



TOWN OF JEROME

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

Regular Meeting of the **Planning and Zoning Commission** Wednesday, April 21, 2021, 6:00 pm **REVISED 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 (Please submit comments at least one hour prior to the meeting.)

For those of you without home internet: a drive-up internet hotspot is 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 Wi-Fi** 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 March 17, 2021

Item 4: Resuming in-person meetings Discussion/Possible Direction to Staff

Public Hearings:

Item 5: 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 106, 302–306, 502, 503, and 508 of the Town of Jerome Zoning Ordinance.

Discussion/Possible Action (recommendation to Council) – **P&Z Reso. 2021-04**

Old (continued) Business: none

New Business:

Item 6: Preliminary and Final Site Plan Review for a shed

Applicants: Don and Paula Nord

Address: 128 First Street

Zone: C-1

Owner of record: Don and Paul Nord

APN: 401-10-006

Applicants are seeking a preliminary and final site plan review to construct a 120-square-foot shed.

Discussion/Possible Action – **P&Z Reso. 2021-05**

Item 7: Preliminary Site Plan Review for a house

Applicants: Bethany Halbreich and Cameron Sinclair

Address: 300 Queen Street

Zone: C-1/AR

Owner of record: Half Kingdom Holdings LLC

APN: 401-06-128G

Applicants are seeking preliminary site plan review to construct an 850-square-foot house.

Discussion/Possible Action

Item 8: Extension request (Cuban Queen)

Applicants: Windy Jones and Josh Lindner

Address: 324 Queen Street

Zone: C-1

Owner of record: Cuban Queen Bordello LLC

APN: 401-06-127

Applicants are seeking a six-month extension of a previous approval.

Discussion/Possible Action – **P&Z Reso. 2021-07**

Item 9: Work session on commercial signs

Applicants: Town of Jerome

Work session regarding commercial signs and possible amendments to the sign ordinance.

Discussion/Possible Direction

Informational Items (Current Event Summaries):

Item 10: Updates of recent and upcoming meetings – John Knight, Zoning Administrator

- a. **April 5, 2021 DRB meeting** – Ghost Town Girl sign; backup generator for Merkin; Raku Gallery sign; extension request for Cuban Queen; upgraded stairs and walkway for fire station
- b. **April 13, 2021 Council meeting** – First reading of sign ordinance amendments; ordinance amendments regarding administrative approval of small projects and appeals; bee study; district signs; Rich Street survey, Verde Exploration presentation regarding the high school

Item 11: Potential items for Wednesday, May 19, 2021: New home at Fourth Street and Verde.

Discussion/Possible Direction to Staff

Item 12: 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

John Knight, Zoning Administrator

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, March 17, 2021, 6:00 pm MINUTES

6:02 (0:13) Item 1: Call to order

[Zoning Administrator John Knight led the meeting and was also taking minutes, so the recording was not started until roll call was taken.]

The meeting was started when Mr. Knight called the roll at 6:02 p.m. Present were Vice Chair Chuck Romberger and commissioners Lance Schall, Mike Harvey, Jeanie Ready, and Lori Riley. Deputy Town Clerk Rosa Cays was absent, who ordinarily takes the minutes.

Mr. Knight turned the meeting over to Vice Chair Romberger.

6:03 (1:16) Petitions from the public – There were no petitions from the public.

Mr. Knight asked to rearrange the agenda and moved Item 3 to immediately follow Item 5. The items have been kept in numerical order in these minutes.

7:04 Item 3: Approval of Minutes – Regular meeting of February 17, 2021

Commissioner Harvey called a point of order and asked if abstentions needed to be noted. Mr. Knight said he would make a note.

Motion to Approve the Regular Meeting Minutes of February 17, 2021

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Harvey		X	X			
Ready						X
Riley						X
Romberger			X			
Schall	X		X			

6:03 (1:55) Item 4: Welcome new commissioners Jeanie Ready and Lori Riley

Mr. Knight introduced Commissioners Ready and Riley. He offered them the opportunity to say a few words.

Ms. Ready said she was excited to join the commission to do her civic duty and support the town. She said she would do her best and will rely on the other commissioners for guidance.

Ms. Riley said she felt the same way and that she had been considering volunteering for a while.

6:05 (3:41) Item 5: Election of new chair and vice chair

Mr. Knight explained the process and protocol for electing new commission chairs and pointed out that commissioners cannot serve more than two consecutive terms.

Commissioner Harvey nominated Commissioner Schall as chair, and Mr. Schall nominated Mr. Romberger to continue serving as vice chair.

Motion to Elect Lance Schall as Chair and Chuck Romberger as Vice Chair

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Harvey	X		X			
Ready		X	X			
Riley			X			
Romberger			X			
Schall			X			

Public Hearings:

6:11 (9:21) 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

Mr. Knight announced that this was a public hearing continued from the February P&Z meeting. He referred to his staff report and said three issues needed to be addressed in the amendments: rotating barber poles, internal signs, and holiday lights, which is already addressed in the fire code as

"temporary wiring." Mr. Knight modified the redline version of the text with updated amendments, included in the agenda packet. He then went over the specifics of the three issues.

Vice Chair Romberger asked if an exception could be made for the retail shop Mooney Christmas.

Mr. Harvey said last time they were discussed, holiday lights could not cause a "traffic threat."

Commissioner Ready commented on the proposed new language in Section E, 11. Flags, and said clarity was needed, which was discussed and agreed upon. She also pointed out a minor typo in Section F, 4. d.

Mr. Harvey asked if flagpoles had been addressed. Mr. Knight said they were in a different section of the ordinance, which he briefly described. Mr. Schall informed Mr. Harvey that the flagpole ordinance followed the standards of the antenna ordinance.

Commissioner Riley repeated for clarification a flag on a pole versus a flag attached to a building, which Mr. Schall confirmed and elaborated on.

Motion to Adopt Resolution 2021-03 as amended per the discussion

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Harvey			X			
Ready		X	X			
Riley			X			
Romberger			X			
Schall	X		X			

Old (continued) Business: none

New Business: none

Informational Items (Current Event Summaries):

6:25 (24:22) Item 7: Updates of recent and upcoming meetings – John Knight, Zoning Administrator

- 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).
- 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.

Mr. Knight talked about the highlights from the recent DRB and Council meetings. He informed the commission that a pergola does not qualify as a structure but as a landscape feature, so does not need a building permit. He also said that after the first reading of the ordinance regarding administrative approvals and appeals that the item was tabled (councilmembers said they wanted to wait until the design guidelines were in place), as was the code amendment for a telecommunications ordinance.

6:30 (29:40) Item 8: Potential items for Wednesday, April 21, 2021: no items currently scheduled.

Discussion/Possible Direction to Staff

Mr. Knight said no formal items or public hearings were scheduled at this point.

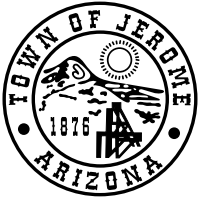
Mr. Schall asked if the Mexican Pool property was still moving forward; Mr. Knight said he expected it to be an item of discussion at an upcoming meeting and that the new owners wanted to do a conceptual review, possibly in April.

Mr. Schall also asked about the Clubhouse. Mr. Knight said he had not heard from the new owner.

Item 9: Adjourn 6:35 p.m.

Motion to Adjourn at 6:35 p.m.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Harvey			X			
Ready	X		X			
Riley		X	X			
Romberger			X			
Schall			X			



TOWN OF JEROME

Post Office Box 335, Jerome, Arizona 86331

(928) 634-7943

Zoning Administrator Analysis

Planning and Zoning Commission Staff Report

April 21, 2021

Item 5: **Public Hearing for ordinance amendments regarding administrative approvals and appeals**

Applicant/Owner: Town of Jerome

Recommendation: Discussion/possible direction

Prepared by: John Knight, Zoning Administrator

Resolution: **P&Z Reso. 2021-04**

Background and Summary: This item was previously recommended for approval to Council at the February 17, 2021 meeting. At the April 13, 2021 meeting, the Council recommended additional changes to the ordinance. Due to the extent of the changes, this item is required to return to the Planning and Zoning Commission for a public hearing. A summary of the proposed changes to the ordinance is noted below.

Definitions: The definition of *deck* has been expanded to include decks of any height. The previous definition only applied to decks over 12 inches in height.

Extension Requests: Standards have been added to clarify procedures regarding approval extensions. For most extensions of site plan review and design review approvals, the approving board may grant up to two extensions. Any additional extensions are required to be approved by Council.

Approval Types: The process for approving various types of projects is noted below.

Category 1 – Exemptions: The following would not require review by P&Z and typically do not require a building permit:

1. Repair/replacement/maintenance projects provided the same materials are used
2. Landscaping (not including gazebos, shade structures, sheds, etc.)

Category 2 – Administrative Approval: The following items would be reviewed and approved by the zoning administrator without review by P&Z and DRB. Note that some of these do require review by the building inspector and fire inspector:

1. Concrete work, pavers, and other flatwork provided they are less than 12 inches above the ground
2. Ground-level decks and patios provided they are less than 12 inches above the ground and not covered
3. Window and door replacements provided the new window or door closely replicates the same size, materials, and style of the window or door being removed
4. Stair replacement with less than 10 percent change in footprint provided they are constructed of fire-resistant materials
5. Changes in roof material or color

Note that the items above would not be exempt from building code, fire code, or requirements for design compatibility. They would simply be exempt from the P&Z site plan review process.

Category 3: Projects requiring DRB review but not P&Z review

1. Paint, stain, and similar exterior coatings for residential structures
2. Paint/stain for commercial structures
3. Awnings and permanent signs
4. Exterior modifications/improvements to existing structures that add no additional square footage
5. Fences and walls

Note: murals were previously listed as requiring DRB review. However, this has been removed from the current changes and will be addressed separately as part of the sign ordinance.

Category 4: Projects requiring P&Z and/or DRB review:

1. Sheds and detached accessory structures of any size
2. Expansion or modification to an existing nonconforming structure
3. Additions of any size to residential structures
4. Additions of any size to commercial or industrial structures
5. New residential, commercial, or industrial structures
6. Demolitions
7. Conditional Use Permits (CUP)
8. All other modifications, improvements, or additions to structures not specifically listed above

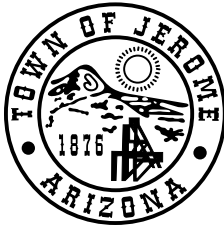
Appeals process: The code has inconsistent and sometimes confusing sections regarding appeals of the site plan review and design review processes. These should be amended so they are clear and consistent. Note that appeals of administrative decisions are heard and decided by the Board of Adjustment. Appeals from the Board of Adjustment are heard and decided by the Yavapai County Superior Court. Appeals of P&Z and DRB decisions are heard and decided by the Council.

1. **Appeal distance:** Appellants would be required to reside within 300 feet of the project unless they can demonstrate how they would be adversely affected outside the 300-foot limit.
2. **Appeal period:** The appeal period has been amended to be 15 days. This is consistent with most of the other jurisdictions in the Verde Valley.
3. **Building permit issuance:** The proposed amendments include a provision that the building permit cannot be issued until the appeal period has passed. This protects both the applicant and the Town and ensures that work will not have to be reconstructed if the appeal changes the approval.

Recommendation: Discussion and possible direction.

Attachments:

- P&Z Reso. 2021-04
- Redline of proposed amendments



TOWN OF JEROME

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

P&Z Resolution No. 2021-04

Code amendments related to administrative approval for small projects and updates to the appeals process for certain types of projects

WHEREAS the Town of Jerome would like to amend Sections 106, 201, 302, 303.1, 303.2, 303.3, 303.4, 304, 305, 502 and 503 of the Jerome Zoning Ordinance; and

WHEREAS the proposed amendments include, but are not limited to, amending the approval and appeals processes for certain types of projects; and

WHEREAS the proposed amendments would allow for administrative approval for smaller projects; and

WHEREAS the proposed amendments update and clarify the appeals process for Conditional Use Permits, Site Plan Review, and Design Review; and

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

WHEREAS the Jerome Planning and Zoning Commission held a hearing on April 21, 2021 and provided public notice in accordance with Section 301.C. of the Jerome Zoning Ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the Town of Jerome, Arizona, that the commission recommends the Town Council of the Town of Jerome adopt amendments to Sections 106, 201, 302, 303.1, 303.2, 303.3, 303.4, 304, 305, 502 and 503 of the Jerome Zoning Ordinance related to administrative approval for small projects and updates to the appeals process for certain types of projects as shown in the attached redline document.

ADOPTED AND APPROVED by a majority vote of the Planning and Zoning Commission on April 21, 2021.

ATTEST:

APPROVED:

Rosa Cays, Deputy Town Clerk

Lance Schall, Chair

Attachment – redline version of proposed text amendments

ZONING ORDINANCE OF THE TOWN OF JEROME

ARTICLE I - ADMINISTRATION	SECTION	PAGE
Short Title	101	7
Purpose.....	102	7
Interpretation and Application	103	7
Planning and Zoning Commission	104	7
Board of Adjustment	105	8
Design Review Board	106	10
Zoning Administrator	107	11
Enforcement	108	11
Violation and Penalty	109	12
Severability	110	12
 ARTICLE II - DEFINITIONS		
General	201	13
 ARTICLE III - PROCEDURES		
Amendments or Zone Changes	301	23
Conditional Use Permits	302	26
Preliminary Site Plan Review	303.1	30
Final Site Plan Review	303.2	32
Grading and Excavation Requirements.....	303.3	33
<u>Appeals and Expiration of Approvals.....</u>	<u>303.4</u>	<u>xx</u>
Design Review	304	36
<u>Administrative</u> Appeals and Variances	305	42
Neighborhood Meetings.....	306	44
 ARTICLE IV - ZONING DISTRICTS		
Establishment of Zoning Districts	401	47
Location and Boundaries of Districts	402	47
 ARTICLE V - USE REGULATIONS		
Nonconforming Situations.....	501	49
General Provisions.....	502	51
“AR” Zone, Agricultural Residential.....	503	56
“R1-10” Zone, Single Family Residential.....	504	59
“R1-5 Zone, Single Family Residential.....	505	61
“R-2” Zone, Single- and Two-Family Residential.....	506	63
“C-1” Zone, General Commercial.....	507	66
“I-1” Zone, Light Industrial.....	508	70
Signs	509	73
Parking and Loading Requirements.....	510	78
Historic Overlay District	511	81
(Reserved)	512	82
 ARTICLE VI - EMERGENCY CLAUSE.....		83
 APPENDIX.....		85
 INDEX.....		93

declaration that he has a conflict of interest, in which case such member shall take no part in the deliberation on the matter in question.

E. RULES; REGULATIONS; RECORDS; MEETINGS

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

SECTION 106. DESIGN REVIEW BOARD

A. PURPOSE

The purpose of the Design Review Board is to review the exterior design of new buildings and structures, the alteration of buildings and structures, ~~landscaping plans~~, signs, and proposed demolition of structures, within the Historic Overlay District, in order to ensure that new development is compatible with the surrounding environment, and to preserve and protect the historic character of the Town of Jerome in accordance with the provisions of Section 304.

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

The Design Review Board of the Town of Jerome shall be composed of five (5) members. The membership shall consist of five (5) residents of Jerome, who shall be persons qualified by design background, training or experience, to be appointed by the Town Council. Each member shall serve for a term of three (3) years. Members may, after a public meeting, be removed by the Council for inefficiency, neglect of duty, or unethical conduct in office. A Board member who is absent four (4) regular meetings of a year beginning March 1st and ending February 28th shall be deemed to have vacated his or her appointment without further action being taken by the Board or Council. In the event of death or resignation, or removal from the Board, the vacancy shall be filled by the Council for the unexpired term. All members shall serve without pay. However, members of the Board may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the Board and approval of such expenditures by the Town Council.

[Ord. No. 313; Ord. No. 378; Ord. No. 410; Ord. No. 445; Ord. No. 459]

C. POWERS AND DUTIES

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

D. SELECTION OF OFFICERS

The Board shall elect a Chair and Vice Chair from among its own members, who shall serve for one (1) year and until their successors are elected and qualified. No individual may serve consecutively as Chair, or consecutively as Vice Chair, for more than two one-year terms. The Chair shall preside at all meetings and exercise all the usual rights, duties and

ARTICLE II

DEFINITIONS

SECTION 201. GENERAL

Deck - An open, unroofed porch or platform structure built -at least twelve (12) inches above the ground that is located in the front, rear, or side yard or court of a property. When a structure has a roof or wall enclosure that keeps out the elements, it is not a deck and shall be deemed part of the primary structure for purposes of this Ordinance.

Design Review Board - (see Section 106).

Drive-In Restaurant - any establishment where food or beverages are dispensed and may be consumed on the premises, but not within a closed building.

Drive-In Theater - an open air theater where the performance is viewed by all, or part, of the audience from motor vehicles.

Dump - a place used for the disposal, abandonment or discarding by burial, incineration or by any other means of any garbage, sewage, trash, refuse, rubble, waste material, offal, or dead animals. Such use shall not include any industrial or commercial processes, and/or material.

Dwelling - a building portion thereof designed exclusively for residential purposes, including one-family, two-family, three-family and multiple dwellings; but not including hotels, apartment hotels, boarding and lodging houses, fraternity and sorority houses, rest homes and nursing homes, or child care nurseries.

Dwelling, One-Family - a detached building designed exclusively for occupancy by or occupied by one (1) family for residential purposes.

Dwelling, Two-Family - a building designed exclusively for occupancy by or occupied by two (2) families living independently of each other (i.e., duplex).

Dwelling, Three-Family - a building designed exclusively for occupancy by or occupied by three (3) families living independently of each other (i.e., triplex).

Dwelling, Multi-Family - a building designed exclusively for occupancy by or occupied by four (4) or more families living independently of each other (i.e., four plex or apartment).

Dwelling Unit - a room or group of rooms within a dwelling containing one (1) cooking accommodation, occupied exclusively by one (1) or more persons living as a single non-profit family housekeeping unit.

Easement - a space on a lot or parcel of land reserved or used for location and/or access to utilities, drainage or other physical access purposes. No structure or other physical obstruction may be located within an easement.

Erect - the word "erect" includes built, built upon, added to, altered, constructed, reconstructed, moved upon, or any physical operations on the land, required for a building.

Family - an individual, or two (2) or more persons related by blood or marriage, or a group of persons not related by blood or marriage, living together as a single housekeeping group in a dwelling unit.

Farming - land used or cultivated which is intended only as a supplementary source of income or livelihood.

Fence - a structure built to separate two (2) parcels of land or separate a parcel of land into different use areas.

Floodplain - the areas adjoining the channel of a watercourse, or areas where drainage is or may be restricted by man-made structures which have been or may be covered partially or wholly by floodwater, but shall compose an area not less than that area confined by the fifty-year flood and shall not exceed that area confined by the one hundred-year flood.

SECTION 302. CONDITIONAL USE PERMITS

A. PURPOSE

Every zoning district contains certain buildings, structures and uses of land which are normal and complementary to Permitted Principal Uses in the district, but which, by reason of their typical physical or operational characteristics, influence on the traffic function of adjoining streets, or similar conditions, are often incompatible with adjacent activities and uses. It is the intent of this Ordinance to permit Conditional Uses in appropriate zoning districts, but only in specific locations within such districts that can be designed and developed in a manner which assures maximum compatibility with adjoining uses. It is the purpose of this Section to establish principles and procedures essential to proper guidance and control of such uses.

B. GENERAL REGULATIONS

1. Zoning district regulations established elsewhere in this Ordinance specify that certain buildings, structures and uses of land may be authorized by the Commission as Permitted Conditional Uses in a given district subject to the provisions of this Section and to requirements set forth in district regulations. The Planning and Zoning Commission is empowered to make recommendations to the Town Council regarding granting or denying applications for use permits and to impose reasonable conditions upon them. Prior to becoming effective, all actions by the Planning and Zoning Commission concerning a use permit application must be acted upon by the Town Council in accordance with the provisions of subsection 302 E.
2. Any building, structure or use existing on the effective date of this Ordinance which is reclassified as a Permitted Conditional Use by this Ordinance for the district in which it is located shall be considered as meeting the conditions which would otherwise be imposed upon such use by this Ordinance, and its continuance shall not be subject to issuance of a Conditional Use Permit; provided, however, to the extent that such fails to conform to the requirements of this Ordinance, it shall be considered nonconforming as described in Section 501, and its continuance shall be governed by all nonconforming use regulations applicable thereto.
3. Every Conditional Use Permit issued shall be personal to the permittee and applicable only to the specific use and to the specific property for which it is issued. Use Permits may contain specific limitations on the scope, nature and duration of the use, as well as transferability of the Use Permit, as deemed necessary to secure the objectives of this Ordinance. The maintenance of special conditions imposed by the Permit, as well as compliance with other provisions of this Ordinance, shall be the responsibility of the property owner.

C. CONDITIONAL USE PERMIT APPLICATION

Application for a use permit shall be filed with the Zoning Administrator on a form prescribed by the Commission. The application shall be forwarded to the Planning and Zoning Commission by the Zoning Administrator, and when required by the Commission, shall be accompanied by a detailed site plan prepared in accordance with Section 303 showing all information necessary to demonstrate that the proposed use will comply with all special conditions as well as other regulations and requirements of this Ordinance. The applicant shall furnish the Commission any additional information it may consider relevant to investigation of the case.

D. COMMISSION ACTION AND FINDINGS

1. It is the express intent of this Ordinance that any use for which a Conditional Use Permit is required shall be permitted as a Principal Use in the particular zoning district, provided that all special conditions and requirements of this Ordinance are met. Therefore, the action of the Commission shall be one of approval or denial based upon its judgment as to whether the specified conditions have been or will be met. The Commission shall consider not only the nature of the use and the special conditions influencing its location in the particular district, but also the proposed location of buildings, parking and other facilities within the site, the amount of traffic likely to be generated and how it will be accommodated, and the influence that such factors are likely to exert on adjoining properties. The Commission may make such suggestions as it considers desirable and shall provide all possible guidance to the applicant in his preparation of application, plans, and data in such manner as to satisfy the intent of this Section.
2. The Commission shall consider the application at their next regular meeting if the application was filed -at least fifteen (15) days prior to such meeting. Otherwise it shall be carried over until the next regularly scheduled meeting. The Commission may reach a decision, continue the matter to a specified date (but not later than the next regularly scheduled meeting), or may set the matter for public hearing. Prior to holding a public hearing, a Neighborhood Meeting may be required in accordance with Section 306 of this Zoning Ordinance. If the Commission does set the matter for public hearing, notice thereof shall be given to the public by publication of a notice in the official newspaper of the Town and by posting the property included in the application not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered and a general description of the area affected.
3. In order to grant any use permit, the findings of the Commission must be that the establishment, maintenance, or operation of the use or building applied for will not be detrimental to the public health, safety, peace, convenience, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the Town.
4. The Commission may designate such conditions in connection with the use permit as it deems necessary to secure the intent and purposes of this ordinance and may require guarantees and evidence that such conditions are being or will be complied with.
5. If the Commission finds that the application and supporting data do not indicate that all applicable conditions and requirements of this Ordinance will be met, it shall deny the permit. Notice of denial, including reasons therefore, shall be mailed to the applicant at the address shown in the application, and the Commission shall report its actions to the Council at its next regular meeting.
6. If the Commission approves the application it shall direct the Zoning Administrator to draft a Conditional Use Permit setting forth all conditions and requirements governing such use, shall make the approved site plan a part of the record of the case, and shall submit the permit to the Town Council for action at Council's next regular meeting.
7. Failure of the applicant to comply with the conditions and safeguards which are a part of the terms under which a Conditional Use Permit is granted shall be deemed a violation of this Ordinance and punishable under Section 109.

E. COUNCIL ACTION ~~AND APPEALS~~

1. Upon receipt from the Zoning Administrator of a Planning and Zoning Commission recommended action on a Conditional Use Permit application, the Town Clerk shall place the permit on the regular Council meeting agenda first following the 15th day after approval of the permit by the Planning Commission.
- ~~2. Any person may file an appeal with the Jerome Town Council over any decision of the Planning and Zoning Commission regarding the granting, or denying, of use permits. Such appeal must be filed with the Council within fifteen (15) days after Commission action.~~
- ~~3. When written appeal is filed with the Town Clerk, the Council shall evaluate the appeal at their regular meeting where the use permit is agendized for Council's action. Where an appeal has been filed, the Council may elect to set the matter for a public hearing, and if such action is taken, a legal notice shall be published at least once in the official newspaper of the Town and the property included in the application shall be posted at least fifteen (15) days prior to the hearing date. Notice shall be given to the Planning Commission of such appeal and the Commission shall submit a report to the Council setting forth the reasons for its action taken. The Commission shall be represented at the hearings by the Commission Chairman or his designee.~~
- ~~4.~~2. The Council shall within fifteen (15) days after their regular meeting or public hearing, act on the recommendation of the Planning and Zoning Commission by either affirming, reversing or modifying the action of the Planning and Zoning Commission. The Town Council may make a decision based on its own findings.
- ~~5.~~3. The Council may designate such conditions in connection with the permit as it deems necessary to secure the intent and purpose of this Ordinance and may require such guarantees and ~~evidences~~evidence that such conditions are being, or will be, complied with.
- ~~6.~~4. The Council's decision shall be final and shall become effective immediately. Notice of the decision shall be mailed to the applicant at the address shown in the application.

F. TIME LIMITS

1. Use permits become effective immediately upon action by the Town Council.
2. Any use permit issued by the Town Council shall be commenced within six (6) months from the date of Council ratification, and diligently pursued, otherwise it shall become null and void.
3. No person shall reapply for the same or substantially the same use permit on the same or substantially the same plot, lot, or parcel of land within a period of one (1) year from the date of denial or revocation of said use permit.
4. An extension of approval may be granted if the applicant files for the extension prior to the approval becoming void and the extension is granted by the town council. The Town Council may grant up to two additional extensions provided the approval is in compliance with all ordinances and requirements in effect at the time of the extension request. Application for an extension shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the office of the Town Clerk.

G. REVOCATION

Use permits granted in accordance with the provisions of this ordinance may be revoked if any of the conditions of terms of the permit are violated or if any law or ordinance is violated in connection therewith.

The Zoning Administrator shall notify the permittee, by regular ~~First-Class~~First-Class mail, of a violation or termination of a use permit. If no attempt to change the violation is made within ~~ten~~fifteen (~~15~~10) days after notification, the permit shall be revoked and considered null and void.

Any use permit shall be considered null and void if construction does not conform to the originally approved site plan. Any deviations requested from the originally approved site plan shall be processed as a new use permit.

H. FEE

The application for a conditional use permit shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the office of the Town Clerk. No part of the filing fee shall be returnable. Payment of the filing fee shall be waived when the petitioner is the Town, County, State or Federal Government.

[Ord. No. 406; Ord. No. 407]

SECTION 303.1. ~~PRELIMINARY~~ SITE PLAN REVIEW

A. PURPOSE

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.

[Ord. No. 293]

B. PROJECTS REQUIRING REVIEW BY THE PLANNING AND ZONING COMMISSION

1. ~~Projects requiring Preliminary Site Plan Review shall include but not be limited to:-~~
Additions and alterations to residential, commercial, or industrial structures
2. Decks and patios that include walls or a roof
3. Decks and patios over 12 inches above the surrounding ground surface
4. Grading, excavation, clearing and grubbing in accordance with Section 303.3
5. ~~Lot splits and~~ lot line adjustments
6. Modifications to non-conforming structures
7. ~~New~~ residential, commercial, or industrial structures ~~construction,~~
~~alterations,~~
8. Sheds and accessory structures ~~buildings,~~
9. ~~grading and excavation and clearing and grubbing~~
10. Projects not specifically listed as exempt or requiring Zoning Administrator review

C. PROJECTS REQUIRING REVIEW BY THE ZONING ADMINISTRATOR

1. Concrete work, pavers, and other flatwork, ~~—~~provided the finished surface is no higher than 12 inches above the surrounding ground surface and the existing drainage patterns are maintained.
2. Ground-level decks and patios, provided the finished surface is no higher than 12 inches above the surrounding ground surface; the deck or patio does not include walls or a roof; and the existing drainage patterns are maintained.
3. Replacement of exterior stairs with metal or other fire-resistant materials, provided there is less than a 10 percent change in the original footprint. Approval by the Fire Inspector is also required.

D. PROJECTS EXEMPT FROM SITE PLAN REVIEW

1. Repair, replacement, and maintenance of existing structures, provided that the same materials are used.
- ~~1.~~2. Landscaping (not including accessory structures such as gazebos, pergolas, shade structures, and sheds). [Ord. No. 293; Ord. No. 446]

~~C.E.~~ PROCEDURE

Applications for A preliminary-site plan review shall be submitted to the Zoning Administrator for review by the Building Inspector, Fire Inspector, Zoning Administrator, and Planning and Zoning Commission. The site shall be posted according to a procedure outlined by the Zoning Administrator. Such posting will include, but not be limited to, proposed improvements and usage of said property and will commence ~~two (2) weeks~~ fifteen (15) days prior to ~~preliminary~~ site plan review and remain until after final approval. If the site plan can be reviewed and approved by the Zoning Administrator, then site posting is not required. ~~The request for approval shall be accompanied by eight (8) identical copies of the plan. Each copy shall be on one (1) or more sheets of paper measuring not more than twenty four by thirty six inches (24" x 36"), drawn to a scale not smaller than forty (40) feet to the inch which show the following:~~ Plans submitted shall include the following:

1. A ~~North-directional north~~ arrow; scale used; lot dimensions referenced to a legal description; and street dedications, easements, and utilities, both public and private. In cases where the location of a property perimeter is unclear, the Building Inspector may require a boundary survey with corners identified on the ground.
2. A vicinity sketch showing the location of the site in relation to the surrounding street system. Adjacent properties and their uses shall be identified.
3. Location, perimeter size, and use of all existing and proposed buildings and structures; as well as number of stories of all proposed buildings and structures.
4. Size and dimensions of required yards and lot coverage for the zoning district and the space between buildings.
5. Location and height of all existing and proposed walls and fences.
6. Location, number of spaces, dimensions, circulation patterns, and surface materials for all off-street parking and loading areas proposed. All parking shall comply with Section 510 of the Jerome Zoning Ordinance.
7. Existing drainage. Show how proposed drainage will be directed indicating both adequate disposal and protection of neighboring properties.
8. Natural features; such as rock outcroppings, trees over twelve (12) inches in diameter, washes, and man-made features such as existing roads and structures, walkways, and stairways, with indication as to which are to be retained, ~~and which~~ removed, or altered.
9. Existing and proposed grades, by spot grades or topographic representation. The Building Inspector may require a topographic survey and additional engineering.
 - a. Slopes exceeding thirty-five (35) percent shall require a topographic survey by a licensed engineer or surveyor. In addition, the applicant shall provide a satisfactory assessment by a licensed engineer regarding soil/geological stability, bearing qualities and drainage. If indicated by this assessment a structural engineer shall design all foundations and retaining structures.
 - b. Exceptions. The additional studies required in number 9(a) may be waived, if the dollar amount of the project does not require a licensed contractor according to A.R.S. 32-1121.
10. All proposed excavation and grading shall conform to Section 303.3 of this ordinance.
 - ~~a.—Shall conform to Section 303.3 of this ordinance.~~
 - ~~b.—Where the combined proposed cut and fill exceeds fifty (50) cubic yards, the applicant must obtain a separate grading permit from the Building Inspector. An~~

~~assessment by a civil, structural or soils engineer may be required to show site stability and lack of negative impact.~~

~~e.—Six (6) months from the date of approval of a grading permit approval becomes void if the grading permit has not been issued.~~

~~d.—Exploratory excavation of ten (10) cubic yards or less can proceed with the approval of the Zoning Administrator and Building Inspector. The applicant shall submit plans for approval by the Planning and Zoning Commission for all excavation in excess of ten (10) cubic yards.~~

11. Any other information ~~which~~ that the Zoning Administrator may find necessary to establish compliance with this and any other ordinances.

12. Application for sign permits shall be filed in accordance with the provisions of Section 509.

[Ord. No. 293]

~~D.F.~~ FEE

The application for Plan Approval shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the offices of the Town Clerk. No part of the filing fee shall be returnable. Payment of the filing fee shall be waived when the petitioner is the Town, County, State or Federal government.

[Ord. No. 293]

~~E.G.~~ REVIEW PROCEDURES

Site plan review may be accomplished by either the Zoning Administrator or the Planning and Zoning Commission in accordance with the provisions of this section. Once submitted, ~~t~~The Zoning Administrator shall have ~~ten (10) working~~ fifteen (15) days from the date of submission of a ~~preliminary~~ site plan application to review said plan for completeness. If Planning and Zoning Commission review is required, a ~~A~~ completed ~~preliminary~~ site plan shall be submitted for review by the commission ~~to the Planning and Zoning Commission~~ at the next available meeting if received by the submission deadline. ~~earliest meeting time available.~~ The Zoning Administrator may request Design ~~design Review~~ review recommendation on the Preliminary Site ~~site Plan~~ plan. The Zoning Administrator or 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.~~

[Ord. No. 293]

SECTION 303.2. FINAL SITE PLAN REVIEW

A. FINAL PLAN PROCEDURES

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

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

B. REVIEW

1. The ~~Final~~ final Plan-plan shall be checked for completeness by the Zoning Administrator within fifteen (15) days. A completed final plan shall be presented to the Planning and Zoning Commission and the Design Review Board, when necessary, at the earliest possible meetings.

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

The Design Review Board approval of the ~~Design~~ design elements of the ~~Final~~ final Plan-plan is outlined in Section 304.

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

SECTION 303.3. GRADING AND EXCAVATION REQUIREMENTS

All excavation and grading shall be performed in accordance with these provisions.

This section shall not affect existing legal uses of property or the right to continuation of such legal use. However, if a nonconforming use of a structure or land is discontinued for six (6) months, any further use shall comply with these requirements.

~~Projects with grading or excavation of greater than fifty (50) cubic yards of material shall comply with these requirements.~~

Where the combined proposed cut and fill exceeds ten (10) cubic yards, the applicant must obtain a separate grading permit from the Building Inspector. An assessment by a civil, structural, or soils engineer may be required to show site stability and lack of negative impact.

Six (6) months from the date of approval of a grading permit, the approval becomes void if the grading permit has not been issued.

Exploratory excavation of ten (10) cubic yards or less can proceed with the approval of the Zoning Administrator and Building Inspector. The applicant shall submit plans for approval by the Planning and Zoning Commission for all excavation in excess of ten (10) cubic yards.

A. APPROVAL PROCEDURE

1. Any person wishing to do any grading, filling, excavation, cutting or other site earthwork shall submit plans, drawings and supporting data including the quantity of cut and the quantity of fill and any other information required by the Zoning Administrator and/or Building Inspector. The Planning and Zoning Commission will look for compliance with these requirements in making its decision.
2. Grading shall be done in conjunction with a site plan filed with the Zoning Administrator. Such plan will be presented to the Planning and Zoning Commission at its next regularly scheduled meeting. Grading, excavation and fill shall not:
 - a. adversely affect the lateral support of adjacent property or structures;
 - b. increase the stresses in or pressures upon any adjacent or contiguous property;
 - c. physically infringe on adjacent property;
 - d. include detrimental excavation or stockpiling;
 - e. be in a public right-of-way; ~~and/or~~
 - f. have a negative impact on existing drainage.
3. The effect of the proposal on scenic views will be considered for potential impact.
4. Where the slope exceeds thirty-five (35), percent engineering reports shall be required under the Site Plan requirements of the Jerome Zoning Ordinance.

B. POST-APPROVAL PROCEDURE

If approved by the Planning and Zoning Commission, the activity will be carried out as stipulated in these requirements. The activities described below shall be performed by licensed contractors where required by law.

1. All grading and excavation shall be performed with safety precautions and any anti-erosion or drainage devices required by the Building Inspector.

2. Construction equipment parking and storage needs shall be ~~identified~~identified, and provisions made not to interrupt, ~~more than absolutely necessary~~, normal traffic flow. more than absolutely necessary.
3. Dust control measures shall be taken, and loads covered to prevent spilling and blowing.
4. Fencing of hazardous sites shall be required.
5. Safety fencing to protect neighboring property may be required.
6. The Building Inspector may require adequate inspection and compaction control by an approved soils testing agency. This may include certification concerning the inspection of cleared areas and benches to receive fill and the compaction of fills.
7. Cuts shall be accomplished to blend scale, form, and visual character into the natural ~~land forms~~landforms and minimize exposed scars.
8. Cuts shall be adequately fenced.
9. Driveway slope shall not exceed fifteen (15) percent, where possible, within topographic constraints. In every case, driveways shall blend in with the surrounding natural colors, and shall have adequate measures taken for runoff and drainage.
10. Fills shall be accomplished to blend scale, form, and visual character into the natural ~~land forms~~landforms and minimize exposed scars.
11. The Building Inspector may require further supporting data to ensure stability.

C. RESPONSIBILITIES OF THE APPLICANT

1. The applicant his agent contractor or employee shall carry out the proposed work in accordance with the approved plans and specifications and in compliance with all Jerome Zoning Ordinance requirements.
2. During grading operations, the applicant shall be responsible for the prevention of damage to any street or drainage facilities or to any public utilities or services.
3. The applicant is responsible for the prevention of damage to adjacent property, and no person shall excavate on land sufficiently close to the property line to endanger any adjoining public street sidewalk alley or other public or private property prior to supporting and protecting such property from settling, cracking or other damage that might result.
4. No modification of the approved grading, excavating or fill plans may be made without the approval of the Planning and Zoning Commission.
5. Neither the issuance of a permit or approval under these requirements, nor the compliance with the provisions hereof, or with any conditions imposed in the permit issued hereunder, shall relieve any person from responsibility for damage to other persons or property, nor impose any liability upon the Town of Jerome for damage to other persons or property.
6. An as-built plan including original ground surface elevations, as-built surface elevations, site drainage patterns and location and elevations of all surface and sub-surface drainage facilities shall be submitted upon completion of work. If required by the Building Inspector, a civil engineer's certification shall be provided for the final plan.

SECTION 303.4. APPEALS AND EXPIRATION OF APPROVALS

D.A. APPEALS

1. Any applicant, person residing within 300 feet of the project, or person ~~or persons-~~ ~~directly adversely~~ affected may appeal a decision of the Planning and Zoning Commission to the Town Council by filing a written notice of appeal with the Town Clerk not later than thirty-five (3015) days from date of the ~~Commission's-~~ commission's decision. If the appellant is not the applicant and resides beyond 300 feet of the project, the appellant shall clearly demonstrate how they might be adversely affected by the proposed project.
2. When a written appeal is filed with the Town Clerk, the Council shall evaluate the appeal at their next available regular or special meeting. Where an appeal has been filed, the Council may elect to set the matter for a public hearing. If such action is taken, a legal notice shall be published at least once in the official newspaper of the Town; the site shall be posted at least fifteen (15) days prior to the hearing date; and notice shall be mailed to property owners within 300 feet of the site. Notice shall also be given to the Planning and Zoning Commission and the appellant. The Zoning Administrator shall submit a report to the Council with all relevant information and set forth the reasons for action taken by the Planning and Zoning Commission.
- ~~1.3. Any applicant or person or persons directly affected, An appeal may be filed by persons aggrieved or by any officer, department, board, or bureau of the municipality affected by a decision of the Zoning Administrator. Appeals will be forwarded to the Board of Adjustment may appeal a decision of the Zoning Administrator to the Board of Adjustment by filing a written notice of appeal with the Zoning Administrator; not later than thirty-five (3015) days from the date of the Zoning Administrator's decision.~~

E.B. BUILDING PERMIT ISSUANCE EXPIRATION OF APPROVAL

1. Six (6) months from the date of approval, a plan approval becomes void if a building permit has not been issued and/or work has not commenced.
- ~~1.2. A building permit shall not be issued by the Building Inspector until the fifteen (15)-day appeal period has expired.~~
3. An extension of approval may be granted if the applicant files for an extension prior to the approval becoming void and the extension is granted by the approving ~~board body~~. The approving board may grant a second extension provided the approval is in compliance with all ordinances and requirements in effect at the time of the extension request. Any additional extension requests require review by the Town Council. Application for an extension shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the office of the Town Clerk.

F.C. VIOLATION AND ENFORCEMENT

1. Prior to the issuance of a ~~Building building Permit permit Permit~~, the Building Inspector shall ascertain that the Planning and Zoning Commission has approved ~~Preliminary and Final~~ plans ~~which that~~ are in conformance to those presented with the Building Permit application and that the time limitations imposed by this ~~Ordinance ordinance~~ have not elapsed.
2. The Zoning Administrator shall ensure that all matters are undertaken according to the conditions of the approved plan. If, during the course of work, changes in the approved plan are necessitated by conditions found at the site, an appropriately

licensed engineer's approval may be required for the modified plans. In the event of a violation, the Zoning Administrator shall notify the permittee, by mail, that he is in violation of the conditions of the approved plan. If there are no plans, approved by the Zoning Administrator, to eliminate the violation within ~~ten (10)~~ fifteen (15) days after notification, the building permit shall be revoked and considered null and void.

3. If, thirty (30) days after written notification by the Zoning Administrator, the applicant ~~a Citizen~~ is still in violation of this ~~Ordinance~~ ordinance, the Zoning Administrator shall take appropriate legal action to abate the violation.

[Ord. No. 293]

SECTION 304. DESIGN REVIEW

A. PURPOSE

The purpose of Design Review is to enable the Design Review Board to review the exterior design of proposed new buildings and structures, proposed alterations of buildings and structures, ~~landscaping plans~~, proposed signs, and proposed demolition of structures, within the Historic Overlay District, in order to ensure that new development is compatible with the surrounding environment, and to preserve and protect the historical character of the Town of Jerome. Design Review is intended to promote and preserve Jerome's economic and environmental well-being which depends exclusively upon its distinctive character, natural attractiveness, and overall architectural quality which contribute substantially to its viability as a recreational and tourist center and which contributed to its designation as a National Historic Landmark. Design Review is intended to enrich the lives of all the citizens of Jerome by promoting harmonious, attractive, and compatible development, and is therefore considered to be in furtherance of the general welfare. The provisions of this Section shall apply to all new construction, exterior alterations, demolitions, and signs, in the Historic Overlay District.

B. PROJECTS REQUIRING REVIEW BY THE DESIGN REVIEW BOARD

1. Awnings and permanent signs
2. Additions and exterior modifications
3. Decks and patios over 12" above the surrounding ground surface
4. Demolitions of existing structures
5. Fences and walls
6. New structures
7. Murals
8. Paint, stain, and similar coatings
9. Sheds and accessory structures
10. Projects not specifically listed as exempt or requiring Zoning Administrator review

C. PROJECTS REQUIRING REVIEW BY THE ZONING ADMINISTRATOR

1. Changes in roof material or color, provided the new roof has limited reflectivity.
2. Concrete work, pavers, and other flatwork, provided the finished surface is no higher than 12 inches above the surrounding ground surface
3. Ground level decks and patios, —provided the finished surface is no higher than 12 inches above the surrounding ground surface and the deck does not include walls or a roof
4. Replacement of exterior stairs with metal or other fire-resistant materials, provided there is less than a 10 percent change in the original footprint and the change is approved by the Fire Inspector
- ~~4~~5. Window and door replacement, provided the new window or door replicates the same size and style of the window or door being removed

D. PROJECTS EXEMPT FROM DESIGN REVIEW

Landscaping (not including accessory structures such as gazebos, pergolas, shade structures,

and sheds) provided any grading and excavation is in compliance with Section 303.3 and repair, replacement, and maintenance of existing structures, provided that the same materials are used

Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any building or structure; nor shall anything in this article be construed to prevent the construction, reconstruction, alteration, or demolition of any such elements that the authorized municipal officers shall certify as required by public safety.

B.E. PRELIMINARY REVIEW PROCEDURE

~~1.—Prior to the preparation of final design and working drawings and specifications or calling for bids from contractors, prospective property developers, owners or agents shall prepare preliminary scale drawings, photographs, specifications color samples, and material samples, and shall present these items to the Design Review Board for informal review and discussion. The purpose of this Review shall be to acquaint the developer, owner or agent with standards of design that are required of his proposed development.~~

1. Applications for design review shall be submitted to the Zoning Administrator for review by the Building Inspector, Fire Inspector, Zoning Administrator, and Design Review Board in accordance with the provisions of this section. Review may be accomplished by either the Zoning Administrator or the Design Review Board. Once submitted, the Zoning Administrator shall have fifteen (15) days from the date of submission of an application to review the application for completeness. If review is required by the Design Review Board, the application shall be submitted for review by the board at the next available meeting. If Site Plan Review is required according to Section 303, the application shall be submitted concurrently. The Design Review Board or Zoning Administrator shall approve, conditionally approve, or deny the application. Once denied, the original plan shall not be resubmitted.

2. When, in the opinion of the Design Review Board, upon hearing and considering all relevant information, a project is not in keeping with either the tenets of this ordinance or the Jerome General Plan, the project shall be denied by specific motion of the Design Review Board.

