirements of this section in order to allow the preservation or restoration of signs or commercial graphics which are determined to be of historical significance.

E. REGULATIONS APPLICABLE TO SIGNS IN ALL ZONES

- 1. The design, color, shape, materials and style of signs shall be subject to review and approval of the Design Review Board.
- 2. All signs shall be constructed, designed, or attached to structures in conformance with the building code adopted by the Town of Jerome.
- 3. No sign shall be constructed, erected or lit in such a manner as to interfere in any way with, the flow of traffic on the public right of way, or present a traffic hazard.
- 4. Free-standing signs shall not exceed four (4) feet in height.
- 5. There shall be no off-premise signs.
- 6. Organizations may apply for a Temporary Sign Permit from the Design Review Board or for temporary special event banners or signs.
- 7. Lighting shall be directed at the sign from an external incandescent light source, and shall be installed so as to avoid any glare or reflection into any adjacent property, or onto a street or alley so as to create a traffic hazard. Internally lighted signs shall be prohibited. No sign that flashes or blinks shall be permitted. No visible bulbs, neon tubing, or luminous paints, shall be permitted as part of any sign.
- 8. No sign or part of a sign shall have mechanically moving parts or audible devices.
- 9. Political signs shall be permitted up to a total area of six (6) square feet in area for each premise, but shall not be placed in the public right-of-way or upon power or telephone

poles. Political signs may be erected no earlier than sixty (60) days prior to any primary or general election; they shall be removed within ten (10) days after the election.

10. One (1) real estate sign located on the property it refers to will be permitted upon the application and payment in accordance with Section 509.2.
 - a. The sign shall be a maximum size of eighteen inches by twenty-four inches (18" x 24"). Additionally, one (1) rider denoting the name of the agent not exceeding six inches by 24 inches (6" x 24") may be attached to the real estate sign. Upon opening of an escrow, an additional rider not exceeding six inches by twenty-four inches (6" x 24") and containing the word "sold" or "pending" may be attached. Any other types of descriptive riders are specifically prohibited.
 - b. A duly licensed real estate brokerage company may apply for a blanket permit which will allow placement of a real estate sign on each property which they have listed for sale or lease. The blanket permit fee will be an amount established by a schedule adopted by resolution of the Town Council and filed in the office of the Town Clerk.
 - c. All real estate signs must be removed within three (3) days of any transfer of ownership (recordation) of the property.
11. Contractor identification signs or Contractor and/or Architect identification signs may be erected for the duration of construction. Such construction signs are to be removed seven days after certificate of occupancy is issued. The signs shall not exceed four (4) square feet in area. Also, signs warning of construction debris or denoting project sponsored by a funding source may be erected.
12. Any existing nonconforming sign may be continued in use; if such a sign is damaged, it may be restored or repaired. If a new sign is constructed, it must conform to the provisions of this chapter.
13. Once a year it shall be the duty of the Zoning Administrator to review all district signs and make appropriate recommendations to the Design Review Board.
14. Signs shall be removed upon thirty (30) days of business relocation or closure.
15. If any sign becomes a danger to the public or becomes deteriorated or is abandoned, the property owner, or owner of the sign shall be notified to remove or repair the sign. If he/she does not comply within ten (10) days, the Zoning Administrator shall have the sign removed and the cost assessed to the owner of the property on which such sign is located.

F. REGULATIONS APPLICABLE TO SIGNS IN RESIDENTIAL ZONES

1. One nameplate sign not exceeding two inches by twelve inches (2"x 12") indicating the names of the occupants or business, and one set of numbers four inches by twelve inches (4"x 12") indicating the street address shall be allowed for each dwelling unit without a permit.
2. One non-illuminated sign not exceeding eight (8) square feet in area shall be allowed to identify a home business and requires a permit. A two-sided sign is one sign.
3. No sign shall extend above the eaves line of a building, or extend higher than ten (10) feet above the ground directly below it.

