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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 4th, 2019 TIME: 7:00 pm

PLACE: **JEROME CIVIC CENTER**

600 Clark St., JEROME, ARIZONA 86331

AGENDA

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

ITEM 1: CALL TO ORDER/ROLL CALL

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

Possible Direction to Staff

ITEM 3: Approval of Minutes: Minutes of the Regular Meeting of August 7, 2019
Discussion/Possible Action/ Possible Direction to Staff

ITEM 4: Continued Items from Previous Meetings (none)

ITEM 5: Preliminary and Final Site Plan Review for Deck on Ex. Home

APPLICANT: Karen Tomlinson

ADDRESS: 750 Verde Ave.

ZONE: AR

OWNER OF RECORD: Karen Tomlinson

APN: 401-07-167C

Applicant is seeking approval to replace an existing at grade deck, add a 2nd story deck and add an overhead trellis.

Discussion/Possible Action

ITEM 6: Zoning Administrator Work Program/Goal Setting

Information/Discussion on future work items for the Zoning Administrator. A formal Goal Setting Session with Council, P&Z, and DRB is tentatively scheduled for October 8th.

Discussion and request to add any additional Work Program Items for Council Consideration on Oct. 8th

ITEM 7: Small Projects Definition

Information/Discussion on definition and policy on how to address "small projects". P&Z to provide direction and clarification on how/what constitutes small projects – this might include re-painting, color/material changes, new accessory structures, small decks, etc. This should also include a list of exempt projects that do not require review by P&Z and/or DRB. A similar discussion will be held with the DRB.

Discussion and direction to return to next meeting with an action item



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ITEM 8: Parking Problems and Potential Solutions in the C-1 Zone

Information and update on the status of parking problems and proposed solutions that will affect the downtown area. Note - this is scheduled for Council discussion on Sept. 10th at their regular meeting. Should Council wish to proceed with changes to the Zoning Ordinance to address parking in the C-1, the item will return to P&Z as a Workshop and/or Public Hearing.

Informational item only

ITEM 9: Sidewalk Encroachment Policy

Information and update on the status of encroachments placed in the sidewalk right of way. This may include benches, hostess stations, "café tables", and other possible encroachments.

Informational and discussion. Possible direction to return with a Policy

ITEM 10: Education Items

- Variances - Information and discussion on Zoning Code criteria regarding variances
- Non-conforming Use & Non-conforming structure
- Future Education Items – open for Commission Discussion

Information & Discussion of Future Items

ITEM 11: Zoning Administrator Informational Items

- Update on P&Z Projects from previous Council Meetings – Cuban Queen Parking Direction (8/13 e-session), R-2 Zone Ordinance Update (8/13), Sliding Jail Property Buyback (8/13) and Parking Kiosk Program (8/16)
- Future Projects – Hotel Jerome, Comprehensive Code Update
- Code Enforcement – 860 Hampshire
- Jerome Clubhouse
- Other Items

Informational item

ITEM 12: Potential items for next P&Z Agenda (Oct. 2nd)

- Jerome Winery Relocation – CUP – relocate to 114 Jerome Ave. (currently Jerome Jewelry & Gifts)
- Downtown Parking Solutions – possible workshop or hearing and discussion
- Small Projects Definition/Policy
- Policy on Benches/Hostess Stations/and other Sidewalk Encroachments

Discussion/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 September 3, 2019

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

Joni Savage, Deputy Town Clerk, 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 John Knight at (928) 634-7943.



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REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, August 7, 2019 TIME: 7:00 pm

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

MINUTES

ITEM 1: CALL TO ORDER/ROLL CALL

Chair Lance Schall called the meeting to order at 7:01 p.m.

Roll call was taken by Joni Savage. Commission members present were Chair Lance Schall, Vice Chair Joe Testone, Commissioners Jessamyn Ludwig, Scott Hudson and Henry Vincent was present telephonically.

Staff present were John Knight, Zoning Administrator and Joni Savage, Deputy Clerk.

7:02 (02:20) ITEM 2: PETITIONS FROM THE PUBLIC - There were no petitions from the public.

7:02 (02:30) ITEM 3: APPROVAL OF MINUTES: Minutes of the Special Joint Meeting of May 9, 2019 and Regular Minutes of June 5, 2019

Motion to Approve the Minutes of May 9 and June 5, 2019

| Commissioner | Moved | Second | Aye | Nay | Absent | Abstain |
|--------------|-------|--------|-----|-----|--------|---------|
| Hudson | | | X | | | |
| Ludwig | | X | X | | | |
| Schall | | | X | | | |
| Testone | X | | X | | | |
| Vincent | | | X | | | |

7:04 (03:25) ****OPENING OF PUBLIC HEARING****

ITEM 4: PUBLIC COMMENT: PROPOSED TEXT AMENDMENT TO SECTION 509. SIGNS

The Commission shall conduct a public hearing on a proposed text amendment to the Zoning Ordinance. As proposed, the text amendments will have the effect of defining permitted temporary signage and correct some of the existing chapter in regard to current practices. A draft for the proposed change was included in the packet for this meeting and posted on the Town website, and public notice provided as required in Section 301(C). The Commission has set this hearing pursuant to Jerome Zoning Ordinance Section 301(C) Commission Action. The Commission may continue the Public Hearing to a time and place certain if necessary.

****CLOSE OF PUBLIC HEARING**** 7:05 (04:05)

7:05 (04:19) ITEM 5: REVIEW PUBLIC COMMENT AND COMMISSION DISCUSSION OF PROPOSED TEXT AMENDMENTS TO SECTION 509. SIGNS

A draft for the proposed change is posted on the town website and at Town Hall. Commission will review the proposed text amendments in ordinance form and consider public input for possible recommendations to Council.

Chair Schall gave direction to staff to make suggested corrections.

- Define "organization" as a non-profit, a specific event not a business.
- Add "actively used vehicle" in Item C.5.



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Motion to Forward the Text Amendments to Section 509. Signs to the Council with the Addition of the Definitions Discussed

| Commissioner | Moved | Second | Aye | Nay | Absent | Abstain |
|--------------|-------|--------|-----|-----|--------|---------|
| Hudson | | | X | | | |
| Ludwig | | | X | | | |
| Schall | X | | X | | | |
| Testone | | X | X | | | |
| Vincent | | | X | | | |

7:11 (11:30) ITEM 6: CONDITIONAL USE PERMIT – CURRENTLY MIXED-USE CHANGE TO RESIDENTIAL ONLY

APPLICANT: Dewayne Woodworth

ADDRESS: 123 Hill St.

OWNER OF RECORD: Jerome Clubhouse LLC

ZONE: C-1

APN: 401-07-169A

Applicant is seeking a change in his property from retail and residential to residential only. A Conditional Use Permit also requires Council approval.

Motion to Approve the Conditional Use Permit

| Commissioner | Moved | Second | Aye | Nay | Absent | Abstain |
|--------------|-------|--------|-----|-----|--------|---------|
| Hudson | | | X | | | |
| Ludwig | | | X | | | |
| Schall | X | | X | | | |
| Testone | | X | X | | | |
| Vincent | | | X | | | |

7:16 (16:38) ITEM 7: FINAL REVIEW OF TANDEM PARKING AND FIRE ESCAPE

APPLICANT: Dewayne Woodworth

ADDRESS: 123 Hill St.