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

C. FINAL REVIEW

~~When required by the Design Review Board to submit an Application for Final Approval, the applicant shall do so in accordance with the requirements of Subsection D of this Section.~~

D.F. APPLICATION FOR FINAL APPROVAL AND PERMIT

~~1.—An A prescribed application form for Design Review approval shall be filed with the Zoning Administrator on a form prescribed by the Administrator, which details the information that must be provided by the applicant along with the plans and other documents that must be submitted. All applications, at a minimum, must be accompanied by the following:~~

~~a.—the name and address of the property owner;~~

~~b.—the signature of the property owner or an authorized agent;~~

~~c.1. eight (8) copies of the plot plan or site layout, drawn to scale, including all~~

- improvements affecting the appearances such as walls, walks, terraces, landscaping, accessory buildings, lights and other elements;
- d. ~~one (1) set of legible photographs showing all sides of existing structures on the site; one (1) set of legible photographs showing the adjoining properties, buildings and structures;~~
 - e. ~~eight (8) copies of exterior elevations, drawn to scale, on one (1) or more sheets of paper measuring not more than twenty four by thirty six inches (24" x 36"), with sufficient detail to show, as far as they relate to exterior appearances, the design, proposed materials, textures and colors, and~~
 - f. ~~any other information which the Design Review Board may find necessary to establish compliance with this Section.~~
2. ~~An~~ prescribed application form for *Approval of the Demolition, Partial Demolition or Removal of an Existing Building or Structure* shall be filed with the Zoning Administrator ~~on a form prescribed by the Administrator~~ which details the information that must be provided by the applicant along with the number of plans and other documents that must be submitted. ~~The application shall be accompanied by the following:~~
- a. ~~Legible photographs showing all sides of the building or structure for which the application is made. (1 copy)~~
 - b. ~~Legible photographs showing the adjoining properties. (1 copy)~~
 - c. ~~Any other information the Design Review Board may find necessary to establish compliance with this Section.~~
3. ~~An application for Design Review Board approval of a proposed new Sign shall be filed with the Zoning Administrator on a form prescribed by the Zoning Administrator. The application shall be accompanied by: eight (8) identical copies of the sign plans. Each copy shall be on one (1) or more sheets of paper measuring not more than twenty four 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 resubmit 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.~~
4. ~~Upon receipt of a complete application for Final Approval, the Zoning Administrator shall forward it to the chairman of the Design Review Board. The application shall be reviewed by the Design Review Board within the time limits established in Subsection F of this Section. The Zoning Administrator shall notify the applicant of the time and place of the meeting.~~

E.G. FEE

The application for Design Review shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the offices of the Town Clerk. No part of the filing fee shall be returnable. Payment of the filing fee shall be waived when the petitioner is the ~~Town~~town, ~~County~~county, ~~County~~, ~~State~~state or ~~Federal~~federal ~~Government~~government ~~Government~~.

F.H. REVIEW PROCEDURES AND CRITERIA FOR NEW CONSTRUCTION

1. The Design Review Board and Zoning Administrator shall use the criteria below to review proposed applications for new construction. ~~shall review a submitted application for design approval for all new construction and/or installation of Accessory Features. In doing so, both the Design Review Board~~ The Zoning Administrator, Design Review Board, and the applicant shall use photographs, lithographs, and ~~the like of other depictions of~~ Jerome, to support their findings. If photographs, etc., are unavailable, then the determination or finding shall be based on the works of a recognized historic preservation authority; such as, but not limited to, text-books or an architect/historian. Each of the following criteria must be satisfied before an application can be approved:-
 - a. PROPORTION – The relationship of the width of building or structure to its height shall be visually compatible to buildings, structures, and places to which it is visually related.
 - b. OPENINGS – The relationship of the width of the windows and doors, to the height of windows and doors in a building shall be visually compatible with buildings, structures, and places to which the building is visually related.
 - c. PATTERN – The relationship of solids to voids in the facade of a building or structure shall be visually compatible with buildings, structures, and places to which it is visually related.
 - d. SPACING – The relationship of buildings or structure to the open space between it and adjoining buildings shall be visually compatible to the buildings, structures, and places to which it is visually related.
 - e. ENTRANCES, PORCHES, DECKS, AND PROJECTIONS – The height, projection, supports, and relationship to streets and sidewalks, of entrances, porches, decks, awnings, canopies, and balconies of a building shall be visually compatible to the buildings, structures, and places to which it is visually related
 - f. MATERIALS, TEXTURE AND COLOR – The materials, texture, and color of the facade of a building or structure; shall be visually compatible with the predominant materials, textures, and color used in the building and structures to which it is visually related.
 - g. ROOFS – The roof shape of a building shall be visually compatible with the buildings to which it is visually related.
 - h. ARCHITECTURAL DETAILS – Doors, windows, eaves, cornices, and other architectural details of a building or structure shall be visually compatible with buildings and structures to which it is visually related.
 - i. ACCESSORY BUILDINGS - Garages, carports, and sheds shall be visually compatible with buildings, structures, and places to which they are visually related.
 - j. ACCESSORY FEATURES – Fences, walkways, decks, stairways, lighting, antennae, ~~antenna~~ and other manmade structures shall be visually compatible with buildings, structures, and places to which they are visually related.
 - k. LANDSCAPING – Landscaping shall be visually compatible with the landscaping

around the buildings, structures, and places to which it is visually related.

- l. SCREENING – The proposed addition, alteration, or other changes shall be screened with appropriate materials and in an appropriate design so as to be visually compatible with related properties, when, in the opinion of the Design Review Board, all other means of assuring visual compatibility are not reasonably possible.
 - m. SOLAR INSTALLATIONS – Refer to “Solar Energy System Design Guidelines” approved by the Town Council in June 2015, utilizing best practices for installing solar on historical buildings as recommended by the Department of the Interior. These ~~Guidelines~~ guidelines are available at Jerome Town Hall, the Jerome Library, and on the Town of Jerome website.
 2. The Design Review Board and Zoning Administrator 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~~ their 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 made of wood are preferred.
 - b. LETTERING – Lettering and symbols on signs should be routed, applied, or painted on the surface of the signing material.
 - c. COLORS – Colors of a sign shall be visually compatible to the colors of buildings, structures, and signs to which the sign is visually related.
 - d. EXCEPTIONS – The Design Review Board may waive the requirements of this Section and Section 507 in order to allow the preservation or restoration of signs or commercial graphics which are determined to be of historical significance or of particular interest.
- ~~5. The Design Review Board shall have thirty (30) days from the date of submission of a complete application to review the request and approve, conditionally approve, or reject, said request, and notify the applicant of his decision in writing. If, however, the Design Review Board wishes to hold a public hearing on the request, the Board shall fix a reasonable time for such hearing, but not more than forty five (45) days from the date of submission of a complete application. Prior to holding a public hearing, a Neighborhood Meeting may be required in accordance with Section 306 of this Zoning Ordinance. The Design Review Board shall give notice of the hearing at which the application will be considered by publication of notice in the official newspaper of the Town and by posting the property affected not less than, fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered. In such case, the Design Review Board shall render its decision within fifteen (15) days after the public hearing.~~
- ~~6. If the decision is to deny the request for Design Approval, the applicant shall be so notified in writing, and the decision shall set forth in detail the reasons for denial.~~
- ~~7. If the decision is to approve or conditionally approve the request for Design Approval, all copies of the approved plan, with any conditions shown thereon or attached thereto, shall be dated and signed by the chairman of the Design Review Board. One (1) copy of said approved plan and conditions shall be mailed to the applicant, one (1) copy shall be filed with the Building Inspector, and one (1) with the Zoning Administrator.~~

[Ord. No. 374; Ord. No. 406; Ord. No. 451]

G.I. APPEALS AND EXPIRATION OF APPROVALS

~~When, in the opinion of the Design Review Board, upon hearing and considering all relevant information, a project is not in keeping with either the tenets of this Ordinance or the Jerome Comprehensive Plan, the project shall be denied by specific motion of the Board. Any applicant who is aggrieved by such a decision may petition the Mayor or Council for a review within thirty (30) days of the decision. Questions of esthetics or design standards are not appealable to the Mayor and Council, but may be presented to a Court of Record within thirty (30) days of the decision. Additionally, if in the opinion of the Zoning Administrator a decision is not in conformance with the Zoning Code or Comprehensive plan, the Zoning Administrator may request a review by the Mayor and Council within thirty (30) days. By specific motion during an official meeting, the Mayor and Council may refuse to consider a request for review brought by the Zoning Administrator. Finally, the Mayor and Council shall maintain the right to review any and all decisions of the Design Review Board.~~

1. Any applicant, person residing within 300 feet of the project, or person adversely affected, may appeal a decision of the Design Review Board to the Town Council by filing a written notice of appeal with the Town Clerk not later than fifteen (15) days from the date of the

board's decision. If the appellant is not the applicant and resides beyond 300 feet of the project, the appellant shall clearly demonstrate how they might be adversely affected by the proposed project.

2. When a written appeal is filed with the Town Clerk, the Council shall evaluate the appeal at their next available regular or special meeting. Where an appeal has been filed, the Council may elect to set the matter for a public hearing. If such action is taken, a legal notice shall be published at least once in the official newspaper of the Town, the site shall be posted at least fifteen (15) days prior to the hearing date, and notice shall be mailed to property owners within 300 feet of the site. Notice shall also be given to the Design Review Board and the appellant. The Zoning Administrator shall submit a report to the Council with all relevant information and set forth the reasons for action taken by the Design Review Board.
3. An appeal may be filed by persons aggrieved or by any officer, department, board, or bureau of the municipality affected by a decision of the Zoning Administrator. Appeals will be forwarded to the Board of Adjustment by filing a written notice of appeal with the Zoning Administrator, no later than fifteen (15) days from the date of the Zoning Administrator's decision.
4. Six (6) months from the date of approval, a plan approval becomes void if a building permit has not been issued and/or work has not commenced.
5. A building permit may not be issued by the Building Inspector until the fifteen (15)-day appeal period has expired.
6. An extension of approval may be granted if the applicant files for an extension prior to the approval becoming void and the extension is granted by the approving board. The approving board may grant a second extension provided the approval is in compliance with all ordinances and requirements in effect at the time of the extension request. Any additional extension requests require review by the Town Council. Application for an extension shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the office of the Town Clerk.

H. EXPIRATION OF DESIGN REVIEW APPROVAL

- ~~1.—Six (6) months from the date of approval, a Design Approval becomes void if a building permit has not been issued.~~
- ~~2.—An extension of approval may be granted if the applicant files for an extension prior to the approval becoming void and the extension is granted by the Design Review Board.~~
- ~~3.—The Zoning Administrator shall notify the permittee by mail of an expiration of Design Approval.~~

I.J. VIOLATIONS AND ENFORCEMENT

1. Prior to the issuance of a building permit, the Building Inspector shall ascertain that the Design Review Board has approved plans ~~which are~~ in conformance to those presented with the ~~Building~~ building Permit application, and that the time limitations imposed by this ordinance have not elapsed.
2. The Zoning Administrator shall ~~ensure~~ that all matters are undertaken according to the conditions of the ~~Design-design Approvalapproval.Approval.~~ In the event of a violation, the Zoning Administrator shall notify the permittee, by mail, that he is in violation of the conditions of the ~~Design-design Approvalapproval.Approval.~~ If no attempt to change the circumstances of the violation is made within ~~ten-fifteen (1510)~~ days after notification, the building permit shall be revoked and considered null and void.
3. Violations, Enforcements and Fines. If, ~~thirty-fifteen (1530)~~ days after written

notification by the Zoning Administrator, a citizen is still in violation of this ordinance, the Zoning Administrator shall take appropriate legal action to abate the violation.

~~J. EXCLUSIONS~~

~~Nothing in this Section shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any building or structure; nor shall anything in this article be construed to prevent the construction, reconstruction, alteration or demolition of any such elements which the authorized municipal officers shall certify as required by public safety.~~

SECTION 305. ADMINISTRATIVE APPEALS AND VARIANCES

A. APPEALS TO THE BOARD OF ADJUSTMENT

1. Appeals to the Board of Adjustment concerning interpretation or administration of this Ordinance may be taken by any person aggrieved or by any officer or department of the Town affected by any decision of the Zoning Administrator.
2. Applications for any matter to be considered by the Board shall be filed with the Zoning Administrator on forms furnished for the purpose within thirty (30) days after the action appealed from, and shall specify the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from is taken.
3. The appeal stays all proceedings in the matter appealed from, unless the Zoning Administrator, certifies to the board that, by reason of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, except by a restraining order granted by the Board, or by a court of record on application and notice to the Zoning Administrator.
4. The Board shall hear the appeal within thirty (30) days, and shall give notice of hearing by publication of a notice in the official newspaper of the Town and by posting the property affected not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered.
5. Any party may appear at the hearing in person or by agent or attorney. Parties in interest shall have the right to present their case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination of witnesses as may be required for a full and true disclosure of the facts.
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 insure 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.
9. No nonconforming use or violations of this Ordinance with respect to neighboring lands, structures, or buildings, in the sane zoning district, and no permitted use of lands, structures or buildings in other zoning districts, shall be considered grounds for granting a variance.
10. Every Variance granted shall be personal to the appellant therefore and shall be transferrable and shall run with the land only after completion of any authorized structure or structures.

11. Nothing herein contained shall be construed to empower the Board to change the terms of this Ordinance, to authorize uses which violate any other Town Ordinance, to effect changes in the Zoning Map, or to add to the uses permitted in any zoning district.

B. APPEALS FROM THE BOARD

The decision of the Board shall be final; provided, however, that any person aggrieved by a decision of the Board, or a taxpayer, or a municipal officer may, at any time within thirty (30) days after the filing of the decision in the office of the Board, petition the court for a writ of certiorari for review of the Board's decision. Allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the Board, and for good cause shown, grant a restraining order, and on final hearing may reverse or affirm, wholly or partly, or may modify the decision reviewed.

C. FEES

1. Upon filing an application for appeal, the appellant shall pay a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the offices of the Town Clerk. No part of the filing fee shall be returnable. Payment of filing fee shall be waived when the petitioner is the Town, County, State or Federal Government.
2. In the case of an appeal for a variance to more than one provision of this Ordinance, the filing fee shall equal the total amount chargeable for all provisions as prescribed by the fee schedule.

SECTION 502. GENERAL PROVISIONS

A. APPLICATION

Except as hereinafter provided, no building, structure, or premise shall be used and no building or structure or part thereof shall be constructed, altered, repaired, improved, moved, removed, erected, demolished, or materially altered except in conformity with the provisions of the zone in which it is located. Any use that is not specifically permitted is hereby declared to be a prohibited use, except as hereinafter provided.

B. USE RESTRICTIONS

1. **PRINCIPAL USES:** Only those uses and groups of uses specifically designated as “Permitted Principal Uses” in zoning district regulations shall be permitted as principal uses; all other uses shall be prohibited as principal uses, except as otherwise provided herein.
2. **CONDITIONAL USES:** Certain specified uses designated as “Conditional Uses” may be permitted as principal uses subject to special conditions of location, design construction, operation and maintenance hereinafter specified in this Ordinance or imposed by the Planning and Zoning Commission.
3. **ACCESSORY USES:** Use normally accessory and incidental to permitted principal or conditional uses shall be permitted as hereinafter specified.
4. **UNSPECIFIED USES:** Whenever a use is proposed which is not listed as a permitted or conditional use in any zone district, the Zoning Administrator shall complete a review of the proposed use to determine its basic characteristics and similarity to existing permitted uses and submit this report to the Planning and Zoning Commission. The Commission shall review the Administrator’s report and recommendation and determine in which zone district the proposed use should be placed and forward a recommendation to the Town Council. The Town Council, after reviewing the Administrator’s report, Commission’s Recommendation and other testimony, shall determine the similarity to the listed permitted uses and shall determine by minute order the proper zone district for the location of the proposed use. A copy of the minute order shall be added to the permitted use section of the appropriate zone district.

C. NONCONFORMING LOTS OF RECORD

1. 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 within the zone, except that such construction shall conform to any lot coverage and yard requirements of the zone.
2. Where two (2) or more vacant contiguous lots of record 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.

D. REDIVIDING OF RECORDED LOTS

No lot may be divided to create a lot not in conformance with these regulations. No lot shall be divided or combined in any manner other than through subdivision procedures as specified by the Subdivision Regulations.

E. STREET AND UTILITY REQUIREMENTS

1. All lots shall abut a public street or legally recorded easement.
2. A building permit shall not be issued for a lot which abuts an undedicated portion of a partly-dedicated public street.
3. A building permit shall not be issued for any lot for which public sewerage or water supply is not available, unless and until the proposed mode of water supply and sewage disposal has been reviewed and approved in writing by the Yavapai County Health Department.

F. SITE UNSUITABILITY

No land shall be used or structure erected where the land is held by the Commission to be unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, low percolation rate or bearing strength, erosion susceptibility, or any other features likely to be harmful to the health, safety and general welfare of the community. The commission, in applying the provisions of this section, shall state in writing the particular facts upon which its conditions are based. The applicant shall have the right to present evidence contesting such determination to the Council if he desires, whereupon the Council may affirm, modify or withdraw the determination of the unsuitability.

G. DUMPING OR DISPOSAL

1. The use of land for the dumping or disposal of scrap iron, junk, garbage, rubbish or other refuse, or of ashes, slag, or other industrial wastes or by-products, shall be prohibited in every district except as otherwise provided in this Ordinance.
2. The dumping of dirt, sand, rock or other material excavated from the earth shall be permitted in any district, provided that the surface of such material is graded, leaving the ground surface in a condition suitable for other use permitted in the district, provided that such fill does not so increase the elevation of the site as to prevent its development or use for other purposes and provided that such does not increase the susceptibility of the ground to erosion, landslide, flooding, or result in any other dangerous condition.
3. No person, firm or corporation shall strip, excavate or otherwise remove top soil for sale or for use other than on the premises from which the same shall be taken, except in connection with the construction or alteration of a building on such premises and excavation or grading incidental thereto.
4. No yard or other open space surrounding an existing building in any residential zone, or which is hereinafter provided around any building in any residential zone, shall be used for the storage of junk, debris, or abandoned or inoperable vehicles; except as specifically permitted herein, and as provided and regulated in any other applicable Town Ordinances.

H. YARD, LOT, AND AREA REQUIREMENTS

1. No building shall be erected; nor shall any existing building be altered, enlarged, moved, or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the yard, lot, area and building location regulations hereinafter designated for the zone in which such building or open space is located, except, as otherwise specifically provided.

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

[Ord. No. 374]

I. BUILDING HEIGHT REQUIREMENTS

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

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

[Ord. No. 374]

J. WALLS AND FENCES

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

K. EXTERIOR LIGHTING

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

L. REMOVAL OR DEMOLITION OF BUILDINGS OR STRUCTURES

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

M. HOME OCCUPATIONS

1. Home occupations shall be clearly incidental and subordinate to the use of the property and dwelling unit for dwelling purposes, and shall not change the character thereof.
2. There shall be no employees other than members of the immediate family residing on the premises.
3. No business shall be conducted which requires delivery vehicles or other services not customary to a residence.
4. Signs shall be subject to applicable provisions of Section 509.
5. All materials and equipment used and maintained in connection with a home occupation must be used and stored inside the dwelling and accessory buildings.
6. No public display of items for sale shall be permitted.

7. A home occupation shall not create any nuisance or hazard, or other offensive condition such as that resulting from noise, smoke, fumes, dust, odors or other noxious emissions. Electrical or mechanical equipment that causes fluctuation in line voltage, creates any interference in either audio or video reception or causes any perceivable vibration on adjacent properties is not permitted.
8. The use shall not generate more pedestrian or vehicular traffic than is typical to the zone in which it is located.

[Ord. No. 442]

N. ANIMALS AND PETS

Except as otherwise permitted in this Ordinance, the keeping of animals in connection with each dwelling shall not exceed a total of three (3) pets, such as dogs, cats, and similar household pets, exclusive of animals under the age of six (6) months, and exclusive of birds, fish and other pets which at all times are kept within a fully enclosed building or accessory building, and which do not create odor or sound which is detectable on an adjoining lot.

O. OFF-STREET PARKING REQUIREMENTS

1. Automobile off-street parking must be provided as required in Section 510.
2. Mobile homes, house trailers, commercial trailers, boat trailers, campers, or travel trailers shall not be stored, parked, or located in any zone other than as listed in the zone regulations, except that the storage of one boat trailer and not more than one uninhabited camper or uninhabited travel trailer shall be allowed for each residence. Such vehicles may not be stored in front yard of a residence.
3. A proposed development shall have adequate provisions for such items as convenience of access for public service vehicles such as garbage collection vehicles, movement of emergency vehicles, and convenience of access to parking sites and other site improvements by site resident or users.
4. Ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways shall be so designed as to promote safety and convenience.

SECTION 503. “AR” ZONE, AGRICULTURAL RESIDENTIAL

A. PURPOSE

This district is intended to promote and preserve low density residential development and noncommercial farming and agriculture. Land use is composed chiefly of individual homes, together with required recreational, religious, and educational facilities.

B. PERMITTED USES

1. One (1) single-family dwelling or one (1) modular home per lot. Mobile homes are prohibited.
2. Customary accessory uses and buildings, provided such uses are incidental to the principal use.
3. Temporary buildings ~~far~~[for](#) uses incidental to construction work, which buildings shall be removed upon completion of or abandonment of the construction work.
4. Publicly owned and operated parks and recreation areas and centers.
5. Home occupations.
6. Noncommercial farming and agriculture, not including the keeping of livestock.
7. Keeping of cattle and horses owned by members of the family occupying the premises, but not to exceed one (1) head per 20,300 square feet of lot area.

C. CONDITIONAL USES

1. Animals, fowl, and other typical farm livestock, except as otherwise prohibited herein.
2. Commercial stables
3. Churches or similar places of worship
4. Schools: Public or private elementary and high.
5. Colleges, universities, and professional schools having a regular curriculum.
6. Nursery Schools and Day Care Centers.
7. Privately owned and operated recreation areas and centers.
8. Public buildings other than hospitals.
9. Public utility buildings, structures, or appurtenances thereto for public service use.
10. Model Homes
11. Bed and Breakfast
12. **RESERVED** *pending approval or rejection by voters in August 2014 of Ordinance 405.*
13. Viniculture use, pursuant to Chapter 16, “Vineyards,” of the Jerome Town Code.

[Ord. No. 380]

D. ZONE RESTRICTIONS

1. Cattle, horses, sheep, goats, dogs, cats, birds, fowl, and any other living animals, and the pens, stalls, stables, yards, shelters, cages, areas, places, and premises where they are held or kept, shall be so maintained that flies, insects, or vermin, rodent harborage, odors, ponded water, the accumulation of manure, garbage, refuse or other noxious

SECTION 508. “I-1” ZONE, LIGHT INDUSTRIAL

A. PURPOSE

This district is intended to provide for commercial, industrial, and manufacturing activities, while insuring that these activities will in no manner affect in a detrimental way any of the surrounding districts.

B. PERMITTED USES

Any permitted use in the C-1 Zone.

C. CONDITIONAL USES

1. Any conditional use in the C-1 Zone.
2. Light industries such as, but no more objectionable or intensive in character than: jewelry, clothing, and furniture manufacturers.
3. Warehouses.
4. Wholesale establishments.
5. Automobile repair garages.
6. Accessory buildings, structures, and uses customarily incidental to a permitted use except as otherwise provided in this ordinance.
7. Any such other uses as determined by the Planning and Zoning Commission and approved by the ~~City-Town~~ Council to be similar to those uses listed above and not detrimental to ~~the public~~the public health, safety, and general welfare in accordance ~~with the~~with the provisions of this Ordinance.

D. ZONE RESTRICTIONS

Same as C-1 Zone.

E. PROPERTY DEVELOPMENT STANDARDS

Same as C-1 Zone.

F. PERFORMANCE STANDARDS

Any permitted or conditional use in the I-1 zone must conform to the following performance standards. In conjunction with the plan review process, the developer-applicant shall provide to both the Zoning Administrator and the Planning and Zoning Commission data which are sufficient to show that the proposed use and the manner of its conduct will meet these performance standards.

1. NOISE: At no point on the property line shall the sound pressure level of any individual operation exceed the decibel levels in the designated octave bands shown below. (Excluding operation of motor vehicles or other transportation facilities.)

Octave band cycles per second	Maximum sound pressure level in decibels .0002 dynes per CM ²
0 - 75	72
75 - 150	67



TOWN OF JEROME

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

Zoning Administrator Analysis Planning and Zoning Commission Wednesday, April 21, 2021

Item 6: Preliminary/final site plan review for a shed
Location: 128 First Street
Applicant/Owner: Don and Paula Nord
Zone: C-1
APN: 401-10-006
Prepared by: John Knight, Zoning Administrator
Resolution: P&Z Resolution 2021-5

Background and Summary: The applicants request preliminary and final site plan review to construct a 120-square-foot shed. As part of their request, they are asking for an interpretation of the location of the front and side yard. This is discussed below.

Section 303.1.A. Purpose: *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: The zoning administrator and Jerome Planning and Zoning Commission are required to review the proposed plans to provide for the public health, safety, and general welfare of the town of Jerome, and to protect the environment and the town's historical character. This includes a review of all proposed site work, grading, and potential impacts on surrounding properties.

Section 303.1.E. Review Procedures: *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: After reviewing the proposed plans and application materials, the Planning and Zoning Commission may approve, conditionally approve, or deny the plan. Note: this section also identifies that the Commission may concurrently approve both preliminary and final site plan reviews if the drawings and information are sufficiently clear. The applicants have requested both preliminary and final approval.

Section 502.H.7. Yard, Lot, and Area Requirements: *Accessory Buildings (detached) – Any detached accessory building or swimming pool in any zone shall not be located in the front yard, shall be at least five (5) feet from the main structure, shall be at least five (5) feet from the rear and*

interior side lot lines, and shall maintain side yard setbacks from the street side lot lines as required for the main structure in that zone.

Response: Section 502.H.7. clearly states that the minimum setback for an accessory building, such as a shed, is five (5) feet. This section also restricts the placement of an accessory structure in the front yard setback. Note that the plans do not appear to meet these setback requirements.

Section 502.H.7 and 507.E. Property Development Standards

Item	Code Standard	Proposed
Front yard	10 feet min.	Less than 10 feet*
Coverage	None	Not an issue
Side and rear setback	5 feet min.	Less than 5 feet
Height	14 feet max.	Less than 10 feet

* Note – the Commission needs to determine if the entire School Street frontage is a side yard or front yard. See discussion below.

Response: The applicants' proposal does not appear to meet the front, side, and/or rear setback requirements for an accessory structure. A condition has been added to the resolution that requires the front, side, and/or rear yard setbacks to meet the minimum setback requirement.

Yard Interpretation: The applicants have requested an interpretation that the yard facing School Street (on the west side) be considered a side yard rather than a front yard. If this is a side yard, it would have a five (5)-foot setback. If it is front (or street side) yard, the setback would be 10 feet. In the past, the Planning and Zoning Commission has assisted staff and applicants in making this interpretation on unusually shaped lots.

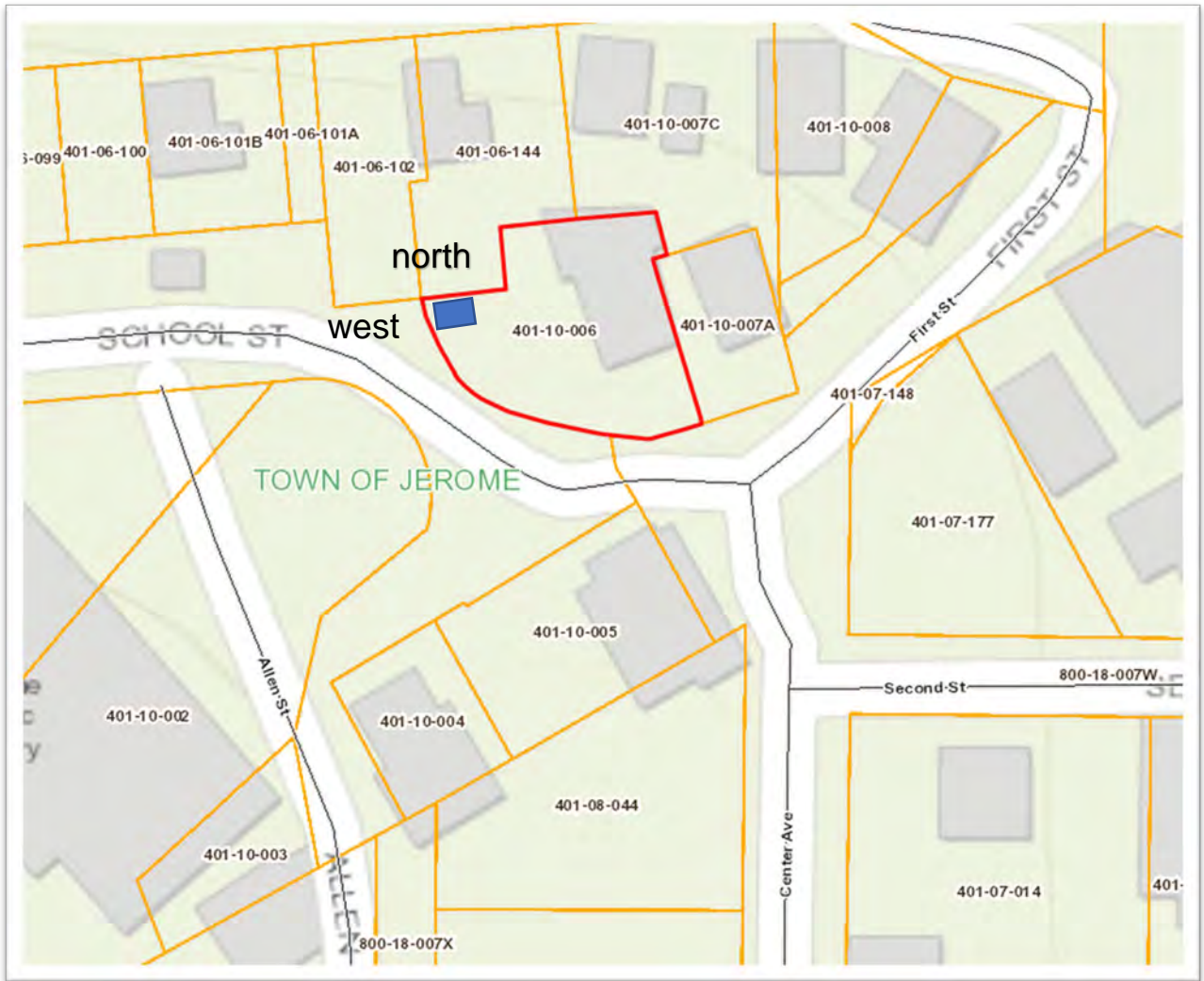
Option #1 – Side Yard: If the commission agrees with the applicant that the portion of the lot facing west is a side yard, then the shed could be approved with a five (5)-foot setback on this side. The applicant believes this is justified based on the unusual shape of the lot.

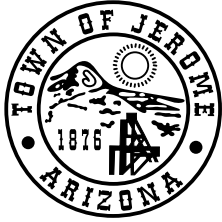
Option #2 – Front Yard: Section 507.E.5.a.2) states that “*where lots have double frontage on two (2) streets, the required front yard shall be provided on both streets.*” Although School Street may not perfectly fit the definition of “double frontage”, it could be interpreted to be part of the street frontage and therefore be required to meet the 10-foot setback.

Recommendation: The zoning administrator requests that the Commission determine whether the yard on the west side is a side yard or front yard. Note that the attached resolution includes a condition that requires a 10-foot setback on the west side (assuming this is a front yard) and a five (5)-foot setback on the north side (assuming this is a side yard). Should the commission determine the west side is a side yard, then a motion will be needed to amend the resolution to require a five (5)-foot setback on the west side (instead of a 10-foot setback).

Attachments:

- P&Z Resolution 2020-05
- Application, plans, and supplemental information





TOWN OF JEROME

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

P&Z Resolution No. 2020-05

Approving Preliminary and Final Site Plan Review for a shed

WHEREAS the Town of Jerome has received an application for Preliminary and Final Site Plan Review from Don and Paula Nord to construct a 120-square-foot shed at 128 First Street (APN 401-10-006); and

WHEREAS the property is in the C-1 zoning district; and

WHEREAS a notice was posted at the site on April 7, 2021, in accordance with Jerome Zoning Ordinance Section 303.1C; and

WHEREAS the application has been reviewed in accordance with Section 303.1 and Section 303.2 of the Jerome Zoning Ordinance; and

WHEREAS the application has been reviewed for compliance with the property development standards of Section 507 of the Jerome Zoning Ordinance; and

WHEREAS the Jerome Planning & Zoning Commission reviewed this application at their April 21, 2021 meeting and wishes to approve the application with certain conditions; and

WHEREAS the Planning and Zoning Commission finds that the proposed improvements do not adversely affect the public health, safety, and general welfare of the Town of Jerome, and so protects the environment and the Town's historical character;

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the Town of Jerome, Arizona, that the Preliminary and Final Site Plan review for a 120-square-foot shed at 128 First Street is hereby approved, subject to the following conditions:

1. **Construction Hours and Noise** – Construction and noise shall be limited between 8:00 pm and 7:00 am in accordance with Section 10-1-13.C. of the Jerome Town Code.
2. **Other Improvements/Changes** – Any subsequent modifications or changes to the Plans, including but not limited to changes in setbacks, square footage, fences, siding, roofing, height, etc., will require additional review by the Planning and Zoning Commission and/or the Design Review Board.
3. **Drainage** – Prior to construction and/or building permit issuance, plans shall be submitted to the Zoning Administrator that indicate both existing and proposed drainage. This includes, but is not limited to, how drainage will be collected (e.g., roof drains) and directed to provide disposal and protection of neighboring properties. This may include splash blocks, swales, detention basins, and gravel catchments to help dissipate hydraulic energy. Roof and other drains shall not be directed across sidewalks.

P&Z RESOLUTION NO. 2020-05

4. **Setbacks** – Prior to construction and/or building permit issuance, plans shall be submitted to the Zoning Administrator showing a 10-foot setback on the west (School Street) frontage and a five (5)-foot setback on the north (rear) frontage.
5. **Parking** – Prior to construction and/or building permit issuance, plans shall be submitted to the Zoning Administrator that include parking for three (3) spaces at least eight (8) feet by 20 feet in size.
6. **Property corners** – Prior to construction, the applicant shall locate the property corners and property lines on the north and west side of the property to show that the proposed shed meets the required setbacks.
7. **Building Permit Submittal and Code Requirements** – If a building permit is required, the applicant/s shall consult with the Building Inspector and submit detailed drawings for building permits that clearly demonstrate compliance with all code requirements, including, but not limited to, coverage, height, parking, and setbacks (Section 507).
8. **Compliance with plans** – The project shall be completed in compliance with the approved plans.
9. **Conditions on Plans** – If a building permit is required, the building permit plan submittal shall include a sheet with a list of approved conditions from both the Design Review Board and Planning and Zoning Commission.
10. **Expiration of Approval** - This approval shall become null and void if a building permit is not issued within six (6) months of final Planning and Zoning and Design Review Board approval of this application. If necessary, the applicants may request an extension by the approval body, if the extension is submitted prior to approval expiration.

ADOPTED AND APPROVED by a majority vote of the Planning and Zoning Commission on the 21st day of April 2021.

ATTEST:

APPROVED:

Rosa Cays, Deputy Town Clerk

Lance Schall, Chair



TOWN OF JEROME, ARIZONA
600 Clark Street, P.O. Box 335, Jerome, AZ 86331
(928) 634-7943

File #:

Town Use

General Land Use Application – Check all that apply

- | | | |
|---|---|---|
| <input type="checkbox"/> Site Plan Review \$100 | <input type="checkbox"/> Design Review \$50/\$200 | <input type="checkbox"/> Conditional Use Permit (CUP) \$100 |
| <input type="checkbox"/> Demolition \$50/\$200 | <input type="checkbox"/> Signage/Awning \$50 | <input type="checkbox"/> Paint/Roofing \$0 |
| <input type="checkbox"/> Time Extension \$0 | <input type="checkbox"/> Variance \$200 | <input type="checkbox"/> Other: _____ |

Note: Refer to the corresponding Project Application Checklist/s for additional submittal requirements.

Applicant: <u>Don and Paula Nord</u>	Owner: <u>Don and Paula Nord</u>
Applicant address: <u>Po Box 942</u> <u>Williams AZ 86046</u>	Owner Mailing Address: <u>Po Box 942</u> <u>Williams, AZ 86046</u>
Applicant role/title:	
Applicant phone: <u>Cell 928-225-9068</u>	Owner phone: <u>928-635-4090</u>
Applicant email:	Owner email: <u>don@donnorddesigns.com</u>
Project address:	Parcel number: <u>401-10-0016</u>
Describe project:	

- I understand that review by the Jerome Design Review Board, Planning and Zoning Commission, and Town Council is discretionary.
- I understand that the application fee is due at submission and review will not be scheduled until fee is paid to the Town.
- I understand review criteria are used in evaluation by the Jerome Design Review Board and/or Planning and Zoning Commission. These criteria are included in the Jerome Zoning Ordinance.
- I understand that this application will not be scheduled for consideration until all required materials have been submitted and the application is determined to be complete.

Applicant Signature: Paula Nord Date: 26 March 2021

Owner Signature: Paula Nord Date: 26 March 2021

For Town Use Only	
Received from: <u>Paula Nord</u>	Date: <u>4/12/2021</u>
Received the sum of \$ <u>200.00</u> as: <input type="checkbox"/> Check No. _____ <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Credit Card	
By: <u>V.M.</u>	For: <u>DRB PRZ</u>
Tentative Meeting Date/s - DRB: _____	PRZ: _____

E-mail completed forms and application information to: John Knight, Zoning Administrator j.knight@jerome.az.gov



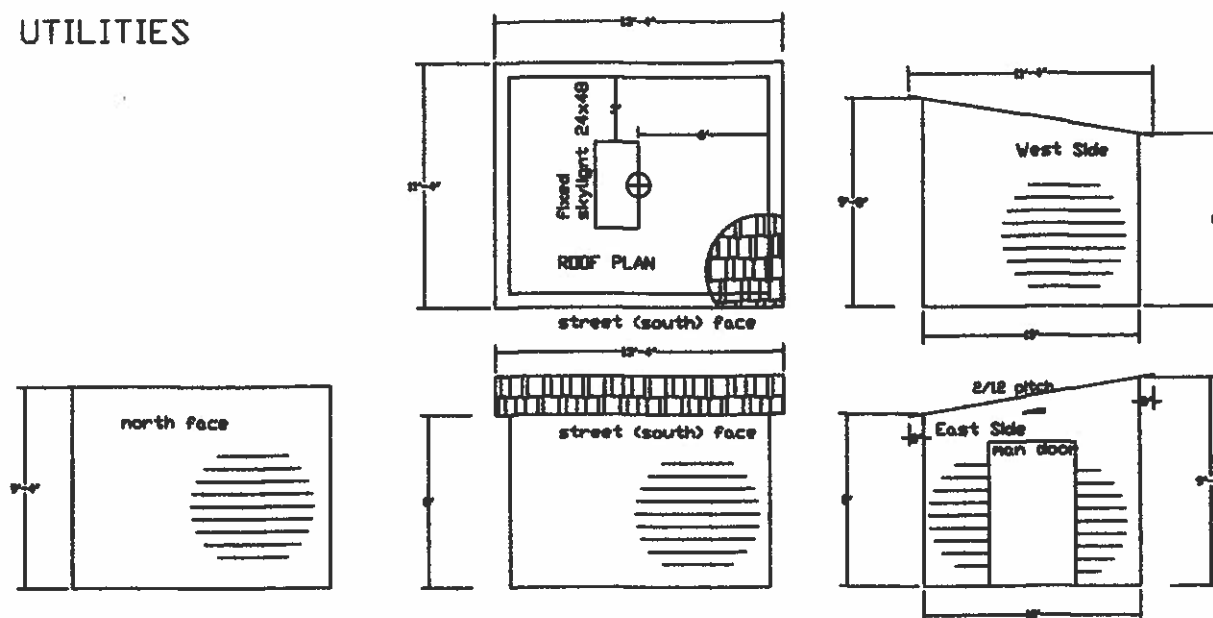
roof is brown 3-tab shingles



Handplank exterior, all 4 sides, see house *photo & color samples*

standard framing, 2 x 4 walls and rafters

NO UTILITIES



PROPOSED SHED
 128 FIRST STREET, JEROME, AZ
 apn: 401-10-006

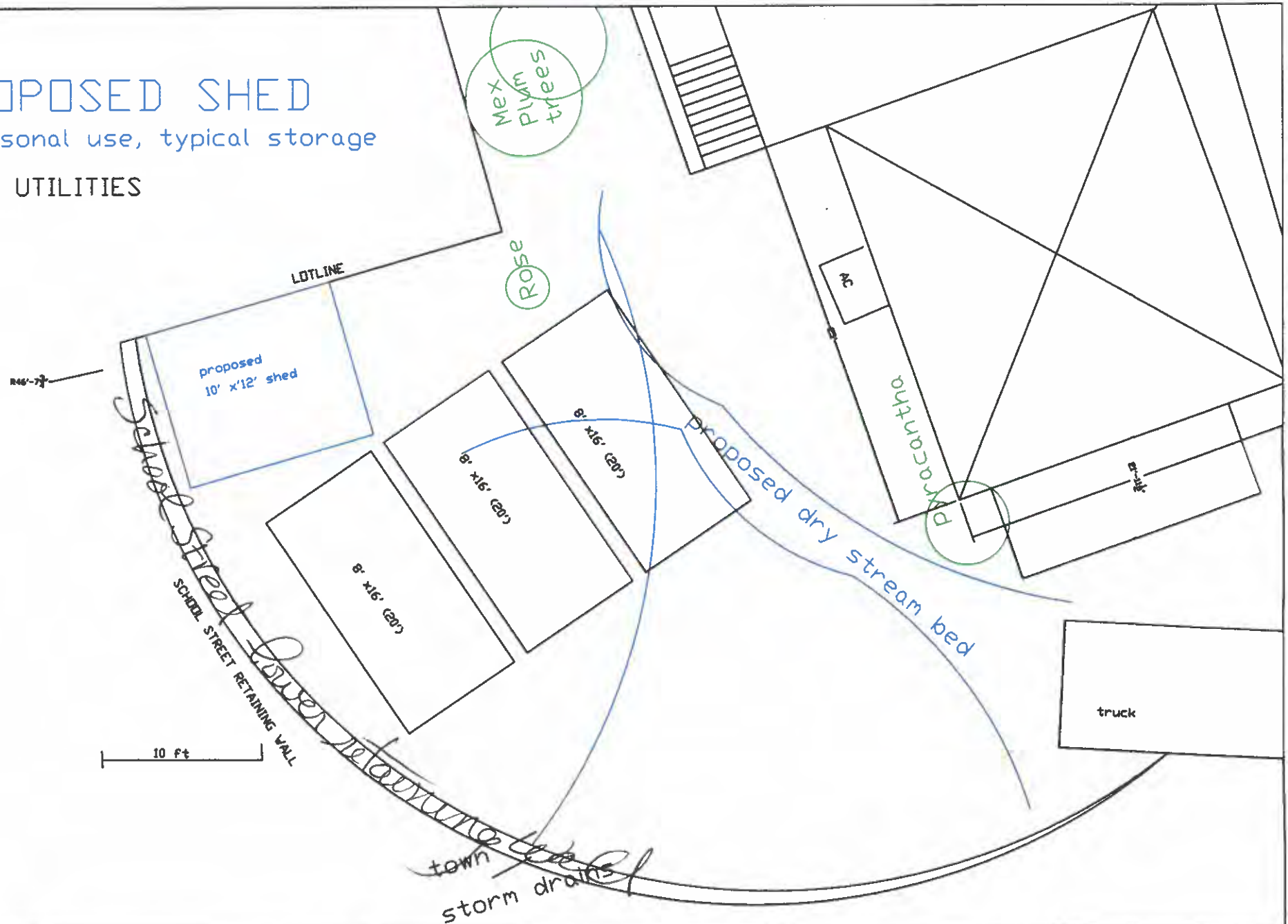
DN

DETAILS & ELEVATIONS 1/100 scale
 PNord (928)) 225-9068
 April, 2021

PROPOSED SHED

personal use, typical storage

NO UTILITIES



PROPOSED SHED

128 FIRST STREET, JEROME, AZ
apn: 401-10-006

PLOT PLAN 1/100 scale
including proposed project
PNord (928) 225-9068
April, 2021



LOCATION from 89a



LOCATION from First St



ADJACENT BUILDING, colors and siding

* MOTION LIGHTS



TOWN OF JEROME

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

Zoning Administrator Analysis - **UPDATED** Planning and Zoning Commission Wednesday, April 21, 2021

Item 7: Preliminary site plan review for a house
Location: 300 Queen Street
Applicant/Owner: Bethany Halbreich and Cameron Sinclair/Half Kingdom Holdings LLC
Zone: C-1/AR
APN: 401-06-128G
Prepared by: John Knight, Zoning Administrator
Discussion/Possible Action

Background and Summary: The applicants request preliminary site plan review to construct an approximately 850-square-foot house as part of a phased project. Town staff is currently working with the applicants on a variety of items and will need additional time before this application is ready for Final Site Plan Review by the Planning and Zoning Commission. At this time, the applicants have requested only Preliminary Site Plan Review.

The applicants' current request is only for Phase 1. This includes construction of an approximately 850-square-foot home in the AR Zone. Note that the zoning for the property is split between C-1 on the Queen Street side of the property and AR on the Diaz Street side of the property. The residence would be entirely located in the AR zone. The proposal involves upgrading the existing pump house structure, adding a second similar structure near it, and connecting the two structures with a covered deck area. Parking and access for the first phase will be provided from the rear on Diaz Street.

Ordinance Requirements:

Section 303.1.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: Under this section of the ordinance, the Planning and Zoning Commission has the authority to approve, conditionally approve or deny the Preliminary Site Plan. Although not noted in the ordinance, the Commission also has the authority to table the item if the plan submittal is not determined to be complete.

Areas for consideration: As noted above, the applicants have requested input from the commission on several areas. These are discussed below.

1. **Rezoning and Phasing:** The applicants are proposing three separate phases. The first phase is the construction of the 850-square-foot home in the AR. The second phase would be the

construction of a museum/design institute and residence. The third phase would include repurposing the pool to create a community arts center. The applicants have also discussed the possibility of rezoning the entire property to C-1. This would provide flexibility to develop a mix of residential and commercial uses on the site.

