



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331

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

REGULAR MEETING OF THE TOWN OF JEROME

PLANNING AND ZONING COMMISSION

DATE: Wednesday, October 3, 2018 TIME: 7:00 pm

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

AGENDA

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

ITEM 1: CALL TO ORDER/ROLL CALL

ITEM 2: APPROVAL OF MINUTES: Minutes of September 5, September 13, 2018
Discussion/Possible Action/ Possible Direction to Staff

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

ITEM 4: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 104, 105 & 106, IN REGARD TO MEMBER ABSENCES
Discussion/Possible Action Possible Direction to Staff

ITEM 5: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE IN REGARD TO DEFINITIONS AND PROPERTY DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS
Discussion/Possible Action/Possible Direction to Staff

ITEM 6: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 509 SIGNS
Discussion/Possible Action/ Possible Direction to Staff

ITEM 7: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 304 DESIGN REVIEW, IN REGARD TO CERTIFICATES OF NO EFFECT
Discussion/Possible Action/Possible Direction to Staff

ITEM 8: FUTURE AGENDA ITEMS
Discussion/Possible Action/Possible Direction to Staff

ITEM 9: ADJOURN
Discussion/Possible Action

The undersigned hereby certifies that this notice and agenda was posted at the following locations on or before 7 p.m. on 10/2/18
970 Gulch Road, side of Gulch Fire station, exterior posting case
600 Clark Street, Jerome Town Hall, exterior posting case
120 Main Street, Jerome Post Office, interior posting case


Charlotte Page, Acting Zoning Administrator, Attest

Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting the Deputy Town Clerk Joni Savage at (928) 634-7943. Requests should be made as early as possible to allow sufficient time to make arrangements. Anyone needing clarification on a P&Z Commission agenda item may call Jerome Town Hall at (928) 634-7943 and ask to speak with Charlotte Page, Acting Zoning Administrator.



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WORK SESSION OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

DATE: Thursday, September 13, 2018 TIME: 5:00 pm

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

MINUTES

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

ITEM 1: CALL TO ORDER/ROLL CALL

Chair Hardie called the meeting to order at 5:02 p.m.

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

Staff present were Charlotte Page, Acting Zoning Administrator, and Joni Savage, Deputy Clerk.

(:44) ITEM 2: P&Z REVIEW OF DEFINITIONS AND PROPERTY DEVELOPMENT STANDARDS IN REGARD TO ACCESSORY BUILDINGS

Chair Hardie said she could start with the definition on the top it says, "Draft text amendment accessory buildings" and in red **Text Editions as Proposed**, this is on page 1. There are different factors her definition reads as follows: An accessory building is a building or structure which is subordinate in size, use of and visually to the main building or structure or use on the same lot or parcel. An accessory building or structure may not be used for human habitation.

The additions are size, use and visually subordinate. On page 2, number 7, which is set-backs, she stated she believes is fine. She wonders how good it would be to have this same definition, size and all of that for the AR, C1 or Light Industry zones. She believes those zones have different needs and spaces. In regard to AR we could add a barn.

Chair Hardie continued to sizes/height in other towns is anywhere from 12' to 16'. After walking around in her neighborhood, she has to say that the majority are 12' and no higher. She doesn't know if a height of 16' could be carried on a small building.

Mr. Hudson added that an average 8' ceiling home inside with a 4/12 pitch puts you at about a 16' outside. You would have a bigger pitch, which he added believes it looks nicer around here.

Chair Hardie said her observations the buildings tend to be a 12' average. In the definitions in each and every zone, that Mr. Vincent suggested, for the sake of clarity. She wondered if we need the statement: Accessory buildings will not have a separate address or separate utility service. She doesn't see the relevance of it.

Vice Chair Schall explained that's one of those intent things, if it has a separate address and a separate utility, it begins to look like a rental unit.

Chair Hardie said "not for use of human habitation" should cover everything, we don't have to worry about sinks and showers. She finds in a lot of Towns that they use that statement. If we wanted to, take a list of what we're after, height, use, definitions and just cut to the chase.

Vice Chair Schall asked what happens if a taxpayer in Jerome wants to build a building bigger than an accessory building, would it not be another accessory building. Could they build a second home on their lot, if they had a lot big enough? What would prevent that?

Chair Hardie responded the zone says one single family home in the Residential zone.

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The Commission discussed this and speculated ways that people could get around it.

Chair Hardie stated there is no permitted use for a "guest house" in any zone. It is in the definitions and shouldn't be there because they don't exist. She stated that any of these in existence would be grandfathered in. She added a subordinate use is something that would not trump the single-family home as a home.

Ms. Moore asked about the square footage of the accessory building.

Chair Hardie responded that would be constrained by the size of the lot and the set-backs.

Vice Chair Schall interjected if the lot was huge it could be three times the size of the house.

Chair Hardie said it would then no longer be subordinate to the size of the main building.

Ms. Moore doesn't believe subordinate says enough. (The definition of subordinate was discussed. It was decided a square footage should be used. Instead of just saying subordinate, it should say smaller than the footprint of the main building.)

Chair Hardie added it should say visually incidental.

The current definition says it can't be in the front yard.

Mr. Hudson asked didn't we talk about removing no accessory building should be in the front yard.

The Commission decided they wanted to leave it.

Chair Hardie said, "Let's do that definition, let's leave the yard lot and area requirements the same with the five-foot setbacks. And add, an accessory building may not be used for human habitation. She discussed size being the footprint is covered by the lot coverage. It is smaller than the foot print of the house, no more than the square footage. The subordinate building would be smaller than and no more than 50% of the square footage of the main structure.

Mr. Hudson reminded them that some of the houses in town were already so small that you couldn't put in an accessory building for something like a garage.

Mr. Vincent asked, "Don't you achieve that objective with setbacks and lot coverage?"

Ms. Moore responded not necessarily. We're trying to achieve that the accessory building doesn't look as big as the house, but that could be easily interpreted as a foot shorter.

Mr. Vincent asked, "How did this come to us?"

Ms. Page responded that there was a lot of emotion around the last accessory building proposed. Both DRB and P & Z denied it and the applicant then appealed to the Council.

It was determined the guidelines needed to be better so that decisions wouldn't be subjective.

Chair Hardie added that guest houses are in the definitions, but they do not exist anywhere in the ordinance.

Mr. Vincent asked, "Are you outlawing guest houses?"

Chair Hardie responded, "You can't outlaw something that doesn't exist. It isn't even mentioned in the Zoning Ordinance."

The Commission discussed guest houses and accessory buildings for quite some time.

Vice Chair Schall wants to leave the guest house definition alone, he wants to see the definition left and he doesn't want to discourage them. A guest house is not a vacation rental. (He referred to a scenario of having his elderly grandmother use the guest house.)

Chair Hardie believes that allowing a guest house to be built would just invite more vacation rentals.