OWNER OF RECORD: Jerome Clubhouse LLC

ZONE: C-1

APN: 401-07-169A

Applicant is seeking final approval for the proposed tandem parking and fire escape.

7:18 (18:55) Bob Wood approached the dais and spoke on behalf of Dewayne Woodworth.

John Knight commented that they have more parking spaces than what is required, so if they have to eliminate one of the spaces they are in compliance. He wanted to note there is nothing in our Zoning Ordinance that allows or prohibits tandem parking.

Motion to Approve the Tandem Parking and Fire Escape for 123 Hill Street

| Commissioner | Moved | Second | Aye | Nay | Absent | Abstain |
|--------------|-------|--------|-----|-----|--------|---------|
| Hudson | | X | X | | | |
| Ludwig | | | X | | | |
| Schall | | | X | | | |
| Testone | X | | X | | | |
| Vincent | | | X | | | |

7:24 (25:10) ITEM 8: REQUEST FOR DEMOLITION AND TO REBUILD A PORTION OF THE HOME

APPLICANT: Tom Anderson /Christina Barber

ADDRESS: 875 Gulch Road

OWNER OF RECORD: Barber Christina R & Cynthia R JT

ZONE: AR

APN: 401-09-013

Applicant is seeking approval to demolish and rebuild a portion of the home due to health and safety issues.



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7:26 (27:45) Tom Anderson, the contractor explained the drawings to the commission.

7:27 (28:30) Christina "Alex" Barber, owner of the home spoke.

Motion to Approve Demolition and Rebuild at 875 Gulch Road

| Commissioner | Moved | Second | Aye | Nay | Absent | Abstain |
|--------------|-------|--------|-----|-----|--------|---------|
| Hudson | | | X | | | |
| Ludwig | | | X | | | |
| Schall | x | | X | | | |
| Testone | | x | X | | | |
| Vincent | | | X | | | |

7:29 (30:10) ITEM 9: FUTURE AGENDA ITEMS

Mr. Knight mentioned a deck and the Cuban Queen may be upcoming on the agenda.

Ms. Ludwig asked about the three benches on Jerome Avenue.

Ms. Savage said the building inspector had measured and there was enough space on the sidewalk. She added that in prior years an applicant applied to the Design Review Board for permission to place a bench in front of their store.

Mr. Knight said he would find out. He thought we should have some policy in place.

Chair Schall gave direction to staff to find out if the benches were on Town or private property.

Ms. Ludwig brought up the problem of "hostess stands" on the sidewalk.

ITEM 10: ADJOURN

Adjourned at 7:35 p.m.

| Commissioner | Moved | Second | Aye | Nay | Absent | Abstain |
|--------------|-------|--------|-----|-----|--------|---------|
| Hudson | | X | X | | | |
| Ludwig | | | X | | | |
| Schall | | | X | | | |
| Testone | X | | X | | | |
| Vincent | | | X | | | |

Approval on next page.



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REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Wednesday, August 7, 2019 TIME: 7:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

Respectfully submitted by Joni Savage on September 4, 2019

Approved: _____ Date: _____
Planning & Zoning Commission Chair

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

draft



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TOWN OF JEROME, ARIZONA

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

APPLICATION FOR PLANNING & ZONING COMMISSION

PLEASE PRINT LEGIBLY SO THAT PROCESSING WON'T BE DELAYED.

APPLICANT'S NAME: Karen Tomlison
MAILING ADDRESS: PO Box 968
TELEPHONE: 928-821-1668 EMAIL: Ktomlison100@gmail.com
PROJECT ADDRESS: 750 Verde Ave
PARCEL NUMBER: 401-07-167C ZONE DISTRICT: R1-5
APPLICATION FOR (Please describe the project.): Replacing lower deck -
Build new deck

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

APPLICANT'S SIGNATURE: [Signature] DATE: 8-28-19

TOWN USE BELOW

RECEIVED FROM: Karen Tomlison DATE: 8/28/19
Received the sum of \$ 100.00 as: ☒ Check No. 2423 ☐ Cash ☐ Credit Card

Per Fee schedule - Ordinance 332

BY: Rosa Cays / John Knight FOR: John Knight

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

ZONING DISTRICT: R1-B PROPOSED USE: _____

PERMITTED USE?: ☒ CONDITIONAL USE?: ☐

PROPERTY DESCRIPTION

1. Nonconforming lot of record? N/A
 2. Name of connecting public street 6th St. / Verde Ave.
 3. Public water (domestic)? Yes Public Sewer? Yes
Public water (fire suppression)? _____ Public Septic? _____
 4. Lot area 0.19 acres / 8276 sq. ft. Required for zone _____
 5. Lot width 100 ft. Required for zone _____
 6. Square footage of building 1350 ~~+ 1050~~ Required for zone _____
Square footage of footprint 1050
 7. Percentage of lot covered 12%
 8. Yards See exhibit
Front _____ Front of buildings within 100' _____
Side yard (1) _____ Side yard (2) _____
Rear yard _____
Single or double frontage _____
 9. Building height from median _____ Maximum face _____
- Engineering may be required on Items 10 and 11.* N/A
10. Fill required? _____ Evidence of safety of fill _____
 11. Excavation required? _____ Evidence of safety of excavation _____
 12. Design Review required? _____

PLAN REVIEW

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

see plans

- ☐ Eight (8) copies of the site plan enclosed
- ☐ North arrow
- ☐ Scale
- ☐ Lot dimensions
- ☐ Street dedications
- ☐ Easements
- ☐ Utilities
- ☐ Property lines
- ☐ Location of all buildings and structures and number of stories (building height)
- ☐ Vicinity sketch
- ☐ Adjacent properties and their uses
- ☐ Dimensions of all required yards
- ☐ Lot coverage
- ☐ Space between buildings
- ☐ Dimensions of all proposed walls and fences
- ☐ Exterior lighting
- ☐ Parking and loading
 - ☐ Location of spaces
 - ☐ Number of spaces
 - ☐ Dimension of spaces
 - ☐ Circulation patterns
 - ☐ Surface materials
- ☐ Existing and proposed drainage
- ☐ Existing natural features (rock outcroppings, washes, etc.)
- ☐ Existing man-made features (roads, walkways, stairways, etc.)
- ☐ Existing and proposed grades
- ☐ Slope of property
- ☐ Proposed excavation and grading
- ☐ Engineering reports where needed

PLAN REVIEW CHECKLIST CONTINUED ON NEXT PAGE

JOB ORDER
512-226-3094

Proposal

PROPOSAL NO.

1

SHEET NO.