G. REGULATIONS APPLICABLE TO SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES

1. No more than two (2) signs are permitted for any one business except that a business having frontage on and physical access from two (2) or more streets will be allowed a total of three (3) signs.
2. The area of any single wall, projecting, free-standing or canopy sign shall not exceed sixteen (16) square feet.
3. No sign shall extend above the roof of the building to which it is attached.
4. The bottom of any projecting sign shall be no lower than eight (8) feet above the ground directly below it.
5. No part of any projecting or free-standing sign may project over any roadway.
6. One (1) set of address numbers not exceeding four inches by twelve inches (4" x 12") in total area shall be allowed in addition to normal sign allowances.
7. District signs, in addition to other allowed signs, will be considered on a case by case basis by the Design Review Board.
8. Temporary signs, such as "sale" signs are allowed in addition to other signs. Temporary signs must meet all restrictions for signs in this section in addition to the following:
 - a. No temporary sign may exceed eight (8) square feet.
 - b. No business may display a temporary sign more than ninety (90) days per calendar year, or forty-five (45) consecutive days.
 - c. No permit is required for temporary signs.
9. Exterior signs indicating open and closed are permitted in addition to normal sign allowances. These signs should be no more than four (4) square feet in area. Such an exterior open/closed sign requires a permit and approval from the Design Review Board.
10. Standard copyright signs offering information on incidental services or recommendations, e.g., AAA or Bank Americard, are permitted in addition to normal sign allowances, provided:
 - a. They conform to all provisions contained in this section.
 - b. They are inside a window.
 - c. There is no more than one (1) sign per incidental service per public entrance to the business.
 - d. No sign's area shall exceed sixteen (16) square inches.

Attachments give a description of how florescent lamps are positioned, along with spacing, length and number of lamps to illuminate exposed surface area.

It also gives the calculation for wattage. 13.75 watts per lineal foot of florescent lamp.

This weekend, I will format a schematic to which LED lighting is used.

Both Haunted Hamburger and Mile High Grill incorporate florescent and LED.

Thanx,

John Alvey
Alvey Signs

July 30, 2018

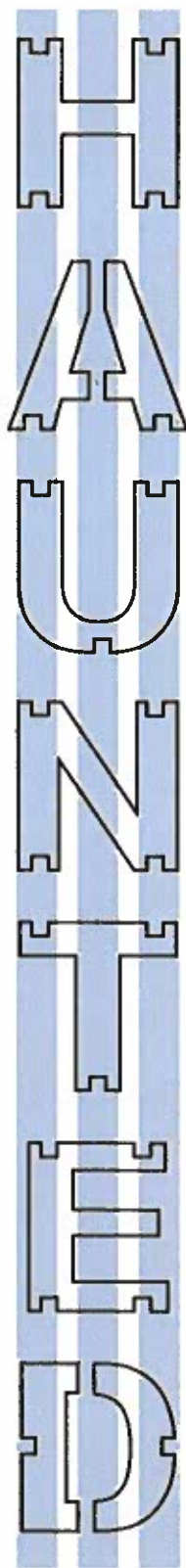
A

SAMPLE SHOWS
3 LAMPS TOTAL,
5 FOOT IN
LENGTH.
HI OUTPUT,
FLORESCENT
LAMPS USED
IN THE SIGN
INDUSTRY.
13.75 WATTS
PER LINEAL
FOOT.
TOTAL WATTS
FOR SIGN SAMPLE:
206.25 WATTS.

B

SAMPLE SHOWS
SURFACE
(BLACK),
WITH
FLORESCENT
LAMPS
(GREY)
INSIDE
SIGN CABINET,
EXPOSED
BY CUTOUT
CHARACTER
AREA.

