



# TOWN OF JEROME

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

## Regular Meeting of the **Planning and Zoning Commission** Wednesday, March 17, 2021, 6:00 pm **AGENDA**

Members of the public are welcome to participate in the Zoom meeting via the following options:

- a. Computer: <https://us02web.zoom.us/j/9286347943>
- b. Telephone: 1-669-900-6833 Meeting ID: 9286347943

To submit questions and comments, "raise your hand" during the Zoom session, or email [j.knight@jerome.az.gov](mailto:j.knight@jerome.az.gov) (Please submit comments at least one hour prior to the meeting.)

**For those of you without home internet:** a drive-up internet hotspot is now available in the parking lot in front of the Jerome Public Library. Bring your device and access the internet while sitting in your car. The network is **Sparklight Yavapai Free WIFI** and no password is required.

### Item 1: Call to order

**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 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 – Regular meeting of February 17, 2021

### Item 4: Welcome new commissioners Jeanie Ready and Lori Riley

### Item 5: Election of new chair and vice chair

### Public Hearings:

### Item 6: Proposed text amendments regarding signs (continued from February 17, 2021)

Applicant: Town of Jerome

Amendments may include, but may not be limited to, Section 509 of the Town of Jerome Zoning Ordinance.

#### Discussion/Possible Action (recommendation to Council) – **P&Z Reso. 2021-03**

**Old (continued) Business: none**

**New Business: none**

### Informational Items (Current Event Summaries):

### Item 7: Updates of recent and upcoming meetings – John Knight, Zoning Administrator

- a. **March 1, 2021 DRB meeting** – updated signage and paint for the Grapes building; replacement of wood windows for Nellie Bly; new pergola for 700 Holly Avenue (Dillenberg).
- b. **March 9, 2021 Council meeting** – second reading of the transient lodging ordinance amendments; appointment of Lori Riley to P&Z; first reading of ordinance regarding administrative approvals and appeals; initiation of code amendment regarding tiny homes; and discussions about the following: Hotel Jerome, Jerome bee problem, and a code amendment for a telecommunications ordinance.

### Item 8: Potential items for Wednesday, April 21, 2021: nothing currently scheduled.

#### Discussion/Possible Direction to Staff

### Item 9: Adjourn

The undersigned hereby certifies that this notice and agenda was posted at the following locations on or before 6 p.m. on \_\_\_\_\_

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

\_\_\_\_\_  
Rosa Cays, Deputy Clerk, Attest

Persons with a disability may request reasonable accommodations such as a sign language interpreter by contacting Town Hall at (928) 634-7943. Requests should be made as early as possible to allow enough time to make arrangements. Anyone needing clarification on a P&Z Commission agenda item may call John Knight at (928) 634-7943.





# TOWN OF JEROME

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

## Regular Meeting of the Planning and Zoning Commission Wednesday, February 17, 2021, 6:00 pm MINUTES

### 6:00 (1:18) Item 1: Call to order

Chair Jessamyn Ludwig called the meeting to order at 6:00 p.m.

Roll call was taken by Rosa Cays, Deputy Town Clerk. Commissioners present were Chair Ludwig, Vice Chair Chuck Romberger, Lance Schall, Henry Vincent, and Mike Harvey. Also present were new commissioner Jeanie Ready (to be officially seated at the March meeting) and John Knight, Zoning Administrator.

### 6:00 (1:58) Item 2: Petitions from the public – There were no petitions from the public.

### 6:01 (2:18) Item 3: Approval of Minutes – Regular meeting of January 20, 2021

#### Motion to Approve the Regular Meeting Minutes of January 20, 2021

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ludwig	X		X			
Harvey			X			
Romberger			X			
Schall		X	X			
Vincent			X			

### Public Hearings:

### 6:02 (3:07) Item 4: Proposed text amendments related to administrative approval for small projects and updates to the appeals process for certain types of projects

Applicant: Town of Jerome

Amendments may include, but may not be limited to, Sections 303, 304, 305, 306 and 502 of the Town of Jerome Zoning Ordinance.

#### **Discussion/Possible Action (recommendation to Council) – P&Z Reso. 2021-02**

Mr. Knight said the goal of this item is to make it more efficient for small projects to be approved and pointed out the extensive redlined text in the agenda packet. He said he was hoping to work through it at this meeting but is prepared to bring it back to a future agenda if needed. He reminded everyone that it would be a recommendation to Council. Mr. Knight then summarized the categories:

Category 1 – exemptions. Minor projects with no approval needed from boards.