N/A

Aug 09, 2019

KAREN Tomlinson
750 VERDE AVE
JEROME AZ 86331
928 821 1668

SAME

Aug 09, 2019

Patio / ROOF STRUCTURE
Replacement

Framing per plans (KT1 Aug 09, 2019) #2 & BETTER PRIME
DOUG FIR LUMBER

Associated FASTENERS AND HARDWARE

CONCRETE SUPPORTS AS NEEDED

32" BLACK STEEL RAILING

26 ga STEEL ROOFING "R" PANEL SYSTEM

BEHR PREMIUM STAIN ON ALL EXPOSED WOOD SURFACE

Stain
Color
Russet
ST-117

ST-117

Terra Cotta Stain

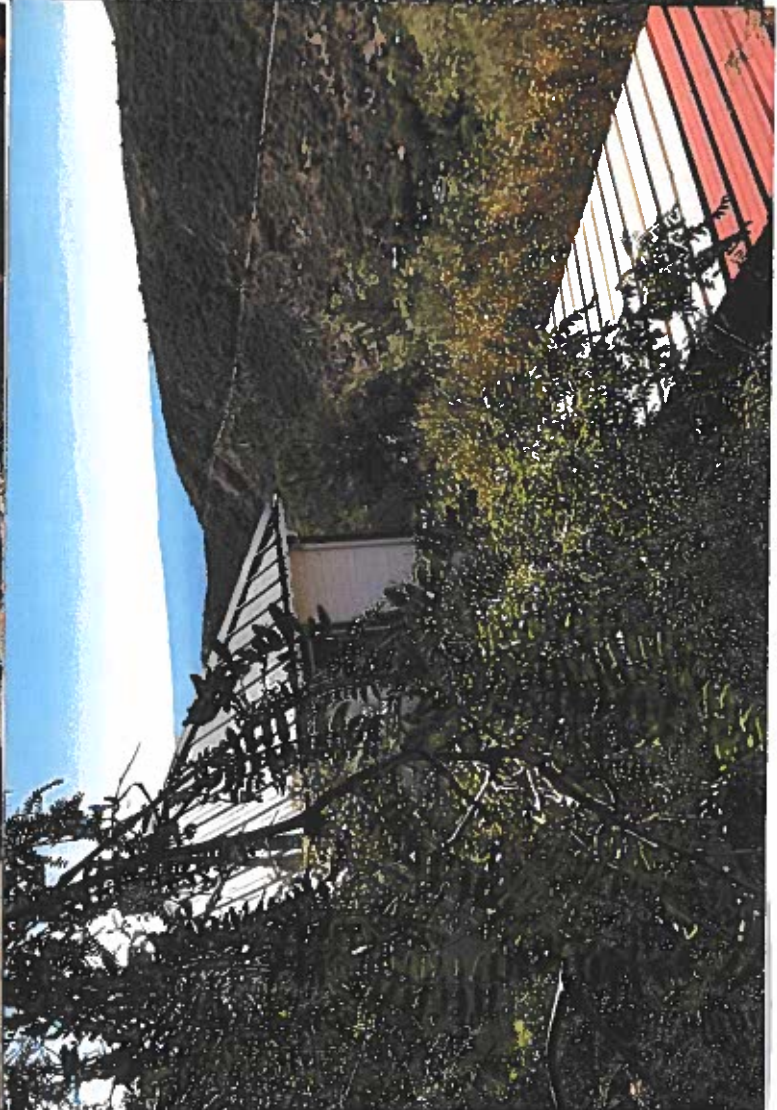
Burnt Red Stain

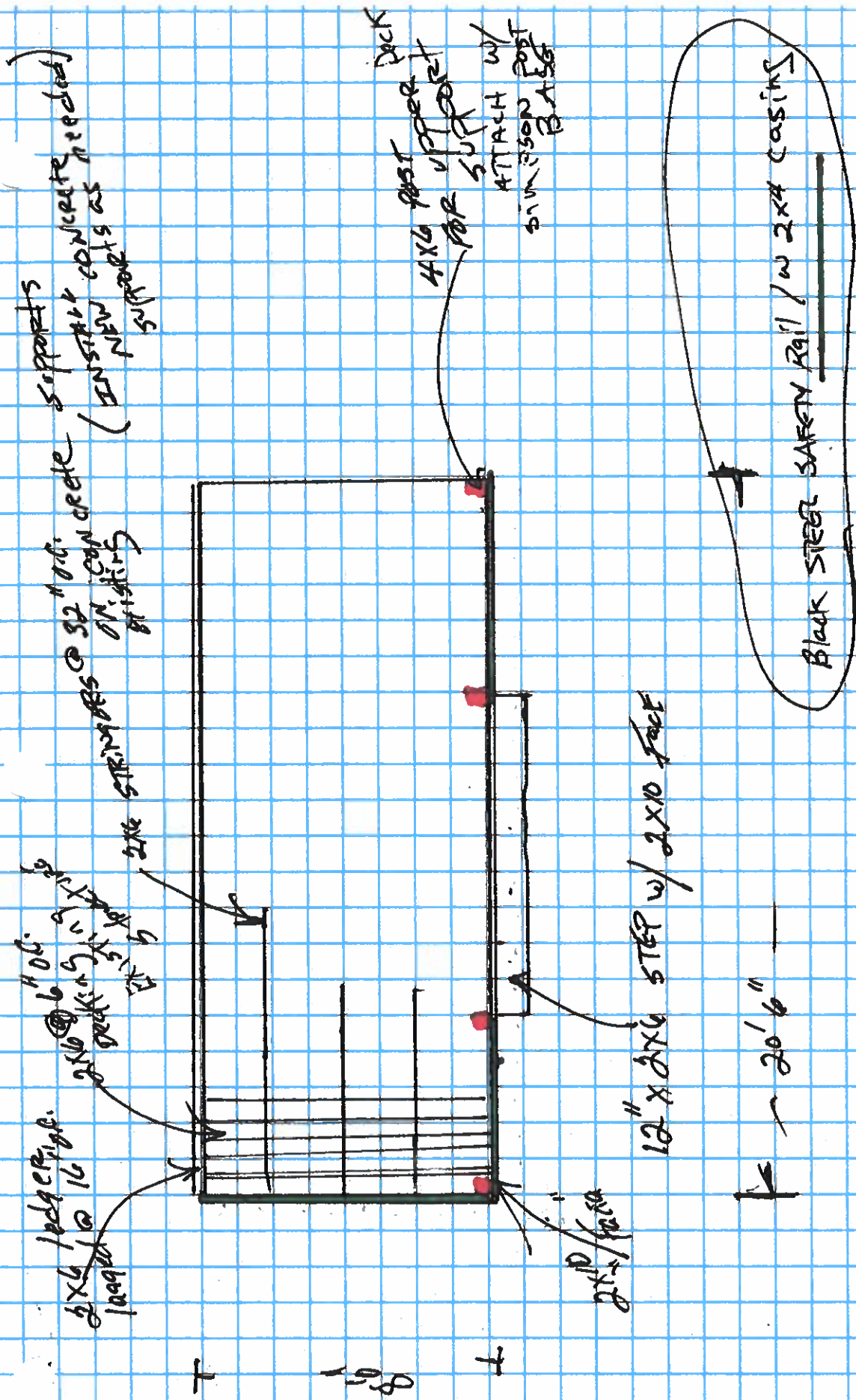
Bordeaux Stain

Russet ST-117

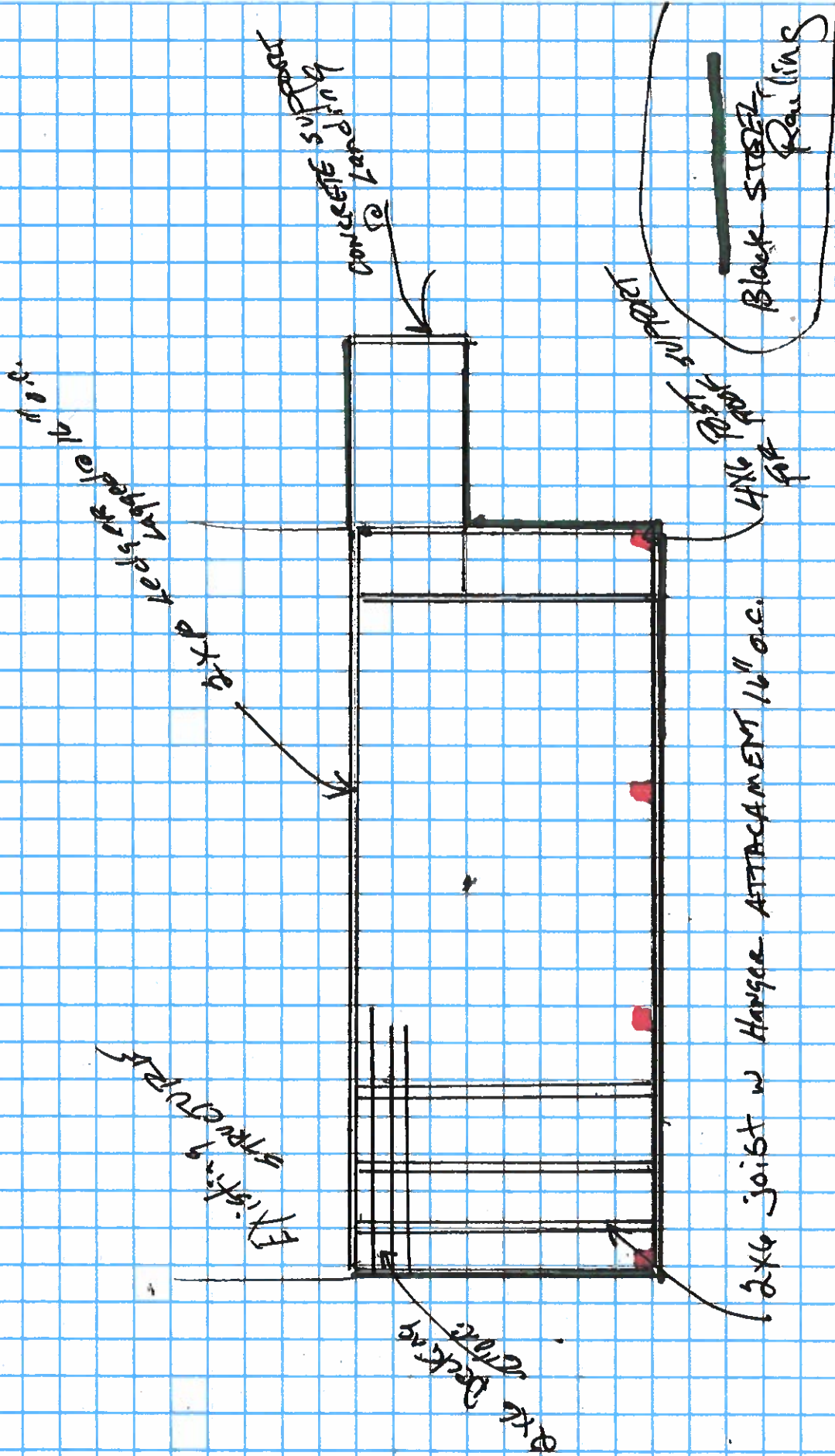
Wood Oiled Stain

Radio Brown Stain





Replacement Deck • Lower Level

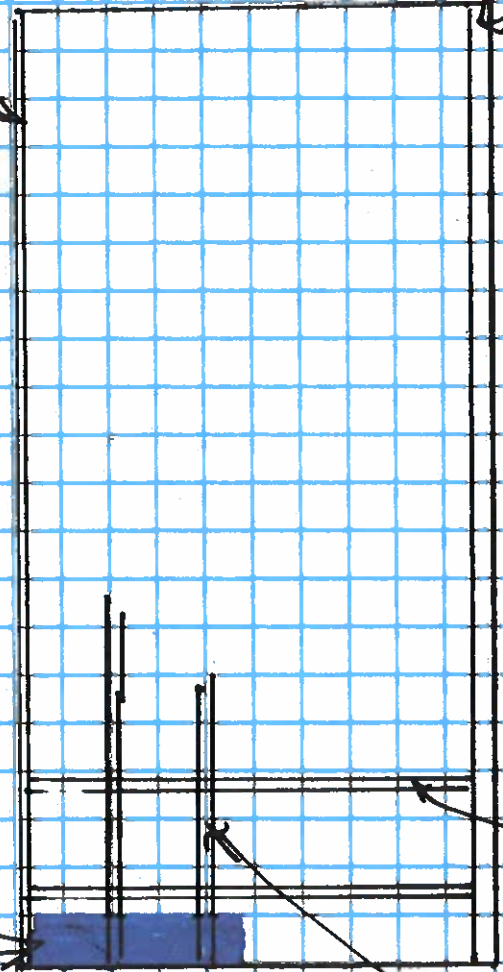


UPPER DECK

Aug 08, 2013
PLAN # KT 1

2x8 SILL PLANKS
w/ flashing or Nailer
to existing structure

2x8 Ledger nailed @ 16" o.c.



10'-0"

24'-0"
2x4 20" o.c.

20'-6"

