

**Title 18
PLANNING AND ZONING**

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Chapter 18.05 PURPOSE AND APPLICABILITY

Sections:

- 18.05.010 Introduction.
- 18.05.020 Interpretations.
- 18.05.030 Severability.
- 18.05.040 Fees.

18.05.010 Introduction.

A. General purpose and adoption of official land use plan and zoning ordinance: For the promotion and protection of life, liberty, and the pursuit of happiness, and the public health, peace, safety, comfort, convenience and general welfare and in order to secure for the citizens of the Town of Taylor, Arizona, the social and economic advantages of an orderly, efficient use of land, and as a part of the Master Plan for the Town, there is hereby adopted and established an official Land Use Plan and Zoning Ordinance for The Town of Taylor, Arizona, and rules, regulations and plans by which the future growth and development of the Town may be directed in a manner that recognizes the Town's heritage and protects past rights in accordance with the plan and Ordinance, as provided in A.R.S. 9-461.08.18.05.010 Introduction.

B. Title. These regulations shall be known as the Town of Taylor zoning ordinance, may be cited as such, and will be referred to herein as "title."

C. Adoption. This title is adopted as the Town of Taylor zoning ordinance relating to comprehensive planning and zoning, pursuant to provisions of Arizona law, including A.R.S sections 9-462 and 9-462.01 to 9-462.07, inclusive.

D. Purpose. The purpose of this title is to promote the health, safety and general welfare of the citizens of the Town of Taylor by guiding, controlling, and regulating the design, location, use, quality and occupancy of all buildings, structures and property within the Town limits.

E. Coordination with General Plan. The enforcement of, amendments to, and the administration of this title shall be accomplished in accordance with the recommendations contained in the Town of Taylor general plan, as developed and amended on a regular basis by the Town council.

F. Scope. Except for work related to the provision of essential public services, or work located primarily in a public way, or as otherwise provided herein, no land may be divided, no structure shall hereafter be used, erected, constructed, reconstructed, moved, or structurally altered, repaired or improved; nor shall any land be used, except in conformity with this title; and before any such activity is undertaken, zoning clearance approval and/or a building permit shall be obtained from the Town. Further, no person shall divert, retard, or obstruct the flow of waters in any watercourse whenever it creates a hazard to life or property without first securing a zoning clearance and/or a building permit.

1. Any use changed or altered in any significant manner, substantially decreased in production, or terminated or removed for a period exceeding six months will be required to submit a new site plan prior to re-starting or resuming full production.

2. Every application for a zoning clearance must be accompanied by a scaled drawn site plan as required by this title or the Planning and Zoning Administrator. All Town departments, officials and employees charged with the duty or authority to issue permits or licenses shall refuse to issue permits or licenses affecting land or structures in conflict with any provision of this title.

G. Internal Inconsistencies. Where, in any specific case, different sections of this title or any other Town ordinance or code specify different requirements, the more restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply.

H. Repeals. All ordinances, or parts of ordinances, previously adopted by the Town of Taylor which are in conflict with this title are repealed.

I. Private Agreements. The provisions of this title are not intended to interfere with, abrogate or annul any easements, covenants or other agreements (such as deed restrictions or conditions, covenants and restrictions (CC&Rs)) between private parties when such easements, covenants or other agreements are more restrictive or otherwise not in conflict with this title. When such easements, covenants or other agreements are less restrictive or otherwise in conflict with this title, this title shall prevail.

J. Guiding Principles. The following principles and rules are hereby adopted as a guide in the use and application of this Ordinance:

- a. The powers of the Town Council, the Planning and Zoning Commission, the Zoning Inspector and all other persons or agencies charged with the administration of this ordinance shall be strictly limited by the expressed intent of the Legislature in the enactment of the Planning and Zoning Act of 1949, and by the language of this ordinance.
- b. All terms used herein shall be interpreted according to their common, plain, natural and accepted usage when not otherwise defined herein.
- c. In any dispute concerning the application of any provision of this ordinance that solution shall be favored which is most reasonable with regard to the general purpose of this Ordinance and the established and accepted principles of American planning and zoning law.
- d. The application of this Ordinance to any property or use classified herein shall be governed by all the particular facts in each individual case, and the fundamental rights of any individual owner shall not be prejudiced by reason of his being in a minority, either in number or in land interests concerned in the application.
- e. The right of every affected property owner to petition and to be heard whenever the application of this Ordinance is at issue shall be strictly observed at all times.

- f. No special favors or privileges shall be granted to any individual or group of property owners and no permit shall be issued under the terms of this Ordinance which will or might reasonably tend to destroy the established economic or social uses and values of adjacent or surrounding properties.
On every application of this Ordinance to any given area, the relative importance of the interests involved shall be as follows:
First, established conforming uses of adjacent or surrounding properties having an equal or higher classification;
Second, the cost of tax-supported and other public services to the area affected, and the increased or decreased share of this cost which might be borne by the area if a proposed use or change of classification is permitted; and
Third, the value of the proposed classifications and uses to the orderly development of the neighborhood or area affected.
- g. The theory and use of "spot" zoning is hereby specifically repudiated in the application of any classification of this Ordinance to any given land area.

18.05.020 Interpretations.

The interpretation and application of provisions of this title shall be made by the Planning and Planning and Zoning Administrator. In interpreting and applying this title, the Planning and Planning and Zoning Administrator shall be held to the minimum requirements for the promotion of the public health, safety, and general welfare. Appeals to interpretations are provided for in Chapters 18.70 and 18.75

18.05.030 Severability.

It is the intention of the Town that the provisions of this title are separable in accordance with the following:

- A. If any court of competent jurisdiction shall adjudge any provision of this title to be invalid, such judgment shall not affect any other provisions of this title not specifically included in said judgment.
- B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this title to a particular property, or structure, such judgment shall not affect the application of said provision to any other property or structure not specifically included in said judgment.

18.05.040 Fees.

A. It is the intent of this title to require petitioners to pay a portion of the public services that are necessary for processing their request. Fees shall cover publication, mailing and administrative costs.