Category 2 – projects with administrative approval that would still need to meet code requirements (e.g., setbacks, heights, etc.). Mr. Knight listed some of the projects in this category.

Category 3 – projects that need approval from the boards. Mr. Knight listed examples of projects that would need to go through plan review, like awnings, signs, sheds, etc., to ensure visual compatibility and other requirements. He said murals were also added to the list at DRB's request.

Category 4 – projects that DRB and PZ already review and would continue to do so. Mr. Knight stated what types of projects would be included in this category, including "anything controversial" or that requires a conditional use permit (CUP).

Mr. Knight opened the floor to comments and questions.

Chair Ludwig said she was fine with the changes and didn't have further comments considering how many times the commission has discussed these amendments.

Commissioner Harvey referred to Section 303.1 B. 7. Projects Requiring Review (pg. 31) and asked if projects under 120 square feet with visual impact or a change in footprint have been addressed.

Mr. Knight answered yes, in Section 303.1 C. 4., under this proposal, and that the reason 120 square feet was chosen is because projects of this size do not require a building permit.

Mr. Harvey then asked about fire hazards stored in sheds smaller than 120 square feet (e.g., cans of paint, Raid, Round-Up) and if they'd have to follow the fire code. Mr. Knight said fire department review could be added for all site plan applications. Mr. Harvey then asked if all sheds would have to be reviewed by the fire chief. Mr. Knight explained that if they were not exempt and had to go through DRB or P&Z review, they'd also be reviewed by the fire chief.

Mr. Knight then talked about the appeals process, which he said needed to be updated and made consistent throughout the ordinance. He said one of the comments made was to add an appeals "distance" to establish that the appellant must live within 300 feet of the project, which gives them "standing to appeal," but that it was also decided that if a person could prove they were being adversely affected by a project (e.g., view obstruction,

potential storm runoff, traffic) and live beyond the 300-foot limit, that they too could appeal. Mr. Knight then talked about the time limit of when an appeal can be submitted and said he made it consistently 15 calendar days for an appeal and other deadlines to make it easier to remember. He said he also added language stating that permits cannot be issued until the appeals period has passed. One of the commissioners thought Ms. Ready had her hand up; Mr. Knight took the opportunity to introduce her to everyone. Mr. Schall said he was glad the appeals process was worked on and made a few comments on changes he liked and had no complaints.

#### **Motion to Approve P&Z Resolution 2021-02**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ludwig	X		X			
Harvey			X			
Romberger			X			
Schall		X	X			
Vincent			X			

#### **6:22 (23:39) Item 5: Proposed text amendments regarding signs**

Applicant: Town of Jerome

Amendments may include, but may not be limited to, Section 509 of the Town of Jerome Zoning Ordinance.

#### **Discussion/Possible Action (recommendation to Council) – P&Z Reso. 2021-03**

Mr. Knight introduced the item and said this was the second text amendment and the sixth time the item has been discussed. He said the focus was on temporary signs in the residential district and that the DRB preference for wood signs was changed as they don't last in Jerome's climate and can be mimicked with more weather-resistant materials. He then explained the addition of a section that addresses flags, which need to be treated the same as temporary signs, and that the flag size limit would be 16 square feet. Mr. Knight said provisions were also added regarding off-premise signs, allowing for garage sale or realty signs. He also shared origins of the barber pole, and said he wanted a decision from the commission whether to continue prohibiting rotating barber poles. He then went over a few other additions and changes to the ordinance and asked if there were any opinions about the size and setbacks for signs.

Ms. Ludwig said rotating barber poles were fine with her. So did Mr. Schall.

Mr. Harvey asked how a barber pole would be mounted and at what height. Discussion ensued.

Mr. Knight said that depending on the comfort level of the commission, he could add to the redline height restrictions for barber poles or bring a revision back to the next P&Z meeting. The discussion continued about barber poles. Mr. Harvey said he was more concerned about vandalism to the barber poles rather than personal injury.

Mr. Knight moved on to a list of prohibited signs in the packet (last page of the redline).