"TRELLIS" ROOF COVER

Aug 09, 2015
DION # KT 1

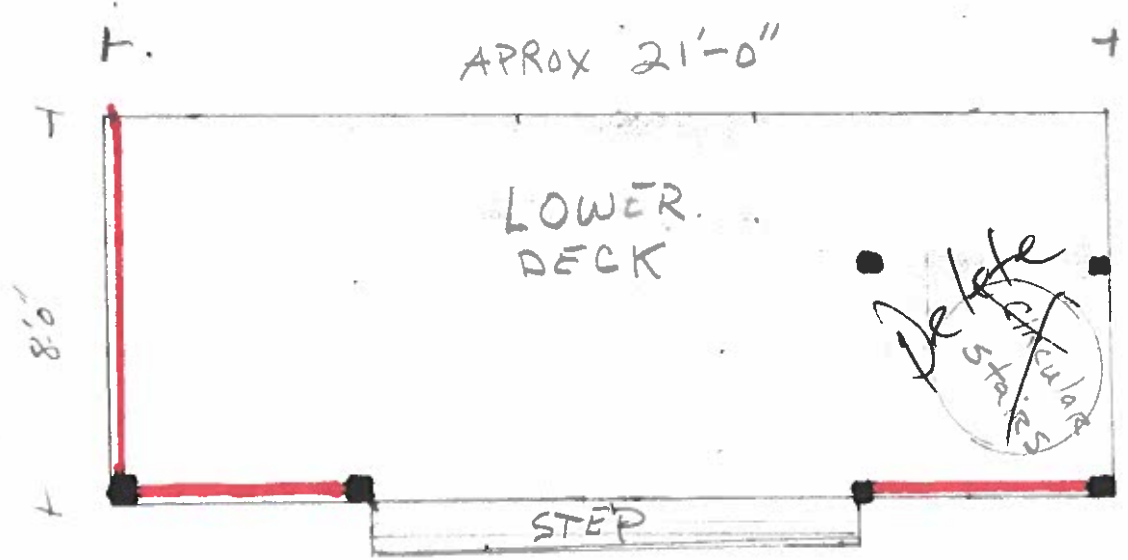
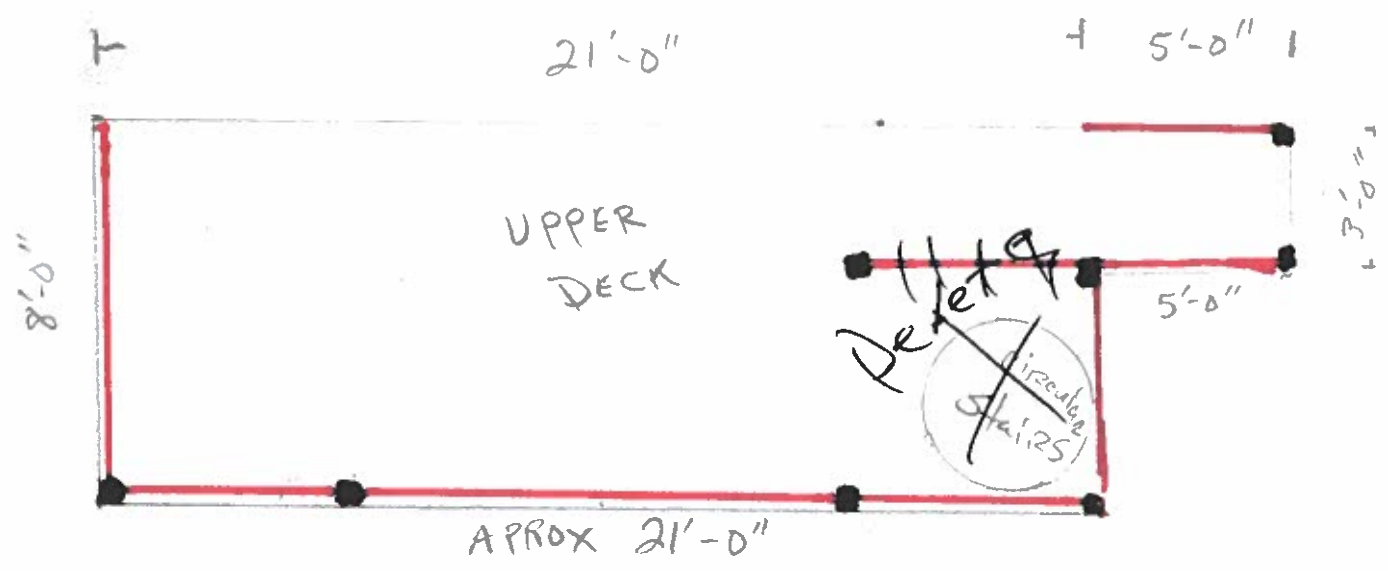
Aug 03 2017

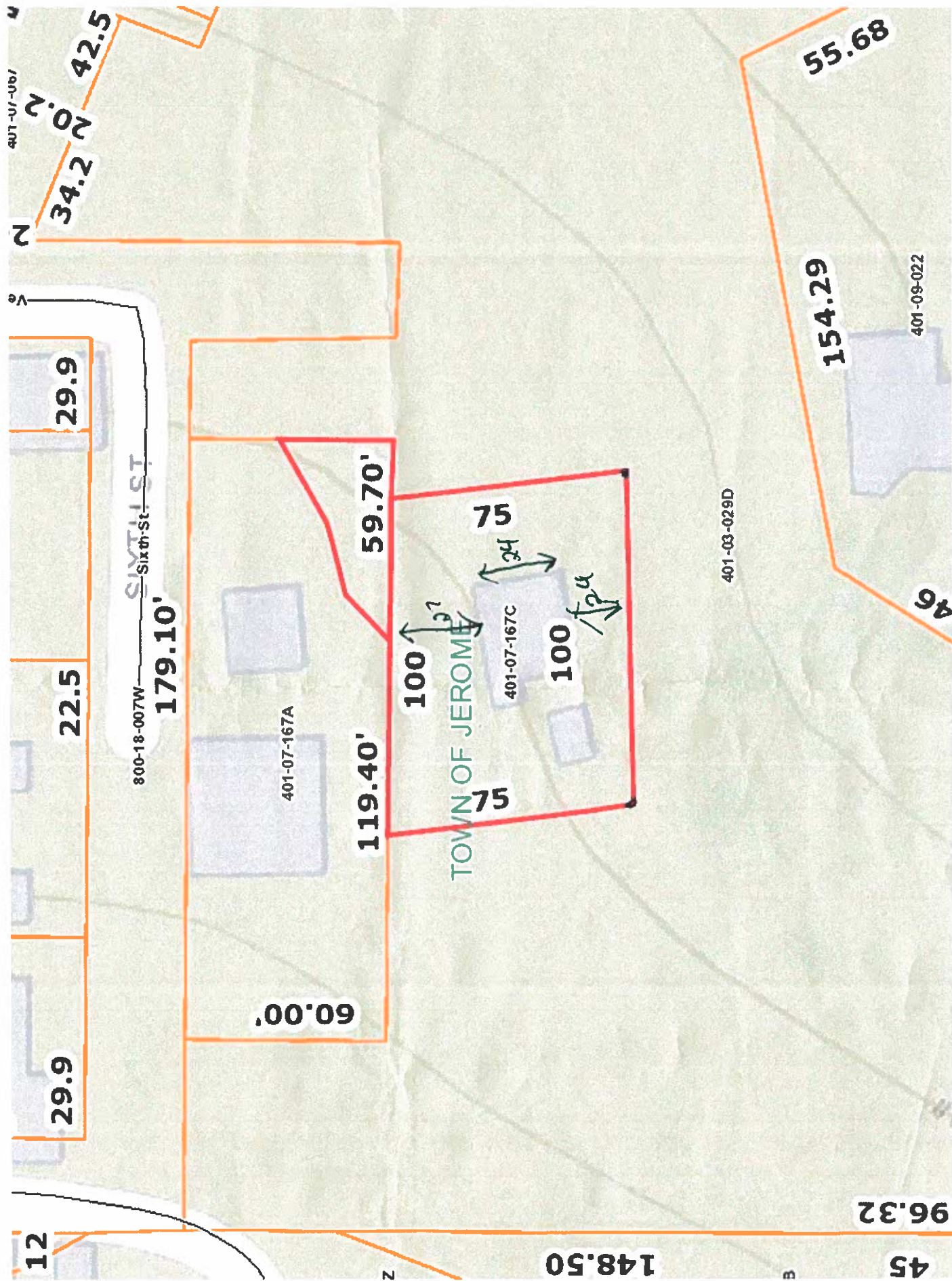
APPROX 10'-0"

TRELLIS
STYLE
WITH
R-PANEL METAL

ROOF

APPROX 23'-0"







TOWN OF JEROME

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

ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

September 4, 2019

ITEM 5: Preliminary and Final Site Plan Review for Deck on Ex. Home
Location: 750 Verde Ave.
Applicant: Karen Tomlinson
ZONE: AR
APN: 401-07-090K
Recommendation: Approve
Prepared by: John Knight, Zoning Administrator

Summary: Applicant requests Preliminary and Final Site Plan Approval to replace an existing deck, add a second story deck and an overhead trellis structure above the decks. The decks are approximately 8' x 21' and parallel with the rear of the home – in the same location as the existing deck. Black steel railings will be provided for safety. The decks are setback approximately 24' from the rear property line. The decks are proposed to be constructed of Douglas fir. However, the applicant is willing to explore composite materials like Trex or TimberTech. Should natural wood be used, the applicant has chosen a stain color identified as "Russet ST-117". Should composite decking be used, the applicant should be able to find a similar color material.