B. Fees for matters pertinent to the administration of this title may be set by resolution of the Town council, and may change from time to time. Fees may be charged for the following requests (additional request or application fees may also be established):

1. Zoning clearance.
2. Building permit.
3. Zone change.
4. Site plan review.
5. Conditional use permit.
6. Variance.
7. Amendment to this title (text amendment).
8. Temporary use permit.
9. Appeals (except appeals to administrative decisions).
10. Amendments to previously approved site plans.

C. For the purposes of this title, all fees are due payable to the Town upon submittal of the first site plan and request form. All fees are nonrefundable.

D. Fee(s) may be waived by the Town council for any application filed by any agency or department of the Town or of any governmental agency organized under the laws of the state of Arizona or of the United States. The exception shall not apply to nongovernmental leases of government land.

E. The Town council may waive the fee(s) to avoid duplication of charges.

Chapter 18.10 ESTABLISHMENT OF ZONING DISTRICTS

Sections:

- 18.10.010 Zoning district classifications designated.
- 18.10.020 Zoning district boundaries interpreted.

18.10.010 Zoning district classifications designated.

For the purposes of this title, the Town shall be divided into the following zoning districts:

- A. AG-1 (agricultural-1) zoning district.
- B. AG-2 (agricultural-2) zoning district;
- C. R-1 (single-family residential) zoning district;
- D. R-2 (multifamily residential) zoning district;
- E. COM (commercial) zoning district;
- F. IND-L (Light Industrial) Zoning District
- G. IND-H (Heavy Industrial) Zoning District
- H. PAD (Planned Area Development)
- I. AO (airport overlay) zoning district;

18.10.020 Zoning district boundaries interpreted.

Where uncertainty exists concerning the boundaries of any zoning district shown on the zoning map(s) contained in this title, the following rules shall apply:

A. Single-Zoned Properties. Where zone boundaries are indicated as approximately following the features noted below, those features shall be construed to be the zone boundaries:

- 1. Street, highway, alley lines or the center lines thereof, and railroad rights-of-way; whenever any street, alley, railroad or other public way is vacated, the zones adjoining each side of such street, highway, alley, or public way shall be considered as extended to the center of such vacation and all areas included in the vacation shall then be subject to all appropriate regulations of those zones.
- 2. Property lines.
- 3. Stream or waterway center lines.
- 4. Corporate Town limit line.

B. Multi-zoned Properties. Where zone boundaries divide a lot or parcel, the zoning boundary shall be considered a "lot line" if the area created by such lot line meets the designated zone minimum lot area and width requirements. If the area created by such lot line would not comply with such requirements, zoning for the entire parcel shall be that which is applied to the larger (51 percent or greater) portion of the property.

Chapter 18.12 AG-1 (AGRICULTURAL) ZONING DISTRICT

Sections:

- 18.12.010 Purpose.
- 18.12.020 Permitted uses.
- 18.12.030 Accessory uses.
- 18.12.040 Conditionally permitted uses.
- 18.12.050 Development standards.

18.12.010 Purpose.

The purpose of the AG-1 (agricultural-1) zoning district is to conserve and protect open land uses, foster orderly growth in rural areas and prevent urban agricultural land use conflicts. The purpose of requiring large minimum parcels of not less than one acre in area is to discourage the development of small lot or residential subdivisions where governmental services are not available.

18.12.020 Permitted uses.

A building or lot within the AG-1 zoning district shall be used for the following uses:

- A. Single-family dwelling; one per lot of record) including conventional site-built homes, multi-section manufactured homes with a minimum area of 1,100 square feet per dwelling, and factory-built modular homes, as defined and regulated in this ordinance.
- B. Churches.
- C. Farms.
- D. Public and private schools.
- E. Public and private forests and wildlife reservations.
- F. Utility Facilities. Facilities for the delivery to the public, by a regulated public utility or a public entity, of water, gas, electricity, steam, hot or cold air, telecommunications and cable television service or sewer service. It shall not include generating plants, treatment plants, storage yards, business offices or other major utility facilities which may be allowed with a conditional use permit. It likewise shall not include television, radio or telecommunication towers and stations, which shall require a conditional use permit.
- G. Publicly owned or operated properties such as fire stations, police stations and post offices.
- H. Libraries, museums, parks, playgrounds, tennis courts and community buildings.
- I. Hospitals and institutions of an educational, religious, charitable or philanthropic nature, homes for the aged, nursing homes, and convalescent homes.
- J. Private clubs and fraternal organizations.
- K. Home occupations, per Chapter 18.55 TTC.
- L. Roadside stands offering for sale only farm products produced on premises.
- M. Public riding stables and boarding stables provided the site contains at least 10 acres and the building housing animals is set back from all lot lines a distance of not less than 100 feet.

N. Plant nurseries and greenhouses for the propagation, cultivation and wholesale distribution of plants produced on the premises, provided such uses including retail sales, and open storage is limited to plants or packaged fertilizer, and the buildings and structures used in connection therewith are set back from all lot lines a distance of not less than 50 feet.

O. Corrals for the keeping of horses, cattle, sheep & goats.

(See 18.63 Farm Animal Regulations)

P. Feed stores on not less than two and one-half acres of land. [Ord. 104 § 1, 2007.]

18.12.030 Accessory uses.

A. Barns and other structures for the keeping of animals or equipment.

B. Fences, walls.

C. Swimming pools.

D. Signs, per TTC 18.60.120.

E. Temporary uses, per TTC 18.75.090.

18.12.040 Conditionally permitted uses.

A. Bed and breakfast inns.

B. Kennels.

C. Restaurants and cafes.

D. Single-section (single-wide) manufactured homes.

18.12.050 Development standards

Principal Buildings/Structures

BUILDING HEIGHT: Maximum height of any structure shall be 35 feet.

MINIMUM LOT AREA: 43,560 square feet. (1 acre)

MINIMUM LOT WIDTH: 100 feet.