Vice Chair Romberger said a lot of the prohibited signs currently exist inside business windows and asked what the domain is of prohibited signs.

Commissioner Vincent said if it's inside the window, it's not the town's business. Discussion ensued. Mr. Knight said this could be clarified in the redline.

Mr. Harvey commented that if blinking lights are prohibited, this could be a problem at Christmastime.

Mr. Knight said some jurisdictions prohibit holiday decorations after a certain time.

Chair Ludwig said she didn't seem to think the town has a problem with "rogue" Christmas lights.

Ms. Cays said she thought there was something in the town code about limiting Christmas lights to 90 days after the holiday. Mr. Schall said he believed it was a fire code issue. Ms. Ludwig stated that if it's in the town code, then we don't need to add it to the zoning ordinance.

Mr. Schall said staff should double-check this.

Mr. Harvey clarified that the focus was on the outside of businesses, not inside. Mr. Knight confirmed this, and that the focus was also on private property. Mr. Harvey suggested this language be added to the amendments.

Chair Ludwig proposed that perhaps this item should be continued to the next meeting.

Mr. Knight suggested adding a provision that indoor signs are exempt and that more consideration may be needed for barber poles (Mr. Knight said he would measure the height of the one outside of Pusifer).

Chair Ludwig said Christmas lights also need to be addressed. Mr. Knight said he did not plan nor want to add anything about Christmas lights in the ordinance. Chair Ludwig said she wanted to confirm that they are addressed in the town code.

Mr. Schall said Christmas lights are a fire hazard concern and is confident it is in the town code, at the very least in the fire code. He suggested staff check this with Fire Chief Rusty Blair.

Mr. Harvey said there is nothing in the ordinance about Christmas lights, and Mr. Knight said he was not finding it in the town code.

#### **Motion to Table P&Z Resolution 2021-03 until the next P&Z meeting**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ludwig			X			
Harvey			X			
Romberger			X			
Schall		X	X			
Vincent	X		X			

**Old (continued) Business:** none

**New Business:** none

**Informational Items (Current Event Summaries):**

**6:49 (49:58) Item 6: Updates of recent and upcoming meetings** – John Knight, Zoning Administrator

- a. **February 1, 2020 DRB meeting** – fencing for community garden, 18 North Drive exterior modifications, and administrative review of small projects
- b. **February 8, 2020 Council meeting** – executive session on the Mexican pool property and possible ordinance amendments regarding utility connection fees
- c. **February 9, 2020 Council meeting** – first reading of the transient lodging ordinance amendments and appointments to boards (P&Z and BOA)

*Mr. Knight shared highlights from recent meetings, including recent talks about fee waivers at the Mexican pool property.*

*Mr. Schall interjected and asked if the Mexican pool project was moving ahead. Mr. Knight said the Council decided to honor the fee waiver that was previously issued to the former owner, but that the fee waiver will not be offered in the future and was taken out of the town code. He said the property itself is now under new ownership and that the new owners may propose a rezone as the property is split between C1 and AR.*

*Mr. Knight went on to say that amendments were made to the transient lodging section of the ordinance and that a first reading was carried out at the last Council meeting. He also announced the latest appointments to the boards: Natalie Barlow and Suzy Mound will continue to serve on the Board of Adjustment, and Jeanie Ready has volunteered and was approved to serve on the Planning and Zoning Commission.*

**6:52 (53:46) Item 7: Potential items for Wednesday, March 17, 2021:** selection of new chair/vice chair and hearing on code amendments regarding mixed use

**Discussion/Possible Direction to Staff**

*Mr. Knight formally announced that Jessamyn Ludwig and Henry Vincent are both stepping down from the commission and thanked them for their service. The other commissioners also expressed their gratitude.*

**Item 8: Adjourn**

**Motion to Adjourn at 6:56 p.m.**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Ludwig			X			
Harvey			X			
Romberger			X			
Schall	X		X			
Vincent		X	X			

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

[TBD], Planning & Zoning Commission Chair

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

Rosa Cays, Deputy Clerk





# TOWN OF JEROME

Post Office Box 335, Jerome, Arizona 86331  
(928) 634-7943

## Zoning Administrator Analysis Planning and Zoning Commission Wednesday, March 17, 2021

**ITEM 6:** Public hearing on code amendments related to temporary signage  
(continued from P&Z meeting on February 17, 2021)  
**Applicant/Owner:** Town of Jerome  
**Recommendation:** Discussion/possible action  
**Prepared by:** John Knight, Zoning Administrator  
**Resolution:** **P&Z Reso. 2021-03**

**Background and Summary:** The purpose of updating the ordinance is to bring it into compliance with recent case law that prohibits restricting content of various types of temporary signs. The proposed changes have been discussed and reviewed by both the Planning and Zoning Commission (P&Z) and the Town Council. A public hearing was held with the P&Z on February 17, 2021. The hearing was continued to the March 17, 2021 meeting.