2. **Parking and Access:** The applicants have proposed to provide parking and access for the first phase from Diaz Street. This may be appropriate for a small, single home, but access on Diaz Street should be kept to a minimum due to the poor condition of the street. Since the subsequent phases will be located closer to Queen Street, these phases should provide parking and access from above on Queen Street.
3. **Infrastructure and Utilities:** The site does not currently have water, sewer, or other utilities. The applicants will be required to extend these utilities to serve their site. As noted above, the Diaz Street access is in poor condition. The applicants will be required to improve Diaz Street to provide safe and reasonable access to their site. Additional infrastructure will be needed for the second and third phases. This will likely include extension of a waterline (for fire service) on Queen Street and construction of a retaining wall. A large retaining wall will be needed between the Guth property (aka Queen's Neighbor) and the subject property. The applicants will be required to submit detailed geotechnical and structural engineering reports demonstrating that they can safely build on the property.

Other considerations: The existing pool and property are historically significant. The applicants are working with a consultant to prepare a cultural survey for the property to document this significance. They are also working closely with the State Historic Preservation Office (SHPO) to ensure that the state and federal guidelines for historic sites are followed. Note that the previous owner's proposal in 2012 to cantilever a residence over the pool was not supported by SHPO. In initial discussions with SHPO, it appears that they are supportive of the applicant's current proposal.

Recommendation: Staff requests that the commission approve, conditionally approve or deny the preliminary site plan. As noted above, the Commission may also table the item if they believe the application is incomplete.

Attachment - Plans



File #:

Town Use

TOWN OF JEROME, ARIZONA600 Clark Street, P.O. Box 335, Jerome, AZ 86331
(928) 634-7943**General Land Use Application – Check all that apply**

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Site Plan Review \$100 | <input checked="" type="checkbox"/> Design Review \$50/\$200 | <input type="checkbox"/> Conditional Use Permit (CUP) \$100 |
| <input type="checkbox"/> Demolition \$50/\$200 | <input type="checkbox"/> Signage/Awning \$50 | <input type="checkbox"/> Paint/Roofing \$0 |
| <input type="checkbox"/> Time Extension \$0 | <input type="checkbox"/> Variance \$200 | <input type="checkbox"/> Other: _____ |

Note: Refer to the corresponding Project Application Checklist/s for additional submittal requirements.

Applicant: <u>Cameron Sinclair & Bethany Halbreich</u>	Owner: <u>Half Kingdom Holdings LLC</u>
Applicant address: <u>P.O. Box 792</u>	Owner Mailing Address: <u>P.O. Box 792</u>
<u>300 Queen St. Jerome, AZ 86331</u>	<u>300 Queen St. Jerome, AZ 86331</u>
Applicant role/title: _____	
Applicant phone: <u>(212) 660-2984</u> & _____	Owner phone: <u>(716) 418-3907</u>
Applicant email: <u>cameron@halfkingdomgln.com</u> & _____	Owner email: <u>bethany@halfkingdomgln.com</u>
Project address: <u>300 Queen Street</u>	Parcel number: <u>401-06-128G</u>
Describe project: <u>Construct an 870 sq ft house.</u>	

- I understand that review by the Jerome Design Review Board, Planning and Zoning Commission, and Town Council is discretionary.
- I understand that the application fee is due at submission and review will not be scheduled until fee is paid to the Town.
- I understand review criteria are used in evaluation by the Jerome Design Review Board and/or Planning and Zoning Commission. These criteria are included in the Jerome Zoning Ordinance.
- I understand that this application will not be scheduled for consideration until all required materials have been submitted and the application is determined to be complete.

Owner/
Applicant Signature: _____ Date: 4/12/21

Applicant/
Owner Signature: B. Halbreich Date: 4/12/21

For Town Use Only	
Received from: <u>Bethany Halbreich</u>	Date: <u>4/12/2021</u>
Received the sum of \$ <u>300.00</u> as: <input checked="" type="checkbox"/> Check No. <u>109</u> <input type="checkbox"/> Cash <input type="checkbox"/> Credit Card	
By: <u>K.M.</u>	For: <u>Site Plan Review & DRB</u>
Tentative Meeting Date/s - DRB: _____ P&Z: _____	

E-mail completed forms and application information to: John Knight, Zoning Administrator j.knight@jerome.az.gov

300 Queen Street

We are seeking to build a mixed-use project that incorporates a single family residence, community arts center and design institute/museum.

Single Family Residence

This project will be developed in 3 phases, the first of which is a 850 sq. ft. one bedroom residence that frames out the pool and will allow us to be able to live in Jerome. Additionally we will build temporary protection around the historic pool structure. Currently we are looking for approval for only phase 1 of the project.

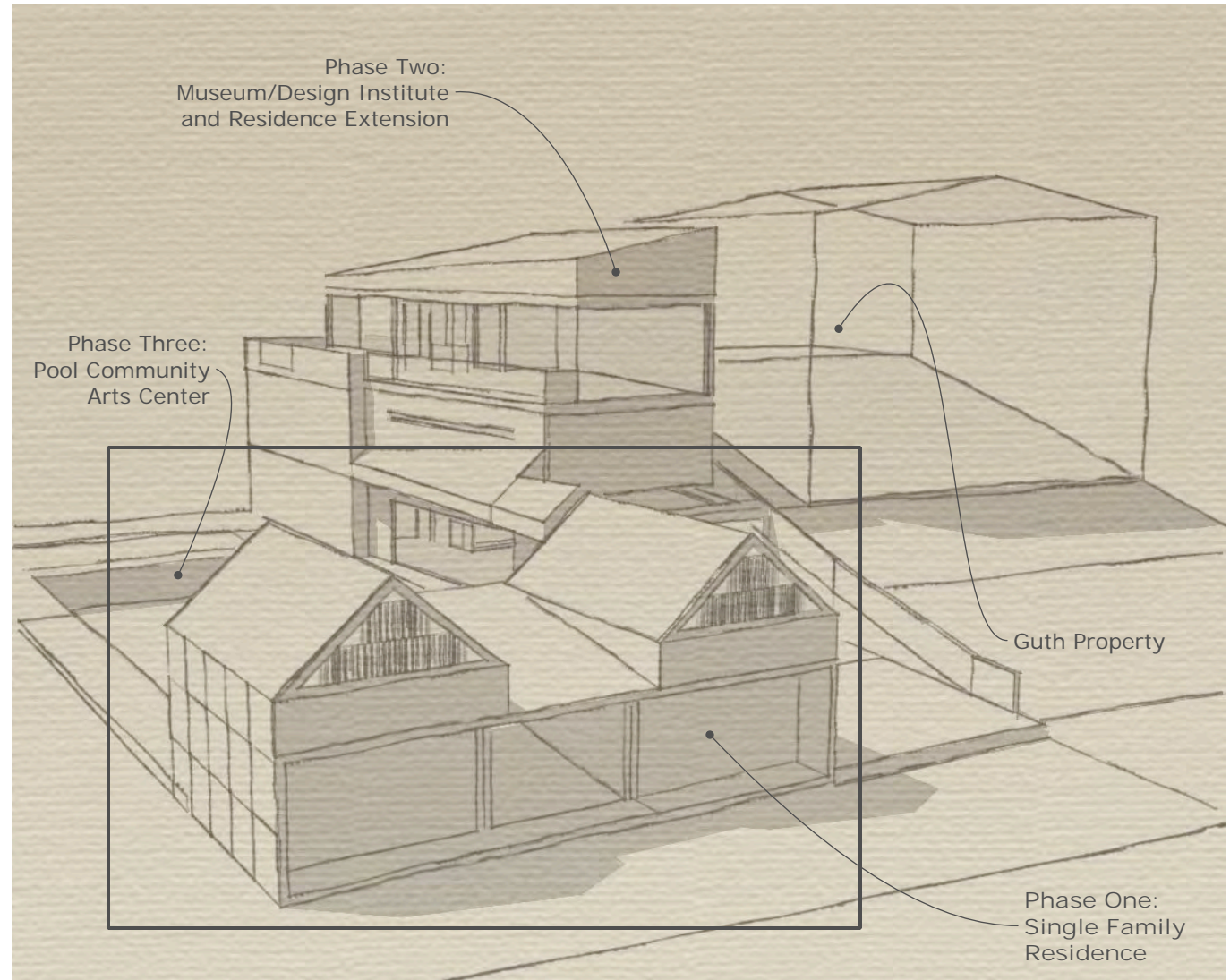
Community Art & Design Institute

When we move into phase 2 and 3 we will plan a neighborhood meeting and host a series of community workshops. This will ensure we are creating a facility that benefits the whole community.

Historic Preservation

We have been working closely with SHPO and they have voiced strong support for our plan and selection of materials. A boundary survey was completed in March and a cultural survey is underway. Before Phase 2 and 3 design process begins we will complete a geological survey to ensure we will build a robust retaining wall that will support the next phases of construction.

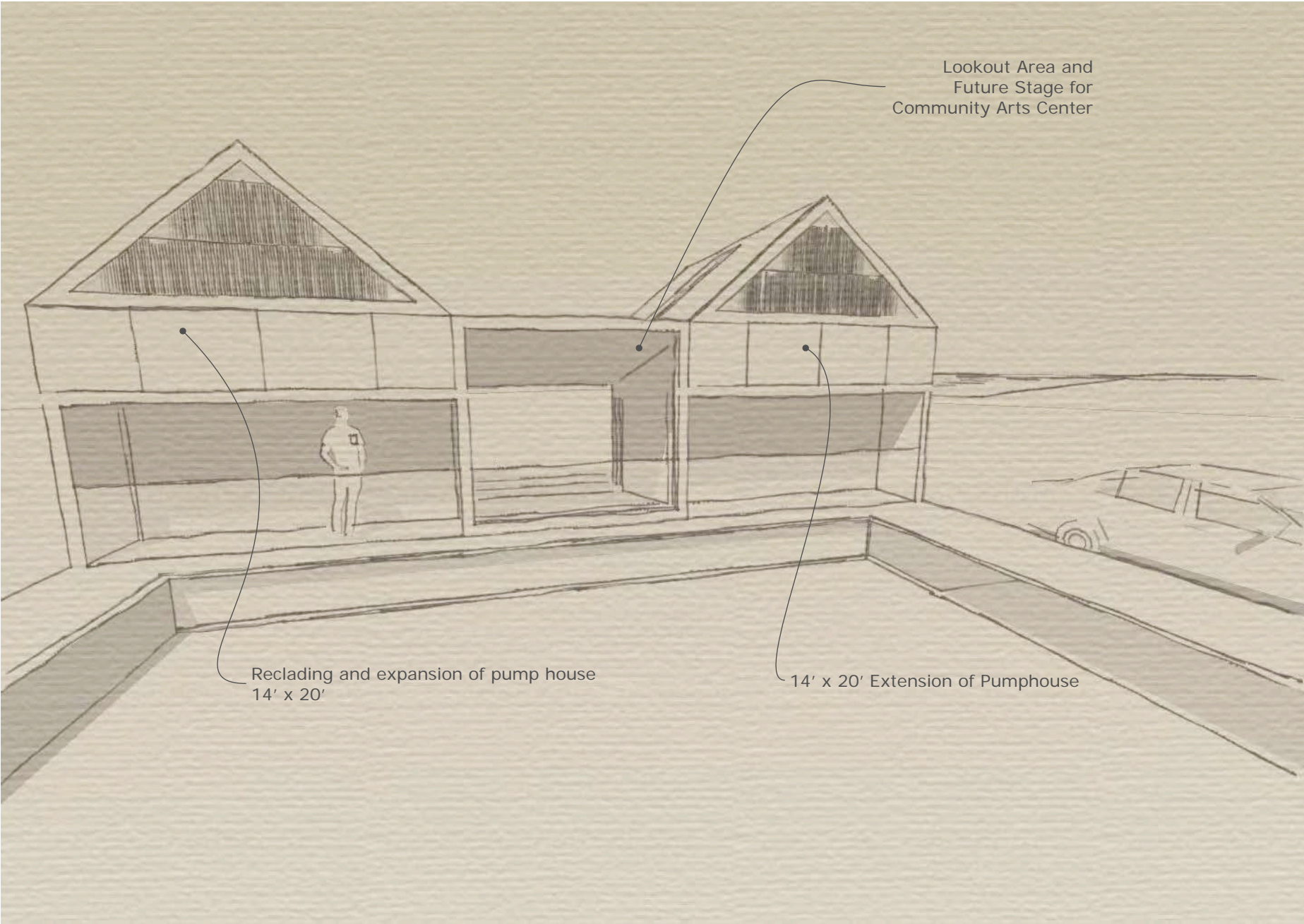
Cheers
Cameron and Bethany



Half Kingdom Holdings
PO Box 792
300 Queen Street
Jerome, Arizona, 86331

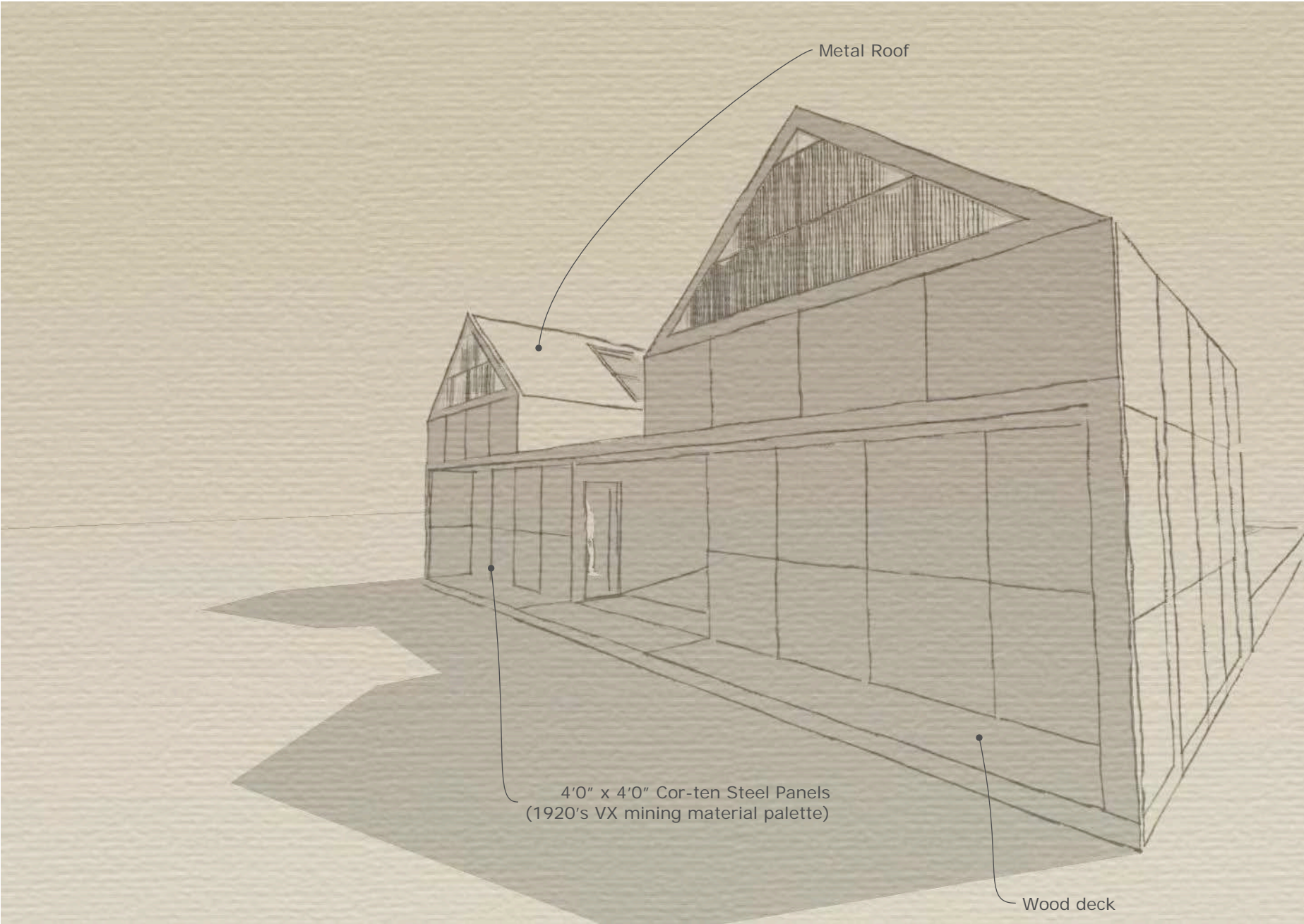
300 Queen Street, Phase 1

Front Perspective of Single Family Home



300 Queen Street

Front Perspective of Single Family Home



300 Queen Street

Site Plan

Square Footage of Building	
1st Floor	356 Sq Ft
2nd Floor	504 Sq Ft
Sub-Total	850 Sq Ft
Covered Area	260 Sq Ft
Total	1,110 Sq Ft

AR Requirements:

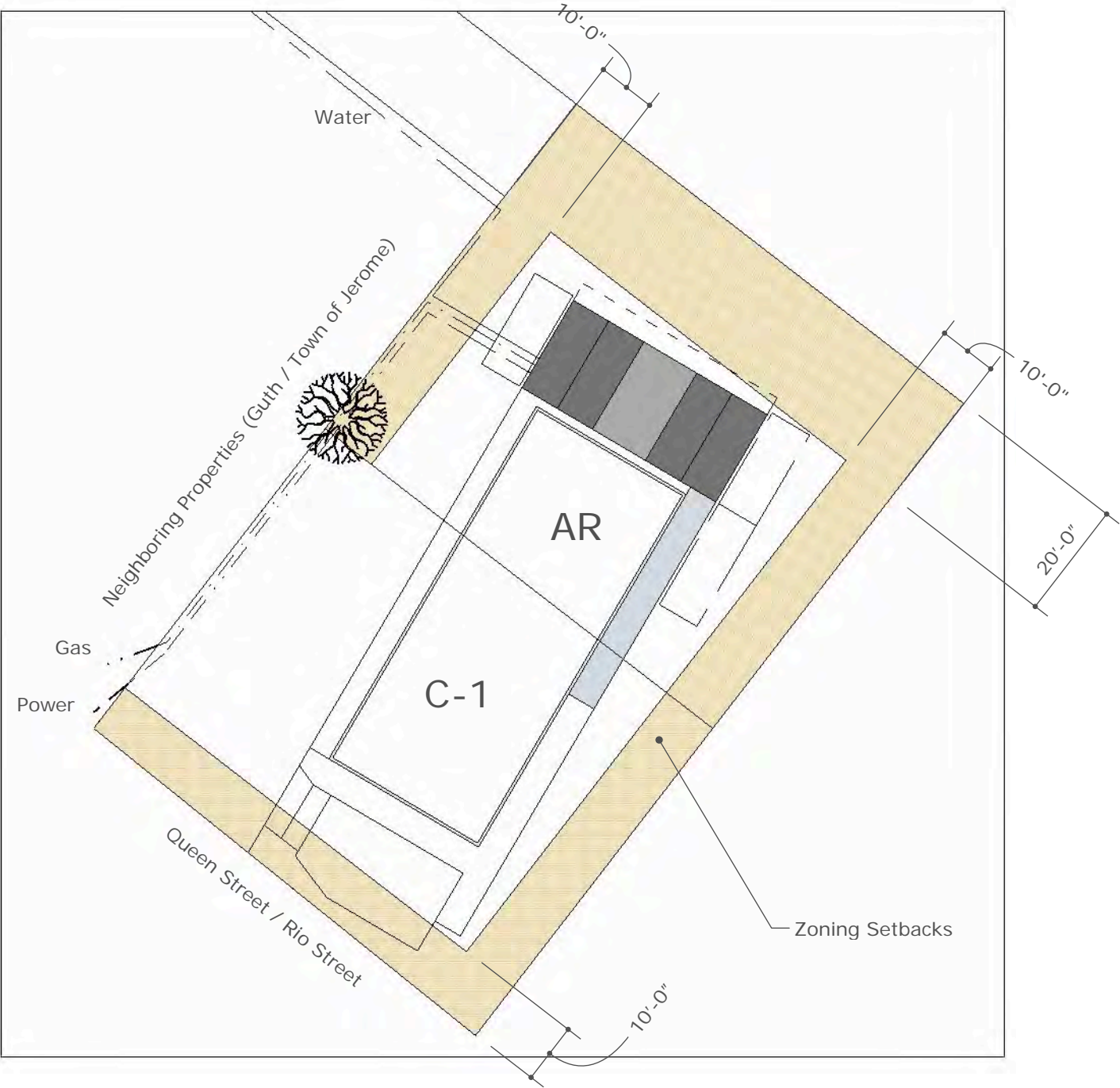
- 1. Min. lot area: 10,000 Sq Ft.
- 2. Min. lot width: 100 Ft.
- 3. Min. Sq Ft of building: 850 Sq Ft.
- 4. Max. lot coverage: 40% of the net area of the lot may be covered by main and accessory buildings

C-1 Requirements:

- 1. Min. lot area: None*
- 2. Min. lot width: None*
- 3. Min. Sq Ft of building: None*
- 4. Max. lot coverage: None*

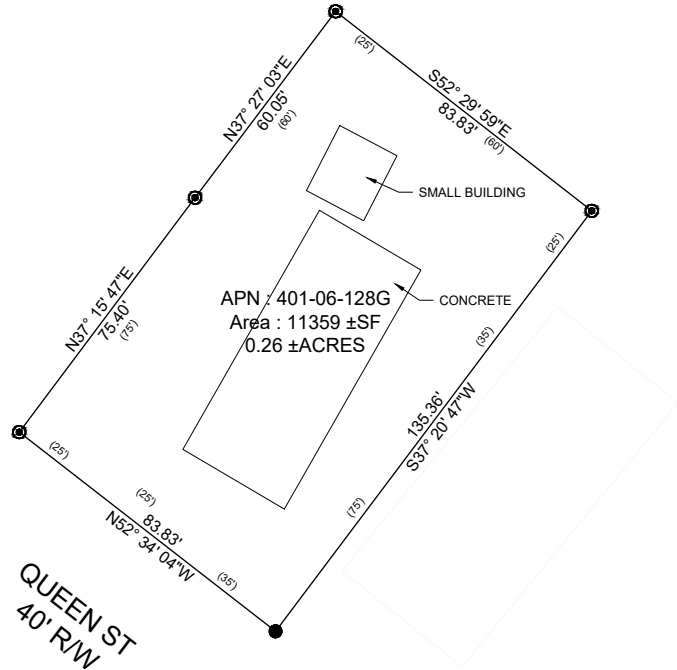
**provided all other provisions of the ordinance are met.*

Additional Notes:
Current setback prevents building on 1927 pool house footprint.
SHPO in support of project as prior schemes built over the historic pool.



RECORD OF SURVEY

OF LOTS 8-13 BLOCK 14, JEROME 2/18 MAPS
SECTION 23, TOWNSHIP 16 NORTH, RANGE 2 EAST
GILA & SALT RIVER BASE & MERIDIAN
YAVAPAI COUNTY, ARIZONA



- LEGEND**
- SURVEYED PARCEL LINES
 - - - EXISTING FENCE
 - - - PROPERTY LINE
 - - - EASEMENT LINE
 - FOUND 5/8" REBAR WITH CAP LS 40829
 - SET 1/2" REBAR AFFIXED CAP LS 53890
 - (R1) RECORD BEARING AND DISTANCE PER R1 OR AS NOTED SEE NOTES
 - IE-PUE INGRESS EGRESS & PUBLIC UTILITY EASEMENT

- NOTES**
- EXISTING BUILDINGS WERE PRESENT AT TIME OF SURVEY
 - A TITLE REPORT WAS NOT PROVIDED NOT ALL EASEMENTS OF RECORD MAY BE SHOWN HEREON
 - DOCUMENTS OF RECORD REFERENCE FOR SURVEY YCRO
R1 : JEROME 2/18 MAPS
R2 : ROS 2/18 LS
R3 : ROS 9/50 LS
R4 : ROS 48/54 LS

SITE INFORMATION
APN: 401-06-128G
ADDRESS: 300 QUEEN ST

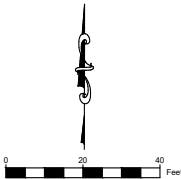
OWNER INFORMATION
HALF KINGDOM HOLDINGS LLC
SUN CITY, AZ

BASIS OF BEARING
THE PROJECT COORDINATE SYSTEM AND THE BASIS OF BEARINGS ARE RELATIVE TO THE ARIZONA STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL 0202 ZONE. LINEAR DIMENSIONS AND COORDINATE VALUES ARE IN INTERNATIONAL FEET.

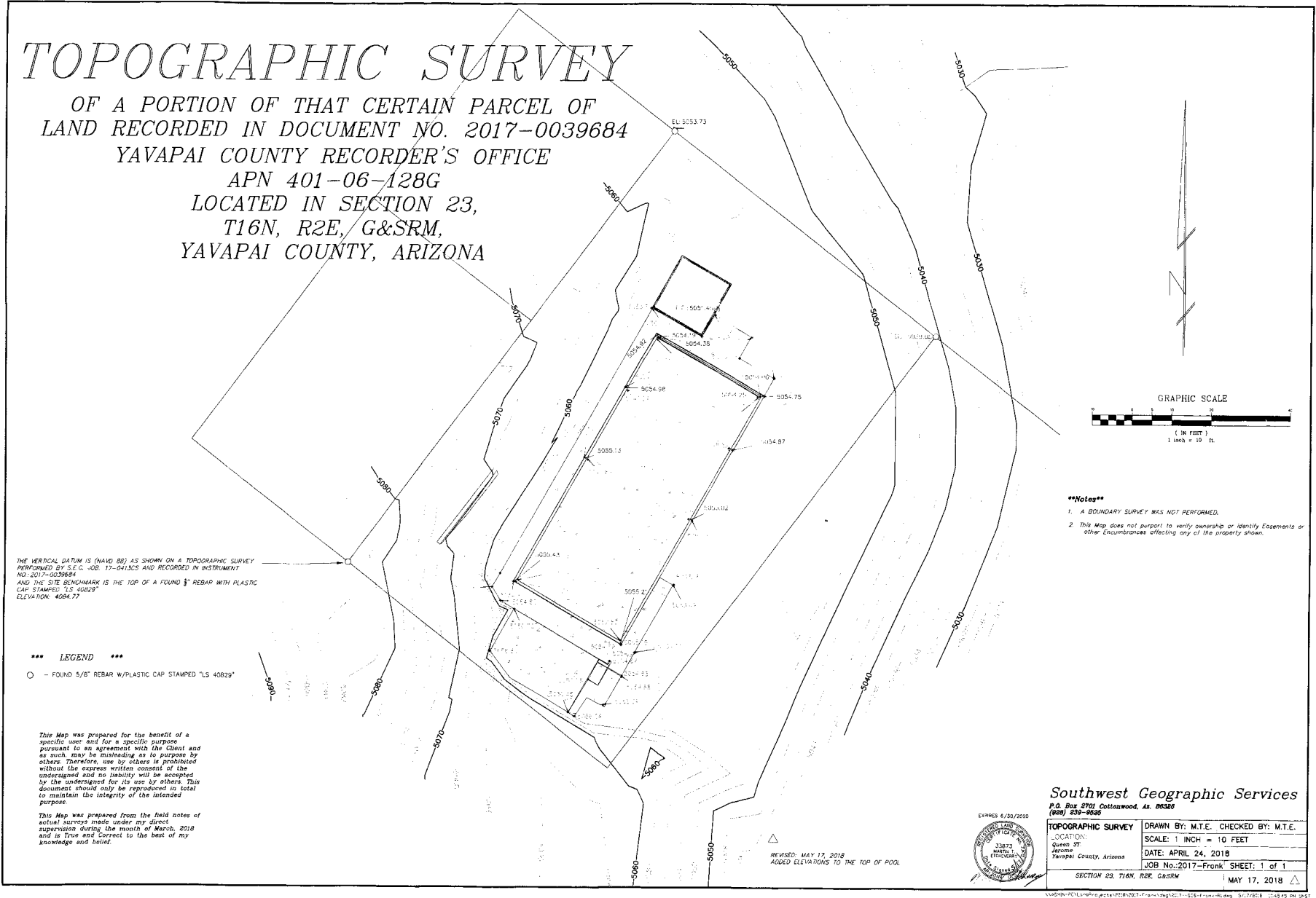
CERTIFICATION
I, BRANDON M. VAN HORN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THE SURVEY DESCRIBED AND SHOWN HEREON WAS MADE BY ME DURING THE MONTH OF MARCH, 2021; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED

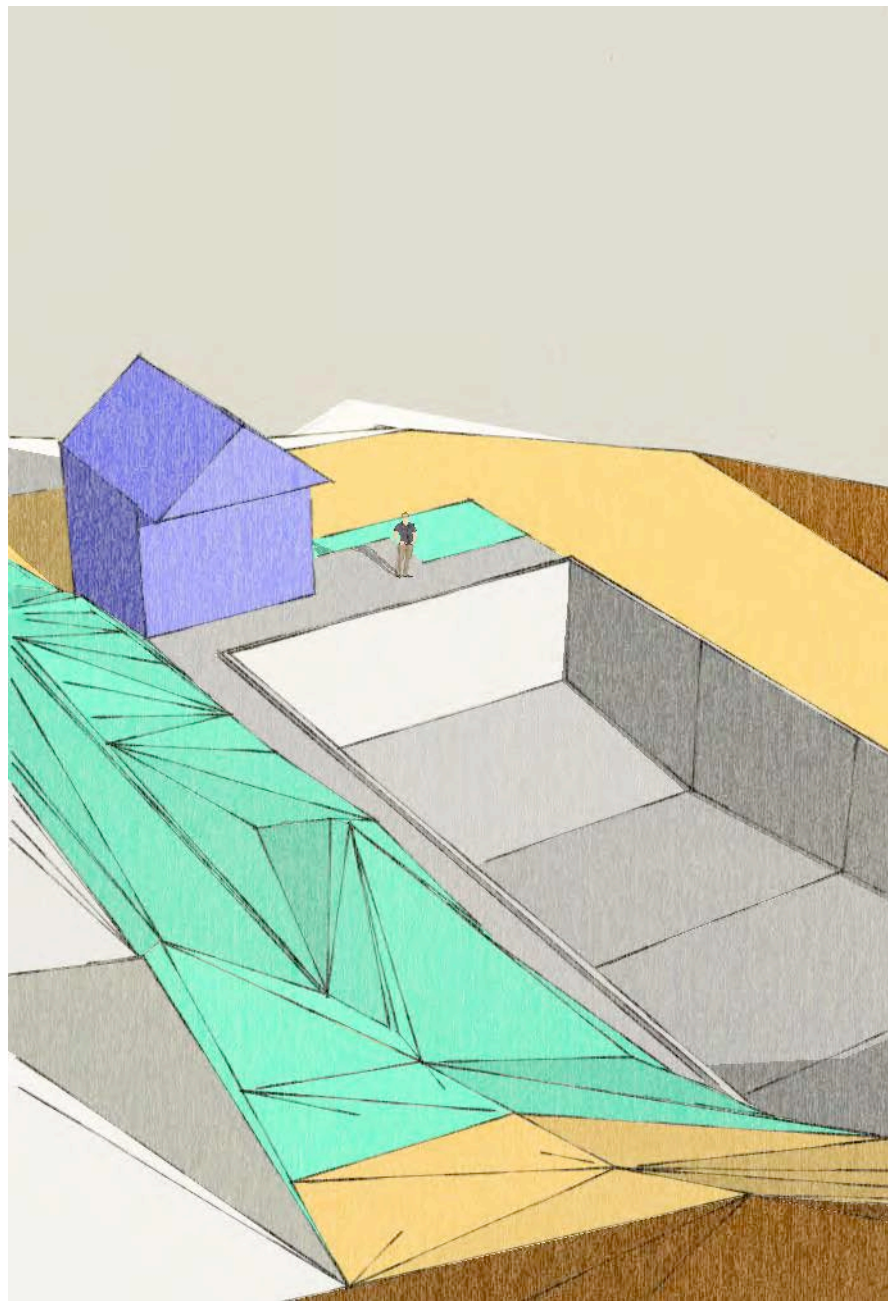
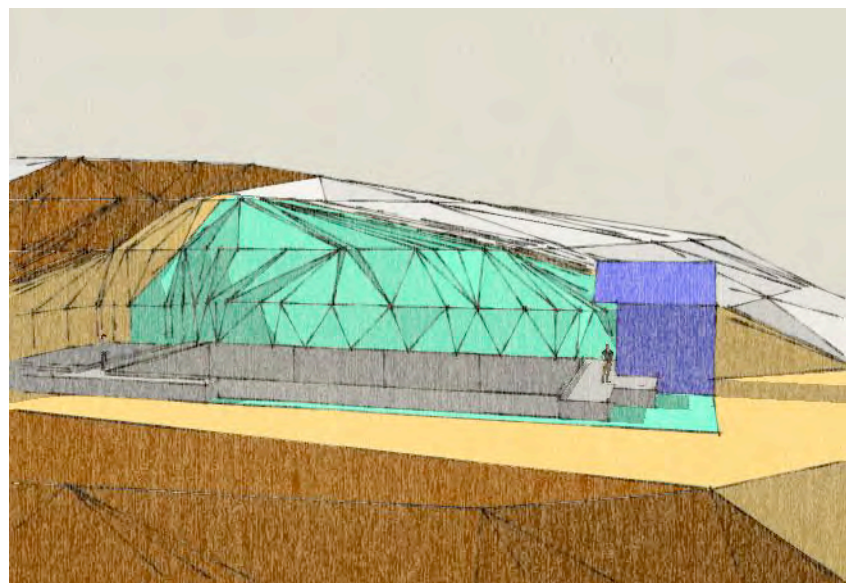
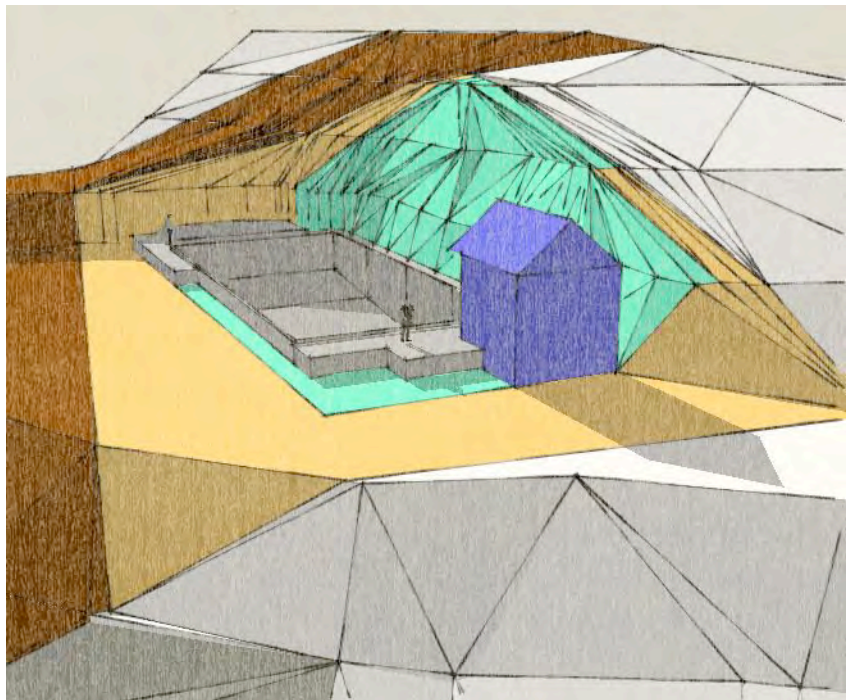


SURVEY PREPARED FOR: Cameron Sinclair	
VH LAND SURVEY, LLC 7585 E PHARLAP LANE PRESCOTT VALLEY, AZ 86315 928-710-9700 VH.LANDSURVEY@GMAIL.COM WWW.VH.LANDSURVEY.COM	
SURVEYED BY: Brandon Van Horn	SHEET NO.
HOR SCALE: 1" = 20'	1
PROJECT NO.: 21073	OF 1 SHEETS
DATE: 3/22/2021	