Zoning Ordinance Compliance -

301.1.A. Preliminary Site Plan Review: *The purpose of the preliminary site plan review is to provide for the public health, safety and general welfare, and to protect the environment and the historical character of the Town of Jerome. The plan review will include examination of all proposed site work and excavation and grading regulations, with special regulation of work on sites with extreme slope or unstable soils. Essential to this purpose is the review of possible impacts on surrounding properties.*

Response: P&Z will need to review the Plans to ensure that health, safety, general welfare and the environment are protected. The proposed Plans appear that this standard.

301.E. *The Zoning Administrator shall have ten (10) working days from the date of submission of a preliminary site plan application to review said plan for completeness. A completed preliminary site plan shall be submitted to the Planning and Zoning Commission at the earliest meeting time available. The Zoning Administrator may request Design Review recommendation on the Preliminary Site Plan. The Planning and Zoning Commission shall approve, conditionally approve or deny said plan. Once denied, the original plan shall not be resubmitted. The Planning and Zoning Commission may, if the preliminary drawings and other data are sufficiently clear and explicit waive the requirements of Section 303.2 and/or Grant Final Approval at the Preliminary Review session, provided all other requirements of this section are conformed with.*

Response: P&Z may waive the requirements of Section 303.2 (which refers to Final Site Plan Review) provided that the drawings and information are sufficiently clear. Based on the plans and the small scale of the project, P&Z should consider waiving the requirement to return with a separate Final Site Plan Review. Note that the application will also be scheduled for the next Design Review Board meeting (tentatively scheduled for Sept. 9th).

Action Required: The Planning and Zoning Commission shall make a motion to approve, conditionally approve or deny said plan. Note that the ZA is recommending approval. Should P&Z recommend approval of the Plan, the Zoning Administrator suggests that the Commission include a statement in the motion that the action includes both Preliminary and Final Site Plan Review. The motion should also include that either Douglas fir or composite decking are appropriate.



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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION September 4, 2019

ITEM 6: **Zoning Administrator Work Program/Goal Setting**
Recommendation: Information/Discussion and request to include additional items
Prepared by: John Knight, Zoning Administrator

Summary: A formal Goal Setting session is scheduled for Council review at their October 8th meeting. The result of this session will turn into a Work Program for the Zoning Administrator. Many of the items in the Work Program will require P&Z input and approval. No formal discussion of the items is necessary at the meeting. However, the P&Z members are encouraged to include any additional items that they feel are important. In no particular order, a list is included below. Additional information will be provided at the meeting and will be forwarded to Council for their consideration. Other than including additional items, no formal action is requested by P&Z at this time.

- **Parking in the C-1** – this item includes new standards/policies to address parking in the C-1. This will likely result in Amendments to the Zoning Ordinance which will return to P&Z for review.
- **Permit Parking in Residential Areas** – this includes a review and possible modifications to the existing residential permit parking system.
- **Affordable Housing** – this could include a variety of tools to increase the amount and types of residential housing.
 - **Mixed use in the C-1** - incentives or policies to add apartments over existing commercial structures
 - **Second Units/Mother in Law Units** – ordinance amendment to allow/facilitate construction of small “second units” or “mother in law units” in existing residential areas.
 - **Residential Rezoning’s** – map and ordinance amendments to allow for additional residential units in existing residential zones. Note that the R-2 Zoning Ordinance “Text” Amendment was reviewed by the Council on 8/13 and will be followed by a separate “Map” Amendment.
 - **Workforce Housing** – policies/programs/incentives to include increasing the supply of “workforce housing”
 - **Tiny Homes** – this will require locating potential sites for a Tiny Home community and ordinance amendments to allow Tiny Homes in Residential Zoning areas.

- **Wayfinding Signage** – updates to the District Signs, Directional Signs, Parking Lot Signs, Bathroom Signs, Shuttle Stop Signs, etc.
- **Zoning Ordinance Updates** – A comprehensive update is needed to the Zoning Ordinance. This is a longer-term project. This will likely not be started for at least a year. In the meantime, the Zoning Administrator is collecting ideas/suggestions for areas of the Code that need to be updated. The current list includes:
 - **Definitions** – clarify definition of Accessory Structure, add definition for Small Projects and Exempt Projects, definition to clarify Bed & Breakfast/Rooming House/Hotel, add a Special Event definition,
 - **Setbacks/Projections** – clarify setbacks for sheds, decks and allowable projections for items such as chimney, awnings, air conditioning units, etc.
 - **Review Process** – create a simple review process for smaller projects. Update the Site Plan Review Process and add an Administrative Approval for smaller projects and Final Site Plan Review.
 - **Parking**
 - **Heights/Setbacks/Coverage**
 - **Signs**
 - **Review/Update Permitted/Conditionally Permitted Uses**
 - **Add new Cell Tower Ordinance**
 - **More to be added**
- **Hotel Jerome** – continue to pursue grants and programs to improve the structure.
- **Historic Items** – update the inventory of Historic Structures and coordinate with the Historical Society. Work with SHPO and update any ordinances/policies as needed to ensure we continue to maintain the Town's Historic status.
- **Pedestrian Circulation Plan** – begins with an inventory of the sidewalks, stairs, paths, etc. and may include a list of paths/stairs to be closed or improved.
- **Farmers Market & Community Garden** – work with Chamber and other interested businesses and residents to include a weekly Farmers Market and a site for a Community Garden.
- **Open Space Element/Buffers** – Add a new Open Space element to the General Plan and work on creating open spaces and buffers in and around the Town. This will likely include coordination with various land conservation agencies and pursuit of grants and other programs.
- **Neighborhood Plans** – develop miniature “General Plans” that apply to each Neighborhood. This could include polices/programs that address specific items for each Neighborhood. This might include specific design standards, parking standards, and other programs that address neighborhood issues/concerns.
- **Vacant Land Inventory** – update the previous vacant land inventory to determine likely buildable lots.
- **Additional Items for Council Consideration?**



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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

September 4, 2019

ITEM 7:

Small Projects Definition

Recommendation: Information/Discussion on how to address small projects

Prepared by: John Knight, Zoning Administrator

Information/Discussion on definition and policy on how to address "small projects". P&Z to provide direction and clarification on how/what constitutes small projects – this might include:

- Re-painting
- Color/material changes
- Small accessory structures
- Small decks
- Small additions/remodels
- etc.

This should also include a list of exempt projects that do not require building permits and review by P&Z and/or DRB. Note that a similar discussion will be held with the DRB. The current review process and fees can be a significant deterrent for some residents/applicants. Many smaller projects are done without permits because applicants are afraid of the review process or want to avoid fees. Allowing for an administrative process should help encourage compliance.