A



B



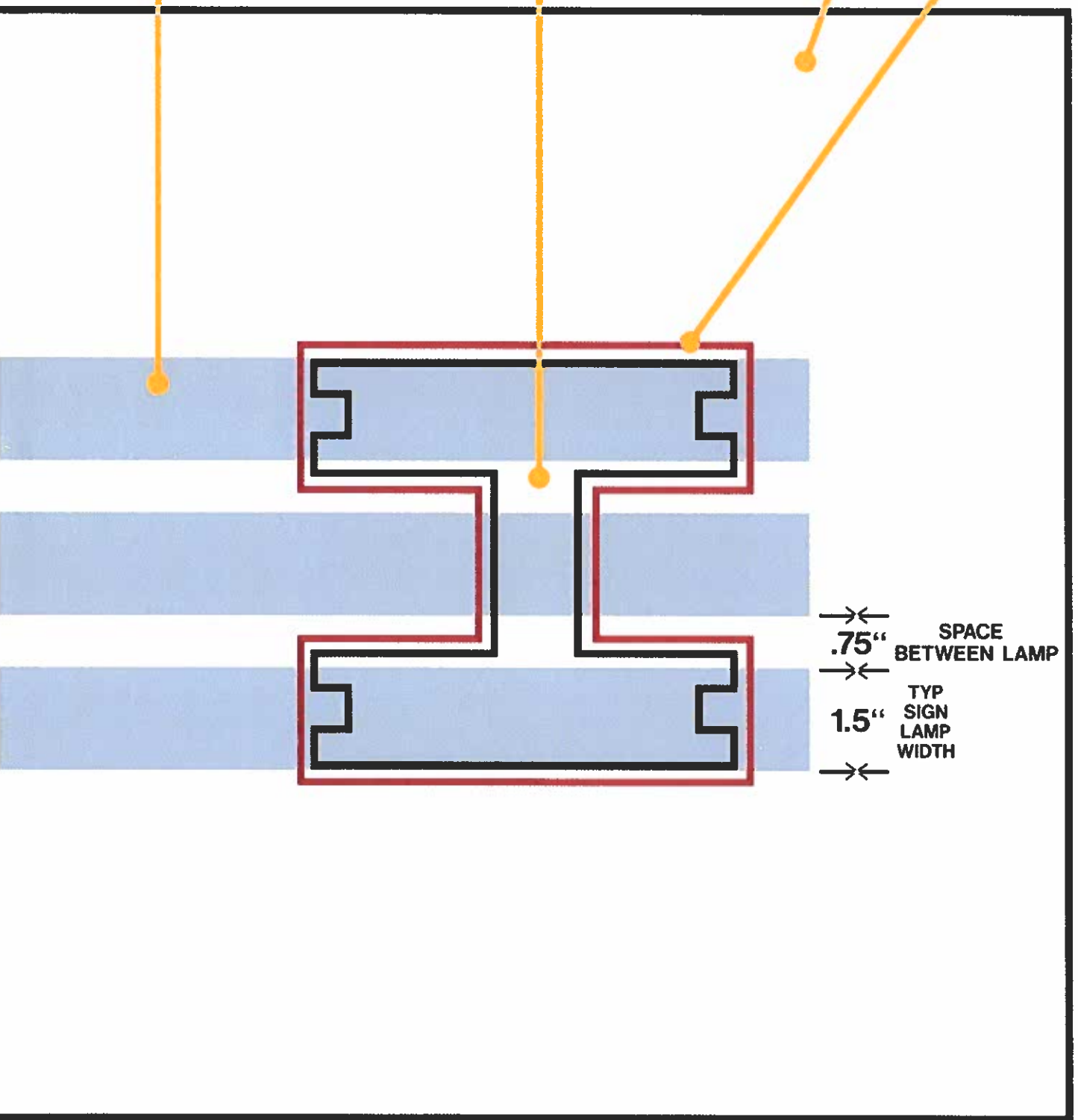
METAL
CHARACTER
(RED OUTLINE)

SURFACE
(TYP METAL
FACE OF
SIGN
CABINET

EXPOSED
AREA,
ALLOWING
LIGHT TO OMIT
THUS BOTH
ILLUMINATING
BACK OF METAL
CHARACTER
THAT IS

SLIGHTLY
LARGER
THAN EXPOSED
AREA.
OVERSIZED
CHARACTER
IS STUD MOUNT
TO SURFACE,
HAVING A
5/8" SPACE
BETWEEN
CHARACTER AND
SURFACE.