Mr. Vincent believes that with all of the setbacks and lot coverage requirements involved it would be difficult for anyone to build a guest house on most of the lots in town.

Vice Chair Schall added that we cannot say no to vacation rentals, however we can control accessory buildings and discourage a bedroom.

Chair Hardie said her concern is the ultimate use, which could become. Once you've created a guest house, it's fairly

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habitable and then one day it could be turned into a vacation rental.

Mr. Vincent read from the ordinance and said, "such quarters shall not be rented."

Chair Hardie added, again, once you've built it no one can prevent you from renting it. She summarized, don't allow human habitation.

Ms. Moore is concerned about something being built that would dwarf the historic building. She doesn't believe the guidelines are clear enough at this time. She would like to restrict the size and the use. Visually she would want it to be subordinate. Height limitation, not more than 2/3rds size of the footprint of the home.

Vice Chair Schall added nothing taller than 14 feet high and 600 square feet, that is basically a two-car garage.

Chair Hardie feels that setbacks and percentage of lot usage should be a part of the ordinance. The main issues are use, height, size and the look of it.

- 1) They agreed on a height of 14 feet.
- 2) They agreed on no bigger than 500 square feet or 2/3rds the size of the footprint of the home.
- 3) They agreed on not habitable for humans.

Ms. Page summarized: "Subordinate in size and use, and visually subordinate." She will change the definition of accessory building, and add the above items 1, 2 and 3. (Staff was instructed to find the standard size of a 2-car garage.)

Chair Hardie referred to section 502.H, accessory building, detached, yard lot requirements stay the same. She then asked about the different zones.

Vice Chair Schall said, "Shouldn't we just say the setbacks for the accessory building has to match the zone it is in. Is there something wrong with that?"

Chair Hardie doesn't want to restrict C1 in light industrial, they're not houses or tiny lots. So, the commission decided that the setback is equal to the zone. She added we'll leave setbacks alone in the AR.

Chair Hardie moved on to Accessory Buildings, number seven (7) page three (3); she would like to change B1 to 14" and also she doesn't like any reference to a CUP or a variance. Strike that, "otherwise permitted." She doesn't think we need number two (2) at all, referring to separate address or separate utility.

Chair Hardie and Vice Chair Schall gave examples of how having a separate meter on an accessory building would be accommodating.

Ms. Page said she added number six (6) maximum main building height of 25' tall because she wanted to differentiate from the accessory.

Chair Hardie didn't think that was necessary. The commission decided to leave it in to make everything clearer.

(1:21) ITEM 3: P&Z REVIEW OF ZONING ORDINANCE SECTION 304 DESIGN REVIEW, IN REGARD TO CERTIFICATES OF NO EFFECT

Mr. Hudson asked Ms. Page, "What is the main reason for this item being on the agenda?"

Ms. Page responded, "There is a subset in town that will not come in at all. We probably can't fix this with this (form), but there are a fair amount of questions that come to us about maintenance. Where we talk about maintenance it is fairly vague. This was actually before my time, Mr. Dabney had started this process."

Mr. Hudson asked if she was referring to 304J.

Ms. Page responded it is the only section that talks about general maintenance not being included. (Zoning Ordinance, page 41, section 304-J)

Mr. Vincent asked if everyone was okay with this form.

Chair Hardie said she is not.

Ms. Page said there could be a list of items limited to this.

Mr. Hudson spoke about repairs, every time he does any repair he would have to come and talk to the zoning

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administrator, he does not agree with that.

Vice Chair Schall agreed with Mr. Hudson as far as repairs. He suggested removing Item #1.

Mr. Hudson wanted to streamline the list and not have a fee.

Ms. Page gave an example of a shed that just showed up on someone's property. The owner told her Mr. Dabney had approved it, but when she checked the parcel file there was no documentation.

The commission discussed accessory buildings and how they would need to go before both boards.

Chair Hardie said we don't need this form for that. She asked Ms. Page if she wanted to review paint on historic buildings.

Ms. Page gave an example and thought it could be on the Certificate of No Effect.

Chair Hardie doesn't believe it should go under the purview of the zoning administrator. She doesn't want the Certificate of No Effect. She doesn't think you should go before Design Review for paint color and she would like to change that requirement. Her point is, if these things are so insignificant they should be removed from Design Review considerations.

Ms. Page explained the purpose of the document and how it could be useful for the public when they're applying for things.

Vice Chair Schall said it doesn't really give permission, however it is a way for you to be aware of it.

Chair Hardie said it sounds like you want a list of projects that we could publicize to tell citizens what they are allowed to do. She believes this will just add more work for Ms. Page.

Vice Chair Schall suggested that they simplify this and put it under exclusions, this doesn't affect us, the Planning and Zoning Commission. However, he hears Ms. Page, and this form is some added level that will help her do her job.

Chair Hardie feels some of these decisions should be made by the Design Review of five people versus one person. She also added that if Ms. Page said no to an applicant they have the right to go on to DRB.

Ms. Page explained how she would want an approved list to work from and she would not say no, she would send them to DRB.

Chair Hardie stated again she feels this is a waste of time.

Vice Chair Schall added we are just trying to simplify the process.

Mr. Vincent talked about the three items at the last Design Review meeting and how Ms. Page probably spent more time preparing those items for the agenda versus using a Certificate of No Effect.

Chair Hardie said if the applicant doesn't agree with your decision they would still have the option of going to DRB. She doesn't want stuff on the list that would create people violating the ordinance. Whatever is on the exclusion list it stays.

Ms. Page said that's the problem, there is no exclusion list.

Chair Hardie recommended Ms. Page come up with that list.

Vice Chair Schall spoke about like for like and similar paint colors.

Chair Hardie directed staff to come up with a definition for the Certificate of No Effect. Also, she asked staff to make a list of things staff would like.

(1:58) ITEM 4: POSSIBLE REVIEW OF 509 SIGN ORDINANCE

Chair Hardie said she would like to table Item 4.

(1:58) ITEM 5: FUTURE AGENDA ITEMS

Chair Hardie said her future agenda item would be to bring number 4 to the next meeting. She believes it may need to be another work session.

Mr. Vincent asked about the Club House project.

Ms. Page said they would have a Conditional Use Permit at the next meeting. This was discussed further.

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ITEM 6: ADJOURN

The meeting adjourned at 7:06 p.m.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie			x			
Hudson	X		x			
Moore			x			
Schall		X	x			
Vincent			x			

Approval on next page.

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SPECIAL MEETING OF THE TOWN OF JEROME

PLANNING AND ZONING COMMISSION

DATE: Thursday, Sept 13, 2018 TIME: 5:00 pm

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

Respectfully submitted by Joni Savage on October 3, 2018

Approved: _____ Date: _____
Planning & Zoning Commission Chair

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



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REGULAR MEETING OF THE TOWN OF JEROME PLANNING AND ZONING COMMISSION

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

PLACE: **JEROME CIVIC CENTER**

600 Clark St., JEROME, ARIZONA 86331

MINUTES

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

ITEM 1: CALL TO ORDER/ROLL CALL

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

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

Staff present were Charlotte Page, Acting Zoning Administrator, and Joni Savage, Deputy Clerk.