MINIMUM AREA PER DWELLING UNIT: 43,560 square feet (1 acre)

MINIMUM FRONT YARD: 25 feet.

MINIMUM SIDE YARDS: 10 feet each.

MINIMUM REAR YARD: 25 feet.

DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: One-third of the total area of the rear and side yards
- b. Maximum Height: 20 feet.
- c. Minimum Distance to main building: 7 feet.
- d. Minimum distance to front lot line: 25 feet.
- e. Minimum Distance to side and rear lot lines: 3 feet
- f. Parking requirements are listed in TTC 18.60.090.
- g. Sign requirements are listed in TTC 18.60.120.

Chapter 18.15 AG-2 (AGRICULTURAL-2) ZONING DISTRICT

Sections:

- 18.15.010 Purpose.
- 18.15.020 Permitted uses.
- 18.15.030 Accessory uses.
- 18.15.040 Conditionally permitted uses.
- 18.15.050 Development standards.

18.15.010 Purpose.

The purpose of the AG-2 (agricultural-2) zoning district is to protect and preserve agricultural land and its associated uses within the Town of Taylor. Land uses within this zoning district are intended to be single-family residential and agricultural in nature, including the cultivation of crops, the raising of animals for market or private uses, and commercial agricultural purposes.

18.15.020 Permitted uses.

A building or lot within the AG-2 zoning district shall be used for the following uses:

- A. Single-family dwelling (one per lot of record) including conventional site-built homes, multi-section manufactured homes with a minimum area of 1,100 square-feet,-and factory-built modular homes, as defined and regulated in this title.
- B. Cemeteries.
- C. Churches.
- D. Day care centers.
- E. Golf courses.
- F. Parks, public and private.
- G. Public and quasi-public uses.
- H. Public utility facilities.
- I. Schools, public and private.
- J. Agricultural-related uses, including but not limited to:
 - 1. Animal arenas (rodeo grounds);
 - 2. Commercial and public stables and equestrian centers;
 - 3. Field crops, crop production, farming, truck gardening, berry or bush crops, flower gardening, plant nurseries and greenhouses, orchards, aviaries and apiaries;
 - 4. Firewood sales lots;
 - 5. Fisheries;
 - 6. Fruit, vegetable or agricultural products packing or processing plant, provided the same is located on a site not less than 10 acres in size;
 - 7. Fruit and vegetable stands;
 - 8. Greenhouses; landscaping materials and sales, nurseries;
 - 9. Keeping, raising and sale of livestock, horses, swine, poultry, rabbits and other small animals, but not slaughtering of other than such raised on the premises. (See Farm Animal Regulations Sec 18.63).

18.15.030 Accessory uses.

- A. Barns and other structures for the keeping of animals or equipment.
- B. Fences and walls.
- C. Home occupations, per Chapter 18.55 TTC.
- D. Swimming pools.
- E. Signs, per TTC 18.60.120.
- F. Temporary uses, per TTC 18.75.090.

18.15.040 Conditionally permitted uses.

- A. Additional dwelling unit(s) on the same lot.
- B. Bed and breakfast inns.
- C. Residential facility.
- D. Group Home
- E. Kennels.
- F. Livestock sales yard and auction yards, provided the site is not less than 10 acres in size.
- G. Meat packing and slaughter houses.
- H. Restaurants and cafes.

18.15.050 Development standards.

Principal Buildings/Structures

BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

MINIMUM LOT AREA: 87,120 square feet. (2 acres)

MINIMUM LOT WIDTH: 250 feet.

MINIMUM AREA PER DWELLING UNIT: 87,120 square feet (2 acres)

MINIMUM FRONT YARD: 25 feet.

MINIMUM SIDE YARDS: 20 feet each.

MINIMUM REAR YARD: 25 feet.

DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: One-third of the total area of the rear and side yards
- b. Maximum Height: 30 feet.
- c. Minimum Distance to main building: 7 feet.
- d. Minimum distance to front lot line: 25 feet.
- e. Minimum Distance to side and rear lot lines: 3 feet
- f. Parking requirements are listed in TTC 18.60.090.
- g. Sign requirements are listed in TTC 18.60.120.

Chapter 18.20 R-1 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT

Sections:

- 18.20.010 Purpose.
- 18.20.020 Permitted uses.
- 18.20.030 Accessory uses.
- 18.20.040 Conditionally permitted uses.
- 18.20.050 Development standards.
- 18.20.060 Subdivision lot development standards.

18.20.010 Purpose.

The principal purpose of the R-1 (single-family residential) zoning district is to conserve and protect single-family residential development. Principal uses permitted in this zoning district include single-family dwellings, churches, schools, parks and community facilities.

18.20.020 Permitted uses.

A building or lot within the R-1 zoning district shall be used for the following purposes:

- A. Single-family dwelling (one per lot of record) including conventional site-built homes, multi-section manufactured homes with a minimum area of 1,100 square feet, and factory-built modular homes, as defined and regulated in this title.
- B. Churches.
- C. Day care centers.
- D. Golf courses.
- E. Parks, public and private.
- F. Public and quasi-public uses.
- G. Public utility facilities.
- H. Schools, public and private.
- I. Single-family residential subdivisions.

18.20.030 Accessory uses.

- A. Fences and walls.
- B. Greenhouses (noncommercial).
- C. Home occupations, per Chapter 18.55 TTC.
- D. Keeping of horses, cattle, sheep or goats; provided, that the minimum lot area is 15,000 square feet in size. (See Farm Animal Regulations Sec 18.63).
- E. Model homes and sales offices, in relation to a subdivision, until such time as the last lot in the respective subdivision is sold or developed.
- F. Signs, per TTC 18.60.120.
- G. Temporary uses, per TTC 18.75.090.

18.20.040 Conditionally permitted uses.

- A. Additional dwelling unit(s) on the same lot.
- B. Bed and breakfast inns.
- C. Group homes.
- D. Residential facility
- E. Restaurants and cafes.

18.20.050 Development standards.

Principal Buildings/Structures

BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

MINIMUM LOT AREA: 10,000 square feet.