FLORESCENT
LAMP
(GREY)



SPACE
BETWEEN LAMP

.75"

TYP
SIGN
LAMP
WIDTH

1.5"

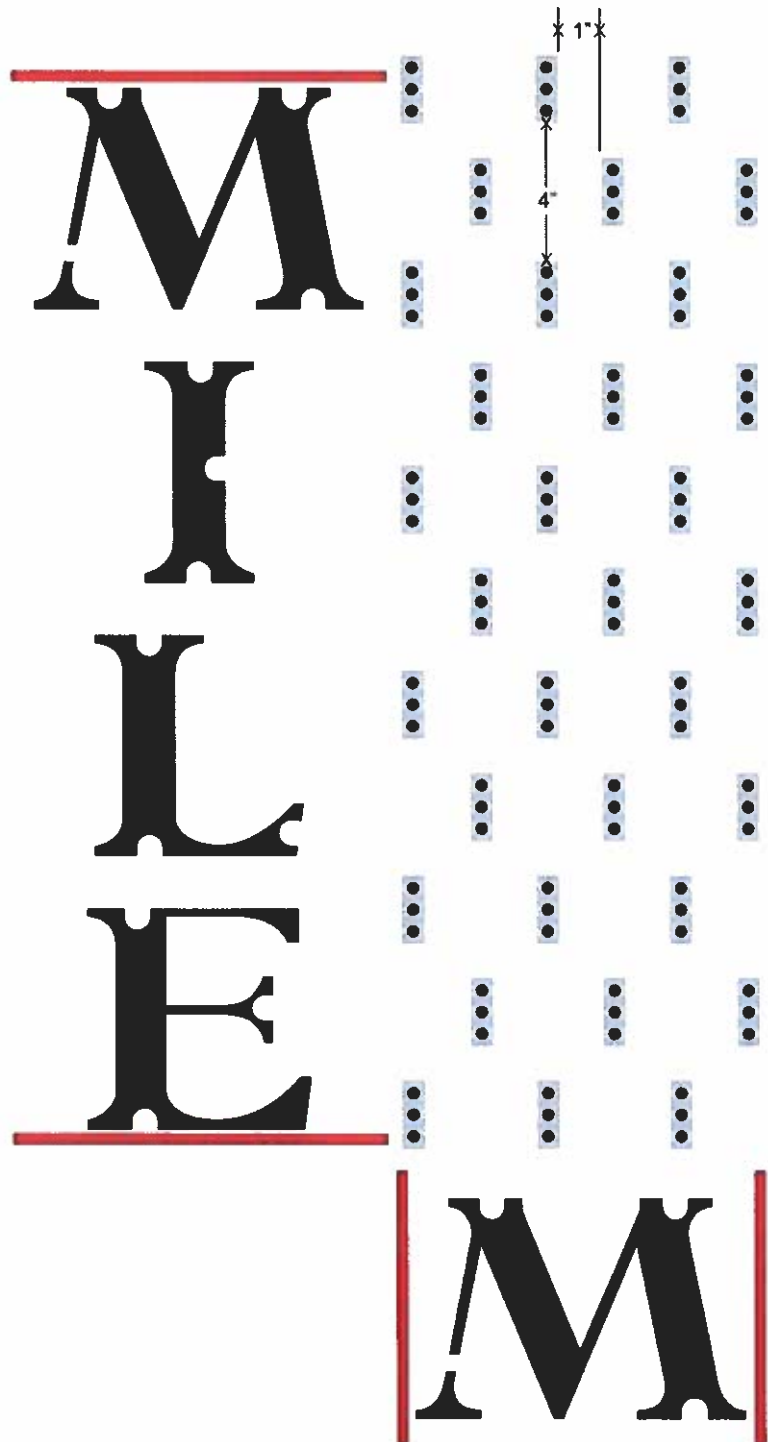
A



.65" x 2"
L.E.D. MODULE.
82.5
LUMENS.