7:02 ITEM 2: APPROVAL OF MINUTES: Minutes of August 1, 2018

Ms. Moore referred to Item #8, The Certificate of No Affect, she said she had questioned the necessity of the Certificate of No Affect and that it really wouldn't matter because you can already do some of these maintenance items.

Mr. Hudson didn't recall.

Mr. Vincent said his understanding was that people could go to the Zoning Administrator and wouldn't have to go before the boards for certain items.

7:03 John McDonald, a member of the Design Review Board spoke about the Certificate of No Affect and said he remembered there had been a discussion.

Approval of the Minutes of August 1, 2018 with conditions that Ms. Moore's comments are added regarding Item #8.

(After a thorough review of Item #8 on the August 1, 2018 agenda. It was determined (8:18) Suzy Mound had made the statement that she did not feel the "Certificate of No Affect" was necessary. -JS)

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie						X
Hudson			X			
Moore		X	X			
Schall	X		X			
Vincent			X			

7:05 ITEM 3: PETITIONS FROM THE PUBLIC – There were no petitions from the public

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

7:06 ITEM 4: REVIEW DRAFT ZONING ORDINANCE 502.M HOME OCCUPATIONS

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

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Chair Hardie opened the public hearing at 7:06. Upon no comments from the public, the public hearing was closed at 7:08.

7:08 ITEM 5: DISCUSSION REGARDING ZONING ORDINANCE 502.M HOME OCCUPATIONS, RECOMMENDATION TO COUNCIL

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

Chair Hardie referred it item number 5, it says, "All materials and equipment used and maintained in connection with a home occupation must be used and stored inside the dwelling." She feels the rest of that paragraph is unnecessary and is not well defined. For example, "other manner," we don't know what that could be. Also, at the end where it says "dwelling" she would like to add, "not visible from the street or adjacent properties."

Mr. Vincent asked, "Are you saying that you can't store materials used in the home occupation in a legally, acceptable ancillary structure?"

Chair Hardie responded, "No, could you define what an associate accessory structure is?"

Mr. Vincent replied a structure allowable under the zoning ordinance that sits on the lot of the home. A detached garage or shed.

Vice Chair Schall believes "accessory structure or building" would be fine with him. He went on to explain that in Jerome a fenced yard does not always prohibit the view of items stored in a fenced yard.

After further discussion it was decided Item 5 should read:

All materials and equipment used and maintained in connection with a home occupation must be used and stored inside the dwelling or accessory building.

Chair Hardie moved on to item number 8, she would like to remove "such as an automobile repair service."

Vice Chair Schall agreed and decided they did not need that example.

Chair Hardie instructed staff to make the following changes:

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.

8. The use shall not generate more pedestrian or vehicular traffic than typical to the zone in which it is located.

Motion to approve the changes to the home occupation ordinance as noted for recommendation to the Council.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie			x			
Hudson			x			
Moore		x	x			
Schall	x		x			
Vincent			x			

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

7:20 ITEM 6: REVIEW DRAFT ZONING ORDINANCE 509.G. SIGNS, TEMPORARY

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

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Chair Hardie opened the public hearing at 7:22. Upon no comments from the public, the public hearing was closed at 7:23.

7:19 ITEM 7: DISCUSSION REGARDING ZONING ORDINANCE 509.G SIGNS, TEMPORARY, RECOMMENDATION TO COUNCIL

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

Mr. Hudson asked what the original motive was to change this.

Chair Hardie explained in the commercial district there has been an over abundance of signs. This was brought up by our previous Zoning Administrator Kyle Dabney, as a way to limit sign clutter and a way to track temporary signs.

Ms. Page explained Chair Wood from the Design Review Board may have had input on this. However, there is still one other place in the sign ordinance where it talks about temporary signs and it basically says it is not regulated. She would like to address that portion of the sign ordinance also at this time.

Chair Hardie feels that we should leave it as it is. This was what the public hearing was for and we probably shouldn't add anything else at this time.

Ms. Moore asked about the cost. After being informed there was no cost involved she stated that she thinks it seems silly, it's just more paperwork and she doesn't believe people will do it.

Chair Hardie explained it is an attempt and she thinks it is a good idea.

Ms. Page said there is really no limit to temporary signs in the Zoning Ordinance.

Chair Hardie directed them to letter E., she would like to delete that in its entirety and add "All" to item B. It would read:

B. All temporary signs shall require an application to be filed with the Zoning Administrator.

Moved to forward the ordinance proposed changes for temporary signs, 509B with the provision to roll E. into B. to the Council.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie			x			
Hudson			x			
Moore			x			
Schall	x		x			
Vincent		x	x			

7:25 ITEM 8: P&Z REVIEW OF DEFINITIONS AND PROPERTY DEVELOPMENT STANDARDS IN REGARD TO ACCESSORY BUILDINGS

Chair Hardie clarified we are talking only about accessory buildings as mentioned in the zoning ordinance, not accessory structures or accessory uses.

Ms. Moore asked where will this be added? In each zone where it talks about accessory buildings and accessory building definition. We had discussed last time to not just limit it to the definitions.

Mr. Vincent said it appears to him it has been inserted the definition of accessory structure in to each zones language.

Ms. Page believes it to be in the general provisions already.

Chair Hardie believes it should just go into general provisions Section 502, because we've already got quite a bit of information under property and building standards in each and every zone. Since it is identical information that applies to every zone. We could eliminate all the extra verbiage and put it into general provisions.

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Mr. Vincent thinks it is clearer when it's placed in each of the respective sections. That is our intent and what's wrong with the specificity of that.

Chair Hardie said, nothing's wrong, she just wanted to eliminate some of the verbiage. Then she added, under accessory building, we're not putting the definition, but a description.

Ms. Page explained there would be a maximum building height, and accessory building as another topic.

Chair Hardie asked are we addressing the definition on page 13, are we addressing that at all. She believes what is there is sufficient. We will specify the differences when we go through each and every zone.

Ms. Page said in the current ordinance there is a definition of an "accessory building" and also the definition for "building, height of." She suggests we include "accessory building, height of" definition, we should add that since we're trying to regulate the height of accessory buildings. That is her goal.

Mr. Vincent agreed with her.

Chair Hardie asked her where that was broken out, she couldn't locate it.

Ms. Page said in the zoning analysis there was a paragraph. Under Article 2, definitions, she suggested adding accessory building, type of. Under accessory building, there is not maximum height listed.

Chair Hardie suggested starting with this definition of what the new addition to the definition in the ordinance would be and how you presented it.