There is currently an application for small projects. This was developed with input from P&Z and DRB. However, there's no formal Code definition of what constitutes a small project. These should be items that are routine, not highly visible, not controversial and generally small in scale. These projects would be reviewed by the Zoning Administrator with clear, objective standards to ensure compliance with Town Goals and Policies. This will require an ordinance amendment to identify what projects apply. This will need to be agendaized for a future P&Z meeting.



TOWN OF JEROME

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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

September 4, 2019

ITEM 8: **Parking Problems and Potential Solutions in the C-1 Zone**
Recommendation: Information/Discussion
Prepared by: John Knight, Zoning Administrator

Information and update on the status of parking problems and proposed solutions that will affect the downtown area. Note - this is scheduled for Council discussion on Sept. 10th at their regular meeting. Should Council wish to proceed with changes to the Zoning Ordinance to address parking in the C-1, the item will return to P&Z as a Workshop and/or Public Hearing. Additional information will be brought to the P&Z meeting regarding this item.

A summary of parking standards from other nearby jurisdictions is included for reference. This summary only addresses parking standards for Hotels/Motels and General Retail. Note that some jurisdictions do not require applicants to provide parking in their downtown/historic districts. In these areas, there are typically separate public parking lots and existing building that were constructed without parking.

Summary of Parking Ordinances Other Jurisdictions

Updated: 8/21/2019

Prepared by: John Knight, Jerome Zoning Administrator

| Jurisdiction | General Standards | Historic/Downtown Standards | Notes |
|--------------|--|--|---|
| Jerome | <p>Section 510</p> <p>Hotel/Boarding House – 1 space per Unit</p> <p>Retail – 1 space per 300 sf</p> | n/a | 510.C.2.a. Off-site parking allowed anywhere in the C-1 w/deed restriction or easement (No separate provision for downtown or historic district. No exceptions for ex. Buildings/uses. |
| Clarkdale | <p>Section 4-0210</p> <p>Hotel/Motel – 1 space per Unit</p> <p>Retail – 1 space per 200 sf</p> | | <p>4-0120.3.a. Off-street parking space required herein shall be located on the lot, except that required parking space for any use mounting to ten (10) such spaces or more may be located in any permissible location not farther than three hundred (300) feet distant in a direct line from the nearest part of such use.</p> <p>Exempted Areas: Lots 1 - 10, Block 44, the westerly ½ of Lot 10 and Lots 11 - 16, Block 45 Clarkdale Subdivision are exempt from the standards specified in Section 4-12 A 1.a above.?</p> |
| Cottonwood | <p>Section 406.D.8.b.</p> <p>Hotel – 1 per guestroom</p> <p>Retail – 1 per 300 sf</p> | <p>406.G.3.</p> <p>Exempt Parking. Except as described in this Section, properties located in the Cottonwood Commercial Historic District, shall be exempt from the off-street parking and loading schedule as set forth in Section 406. "Parking and Loading Requirements."</p> | <p>406.B.7 Exceptions for uses located near public parking lots: The Community Development Director may administratively approve a reduction of up to 50% of required off-street parking for non-residential uses located within 300 feet of a City of Cottonwood owned public parking lot, as measured from the building entrance to the parking lot. Appeal of the decision of the Director shall be to the Planning and Zoning Commission.</p> <p>406.C.2.b Off-site parking: The Community Development Director may approve the location of required off street parking spaces on a separate lot from the lot on which the principal use is located subject</p> |

| Jurisdiction | General Standards | Historic/Downtown Standards | Notes |
|--------------|---|--|--|
| | | | to the following conditions (note – must be w/in 300'. See Code for additional requirements). |
| Flagstaff | Lodging – 1 per 3 employees on largest work shift plus 1 per room or suite for rent plus 1 per 3 persons at the maximum capacity of each public meeting and/or banquet room Retail – 1 per 300 sf | See notes section re: Uses within a Parking Management District. | <p>406.D.7. Includes a provision that allows the Community Development Director to grant a parking reduction if certain findings are met.</p> <p>10.50.80.020.F.2 Uses Within a Parking Management District. The parking requirements required by this division shall not apply, except as provided by the parking management district.</p> <p>10-50.80.070.B In-Lieu Fee. The owner of any property upon which a development is proposed may pay an in-lieu parking fee if the City approves it as part of the site plan review. A request to pay the in-lieu fee for more than 15 parking spaces must be approved by the Council. The Council shall make the following findings before approving any in-lieu fee proposal:</p> <ol style="list-style-type: none"> 1. The development is within a parking management district; 2. There is available or planned public parking capacity to offset this demand; 3. The public parking will be made available within a reasonable time period of the approval of this development; and 4. The fee option is available only if an existing or planned parking facility exists within 600 feet of the site, or within a distance set by the parking management district. The fee shall be the current value of land and parking construction costs per space needed, as determined by an adopted parking management plan. |
| Prescott | Motels/Hotels – 1 per guest room + 1/employee/shift General Retail – 1 per 200 sf | 4.9.4.C.2. Notwithstanding the off-street parking requirements of Sec. 6.2, Off-street Parking, off-street parking within the DTB shall not be required for permitted uses within buildings constructed prior to 1968. For uses in buildings | <p>The Prescott standards exempt "Permitted Uses" from requiring parking in the Downtown Business District.</p> |

| Jurisdiction | General Standards | Historic/Downtown Standards | Notes |
|--------------|--|---|---|
| | | <p>constructed from 1968 to the present, retail stores, restaurants and other hospitality-related uses in the Retail, Service and Business Categories as defined by Sec. 11.1.5E.3.a. and Sec. 11.1.5E.3.c shall not be required to provide off-street parking. It shall be the applicant's responsibility to provide sufficient documentation as to the construction date of the building.</p> | |
| Sedona | <p>Lodging – 1 per Unit</p> <p>Retail – 1 per 250 sf</p> | | <p>5.5.B (3) Exemptions</p> <p>The following shall be exempt from the requirements in Table 5.2, Required Off-Street Parking Spaces, but shall comply with parking area design standards if parking is provided:</p> <ul style="list-style-type: none"> a. Properties containing less than 5,000 square feet of lot area, except for single-family and duplex dwellings. b. Expansions or enlargements that increase the square footage of an existing conforming structure or conforming use by less than 15 percent gross floor area; provided, that any existing off-street parking remains unaltered. <p>Note – most of Sedona's "Uptown" area is within a PD, Planned Development District. These PDs have their own standards that are unique to each PD.</p> |



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ZONING ADMINISTRATOR ANALYSIS Planning & Zoning Commission September 4, 2019

ITEM 9: **Sidewalk Encroachment Policy in the C-1**
Recommendation: Information/Discussion. Possible direction to return with a Policy.
Prepared by: John Knight, Zoning Administrator

Information and update on the status of encroachments placed in the sidewalk right of way. This may include benches, hostess stations, "café tables", and other possible encroachments. At the previous P&Z meeting, a concern was raised about the benches and obstructions placed in the right of way in front of Bobby D's BBQ. However, there's no current policy on what can/can't be on the sidewalk.

The sidewalks are essentially Town Property/Town Responsibility. As such, the Town can control what can be placed on the sidewalk. This currently includes benches (many placed by the Town), planters, District Signage, hostess stands, and trash cans. There are a variety of other obstructions, such as gas meters or utilities; however, these are attached to the building and not movable.

