



**WORKSESSION OF THE  
TAYLOR PLANNING & ZONING COMMISSION  
ON WEDNESDAY, SEPTEMBER 21, 2011  
AT 7:00 P.M. AT THE  
TAYLOR TOWN HALL  
425 PAPER MILL ROAD  
TAYLOR, ARIZONA 85939**

**Commission Members Present:** Chairperson Merry Nutter, Vice-Chair Eric Ritz, Jack Babb, Ralph Schreiber

**Commission Members Absent:** Loretta Whitlow

**Staff Present:** Planning & Zoning Director Jeff Johnson, Administrative Assistant Kathy Hancock

**Attorney Present:** Mr. Sterling Solomon

**Visitors:** There were no visitors present.

- 1. Work Session Called to Order**—Chairperson Merry Nutter called the meeting to order at 7:04 p.m.
- 2. Discussion: Chapter 18.65 Non-conforming “Grandfathered” Uses.—Town Attorney Sterling Solomon & P&Z Commission.**—There was discussion regarding change of ownership of non-conforming grandfathered properties. Attorney Sterling Solomon mentioned Prop 207 and explained that it will not allow the city to devalue someone’s property. He wanted the commission to be aware of the potential for law suites.

**Discussion and comments included:**

- The possibility of making a new Animal Use Permit where the conditions are spelled out.
- If you establish a base set of guidelines before we have case by case situations, permits would be easier to issue.
- It is easier to be evenhanded across the board, rather than having to make case by case determinations.
- As we looked at other communities, we found that none of them have permits; they were very specific about what was and was not allowed.
- Mr. Solomon suggested *not* allowing second chances to come back by having case by case permits because eventually you will have a law suit.
- When land changes hands it can be sold, inherited or foreclosed; there is always going to be a “what if.”
- There was discussion about extending the grandfathered use to immediate family which will perpetuate the legal non-conforming use.

- If the plan is to transfer property to children, then the grandfathered use could go on. If you're selling property, it should stop.
- The change of control of a property is the best way to change the legal non-conforming use of a property.
- The potential changes would not come about without ample notice.
- Mr. Solomon believes it is defensible for council to change the language to say "with change of control it is no longer legal to own animals". The wrinkle is family ownership and something like a family trust. Mr. Solomon will look into the legality of this.
- Mr. Solomon will put a list of limitations together so the commission can ask questions about them.

**3. Discussion: Chapter 18.20.030 R-1, Accessory Uses Part D: Keeping Of Horses, Cattle, Sheep or Goats Provided the Minimum Lot Area is 20,000 Square Feet.—Town Attorney Sterling Solomon P&Z Commission.—**

**Discussion and comments included:**

- Whether large animals should be allowed anywhere in Residential. There are some properties in town that are zoned R and have several acres and fields.
- If we don't want large animals on R-1 20,000 sq. ft. for the future, then why would we extend the pain for a non-family change of control situation in R-1 20,000? We now have established a base to work from, so we wouldn't allow future animals in R-1 20,000.
- The commission wants to bring to the council something that says animal husbandry would go away with the transfer of ownership with the exception of families.
- There are people right now that have large animals under the non-conforming use and they will be allowed to keep them, just not sell that right to future buyers.

**Conclusion to the discussion:**

- No large animals on R-1 20,000 sq. ft. lots or less from now forward, except those that already have large animals may keep them until they sell their property. There is no exception or any way for them to pass on that legal non-conforming use to anyone; it then becomes an illegal non-conforming use. Before this amendment goes into effect we can give enough time so the public can be notified and attend our meetings and understand that they need to do some planning to take care of their legal non-conforming use if they want it to extend beyond the amendment that is going to take place.
- The people who have a non-conforming use and want to pass this on to be available to their children will make it happen.
- Mr. Solomon will research this issue to be sure we can allow this window of time before the amendment happens.

**4. Adjournment—Motion to adjourn the meeting made by Jack Babb, seconded by Merry Nutter. Voting was unanimous.**

**Meeting adjourned at 8:35 p.m.**

**Certification of Minutes:** I hereby certify that the foregoing minutes are a true and correct copy of the Taylor Planning/Zoning Commission Work Session held September 21, 2011. I further certify that the meeting was duly called to order and that a quorum was present.

Dated this 21<sup>st</sup> day of September, 2011

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Kathy Hancock  
Administrative Assistant

APPROVED