Ms. Moore referred them to page 53, yard, lot and area requirements. It talks about accessory buildings. Attached and detached accessory buildings. Is any part of that changing?

Chair Hardie said we hadn't got that far.

Ms. Page said she didn't include that because in the prior meeting we had talked about striking the verbiage about "in the front yard."

Chair Hardie said we will look at that but for now we will stick with the definition. She read under accessory building, height of, "The vertical measurement down from the highest point on the structure to the original grade or to an intersection with the horizontal projection of a plane, established as the median between the highest and lowest points of original grade beneath the enclosed portions of the structure." Is that how we describe/define a building height?

Mr. Vincent explained this definition is how you determine the 25-foot height in the ordinance today. Blue Bolter generated those diagrams that are in the ordinance.

This definition was discussed in detail.

Ms. Page asked do we want to add a definition for accessory building height. She was trying to explain her usage of the verbiage and whether they wanted to limit the building height of an accessory building.

Chair Hardie and Mr. Vincent both said they did.

Mr. Vincent said if our intent is to limit the height of the accessory building then why not be specific. At the last meeting he thought we had all been in agreement to limit it to 16 feet or less.

Chair Hardie wants to move on to the description, not the definition. (Property Development Standards, page 5). She stated she knew they had discussed this, she had read the minutes from the last meeting. She added notes about accessory buildings and their use.

Ms. Moore asked do you want to add something else.

Chair Hardie said yes, in addition to the red verbiage, her comments are under additional notes. (She read from her list that she would like to add to what they had discussed.) She wants to remove "may contain a sink and toilet." Above it scratch "accessory building." She asked why someone would want it in the front yard.

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Mr. Vincent asked what is a front yard in Jerome?

Chair Hardie would prefer it is not there, she doesn't feel they exist to enhance the beauty of anything.

Mr. Vincent asked Vice Chair Schall is your garage an accessory building?

Vice Chair Schall asked which one, I have four.

Mr. Vincent said, "Chair Hardie was not here for the meeting and takes it upon herself to speak to the Zoning Administrator, which is outside of the protocol of how things should come into the purview of this body. Personally, I think this language is entirely too invasive. He doesn't think the Chair has the right to insert all of this language into something that we haven't discussed publicly together."

Chair Hardie responded that all of this, she felt was appropriate to discuss and for the sake of ease she had it inserted into our discussion. It is for discussion only, it has no value at this point. For now, her suggestions are equal to anyone else's suggestions.

Mr. Vincent said the home occupation is covered already and doesn't need to be embellished.

Chair Hardie said as the chair she has a point to make about cross examining members and does not feel it is appropriate. It's best to keep this as objective as possible and move on. Any other ideas on describing an accessory building. She referred to Item 7, on page 5 "Accessory buildings of one story shall be not greater than 16 feet."

Ms. Moore had suggested no taller than 12 feet.

Mr. Hudson believes 16 feet should be the maximum height and should only be one story.

Vice Chair Schall doesn't think accessory buildings have to be only one floor.

Ms. Moore's point, if you're going to allow this in someone's front yard, is 16 feet is taller than some of the houses. She mentioned one proposed alteration to the garage could make it as imposing as the home itself. If you had something that large in many of the yards in Town it would look absurd and take away from the original historic structure.

Mr. Vincent said, "The definition says subordinate to the home, a two-story building is not subordinate."

7:55 Carol Anne Teague suggested, "What if the ordinance read 16 feet or the height of the main structure, whichever is less."

Chair Hardie discussed a two-story accessory building and it would not be subordinate to the house. She cannot understand how a structure that large would fit in as a subordinate use in the residential zone.

Ms. Moore brought up the definition of a guest house.

Chair Hardie wants to delete that.

Ms. Moore said she read something about a detached building can be used for employees.

Chair Schall said he could give an example of a three-story building with a two-story accessory building and he doesn't have a problem with it.

There was further discussion of guest houses, uses in residential zones and accessory buildings.

Chair Hardie asked, "Is there any point we've agreed upon?"

Definitions in each portion, height is 16 feet, but not to exceed the height of the main residence.

Vice Chair Schall said it shouldn't be higher than the height of a house on the lot which is 25 feet high. "Say I'm considering an accessory building and it has to conform to the lot coverage and I have met the set-backs. Now imagine someone says your accessory building is too high, and someone tells me I can't put it on my property as a detached building. Then I will attach it to the house and I will get the same foot print and there's nothing you can do about it." So, what have we accomplished, we've forced them to attach it to the building. She asked

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all the commission members to give a positive of what they would like.

Mr. Vincent said when we left the last meeting he thought they had understood the definition of an accessory structure. The definition would remain the same and we would determine a height. He suggested we meet earlier to hash these sections out. He referred to the additional concepts that had been discussed we should all be aware of this ahead of time. He suggested a work session.

Ms. Moore would like definition says it is in subordinate to the main building not a structure someone might use as a vacation rental and she thinks 12 feet is fine. And someone can get a variance if they are on a large piece of property.

Mr. Hudson said his position is to put a limit on height, but he'd like to give it more thought.

Vice Chair Schall wants to reinforce the definition of accessory building, he's not worried about misuse, but the architect of it. That's what he wants it to look like. He's not concerned about limits. He would like to do a workshop.

Chair Hardie said her thoughts are, one story, 12 feet and subordinate to the home. She would like to table this and move on to the next item.

8:26 ITEM 9: P&Z REVIEW OF ZONING ORDINANCE SECTION 304 DESIGN REVIEW, IN REGARD TO CERTIFICATES OF NO EFFECT

Chair Hardie thinks they are unnecessary level of additional bureaucracy. Everything is taken care of by Design Review. She referred to page 41 in the Design Review section, we have exclusions. This says that these things are already allowed. This "Certificate of No Effect" came from Phoenix and she doesn't think this is for our Town. As far as fixing things on your home, we're already allowed to do that.

Ms. Page discussed instances where a "Certificate of No Effect" would come in handy. 1) a different color of paint, 2) a sign already approved for BB's boutique and now she wants to move the sign to the other side. So, they have to go before DRB again.

Ms. Moore said she doesn't think anyone should come to DRB for paint color approval.

Chair Hardie asked if the Commission would like to add this into a work session.

Mr. Vincent believes that the Zoning Administrator is asking for help and it shouldn't fall on deaf ears.

Vice Chair Schall would like it included in a work session. He believes the "Certificate of No Effect" is a good idea.

Chair Hardie said this will go on to a work session.

8:38 ITEM 10: P&Z REVIEW OF ZONING ORDINANCE SECTION 509 SIGNS, CHANGES IN DEFINITIONS 7, 14, & 19, CHANGES TO 509.D.1.C, 509.E.6, 509.E.7, 509.E.10, CLARIFICATION 509.G.1

Chair Hardie said we can address these discrepancies at a later date and for that reason she will table this to a later date.