**Additional revisions:** At the February 17, 2021 meeting, the commission directed staff to return with information on the following three items:

- **Rotating barber poles** – The redline ordinance now includes the following definition under Section 509.B.1:

Barber Pole – a type of sign used by barbers to signify the place or shop where they perform their craft. The sign includes a staff or pole with a helix of colored stripes (usually red, white and blue). The pole may be stationary or may rotate, often with the aid of an electric motor.

Under the list of prohibited signs (Section 509.H.8.), the following has been added to exempt rotating barber poles.

Moving signs - except for barber poles

Staff was also directed to measure the existing barber pole in front of Pucifer. The barber pole is just over 8 feet above the sidewalk and is just under three (3) feet tall. Note: when the barber pole was approved by the Design Review Board, the board treated the pole as a projecting sign that was not allowed to rotate.

- **Internal signs** – The commission wanted to include language to clarify that signs that are inside a building are exempt from the ordinance. The following language has been added to Section 509.D.1. e. under the list of exempt signs.

Signs not permanently affixed to a window and located entirely within an enclosed building.

- **Holiday lights** – The commission discussed whether holiday lights were addressed in either the zoning ordinance or town code. Staff has confirmed that holiday lights are not regulated by the zoning ordinance or town code. However, the Fire Code does address temporary wiring. Under Section 605.9 of the Fire Code, temporary wiring is allowed for a maximum of 90 days. See excerpt below.

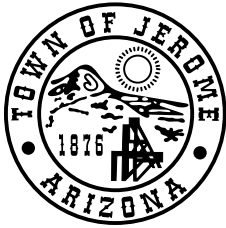
**605.9 Temporary wiring.** Temporary wiring for electrical power and lighting installations is allowed for a period not to exceed 90 days. Temporary wiring methods shall meet the applicable provisions of NFPA 70.

**Recommendation:** Discussion/possible action.

**Attachment:**

- P&Z Resolution 2021-03
- Redline of suggested changes to the Jerome Zoning Ordinance
- P&Z staff report from February 17, 2021





# TOWN OF JEROME

Post Office Box 335, Jerome, AZ 86331 (928) 634-7943

## **P&Z Resolution No. 2021-03** **Code amendments related to signage**

WHEREAS, the Town of Jerome is interested in amending Sections 304 and 509 of the Jerome Zoning Ordinance; and

WHEREAS, the proposed amendments include, but are not limited to, temporary signs; and

WHEREAS, the proposed amendments also include appropriate materials for permanent signs; and

WHEREAS, the Jerome Town Council initiated the ordinance amendment on May 12, 2020; and

WHEREAS, the Jerome Planning and Zoning Commission held a hearing on February 17, 2021 and provided public notice in accordance with Section 301.C. of the Jerome Zoning Ordinance; and

WHEREAS, a notice was published in the *Verde Valley Independent* newspaper on January 31, 2021; and

WHEREAS, the hearing on February 17, 2021 was continued to March 17, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the Town of Jerome, Arizona, that the Town Council of the Town of Jerome adopt amendments to Sections 304 and 509 of the Jerome Zoning Ordinance regarding signs as shown in the attachment.

ADOPTED AND APPROVED by a majority vote of the Planning and Zoning Commission on March 17, 2021.

ATTEST:

APPROVED:

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Rosa Cays, Deputy Town Clerk

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TBD, Chair

Attachment – redline version of proposed text amendments



# Proposed changes to the Jerome Zoning Ordinance

Prepared for the March 17, 2021  
Planning and Zoning Commission  
meeting

Additions shown in underline,  
deletions shown in ~~strikeout~~

## Section 304.F.

solar on historical buildings as recommended by the Department of the Interior. These Guidelines are available at Jerome Town Hall, the Jerome Library and on the Town of Jerome website.