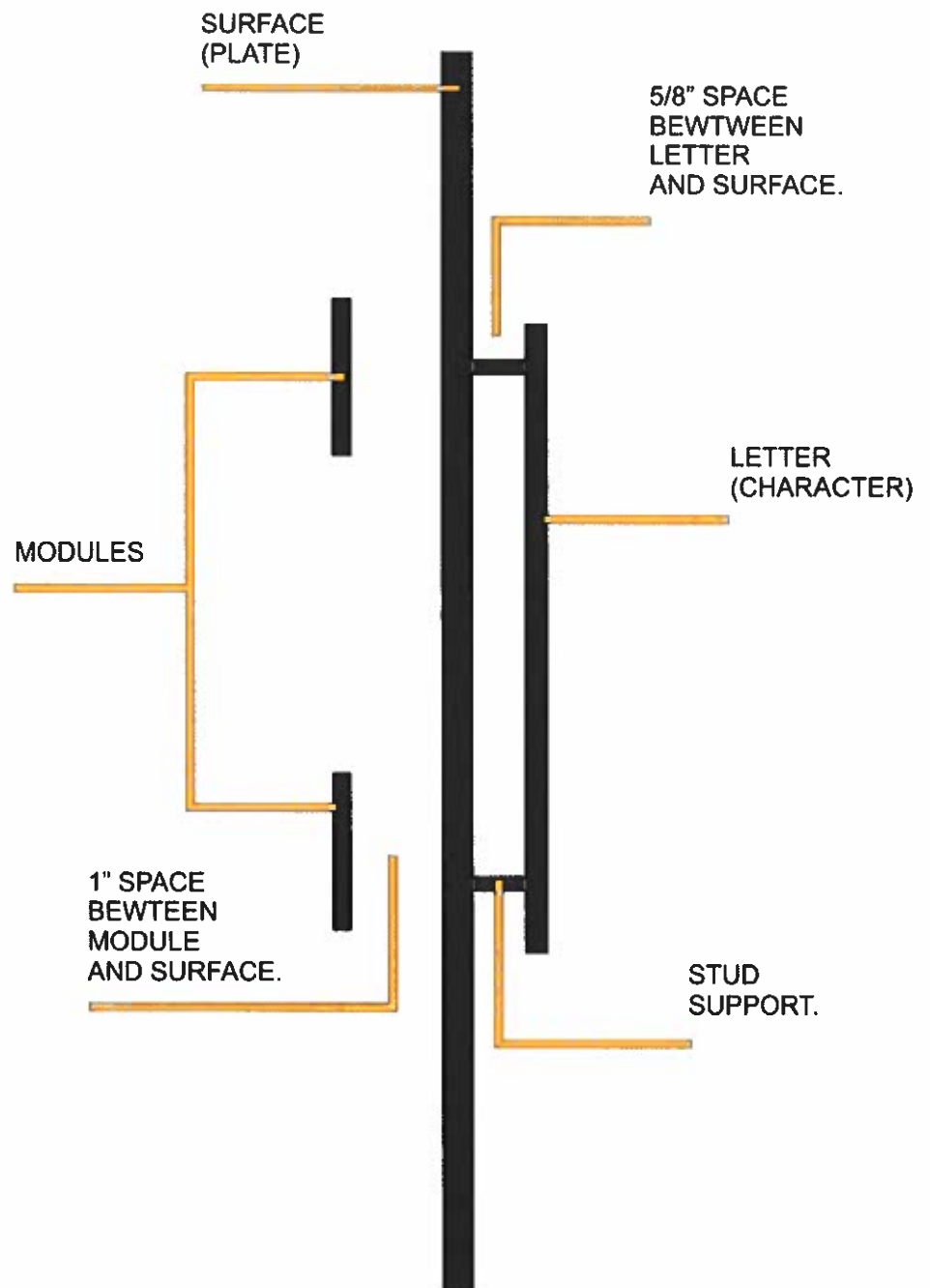
MODULES
SPACED
APART
1" HORIZONTAL
AND
4" VERTICAL.

"RED"
VERTICAL &
HORIZONTAL
BARS
SHOW HOW
MODULES
ARE DISTRIBUTED
SLIGHTLY
BEYOND
CUT OUT
AREAS OF
CHARACTERS.
MODULES
LOCATED
BEHIND
SURFACE
(NOTE B).