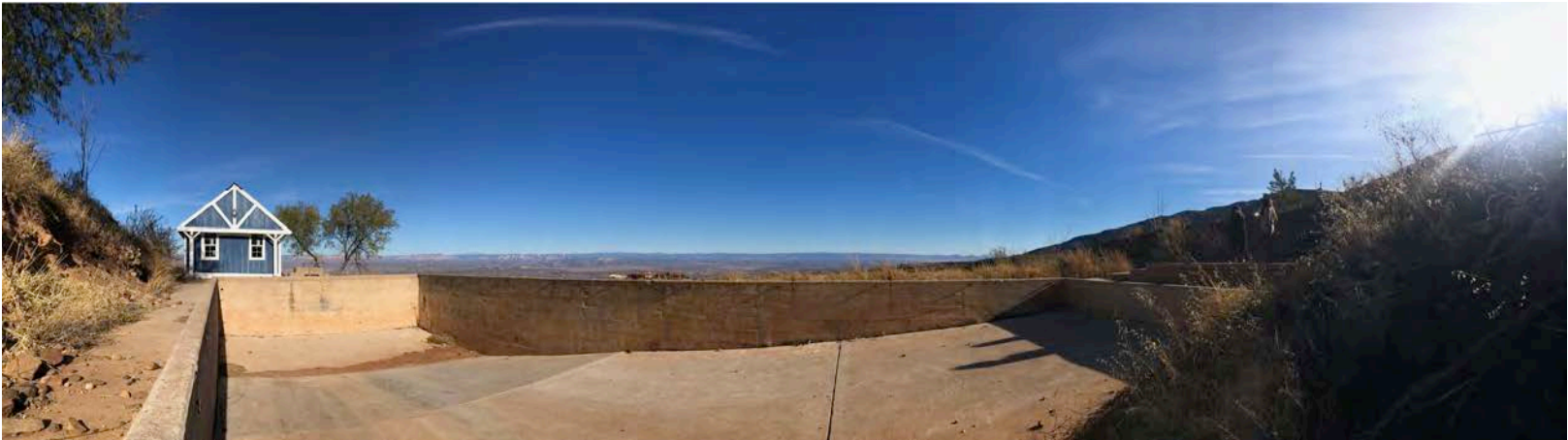


300 Queen Street

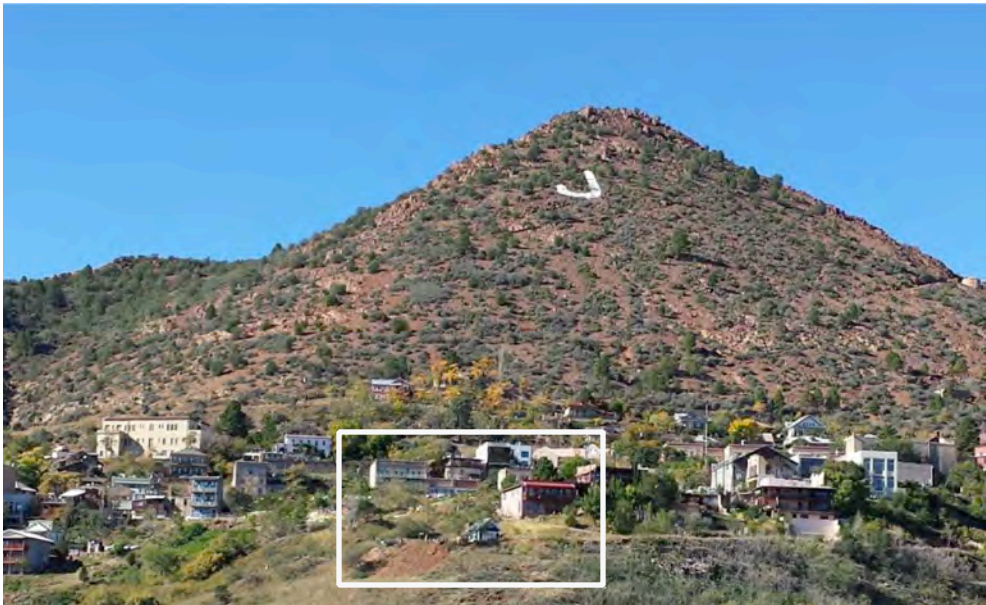




Site Images

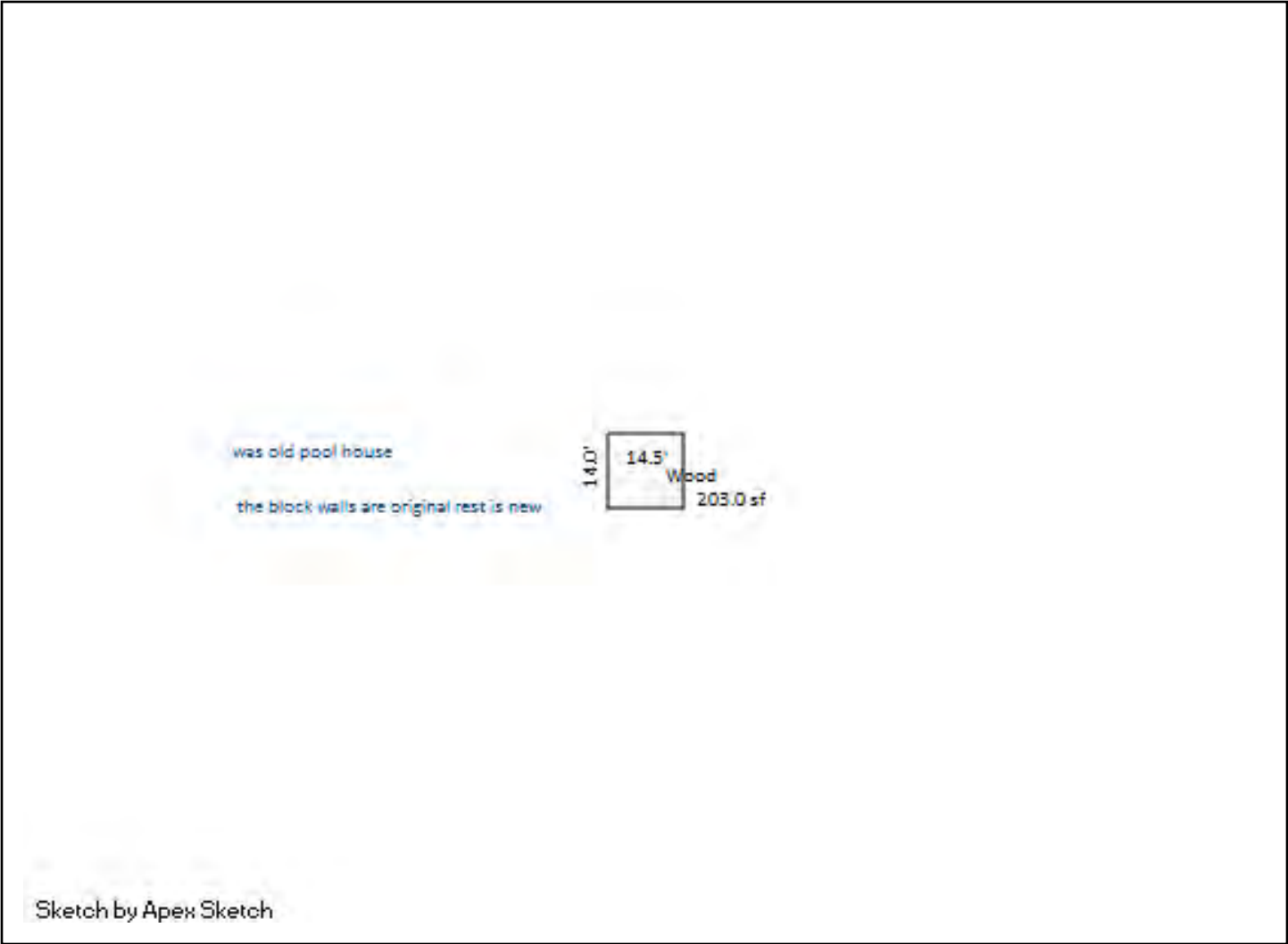


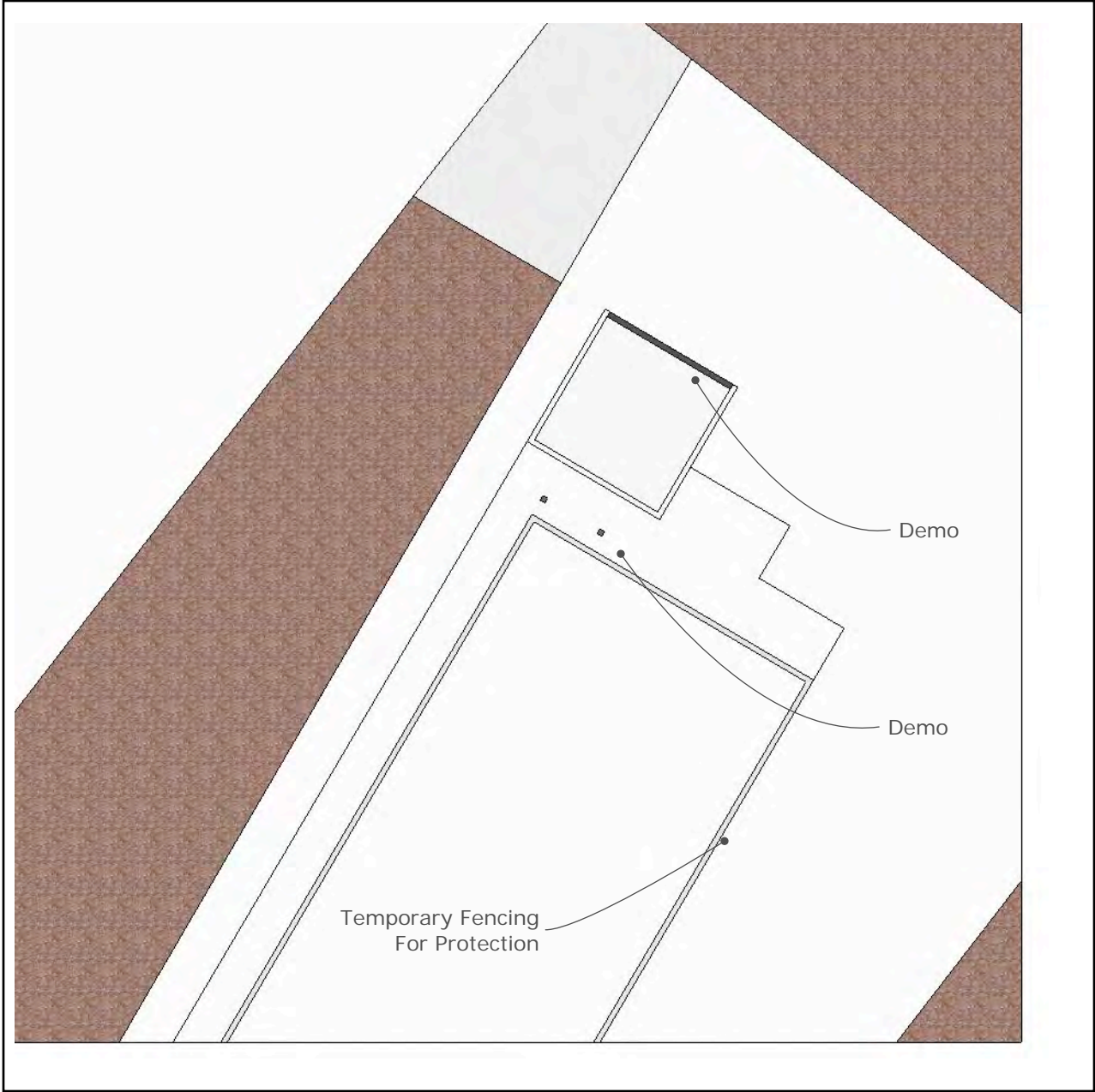
300 Queen Street

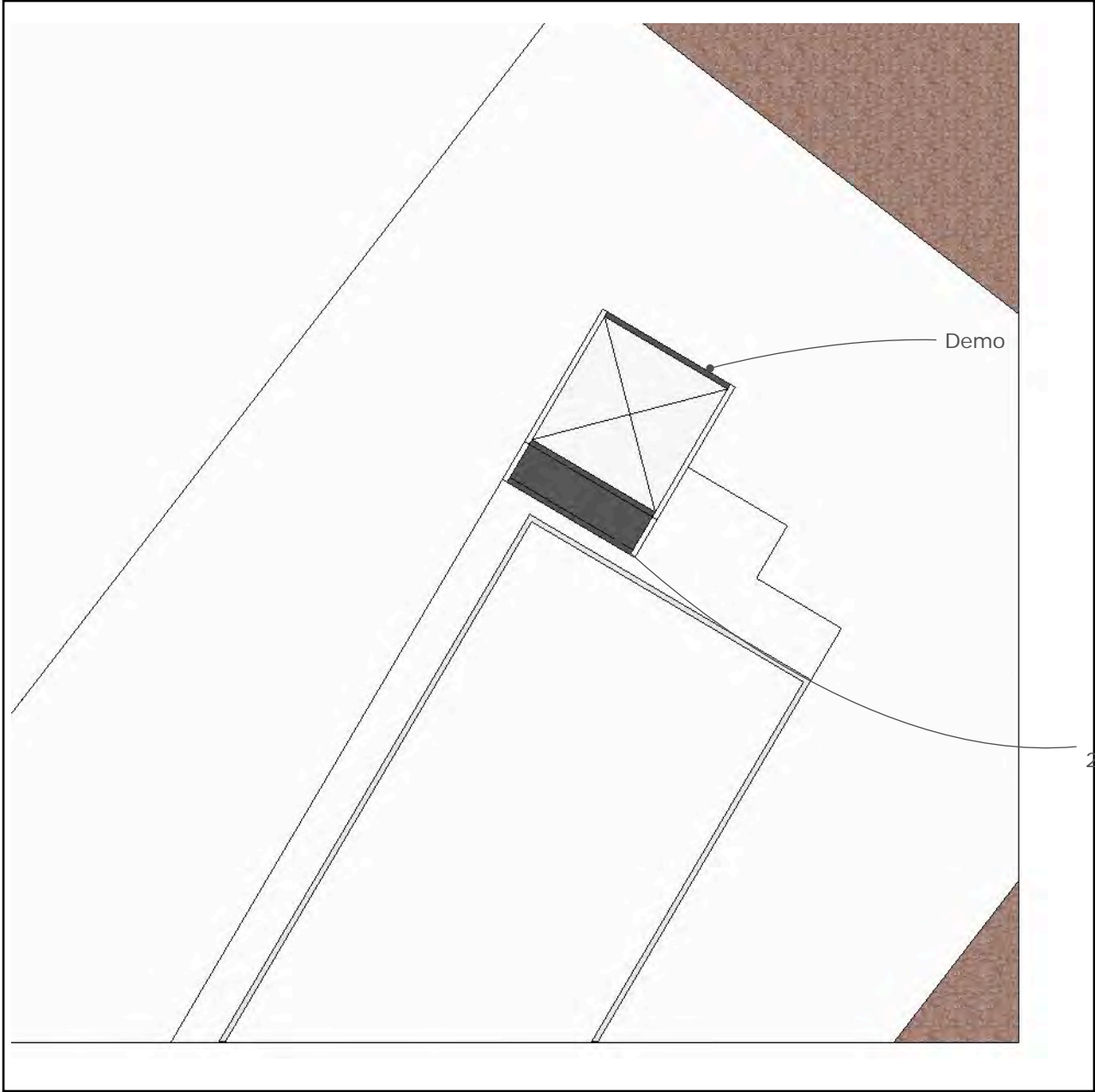


300 Queen Street

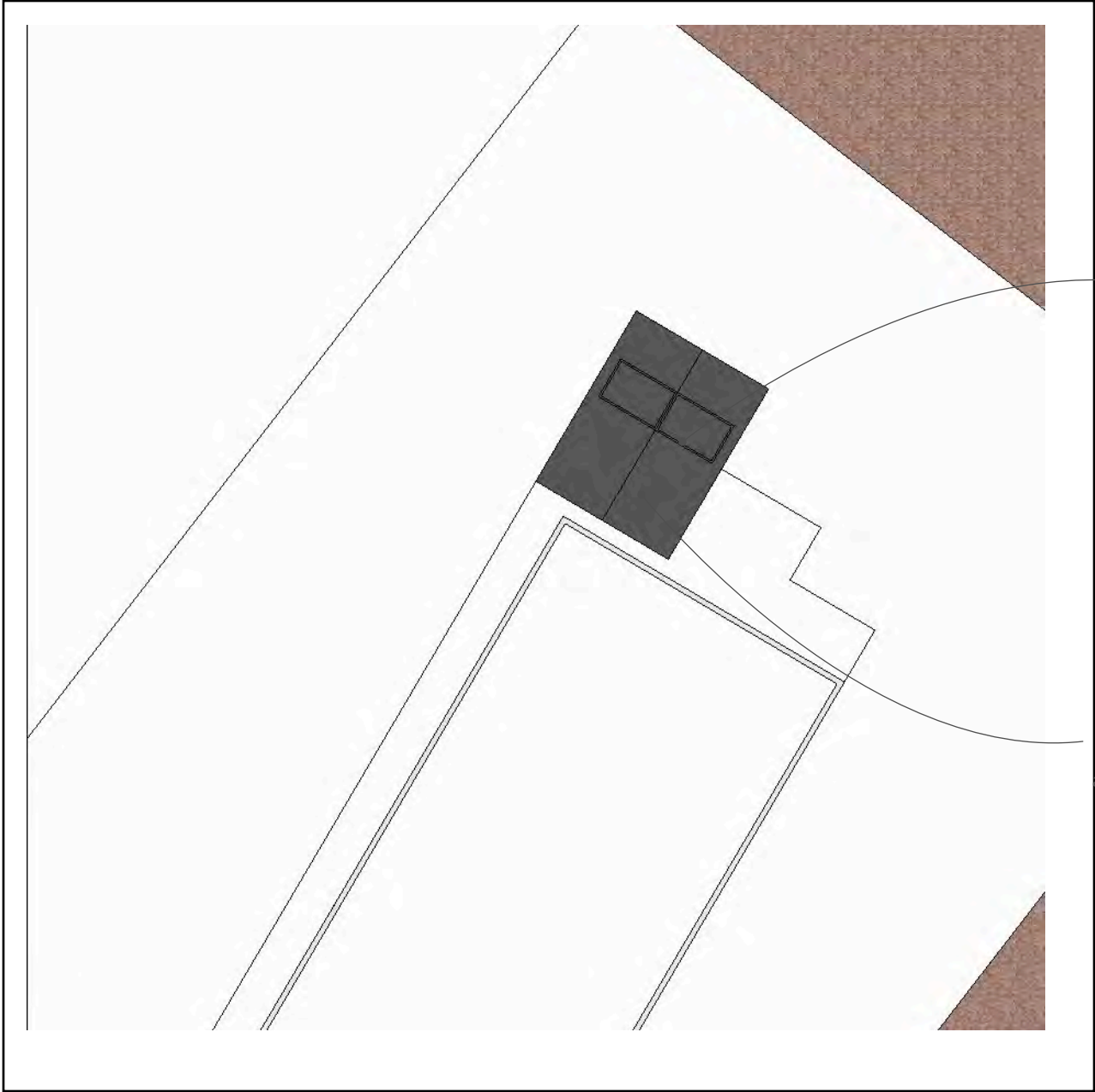
Previously approved plan for pumphouse renovation







300 Queen Street



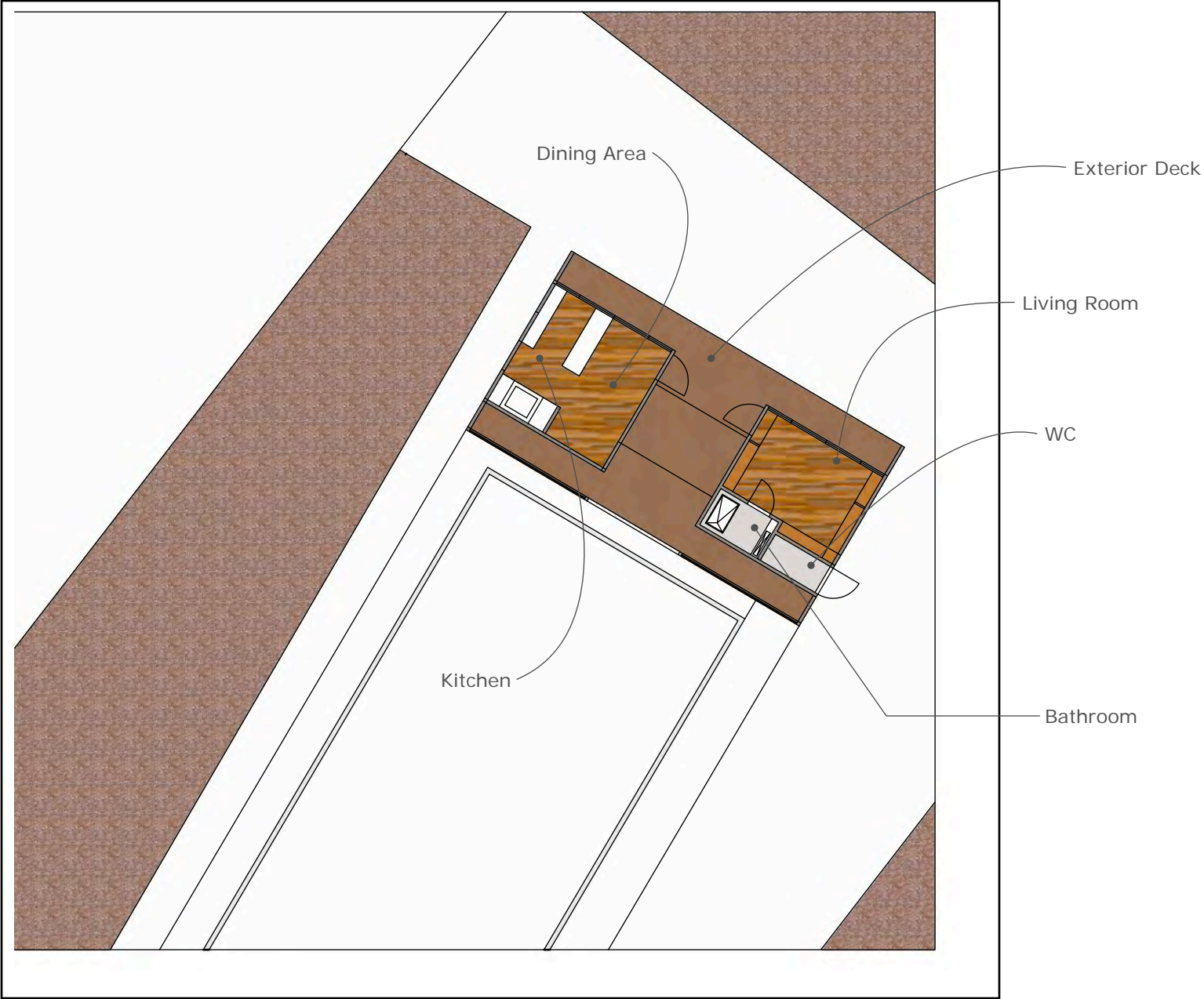
Remove Skylight

Repair roofing
and prep for
new materials
and weatherproofing

300 Queen Street

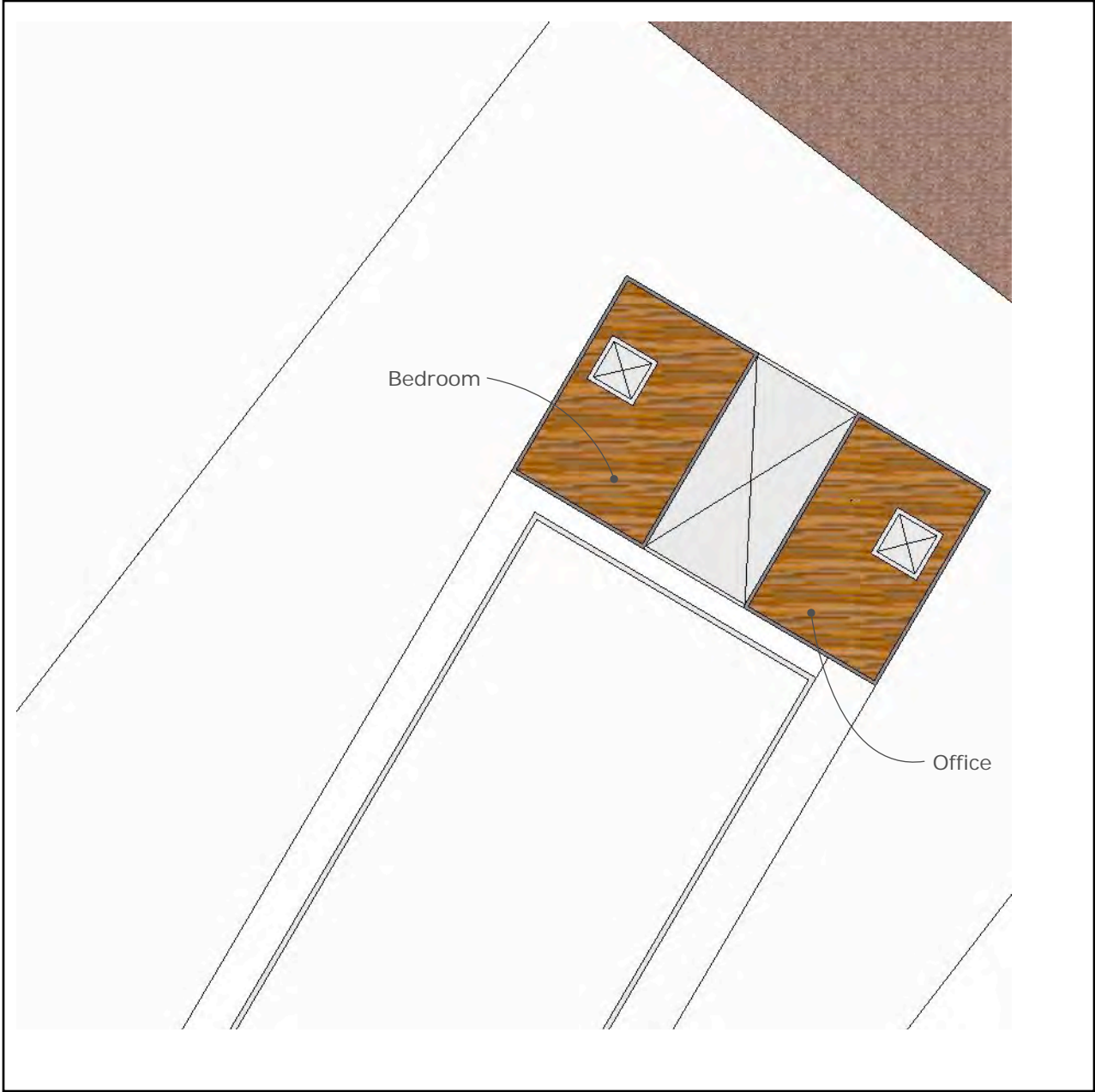
Ground Floor Plan

1st Floor	
Left Block	178 Sq Ft
Right Block	178 Sq Ft
Sub-Total	356 Sq Ft
Covered Area	260 Sq Ft
Total	616 Sq Ft

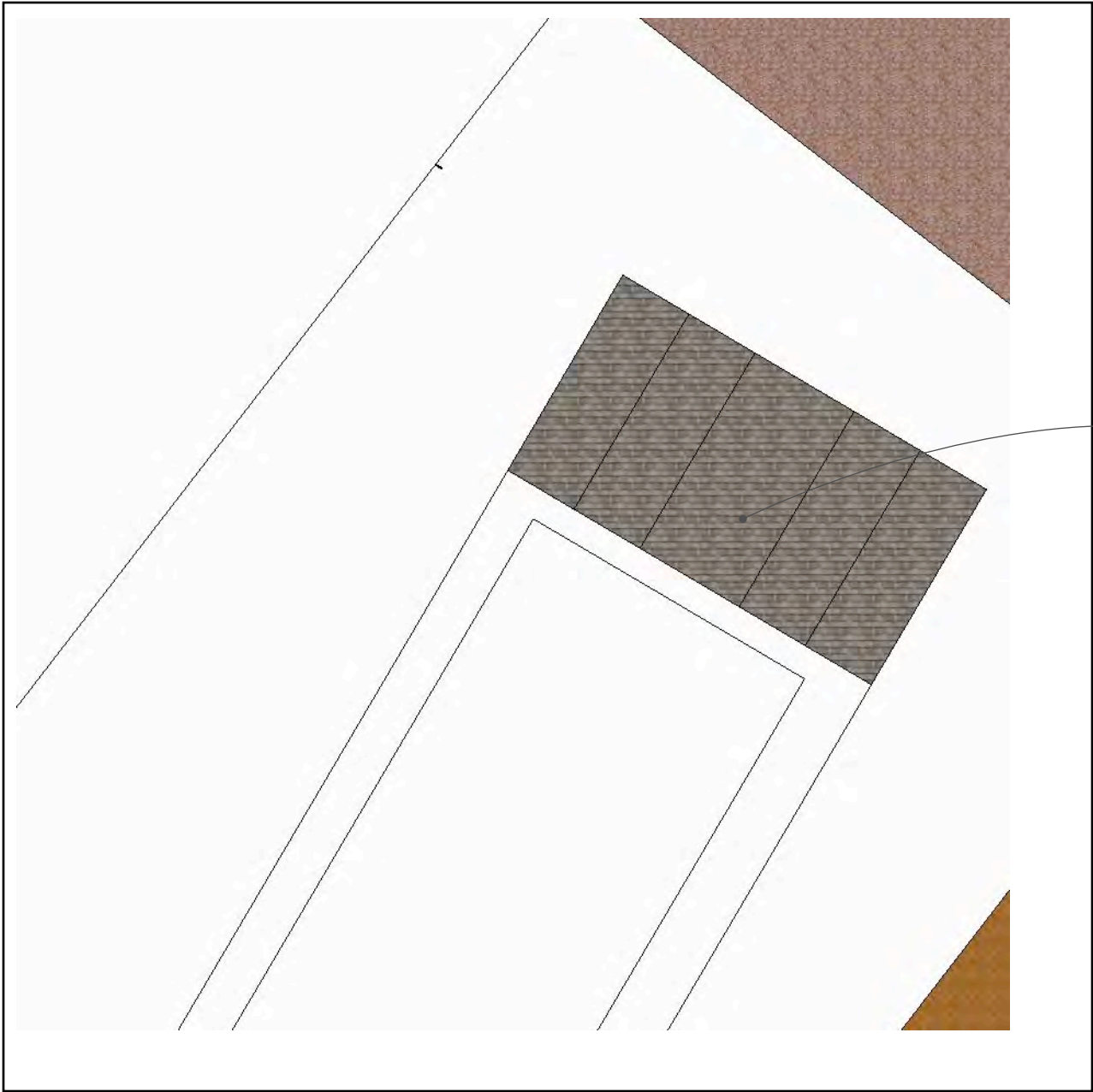


Second Floor Plan

2nd Floor	
Left Block	252 Sq Ft
Right Block	252 Sq Ft
Total	504 Sq Ft

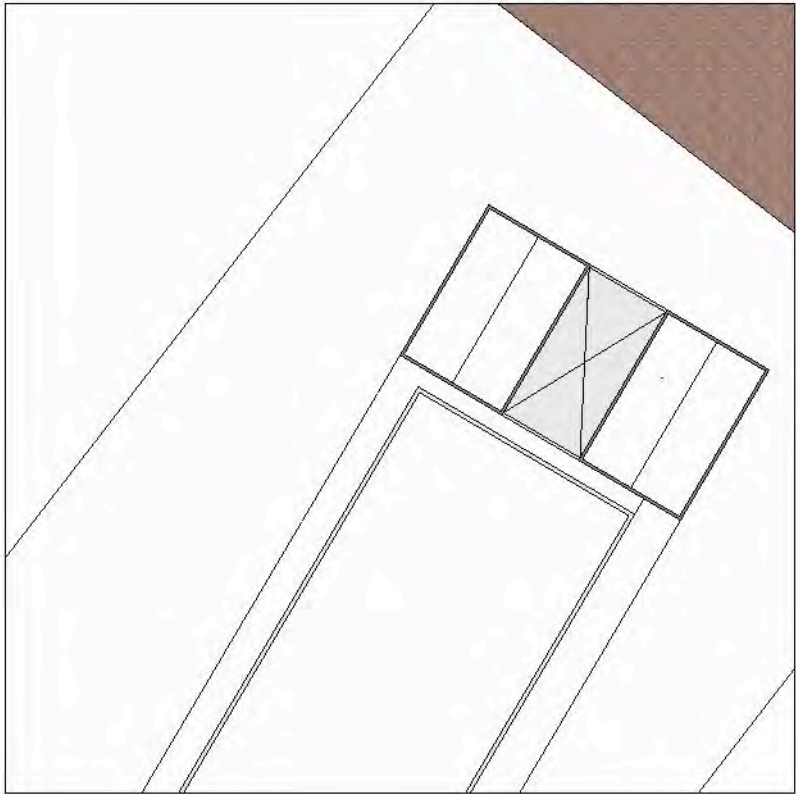


300 Queen Street

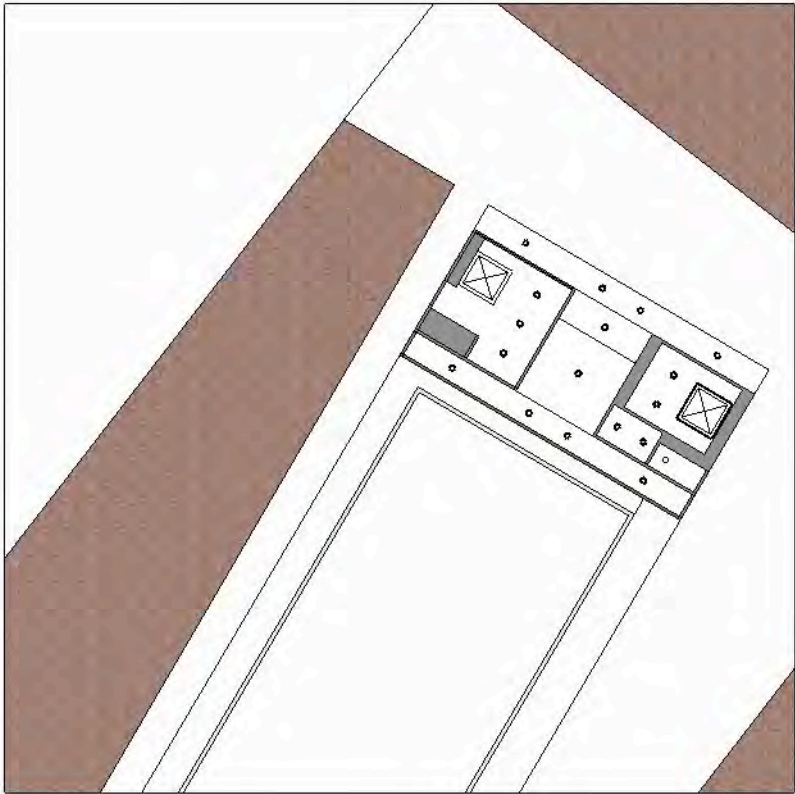


Metal Roof

300 Queen Street



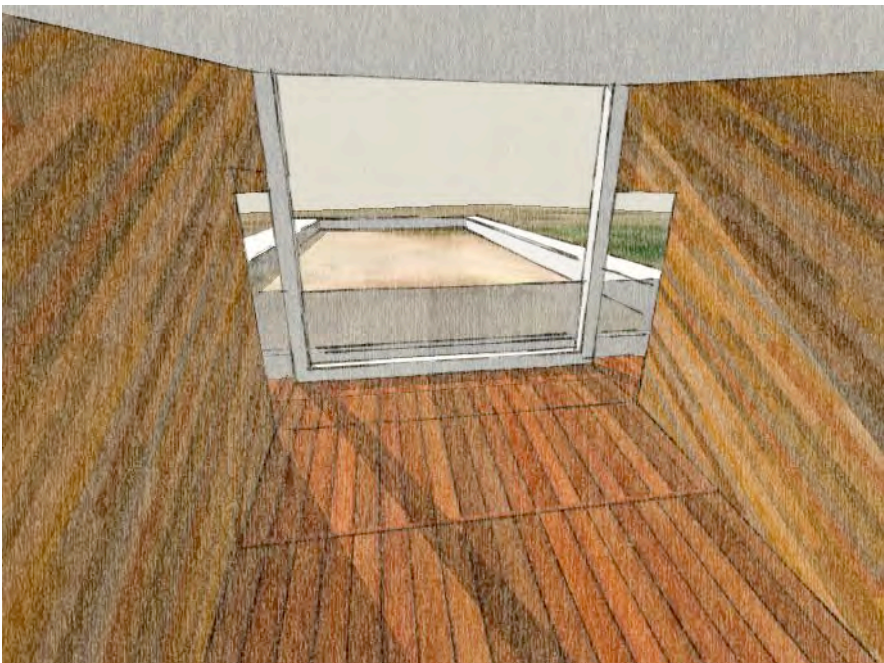
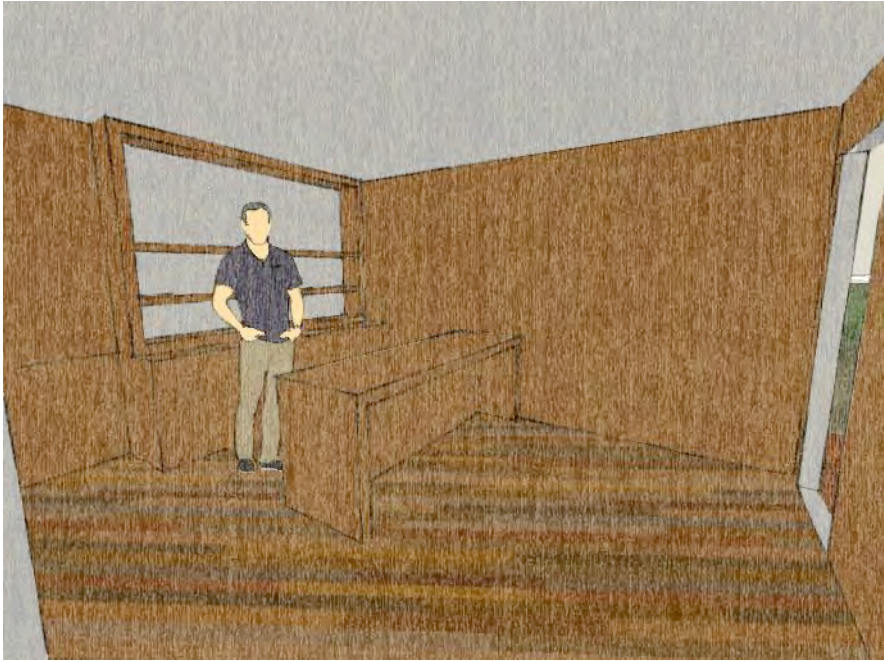
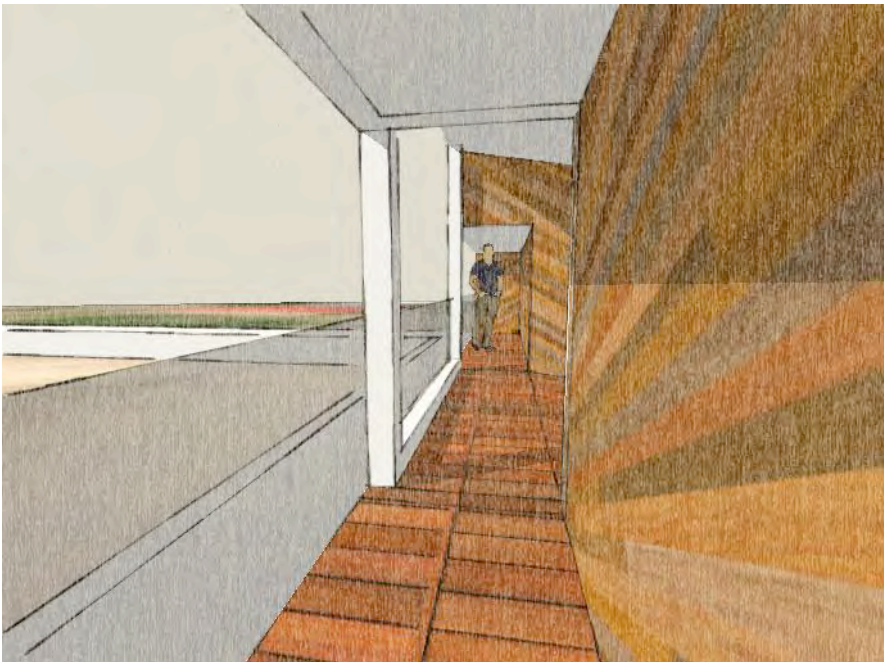
Second Floor



First Floor

300 Queen Street

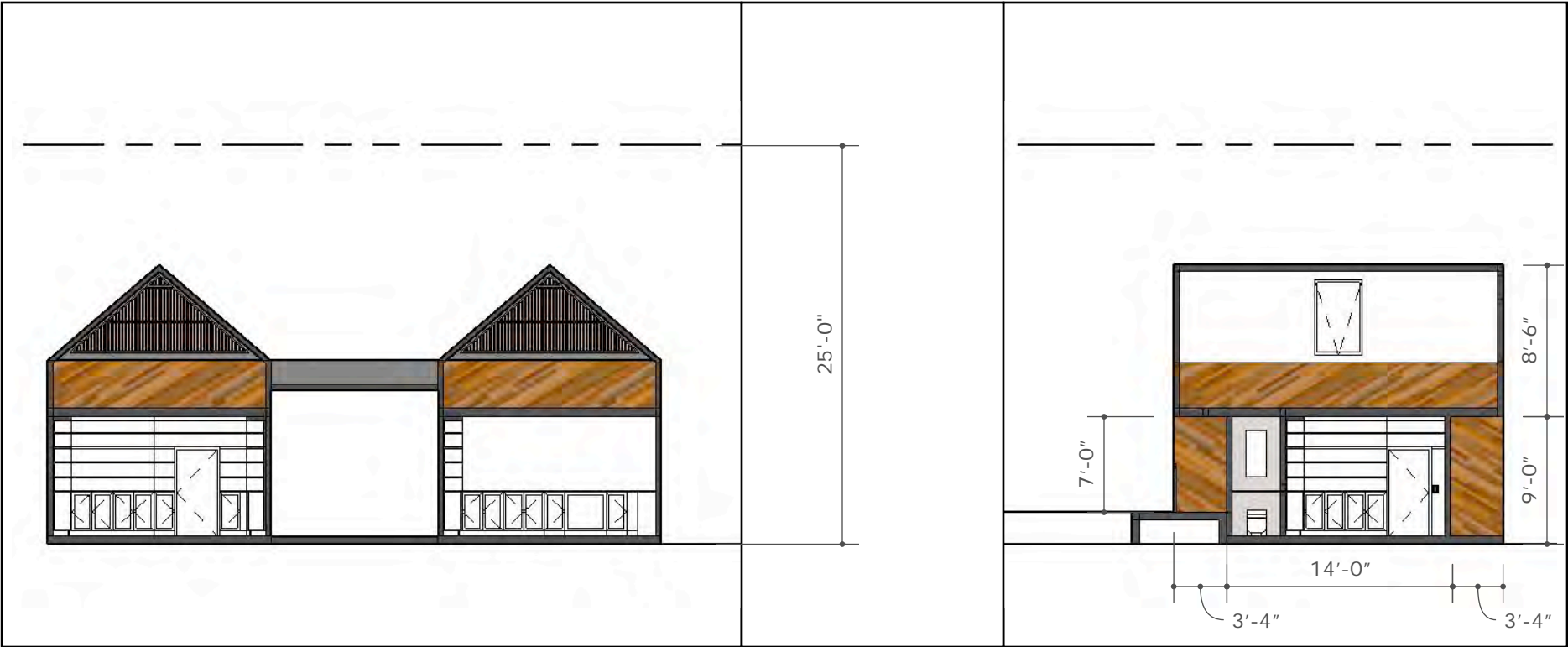
Interior and Exterior Renderings



Exterior Perspective

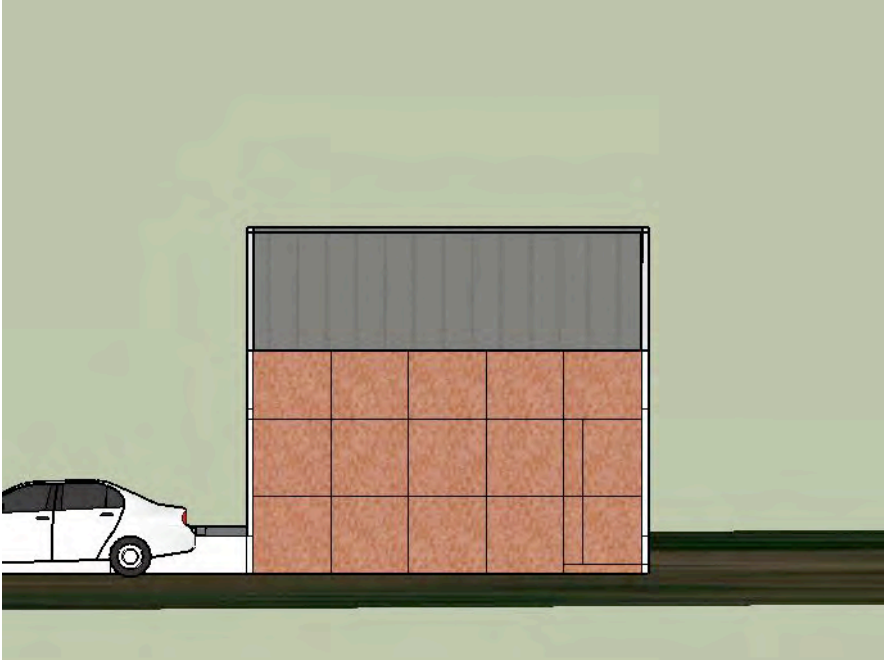
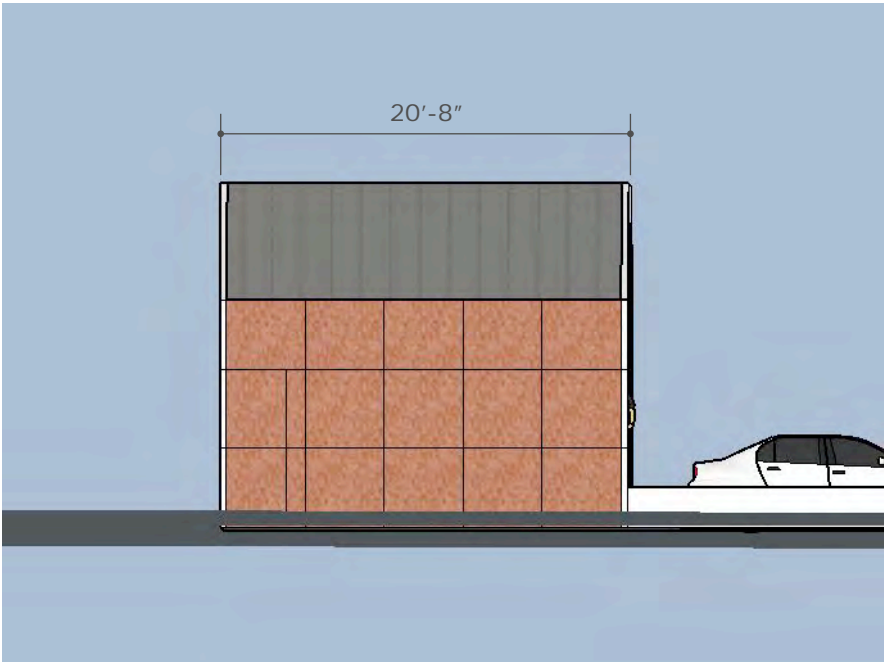
Interior Perspectives (Top: Greenhouse | Bottom R: Pumphouse)

300 Queen Street

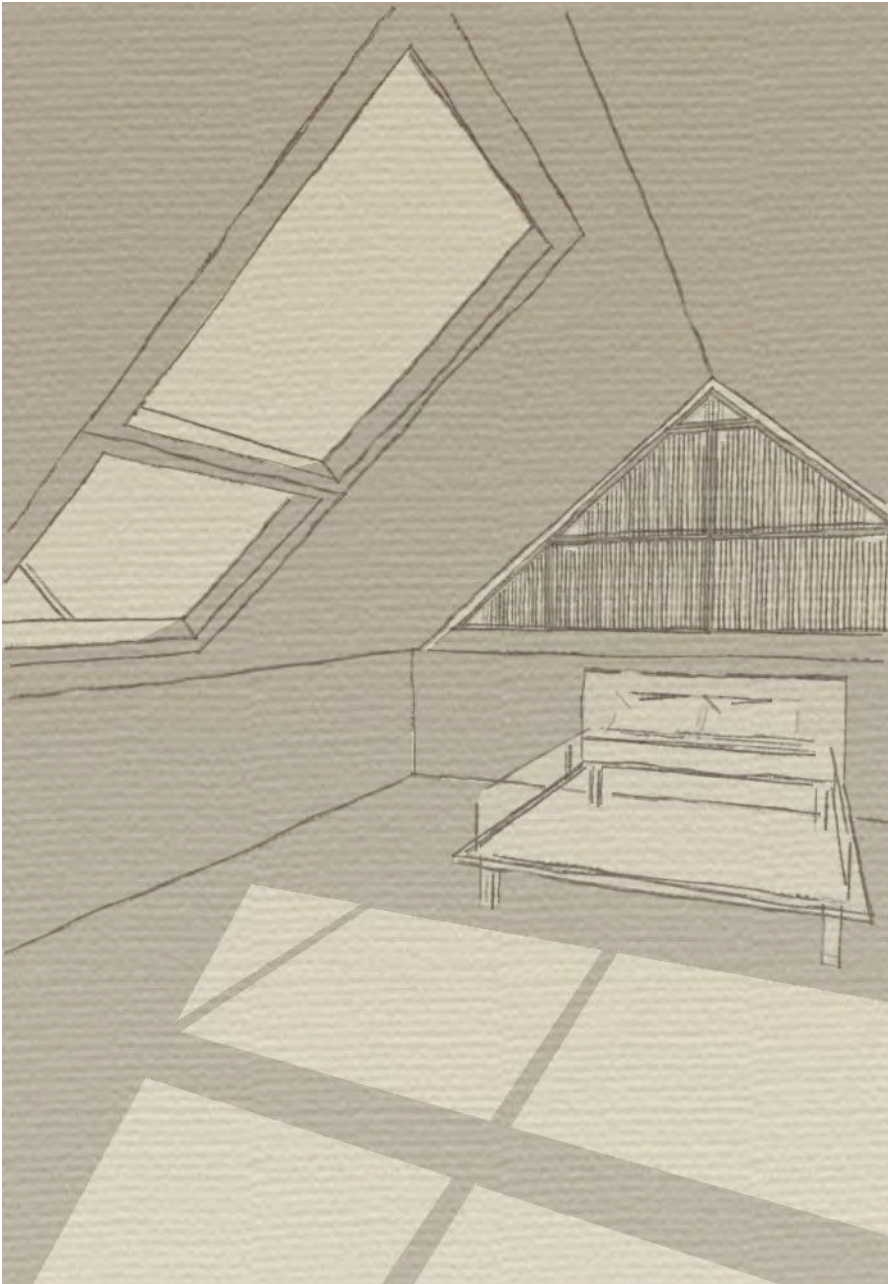


300 Queen Street

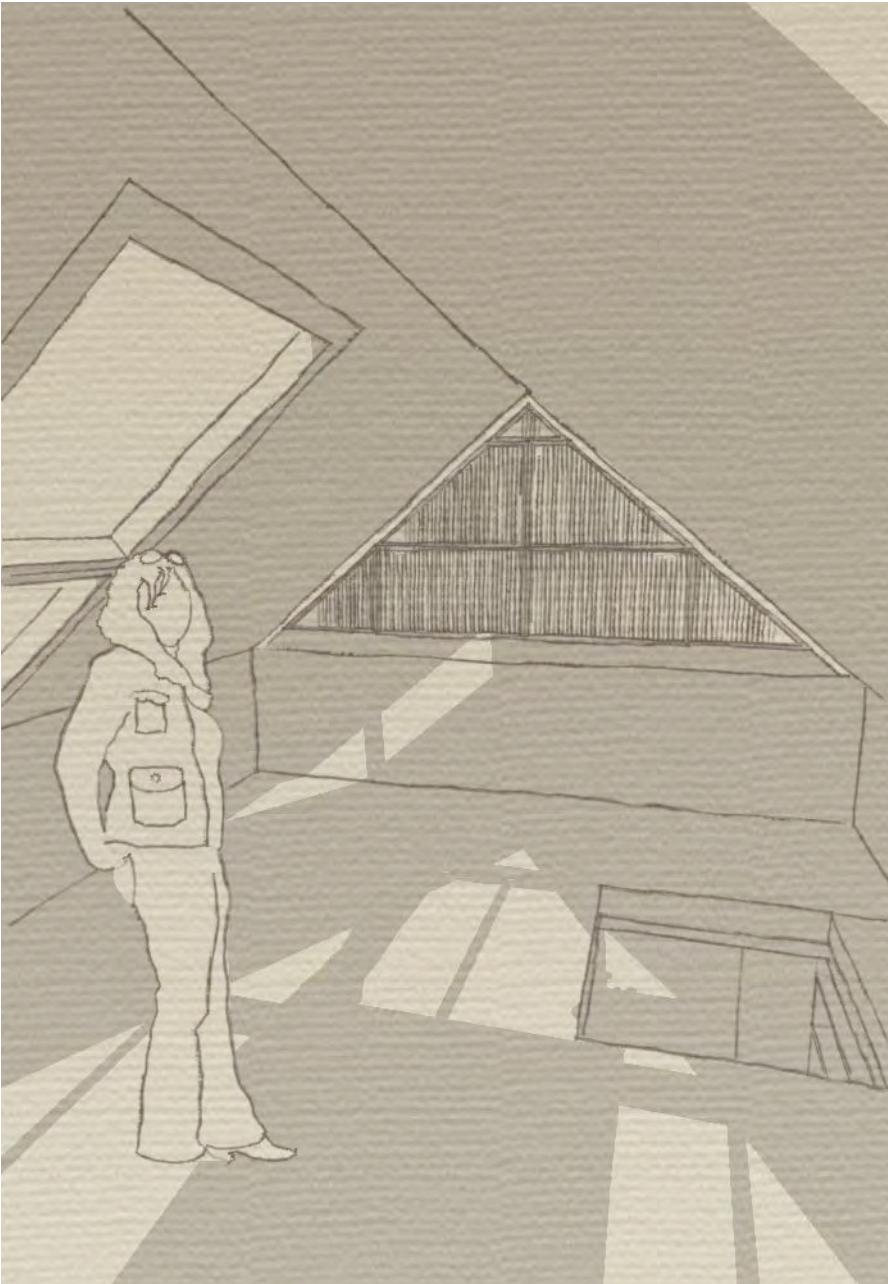
Elevations



300 Queen Street



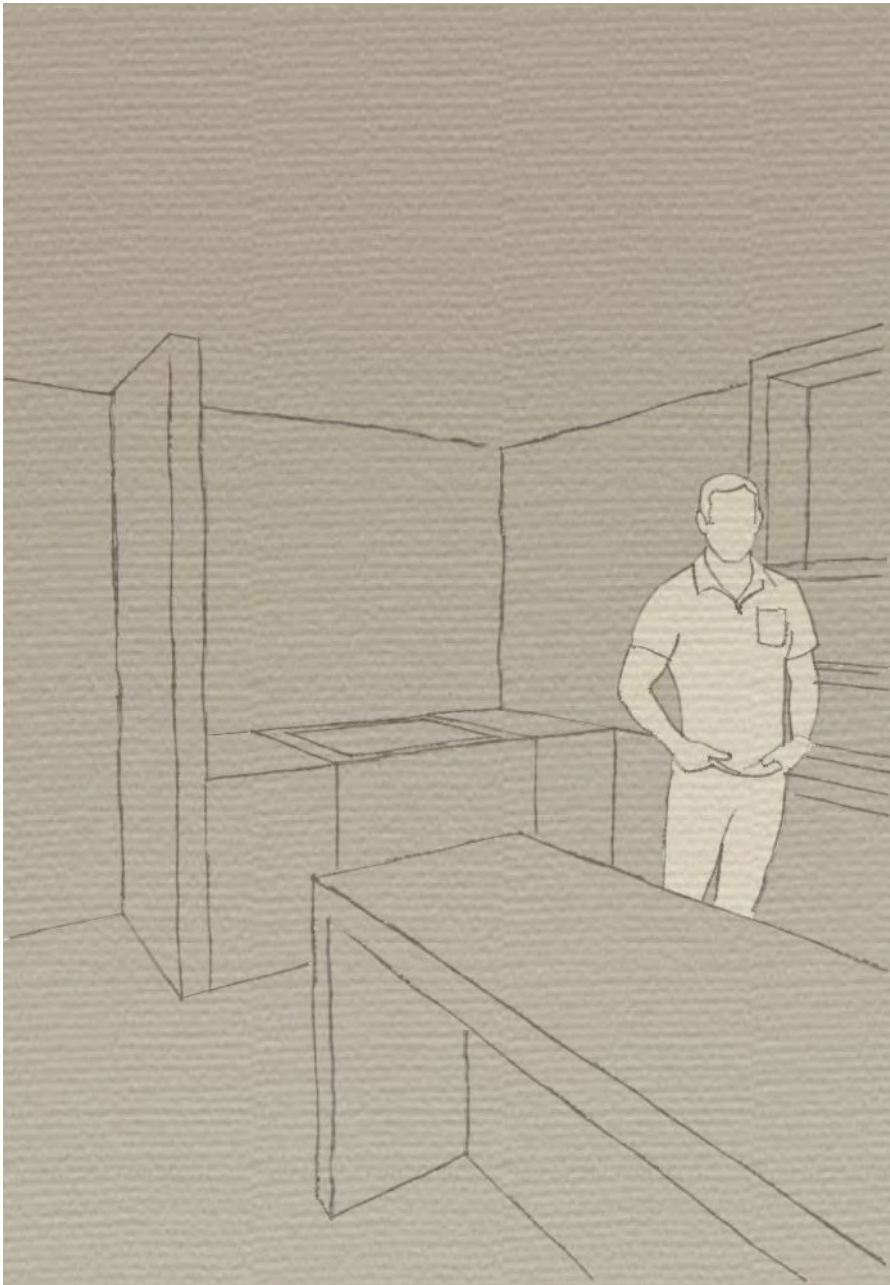
Interior Perspective: Bedroom



Interior Perspective: Office



Interior Perspective: Living Room



Interior Perspective: Kitchen



300 Queen Street



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
OFFICE (928) 634-7943

Zoning Administrator Analysis Planning and Zoning Commission Wednesday, April 21, 2021

Item 8: Extension request (Cuban Queen)
Location: 324 Queen Street
Applicant/Owner: Windy Jones and Josh Lindner/Cuban Queen Bordello LLC
Zone: C-1
APN: 401-06-127
Prepared by: John Knight, Zoning Administrator
Resolution: **P&Z Reso. 2021-07**

Summary: The applicants are requesting a six (6)-month extension of their previous design review and site plan review approvals. The Design Review Board approved a six (6)-month extension on April 5, 2021. The project was originally reviewed and approved by the Planning and Zoning Commission on January 8, 2020 (see attached resolution 2020-4). The approval would have expired in May of 2020; however, the Council has approved two “blanket extensions” of all active planning and building permits due to the covid pandemic. The second blanket extension will expire on May 12, 2021.