2. The Design Review Board shall review a submitted application for *Design Approval of Alterations, Additions, or Renovations to Existing Buildings or Structures*, and shall have the power to approve, conditionally approve, or disapprove all such requests, basing its decision on the following criteria:
  - a. ARCHITECTURAL FEATURES AND DETAILS – Original porches, decks, balconies, canopies, doors, windows, walls, fences, stairways, eaves, cornices, and other architectural features and details shall be preserved and retained where feasible. Necessary replacement of these features should be as near as possible to the original feature in design and material.
  - b. ROOFS – Original roof shape, design, and material shall be preserved and retained where feasible. Where contemporary roofing material is used, it should be as near as possible to the appearance of the original roofing material.
  - c. COLOR – Exterior colors should be as near as possible to the original colors appropriate to the years during which the particular building or structure was built.
  - d. MATERIALS AND TEXTURE – The original exterior materials and texture shall be preserved and retained where feasible. Where contemporary materials are used, they should be as, near as possible to the original material and texture.
3. The Design Review Board shall review a submitted application for *Approval of the Demolition, Partial Demolition, or Removal of Existing Buildings or Structures*, and shall have the power to approve, conditionally approve, or disapprove, all such requests; in accordance with the following procedures and criteria.
  - a. In passing on an application for demolition, partial demolition, or removal, the Design Review Board shall consider, among other things, the architectural or aesthetic quality or significance of the building or structure to the public interests of the Town.
  - b. If the Design Review Board finds that the preservation and protection of historic places and the public interest will best be served by postponing the demolition, partial demolition, or removal of a building or structure, it may postpone such action for a designated period, which shall not exceed one hundred eighty (180) days from the receipt of the application, and shall notify the applicant of such postponement. Within the period of postponement such demolition or alteration of any building, the Design Review Board shall take steps to ascertain what the Town Council can or may do to preserve such building, including consultation with private civic groups, interested private citizens and other public boards or agencies and including investigation of the potential use of the power of eminent domain when the preservation of a given building is clearly in the interest of the general welfare of the community and of certain historic and architectural significance. The Design Review Board shall then make such recommendations thereabout to the Town Council as the Board may determine to submit.
4. The Design Review Board shall review a submitted application for Design Approval of Signs and shall have the power to approve, conditionally approve, or disapprove all such requests, basing its decision on the following criteria:
  - a. MATERIALS – Signs ~~shall be made of wood are preferred.~~ of durable, weather resistant materials such as acrylic, resin, steel, aluminum or composite materials.
  - b. LETTERING – Lettering and symbols on signs should be routed, applied, or painted on the surface of the signing material.

## 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. Barber Pole – a type of sign used by barbers to signify the place or shop where they perform their craft. The sign includes a staff or pole with a helix of colored stripes (usually red, white and blue). The pole may be stationary or may rotate, often with the aid of an electric motor.
2. Clear-Vision Triangle - A triangle-shaped zone formed by the existing or proposed curb lines of two or more intersecting streets, roads, or alleys and a third line connecting said curb lines at a distance of thirty (30) feet in each direction from the point of curb line intersection, in order to provide vehicular traffic an unobstructed view of cross traffic at intersections. In locations without curbs, the edge of the drivable surface of the street or road shall be treated the same as a curb.
3. Flying Banner – a flexible or rigid pole to which one side of a flexible fabric, generally in the shape of a feather or similar shape, is attached, and which is used for the primary purpose of advertising or attention-getting by the public display of visually communicative images. Such banners are also known and sold under names such as “quill sign,” “wing banner,” “banana banner,” “blade banner,” “flutter banner,” “flutter flag,” “bowflag,” “teardrop banners,” and others. The definition includes functionally similar display devices.
4. 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.
- ~~1-5.~~ Sign, Balloon - Balloon sign shall mean any sign painted onto or otherwise attached to or suspended from a balloon, whether such balloon is anchored or affixed to a building or any other portion of the premises or tethered to and floating above any portion of the premises.
- ~~2.~~ Area - A rectangular area calculated by drawing horizontal and vertical lines from all sign extremities excluding those which are essentially sign supports.
- ~~3-6.~~ Sign, Campaign – A sign whose sole purpose is to advertise a political candidate or issue.
- ~~4-7.~~ 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.
- ~~5-8.~~ Sign, Canopy - A sign mounted on or painted on a canopy or awning.
- ~~6-9.~~ Sign, Free-Standing - A sign not attached to or supported by a building.