Accept the text amendments as proposed.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie						
Hudson						
Moore						
Schall						
Vincent	x					

Chair Hardie said she didn't hear a second and she wanted to table this and move on.

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8: 41 ITEM 11: P&Z DISCUSSION OF ZONING ORDINANCE SECTION 104, 105 & 106, IN REGARD TO MEMBER ABSENCES

Chair Hardie would like to tighten up on the absenteeism rules, five absences within a twelve-month span, you're off the Board or Commission automatically. She asked Ms. Page when the terms started.

Ms. Page said she'd have to look into it.

Chair Hardie believes all terms end in September.

Vice Chair Schall would like to see a phone call into the meeting count as being in attendance.

Chair Hardie agreed with that. She gave direction to staff to add the following to the administration Section 104; she read:

A commission member absent four commission meetings from such a date to such a date shall be deemed to have vacated his or her appointment without further action being taken by the commission or Town Council.

8:50 ITEM 12: FUTURE AGENDA ITEMS

Ms. Page mentioned that the Planning and Zoning bylaws have not been updated since 2012 if you would like to consider looking at them in the future.

Chair Hardie would like to schedule a work session.

Mr. Vincent would like to start earlier.

Ms. Moore doesn't want to stay longer than two hours.

Chair Hardie said we should start with the first two that we tabled tonight.

Ms. Page said if we adopt the temporary sign ordinance as it is, there is still something in the ordinance that says temporary signs don't need an application.

Chair Hardie wants to leave it for now, we will discuss it later.

It was suggested they start at 5:00 for a work session

Items 8, 9, 10 and 11 were all tabled. The Commission agreed upon Thursday, September 13, 2018 at 5:00 p.m.

ITEM 13: ADJOURN

The meeting adjourned at 9:04 p.m.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Hardie			x			
Hudson			x			
Moore	x		x			
Schall		x	x			
Vincent			x			

Approval on next page.

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REGULAR MEETING OF THE TOWN OF JEROME

PLANNING AND ZONING COMMISSION

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

PLACE: **JEROME CIVIC CENTER**

600 Clark St., JEROME, ARIZONA 86331

Respectfully submitted by Joni Savage on October 3, 2018

Approved: _____ Date: _____
Planning & Zoning Commission Chair

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



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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

October 3, 2018

ITEM 4: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 104, 105 & 106, IN REGARD TO MEMBER ABSENCES

Included in the packet are text amendments as proposed in the Sept 5th regular meeting to these sections regarding automatic dismissal for members who are absent four times in a calendar year.

Charlotte Page
Acting Zoning Administrator

ITEM 4: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 104, 105 & 106, IN REGARD TO MEMBER ABSENCES

ARTICLE I ADMINISTRATION

SECTION 104. PLANNING AND ZONING COMMISSION

Proposed Text Amendments ~~Deletions~~

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

A Planning and Zoning Commission was established upon adoption of the Jerome Zoning Ordinance. At the adoption of this ordinance, the Commission shall consist of five (5) members, each of whom shall be a resident of the Town of Jerome, to be appointed by the Town Council. The members of the Commission shall serve for three (3) years, except as hereinafter provided. In the event of a death, resignation, or removal from the Commission, the vacancy shall be filled by the Council for the unexpired term. Members of the Commission may, after a public meeting, be removed by the Council for inefficiency, neglect of duty or unethical conduct in office. ~~Three (3) absences without prior notification during a year from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority and such action shall be final.~~ **If a member is absent four (4) regular meetings of any calendar year beginning March 1st and ending February 28th, he/she shall be deemed to have vacated the appointment without further action being taken by Commission or Council. Members may call or otherwise teleconference to be counted present as well as appearing in person.** All members shall serve without pay. However, members of the Commission may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the Commission and approval of such expenditures by the Town Council. [Ord. No. 313]

SECTION 105. BOARD OF ADJUSTMENT - Proposed Text Amendments ~~Deletions~~

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

There is hereby established a Board of Adjustment of the Town of Jerome, to consist of five (5) members, each of whom shall be a resident of the Town of Jerome, to be appointed by the Town Council. The members of the Board shall serve for three (3) years, except as hereinafter provided. The members of the first Board appointed hereunder shall serve for the following terms: two (2) members shall be appointed for a term of one (1) year, two (2) members shall be appointed for a term of two (2) years, and one (1) member shall be appointed for a term of three (3) years. In the event of a death, resignation, or removal from the Board, the vacancy shall be filled by the Council for the unexpired term. Members of the Board may, after a public hearing, be removed by the Council for inefficiency, neglect of duty, or malfeasance in office. **For any reason other than absence,** the Council shall file a written statement of the reasons for removal. ~~Three (3) unexcused absences during a term from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority without the necessity of a hearing or notice, and such action shall be final.~~ **If a member is absent four (4) regular meetings of any calendar year**

beginning March 1st and ending February 28th, he/she shall be deemed to have vacated the appointment without further action being taken by Commission or Council. Members may call or otherwise teleconference to be counted present as well as appearing in person. 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.

SECTION 106. DESIGN REVIEW BOARD - **Proposed Text Amendments** **Deletions**

A. PURPOSE

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

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

The Design Review Board of the Town of Jerome shall be composed of five (5) members. The membership shall consist of a Town Planning and Zoning Commission member and four (4) residents of Jerome, who shall be persons qualified by design background, training or experience, to be appointed by the Town Council. The member of the Planning and Zoning Commission shall be designated annually by the Commission, and may not serve as Chair of the Design Review Board concurrently with serving as Chair of the Planning and Zoning Commission. In the event of a vacancy in the seat held by the member of the Planning and Zoning Commission, the Commission shall appoint another member to serve on the Design Review Board for the remainder of that year. The four (4) public members shall serve for a term of three (3) years. Members may, after a public meeting, be removed by the Council for inefficiency, neglect of duty, or unethical conduct in office. ~~Three (3) absences, without prior notification during a year from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority and such action shall be final.~~ **If a member is absent four (4) regular meetings of any calendar year beginning March 1st and ending February 28th, he/she shall be deemed to have vacated the appointment without further action being taken by Commission or Council. Members may call or otherwise teleconference to be counted present as well as appearing in person.** 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.



TOWN OF JEROME

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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

October 3, 2018

ITEM 5: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE IN REGARD TO DEFINITIONS AND PROPERTY DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS

Included in the packet are the text amendments as proposed in the September 13 P&Z work session for discussion. Items with revisions under consideration include:

Article II Definitions –

Accessory building, expand definition

Accessory Building, Height of add definition

Building, Height of – amended

Guest House still represents conflict with intent.