Standards and an application process should be developed to address items that may be located on the sidewalk. Standards could include aesthetic considerations (colors/materials) as well as a minimum clear distance for pedestrians. Business owners should be included in the discussion and this could include a future workshop with P&Z.



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ITEM 10: Education Items
Recommendation: Information/Discussion on relevant topics
Prepared by: John Knight, Zoning Administrator

This will be a reoccurring item to educate the Commission on topics of interest to the Commission or Town. The ZA has identified two topics that have recently received a lot of attention (mostly as a result of the Cuban Queen application). These include Variances and Non-conforming Situations.

- **Variances** – There is a great deal of confusion about the Variance process and when a variance is appropriate. Variances are a quasi-judicial process and if denied may be appealed to the Courts, and not the Town Council. In General, there are very few applications that are able to meet the variance standard. However, many applicants believe that if they can't meet the criteria, then they can obtain relief through the variance process. This should be the rare exception and not the rule. Unfortunately, the variance criteria have been inconsistently applied in the past.

Key Code Sections from 305.A related to the Variance process and criteria are noted below.

6. *Any aggrieved person may appeal to the Board of Adjustment for a variance 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 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 zone in which such property is located.*
7. *A variance shall not be granted by the Board unless the alleged hardship caused by literal interpretation of the provisions of this Ordinance results in more than personal inconvenience and/or financial hardship, and is not the result of actions by the appellant.*
8. *In granting Variance, the Board may impose such conditions and safeguards as are appropriate to ensure that the purpose and intent of this Ordinance will be fulfilled. Failure to comply with such conditions and safeguards, when made a part of the terms under which a Variance is granted shall be deemed a violation of this Ordinance.*

Note that the Variance criteria relate to "special circumstances" and shall not be granted simply because of inconvenience and/or financial hardship.

- **Non-Conforming** – there is also a great deal of confusion about the term and standards related to Non-Conforming “Situations”. There are two basic types of non-conforming situations. These are (1) a non-conforming building (for example a building that does not meet the current front setback) or a non-conforming use (for example a duplex in a single-family zone). Non-conforming situations typically occur when properties are rezoned or new ordinance standards are implemented.

A building may be non-conforming and/or include a non-conforming use. The non-conforming status could be either “legal” or “illegal”. A legal non-conforming building may continue to exist and be maintained but can’t be modified in a significant way. A non-conforming use is allowed to continue provided that the use is non discontinued for a period greater than six months. Illegal non-conforming buildings and/or uses are subject to Zoning Enforcement and should be brought into conformance.

Key Code Sections are noted below:

SECTION 501. NONCONFORMING SITUATIONS

A. DEFINITIONS

A nonconforming situation is a condition that occurs when, on the effective date of this Ordinance or a previous Ordinance or on the effective date of an Ordinance text amendment or rezoning an existing lot, structure, building, sign, development or use of an existing lot or structure does not conform to one or more of the regulations currently applicable to the district in which the lot, structure, building, sign, development or use is located.

[Ord. No. 293]

B. PURPOSE

While permitting the use and maintenance of nonconforming structures, this section is intended to limit the number and extent of nonconforming uses and structures by prohibiting their being moved, altered, enlarged or restored after destruction in a manner which would increase the discrepancy between conditions existing at the time of adoption of the Ordinance and the standards prescribed in this Ordinance, except as provided for by A.R.S. 9-462.02.

C. APPLICATION

1. *Any nonconforming structure or portion thereof declared unsafe by a proper authority may be restored to a safe condition.*
2. *The lawful use of land, buildings or structures existing at the time of the passage of this Ordinance, or amendment thereof, although such does not conform to the provisions hereof for said land, may be continued, but if such nonconforming uses is discontinued for a period of six (6) months, any future use of said land or structure shall be in conformity with the provision of this Ordinance.*
3. *No nonconforming use shall be extended to replace a conforming use.*

4. *A nonconforming use of a building or lot shall not be changed to another nonconforming use whatsoever. Changes in use shall be made only to a conforming use.*
5. *Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use.*
6. *A nonconforming building may not be reconstructed or structurally altered during its life to an extent which would increase the discrepancy between conditions existing at the time of the adoption of this Ordinance and the standards prescribed in this Ordinance.*
7. *No repairs, alterations or additions shall be made to any building used for a nonconforming use or a nonconforming building which has been damaged by fire, flood, wind, earthquake, explosion or other calamity, act of God or act of the public enemy or which has been dismantled or demolished by the owner, to an extent which would increase the discrepancy between conditions at the time of such damage and the standards prescribed in this Ordinance.*
8. *A nonconforming use shall not be extended, but the extension of a lawful use to any portion of a nonconforming building which existed prior to the enactment of this Ordinance shall not be deemed the extension of such nonconforming use.*
9. *Nothing herein contained shall require any change in plans, construction or designated use of a building for which a building permit has been issued prior to the enactment of this Ordinance, provided the construction shall be diligently prosecuted within sixty (60) days of the date of this Ordinance, and the building is completed and used according to such plans as filed within one (1) year from the date of the Ordinance.*
10. *A nonconforming building or portion thereof which was specifically designed, or beyond a reasonable doubt, intended by the nature of its arrangement and construction to be used in any way which would be nonconforming under this Ordinance, but was not so used at the time this Ordinance became effective, may, if not altered or repaired as prohibited elsewhere in this Ordinance be occupied or used for the purpose for which it was designed, arranged or intended provided such building is so used within six (6) months after the effective date of this Ordinance. Otherwise the use of such building shall conform to the provisions of this Ordinance.*
11. *Notwithstanding any other provisions of this Ordinance, any automobile wreck yard or any other junkyard in existence in any zone at the date of enactment of this Ordinance shall (have), at the expiration of three (3) from such date, become a prohibited and unlawful use and shall be (have been) discontinued.*
12. *Whenever the boundaries of a zone shall be changed so as to transfer an area from one zone to another zone of a different classification, the foregoing provisions shall also apply to any nonconforming uses existing therein.*
13. *Nothing in this article shall be interpreted as authorization for approval of the continuance of the use of a building or premises in violation of regulations in effect at the time of the effective date of this Ordinance.*
14. *Notwithstanding any other provisions of this Ordinance, a building may be constructed on any lot of record before the adoption of this Ordinance in any zone in which such buildings are permitted even though such lot fails to meet the area or width requirements for with the zone, except that such construction shall conform to any lot coverage, yard and parking and loading requirements of the zone.*

15. *Where two (2) or more vacant contiguous lots of record, having continuous frontage, are owned by the same person at the time of the passage of the controlling ordinance, the land included in the lots shall be considered to be an undivided parcel and no portion of said parcel shall be used as a building site or sold which does not meet the area and width requirements of the zone in which the lot is located.*



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ZONING ADMINISTRATOR ANALYSIS **Planning & Zoning Commission** **September 4, 2019**

ITEM 11: Zoning Administrator Informational Items

This will also be a reoccurring regular agenda item. Additional detail will be provided regarding the following items at the meeting.

- Update on P&Z Projects from previous Council Meetings – Cuban Queen Parking Direction (8/13 e-session), R-2 Zone Ordinance Update (8/13), Sliding Jail Property Buyback (8/13) and Parking Kiosk Program (8/16)
- Future Projects – Hotel Jerome, Comprehensive Code Update
- Code Enforcement – 860 Hampshire
- Jerome Clubhouse
- Other Items