The applicant has submitted a request for an additional six (6)-month extension of the site plan review. If approved, this would extend the approval to December 12, 2021.

Ordinance Compliance: The Planning and Zoning Commission has the authority to issue an extension provided the request is submitted prior to the expiration of the extension. Note that the request was received in March 2021.

Section 303.3.E.: Expiration of Approval

1. Six (6) months from the date of approval, a plan approval becomes void if a building permit has not been issued.
2. An extension of approval may be granted if the applicant files for an extension prior to the approval becoming void and the extension is granted by the approving body.

Response: The Planning and Zoning Commission has the authority to issue an extension under Section 303.3.E. Note that the granting of the extension is discretionary. The ordinance states that an “*extension may be granted.*” The ordinance does not state the length of time the board can extend the permit or how many extensions can be granted. Unless circumstances have changed, extensions are typically granted for six months. As noted above, this would extend the approval to December 12, 2021.

Recommendation: The zoning administrator recommends that the Planning and Zoning Commission approve the proposed extension request.

Attachments:

- P&Z Resolution 2021-07
- Application and supplemental information
- P&Z Resolution 2021-4



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
(928) 634-7943

P&Z Resolution 2021-07 **Approving an extension of a previous Site Plan Review approval**

WHEREAS the Town of Jerome has received an application from Windy Jones and Josh Lindner (Cuban Queen Bordello LLC) for an extension of a previous Site Plan Review approval for property located at 324 Queen Street (401-06-127); and

WHEREAS the property is in the C-1 zoning district; and

WHEREAS the Planning and Zoning Commission has the authority to approve extensions under Section 303.3.E. of the Jerome Zoning Ordinance; and

WHEREAS the current approval would expire on May 12, 2021, if an extension were not approved.

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the Town of Jerome, Arizona, that a six-month extension is granted.

1. **Expiration of Approval** – this extension shall become null and void if a building permit is not issued by December 12, 2021.
2. **Appeal:** Any applicant or person or persons directly affected, may appeal a decision of the Jerome Planning and Zoning Commission to the Town Council by filing a written notice of appeal with the town clerk no later than thirty (30) days from date of the commission's decision.

ADOPTED AND APPROVED by a majority vote of the Planning and Zoning Commission on the 21st day of April 2021.

ATTEST:

APPROVED:

Rosa Cays, Deputy Town Clerk

Lance Schall, Chair



Founded 1876
Incorporated 1899

TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
(928) 634-7943 FAX (928) 634-0715

P&Z RESOLUTION NO. 2020-4

APPROVING PRELIMINARY AND FINAL SITE PLAN REVIEW FOR A MIXED-USE COMMERCIAL BUILDING AT 324 QUEEN STREET

WHEREAS, the Town of Jerome has received an application for Preliminary and Final Site Plan Review by Windy Jones and Josh Lindner for property located at 324 Queen Street (APN 401-11-012C); and

WHEREAS, the property is in the C-1 zoning district; and

WHEREAS, the applicant has proposed a mix of both permitted uses (retail) and conditionally permitted uses (boarding house); and

WHEREAS, the applicant has proposed a separate application for approval of the conditionally permitted use; and

WHEREAS, a notice was posted at the site on December 23, 2019 in accordance with Jerome Zoning Ordinance Section 303.1C; and

WHEREAS, the Jerome Planning & Zoning Commission reviewed this application at their January 8, 2020 meeting and wishes to approve the application with certain conditions; and

WHEREAS, the Planning and Zoning Commission finds that the site plan does not adversely affect the public health, safety and general welfare, and so protects the environment and the historical character of the Town of Jerome;

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the Town of Jerome, Arizona, that the Preliminary and Final Site Plan submitted for a mixed-use commercial building at 324 Queen Street is hereby approved, subject to the following conditions:

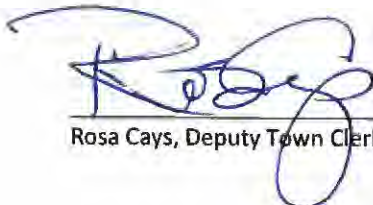
1. **Parking** – A total of six parking spaces shall be provided for the proposed uses. The parking spaces are required to be provided prior to final occupancy.
2. **Height** – The building height shall not exceed 25' above existing average grade.
3. **Construction Hours and Noise** – Construction and noise shall be limited between 8:00 pm and 7:00 am in accordance with Section 10-1-13.C. of the Jerome Town Code.
4. **Sign** – A separate application for the Design Review Board will be required for approval of any signage.
5. **Fire-escape Setback** – The fire-escape at the rear of the building shall be at least 15' from the rear property line.

P&Z RESOLUTION NO. 2020-4

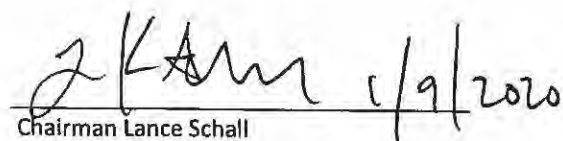
6. **Fire-escape Path** – Access across the adjacent Town-owned lot to the west shall be reviewed and approved by the Fire Chief and Public Works Director prior to issuance of a building permit.
7. **Recorded Agreement** – The applicant shall enter into an agreement with the Town to find an alternative route for the fire-escape path should the Town sell or develop the adjacent lot (APN 401-06-127). This agreement shall be recorded prior to issuance of a building permit. This shall be done at no cost or burden to the Town.
8. **Other Improvements/Changes** – Any subsequent modifications or changes to the Plans, including but not limited to changes in setbacks, square footage, fences, siding, roofing, height, etc., will require additional review by the Planning and Zoning Commission and/or the Design Review Board.
9. **Drainage** - The building permit submittal shall indicate both existing and proposed drainage. This includes, but is not limited to, how drainage will be collected (such as from roof drains) and directed to provide disposal and protection of neighboring properties. This may include splash blocks, swales, detention basins, and gravel catchments to help dissipate hydraulic energy. Roof drains shall not be directed over the front sidewalk.
10. **Sidewalk** – A sidewalk shall be provided across the full front of the lot and shall be reviewed and approved by the Public Works Director prior to issuance of a building permit.
11. **Grading** - Grading shall comply with the requirements of Section 303.3 of the Zoning Ordinance. Grading plans shall include, but not be limited to, adequate dust control measures, erosion control/drainage, and fencing to protect sensitive features (such as trees to be saved).
12. **Sewer/Septic** - The building permit submittal shall show and include details on the location and connection to either public sewer or the use of a septic system.
13. **Home Occupations** - Any proposed use of the property for a Home Occupation shall be incidental to the primary use of the property and in compliance with Section 502.M. of the Zoning Ordinance.
14. **Building Permit Submittal and Code Requirements** - The applicant shall consult with the Building Official and submit detailed drawings for building permits that clearly demonstrate compliance with all Code requirements, including, but not limited to, coverage, height, parking and setbacks (Section 505).
15. **Conditions on Plans** – The building permit plan submittal shall include a sheet with a list of the approved conditions.
16. **Expiration of Approval** - This approval shall become null and void if a building permit is not issued within six (6) months of final Planning and Zoning and Design Review Board Approval of this application. If necessary, the applicant may request an extension by the approval body, if the extension is submitted prior to approval expiration.

ADOPTED AND APPROVED by a majority vote of the Planning and Zoning Commission on the 8th day of January 2020.

ATTEST:


Rosa Cays, Deputy Town Clerk

APPROVED:


Chairman Lance Schall



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
OFFICE (928) 634-7943

Zoning Administrator Analysis Planning and Zoning Commission Wednesday, April 21, 2021

Item 9: **Work session on commercial signs**
Applicant/Owner: Town of Jerome
Prepared by: John Knight, Zoning Administrator
Discussion/Possible Direction

Summary: At the Design Review Board (DRB) meeting on April 5, 2021, the DRB requested that staff schedule a work session on possible changes to the sign ordinance for commercial signs at the next regular meeting. Any potential changes to the ordinance would require input from DRB, Council, and the Planning and Zoning Commission (P&Z).

The recent changes to the sign ordinance recommended by P&Z to Council were primarily focused on temporary signs in the residential areas. This is scheduled for a first reading by Council on April 13, 2021. Questions have been raised by members of the public, the Council, and the boards about possibly changing sections of the ordinance relating to commercial signs. These are discussed below.

1. **Temporary signs/banners** – Section 509.G.8. allows temporary signs in the commercial district up to eight (8) square feet in size. These signs can be displayed for 45 days, twice per year and no more than a total of 90 days per calendar year. No permit is required for a temporary sign. This section also allows some unrestricted temporary signs such as chalkboards for daily menu specials, sandwich boards (on private property), and special events (such as Art Walk).

Issues for Consideration

- a. **Size** – Is eight (8) square feet an appropriate size for a “restricted” temporary sign?
 - b. **Unrestricted signs** – Should menu boards, A-frame signs, and chalkboards have restrictions on size, location, and length of time they can be posted?
 - c. **Permitting** – Should there be a permit process for temporary signs? Without a permitting process, it is difficult to know if a sign has been in place for more than 45 consecutive days.
 - d. **Length of time** – Should the length of time that a temporary sign can be in place be changed from 45 consecutive days and 90 days in a calendar year?
2. **Open/Closed and Directional Signs** – Section 509.G.9. allows exterior open/closed signs up to four (4) square feet in area. These signs require a permit and approval from the Design Review Board.

Issues for Consideration

- a. **Size** – Is four (4) square feet an appropriate size for an open/closed sign?
- b. **Content** – The ordinance refers only to open/closed signs. Should this be expanded to include directional signs (such as the one for the lower floor of Raku) and menu boards?
- c. **Permitting** – Should the permitting be changed from DRB approval to an administrative approval process?

3. **Other forms of advertising** – Business owners have come up with a variety of creative forms of promoting their businesses, such as skeletons holding signs.

Issues for Consideration

- a. **Regulating** – Should similar types of promotion be regulated the same as signs? If a mannequin dressed as a miner is wearing a t-shirt with the business name, should it be considered part of their maximum sign square footage?
 - b. **Size & Number** – Should the size of the mannequins be restricted?
4. **Off-premise signs** – Some businesses are using off-premise signs to advertise their business (such as the Haunted Hamburger and the Asylum). Off-premise signs are defined in Section 509.B.10. as *“A sign not located on the premises of the business which it advertises.”*

Issues for Consideration

- a. **Regulating** – Should off-premise signs in the commercial zone be allowed or should they continue to be prohibited?
- b. **Size & Number** – If allowed, should the size and number be regulated?
- c. **Permitting** – Should off-premise signs be permitted by the DRB, the zoning administrator or should they be allowed without a permit?
- d. **Signs for businesses outside of Jerome** – Should businesses not located in Jerome be allowed to display temporary signs?

Recommendation: The zoning administrator requests direction on possible changes to the sign ordinance relating to commercial signage.

Attachments:

- Photos of signs
- Section 509 of the Jerome Zoning Ordinance

1 - Example of OPEN sign



2 - Example of common temporary sign



3 - Temporary sign on sidewalk



4 - Example of banner sign



5 - Example of off-premise sign



6 - Other temporary and off-premise signs



9 - Closeup of various types of advertising



10 - Other examples of advertising



11 - Example of directional sign



12 – Example of off-premise sign attached to street sign/stop sign



Excerpt from Jerome Zoning Ordinance

SECTION 509. SIGNS

A. PURPOSE

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

B. DEFINITIONS

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

1. Sign - An object meant to convey a message through the use of words or symbols. A sign can be painted on one surface, or both surfaces, be free-standing or be signs supported by a pole or be attached to a building. All exterior whether public or private, are regulated by this ordinance.
2. Area - A rectangular area calculated by drawing horizontal and vertical lines from all sign extremities excluding those which are essentially sign supports.
3. Sign, Campaign - A sign whose sole purpose is to advertise a political candidate or issue.
4. Sign, District - A sign which advertises one or more than one business in a single building or area. A district sign operates as a directory with a heading stating the district and uniform nameplate signs for those businesses within the district.
5. Sign, Canopy - A sign mounted on or painted on a canopy or awning.
6. Sign, Free-Standing - A sign not attached to or supported by a building.
7. Sign, Height - The vertical distance from the ground directly under the sign to the lowest point of the sign.
8. 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. Sign, Off-premise - A sign not located on the premises of the business which it advertises. A district sign is not an off-premises sign.
11. Sign, On-premise - A sign, the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, services, or activities of or on those premises, or the sale or lease of those premises.
12. Sign, Nameplate - A sign which is limited to the name and/or business of the residents of the premises, not exceeding two inches by twelve inches (2" x 12").
13. Sign, Business Door Identification - A nameplate sign of a business name on an entry door, not exceeding two inches by twelve inches (2" x 12").
14. Sign, Projecting - A building mounted sign which projects from and is supported by a wall of a building.

15. Sign, Wall - A sign attached flush to the exterior surface of a building, or permanently applied to a window of a building. The sign must not project above the roof. Light sources aimed at the wall sign may project further.
16. Sign, Historical/Historical Period - A sign in use in Jerome during the period between 1876 and 1953.
17. Sign, Service - An interior sign whose purpose is not to advertise the business displaying the sign, but to inform or provide for the safety of the public. Signs such as credit card placards, directional signs, "No Smoking" signs, and menu boards are examples of service signs.
18. Sign, Open/Closed - A sign indicating that a place of business is open or closed.
19. Sign, Temporary - A sign displayed for not more than forty-five (45) consecutive days or a total of ninety (90) days in a calendar year.
20. 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.

[Ord. No. 457]

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, re-constructed, 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.
 - e. Exterior temporary signs.
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 signs shall be subject to review and approval of the Design Review Board.
2. All signs shall be constructed, designed, or attached to structures in conformance with the building code adopted by the Town of Jerome.
3. No sign shall be constructed, erected or lit in such a manner as to interfere in any way with the flow of traffic on the public right of way, or present a traffic hazard.
4. Free-standing signs shall not exceed four (4) feet in height.
5. There shall be no off-premise signs.
6. Organizations 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. 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 (recordation) of the property.
11. Contractor identification signs or Contractor and/or Architect identification signs may be erected for the duration of construction. Such construction signs are to be removed seven days after 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. Any existing nonconforming sign may be continued in use; if such a sign is damaged, it may be restored or repaired. If a new sign is constructed, it must conform to the provisions of this chapter.
13. Once a year it shall be the duty of the Zoning Administrator to review all district signs and make appropriate recommendations to the Design Review Board.
14. Signs shall be removed upon thirty (30) days of business relocation or closure.
15. If any sign becomes a danger to the public or becomes deteriorated or is abandoned, the property owner, or owner of the sign shall be notified to remove or repair the sign. If he/she does not comply within ten (10) days, the Zoning Administrator shall have the sign removed and the cost assessed to the owner of the property on which such sign is located.

[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.

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

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*

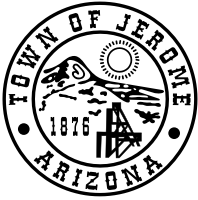
9. Exterior signs indicating open and closed are permitted in addition to normal sign allowances. These signs should be no more than four (4) square feet in area. Such an exterior open/closed sign requires a permit and approval from the Design Review Board.

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.

[Ord. No. 457]

ADDENDUM #1 TO P&Z PACKET – APRIL 21, 2021

1. Item 5 – Addendum and revisions to staff report
2. Item 7 – Updated information re: 300 Queen Street



TOWN OF JEROME

Post Office Box 335, Jerome, Arizona 86331

(928) 634-7943

Zoning Administrator Analysis - **ADDENDUM**

Planning and Zoning Commission Staff Report

April 21, 2021

Item 5: Public Hearing for ordinance amendments regarding administrative approvals and appeals (addendum)

Applicant/Owner: Town of Jerome

Recommendation: Discussion/possible action

Prepared by: John Knight, Zoning Administrator

Background and Summary: Staff has been working with Council member Sage Harvey on some additional improvements to the ordinance amendments. These changes clarify and add definitions for Deck, Parking Area, Patio, and Shed. In addition, there are minor changes to the approval procedures. Due to the late addition of these changes, the Commission can take any of the following actions:

1. Incorporate the proposed changes as part of a motion to recommend approval to the council,
2. Modify the changes as needed,
3. Reject the changes, or
4. Table the item with direction to staff to return at a later meeting with the appropriate modifications.

A summary of the proposed changes is noted below.

Definitions:

Deck: includes structures over 12 inches above the ground.

An open, unroofed porch or platform structure built at least twelve (12) inches above the ground that is located in the front, rear, or side yard or court of a property. When a structure has a roof or wall enclosure that keeps out the elements, it is not a deck and shall be deemed part of the primary structure for purposes of this Ordinance.

Patio: A new definition that Includes anything below 12 inches.

An area, usually paved, that is used for outdoor lounging, dining, and/or recreating that is less than 12 inches above the ground surface. When a structure has a roof or wall enclosure that keeps out the elements, it is not a patio and shall be deemed part of the primary structure for purposes of this Ordinance.

Shed: New definition to clarify that a shed is considered an accessory building.

A simple roofed accessory building or structure, typically made of wood or metal, used as a storage space or a workshop.

Procedures: Under Site Plan Review and Design Review clarified the approval procedure for decks, patios, and sheds.

Site Plan Review:

PROJECTS REQUIRING REVIEW BY THE PLANNING AND ZONING COMMISSION

1. Additions and alterations to residential, commercial, or industrial structures.
2. Decks.
3. Grading, excavation, clearing and grubbing in accordance with Section 303.3.
4. Lot splits and lot line adjustments.
5. Modifications to nonconforming structures.
6. New residential, commercial, or industrial structures.
7. Sheds and accessory structures.
8. Projects not specifically listed as exempt or requiring Zoning Administrator review.

B. PROJECTS REQUIRING REVIEW BY THE ZONING ADMINISTRATOR

1. Parking areas.
2. Patios.
3. Replacement of exterior stairs with metal or other fire-resistant materials, provided there is less than a 10 percent change in the original footprint. Approval by the Fire Inspector is also required.

Design Review:

PROJECTS REQUIRING REVIEW BY THE DESIGN REVIEW BOARD

1. Awnings and permanent signs
2. Additions and exterior modifications
3. Decks
4. Demolitions of existing structures
5. Fences and walls
6. New structures
7. Paint, stain, and similar coatings
8. Sheds and accessory structures
9. Projects not specifically listed as exempt or requiring Zoning Administrator review

PROJECTS REQUIRING REVIEW BY THE ZONING ADMINISTRATOR

1. Changes in roof material or color, provided the new roof has limited reflectivity.
2. Parking areas.
3. Patios.
4. Replacement of exterior stairs with metal or other fire-resistant materials, provided there is less than a 10 percent change in the original footprint and the change is approved by the Fire Inspector.
5. Window and door replacement provided the new window or door replicates the same size and style of the window or door being removed.

General Provisions: New language that patios and parking areas can be located in the front, side or rear yard as long as they are of fire resistant materials and do not include walls, a roof or railings that could block access.

1. *Patios may be constructed in the front, side or rear yard provided they are constructed of fire resistant materials; such as stone, metal or concrete; and do not include walls, a roof, railings or other features that block access through the yard.*
2. *Parking areas may be constructed in the front, side, or rear yard provided they are constructed of fire resistant materials; such as stone, metal or concrete; and do not include walls, a roof, railings or other features that block access through the yard.*

Attachments:

- Redline of proposed amendments

ZONING ORDINANCE OF THE TOWN OF JEROME

ARTICLE I - ADMINISTRATION	SECTION	PAGE
Short Title	101	7
Purpose.....	102	7
Interpretation and Application	103	7
Planning and Zoning Commission	104	7
Board of Adjustment	105	8
Design Review Board	106	10
Zoning Administrator	107	11
Enforcement	108	11
Violation and Penalty	109	12
Severability	110	12
ARTICLE II - DEFINITIONS		
General	201	13
ARTICLE III - PROCEDURES		
Amendments or Zone Changes	301	23
Conditional Use Permits	302	26
Preliminary Site Plan Review	303.1	30
Final Site Plan Review.....	303.2	32
Grading and Excavation Requirements.....	303.3	33
<u>Appeals and Expiration of Approvals.....</u>	<u>303.4</u>	<u>xx</u>
Design Review	304	36
<u>Administrative</u> Appeals and Variances	305	42
Neighborhood Meetings.....	306	44
ARTICLE IV - ZONING DISTRICTS		
Establishment of Zoning Districts	401	47
Location and Boundaries of Districts	402	47
ARTICLE V - USE REGULATIONS		
Nonconforming Situations.....	501	49
General Provisions.....	502	51
“AR” Zone, Agricultural Residential.....	503	56
“R1-10” Zone, Single Family Residential	504	59
“R1-5 Zone, Single Family Residential.....	505	61
“R-2” Zone, Single- and Two-Family Residential	506	63
“C-1” Zone, General Commercial	507	66
“I-1” Zone, Light Industrial.....	508	70
Signs	509	73
Parking and Loading Requirements	510	78
Historic Overlay District	511	81
(Reserved)	512	82
ARTICLE VI - EMERGENCY CLAUSE.....		83
APPENDIX.....		85
INDEX.....		93

declaration that he has a conflict of interest, in which case such member shall take no part in the deliberation on the matter in question.

E. RULES; REGULATIONS; RECORDS; MEETINGS

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

SECTION 106. DESIGN REVIEW BOARD

A. PURPOSE

The purpose of the Design Review Board is to review the exterior design of new buildings and structures, the alteration of buildings and structures, ~~landscaping plans~~, signs, and proposed demolition of structures, within the Historic Overlay District, in order to ensure that new development is compatible with the surrounding environment, and to preserve and protect the historic character of the Town of Jerome in accordance with the provisions of Section 304.

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

The Design Review Board of the Town of Jerome shall be composed of five (5) members. The membership shall consist of five (5) residents of Jerome, who shall be persons qualified by design background, training or experience, to be appointed by the Town Council. Each member shall serve for a term of three (3) years. Members may, after a public meeting, be removed by the Council for inefficiency, neglect of duty, or unethical conduct in office. A Board member who is absent four (4) regular meetings of a year beginning March 1st and ending February 28th shall be deemed to have vacated his or her appointment without further action being taken by the Board or Council. In the event of death or resignation, or removal from the Board, the vacancy shall be filled by the Council for the unexpired term. All members shall serve without pay. However, members of the Board may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the Board and approval of such expenditures by the Town Council.

[Ord. No. 313; Ord. No. 378; Ord. No. 410; Ord. No. 445; Ord. No. 459]

C. POWERS AND DUTIES

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

D. SELECTION OF OFFICERS

The Board shall elect a Chair and Vice Chair from among its own members, who shall serve for one (1) year and until their successors are elected and qualified. No individual may serve consecutively as Chair, or consecutively as Vice Chair, for more than two one-year terms. The Chair shall preside at all meetings and exercise all the usual rights, duties and

ARTICLE II

DEFINITIONS

SECTION 201. GENERAL

Deck - An open, [unroofed porch or platform](#) structure [built](#) at least twelve (12) inches above the ground that is located in the front, rear, or side yard or court of a property. When a structure has a roof or wall enclosure that keeps out the elements, it is not a deck and shall be deemed part of the primary structure for purposes of this Ordinance.

Design Review Board - (see Section 106).

Drive-In Restaurant - any establishment where food or beverages are dispensed and may be consumed on the premises, but not within a closed building.

Drive-In Theater - an open air theater where the performance is viewed by all, or part, of the audience from motor vehicles.

Dump - a place used for the disposal, abandonment or discarding by burial, incineration or by any other means of any garbage, sewage, trash, refuse, rubble, waste material, offal, or dead animals. Such use shall not include any industrial or commercial processes, and/or material.

Dwelling - a building portion thereof designed exclusively for residential purposes, including one-family, two-family, three-family and multiple dwellings; but not including hotels, apartment hotels, boarding and lodging houses, fraternity and sorority houses, rest homes and nursing homes, or child care nurseries.

Dwelling, One-Family - a detached building designed exclusively for occupancy by or occupied by one (1) family for residential purposes.

Dwelling, Two-Family - a building designed exclusively for occupancy by or occupied by two (2) families living independently of each other (i.e., duplex).

Dwelling, Three-Family - a building designed exclusively for occupancy by or occupied by three (3) families living independently of each other (i.e., triplex).

Dwelling, Multi-Family - a building designed exclusively for occupancy by or occupied by four (4) or more families living independently of each other (i.e., four plex or apartment).

Dwelling Unit - a room or group of rooms within a dwelling containing one (1) cooking accommodation, occupied exclusively by one (1) or more persons living as a single non-profit family housekeeping unit.

Easement - a space on a lot or parcel of land reserved or used for location and/or access to utilities, drainage or other physical access purposes. No structure or other physical obstruction may be located within an easement.

Erect - the word “erect” includes built, built upon, added to, altered, constructed, reconstructed, moved upon, or any physical operations on the land, required for a building.

Family - an individual, or two (2) or more persons related by blood or marriage, or a group of persons not related by blood or marriage, living together as a single housekeeping group in a dwelling unit.

Farming - land used or cultivated which is intended only as a supplementary source of income or livelihood.

Fence - a structure built to separate two (2) parcels of land or separate a parcel of land into different use areas.

Floodplain - the areas adjoining the channel of a watercourse, or areas where drainage is or may be restricted by man-made structures which have been or may be covered partially or wholly by floodwater, but shall compose an area not less than that area confined by the fifty-year flood and shall not exceed that area confined by the one hundred-year flood.

Office - a room or rooms and accessory facilities for the managing or conducting of a business.

Off-Street Loading Facilities - a site or a portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, and access drives. (see Section 510).

Off-Street Parking Facilities - a site or a portion of a site devoted to the off-street parking of motor vehicles including parking spaces, aisles, and access drives. (see Section 510).

Open Area - any area used or intended to be used for parking, recreation, open space, agriculture, landing fields and other similar uses.

Open Space - any area used or intended to be used for recreation and/or conservation purposes for an unspecified period of time. This term implies that the environment will remain in its natural state and not be physically disturbed in any way.

Original Grade - the condition of the surface of the property at the time of submittal of preliminary site plan with no grading changes made.

Park - a public or private parcel of land developed and used for passive or active recreation.

Parking Area - an area designed and constructed and used ~~exclusively~~ primarily for the parking, storage and maneuvering of vehicles.

Parking District - a public parking district maintained by the federal, state, county or town government, to special district.

Patio - an area, usually paved, that is used for outdoor lounging, dining, and/or recreating that is less than 12 inches above the ground surface. When a structure has a roof or wall enclosure that keeps out the elements, it is not a patio and shall be deemed part of the primary structure for purposes of this Ordinance.

Person - included are: individual association, company, firm, corporation, Partnership, co-partnership, joint venture, city, county, special district, trust or any other legal group acting as an entity.

Playground - an area used by children for recreation purposes. Also may include a "tot-lot".

Professional Office - any building, structure, or portion thereof used or intended to be used as an office for a lawyer, architect, engineer, surveyor, planner, optometrist, accountant, doctor, dentist, or other similar professions.

Public Building - facilities for conducting public business constructed for various public agencies, including federal, state, county, and town offices and buildings.

Public Hearing - hearings held as required by law.

Public Utility - private or public facilities for distribution of various services, such as water, power, gas, communication, etc., to the public.

Right-of-Way - includes any public or private right-of-way and includes any area required for public use pursuant to any general or official plan.

Recreation Facilities - includes buildings, structures or areas built or developed for purposes of entertaining, exercising or observing various activities participated in either actively or passively by individuals or organized groups.

Recreational Vehicle - a vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motor power or is mounted on or drawn by another vehicle.

Recreational vehicle park - facilities for the temporary storage, parking and maneuvering of recreational vehicles (motor homes, travel trailers, campers etc.) with adequate roads and stall sites, including sanitary and water facilities. Site locations are provided on a day to day

Residence - a structure containing a dwelling unit designed for occupancy or occupied by one (1) family living as a single non-profit family housekeeping unit.

Restaurant - an establishment which serves food or beverages only to persons seated within the building. This includes cafes and tea rooms.

School, elementary, junior high, high school - public and other non-profit institutions conducting regular academic instruction at kindergarten, elementary and secondary levels. Such institutions shall offer general academic instructions equivalent to the standards prescribed by the state board of education.

School, Nursery - a school or the use of a site or a portion of a site for an organized program devoted to the education or day care of five (5) or more children of elementary school age or younger, than those residents on the site. Includes day care center.

School, Trade - schools offering preponderant instruction in the technical, commercial or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technicians schools and similar commercial establishments operated by a non-governmental organization.

School, Private or Parochial - an institution conducting regular academic instruction at kindergarten, elementary and secondary levels operated by a non-governmental organization.

Service Station - an occupancy engaged in the retail sales of gasoline, oil, tires, batteries, and new accessories and which provides for the servicing of motor vehicles and operations incidental thereto, including: automobile washing, waxing and polishing, tire changing and repairing, but not including recapping. May also include battery service, radiator cleaning, flushing and repair, installation of minor accessories, lubrication of motor vehicles, rental of utility trailers, testing, adjustment and replacement of motor parts and accessories.

Setbacks - (see Yard).

Sewage Disposal, Community - a sewage system publicly or privately owned having approval to collect and dispose of domestic and/or industrial waste materials.

Shed - a simple roofed accessory building or structure, typically made of wood or metal, used as a storage space or a workshop.

Sign - (see Section 509).

Site - a parcel of land, subdivided or unsubdivided, occupied or to be occupied by a use or structure.

Spirituos Liquor Tasting Facility - An establishment promoting the retail sales of vinous, spirituous or malt liquor to consumers, and allowing tasting of those vinous, spirituous or malt liquors on the premises of the tasting facility. A vinous, spirituous or malt liquor tasting facility may include snacks, not meals, to consume with vinous, spirituous or malt liquor as a complement to but not as the primary function of the tasting facility. Vinous, spirituous or malt liquor tasting facilities may not include dining room seating. Vinous, spirituous or malt liquor tasting facilities may have an "Other Food" License for ware washing and appetizer preparation only, not for meal preparation. A vinous, spirituous or malt liquor tasting facility shall not have a Series 12 restaurant liquor license.

Stable - a detached accessory structure including, but not limited to, a corral or paddock for the keeping of one or more horses owned by the occupants of the premises and which are not kept for remuneration, hire or sale.

Stable, Commercial - a structure including, but not limited to, a corral or paddock for the keeping of horses for remuneration, hire or sale.

Story - that portion of a building included between the surface of any floor and the finished ceiling

Street - a public or private way permanently dedicated or reserved as a primary means of access to abutting property.

Street Line - the boundary line between street right-of-way and abutting property.

Structure - anything constructed or erected which requires a fixed location on the ground, including a building but not including a fence or wall used as a fence.

Structure, Main - a structure housing the principal use of a site or functioning as the principle use.

Structure Alteration - any change in the supporting members of a building, such as foundations, bearing walls, columns, beams, floor or roof joints, or any change in the exterior dimensions of a building, excepting those changes which may result from providing minor repairs and building maintenance.

Subdivision of Land - (see Arizona Revised Statutes, Section 9-463).

Swimming Pool - any permanent structure containing or intended to contain water for recreational uses, including wading pools.

Travel Trailer - a vehicle without motive power, portable structure with wheels built on a chassis, designed as a temporary dwelling for travel recreation and vacation purposes, having a body width not exceeding eight (8) feet and its body length does not exceed thirty-two (32) feet.

Trailer Park or Court - facilities for the storage, parking and maneuvering of mobile homes or trailers with adequate road and stall sites, and providing adequate sanitation and water facilities required to meet the needs of the residents. Site location is provided on a rent or lease basis. Includes mobile home parks.

Town - the Town of Jerome, Yavapai County, Arizona.

Use - the purpose for which a site or structure is arranged, designed, intended, constructed, moved, erected, altered or enlarged or for which either a site or structure is or may be occupied and maintained.

Use, Conditional - a use which is listed as a conditional use in any given district in this ordinance. Conditional uses may be required to meet certain requirements as a condition precedent to the granting of a use permit which will allow the establishing of a conditional use in any given district.

Use, Permitted - a use which is listed as a permitted use in any given district in this ordinance. Permitted uses may not meet special requirements as a condition precedent to be allowed to establish in a given district, except as may be required by the provisions of this ordinance.

Variance - (see Arizona Revised Statutes, Section 9-462, and Section 305 of this Ordinance).

Vineyard - is an area of land planted with cultivated grapevines.

Viniculture - is the science, cultivation and study of grapes which deals with the series of events that occur in a vineyard, which vineyard produces grapes specifically for winemaking, whether for commercial, non-commercial or domestic use. The term "viniculture" shall not apply to plantings of one hundred (100) vines or less.

Wall - any structure or device forming a physical barrier which is so constructed that fifty (50) percent or more of the vertical surface is closed preventing the passage of light, air and vision through said surface.

Warehouse - a building or buildings used for the commercial storage of goods, where no retail or wholesale operations are conducted at the site.

SECTION 302. CONDITIONAL USE PERMITS

E. COUNCIL ACTION ~~AND APPEALS~~

1. Upon receipt from the Zoning Administrator of a Planning and Zoning Commission recommended action on a Conditional Use Permit application, the Town Clerk shall place the permit on the regular Council meeting agenda first following the 15th day after approval of the permit by the Planning Commission.
- ~~2. Any person may file an appeal with the Jerome Town Council over any decision of the Planning and Zoning Commission regarding the granting, or denying, of use permits. Such appeal must be filed with the Council within fifteen (15) days after Commission action.~~
- ~~3. When written appeal is filed with the Town Clerk, the Council shall evaluate the appeal at their regular meeting where the use permit is agendized for Council's action. Where an appeal has been filed, the Council may elect to set the matter for a public hearing, and if such action is taken, a legal notice shall be published at least once in the official newspaper of the Town and the property included in the application shall be posted at least fifteen (15) days prior to the hearing date. Notice shall be given to the Planning Commission of such appeal and the Commission shall submit a report to the Council setting forth the reasons for its action taken. The Commission shall be represented at the hearings by the Commission Chairman or his designee.~~
- ~~4.2.~~ The Council shall within fifteen (15) days after their regular meeting or public hearing, act on the recommendation of the Planning and Zoning Commission by either affirming, reversing or modifying the action of the Planning and Zoning Commission. The Town Council may make a decision based on its own findings.
- ~~5.3.~~ The Council may designate such conditions in connection with the permit as it deems necessary to secure the intent and purpose of this Ordinance and may require such guarantees and ~~evidences~~evidence that such conditions are being, or will be, complied with.
- ~~6.4.~~ The Council's decision shall be final and shall become effective immediately. Notice of the decision shall be mailed to the applicant at the address shown in the application.

F. TIME LIMITS

1. Use permits become effective immediately upon action by the Town Council.
2. Any use permit issued by the Town Council shall be commenced within six (6) months from the date of Council ratification, and diligently pursued, otherwise it shall become null and void.
3. No person shall reapply for the same or substantially the same use permit on the same or substantially the same plot, lot, or parcel of land within a period of one (1) year from the date of denial or revocation of said use permit.
4. An extension of approval may be granted if the applicant files for the extension prior to the approval becoming void and the extension is granted by the town council. The Town Council may grant up to two additional extensions provided the approval is in compliance with all ordinances and requirements in effect at the time of the extension request. Application for an extension shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the office of the Town Clerk.

G. REVOCATION

Use permits granted in accordance with the provisions of this ordinance may be revoked if any of the conditions of terms of the permit are violated or if any law or ordinance is violated in connection therewith.

The Zoning Administrator shall notify the permittee, by regular ~~First Class~~First-Class mail, of a violation or termination of a use permit. If no attempt to change the violation is made within ~~ten~~fifteen (~~15~~10) days after notification, the permit shall be revoked and considered null and void.

Any use permit shall be considered null and void if construction does not conform to the originally approved site plan. Any deviations requested from the originally approved site plan shall be processed as a new use permit.

H. FEE

The application for a conditional use permit shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the office of the Town Clerk. No part of the filing fee shall be returnable. Payment of the filing fee shall be waived when the petitioner is the Town, County, State or Federal Government.

[Ord. No. 406; Ord. No. 407]

SECTION 303.1. ~~PRELIMINARY~~ SITE PLAN REVIEW

A. PURPOSE

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.

[Ord. No. 293]

B. PROJECTS REQUIRING REVIEW BY THE PLANNING AND ZONING COMMISSION

1. ~~Projects requiring Preliminary Site Plan Review shall include but not be limited to:-~~
Additions and alterations to residential, commercial, or industrial structures.
2. Decks.
3. Grading, excavation, clearing and grubbing in accordance with Section 303.3.
4. Lot splits and, lot line adjustments.
5. Modifications to non-conforming structures.
6. New residential, commercial, or industrial structures. ~~construction,~~
~~alterations,~~
7. Sheds and accessory structures. ~~buildings,~~
8. ~~grading and excavation and clearing and grubbing~~
9. Projects not specifically listed as exempt or requiring Zoning Administrator review.

C. PROJECTS REQUIRING REVIEW BY THE ZONING ADMINISTRATOR

1. Parking areas.
2. Patios.
3. Replacement of exterior stairs with metal or other fire-resistant materials, provided there is less than a 10 percent change in the original footprint. Approval by the Fire Inspector is also required.

D. PROJECTS EXEMPT FROM SITE PLAN REVIEW

1. Repair, replacement, and maintenance of existing structures, provided that the same materials are used.
- ~~2.~~ Landscaping (not including accessory structures such as gazebos, pergolas, shade structures, and sheds). [Ord. No. 293; Ord. No. 446]

~~C.E.~~ PROCEDURE

Applications for A preliminary-site plan review shall be submitted to the Zoning Administrator for review by the Building Inspector, Fire Inspector, Zoning Administrator, and Planning and Zoning Commission. The site shall be posted according to a procedure outlined by the Zoning Administrator. Such posting will include, but not be limited to, proposed improvements and usage of said property and will commence ~~two (2) weeks~~ fifteen (15) days prior to ~~preliminary~~ site plan review and remain until after final approval. If the site plan can be reviewed and approved by the Zoning Administrator, then site posting is not required. ~~The request for approval shall be accompanied by eight (8) identical copies of the plan. Each copy shall be on one (1) or more sheets of paper measuring not more than twenty four by thirty six inches (24" x 36"), drawn to a scale not smaller than forty (40) feet to the inch which show the following:~~ Plans submitted shall include the following:

1. A ~~North-directional north~~ arrow; scale used; lot dimensions referenced to a legal description; and street dedications, easements, and utilities, both public and private. In cases where the location of a property perimeter is unclear, the Building Inspector may require a boundary survey with corners identified on the ground.
2. A vicinity sketch showing the location of the site in relation to the surrounding street system. Adjacent properties and their uses shall be identified.
3. Location, perimeter size, and use of all existing and proposed buildings and structures; as well as number of stories of all proposed buildings and structures.
4. Size and dimensions of required yards and lot coverage for the zoning district and the space between buildings.
5. Location and height of all existing and proposed walls and fences.
6. Location, number of spaces, dimensions, circulation patterns, and surface materials for all off-street parking and loading areas proposed. All parking shall comply with Section 510 of the Jerome Zoning Ordinance.
7. Existing drainage. Show how proposed drainage will be directed indicating both adequate disposal and protection of neighboring properties.
8. Natural features; such as rock outcroppings, trees over twelve (12) inches in diameter, washes, and man-made features such as existing roads and structures, walkways, and stairways, with indication as to which are to be retained, ~~and which~~ removed, or altered.
9. Existing and proposed grades, by spot grades or topographic representation. The Building Inspector may require a topographic survey and additional engineering.
 - a. Slopes exceeding thirty-five (35) percent shall require a topographic survey by a licensed engineer or surveyor. In addition, the applicant shall provide a satisfactory assessment by a licensed engineer regarding soil/geological stability, bearing qualities and drainage. If indicated by this assessment a structural engineer shall design all foundations and retaining structures.
 - b. Exceptions. The additional studies required in number 9(a) may be waived, if the dollar amount of the project does not require a licensed contractor according to A.R.S. 32-1121.
10. All proposed excavation and grading shall conform to Section 303.3 of this ordinance.
 - ~~a.—Shall conform to Section 303.3 of this ordinance.~~
 - ~~b.—Where the combined proposed cut and fill exceeds fifty (50) cubic yards, the applicant must obtain a separate grading permit from the Building Inspector. An~~

~~assessment by a civil, structural or soils engineer may be required to show site stability and lack of negative impact.~~

~~e.—Six (6) months from the date of approval of a grading permit approval becomes void if the grading permit has not been issued.~~

~~d.—Exploratory excavation of ten (10) cubic yards or less can proceed with the approval of the Zoning Administrator and Building Inspector. The applicant shall submit plans for approval by the Planning and Zoning Commission for all excavation in excess of ten (10) cubic yards.~~

11. Any other information ~~which~~ that the Zoning Administrator may find necessary to establish compliance with this and any other ordinances.

12. Application for sign permits shall be filed in accordance with the provisions of Section 509.

[Ord. No. 293]

~~D.F.~~ FEE

The application for Plan Approval shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the offices of the Town Clerk. No part of the filing fee shall be returnable. Payment of the filing fee shall be waived when the petitioner is the Town, County, State or Federal government.

[Ord. No. 293]

~~E.G.~~ REVIEW PROCEDURES

Site plan review may be accomplished by either the Zoning Administrator or the Planning and Zoning Commission in accordance with the provisions of this section. Once submitted, ~~t~~The Zoning Administrator shall have ~~ten (10) working~~ fifteen (15) days from the date of submission of a ~~preliminary~~ site plan application to review said plan for completeness. If Planning and Zoning Commission review is required, a ~~A~~ completed ~~preliminary~~ site plan shall be submitted for review by the commission ~~to the Planning and Zoning Commission~~ at the next available meeting if received by the submission deadline. ~~earliest meeting time available.~~ The Zoning Administrator may request ~~Design~~ design Review ~~review~~ recommendation on the ~~Preliminary Site~~ site Plan ~~plan.~~ The Zoning Administrator or 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.~~

[Ord. No. 293]

SECTION 303.2. FINAL SITE PLAN REVIEW

A. FINAL PLAN PROCEDURES

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

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

B. REVIEW

1. The ~~Final~~final Plan-plan shall be checked for completeness by the Zoning Administrator within fifteen (15) days. A completed final plan shall be presented to the Planning and Zoning Commission and the Design Review Board, when necessary, at the earliest possible meetings.

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

The Design Review Board approval of the ~~Design~~design elements of the ~~Final~~final Plan-plan is outlined in Section 304.

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

SECTION 303.3. GRADING AND EXCAVATION REQUIREMENTS

All excavation and grading shall be performed in accordance with these provisions.

This section shall not affect existing legal uses of property or the right to continuation of such legal use. However, if a nonconforming use of a structure or land is discontinued for six (6) months, any further use shall comply with these requirements.