- ~~7.10.~~ Sign, Height - The vertical distance from the ground directly under the sign to the lowest point of the sign.
- ~~8.11.~~ Sign, Interior - Signs within a building not accessible from outside. Interior signs are not regulated by this ordinance.
- ~~9.~~ ~~Sign, Gas Generated — Gas generated signs or signs illuminated by gas generated lighting, other than those existing on June 14, 1977, are prohibited.~~
- ~~10.12.~~ Sign, Off-premise - A permanent or temporary sign not located on the premises of the business which it advertises. A district sign is not an off-premises sign.
- ~~11.13.~~ 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.
- ~~12.14.~~ 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").
- ~~13.15.~~ 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").
- ~~14.16.~~
- ~~15.~~ Sign, Projecting - A building mounted sign which projects from and is supported by a wall of a building.
- ~~16.17.~~ 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.
- ~~17.18.~~ Sign, Historical/Historical Period - A sign in use in Jerome during the period between 1876 and 1953.
- ~~18.19.~~ 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.
- ~~19.20.~~ Sign, Open/Closed - A sign indicating that a place of business is open or closed.
- ~~21.~~ Sign, Temporary - A sign not permanently attached to a structure or to the ground. Examples of temporary signs include garage sale signs, temporary sale signs, contractor signs, banner signs, candidate signs, and real estate signs. The definition of temporary sign does not include flags. displayed for not more than forty five (45) consecutive days or a total of ninety (90) days in a calendar year.
- ~~22.~~ Sign Walker - A person (or persons) waving "sales theme signs" with arrows at entrances to major highways or at corners of high-traffic intersections directing customers to a sale. Also called sign twirlers, sign holders, human billboards, sign events.
- ~~20.23.~~ Organization – An organized body of people with a particular purpose, such as a society, association, civic or charitable group, or similar, whether non-profit or for-profit.

### 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 of 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. Notices regarding parking, directions or trespassing on private property.
5. Signs upon a vehicle, provided that any such vehicle is actively used for bona fide delivery or other business purposes.

[Ord. No. 457]

### D. PERMITS

1. A sign permit shall be required before a permanent sign may be placed, constructed, reconstructed, or altered within the Town of Jerome with the exception of the following:
  - a. Name-plate signs and business door identifiers not exceeding 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. On-site menu boards, either in a wall-mounted case or window display.~~
  - ~~d. Exterior temporary signs.~~
  - e. Signs not permanently affixed to a window and located entirely within an enclosed building.
2. An application for a permanent 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 a 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. The 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.

[Ord. No. 457]

#### E. REGULATIONS APPLICABLE TO SIGNS IN ALL ZONES

1. The design, color, shape, materials and style of permanent 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 in the clear-vision triangle, 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.~~

~~6.5.~~ Organizations as defined herein are allowed Temporary Signs without a permit or review for temporary special event banners or signs. Banners for special events must be removed within three (3) days of the close of any event and may not be hung on Town property without permission of the Town of Jerome. The Town Manager may approve special event banners to be hung on Town property for recurring events. Banners to be hung on Town property for first time events shall be approved by the Town Council.

~~7.6.~~ 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. These restrictions shall apply to internally lighted signs, which may be allowed if constructed of metal or wood. No internally lit signs that are constructed of acrylic or plastic are allowed. No sign that flashes or blinks shall be permitted outside. 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 (recording) 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 a 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.~~7. 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.~~8. 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.~~9. Signs shall be removed upon thirty (30) days of business relocation or closure.
10. 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.
- ~~15.~~11. Flags. Unless otherwise required by state law or specified in this Article, no more than two (2) flags may be displayed on a flagpole, from a flag bracket or on a flag stanchion. Examples of flags include, but are not limited to, the insignia of any nation, organization of nations, state, province, county, city, any religious, civic, or fraternal organization, or educational institution. The area of each flag shall not exceed sixteen (16) square feet and the height of the flag shall be no taller than any building located on the same property. For the purpose of determining the area of a flag, only one side of the flag shall be counted. Flags may be externally illuminated. A sign permit is not required for a flag.