Section 303.1 add 'accessory building' here

Section 303.2.f – add 'accessory building height' here

Section 502.1.2 – removal of 'monument'

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

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

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

Charlotte Page
Acting Zoning Administrator

ITEM 5: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE IN REGARD TO DEFINITIONS AND PROPERTY DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS

DRAFT TEXT AMENDMENT: ACCESSORY BUILDINGS

Text additions as proposed ~~TEXT REMOVED~~

ARTICLE II DEFINITIONS

SECTION 201. GENERAL

For the purpose of this ordinance, certain words and terms used herein are defined as follows: all words used in the present tense include the future tense; all words in the plural number include the singular number, all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot"; the word "building" includes the word "structure"; and the word "shall" is mandatory and not discretionary. Other words and phrases used in this ordinance shall have the following meaning:

Accessory Building – a building or structure which is subordinate to and the use of which is customarily incidental to that of the main building, structure or use on the same lot or parcel. The footprint of an accessory building will be no more than 2/3 the area of the footprint of the main structure, with a maximum footprint of 600 square foot. Visual aspects will be subordinate to the main building and architectural features will be compatible with the main building. Accessory buildings shall not be used for human habitation.

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

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

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

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

SECTION 303.1.

B. PROJECTS REQUIRING REVIEW

Projects requiring Preliminary Site Plan Review shall include but not be limited to: lot splits, lot line adjustments, new construction, alterations, accessory buildings, grading and excavation and clearing and grubbing.

SECTION 303.2.

A. FINAL PLAN PROCEDURES

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

1. Any additional features required as a result of engineering and/or soils studies; 2.
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.

SECTION 502. GENERAL PROVISIONS

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.

SECTION 503. "AR" ZONE, AGRICULTURAL RESIDENTIAL

E. PROPERTY DEVELOPMENT STANDARDS

6. MAXIMUM **MAIN** BUILDING HEIGHT: No building shall exceed the height of twenty-five (25) feet as defined in "building, height of". On slopes over forty-five percent (45%) there will be a one (1) foot reduction in height for each additional five percent (5%) of slope or portion thereof. Notwithstanding these provisions, no face of any building shall exceed thirty-five (35) feet above the low point of original grade as defined in "original grade". (see Appendix for diagrams).

7. ACCESSORY BUILDINGS

- a. **Accessory buildings, attached: Shall be considered in determining yard, lot and area requirements.**

- b. Accessory buildings, detached: Shall meet all required set backs and maintain a space of five (5) feet from the main building or other structures.
 - 1. Accessory buildings shall be constructed to a height not greater than one (1) story or fourteen (14) feet to the peak or highest point of the roof
 - 2. Accessory buildings shall not be used for human habitation.

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

D. PROPERTY DEVELOPMENT STANDARDS

6. MAXIMUM **MAIN** BUILDING HEIGHT: No building shall exceed the height of twenty-five (25) feet as defined in "building, height of." On slopes over forty-five (45) percent there will be a one (1) foot reduction in height for each additional five (5) percent of slope or portion thereof. Notwithstanding these provisions, no face of any building shall exceed thirty-five (35) feet above the low point of original grade as defined in "original grade." (see Appendix for diagrams).

7. **ACCESSORY BUILDINGS**

- a. Accessory buildings, attached: Shall be considered in determining yard, lot and area requirements.
- b. Accessory buildings, detached: Shall meet all required set backs and maintain a space of five (5) feet from the main building or other structures.
 - 1. Accessory buildings shall be constructed to a height not greater than one (1) story or fourteen (14) feet to the peak or highest point of the roof
 - 2. Accessory buildings shall not be used for human habitation.

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

D. PROPERTY DEVELOPMENT STANDARDS

6. MAXIMUM **MAIN** BUILDING HEIGHT: No building shall exceed the height of twenty-five (25) feet as defined in "building, height of." On slopes over forty-five (45) percent there will be a one (1) foot reduction in height for each additional five (5) percent of slope or portion thereof. Notwithstanding these provisions, no face of any building shall exceed thirty-five (35) feet above the low point of original grade as defined in "original grade." (see Appendix for diagrams).

7. **ACCESSORY BUILDINGS**

- a. Accessory buildings, attached: Shall be considered in determining yard, lot and area requirements.
- b. Accessory buildings, detached: Shall meet all required set backs and maintain a space of five (5) feet from the main building or other structures.
 - 1. Accessory buildings shall be constructed to a height not greater than one (1) story or fourteen (14) feet to the peak or highest point of the roof
 - 2. Accessory buildings shall not be used for human habitation.

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

D. PROPERTY DEVELOPMENT STANDARDS

6. MAXIMUM **MAIN** BUILDING HEIGHT: No building shall exceed the height of twenty-five (25) feet as defined in "building, height of." On slopes over forty-five (45) percent there will be a one (1) foot reduction in height for each additional five (5) percent of slope or portion thereof. Notwithstanding these provisions, no face of any building shall exceed thirty-five (35) feet above the low point of original grade as defined in "original grade". (see Appendix for diagrams).

7. ACCESSORY BUILDINGS

- a. **Accessory buildings, attached: Shall be considered in determining yard, lot and area requirements.**
- b. **Accessory buildings, detached: Shall meet all required set backs and maintain a space of five (5) feet from the main building or other structures.**
 - 1. **Accessory buildings shall be constructed to a height not greater than one (1) story or fourteen (14) feet to the peak or highest point of the roof**
 - 2. **Accessory buildings shall not be used for human habitation.**

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

E. PROPERTY DEVELOPMENT STANDARDS

6. MAXIMUM **MAIN** BUILDING HEIGHT: The maximum building height shall not exceed the height of twenty-five (25) feet except when the following conditions prevail:

- a. The maximum building height shall not exceed that established by any building within one hundred (100) feet on either or both sides of the lot. Where more than one such building is within one hundred (100) feet of the lot then the maximum building height of the nearest such building shall be the maximum building height of the lot. Except that where the lot is between two (2) such buildings, each within one hundred (100) feet of the lot, then the maximum building height of the center of this lot shall be that established by a line joining the highest point of the other such buildings. Nothing in the above shall require that the maximum building height in this district be less than twenty-five (25) feet. (see Appendix for diagrams).
- b. Notwithstanding these provisions no face of any building shall exceed thirty-five (35) feet above the low point of original grade as defined in "original grade."

7. ACCESSORY BUILDINGS

- a. **Accessory buildings, attached: Shall be considered in determining yard, lot and area requirements.**
- b. **Accessory buildings, detached: Shall meet all required set backs and maintain a space of five (5) feet from the main building or other structures.**
 - 1. **Accessory buildings shall be constructed to a height not greater than one (1) story or fourteen (14) feet to the peak or highest point of the roof**
 - 2. **Accessory buildings shall not be used for human habitation.**

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

E. PROPERTY DEVELOPMENT STANDARDS

Same as C-1 Zone.

DRAFT



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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

October 3, 2018

ITEM 6: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 509 SIGNS

Included in the packet are text amendments as proposed in P&Z Regular meeting September 5, 2018.