MINIMUM LOT WIDTH: 70 feet.

MINIMUM AREA PER DWELLING UNIT: 5000 square feet.

MINIMUM FRONT YARD: 20 feet.

MINIMUM SIDE YARDS: 10 feet each.

MINIMUM REAR YARD: 20 feet.

DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: One-third of the total area of the rear and side yards
- b. Maximum Height: 20 feet.
- c. Minimum Distance to main building: 7 feet.
- d. Minimum distance to front lot line: 20 feet.
- e. Minimum Distance to side and rear lot lines: 3 feet
- f. Parking requirements are listed in TTC 18.60.090.
- g. Sign requirements are listed in TTC 18.60.120.

18.20.060 Subdivision lot development standards.

New residential subdivisions, consisting of four or more lots, and when proposed and developed as a single community (regardless if developed or platted in phases or portions), may be developed with minimum lot sizes, minimum lot widths, minimum lot area per dwelling unit and/or setback standards that differ from the R-1 standard, upon review and approval by the Town council of the site plan and/or subdivision plat, as long as the proposed overall density is in conformance with the Taylor General Plan. In addition, and if noted and approved along with the subdivision, additional dwelling unit(s) per lot may be allowed without a conditional use permit.

Chapter 18.25 R-2 (MULTIFAMILY RESIDENTIAL) ZONING DISTRICT

Sections:

- 18.25.010 Purpose.
- 18.25.020 Permitted uses.
- 18.25.030 Accessory uses.
- 18.25.040 Conditionally permitted uses.
- 18.25.050 Development standards.

18.25.010 Purpose.

The purpose of the R-2 (multifamily residential) zoning district is to provide for medium to high-density housing in multiple-family structures and their directly related complimentary and accessory uses. The R-2 zone is designed to allow economical use of land while creating an attractive, functional and safe residential environment.

18.25.020 Permitted uses.

A building or lot within the R-2 zoning district shall be used for the following purposes:

- A. Single-family dwellings including conventional site-built homes and factory-built modular homes only, as defined and regulated in this title.
- B. Condominiums.
- C. Duplexes, triplexes and multiple-family structures (apartments).
- D. Townhouses, Townhomes and condominium clusters.
- E. Churches.
- G. Day care centers.
- F. Golf courses.
- G. Parks, public and private.
- H. Public and quasi-public uses.
- I. Public utility facilities.

18.25.030 Accessory uses.

- A. Offices, clubhouses and recreational facilities (including swimming pools) related to the principal use.
- B. Fences and walls.
- C. Greenhouses (noncommercial).
- D. Home occupations, per Chapter 18.55 TTC.
- E. Signs, per TTC 18.60.120.
- F. Temporary uses, per TTC 18.75.090.

18.25.040 Conditionally permitted uses.

- A. Bed and breakfast inns.
- B. Residential facilities.
- C. Group homes.
- D. Residential treatment centers.
- E. Restaurants and cafes.

18.25.050 Development standards.

Principal Buildings/Structures

BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

MINIMUM LOT AREA: 10,000 square feet.

MINIMUM LOT WIDTH: 70 feet.

MINIMUM AREA PER DWELLING UNIT: 2500 square feet.

MINIMUM FRONT YARD: 25 feet.

MINIMUM SIDE YARDS: 10 feet each.

MINIMUM REAR YARD: 25 feet.

DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: One-third of the total area of the rear and side yards
- b. Maximum Height: 20 feet.
- c. Minimum Distance to main building: 7 feet.
- d. Minimum distance to front lot line: 25 feet.
- e. Minimum Distance to side and rear lot lines: 3 feet
- f. Parking requirements are listed in TTC 18.60.090.
- g. Sign requirements are listed in TTC 18.60.120.

Chapter 18.30 COM (COMMERCIAL) ZONING DISTRICT

Sections:

18.30.010	Purpose.
18.30.020	Permitted uses.
18.30.030	Accessory uses.
18.30.040	Conditionally permitted uses.
18.30.050	Development standards.

18.30.010 Purpose.

The purpose of the COM (commercial) zoning district is to provide for retail, service and office uses to meet the needs of the community in locations that are served by major streets or highways. Principal uses permitted in the COM zoning district include retail, service, office, commerce, entertainment, and some uses of a light manufacturing nature.

18.30.020 Permitted uses.

A building or lot located in the COM zoning district shall be used for the following uses:

- A. General retail business, service and office uses, including, but not limited to:
1. Athletic clubs.
 2. Antique stores.
 3. Art and dance instruction.
 4. Art galleries.
 5. Art metal and ornamental iron shops.
 6. Audio equipment and music sales.
 7. Automobile, RV and boat parts sales and supplies.
 8. Automobile, RV and boat repair shops and garages, provided all operations are conducted within a completely enclosed building and that all exterior storage of parts or inoperable vehicles be in an enclosed storage yard located to the rear of the building.
 9. Automobile, RV, boat and manufactured home sales, new and used and rentals, including display rooms.
 10. Awning and canvas stores.
 11. Banks, credit unions and loan institutions.
 12. Bakeries and candy stores, including the manufacturing of bakery and candy products for on-site retail sales only.
 13. Barber and beauty shops.
 14. Bed and breakfast inns.
 15. Blueprinting, photostating and photo-finishing establishments.
 16. Book, stationery and gift stores.
 17. Bowling alleys.
 18. Business, personal and professional service establishments.
 19. Car and truck sales and leasing, new and used.