[Ord. No. 457]

#### **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 on premises only 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.
4. Temporary signs shall be permitted in the residential zones without a permit, subject to the following provisions.
  - a. The sum area of all temporary signs does not exceed five (5) square feet in size.

- b. If the temporary sign pertained to an event (such as an open house or garage sale), the sign shall be removed within three (3) days of the completion of the event or activity which is being advertised.
- c. Signs shall maintain a minimum setback from the right of way of ten (10) feet, unless there is a primary structure on the lot which is located closer to the right of way than ten (10) feet. In which case, the sign may be placed at the same setback as the primary structure.
- a-d. The maximum height of a temporary sign is four (4) feet.
- b-e. Signs shall not be illuminated.

[Ord. No. 457]

#### **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. The sum area of all temporary signs shall ~~No temporary sign may not~~ 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.
  - b-c. Signs shall not be illuminated.
  - a-d. No permit is required for temporary signs.

*Examples of ~~unrestricted~~ temporary signs: - ~~one (1) day sign or special sign allowed (one per business):~~*

- Chalkboards or signs that change daily for menu specials
- Signs for special events that have limited use, such as Art Walk announcements
- Sandwich boards / A-Frame signs (allowed in vestibules and on private property, but not on public sidewalks)

*Examples of restricted temporary signs (maximum 90 days per year and no more than 45 consecutive days):*

- Banners
- "Sale" and other exterior product advertising

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., VISA, MasterCard, WiFi, etc., 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.

#### **H. PROHIBITED SIGNS**

1. Abandoned signs
2. Billboards
3. Digital or electronic signs with changeable copy
4. Flying banners
5. Flashing or blinking signs
6. Gas-generated signs
7. Inflatable and balloon signs
8. Moving signs - except for barber poles
9. Off-premise signs in the commercial or industrial zoning districts
10. Signs attached or painted on trees, rocks, or other natural features
11. Signs emitting any sound designed to attract attention
12. Signs in the clear-vision triangle
13. Signs in the right of way
14. Signs painted on fences
15. Sign walkers
16. Signs with visible bulbs, neon tubing, or luminous paints

d. \_\_\_\_\_

[Ord. No. 457]





# TOWN OF JEROME

Post Office Box 335, Jerome, Arizona 86331  
(928) 634-7943

## Zoning Administrator Analysis Planning and Zoning Commission Wednesday, February 17, 2021

**ITEM 5:** Public hearing on code amendments related to temporary signage  
**Applicant/Owner:** Town of Jerome  
**Recommendation:** Discussion/possible action  
**Prepared by:** John Knight, Zoning Administrator  
**Resolution:** **P&Z Reso. 2021-03**

**Background and Summary:** The purpose of updating the ordinance is to bring it into compliance with recent case law that prohibits restricting content of various types of temporary signs. The proposed changes have been discussed and reviewed by both the Planning and Zoning Commission and the Town Council.

- May 12, 2020, the Council initiated the amendment to Section 509 of the Jerome Zoning Ordinance related to temporary signs.
- June 3, 2020, the Planning and Zoning Commission held a work session on temporary signs.
- September 16, 2020, the Planning and Zoning Commission continued the discussion on temporary signs.
- December 1, 2020 the Planning and Zoning Commission and Town Council further discussed temporary signage amendments.
- January 20, 2021, the Planning and Zoning Commission reviewed additional suggestions for amendments.

Updates are needed to eliminate the size differences of various types of temporary signs in the same zoning district. Temporary signs can be restricted by size within each zoning district, but different types of temporary signs cannot have different size restrictions within the same zoning district.

The zoning ordinance addresses a variety of types of temporary signs. These include A-frame signs (sometimes referred to as "free speech signs"), real estate signs, banners, and candidate/political signs. Note that flags are addressed separately.

**Additional revisions:** In addition to the revisions discussed on January 20, staff suggests several additional changes. These are noted below.