B

PROFILE





TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331

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

ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

September 5, 2018

ITEM 11: DISCUSSION OF ZONING ORDINANCE SETION 104, 105 & 106 IN REGARD TO MEMBER ABSENCES

This item scribed from ZA meeting with Chair Hardie, 8/20/18 for discussion. Copies of current Ordinance reference included in packet.

Charlotte Page
Acting Zoning Administrator

ARTICLE I

ADMINISTRATION

SECTION 101. SHORT TITLE

This ordinance shall be known as "The Zoning Ordinance of the Town of Jerome".

SECTION 102. PURPOSE

The purposes of this ordinance are to secure safety from fire, panic, and other dangers; to provide adequate light and air; to lessen congestion in the streets; to prevent the overcrowding of land; to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to provide for the social, physical, and economic advantages resulting from comprehensive and orderly planned use of land resources; and to otherwise promote the health, safety, convenience and general welfare of the citizens of the Town of Jerome, Arizona.

SECTION 103. INTERPRETATION AND APPLICATION

In its interpretation and application, the provisions of this ordinance shall be held to be minimum requirements for the promotion of a comprehensive plan, and for the promotion of the public health, safety, and general welfare. It is not intended by this ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this ordinance, or with restrictions placed upon property by covenant, deed, or other agreement between parties, provided that where this ordinance imposes a greater restriction on land, buildings or structures than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this ordinance shall control.

SECTION 104. PLANNING AND ZONING COMMISSION

A. COMPOSITION; TERMS OF MEMBERS; VACANCIES; COMPENSATION OF MEMBERS

A Planning and Zoning Commission was established upon adoption of the Jerome Zoning Ordinance. At the adoption of this ordinance, the Commission shall consist of five (5) members, each of whom shall be a resident of the Town of Jerome, to be appointed by the Town Council. The members of the Commission shall serve for three (3) years, except as hereinafter provided. In the event of a death, resignation, or removal from the Commission, the vacancy shall be filled by the Council for the unexpired term. Members of the Commission may, after a public meeting, be removed by the Council for inefficiency, neglect of duty or unethical conduct in office. **Three (3) absences without prior notification during a year from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority and such action shall be final.** All members shall serve without pay. However, members of the Commission may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the Commission and approval of such expenditures by the Town Council.

[Ord. No. 313]

B. POWERS AND DUTIES

It shall be the duty of the Commission to formulate and administer any lawful plan duly adopted by the Council for the present and future growth and development of the Town of Jerome pertaining to the use of land and buildings for any purpose, to make or cause to be

made a continuous study of the best present and future use to which land and buildings shall be put within the Town of Jerome and in cooperation with adjacent areas, and to recommend to the Council revisions in such plans which, in the opinion of the Commission, are for the best interest of the citizens of the Town of Jerome; to hold public hearings where necessary; to make recommendations to the Council on all matters concerning or relating to the creation of zoning districts, the boundaries thereof, the appropriate regulations to be enforced therein, and amendments of this ordinance; to carry out the specific duties as prescribed by this ordinance, and to undertake all activities usually associated therewith and commonly known as "Planning and Zoning". The Commission is also authorized to confer and advise with other city, county, regional, or state planning commissions.

C. SELECTION OF OFFICERS

The Commission shall elect a Chair and Vice Chair from among its own members, who shall serve for one (1) year and until their successors are elected and qualified. No individual may serve consecutively as Chair, or consecutively as Vice Chair, for more than two one-year terms. The Chair shall preside at all meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. The Chair shall have the power to administer oaths and to take evidence. The Vice Chair shall perform the duties of the Chair in the latter's absence or disability. Vacancies created by any cause shall be filled for the unexpired term by a new election.

[Ord. No. 410]

D. QUORUM; VOTING

Three (3) members shall constitute a quorum. The affirmative vote of three (3) members shall be required for passage of any matter before the Commission. The minutes of the meeting shall reflect the "ayes" and "nays" cast on a particular measure and shall reflect the vote of each member present. A member may abstain from voting upon a declaration that he has a conflict of interest, in which case such member shall take no part in the deliberation on the matter in question.