20. Cabinet and carpenter shops; provided, that all operations and storage are within an enclosed building.
21. Catering establishments.
22. Clock and watch repair shops.
23. Clothing and costume rentals.
24. Clothing and dry goods stores.
25. Commercial storage facilities.
26. Convenience stores.
27. Craft shops, which includes ceramics, mosaics, fabrics, jewelry, leather goods, silk screening, sublimation, dress designing, sculpturing and wood carving.
28. Day care centers and nursery schools.
29. Delicatessens.
30. Drive-in restaurants and refreshment stands.
31. Drug stores and soda fountains.
32. Electrical and electronic shops.
33. Equipment rentals and sales.
34. Feed stores.
35. Florist shops.
36. Funeral homes and chapels.
37. Furniture stores.
38. Frozen food lockers.
39. Gasoline service stations.
40. Grocery stores and meat markets, provided there is no slaughtering of animals or poultry on the premises.
41. Hardware and appliance stores.
42. Hospitals, medical and dental facilities.
43. Hotels and motels.
44. Ice cream stores.
45. Ice distributing stations.
46. Jewelry stores, including incidental repair.
47. Key and gun shops, including incidental repair work.
48. Laboratories, medical and dental.
49. Laundry and dry-cleaning establishments, including self-service laundries.
50. Lumber yards, including operations incidental to piece sales.
51. Milk depots.
52. Mini-storage (warehouses).
53. Music conservatory and music instruction.
54. Offices, including professional, medical and dental.
55. Paint and wallpaper stores.
56. Parking lots and garages, private and public.
57. Parks, public and private.
58. Pet shops, not involving the treatment or boarding of animals.
59. Photographers' and artists' studios.
60. Plumbing shops.
61. Pool halls, arcades.

62. Printing, lithography and publishing establishments.
63. Precision and musical instrument repair shops, including optical shops.
64. Radio and television broadcasting stations and studios, but not including transmitter towers and stations.
65. Radio and television stores and repair shops.
66. Restaurants and cafes.
67. Retail stores.
68. Schools, public and private.
69. Shoe sales and repair shops.
70. Stone monument shops.
71. Tailor and seamstress shops.
72. Taxidermists.
73. Tinsmith shops.
74. Trade schools.
75. Upholstery shops.
76. Variety stores.
77. Wholesale stores.

18.30.030 Accessory uses.

- A. Residential (single-family and multifamily) uses.
- B. Accessory structures as necessary to conduct the principal use.
- C. Home occupations, per Chapter 18.55 TTC.
- D. Signs, per TTC 18.60.120.
- E. Temporary uses, per TTC 18.75.090.

18.30.040 Conditionally permitted uses.

- A. Bars and liquor stores.
- B. Commercial recreation.
- C. Commercial trucking operations.
- D. Contractor's storage yards.
- E. Dance halls and night clubs.
- F. Multi-family
- G. Residential treatment facilities.
- H. Veterinarian offices, animal hospitals and kennels.

18.30.050 Development standards.

Principal Buildings/Structures

BUILDING HEIGHT: Maximum height of any structure shall be 35 feet.

MINIMUM LOT AREA: 10,000 square feet.

MINIMUM LOT WIDTH: 100 feet.

MINIMUM FRONT YARD: 50 feet if parking in front zero if parking in rear.

MINIMUM SIDE YARDS and BUILDING SEPARATION: Per Building/Fire Code.

MINIMUM REAR YARD: Per Building/Fire Code.

Site Requirements

- a. Parking requirements are listed in TTC 18.60.090.
- b. Sign requirements are listed in TTC 18.60.120.
- c. Surfacing. All driveway, circulation and parking areas shall be treated with a dust-free surfacing, per TTC 18.60.100.
- d. Screening shall adhere with the requirements of TTC 18.60.070.
- e. Landscaping shall be installed per TTC 18.60.060. An appropriate landscape buffer may also be required from adjacent residential developments, subject to the site plan review process.

Chapter 18.35 IND-L (LIGHT INDUSTRIAL) ZONING DISTRICT

Sections:

18.35.010	Purpose.
18.35.020	Permitted uses.
18.35.030	Accessory uses.
18.35.040	Conditionally permitted uses.
18.35.050	Development standards.

18.35.010 Purpose.

The principal purpose of the IND-L (Light industrial) zoning district is to provide for industrial uses in locations which are suitable and appropriate, taking into consideration the land uses on adjacent or nearby properties, access to major streets, highways, air or other means of transportation, and the availability of public utilities. Principal uses include light manufacturing, distribution of goods; and other uses that will not be detrimental to adjacent commercial or residential properties by reason of, but not limited to, excessive noise, dust, odor, smoke, vibrations, fumes or glare. Commercial uses are also allowed within the IND-L zone, but care should be taken to encourage industrial uses of IND-L zoned sites. Conditionally permitted uses include those that because of the nature of their operation, appearance, traffic generation, or emission may not be compatible with other zoning districts, although the uses may be necessary and desirable in the Town of Taylor.

18.35.020 Permitted uses.

A building or lot located in the IND-L zoning district shall be used for the following or similar uses:

1. Any use permitted in the COM zoning district, subject to site plan approval.
2. Bakeries for production of baked goods to be sold off-premises.
3. Commercial Greenhouses.
4. Ice and cold storage plants.
5. Monument cutting & engraving.
6. Product development and testing.
7. Public utility facilities.

18.35.030 Accessory uses.

- A. Retail activity that is associated with the principal use at the site.
- B. Caretaker or security guard quarters, provided they are located within the principal structure.
- C. Personnel service facilities providing services, education, recreation, entertainment, food and convenience goods primarily for those personnel employed in the principal use.
- D. Home occupations, per Chapter 18.55 TTC.
- E. Signs, per TTC 18.60.120.
- F. Temporary uses, per TTC 18.75.090.

18.35.050 Development standards.

Principal Buildings/Structures

BUILDING HEIGHT: Maximum height of any structure shall be 35 feet.

MINIMUM LOT AREA: 10,000 square feet.

MINIMUM LOT WIDTH: 100 feet.

MINIMUM FRONT YARD: 50 feet.

MINIMUM SIDE YARDS and BUILDING SEPARATION: Per Building/Fire Code.

MINIMUM REAR YARD: Per Building/Fire Code.

Site Requirements

- a. Parking requirements are listed in TTC 18.60.090.
- b. Sign requirements are listed in TTC 18.60.120.
- c. Surfacing. All driveway, circulation and parking areas shall be treated with a dust-free surfacing, per TTC 18.60.100.
- d. Screening shall adhere with the requirements of TTC 18.60.070.
- e. Landscaping shall be installed per TTC 18.60.060. An appropriate landscape buffer may also be required from adjacent residential developments, subject to the site plan review process.