~~Projects with grading or excavation of greater than fifty (50) cubic yards of material shall comply with these requirements.~~

Where the combined proposed cut and fill exceeds ten (10) cubic yards, the applicant must obtain a separate grading permit from the Building Inspector. An assessment by a civil, structural, or soils engineer may be required to show site stability and lack of negative impact.

Six (6) months from the date of approval of a grading permit, the approval becomes void if the grading permit has not been issued.

Exploratory excavation of ten (10) cubic yards or less can proceed with the approval of the Zoning Administrator and Building Inspector. The applicant shall submit plans for approval by the Planning and Zoning Commission for all excavation in excess of ten (10) cubic yards.

A. APPROVAL PROCEDURE

1. Any person wishing to do any grading, filling, excavation, cutting or other site earthwork shall submit plans, drawings and supporting data including the quantity of cut and the quantity of fill and any other information required by the Zoning Administrator and/or Building Inspector. The Planning and Zoning Commission will look for compliance with these requirements in making its decision.
2. Grading shall be done in conjunction with a site plan filed with the Zoning Administrator. Such plan will be presented to the Planning and Zoning Commission at its next regularly scheduled meeting. Grading, excavation and fill shall not:
 - a. adversely affect the lateral support of adjacent property or structures;
 - b. increase the stresses in or pressures upon any adjacent or contiguous property;
 - c. physically infringe on adjacent property;
 - d. include detrimental excavation or stockpiling;
 - e. be in a public right-of-way; ~~and/or~~
 - f. have a negative impact on existing drainage.
3. The effect of the proposal on scenic views will be considered for potential impact.
4. Where the slope exceeds thirty-five (35), percent engineering reports shall be required under the Site Plan requirements of the Jerome Zoning Ordinance.

B. POST-APPROVAL PROCEDURE

If approved by the Planning and Zoning Commission, the activity will be carried out as stipulated in these requirements. The activities described below shall be performed by licensed contractors where required by law.

1. All grading and excavation shall be performed with safety precautions and any anti-erosion or drainage devices required by the Building Inspector.

2. Construction equipment parking and storage needs shall be ~~identified~~identified, and provisions made not to interrupt, ~~more than absolutely necessary~~, normal traffic flow. more than absolutely necessary.
3. Dust control measures shall be taken, and loads covered to prevent spilling and blowing.
4. Fencing of hazardous sites shall be required.
5. Safety fencing to protect neighboring property may be required.
6. The Building Inspector may require adequate inspection and compaction control by an approved soils testing agency. This may include certification concerning the inspection of cleared areas and benches to receive fill and the compaction of fills.
7. Cuts shall be accomplished to blend scale, form, and visual character into the natural ~~land forms~~landforms and minimize exposed scars.
8. Cuts shall be adequately fenced.
9. Driveway slope shall not exceed fifteen (15) percent, where possible, within topographic constraints. In every case, driveways shall blend in with the surrounding natural colors, and shall have adequate measures taken for runoff and drainage.
10. Fills shall be accomplished to blend scale, form, and visual character into the natural ~~land forms~~landforms and minimize exposed scars.
11. The Building Inspector may require further supporting data to ensure stability.

C. RESPONSIBILITIES OF THE APPLICANT

1. The applicant his agent contractor or employee shall carry out the proposed work in accordance with the approved plans and specifications and in compliance with all Jerome Zoning Ordinance requirements.
2. During grading operations, the applicant shall be responsible for the prevention of damage to any street or drainage facilities or to any public utilities or services.
3. The applicant is responsible for the prevention of damage to adjacent property, and no person shall excavate on land sufficiently close to the property line to endanger any adjoining public street sidewalk alley or other public or private property prior to supporting and protecting such property from settling, cracking or other damage that might result.
4. No modification of the approved grading, excavating or fill plans may be made without the approval of the Planning and Zoning Commission.
5. Neither the issuance of a permit or approval under these requirements, nor the compliance with the provisions hereof, or with any conditions imposed in the permit issued hereunder, shall relieve any person from responsibility for damage to other persons or property, nor impose any liability upon the Town of Jerome for damage to other persons or property.
6. An as-built plan including original ground surface elevations, as-built surface elevations, site drainage patterns and location and elevations of all surface and sub-surface drainage facilities shall be submitted upon completion of work. If required by the Building Inspector, a civil engineer's certification shall be provided for the final plan.

SECTION 303.4. APPEALS AND EXPIRATION OF APPROVALS

D.A. APPEALS

1. Any applicant, person residing within 300 feet of the project, or person ~~or persons-~~ ~~directly adversely~~ affected may appeal a decision of the Planning and Zoning Commission to the Town Council by filing a written notice of appeal with the Town Clerk not later than thirty-five (3015) days from date of the ~~Commission's-~~ commission's decision. If the appellant is not the applicant and resides beyond 300 feet of the project, the appellant shall clearly demonstrate how they might be adversely affected by the proposed project.
2. When a written appeal is filed with the Town Clerk, the Council shall evaluate the appeal at their next available regular or special meeting. Where an appeal has been filed, the Council may elect to set the matter for a public hearing. If such action is taken, a legal notice shall be published at least once in the official newspaper of the Town; the site shall be posted at least fifteen (15) days prior to the hearing date; and notice shall be mailed to property owners within 300 feet of the site. Notice shall also be given to the Planning and Zoning Commission and the appellant. The Zoning Administrator shall submit a report to the Council with all relevant information and set forth the reasons for action taken by the Planning and Zoning Commission.
- ~~1.3. Any applicant or person or persons directly affected,~~ An appeal may be filed by persons aggrieved or by any officer, department, board, or bureau of the municipality affected by a decision of the Zoning Administrator. Appeals will be forwarded to the Board of Adjustment may appeal a decision of the Zoning Administrator to the Board of Adjustment by filing a written notice of appeal with the Zoning Administrator; not later than thirty-five (3015) days from the date of the Zoning Administrator's decision.

E.B. BUILDING PERMIT ISSUANCE EXPIRATION OF APPROVAL

1. Six (6) months from the date of approval, a plan approval becomes void if a building permit has not been issued and/or work has not commenced.
- ~~1.2. A building permit shall not be issued by the Building Inspector until the fifteen (15)-day appeal period has expired.~~
3. An extension of approval may be granted if the applicant files for an extension prior to the approval becoming void and the extension is granted by the approving board body. The approving board may grant a second extension provided the approval is in compliance with all ordinances and requirements in effect at the time of the extension request. Any additional extension requests require review by the Town Council. Application for an extension shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the office of the Town Clerk.

F.C. VIOLATION AND ENFORCEMENT

1. Prior to the issuance of a ~~Building-building Permit~~ building permit, the Building Inspector shall ascertain that the Planning and Zoning Commission has approved ~~Preliminary and Final~~ plans ~~which that~~ are in conformance to those presented with the Building Permit application and that the time limitations imposed by this ~~Ordinance-ordinance~~ have not elapsed.
2. The Zoning Administrator shall ensure that all matters are undertaken according to the conditions of the approved plan. If, during the course of work, changes in the approved plan are necessitated by conditions found at the site, an appropriately

licensed engineer's approval may be required for the modified plans. In the event of a violation, the Zoning Administrator shall notify the permittee, by mail, that he is in violation of the conditions of the approved plan. If there are no plans, approved by the Zoning Administrator, to eliminate the violation within ~~ten (10)~~ fifteen (15) days after notification, the building permit shall be revoked and considered null and void.

3. If, thirty (30) days after written notification by the Zoning Administrator, the applicant ~~a Citizen~~ is still in violation of this ~~Ordinance~~ ordinance, the Zoning Administrator shall take appropriate legal action to abate the violation.

[Ord. No. 293]

SECTION 304. DESIGN REVIEW

A. PURPOSE

The purpose of Design Review is to enable the Design Review Board to review the exterior design of proposed new buildings and structures, proposed alterations of buildings and structures, ~~landscaping plans~~, proposed signs, and proposed demolition of structures, within the Historic Overlay District, in order to ensure that new development is compatible with the surrounding environment, and to preserve and protect the historical character of the Town of Jerome. Design Review is intended to promote and preserve Jerome's economic and environmental well-being which depends exclusively upon its distinctive character, natural attractiveness, and overall architectural quality which contribute substantially to its viability as a recreational and tourist center and which contributed to its designation as a National Historic Landmark. Design Review is intended to enrich the lives of all the citizens of Jerome by promoting harmonious, attractive, and compatible development, and is therefore considered to be in furtherance of the general welfare. The provisions of this Section shall apply to all new construction, exterior alterations, demolitions, and signs, in the Historic Overlay District.

B. PROJECTS REQUIRING REVIEW BY THE DESIGN REVIEW BOARD

1. Awnings and permanent signs
2. Additions and exterior modifications
3. Decks
4. Demolitions of existing structures
5. Fences and walls
6. New structures
7. Paint, stain, and similar coatings
8. Sheds and accessory structures
9. Projects not specifically listed as exempt or requiring Zoning Administrator review

C. PROJECTS REQUIRING REVIEW BY THE ZONING ADMINISTRATOR

1. Changes in roof material or color, provided the new roof has limited reflectivity.
2. Parking areas.
3. Patios.
4. Replacement of exterior stairs with metal or other fire-resistant materials, provided there is less than a 10 percent change in the original footprint and the change is approved by the Fire Inspector.
- ~~4.~~ 5. Window and door replacement, provided the new window or door replicates the same size and style of the window or door being removed.

D. PROJECTS EXEMPT FROM DESIGN REVIEW

Landscaping (not including accessory structures such as gazebos, pergolas, shade structures, and sheds) provided any grading and excavation is in compliance with Section 303.3 and repair, replacement, and maintenance of existing structures, provided that the same materials are used

Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any building or structure; nor shall anything in this article be construed to prevent the construction, reconstruction, alteration, or demolition of any such elements that the authorized municipal officers shall certify as required by public safety.

B.E. PRELIMINARY REVIEW PROCEDURE

- ~~1.—Prior to the preparation of final design and working drawings and specifications or calling for bids from contractors, prospective property developers, owners or agents shall prepare preliminary scale drawings, photographs, specifications color samples, and material samples, and shall present these items to the Design Review Board for informal review and discussion. The purpose of this Review shall be to acquaint the developer, owner or agent with standards of design that are required of his proposed development.~~
1. Applications for design review shall be submitted to the Zoning Administrator for review by the Building Inspector, Fire Inspector, Zoning Administrator, and Design Review Board in accordance with the provisions of this section. Review may be accomplished by either the Zoning Administrator or the Design Review Board. Once submitted, the Zoning Administrator shall have fifteen (15) days from the date of submission of an application to review the application for completeness. If review is required by the Design Review Board, the application shall be submitted for review by the board at the next available meeting. If Site Plan Review is required according to Section 303, the application shall be submitted concurrently. The Design Review Board or Zoning Administrator shall approve, conditionally approve, or deny the application. Once denied, the original plan shall not be resubmitted.
2. When, in the opinion of the Design Review Board, upon hearing and considering all relevant information, a project is not in keeping with either the tenets of this ordinance or the Jerome General Plan, the project shall be denied by specific motion of the Design Review Board.
3. All copies of the approved plan, with any conditions shown thereon or attached thereto, shall be dated and signed by the Zoning Administrator. One (1) copy of said approved plan and conditions together with a notification of all Design Review requirements and procedures shall be distributed to the applicant and one (1) copy shall be filed with the Building Inspector.

C. FINAL REVIEW

~~When required by the Design Review Board to submit an Application for Final Approval, the applicant shall do so in accordance with the requirements of Subsection D of this Section.~~

D.F. APPLICATION FOR FINAL APPROVAL AND PERMIT

- ~~1.—An~~ A prescribed application form for Design Review approval shall be filed with the Zoning Administrator on a form prescribed by the Administrator, which details the information that must be provided by the applicant along with the plans and other documents that must be submitted. All applications, at a minimum, must be accompanied by the following:
 - ~~a.—the name and address of the property owner;~~
 - ~~b.—the signature of the property owner or an authorized agent;~~
 1. eight (8) copies of the plot plan or site layout, drawn to scale, including all improvements affecting the appearances such as walls, walks, terraces, landscaping, accessory buildings, lights and other elements;
 - ~~d.—one (1) set of legible photographs showing all sides of existing structures on the~~

- ~~site; one (1) set of legible photographs showing the adjoining properties, buildings and structures;~~
 - ~~e. eight (8) copies of exterior elevations, drawn to scale, on one (1) or more sheets of paper measuring not more than twenty four by thirty six inches (24" x 36"), with sufficient detail to show, as far as they relate to exterior appearances, the design, proposed materials, textures and colors, and~~
 - ~~f. any other information which the Design Review Board may find necessary to establish compliance with this Section.~~
- 2. An [prescribed](#) application [form](#) for Approval of the Demolition, Partial Demolition or Removal of an Existing Building or Structure shall be filed with the Zoning Administrator ~~on a form prescribed by the Administrator~~ which details the information that must be provided by the applicant along with the number of plans and other documents that must be submitted. ~~The application shall be accompanied by the following:~~
 - ~~a. Legible photographs showing all sides of the building or structure for which the application is made. (1 copy)~~
 - ~~b. Legible photographs showing the adjoining properties. (1 copy)~~
 - ~~c. Any other information the Design Review Board may find necessary to establish compliance with this Section.~~
- 3. ~~An application for Design Review Board approval of a proposed new Sign shall be filed with the Zoning Administrator on a form prescribed by the Zoning Administrator. The application shall be accompanied by: eight (8) identical copies of the sign plans. Each copy shall be on one (1) or more sheets of paper measuring not more than twenty four 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 resubmit 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.~~
- 4. ~~Upon receipt of a complete application for Final Approval, the Zoning Administrator shall forward it to the chairman of the Design Review Board. The application shall be reviewed by the Design Review Board within the time limits established in Subsection F of this Section. The Zoning Administrator shall notify the applicant of the time and place of the meeting.~~

E.G. FEE

The application for Design Review shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the offices of the Town Clerk. No part of the filing fee shall be returnable. Payment of the filing fee shall be waived when the petitioner is the ~~Town~~town, ~~County~~county, ~~County~~, ~~State~~state or ~~Federal~~federal ~~Government~~government~~Government~~.

F.H. REVIEW PROCEDURES AND CRITERIA FOR NEW CONSTRUCTION

1. The Design Review Board and Zoning Administrator shall use the criteria below to review proposed applications for new construction. ~~shall review a submitted application for design approval for all new construction and/or installation of Accessory Features. In doing so, both the Design Review Board~~ The Zoning Administrator, Design Review Board, and the applicant shall use photographs, lithographs, and ~~the like of other depictions of~~ Jerome, to support their findings. If photographs, etc., are unavailable, then the determination or finding shall be based on the works of a recognized historic preservation authority; such as, but not limited to, text-books or an architect/historian. Each of the following criteria must be satisfied before an application can be approved:-
 - a. PROPORTION – The relationship of the width of building or structure to its height shall be visually compatible to buildings, structures, and places to which it is visually related.
 - b. OPENINGS – The relationship of the width of the windows and doors, to the height of windows and doors in a building shall be visually compatible with buildings, structures, and places to which the building is visually related.
 - c. PATTERN – The relationship of solids to voids in the facade of a building or structure shall be visually compatible with buildings, structures, and places to which it is visually related.
 - d. SPACING – The relationship of buildings or structure to the open space between it and adjoining buildings shall be visually compatible to the buildings, structures, and places to which it is visually related.
 - e. ENTRANCES, PORCHES, DECKS, AND PROJECTIONS – The height, projection, supports, and relationship to streets and sidewalks, of entrances, porches, decks, awnings, canopies, and balconies of a building shall be visually compatible to the buildings, structures, and places to which it is visually related
 - f. MATERIALS, TEXTURE AND COLOR – The materials, texture, and color of the facade of a building or structure; shall be visually compatible with the predominant materials, textures, and color used in the building and structures to which it is visually related.
 - g. ROOFS – The roof shape of a building shall be visually compatible with the buildings to which it is visually related.
 - h. ARCHITECTURAL DETAILS – Doors, windows, eaves, cornices, and other architectural details of a building or structure shall be visually compatible with buildings and structures to which it is visually related.
 - i. ACCESSORY BUILDINGS - Garages, carports, and sheds shall be visually compatible with buildings, structures, and places to which they are visually related.
 - j. ACCESSORY FEATURES – Fences, walkways, decks, stairways, lighting, antennae, ~~antenna~~ and other manmade structures shall be visually compatible with buildings, structures, and places to which they are visually related.
 - k. LANDSCAPING – Landscaping shall be visually compatible with the landscaping

around the buildings, structures, and places to which it is visually related.

- l. SCREENING – The proposed addition, alteration, or other changes shall be screened with appropriate materials and in an appropriate design so as to be visually compatible with related properties, when, in the opinion of the Design Review Board, all other means of assuring visual compatibility are not reasonably possible.
 - m. SOLAR INSTALLATIONS – Refer to “Solar Energy System Design Guidelines” approved by the Town Council in June 2015, utilizing best practices for installing solar on historical buildings as recommended by the Department of the Interior. These ~~Guidelines~~ guidelines are available at Jerome Town Hall, the Jerome Library, and on the Town of Jerome website.
2. The Design Review Board and Zoning Administrator 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~~ their 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 made of wood are preferred.
 - b. LETTERING – Lettering and symbols on signs should be routed, applied, or painted on the surface of the signing material.
 - c. COLORS – Colors of a sign shall be visually compatible to the colors of buildings, structures, and signs to which the sign is visually related.
 - d. EXCEPTIONS – The Design Review Board may waive the requirements of this Section and Section 507 in order to allow the preservation or restoration of signs or commercial graphics which are determined to be of historical significance or of particular interest.
- ~~5. The Design Review Board shall have thirty (30) days from the date of submission of a complete application to review the request and approve, conditionally approve, or reject, said request, and notify the applicant of his decision in writing. If, however, the Design Review Board wishes to hold a public hearing on the request, the Board shall fix a reasonable time for such hearing, but not more than forty five (45) days from the date of submission of a complete application. Prior to holding a public hearing, a Neighborhood Meeting may be required in accordance with Section 306 of this Zoning Ordinance. The Design Review Board shall give notice of the hearing at which the application will be considered by publication of notice in the official newspaper of the Town and by posting the property affected not less than, fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered. In such case, the Design Review Board shall render its decision within fifteen (15) days after the public hearing.~~
- ~~6. If the decision is to deny the request for Design Approval, the applicant shall be so notified in writing, and the decision shall set forth in detail the reasons for denial.~~
- ~~7. If the decision is to approve or conditionally approve the request for Design Approval, all copies of the approved plan, with any conditions shown thereon or attached thereto, shall be dated and signed by the chairman of the Design Review Board. One (1) copy of said approved plan and conditions shall be mailed to the applicant, one (1) copy shall be filed with the Building Inspector, and one (1) with the Zoning Administrator.~~

[Ord. No. 374; Ord. No. 406; Ord. No. 451]

G.I. APPEALS AND EXPIRATION OF APPROVALS

~~When, in the opinion of the Design Review Board, upon hearing and considering all relevant information, a project is not in keeping with either the tenets of this Ordinance or the Jerome Comprehensive Plan, the project shall be denied by specific motion of the Board. Any applicant who is aggrieved by such a decision may petition the Mayor or Council for a review within thirty (30) days of the decision. Questions of esthetics or design standards are not appealable to the Mayor and Council, but may be presented to a Court of Record within thirty (30) days of the decision. Additionally, if in the opinion of the Zoning Administrator a decision is not in conformance with the Zoning Code or Comprehensive plan, the Zoning Administrator may request a review by the Mayor and Council within thirty (30) days. By specific motion during an official meeting, the Mayor and Council may refuse to consider a request for review brought by the Zoning Administrator. Finally, the Mayor and Council shall maintain the right to review any and all decisions of the Design Review Board.~~

1. Any applicant, person residing within 300 feet of the project, or person adversely affected, may appeal a decision of the Design Review Board to the Town Council by filing a written notice of appeal with the Town Clerk not later than fifteen (15) days from the date of the

board's decision. If the appellant is not the applicant and resides beyond 300 feet of the project, the appellant shall clearly demonstrate how they might be adversely affected by the proposed project.

2. When a written appeal is filed with the Town Clerk, the Council shall evaluate the appeal at their next available regular or special meeting. Where an appeal has been filed, the Council may elect to set the matter for a public hearing. If such action is taken, a legal notice shall be published at least once in the official newspaper of the Town, the site shall be posted at least fifteen (15) days prior to the hearing date, and notice shall be mailed to property owners within 300 feet of the site. Notice shall also be given to the Design Review Board and the appellant. The Zoning Administrator shall submit a report to the Council with all relevant information and set forth the reasons for action taken by the Design Review Board.
3. An appeal may be filed by persons aggrieved or by any officer, department, board, or bureau of the municipality affected by a decision of the Zoning Administrator. Appeals will be forwarded to the Board of Adjustment by filing a written notice of appeal with the Zoning Administrator, no later than fifteen (15) days from the date of the Zoning Administrator's decision.
4. Six (6) months from the date of approval, a plan approval becomes void if a building permit has not been issued and/or work has not commenced.
5. A building permit may not be issued by the Building Inspector until the fifteen (15)-day appeal period has expired.
6. An extension of approval may be granted if the applicant files for an extension prior to the approval becoming void and the extension is granted by the approving board. The approving board may grant a second extension provided the approval is in compliance with all ordinances and requirements in effect at the time of the extension request. Any additional extension requests require review by the Town Council. Application for an extension shall be accompanied by a filing fee in an amount established by a schedule adopted by resolution of the Council and filed in the office of the Town Clerk.

H. EXPIRATION OF DESIGN REVIEW APPROVAL

- ~~1.—Six (6) months from the date of approval, a Design Approval becomes void if a building permit has not been issued.~~
- ~~2.—An extension of approval may be granted if the applicant files for an extension prior to the approval becoming void and the extension is granted by the Design Review Board.~~
- ~~3.—The Zoning Administrator shall notify the permittee by mail of an expiration of Design Approval.~~

I.J. VIOLATIONS AND ENFORCEMENT

1. Prior to the issuance of a building permit, the Building Inspector shall ascertain that the Design Review Board has approved plans ~~which are~~ in conformance to those presented with the ~~Building~~ building Permit application, and that the time limitations imposed by this ordinance have not elapsed.
2. The Zoning Administrator shall ~~ensure~~ that all matters are undertaken according to the conditions of the ~~Design~~ design Approval ~~approval~~ Approval. In the event of a violation, the Zoning Administrator shall notify the permittee, by mail, that he is in violation of the conditions of the ~~Design~~ design Approval ~~approval~~ Approval. If no attempt to change the circumstances of the violation is made within ~~ten~~ fifteen (15) days after notification, the building permit shall be revoked and considered null and void.
3. Violations, Enforcements and Fines. If, ~~thirty~~ fifteen (15) days after written

notification by the Zoning Administrator, a citizen is still in violation of this ordinance, the Zoning Administrator shall take appropriate legal action to abate the violation.

~~J. EXCLUSIONS~~

~~Nothing in this Section shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any building or structure; nor shall anything in this article be construed to prevent the construction, reconstruction, alteration or demolition of any such elements which the authorized municipal officers shall certify as required by public safety.~~

SECTION 305. ADMINISTRATIVE APPEALS AND VARIANCES

A. APPEALS TO THE BOARD OF ADJUSTMENT

1. Appeals to the Board of Adjustment concerning interpretation or administration of this Ordinance may be taken by any person aggrieved or by any officer or department of the Town affected by any decision of the Zoning Administrator.
2. Applications for any matter to be considered by the Board shall be filed with the Zoning Administrator on forms furnished for the purpose within thirty (30) days after the action appealed from, and shall specify the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from is taken.
3. The appeal stays all proceedings in the matter appealed from, unless the Zoning Administrator, certifies to the board that, by reason of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, except by a restraining order granted by the Board, or by a court of record on application and notice to the Zoning Administrator.
4. The Board shall hear the appeal within thirty (30) days, and shall give notice of hearing by publication of a notice in the official newspaper of the Town and by posting the property affected not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered.
5. Any party may appear at the hearing in person or by agent or attorney. Parties in interest shall have the right to present their case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination of witnesses as may be required for a full and true disclosure of the facts.
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 insure 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.
9. No nonconforming use or violations of this Ordinance with respect to neighboring lands, structures, or buildings, in the sane zoning district, and no permitted use of lands, structures or buildings in other zoning districts, shall be considered grounds for granting a variance.
10. Every Variance granted shall be personal to the appellant therefore and shall be transferrable and shall run with the land only after completion of any authorized structure or structures.

SECTION 502. GENERAL PROVISIONS

A. APPLICATION

Except as hereinafter provided, no building, structure, or premise shall be used and no building or structure or part thereof shall be constructed, altered, repaired, improved, moved, removed, erected, demolished, or materially altered except in conformity with the provisions of the zone in which it is located. Any use that is not specifically permitted is hereby declared to be a prohibited use, except as hereinafter provided.

B. USE RESTRICTIONS

1. **PRINCIPAL USES:** Only those uses and groups of uses specifically designated as “Permitted Principal Uses” in zoning district regulations shall be permitted as principal uses; all other uses shall be prohibited as principal uses, except as otherwise provided herein.
2. **CONDITIONAL USES:** Certain specified uses designated as “Conditional Uses” may be permitted as principal uses subject to special conditions of location, design construction, operation and maintenance hereinafter specified in this Ordinance or imposed by the Planning and Zoning Commission.
3. **ACCESSORY USES:** Use normally accessory and incidental to permitted principal or conditional uses shall be permitted as hereinafter specified.
4. **UNSPECIFIED USES:** Whenever a use is proposed which is not listed as a permitted or conditional use in any zone district, the Zoning Administrator shall complete a review of the proposed use to determine its basic characteristics and similarity to existing permitted uses and submit this report to the Planning and Zoning Commission. The Commission shall review the Administrator’s report and recommendation and determine in which zone district the proposed use should be placed and forward a recommendation to the Town Council. The Town Council, after reviewing the Administrator’s report, Commission’s Recommendation and other testimony, shall determine the similarity to the listed permitted uses and shall determine by minute order the proper zone district for the location of the proposed use. A copy of the minute order shall be added to the permitted use section of the appropriate zone district.

C. NONCONFORMING LOTS OF RECORD

1. 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 within the zone, except that such construction shall conform to any lot coverage and yard requirements of the zone.
2. Where two (2) or more vacant contiguous lots of record 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.

D. REDIVIDING OF RECORDED LOTS

No lot may be divided to create a lot not in conformance with these regulations. No lot shall be divided or combined in any manner other than through subdivision procedures as specified by the Subdivision Regulations.

E. STREET AND UTILITY REQUIREMENTS

1. All lots shall abut a public street or legally recorded easement.
2. A building permit shall not be issued for a lot which abuts an undedicated portion of a partly-dedicated public street.
3. A building permit shall not be issued for any lot for which public sewerage or water supply is not available, unless and until the proposed mode of water supply and sewage disposal has been reviewed and approved in writing by the Yavapai County Health Department.

F. SITE UNSUITABILITY

No land shall be used or structure erected where the land is held by the Commission to be unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, low percolation rate or bearing strength, erosion susceptibility, or any other features likely to be harmful to the health, safety and general welfare of the community. The commission, in applying the provisions of this section, shall state in writing the particular facts upon which its conditions are based. The applicant shall have the right to present evidence contesting such determination to the Council if he desires, whereupon the Council may affirm, modify or withdraw the determination of the unsuitability.

G. DUMPING OR DISPOSAL

1. The use of land for the dumping or disposal of scrap iron, junk, garbage, rubbish or other refuse, or of ashes, slag, or other industrial wastes or by-products, shall be prohibited in every district except as otherwise provided in this Ordinance.
2. The dumping of dirt, sand, rock or other material excavated from the earth shall be permitted in any district, provided that the surface of such material is graded, leaving the ground surface in a condition suitable for other use permitted in the district, provided that such fill does not so increase the elevation of the site as to prevent its development or use for other purposes and provided that such does not increase the susceptibility of the ground to erosion, landslide, flooding, or result in any other dangerous condition.
3. No person, firm or corporation shall strip, excavate or otherwise remove top soil for sale or for use other than on the premises from which the same shall be taken, except in connection with the construction or alteration of a building on such premises and excavation or grading incidental thereto.
4. No yard or other open space surrounding an existing building in any residential zone, or which is hereinafter provided around any building in any residential zone, shall be used for the storage of junk, debris, or abandoned or inoperable vehicles; except as specifically permitted herein, and as provided and regulated in any other applicable Town Ordinances.

H. YARD, LOT, AND AREA REQUIREMENTS

1. No building shall be erected; nor shall any existing building be altered, enlarged, moved, or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the yard, lot, area and building location regulations hereinafter designated for the zone in which such building or open space is located, except, as otherwise specifically provided.

2. No yard or other open space provided about any building for the purpose of complying with the provisions of these Restrictions shall be considered as a yard or open space for any other building; and no yard or other open space on one (1) lot shall be considered as a yard or open space for a building on any lot.
3. Awnings, fire-escape stairs, window-type refrigeration units, suspended or roof evaporative coolers, and forced air furnaces, may not project more than five (5) feet over any required yard, provided that they shall be no closer than three (3) feet to any lot line.
4. Architectural details such as canopies, cornices, and eaves may project not more than three (3) feet over any required yard, provided that they shall be no closer than three (3) feet to any lot line.
5. Sills, leaders, belt courses and similar ornamental features may project not more than six (6) inches over or into any required yard.
6. Accessory Buildings (attached) – A private automobile garage, carport or accessory building having any part of a wall in common with a dwelling shall be considered an integral part of the main building in determining yard, lot, and area requirements.
7. Accessory Buildings (detached) – Any detached accessory building or swimming pool in any zone shall not be located in the front yard, shall be at least five (5) feet from the main structure, shall be at least five (5) feet from the rear and interior side lot lines, and shall maintain side yard setbacks from the street side lot lines as required for the main structure in that zone.
8. No automobile service station pump shall be located closer than twelve (12) feet to a street property line.
9. Except as provided herein, every part of a required yard shall be open to the sky and unobstructed. Trees, shrubbery, etc., shall not be considered obstructions.
10. No portion of any deck shall be located within five (5) feet of the lot line except in those districts where residential use is not a permitted use. In those districts, decks should conform to the required yard for that zone. Decks shall not encroach into any public easement. Square footage of decks shall be included in lot coverage for each zoning district.
- ~~10.~~ 11. Patios may be constructed in the front, side or rear yard provided they are constructed of fire resistant materials; such as stone, metal or concrete; and do not include walls, a roof, railings or other features that block access through the yard.
12. Parking areas may be constructed in the front, side, or rear yard provided they are constructed of fire resistant materials; such as stone, metal or concrete; and do not include walls, a roof, railings or other features that block access through the yard.

[Ord. No. 374]

I. BUILDING HEIGHT REQUIREMENTS

1. No building shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the zone in which such building is located, except as otherwise specifically provided.
2. Height regulations established elsewhere in this Ordinance shall not apply:
 - a. In any district, to church spires, belfries, cupolas and domes not for human occupancy, monuments, water towers, flagpoles, non-commercial radio or television antennas, provided that such structures and antennas shall be so located and constructed that if it should collapse, its reclining length would still be contained on

SECTION 503. “AR” ZONE, AGRICULTURAL RESIDENTIAL

A. PURPOSE

This district is intended to promote and preserve low density residential development and noncommercial farming and agriculture. Land use is composed chiefly of individual homes, together with required recreational, religious, and educational facilities.

B. PERMITTED USES

1. One (1) single-family dwelling or one (1) modular home per lot. Mobile homes are prohibited.
2. Customary accessory uses and buildings, provided such uses are incidental to the principal use.
3. Temporary buildings ~~far~~for uses incidental to construction work, which buildings shall be removed upon completion of or abandonment of the construction work.
4. Publicly owned and operated parks and recreation areas and centers.
5. Home occupations.
6. Noncommercial farming and agriculture, not including the keeping of livestock.
7. Keeping of cattle and horses owned by members of the family occupying the premises, but not to exceed one (1) head per 20,300 square feet of lot area.

C. CONDITIONAL USES

1. Animals, fowl, and other typical farm livestock, except as otherwise prohibited herein.
2. Commercial stables
3. Churches or similar places of worship
4. Schools: Public or private elementary and high.
5. Colleges, universities, and professional schools having a regular curriculum.
6. Nursery Schools and Day Care Centers.
7. Privately owned and operated recreation areas and centers.
8. Public buildings other than hospitals.
9. Public utility buildings, structures, or appurtenances thereto for public service use.
10. Model Homes
11. Bed and Breakfast
12. RESERVED *pending approval or rejection by voters in August 2014 of Ordinance 405.*
13. Viniculture use, pursuant to Chapter 16, “Vineyards,” of the Jerome Town Code.

[Ord. No. 380]

D. ZONE RESTRICTIONS

1. Cattle, horses, sheep, goats, dogs, cats, birds, fowl, and any other living animals, and the pens, stalls, stables, yards, shelters, cages, areas, places, and premises where they are held or kept, shall be so maintained that flies, insects, or vermin, rodent harborage, odors, ponded water, the accumulation of manure, garbage, refuse or other noxious

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

A. PURPOSE

This district is intended to provide for commercial, industrial, and manufacturing activities, while insuring that these activities will in no manner affect in a detrimental way any of the surrounding districts.

B. PERMITTED USES

Any permitted use in the C-1 Zone.

C. CONDITIONAL USES

1. Any conditional use in the C-1 Zone.
2. Light industries such as, but no more objectionable or intensive in character than: jewelry, clothing, and furniture manufacturers.
3. Warehouses.
4. Wholesale establishments.
5. Automobile repair garages.
6. Accessory buildings, structures, and uses customarily incidental to a permitted use except as otherwise provided in this ordinance.
7. Any such other uses as determined by the Planning and Zoning Commission and approved by the ~~City-Town~~ Council to be similar to those uses listed above and not detrimental to ~~the public~~the public health, safety, and general welfare in accordance ~~with the~~with the provisions of this Ordinance.

D. ZONE RESTRICTIONS

Same as C-1 Zone.

E. PROPERTY DEVELOPMENT STANDARDS

Same as C-1 Zone.

F. PERFORMANCE STANDARDS

Any permitted or conditional use in the I-1 zone must conform to the following performance standards. In conjunction with the plan review process, the developer-applicant shall provide to both the Zoning Administrator and the Planning and Zoning Commission data which are sufficient to show that the proposed use and the manner of its conduct will meet these performance standards.

1. NOISE: At no point on the property line shall the sound pressure level of any individual operation exceed the decibel levels in the designated octave bands shown below. (Excluding operation of motor vehicles or other transportation facilities.)

Octave band cycles per second	Maximum sound pressure level in decibels .0002 dynes per CM ²
0 - 75	72
75 - 150	67

Review Set for Town of Jerome Planning and Zoning Board and Design Review Board.

Table of Contents

A-00	Cover
A-01	Rendering (Exterior)
A-02	Rendering (Exterior)
A-03	Site Plan: Zoning
A-04	Site Plan: Parking and Utilities
A-05	Vicinity Map
A-06	Survey 2021
A-07	Survey 2017
A-08	Survey 2017
A-09	3D Topo
A-10	Site Photos
A-11	Site Photos - Neighbor Property
A-12	Original Approval Document for Pumphouse Renovation
A-13	Demolition Plan: Ground Floor
A-14	Demolition Plan: Second Floor
A-15	Demolition Plan: Roof
A-16	Plan: Ground Floor
A-17	Plan: Second Floor
A-18	Plan: Roof
A-19	Reflected Ceiling Plan: Lighting and Fire Suppression Equipment
A-20	Elevations
A-21	Sections
A-22	Interior Renderings
A-23	Interior Renderings
A-24	Exterior Renderings
A-25	Exterior Rendering

300 Queen Street

We are seeking to build a mixed-use project that incorporates a single family residence, community arts center and design institute/museum.

Single Family Residence

This project will be developed in 3 phases, the first of which is a 850 sq. ft. one bedroom residence that frames out the pool and will allow us to be able to live in Jerome. Additionally we will build temporary protection around the historic pool structure. Currently we are looking for approval for only phase 1 of the project.

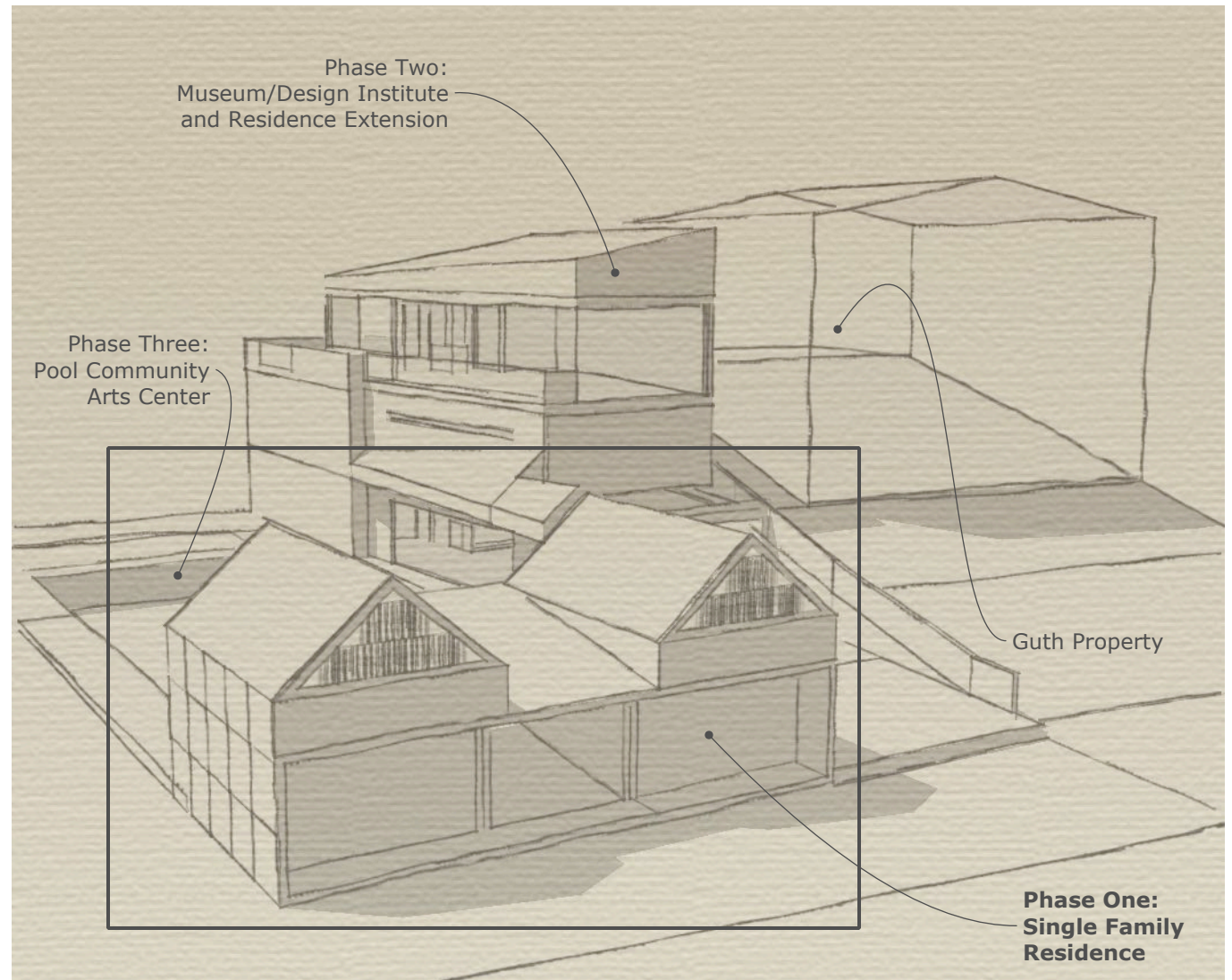
Community Art & Design Institute

When we move into phase 2 and 3 we will plan a neighborhood meeting and host a series of community workshops. This will ensure we are creating a facility that benefits the whole community.

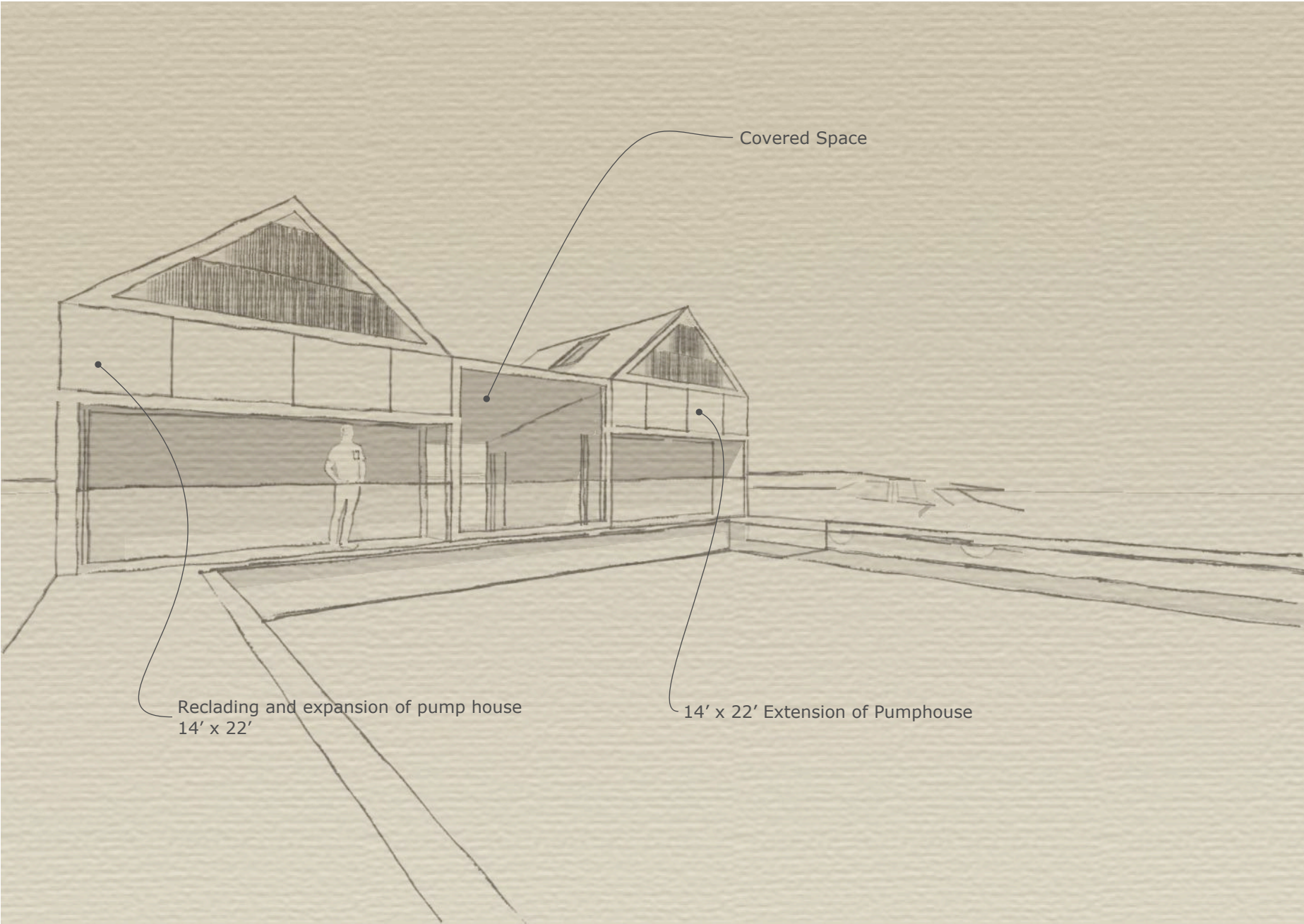
Historic Preservation

We have been working closely with SHPO and they have voiced strong support for our plan and selection of materials. A boundary survey was completed in March and a cultural survey is underway. Before Phase 2 and 3 design process begins we will complete a geological survey to ensure we will build a robust retaining wall that will support the next phases of construction.

