



**PUBLIC HEARINGS
AND MEETING OF THE
TAYLOR PLANNING & ZONING COMMISSION
ON TUESDAY, JANUARY 3, 2012
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: Sterling Solomon

Visitors: See list

Public Hearing: The purpose of this hearing is to take public comment on a Conditional Use Permit on parcel 202-21-002B located at 3506 W. Paper Mill Road, Taylor, AZ for proposed accessory structures.

1. **Open Public Hearing:** Chairperson Merry Nutter opened the Public Hearing at 7:03 p.m.
2. **Public Comments:** Susan Schelin is in favor of a Conditional Use Permit (CUP) for this property adding that there is nothing but beautiful things on the property.
3. **Close Public Hearing:** Chairperson Merry Nutter closed the Public Hearing at 7:04 p.m.
4. **Regular Meeting Called to Order:** Chairperson Merry Nutter opened the meeting at 7:05 p.m.
5. **Open Call to the Public:** There was no comment from the public.
6. **Approval of Minutes:** Motion made by Ralph Schreiber, seconded by Eric Ritz to approve the minutes for the December 6, 2011 Planning & Zoning Commission Meeting. Motion passes.

Action; Approve, Deny or Table

7. **New Business:** Discussion and possible approval of a Conditional Use Permit on parcel 202-21-002B located at 3506 W. Paper Mill Road, Taylor, AZ for proposed accessory

structures. Jeff Johnson explained that the reason they need a Conditional Use Permit (CUP) is because our code says no accessory building shall be constructed on a property before the main building, which will be a home. They want to do a garage and have already built a barn but it was an accessory use in an AG zone and this is allowed without a CUP. They have to meet their setbacks but there aren't pre-set conditions that say you have to build your primary building in a certain amount of time.

The owner of the property, Kevin Seitz, explained that they have 4+ acres and the garage is behind where their house will be and is designed to match the house. Jill Seitz said they were planning to build the house a few years ago but because of the economy and Mr. Seitz losing his job, they aren't sure when they will be able to afford to build, they are just trying to build what they can as they can.

Jack Babb made a motion that we approve the Conditional Use Permit on parcel 202-21-002B located at 3506 W. Paper Mill Road, Taylor, AZ for the proposed accessory structure. Motion seconded by Ralph Schreiber. Voting was unanimous.

Action; Discuss, Approve, Deny or Table

- 8. Old Business: 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—** Merry Nutter questioned the lot size and number of animals on the prior approved Temporary Use Permit (TUP) for 4-H and FFA animals. Attorney Solomon answered saying the maximum number of animals allowed per address in the 4-H ordinance is two sheep, goats or calves for residential 20,000 sq. ft. or less. This permit is only for 4-H or FFA projects. Ms. Nutter believes that families should also be able to have sheep or goats on property under 20,000 square ft.

Mr. Ritz feels comfortable with the fact that we are already acknowledging the rural nature of our community for 4-H and FFA kids, but for permanent animal husbandry, if we are going to have zones at all, it is to protect certain lifestyles in favor of other lifestyles. The majority of our community is zoned AG and the majority of the town is an animal husbandry type community. It is possible that people are choosing to live in residential zoning to enjoy a single family lifestyle. He believes if it is less than 1 acre, R-1 zoning and doesn't already have animals, we should not allow animals in new usage. In residential zoning where there are large parcels and adjacent parcels are also large, we might be willing to allow large animals, but in R zones less than 1 acre, there should not be large animals.

Mr. Solomon drafted a proposed ordinance that would basically eliminate grandfathered use once the property was transferred. That use does not go away unless the existing owner sells his property. If you have a non-conforming legal animal on your property, you can keep that animal forever. Basically the ordinance says if anything 20,000 sq. ft. or less sells or changes hands, that grandfathered right goes away, which is in direct contradiction with what grandfathered rights say in the current code. This will just amend the current code and only change property that is 20,000 sq. ft. or less. Mr. Solomon said you can change any of the specifics you want but the gist of the ordinance is if the property changes hands, the grandfathered right goes away. Mr. Ritz said there are two issues; addressing how

grandfathering is treated and how big of lot do we make that applicable to. Maybe we need two different ordinances; one that addresses lot size and one that addresses grandfathering.

Eric Ritz made a motion that the commission recommend to council the (proposed) Text Amendment Ordinance 2012-1 as presented by town staff with the amendment that the language in the bolded paragraph under enactments be amended to change from “20,000 sq. ft. or less” to “43,000 sq. ft. or less”.

To be consistent with current codes, Mr. Ritz amended his motion to say instead of referencing “43,000 sq. ft.” to reference “1 acre” for consistency.

Mr. Babb asked if he would include the next all capital paragraph. Mr. Ritz replied “yes”.

The motion was amended by Mr. Ritz to also include the next bolded paragraph.

The vote was Eric Ritz, Jack Babb and Ralph Schreiber, yes; Merry Nutter, no. The motion passed.

Action; Discuss, Approve, Deny or Table

9. Items for future agendas when Chapter 18.20.030 R-1, Accessory Uses Part D has an approved recommendation:

- Chapter 18.12, permitted animals in Agriculture One (AG-1)
- Chapter 18.15, permitted animals in Agriculture Two (AG-2)

Mr. Johnson suggested that we do both of these chapters on the same agenda unless we are limited for time. There was discussion about skipping AG-1 and AG-2 and addressing larger lots in residential zones first. Our code says you can have animals but it is ambiguous. Do we want to define animals on larger lots or leave it undefined like it is? Mr. Johnson reported that people call quite often and ask how many animals are allowed on a property. Some of the items we might want to address concerning large animals might be the difference between AG-1 acre and R-1 acre, and should the number of animals allowed be determined by the size of the property

Mr. Babb asked if staff could provide an overview map showing the larger residential acreages. Mr. Johnson said he could but he might not be able to get every residential lot over 1 acre, but he will try.

We will discuss R-1 zoning with large lots at the next meeting, and AG-1 if there is time.

Action; Discuss, Instruct staff to add items on future agenda

10. Adjournment: Motion made by Jack Babb, seconded by Eric Ritz to adjourn the meeting. Motion Passed

Meeting adjourned at 8:00 p.m.

Certification of Minutes: I hereby certify that the foregoing minutes are a true and correct copy of the Taylor Planning/Zoning Commission Public Hearings and Meeting held September 6, 2011. I further certify that the meeting was duly called to order and that a quorum was present.

Dated this 3rd day of January, 2012

Kathy Hancock
Administrative Assistant

APPROVED