[Ord. No. 313]

E. RULES; REGULATIONS; RECORDS; MEETINGS

The Commission shall make and publish rules and regulations, to govern its proceedings and to provide for its meetings, subject to Council approval. All meetings of the Commission shall be open to the public. The minutes and records of all Commission proceedings shall be kept and filed as public record in the office of the Town Clerk.

SECTION 105. BOARD OF ADJUSTMENT

A. ESTABLISHMENT; COMPOSITION; TERM OF MEMBERS; VACANCIES; COMPENSATION OF MEMBERS

There is hereby established a Board of Adjustment of the Town of Jerome, to consist of five (5) members, each of whom shall be a resident of the Town of Jerome, to be appointed by the Town Council. The members of the Board shall serve for three (3) years, except as hereinafter provided. The members of the first Board appointed hereunder shall serve for the following terms: two (2) members shall be appointed for a term of one (1) year, two (2) members shall be appointed for a term of two (2) years, and one (1) member shall be appointed for a term of three (3) years. In the event of a death, resignation, or removal from the Board, the vacancy shall be filled by the Council for the unexpired term. Members of the Board may, after a public hearing, be removed by the Council for inefficiency, neglect of

duty, or malfeasance in office. The Council shall file a written statement of the reasons for removal. Three (3) unexcused absences during a term from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority without the necessity of a hearing or notice, and such action shall be final. 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.

B. POWER AND DUTIES

1. It shall be the duty of the Board of Adjustment to:
 - a. Hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the zoning administrator in the enforcement of the zoning ordinance, and to reverse or affirm, wholly or partly, or modify the order requirement or decision of the zoning administrator appealed from, and make such order, requirement, decision or determination as necessary.
 - b. Hear and decide appeals for variances from the terms of the zoning ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning in which such property is located.
2. The Board of Adjustment may not:
 - a. Make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the zoning ordinance provided the restrictions in this paragraph shall not affect the authority to grant variances pursuant to this article.
 - b. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.

C. SELECTION OF OFFICERS

The Board shall elect a Chair and Vice Chair from among its own members, who shall serve for one (1) year and until their successors are elected and qualified. The Chair shall preside at all meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. The Chair shall have the power to administer oaths and to take evidence. The Vice Chair shall perform the duties of the Chair in the latter's absence or disability. Vacancies created by any cause shall be filled for the unexpired term by a new election.

[Ord. No. 410]

D. QUORUM; VOTING

Three (3) members shall constitute a quorum. The affirmative vote of three (3) members shall be required for passage of any matter before the Board. In this connection, the minutes of the meeting shall reflect the "ayes" and "nays" cast on a particular measure and shall reflect the vote of each member present. A member may abstain from voting only upon a declaration that he has a conflict of interest, in which case such member shall take no part in the deliberation on the matter in question.

E. RULES; REGULATIONS; RECORDS; MEETINGS

The Board shall make and publish rules and regulations to govern its proceedings and to provide for its meetings. All meetings of the Board shall be open to the public. The minutes and records of all Board proceedings shall be kept and filed as public record in the office of the Town Clerk.

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. **Three (3) absences, without prior notification during a year from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority and such action shall be final.** 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]

C. POWERS AND DUTIES

1. The Design Review Board shall have the power to approve, conditionally approve or disapprove all requests for design approval as required by this Ordinance, basing its decision on the criteria as set down in Section 304.
2. It shall be the responsibility of the applicant to prove that the intent and purpose established in this Section will be accomplished.
3. The Design Review Board, upon hearing an application, may impose such reasonable conditions as it may deem necessary in order to fully carry out the provisions and intent of this ordinance. Violation of any such condition shall be a violation of this ordinance and such violation shall render any building permit null and void.

**MINUTE RECORD OF THE JEROME PLANNING AND ZONING COMMISSION
MEETING HELD ON JANUARY 16, 2002**

ITEM 1: Meeting called to order at 7:04 PM. Members present were Diane Rapaport, Kate Payne, John Scarcella, Linda Stanley – Chair and Ted Glassman. Also present were Vice-Mayor Jane Moore, on behalf of Commissioner Greg Driver, who is out of town and Terry Molloy, on behalf of the Jerome Times.