Chapter 18.37 IND-H (HEAVY INDUSTRIAL) ZONING DISTRICT

Sections:

18.37.010	Purpose.
18.37.020	Permitted uses.
18.37.030	Accessory uses.
18.37.040	Conditionally permitted uses.
18.37.050	Development standards.

18.37.010 Purpose.

The principal purpose of the IND-H (heavy industrial) zoning district is to provide for industrial uses in locations which are suitable and appropriate, taking into consideration the land uses on adjacent or nearby properties, access to major streets, highways, air or other means of transportation, and the availability of public utilities. Principal uses include light manufacturing, distribution of goods; and other uses that will not be detrimental to adjacent commercial or residential properties by reason of, but not limited to, excessive noise, dust, odor, smoke, vibrations, fumes or glare. Commercial uses are also allowed within the IND-H zone, but care should be taken to encourage industrial uses of IND-H zoned sites. Conditionally permitted uses include those that because of the nature of their operation, appearance, traffic generation, or emission may not be compatible with other zoning districts, although the uses may be necessary and desirable in the Town of Taylor.

18.37.020 Permitted uses.

A building or lot located in the IND-H zoning district shall be used for the following or similar heavy uses:

1. Any use permitted in the IND-L or COM zoning district, subject to site plan approval.
2. Automobile, RV or boat repair (including body and paint shops).
3. Bottling plants.
4. Building material sales yards.
5. Cabinet shops and furniture manufacturing.
6. Commercial trucking operations, including terminals and yards.
7. Contractor's storage yards.
8. Electrical, electronic or electro-mechanic machinery manufacturing.
9. Heavy equipment rental or storage yards.
10. Exterior storage of goods and materials; provided, that all goods and materials are screened from view from adjacent properties and rights-of-way.
11. Food processing.
12. Ice and cold storage plants.
13. Impound yards.
14. Liquefied petroleum gas storage and similar storage areas, pursuant to International Building and Fire Codes.
15. Machine shops.

16. Manufacture of pharmaceutical products and food products, including soft drinks.
17. Manufacturing.
18. Printing and publishing (including newspapers) facilities.
19. Public and quasi-public facilities.
20. Public utility service yards.
21. Recycling centers.
22. Transfer station.
23. Truck Tire repairing and overhauling.
24. Truck stops and washing facilities.
25. Warehousing.

18.37.030 Accessory uses.

- A. Retail activity that is associated with the principal use at the site.
- B. Caretaker or security guard quarters, provided they are located within the principal structure.
- C. Personnel service facilities providing services, education, recreation, entertainment, food and convenience goods primarily for those personnel employed in the principal use.
- D. Home occupations, per Chapter 18.55 TTC.
- E. Signs, per TTC 18.60.120.
- F. Temporary uses, per TTC 18.75.090.

18.37.040 Conditionally permitted uses.

- A. Airports.
- B. Automobile, RV or boat manufacturing.
- C. Automobile reduction, salvage and wrecking yards.
- D. Chemical manufacturing.
- E. Excavation of sand, gravel, dirt, ore or minerals, including sand, rock and gravel operations.
- F. Fertilizer manufacturing.
- G. Granary, elevator storage.
- H. Junkyards.
- I. Meat packing plants and slaughter houses.
- J. Oil and gas refineries.
- K. Sewage treatment plants.
- L. Scrap metal or used materials processing, handling, storage facilities.
- M. Those uses involving the storage, utilization or manufacture of volatile or explosive materials or products.

18.37.050 Development standards.

Principal Buildings/Structures

BUILDING HEIGHT: Maximum height of any structure shall be 35 feet.

MINIMUM LOT AREA: 10,000 square feet.

MINIMUM LOT WIDTH: 100 feet.

MINIMUM FRONT YARD: 50 feet.

MINIMUM SIDE YARDS and BUILDING SEPARATION: Per Building/Fire Code.

MINIMUM REAR YARD: Per Building/Fire Code.

Site Requirements

- a. Parking requirements are listed in TTC 18.60.090.
- b. Sign requirements are listed in TTC 18.60.120.
- c. Surfacing. All driveway, circulation and parking areas shall be treated with a dust-free surfacing, per TTC 18.60.100.
- d. Screening shall adhere with the requirements of TTC 18.60.070.
- e. Landscaping shall be installed per TTC 18.60.060. An appropriate landscape buffer may also be required from adjacent residential developments, subject to the site plan review process

Chapter 18.40 PAD (PLANNED AREA DEVELOPMENT)

Sections

18.40.10	Purpose
18.40.20	Permitted Uses
18.40.30	General Requirements and Standards
18.40.40	Master Development Plan Submittal Requirements
18.40.50	Application and Procedures
18.40.60	Planning and Zoning Commission Review and Hearing
18.40.70	Town Council Consideration and Hearing
18.40.80	Building Permit Issuance
18.40.90	Method for Withdrawing an Application for PAD Approval
18.40.100	Amendments to PAD Approval
18.40.110	Denial of Request

18.40.010 Purpose.

The Planned Area Development (PAD) zoning district is intended to provide an alternative to the conventional zoning and development processes in the Town of Taylor, Arizona (Town), in order to achieve the following purposes:

1. To ensure orderly planning and review procedures that will result in superior design, with variety in architectural and site design using techniques including, but not limited to, variations in building styles, setbacks, lot arrangements, and site planning;
2. To promote economical, innovative, and efficient land use, with emphasis on utilizing existing infrastructure, improving amenities, with appropriate and harmonious variety, creative design, and sensitivity to the surrounding land uses and the natural environment;
3. To provide for a zoning district that encompasses a broad range of land uses including, but not limited to single-family and multi-family residential, professional and administrative offices, retail, service, hotel and resort, light industrial or employment, recreational, and any public or semi-public use or combination of uses through the adoption of a **Master Development Plan (MDP)** which sets forth land-use relationships, development standards, and goals consistent with the Town of Taylor General Plan;
4. To encourage a more creative approach to land utilization by creating efficient, aesthetic, and desirable developments, which may be characterized by incorporating special features of the geography, topography, size, uses, or shape of a particular property into its site planning;