- **Materials** – Section 304.F.4. REVIEW PROCEDURES AND CRITERIA states, "Signs made of wood are preferred." Based on experience, signs made of wood do not hold up well to the elements. Signs can now be made of a variety of weatherproof materials such as acrylic, aluminum, MDO (a resin laminate), ACM (an aluminum laminate) and Dibond (also an aluminum laminate). In many cases, these signs can be made to look like wood. These materials have been added to the proposed amendments as appropriate materials for sign construction.
- **Other restrictions for temporary signs** – An additional standard has been added to Section 509.F.4. that prohibits illumination of temporary signs.

- **Flags** – Additional language has been added to Section 509.E.13. regarding flags. Under this provision, common types of flags are included, but are not limited to, the “insignia of any nation, organization of nations, state, province, county, city, any religious, civic or fraternal organization, or educational institution.”
- **Off-premise signs** – A provision has been added that restricts off-premise signs in the commercial and industrial zones but allows off-premise signs in the residential zones (to allow for temporary signs such as garage sale or realty signs).
- **Barber poles** – At the previous meeting, there was mention about whether traditional barber pole signs would be allowed to rotate. Although not included in the proposed draft, the commission may wish to consider amending the ordinance to allow traditional barber poles to rotate. It should be noted that Clarkdale has a provision in their zoning ordinance that allows rotating barber poles. This could be added to the ordinance if the commission desires.

### Summary of Suggested Changes to Section 509:

#### Section 509.B. - Definitions: Amendments to the definitions include:

1. **Clear-Vision Triangle** – adding a definition of the area in which a sign cannot be placed at the intersection of two roads. This is defined as a triangle that is thirty feet for each leg adjacent to a road.
2. **Flying Banner, Balloon Sign, and Sign Walker** – definitions added for *flying banners*, *balloon signs*, and *sign walkers*. Note that these types of signs are prohibited.
3. **Campaign Sign** – the definition of *campaign sign* has been removed since it is a type of temporary sign.
4. **Temporary Sign** – the definition has been modified to identify that these types of signs are not permanently affixed to a structure or the ground. The restriction on the period it can be displayed has been removed since it is addressed later in the ordinance under Section 509.G.

**Section 509.D. – Permits:** Amendments to the permit section include deleting the language related to political signs.

**Section 509.E. – Regulations applicable to signs in all zones:** Amendments to this section include:

1. **Off-premise signs** – the provision regarding off-premise signs has been deleted, which are prohibited in the commercial/industrial zones but allowed in the residential zones. This allows for temporary garage sale signs to be placed off the premises. Note that a separate section has been added to address flags.
2. **Political signs, real estate signs, contractor signs** – these have been deleted as separate categories since all temporary signs are treated the same.
3. **Flags** – a new section has been added to allow up to two (2) flags per flagpole and a maximum size of sixteen (16) square feet per flag. Note that the zoning ordinance already has a provision under Section 502.I.2.a. that addresses flagpoles, antennas, and spires.

**Section 509.F. – Regulations applicable to signs in residential zones:** New language has been added to allow temporary signs in residential zones up to a maximum area of five (5) square feet. This would include all types of temporary signs: garage sale, candidate/campaign signs, real estate, contractor signs, and signs exhibiting messages of free speech. As noted above, flags are addressed separately. Additional restrictions include sign size (no greater than five [5] square feet), setbacks (no closer than ten [10] feet to the right of way unless the primary structure is closer than that), and a maximum height of four (4) feet.

**Section 509.G. – Regulations applicable to signs in commercial and industrial zones:**

New language has been added to allow temporary signs in the commercial and industrial zones to be up to a maximum area of eight (8) square feet. Note that this section also restricts the posting of temporary signs to a maximum of 45 consecutive days.

**Section 509.H. – Prohibited Signs:** A list of prohibited signs has been added. The following types of signs are prohibited.

1. Abandoned signs
2. Billboards
3. Digital or electronic signs with changeable copy
4. Flying banners
5. Flashing, blinking, or moving signs
6. Gas-generated signs
7. Inflatable and balloon signs
8. Off-premise commercial signs
9. Signs attached or painted on trees, rocks, or other natural features
10. Signs emitting any sound designed to attract attention
11. Signs in the clear-vision triangle
12. Signs in the right of way
13. Signs painted on fences
14. Sign walkers
15. Signs with visible bulbs, neon tubing, or luminous paints

**Recommendation:** Provide direction to staff on any additional changes.

**Attachment:**

- P&Z Resolution 2021-03
- Redline of suggested changes to the Jerome Zoning Ordinance