ITEM 2: The minutes of December 19, 2001, cannot be approved as there is no longer a quorum of members on the Commission that were at that meeting.

ITEM 3: PETITIONS FROM THE PUBLIC - There are none

ITEM 4: ZONING ADMINISTRATOR'S REPORT

7:05 PM. ZA welcomes new member, Kate Payne. On February 26, 2002, at 5:00 PM at the Fire Station the Council will hold a regular meeting that ADOT will be present at. They will present the plans for a new restroom in the lower parking lot. DRB and P & Z are expected to be at this meeting so they may vote on the plans presented. Another reminder will be sent closer to the meeting date and it will be posted. The only action item on tonight's agenda is a public hearing to consider changes to JZO, Sections 104 and 106, Stanley reminds ZA to please remember to put election of a Vice-Chair on the next agenda.

ITEM 5: PUBLIC HEARING :

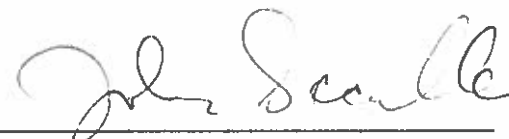
REVISIONS TO JEROME ZONING ORDINANCE SECTION 104.A., D. and E and SECTION 106.A., E. and F. – The proposed revisions would change the membership of the Planning and Zoning Commission and the Design Review Board from 7 to 5. Other proposed revisions are to keep the quorum and voting in line with a 5 member board and revisions to rules and regulations. Copies of these revisions are available at Town Hall.

DISCUSSION/POSSIBLE ACTION

Chair Stanley opens the public hearing at 7:08 PM. Rapaport feels that a dismissal requiring no reason and a dismissal after only 2 absences are a bit quixotic. She feels there needs to be a reason for a member's removal. ZA states the Town Attorney wrote this revision and she said board members are appointed by and can be removed by Council without cause. Scarcella agrees with Rapaport. He feels people need a reason and only 2 absences are ridiculous since there are at least 24 meetings a year. He too would like to know why the reasons for removal went away. ZA states that malfeasance, one of the reasons for removal, is a difficult legal word. There is more than 1 "feasance". Moore, from the audience, feels inefficiency and neglect of duty are good reasons for removal and should remain in the ordinance. She agrees that 2 absences are not enough. She does not know why this was done as she has not spoken to the attorney about it. Rapaport asks exactly what is malfeasance. ZA says she would not try to define it without Black's or some other law dictionary. Rapaport asks if unethical conduct is more easily defined and feels this too would be a good reason for removal from a board. The word "unexcused" regarding absences is discussed. We do not require a doctor's excuse or

anything that official but rather a request to be excused prior to a meeting. 3 absences, without prior notification is suggested. Scarcella asks about the addition of "subject to Council approval" regarding changes in rules and regulations. ZA thinks that because Council is the final authority any changes to the way a board operates would need to be approved by Council. The boards have been operating the same way since the beginning and probably adopted rules and regulations at that time. The discussion returns to needing a public hearing before removal. ZA states a public hearing and a public meeting are 2 different things with different requirements. A public hearing requires 15 days notice and publication. Perhaps this should just be a public meeting. Scarcella states he just wants people, who may be removed, to be able to have their say. ZA states that some people have expressed concern that if board members can be removed for no reason and a majority of the Council is anti-zoning, then zoning could be effectively ended by just removing members and leaving the boards with no quorum and therefore unable to act. Rapaport moves to recommend to Council the changes as noted above, specifically, reasons for removal—inefficiency, neglect of duty or unethical conduct, 3 absences without prior notification is grounds for removal and change of the word hearing to meeting re: removal. This will be for both Planning and Zoning and Design Review. Glassman seconds and the vote is unanimous. The public hearing is closed at 7:32 PM.

ITEM 6: Scarcella moves, Glassman seconds and all vote in favor of adjournment at 7:33 PM.



~~Linda Stanley - Chair~~

John Scarcella - Vice Chair