5. To permit flexibility in design standards so that a PAD produces a choice in the type of environment, living units, commercial installations, and other facilities available to the public while maximizing efficient, aesthetic, and desirable use of open space;
6. To promote a unique yet compatible development that is in harmony with the surrounding land uses and the goals of the Town of Taylor General Plan;
7. To provide a device for averaging residential density over an entire parcel and placing no restrictions on lot size or dwelling types, as long as the total density does not exceed the maximum approved in the MDP; and
8. To provide standards to ensure that PAD projects are developed with high-quality, integrated site design, complimentary building architecture, efficient and safe traffic circulation, appropriate landscaping, preservation of significant natural features, and attractive site amenities.

18.40.20 Permitted Uses.

1. All uses designated in the approved MDP together with permitted accessory uses.
2. Uses Subject to a Conditional Use Permit designated in the approved MDP.

18.40.30 General Requirements and Standards

1. The land uses and design of the proposed PAD shall be consistent with the goals, objectives and policies as described in the Town General Plan.
2. The provisions of the Town of Taylor Zoning Ordinance, Chapter 18.75 Administrative Procedures shall be replaced with the requirement for a PAD with the submission of a Master Development Plan (MDP) as described in this section.
3. The uses allowed within each PAD shall be limited to those listed in the approved MDP for that development. The number of dwelling units and/or gross commercial/industrial square footage shall also be limited by the approved MDP.
4. In general, a variety of housing types shall be encouraged for residential Planned Area Developments, so as to provide for the diverse needs of the community. Parcel densities within the PAD may be flexible as long as the maximum number of dwelling units established for the entire PAD is not exceeded.

5. Generally smaller, infill-type PADs, which include only one housing type, such as all detached or all attached units, or one type of commercial use, shall not be considered inconsistent with the stated purposes and objectives of this section and shall not be the sole basis for denial or approval of the PAD. The overall quality of the development and compatibility with surrounding development shall be considered in the evaluation of an infill PAD.
6. Commercial development in a PAD may provide for a variety of commercial and/or industrial/employment uses. The total square footage for commercial/industrial uses may be flexible from parcel to parcel within the maximum allowable number of square feet of commercial/industrial usage for the entire PAD as established by the MDP.
7. Development which includes a mix of residential and commercial and/or other non-residential uses shall include specific standards in the MDP to address the manner in which compatibility of uses is established.
8. General Provisions, of the Zoning Ordinance shall apply for any general development standards not specifically a part of the PAD approval.
9. There is no minimum size for a proposed PAD site, however, if proposed for an in-fill or redevelopment site, the size of a PAD will be reviewed in the context of the property's location and surrounding uses.
10. There shall be no minimum lot size requirement for individual lots; however, proposed lot sizes will be reviewed in the context of the General Plan goals and objectives for that property, as well as the overall site plan, building layout and design quality for the development.
11. Proposed standards shall be reviewed and approved based upon compatibility with adjacent land uses, the placement of buildings within the parcel, and conformance with building codes and fire safety requirements.
12. Land uses on the perimeter of the PAD shall be designed and developed to be compatible with and complementary to the existing and planned development reflected on the General Plan in the immediate vicinity of the proposed PAD.
13. PADs located on the perimeter of the Town boundary or abutting National Forest lands or designated open space shall provide an appropriate approach for transition and/or buffering between abutting land uses so as to ensure appropriate compatibility of uses. Such transition may be addressed by stepping down the density of residential development, providing additional development setbacks and/or additional open space and landscape buffering between the PAD development and abutting land uses.

14. PADs located adjacent to National Forest lands, public parks or designated open space shall be evaluated to identify opportunities for providing non-motorized trail access from within the development to abutting public lands. Locations for any such trail routes or access points shown on the PAD site plan shall be coordinated with the abutting land management agency to ensure appropriate planning and approval for their development.
15. Unless modified pursuant to this Chapter, all PADs shall be subject to the applicable provisions of the Town of Taylor Zoning Ordinance, the Subdivision Ordinance, and to pertaining off- site improvements and all other applicable codes, ordinances and regulations, unless exceptions are specifically granted through the PAD rezoning process.

18.40.40 Master Development Plan Submittal Requirements

1. An application for PAD Zoning shall be submitted in the form of a Master Development Plan (MDP). The MDP shall be a separate document that includes a detailed project narrative, supporting exhibits describing the proposed uses, development standards, design guidelines, project phasing data, maintenance responsibilities and other supporting documentation, as well as detailed graphic exhibits, including proposed site plan, landscape plan, building designs, and other project elements, as required.
2. The MDP shall be submitted in an 8 ½" by 11" ring binder format with the following information included:
 - A. Title page indicating the project name, location, applicant/s and master developer/s contact information and date of submittal.
 - B. Table of Contents.
 - C. Project Narrative. A project narrative summarizing the proposed development and identifying the objectives and rationale for the proposal shall include at a minimum the following information:
 - (1) Proposed name of development;
 - (2) Name, address, phone numbers and contact information for applicants and property owners;
 - (3) Description of the location of the proposed project, including parcel numbers, addresses, if available, and closest streets;
 - (4) Summary of the proposed land use areas and the development standards for each use and/or parcel within the PAD, including:
 - a) Proposed number of dwelling units, dwelling unit type/s, total land area, gross density of project area and net densities of residential sub-areas;
 - b) Proposed uses other than residential, total land area, and maximum square footages/floor area ratios associated with commercial/ industrial uses;
 - c) A preliminary parcel data table to include parcel numbers, size of parcels, existing zoning, existing uses and proposed uses;