Cheers
Cameron and Bethany

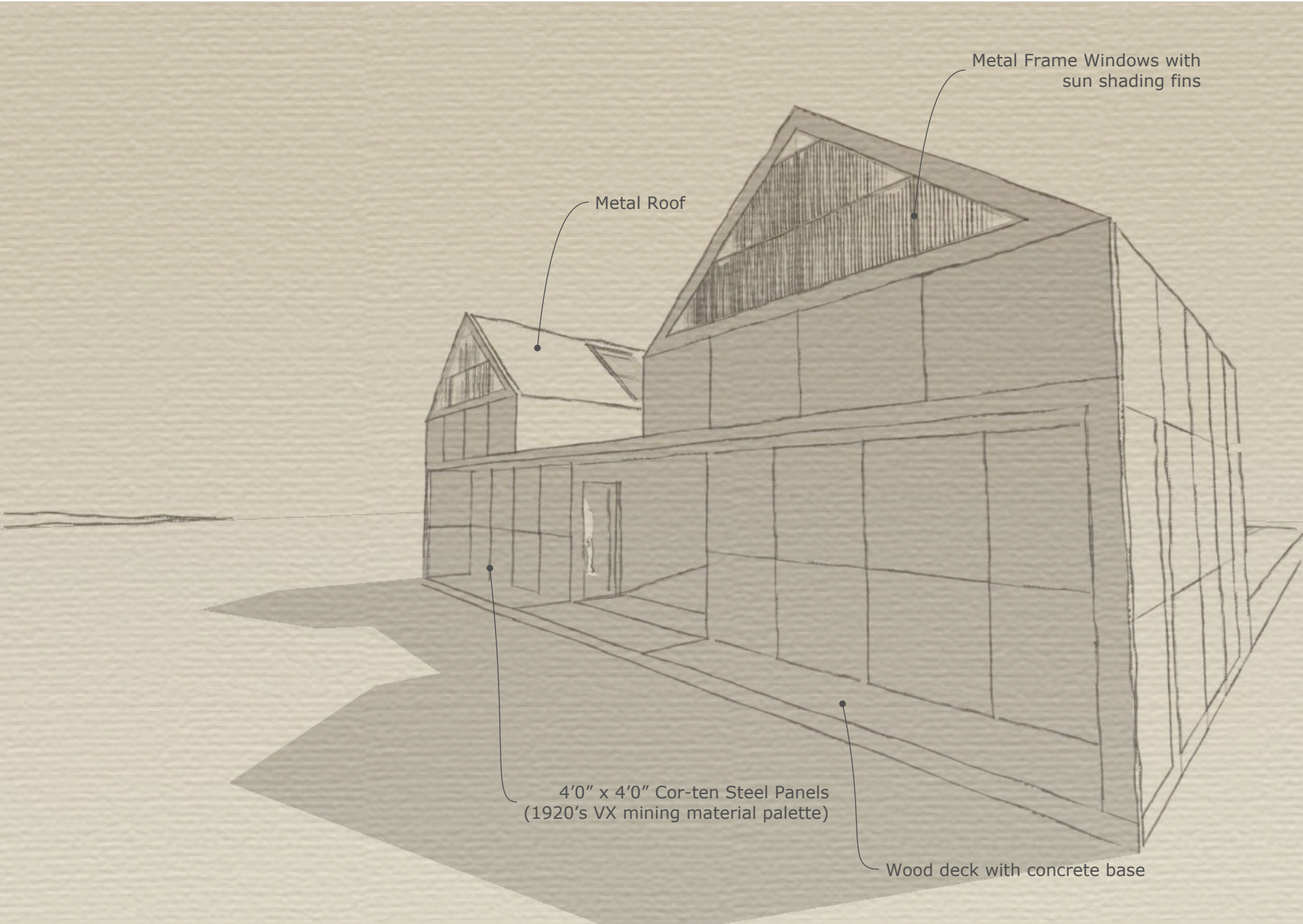


Front Perspective of Single Family Home



300 Queen Street

Front Perspective of Single Family Home



300 Queen Street

Site Plan: Zoning and Lot Coverage

Square Footage of Building

1st Floor	356 Sq Ft
2nd Floor	504 Sq Ft
Sub-Total	850 Sq Ft
Covered Area	260 Sq Ft

Total **1,110 Sq Ft**

Lot Coverage:

Total Lot area: 11359 Sq Ft
Total Building Footprint: 616 Sq Ft
Total Lot Coverage: 5.42%

AR Lot Size: 5034 Sq Ft
Total Building Footprint: 616 Sq Ft
Total Lot Coverage: 12.23%

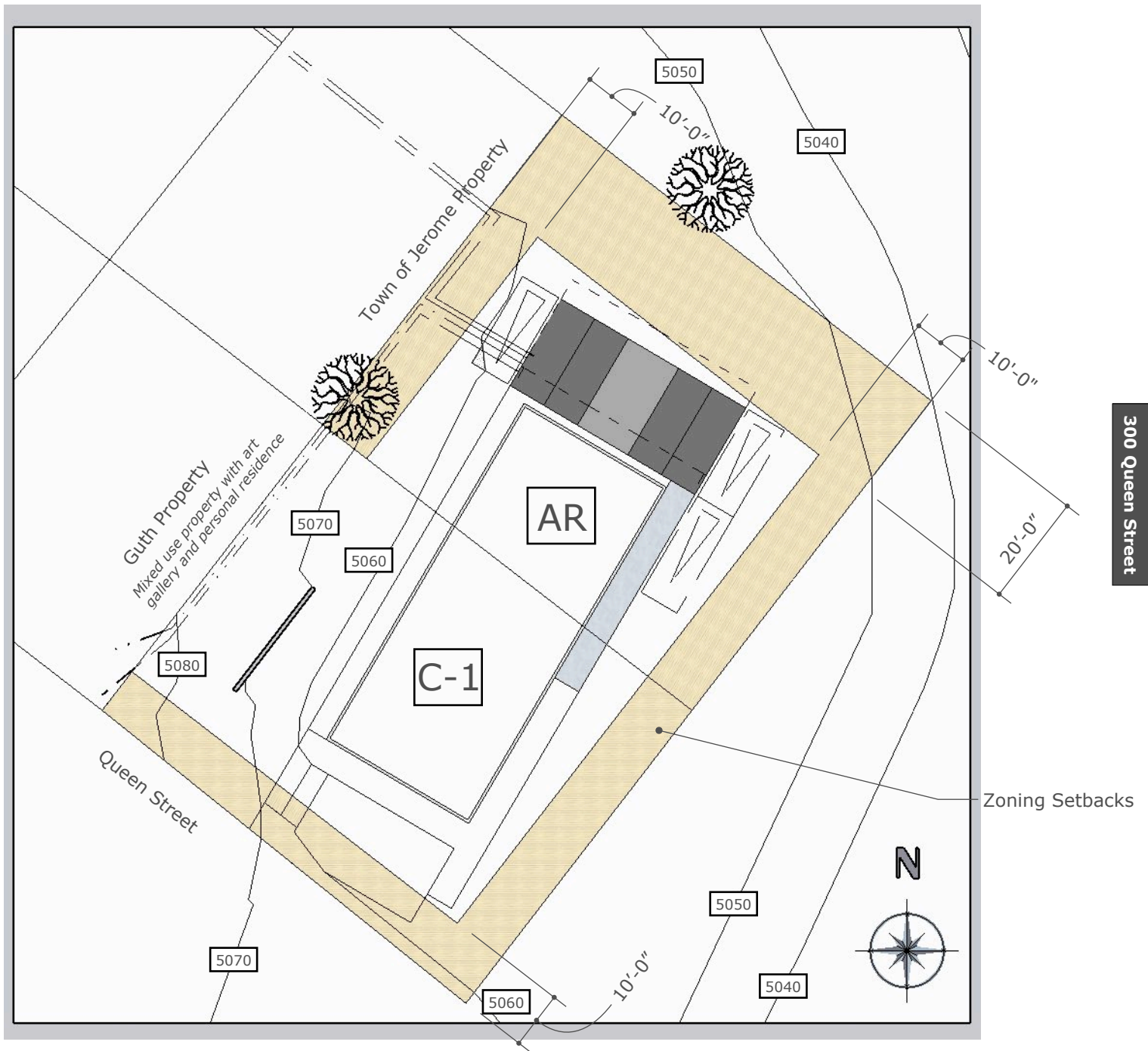
AR Requirements:

1. Min. lot area: 10,000 Sq Ft.
2. Min. lot width: 100 Ft.
3. Min. Sq Ft of building: 850 Sq Ft.
4. Max. lot coverage: 40% of the net area of the lot may be covered by main and accessory buildings

C-1 Requirements:

1. Min. lot area: None*
2. Min. lot width: None*
3. Min. Sq Ft of building: None*
4. Max. lot coverage: None*

**provided all other provisions of the ordinance are met.*



Site Plan : Parking and Utilities

Key

Power

Gas

Water

Sewer

Drainage

Parking Spot

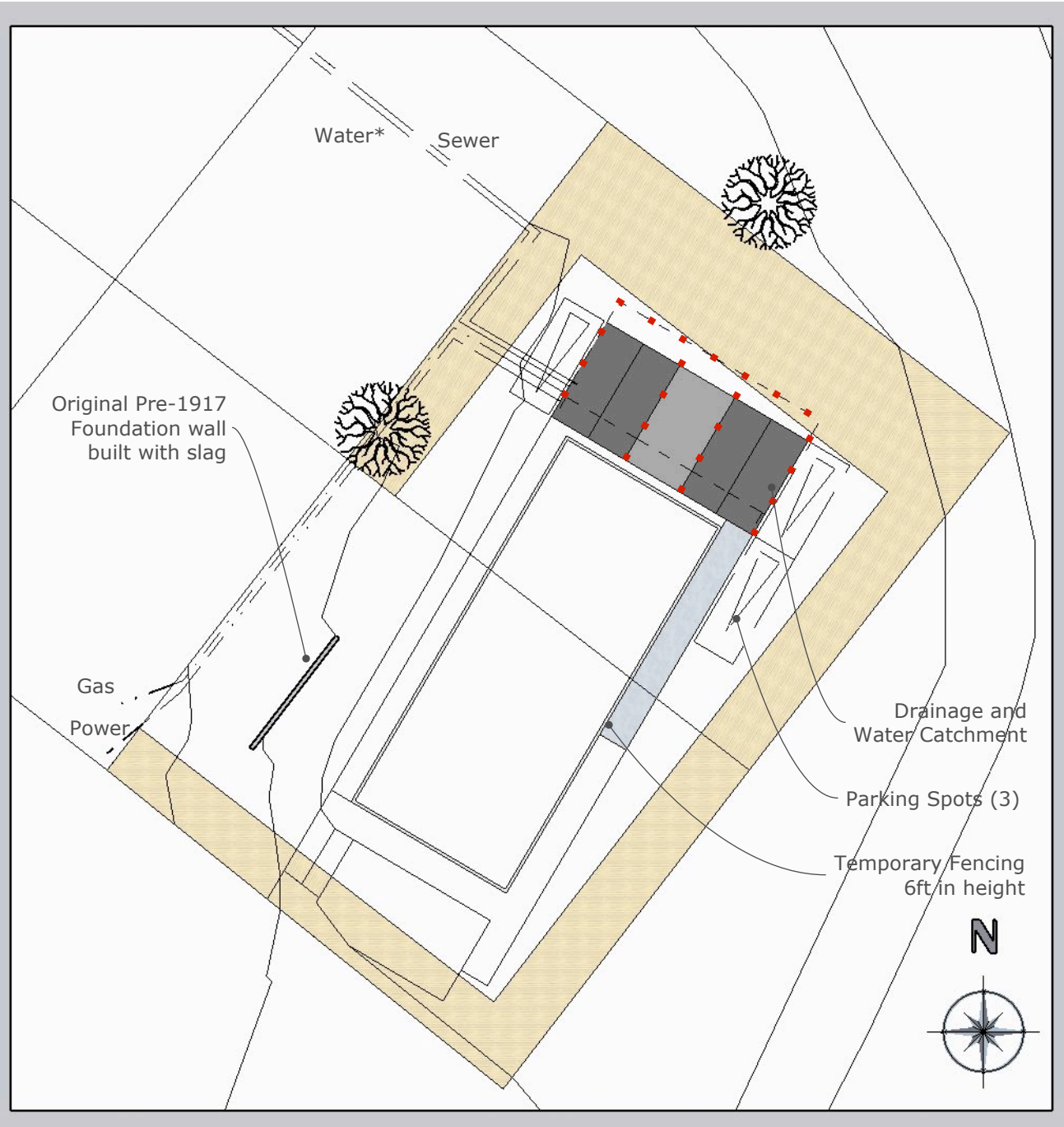
***Water**
Residents of Queen St have been ask to help expand the water pipe from 1.5 to 4" pipe. If done, we will connect directly to this line.

Parking Requirements:
2 Parking Spots in AR/ Residential

Proposed Parking:
3 Parking Spots

Cultural Resource Study and SHPO Support:
Initial written and verbal support given by SHPO for the adaptation of the pump house, including materials, in addition historic preservation of the pool. Cultural Resource Survey completed March 2021.

Additional Notes:
Current setback prevents building on 1927 pool house footprint. Original pre-1917 foundation wall noted in study. (Originally thought to be 1920's retaining wall)



Vicinity Map

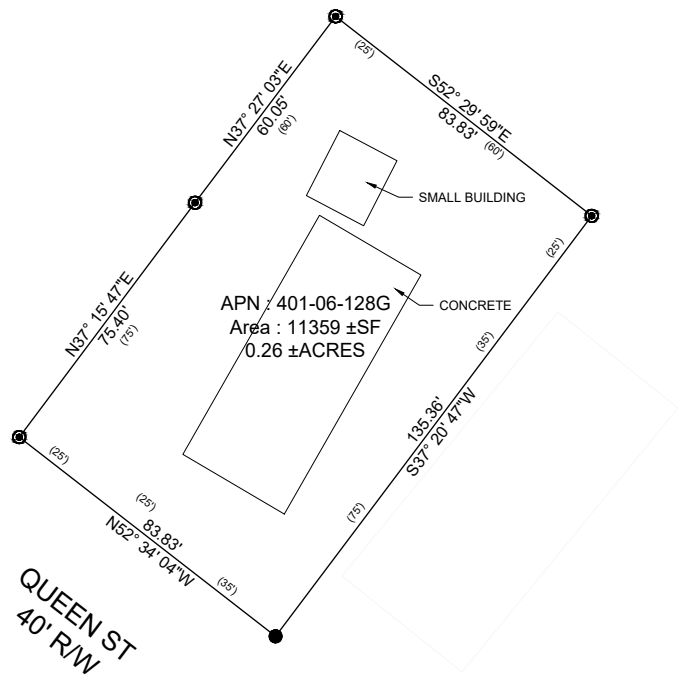


300 Queen Street

Map taken from Google Earth/Maps: April 7 2021

RECORD OF SURVEY

OF LOTS 8-13 BLOCK 14, JEROME 2/18 MAPS
SECTION 23, TOWNSHIP 16 NORTH, RANGE 2 EAST
GILA & SALT RIVER BASE & MERIDIAN
YAVAPAI COUNTY, ARIZONA



- LEGEND**
- SURVEYED PARCEL LINES
 - - - EXISTING FENCE
 - - - PROPERTY LINE
 - - - EASEMENT LINE
 - FOUND 5/8" REBAR WITH CAP LS 40829
 - SET 1/2" REBAR AFFIXED CAP LS 53890
 - (R1) RECORD BEARING AND DISTANCE PER R1 OR AS NOTED SEE NOTES
 - IE-PUE INGRESS EGRESS & PUBLIC UTILITY EASEMENT

- NOTES**
- EXISTING BUILDINGS WERE PRESENT AT TIME OF SURVEY
 - A TITLE REPORT WAS NOT PROVIDED NOT ALL EASEMENTS OF RECORD MAY BE SHOWN HEREON
 - DOCUMENTS OF RECORD REFERENCE FOR SURVEY YCRO
R1 : JEROME 2/18 MAPS
R2 : ROS 2/18 LS
R3 : ROS 9/50 LS
R4 : ROS 48/54 LS

SITE INFORMATION
APN: 401-06-128G
ADDRESS: 300 QUEEN ST

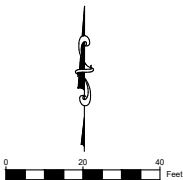
OWNER INFORMATION
HALF KINGDOM HOLDINGS LLC
SUN CITY, AZ

BASIS OF BEARING
THE PROJECT COORDINATE SYSTEM AND THE BASIS OF BEARINGS ARE RELATIVE TO THE ARIZONA STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL 0202 ZONE. LINEAR DIMENSIONS AND COORDINATE VALUES ARE IN INTERNATIONAL FEET.

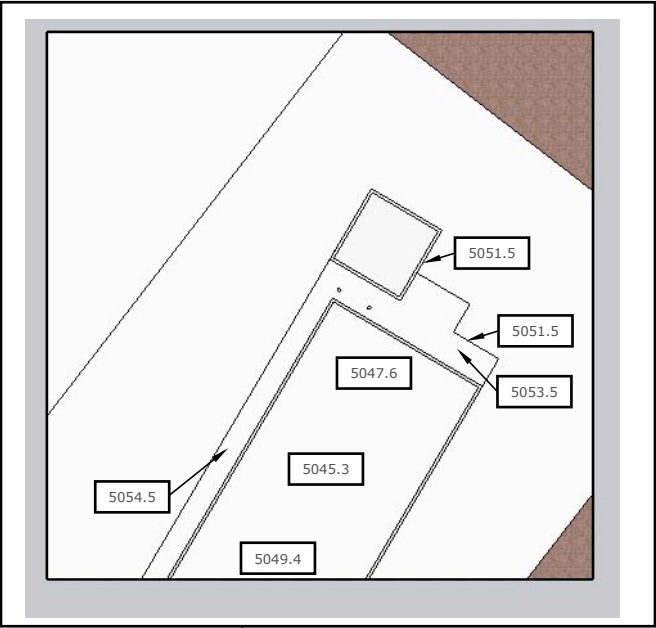
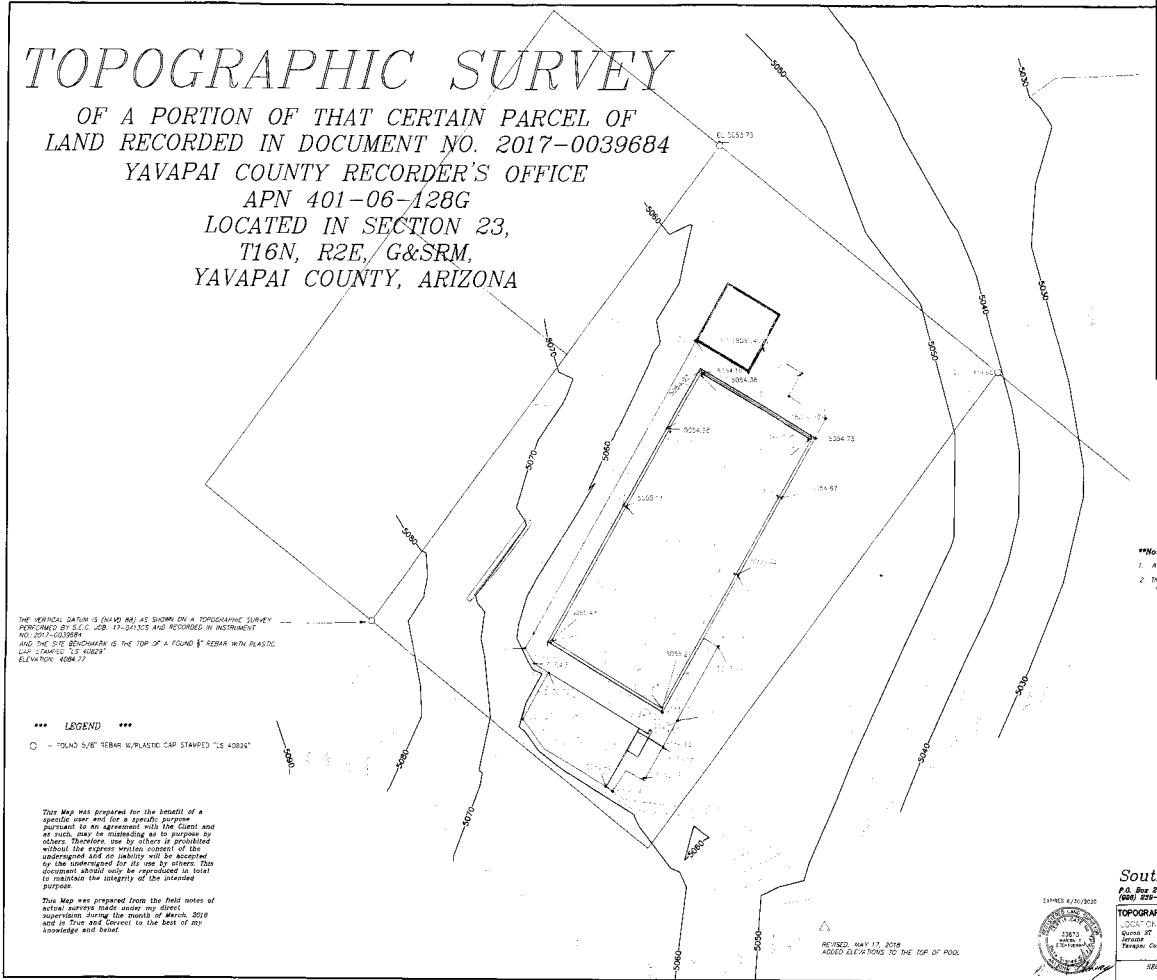
CERTIFICATION
I, BRANDON M. VAN HORN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THE SURVEY DESCRIBED AND SHOWN HEREON WAS MADE BY ME DURING THE MONTH OF MARCH, 2021; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED



SURVEY PREPARED FOR: Cameron Sinclair	
VH LAND SURVEY, LLC 7585 E PHARLAP LANE PRESCOTT VALLEY, AZ 86315 928-710-9700 VH.LANDSURVEY@GMAIL.COM WWW.VH.LANDSURVEY.COM	
SURVEYED BY: Brandon Van Horn	SHEET NO.
HOR SCALE: 1" = 20'	1
PROJECT NO.: 21073	OF 1 SHEETS
DATE: 3/22/2021	



300 Queen Street

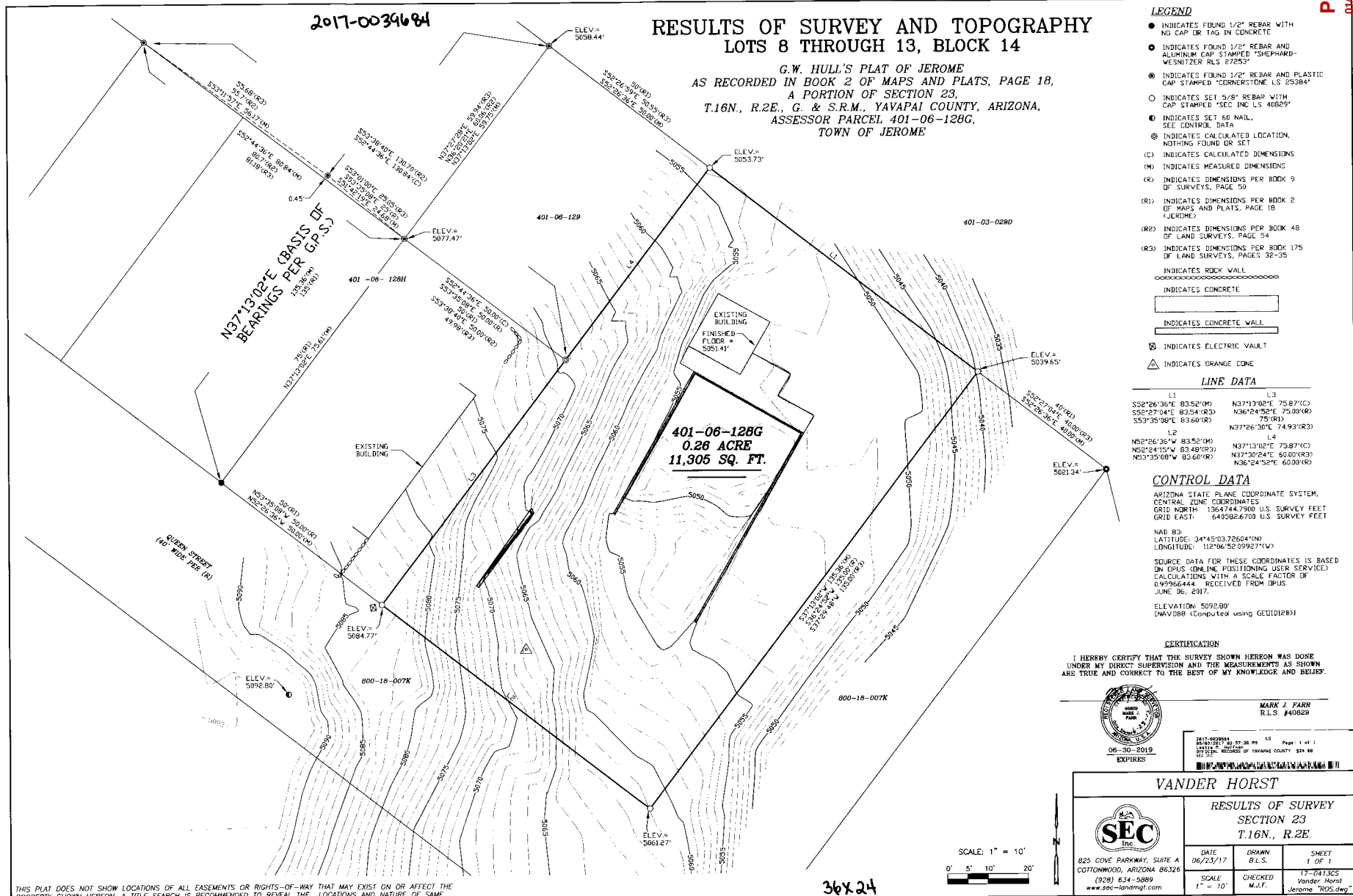


****Notes****
1. A BOUNDARY SURVEY WAS NOT PERFORMED
2. This Map does not purport to verify ownership or identify easements or
other encumbrances affecting any of the property shown

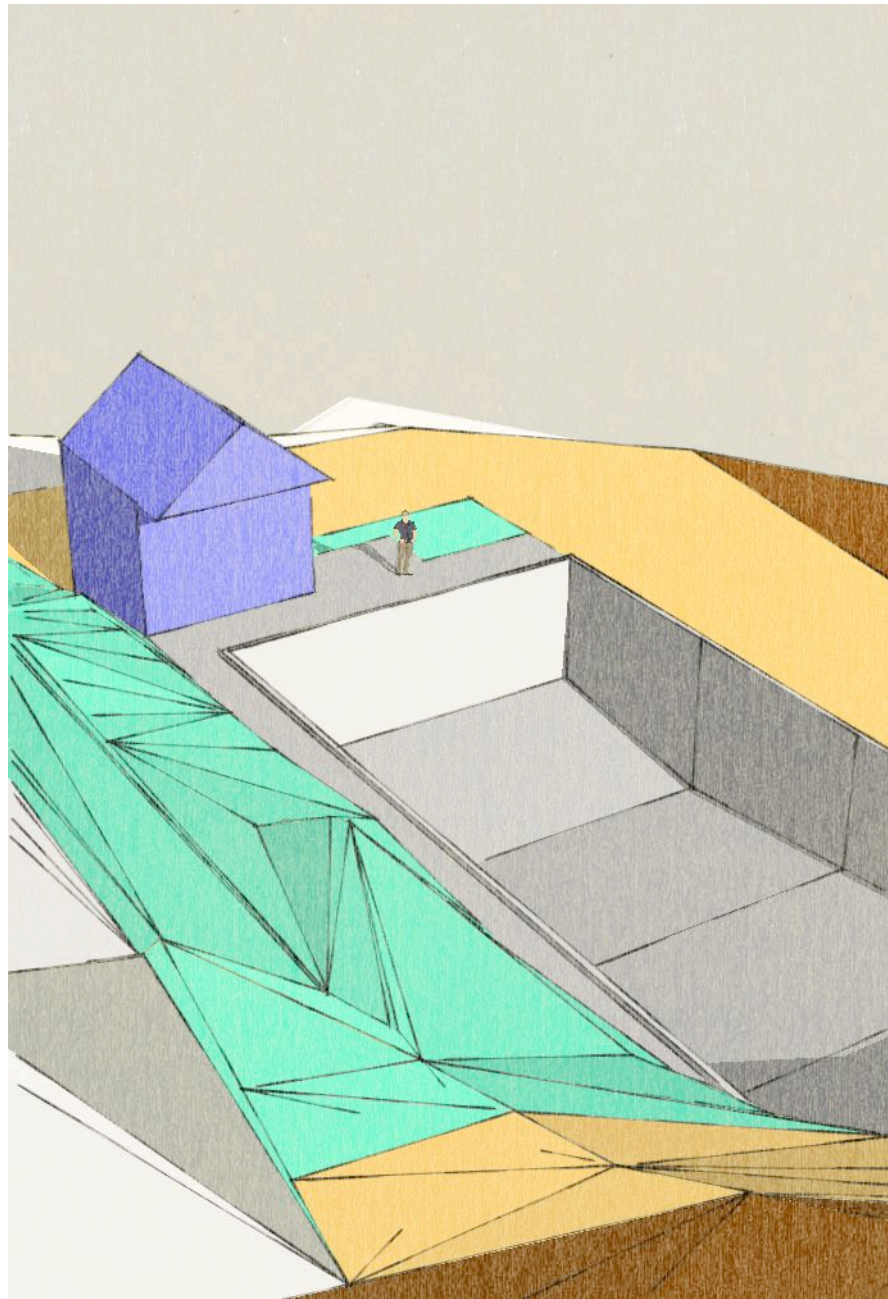
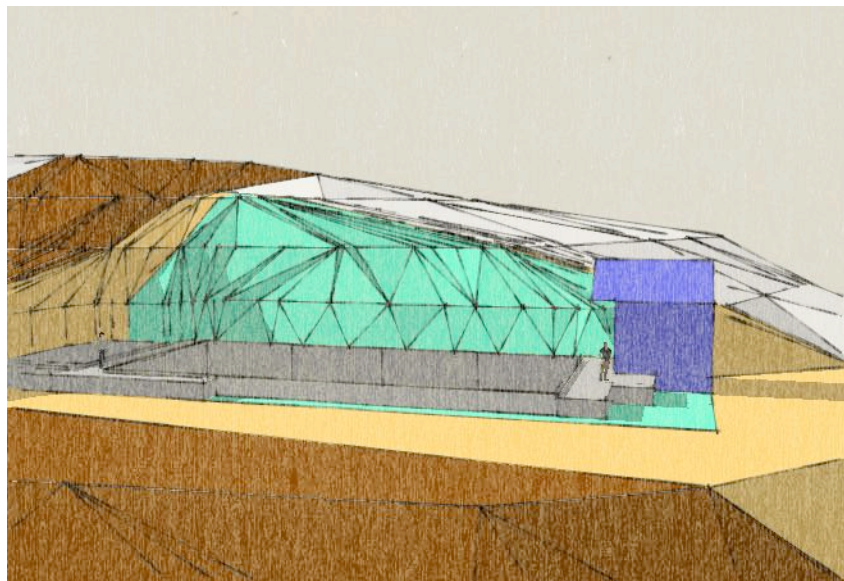
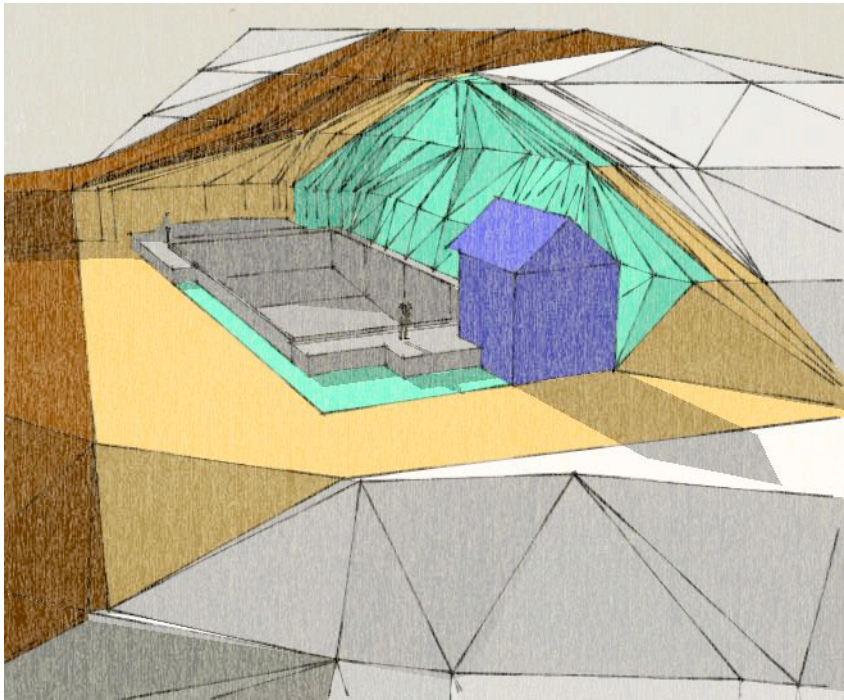
Southwest Geographic Services
P.O. Box 2700 Cottonwood, Az. 86308
(908) 223-9040

TOPOGRAPHIC SURVEY	DRAWN BY: M.T.E. CHECKED BY: M.T.E.
LOCATION: Quinn St Phoenix, Arizona	SCALE: 1 INCH = 10 FEET
DATE: APRIL 24, 2018	JOB No. 2017-Frank, SHEET: 1 of 1
SECTION 23, T16N, R2E, G&SRM	MAY 17, 2018

300 Queen Street



Topography



300 Queen Street

Satellite Images



2006



2011



2014



2017

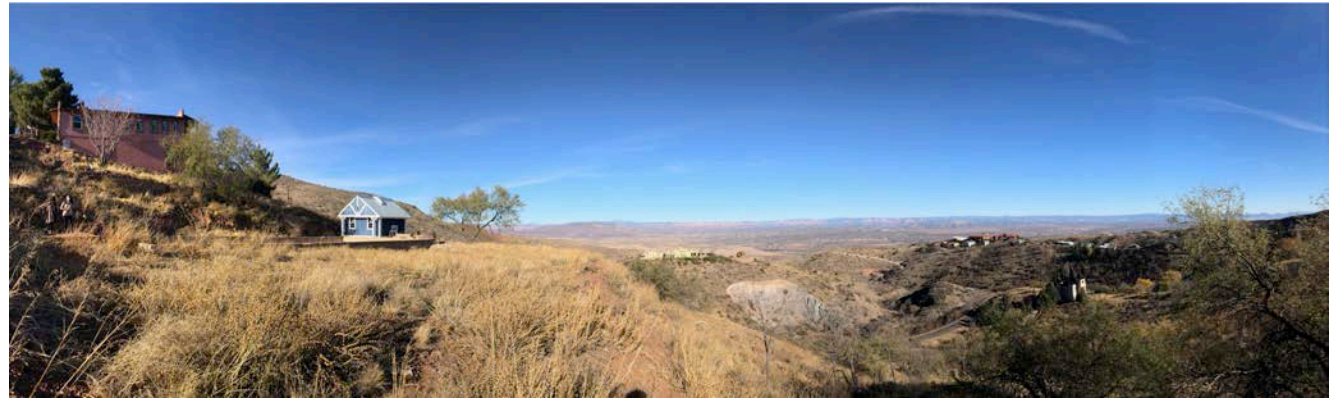
Site Images



East-North-East Facing View



South Facing View



East Facing View



North Facing View

300 Queen Street

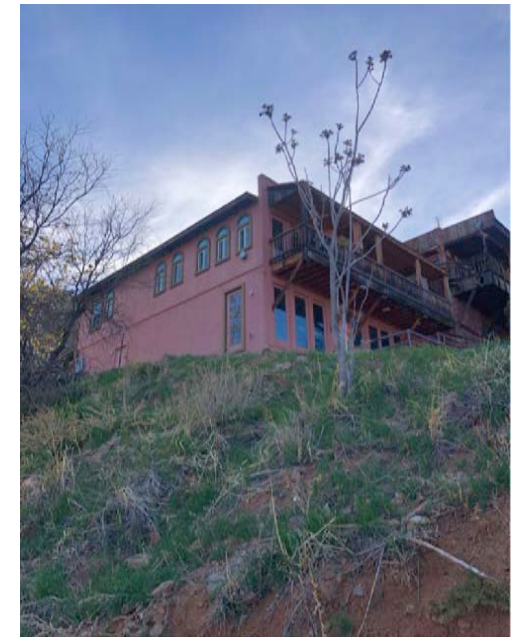
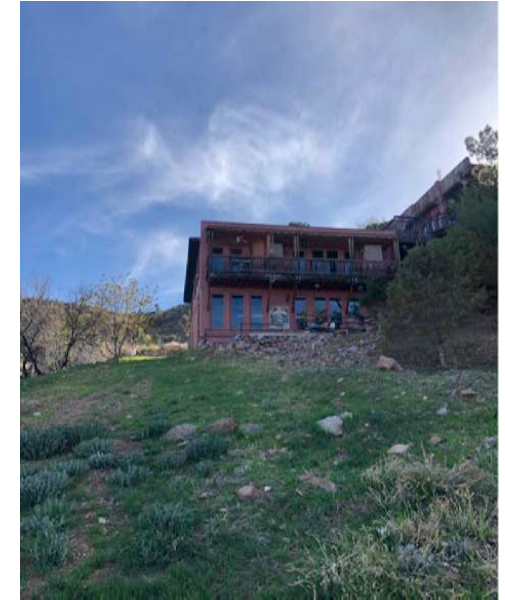
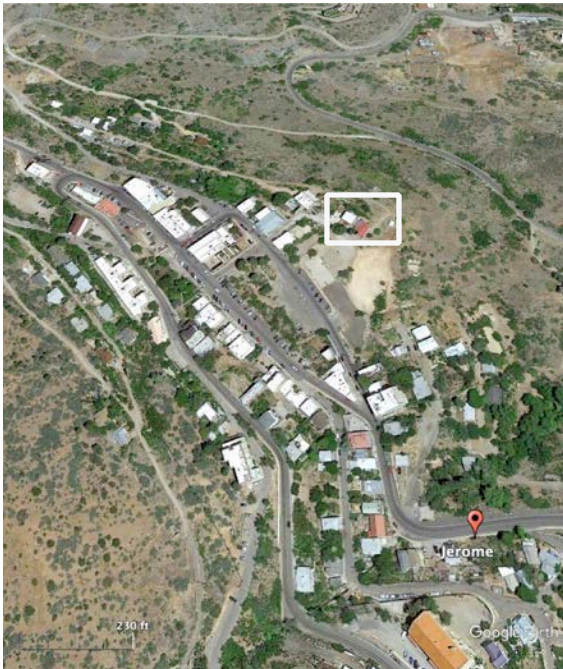


Neighbor Images

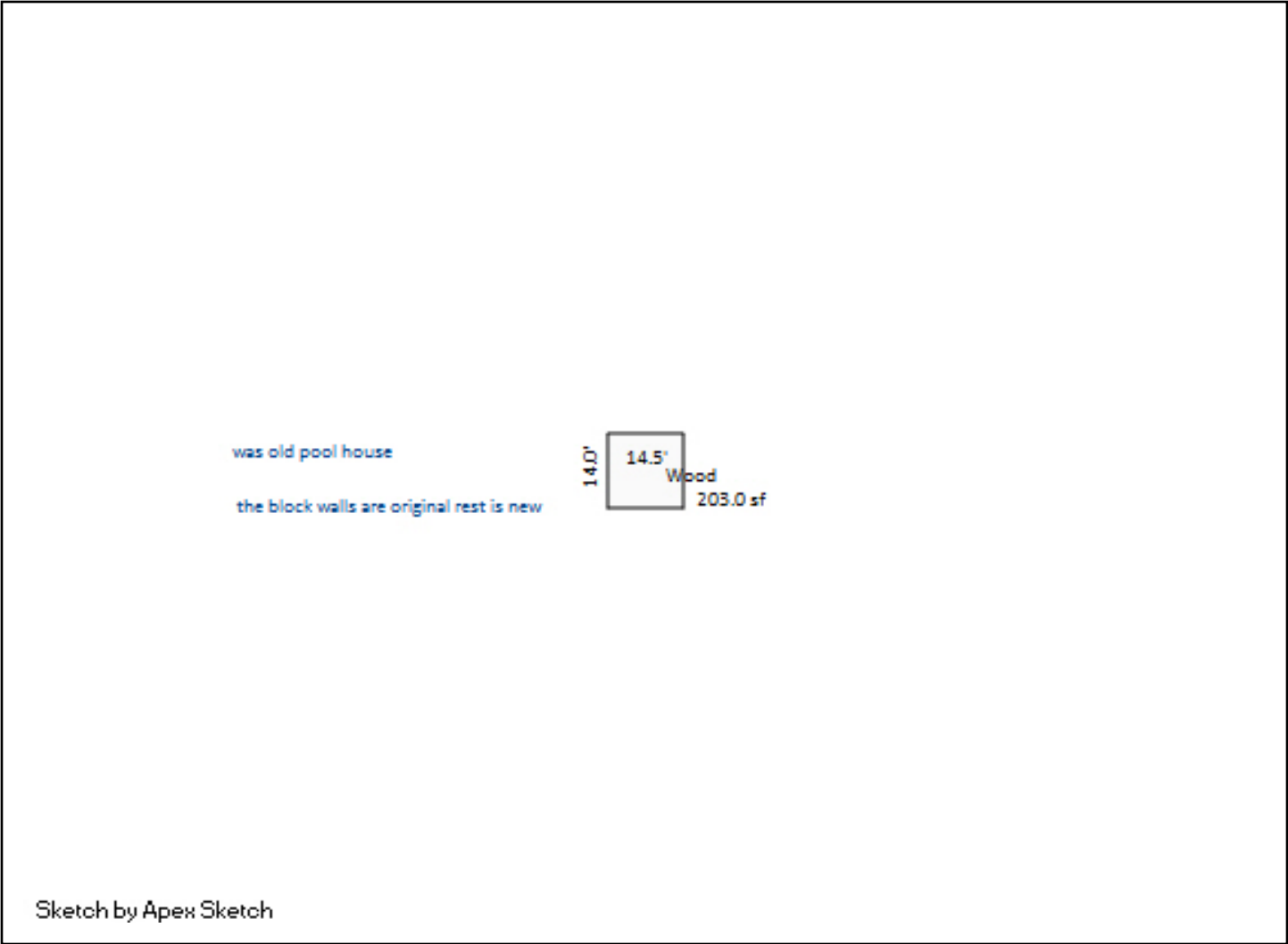
The only neighbor to 300 Queen Street is the Guth Property, a mixed use building that includes an art gallery and wine bar downstairs and a residence above. Other surrounding land is owned by the Town of Jerome, including Queen/Rio, Conglomerate and Diaz/Juarez Streets.