Items in Definition 19 Temporary Sign and in G.8, are already approved by P&Z and will be on Town Council agenda in October. Deletions that were included in that previously approved text amendment are not presented.

Charlotte Page
Acting Zoning Administrator

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

Text additions: as Proposed and ~~deletions~~

SECTION 509. SIGN

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

B. **DEFINITIONS**

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

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

10. Sign, Off-premise - A sign not located on the premises of the business which it advertises. A district sign is not an off-premises sign.
11. Sign, On-premise - A sign, the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, services, or activities of or on those premises, or the sale or lease of those premises.
12. Sign, Nameplate - A sign which is limited to the name and/or business of the residents of the premises, not exceeding two inches by twelve inches (2" x 12").
13. Sign, Business Door Identification - A nameplate sign of a business name on an entry door, not exceeding two inches by twelve inches (2" x 12").
14. Sign, Projecting - A building mounted sign which projects from and is supported by a wall of a building **or other appropriate secure location, such as a porch rail or freestanding pole located on the property.**
15. Sign, Wall - A sign attached flush to the exterior surface of a building, or permanently applied to a window of a building. The sign must not project above the roof. Light sources aimed at the wall sign may project further.
16. Sign, Historical/Historical Period - A sign in use in Jerome during the period between 1876 and 1953.
17. Sign, Service - An interior sign whose purpose is not to advertise the business displaying the sign, but to inform or provide for the safety of the public. Signs such as credit card placards, directional signs, "No Smoking" signs, and menu boards are examples of service signs.
18. Sign, Open/Closed - A sign indicating that a place of business is open or closed.
19. Sign, Temporary - A sign displayed for not more than forty-five (45) consecutive **days or a total of ninety (90) days in a calendar year.**

C.APPLICABILITY

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

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

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

D.PERMITS

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

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

E. REGULATIONS APPLICABLE TO SIGNS IN ALL ZONES

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

9. Political signs shall be permitted up to a total area of six (6) square feet in area for each premise, but shall not be placed in the public right-of-way or upon power or telephone poles. Political signs may be erected no earlier than sixty (60) days prior to any primary or general election; they shall be removed within ten (10) days after the election.
10. One (1) real estate sign located on the property it refers to will be permitted ~~upon the application and payment in accordance with Section 509.2.~~
 - a. The sign shall be a maximum size of eighteen inches by twenty-four inches (18" x 24"). Additionally, one (1) rider denoting the name of the agent not exceeding six inches by 24 inches (6" x 24") may be attached to the real estate sign. Upon opening of an escrow, an additional rider not exceeding six inches by twenty-four inches (6" x 24") and containing the word "sold" or "pending" may be attached. Any other types of descriptive riders are specifically prohibited.
 - ~~b. A duly licensed real estate brokerage company may apply for a blanket permit which will allow placement of a real estate sign on each property which they have listed for sale or lease. The blanket permit fee will be an amount established by a schedule adopted by resolution of the Town Council and filed in the office of the Town Clerk.~~
 - c. All real estate signs must be removed within three (3) days of any transfer of ownership (recording of the property).
11. Contractor identification signs or Contractor and/or Architect identification signs may be erected for the duration of construction. Such construction signs are to be removed seven days after certificate of occupancy is issued. The signs shall not exceed four (4) square feet in area. Also, signs warning of construction debris or denoting project sponsored by a funding source may be erected.
12. Any existing nonconforming sign may be continued in use; if such a sign is damaged, it may be restored or repaired. If a new sign is constructed, it must conform to the provisions of this chapter.
13. Once a year it shall be the duty of the Zoning Administrator to review all district signs and make appropriate recommendations to the Design Review Board.
14. Signs shall be removed upon thirty (30) days of business relocation or closure.
15. If any sign becomes a danger to the public or becomes deteriorated or is abandoned, the property owner, or owner of the sign shall be notified to remove or repair the sign. If he/she does not comply within ten (10) days, the Zoning Administrator shall have the sign removed, and the cost assessed to the owner of the property on which such sign is located.

F. REGULATIONS APPLICABLE TO SIGNS IN RESIDENTIAL ZONES

1. One nameplate sign not exceeding two inches by twelve inches (2" x 12") indicating the names of the occupants or business, and one set of numbers four inches by twelve inches (4" x 12") indicating the street address shall be allowed for each dwelling unit without a permit.

2. One non-illuminated sign not exceeding eight (8) square feet in area shall be allowed to identify a home business and requires a permit. A two-sided sign is one sign.
3. No sign shall extend above the eaves line of a building, or extend higher than ten (10) feet above the ground directly below it.

G.REGULATIONS APPLICABLE TO SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES

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

10. Standard copyright signs offering information on incidental services or recommendations, e.g., AAA or Bank Americard, are permitted in addition to normal sign allowances, provided:
- a. They conform to all provisions contained in this section.
 - b. They are inside a window.
 - c. There is no more than one (1) sign per incidental service per public entrance to the business.
 - d. No sign's area shall exceed sixteen (16) square inches.

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TOWN OF JEROME

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ZONING ADMINISTRATOR ANALYSIS PLANNING & ZONING COMMISSION

October 3, 2018

ITEM 7: REVIEW AND P&Z DISCUSSION OF ZONING ORDINANCE SECTION 304 DESIGN REVIEW, IN REGARD TO CERTIFICATES OF NO EFFECT

In an effort to explore this option, I am presenting the proposed text amendment including a definition of the Certificate of No Effect, a description of how an application would be managed by the Zoning department, and specific items that may be considered for this path of construction approval if a CNE process was adopted in the future.

A draft handout for public and staff is presented to show all the different paths that construction projects can be approved and also includes the CNE to demonstrate it as a future option.

To simplify I list these here:

- Building Permit Issued for Exterior work – no review – very limited projects eligible
- Building Permits issued for Interior work – no review – review rarely required
- CNE – possible path for future streamline of specific projects
- DRB & P&Z Review – list of projects that do not require Building Permits
- No Building Permit/No Board Review – Exclusions that are not specified in the Ordinance

Charlotte Page
Acting Zoning Administrator

DRAFT TEXT AMENDMENT: CERTIFICATES OF NO EFFECT

Definition: Certificate of No Effect

A Certificate of No Effect (CNE) is an over the counter path for construction approval on commercial and residential properties when the proposed work does not affect the architectural features of a building. CNE's are either issued by the Zoning Administrator or implied by Building Permits allowed without board reviews. Projects eligible for CNE's do not require a public review before the Planning & Zoning Commission or the Design Review Board.