Vicinity Images and Map

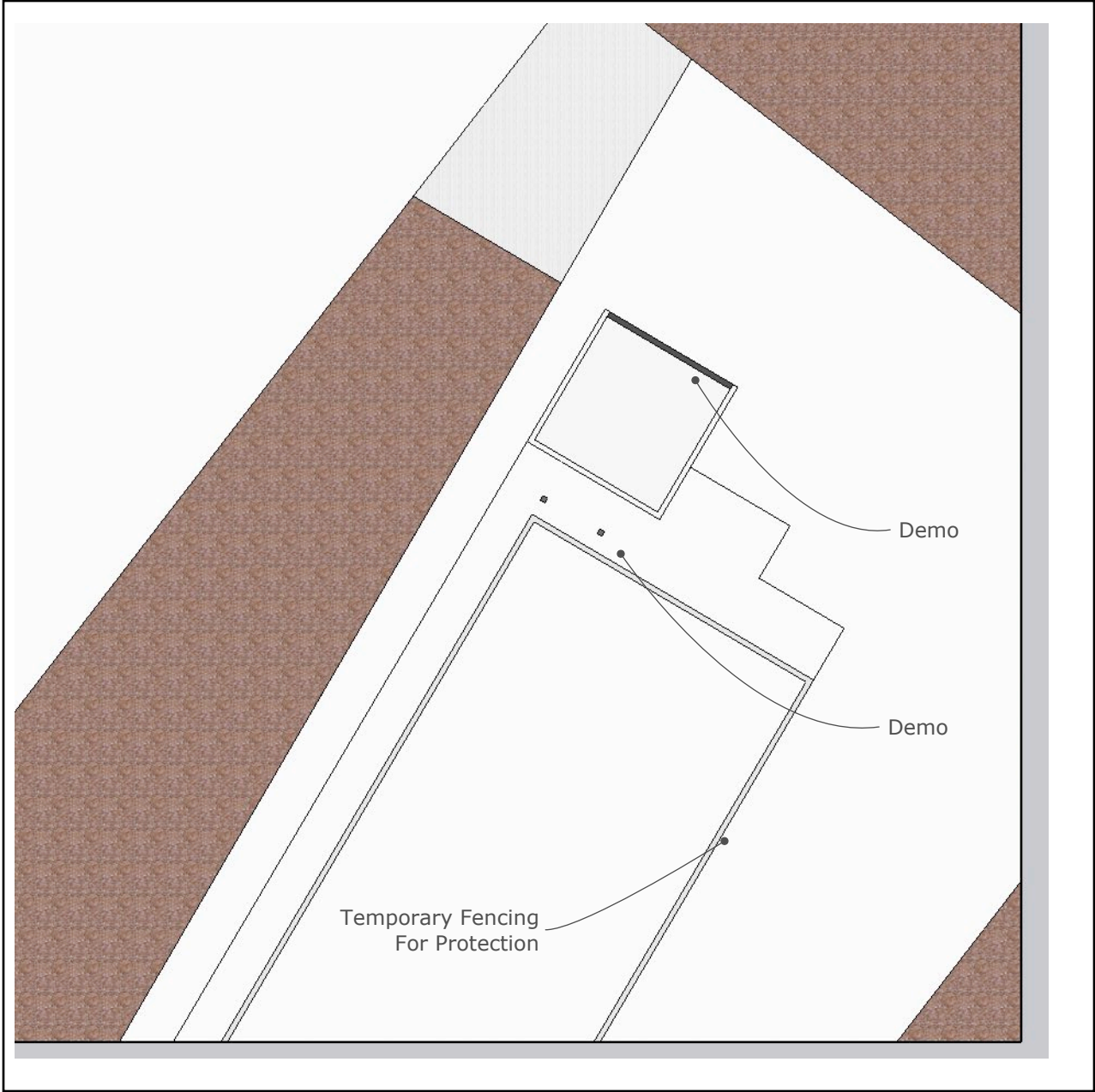


Previously approved plan for pumphouse renovation



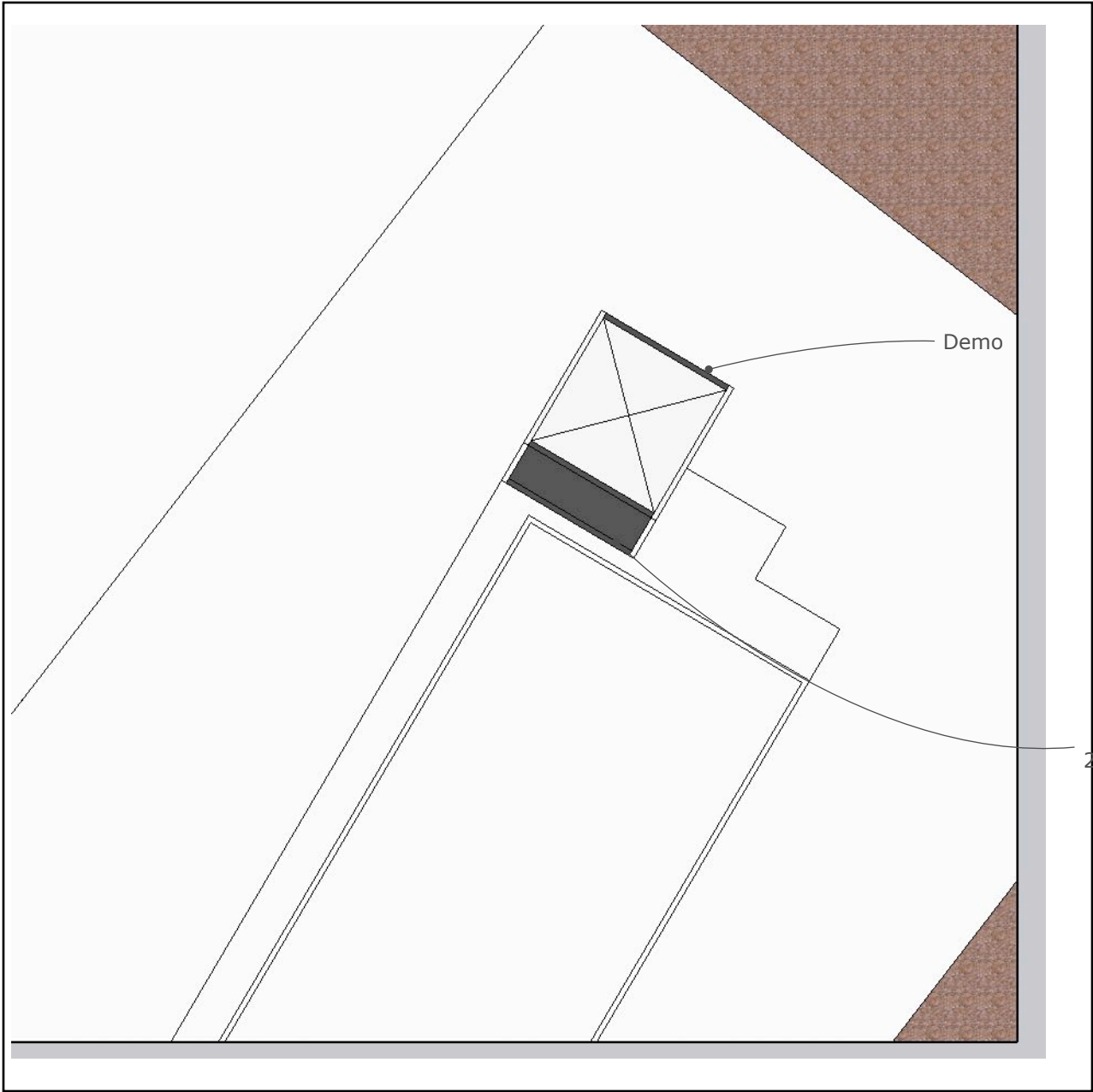
300 Queen Street

Ground Floor Demo Plan



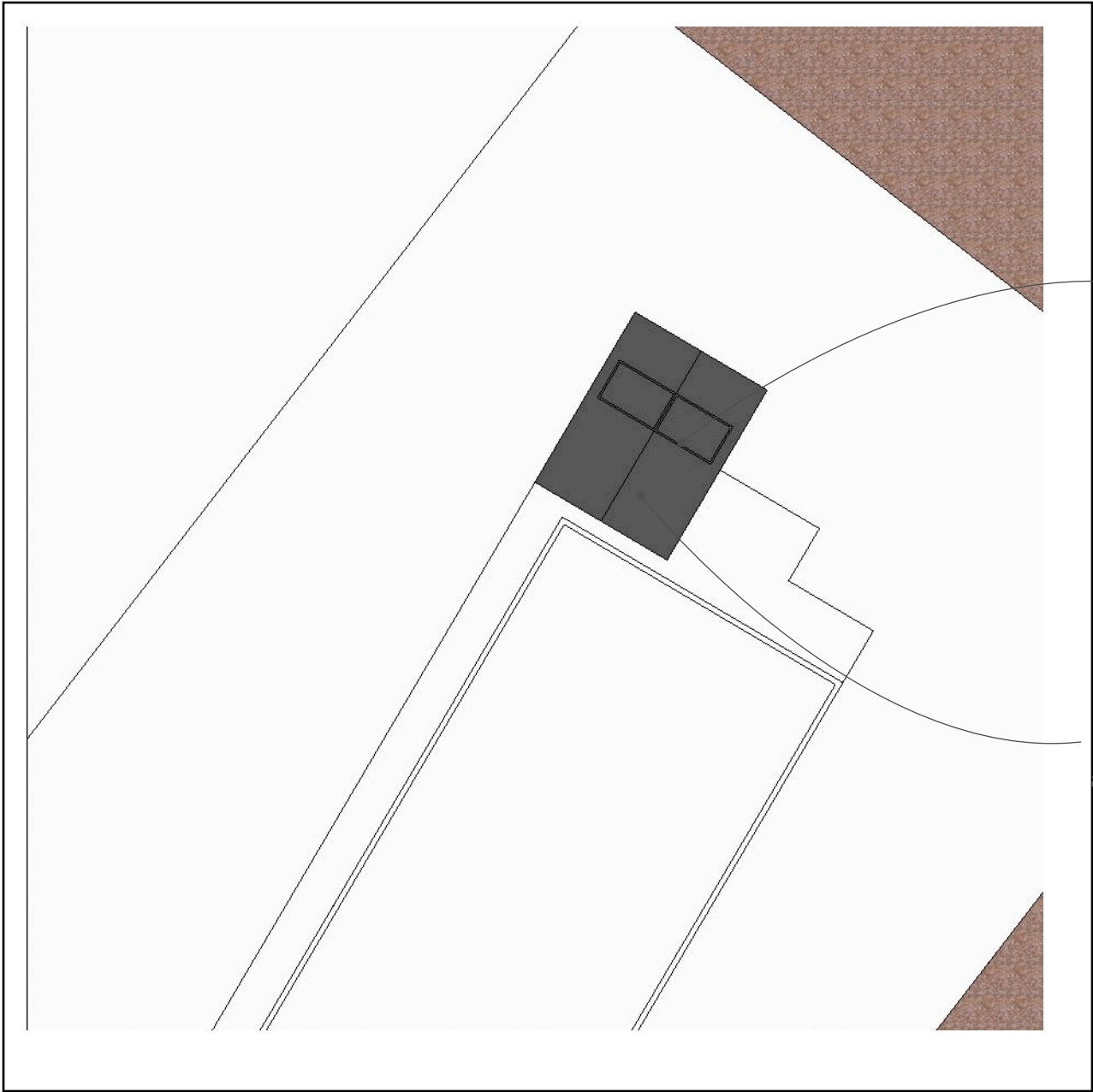
300 Queen Street

Second Floor Demo Plan



300 Queen Street

Roof Demo Plan



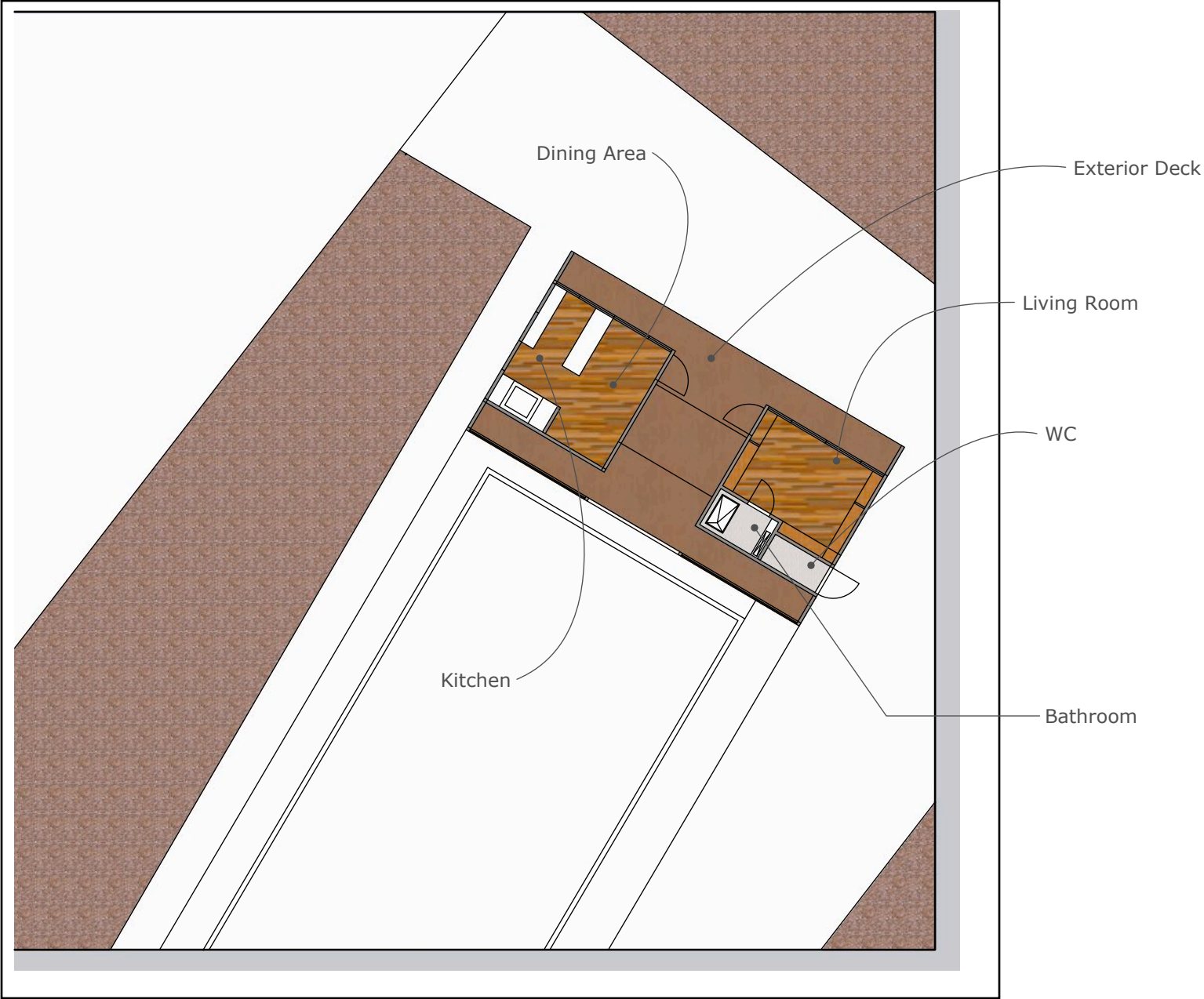
Remove Skylight

Repair roofing
and prep for
new materials
and weatherproofing

300 Queen Street

Ground Floor Plan

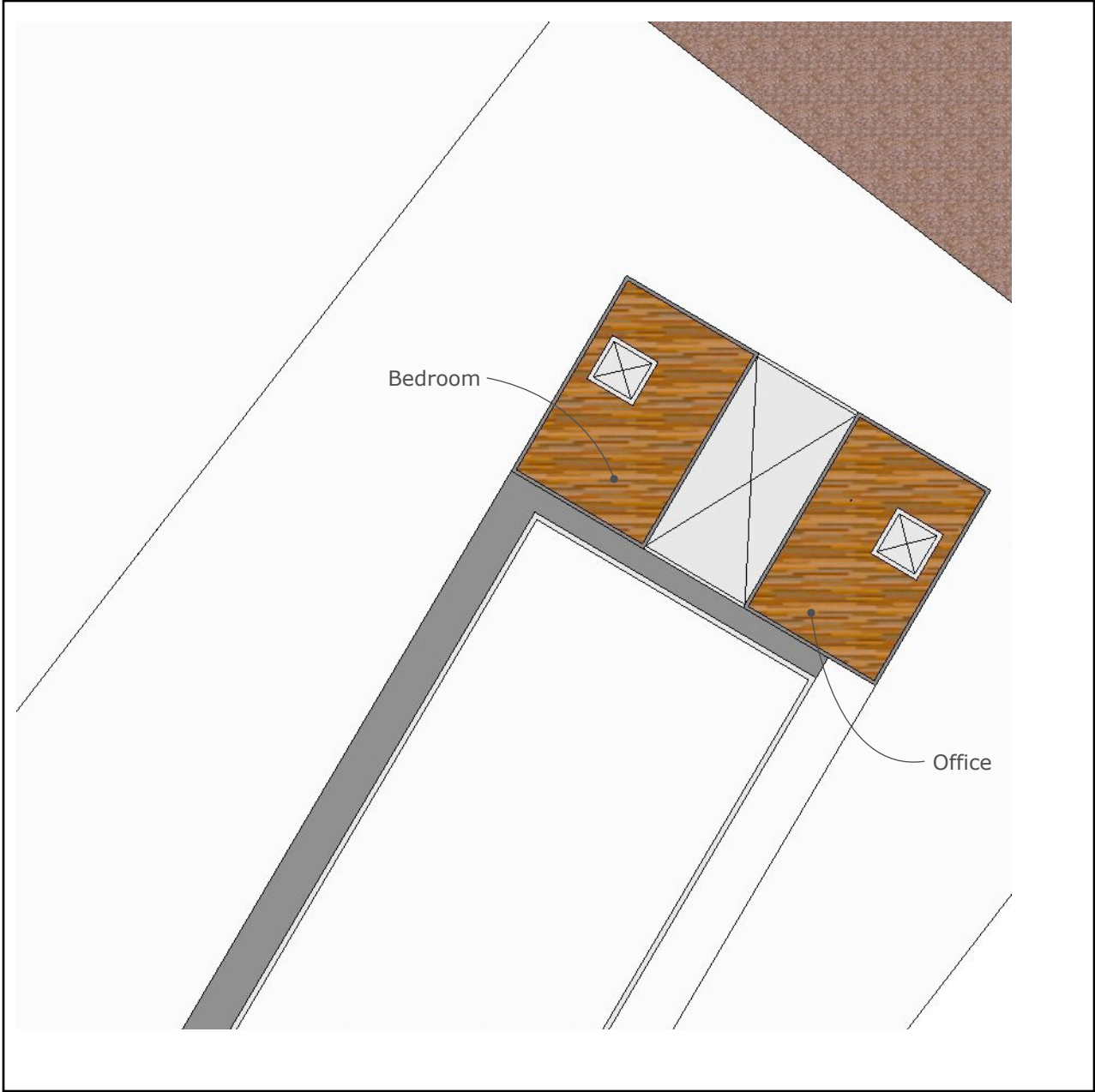
1st Floor	
Left Block	178 Sq Ft
Right Block	178 Sq Ft
Sub-Total	356 Sq Ft
Covered Area	260 Sq Ft
Total	616 Sq Ft



300 Queen Street

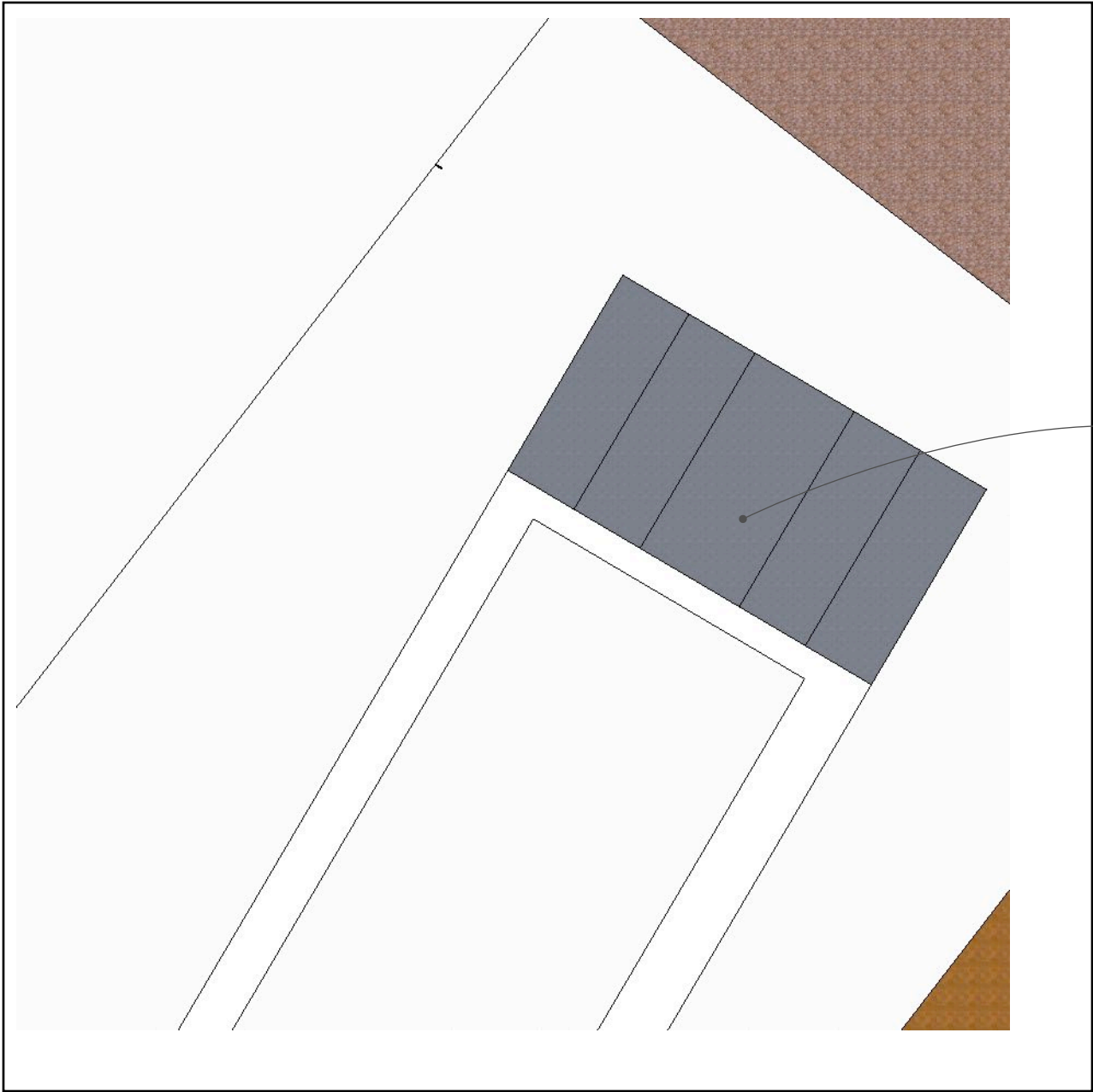
Second Floor Plan

2nd Floor	
Left Block	252 Sq Ft
Right Block	252 Sq Ft
Total	504 Sq Ft



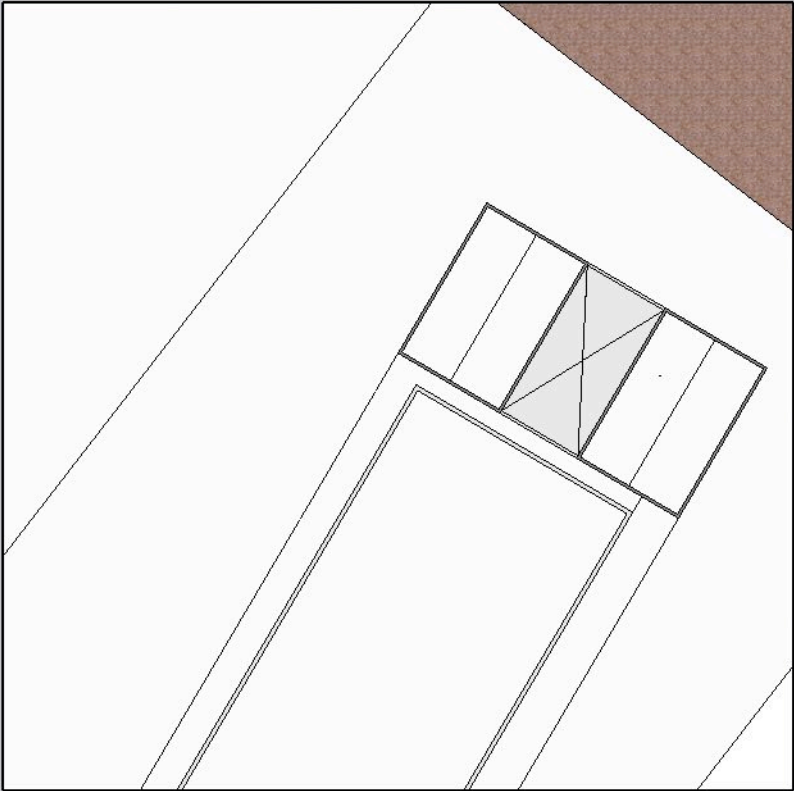
300 Queen Street

Roof Plan

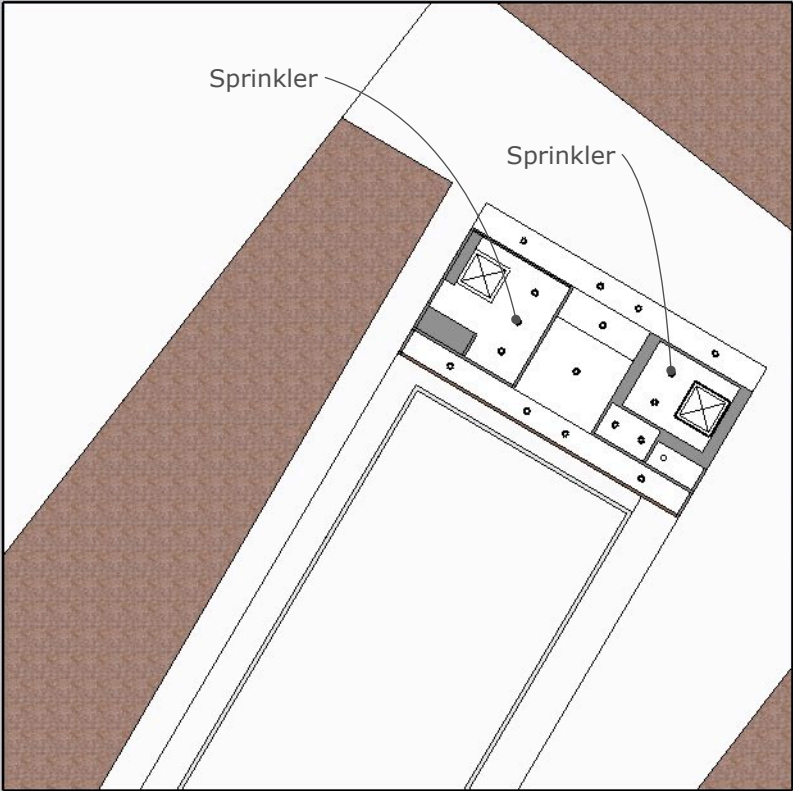


Metal Roof

300 Queen Street

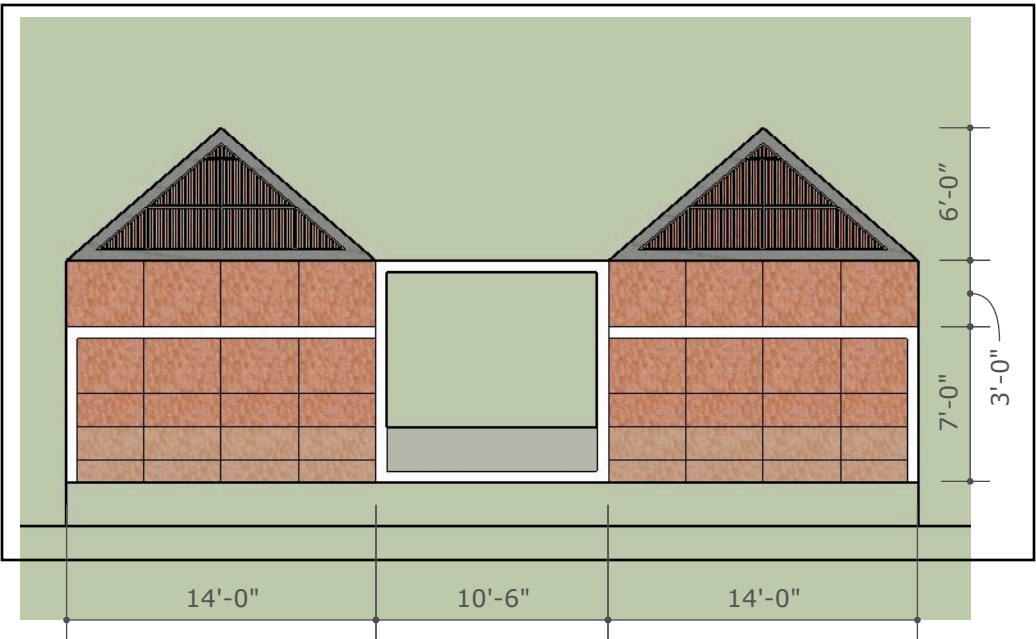
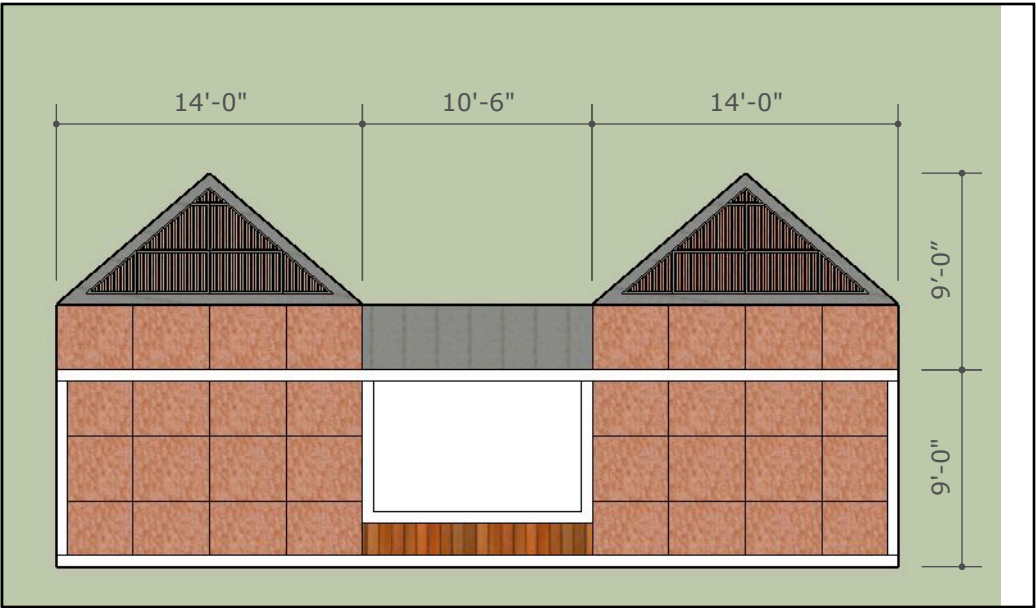
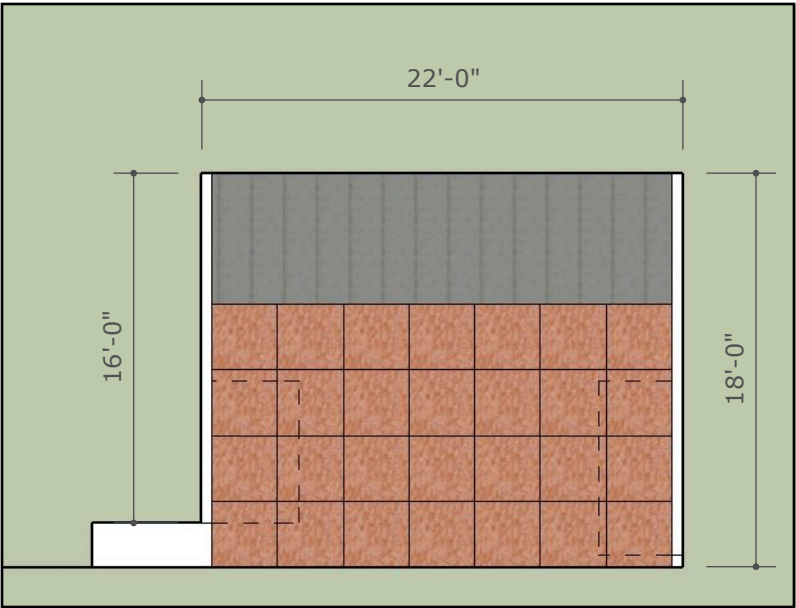


Second Floor



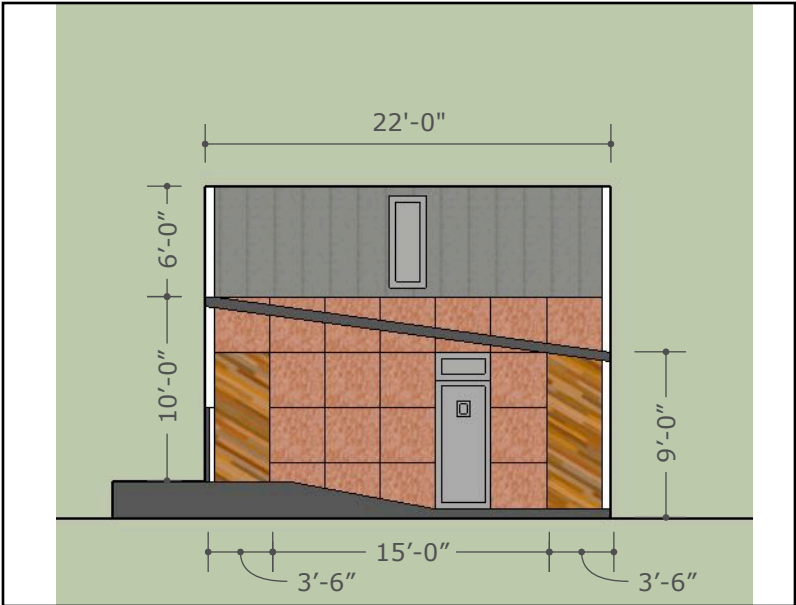
First Floor

Elevations



300 Queen Street

Sections

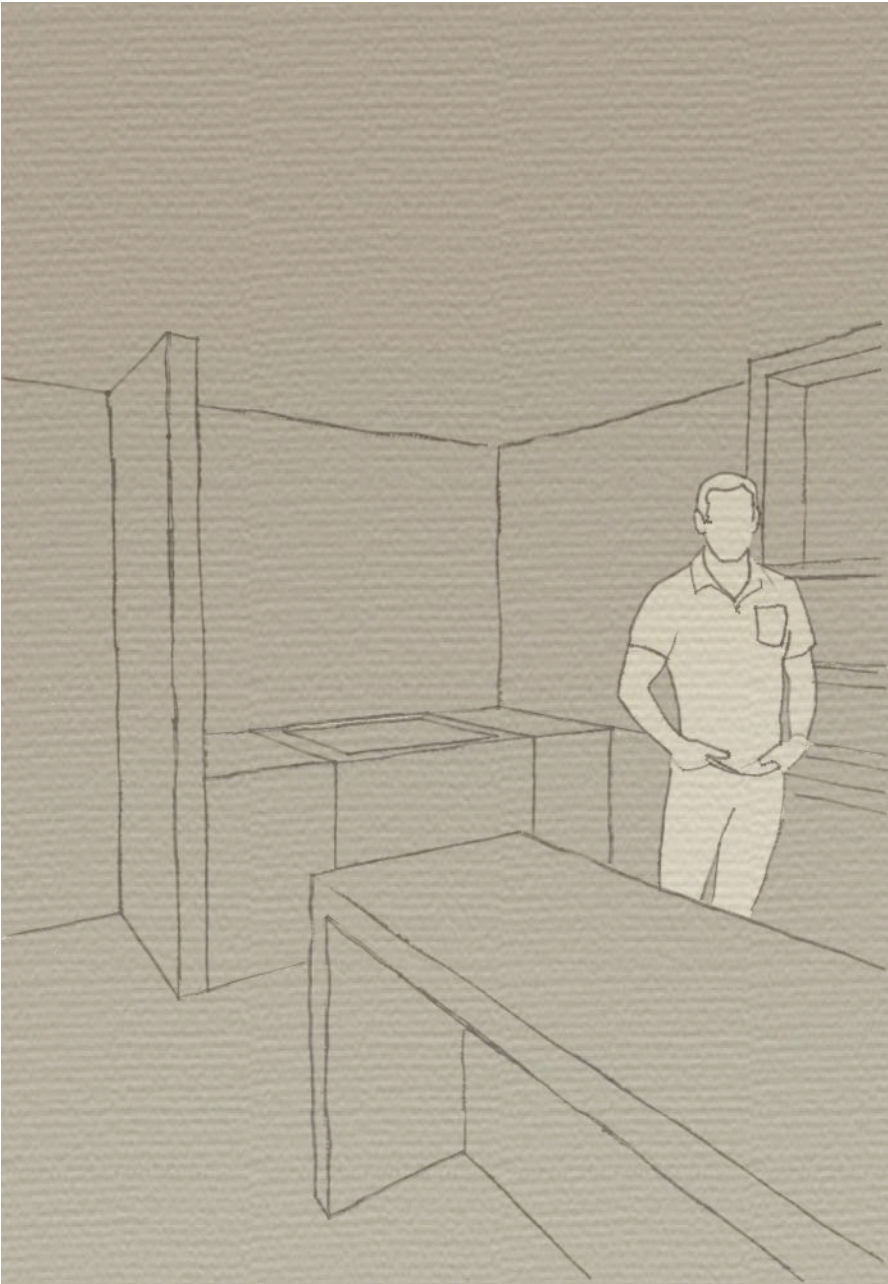


300 Queen Street

Interior Renderings

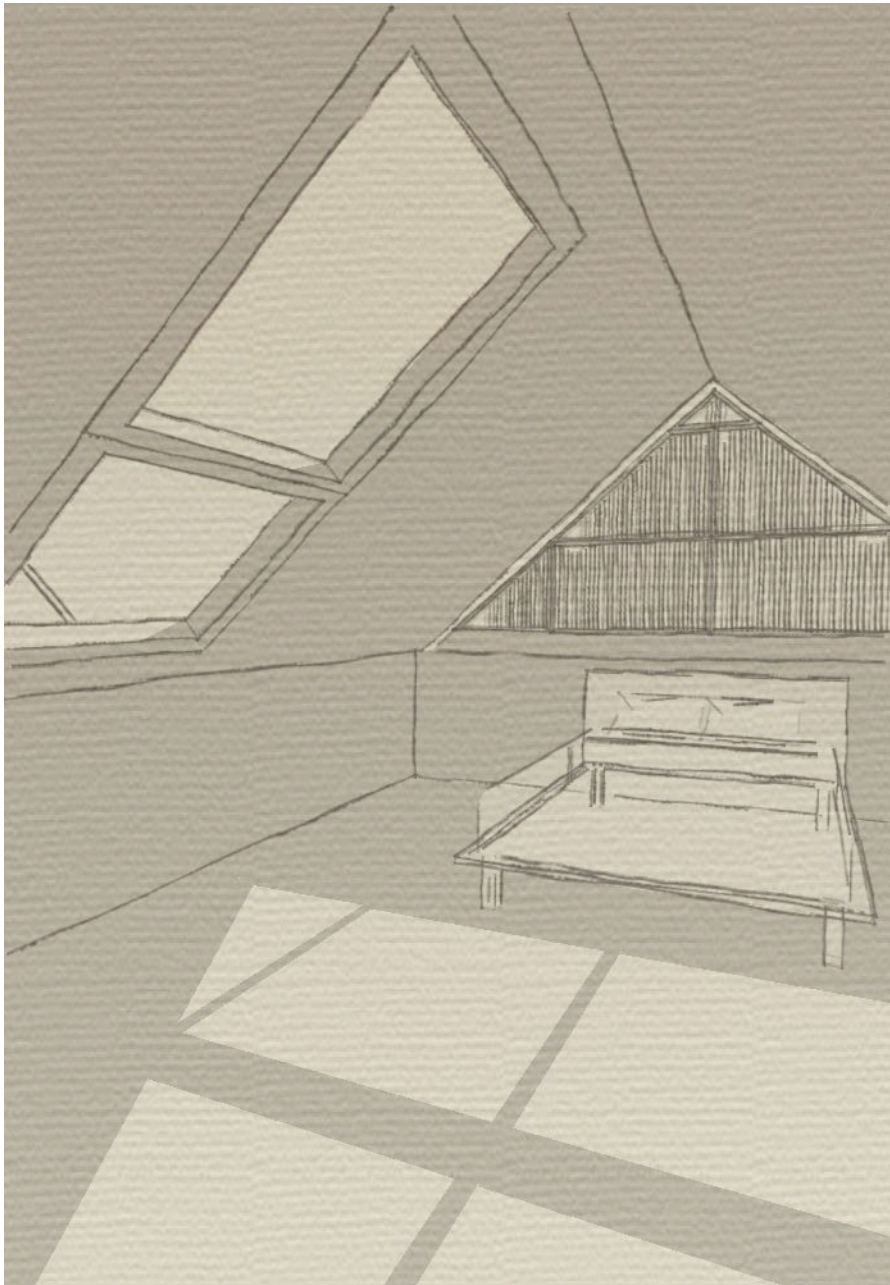


Interior Perspective: Living Room

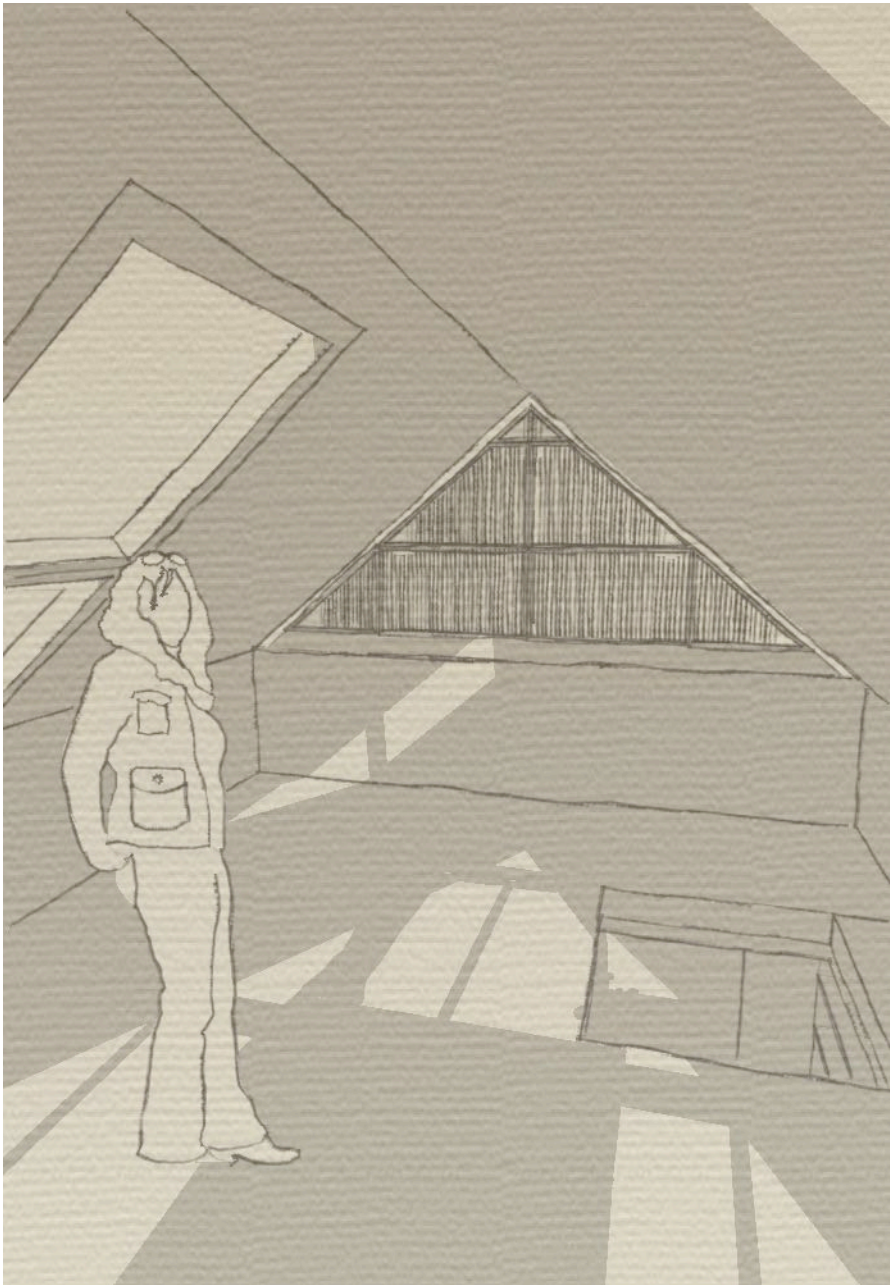


Interior Perspective: Kitchen

Interior Renderings

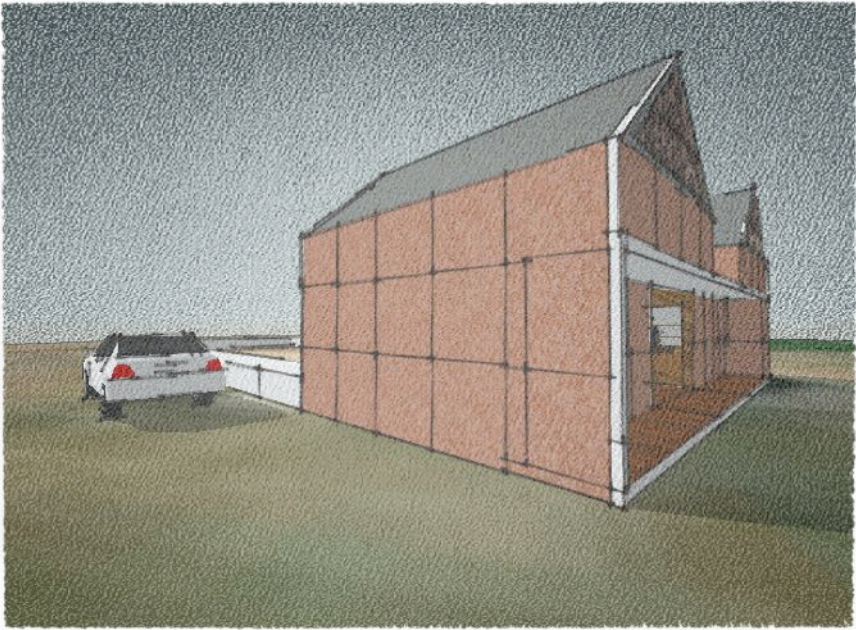
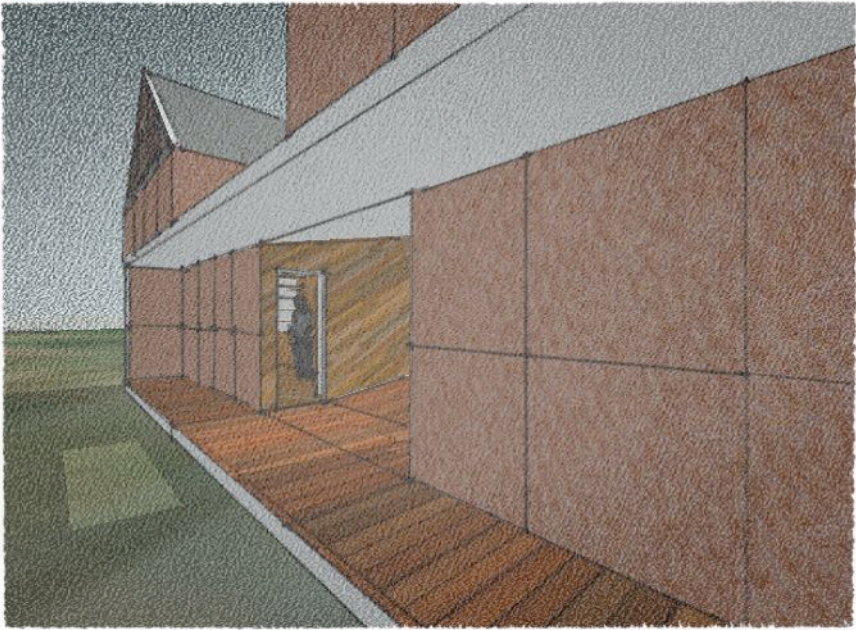
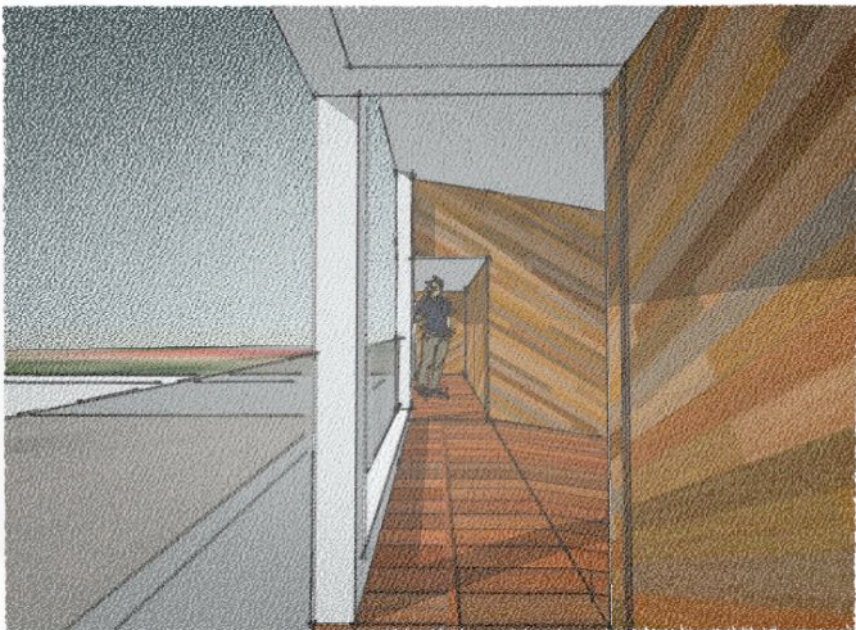


Interior Perspective: Bedroom



Interior Perspective: Office

Exterior Renderings



Exterior Perspectives

300 Queen Street

Rendering of Single Family Home Toward Verde Valley



300 Queen Street