SECTION 304.D.4

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

SECTION 304.F.1

The Design Review Board shall review a submitted application for design approval for all new construction and/or installation of Accessory Features **except for projects eligible for Certificates of No Effect under section 304.F.8.** In doing so, both the Design Review Board and the applicant shall use photographs, lithographs and the like of Jerome, to support their findings. If photographs, etc., are unavailable, then the determination or finding shall be based on the works of a recognized historic preservation authority; such as, but not limited to, text books or architect/historian. Each of the following criteria must be satisfied before an application can be approved. ...

SECTION 304.F.8 (NEW)

CERTIFICATES OF NO EFFECT

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

- 1. Name, Address and contact information for the Property Owner(s)**
- 2. Parcel Number & Zone**
- 3. Description of the proposed project, materials and samples of colors selected**
- 4. Signature space to indicate acceptance of proposal by Zoning Administrator with date, or recommendation for additional review.**

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

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

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

1. **Projects eligible for Building Permits that do not require P&Z or DRB Review**
2. **In-Kind repair or replacement: roofs, doors, windows, broken glass, trim repair, stairwells, porch, repainting similar colors on historic properties**
3. **Paint on non-historic properties**
4. **Repairs to deck boards, planking only or replacing wood with Trex material. Permit required for any replacement of deck joists, beams or posts.**
5. **Stabilizing deteriorated or damaged masonry, wood or metal**
6. **Concrete or paver bricks used for driveway and/or landscaping**
7. **Retaining walls less than 4' tall**
8. **Sidewalk repairs**
9. **Repair for damage, may be referred for building permit depending on details**

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

Zoning Administrator may take up to 10 days to review details, ask for additional input and make site visits. Projects accepted as submitted may begin work as soon as Zoning Administrator approves and signs off the application. Projects that require additional review, will be notified within 10 days and scheduled at the earliest possible board meeting(s).

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

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

SECTION 304.G

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

2. In relation to SECTION 304.F.8, the Zoning Administrator's decision may be appealed to Council.

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CERTIFICATE OF NO EFFECT – NO REVIEW BY P&Z OR DRB REQUIRED

A Certificate of No Effect (CNE) is an over the counter path for construction approval on commercial and residential properties when the proposed work does not affect the architectural features of a building. CNEs are issued by Zoning Administrator, and do not require a public review before the full Planning & Zoning Commission or the Design Review Board.

- **Exterior renovations listed here do** require Buildings Permits and inspection by Building Inspector and are also considered Certificates of No Effect (CNE) that do not need P&Z or DRB review/approval.
 - Repair or replace roof, same material, same color
 - Repair or replace existing roof vents, adding roof vent required for interior project with Building Permit, example change water heater location
- **Interior renovations listed here do** require Buildings Permits and inspection by Building Inspector and are also considered Certificates of No Effect (CNE) that do not need P&Z or DRB review/approval.
 - Fire
 - Interior in-kind replacement fire sprinkler systems
 - Interior new fire sprinkler systems
 - Any work as required by Fire Department or Building Inspector for public safety
 - Plumbing
 - New construction interior plumbing, no exterior penetrations
 - Replacement of existing roof vents
 - Gas Lines
 - Installation, repair or replace gas lines on interior of a building, pressure test gas lines
 - Water heater replacement
 - Replace gas meter
 - Water
 - Install, repair or replace water lines on interior of a building, from street to meter, or on private property that requires digging for repair or for new installation
 - Sewer
 - Install repair or replace sewer tap
 - Repairs and/or installation of septic – county permits required
 - Install repair or replace underground sewer lines
 - Electrical
 - Interior electrical work, new construction and remodels
 - Repair or replace existing exterior electrical service panels, power feeds, drops and mast in the same location or when moving to rear or side of the main building
 - Underground utility repairs, replacement or installation on private property
 - Mechanical Work
 - Replace or repair of exterior air conditioning units, heat pumps, furnaces, evaporative coolers, water heaters and water softeners in the same location.
 - Relocation of air conditioning units and heat pumps to the ground at the rear or side of building.
 - Replacement or repair of interior air conditioning units, furnaces, water heaters and water softeners, to include work in attic and duct work not visible on the exterior.
 - Construction, interior
 - Walls are opened for electric, plumbing other changes
 - Walls are removed, and/or structural beams or load-bearing support changed
 - Replacement or relocation of water supply, sewer, drainage, drains, gas, electric wiring or any work affecting general safety

CERTIFICATE OF NO EFFECT – NO REVIEW BY P&Z OR DRB REQUIRED

A Certificate of No Effect (CNE) is an over the counter path for construction approval on commercial and residential properties when the proposed work does not affect the architectural features of a building. CNEs are issued by Zoning Administrator, and do not require a public review before the full Planning & Zoning Commission or the Design Review Board.

- Renovations that **Do Not** require Building Permits or inspection by Building Inspector that may be eligible for CNE's
 - Window replacements of the identical size at the rear or side of buildings, not near an exit door.
 - Paint
 - Repairs to deck boards, planking only, or replacing wood with Trex material. Permit required for any replacement of deck joists, beams or posts.
 - Paver bricks for driveway or landscaping
 - Concrete driveway located a minimum of 5' from side property lines
 - Retaining walls less than four foot (4') tall
 - Repairs to existing sidewalks
 - Repair of damage, may be referred for building permit depending on details

REQUIRES DRB AND/OR P&Z REVIEW – NO BUILDING PERMIT REQUIRED 2012 INTERNATIONAL RESIDENTIAL CODE

- Renovations that **Do Not** require Building Permits, but **Do** require Design Review Board and/or Planning & Zoning Commission review and approval
 - Accessory Structures no larger than 120 square feet without utility services.
 - Fences not over seven (7') feet.
 - Water storage tanks located outside of the building
 - New construction of sidewalks
 - Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
 - Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve the exit door.

REQUIRES NO PERMIT AND NO REVIEW FROM DRB OR P&Z

- Maintenance, including replacement of trim, doors, windows with same size and color materials
- Like for like repair or replacement
- Repainting, same color
- Broken windows, doors or other damage
- Finish work interior: paint, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- Clearing of blockages or repair of leaks in plumbing
- Replacement of faucet, toilet, sink etc., without replacement or rearrangement of valves or pipes
- Replacement of dishwasher, stove, refrigerator without installation of new gas or electric or water

PLANNING & ZONING REVIEW IS REQUIRED FOR LOT SPLITS, LOT LINE ADJUSTMENTS, NEW CONSTRUCTION, NEW ACCESSORY BUILDINGS, ALTERATIONS TO EXISTING BUILDINGS, GRADING AND EXCAVATING.

DESIGN REVIEW BOARD REVIEWS EXTERIOR DESIGN OF NEW BUILDINGS, ALTERATIONS PROPOSED TO EXISTING BUILDINGS, SIGNS, GRADING, EXCAVATING AND PROPOSED DEMOLITIONS FOR COMPATIBILITY WITH SURROUNDING ENVIRONMENTS, AND TO PROTECT THE HISTORICAL CHARACTER OF THE TOWN OF JEROME.