- d) Proposed public streetscape and open space improvements and their relationships to the overall development;
 - e) Summary of proposed property development standards, including building heights, minimum lot areas, yard setbacks, and all other development standards;
 - f) A conceptual description of architectural theme, colors, and exterior building materials proposed for use in the PAD;
 - g) A conceptual description of the landscaping treatment, plant materials, fences, walls, and other open space improvements;
 - h) Proposed location of arterial, collector, or local streets, whether public or private, within a preliminary master circulation plan;
 - i) Proposed location and use of all lands proposed to be dedicated for public purposes including parks, stormwater retention areas, and school sites; and
 - j) Preliminary master water, sewer, and drainage report
- (5) Project Objectives. A description of the objectives to be achieved by the development concept, including, but not limited to:
- a) The manner in which the proposed MDP meets or exceeds the intent of the PAD;
 - b) The proposed overall design rationale, as well as architectural and site design concepts, including style, colors, type of materials, and rationale for placement of structures to maximize views and take advantage of the natural characteristics of the PAD site; maximize views and take advantage of the natural characteristics of the PAD site;
 - c) Specific concepts by which the proposed MDP will make an orderly transition from existing or planned adjacent development including varied setbacks and façade treatment, open space elements, screening of parking areas, and landscaping of the public or private open spaces and recreational facilities; and
 - d) A discussion of visual, traffic, or drainage impacts and compatibility with surrounding land uses and consistency with the General Plan.
 - e) Provide analysis of proposed residential density, mixed use issues, neighborhood quality, and other qualitative issues. Include a comparison of the existing zoning regulations in relation to the proposed standards for the PAD, including density, setbacks, and permitted uses;
- D. General Plan Review. The General Plan is established, as per state statutes, as a guide for the long-range growth and development of the community. A proposed change of zoning must be in conformance with the Land Use category as designated on the Land Use Map to be approved. Additional policy direction regarding growth and development is provided in each of the General Plan elements. Provide a brief review of how the proposed development conforms to the General Plan elements, as follows:

- (1) Provide a statement indicating how the proposed development conforms to the Land Use Category or Categories indicated on the General Plan Land Use Map. Also provide a review of how the proposed development conforms to the narrative text and Local Strategies indicated in the applicable Land Use Planning Area for the proposed development. Indicate and discuss any Special Study Areas or other unique features within the applicable Plan Area map.
 - (2) Provide a statement indicating how the proposed PAD meets the intent of the General Plan goals, objectives and policies for each of the General Plan elements, including Community Vision, Housing, Economic Development, Circulation, Open Space, Growth Area, Environmental Planning and Water Resources.
- E. Graphic Exhibits. Provide 8 ½" x 11" reductions of the proposed site plan, landscape plan, building plans and elevations, and other exhibits necessary to describe the proposed development, including the following:
- (1) A conceptual development site plan for the proposed PAD showing existing and proposed parcel boundaries, building locations, pedestrian and vehicular circulation systems, parking areas, landscaped areas, right-of-way and open space areas.
 - (2) A vicinity map adequately identifying the project location in relation to surrounding development and circulation systems. Indicate the zoning on surrounding parcels.
 - (3) Aerial photo of the subject property with the subject property identified.
 - (4) Photographic exhibits of the subject property displaying any existing development or natural features.
 - (5) Other exhibits as necessary to describe the proposed project.
- F. Property Development Standards. Flexibility with development standards may be considered where superior design quality is provided resulting in a more innovative, creative project. Provide a detailed summary of proposed development standards for the project, including the following:
- (1) Minimum lot sizes, building setbacks, minimum yard standards, maximum height, maximum lot coverage and similar standards, as applicable.
 - (2) Describe proposed standards for parking, lighting, signage, and landscaping.
 - (3) Unique development standards, such as buffering and screening between uses, project entry features, or other requirements related to the physical development of the project.

- G. Design Guidelines. The design guidelines section of the MDP shall describe both the overall development theme and specific design details for buildings and structures, site walls, signage, lighting, landscape features, paving, and similar project elements. It is the intent of the PAD standards that each project will be developed with an integrated design theme that defines the character of the development. The applicant shall develop and provide proposed design guidelines for the project to include the following:
- (1) General Guidelines:
 - a) Describe the architectural theme for the development and provide graphic examples where necessary to illustrate how the design theme applies to various elements of the development.
 - b) Provide design details for buildings, site features, site walls, signage, lighting, landscaping, pavement and other project elements.
 - c) For large-scale residential development, provide a variety of housing types (single-family, apartments, and townhouses), housing densities (lot width, depth and size), and home design (different floor plans, elevations and orientation). Residential planned development shall be encouraged to include a variety of housing types and designs; however, the actual project size where variety needs to be incorporated shall be evaluated based on the General Plan designation, existing conditions, surrounding context and other unique conditions.
 - d) Garage doors and carport openings need to be located at the same distance or farther back from the street frontage than the primary dwelling so as to avoid a neighborhood street environment dominated by garage doors or parking structures.
 - e) Provide graphic exhibits, as necessary, to describe specific details related to the design guidelines, including building design, paving, landscaping, site walls, sign structures, lighting or similar features.
 - (2) Site Features:
 - a) Provide details for project entry features, including decorative walls, landscaping, project identification signage and other design elements.

- b) Provide details for perimeter site walls. Walls should be appropriately detailed to enhance the quality and character of the project. Incorporate treatments such as stucco finish, textured block, brick, decorative cap block, combination block/wrought iron, and integration with adjacent landscaping. Wrought iron, view-type fences should be utilized adjacent to retention basins, open space, and recreational amenities. Chain link fences and standard block walls shall be avoided where visible from streets or surrounding properties.
- c) Design outdoor lighting to address safety and utility, as well as to enhance the character of the buildings, landscaping and site features.
- (3) Building Design:
 - a) Provide a summary of the proposed materials and colors for the development. Describe exterior materials and colors of building components, including walls, windows, doors, and roofs. Reproductions of color samples may be included in the MDP for reference with a separate set of manufacturer's material and color samples provided for public hearing review.
 - b) Although it is the intent of this ordinance to encourage a coordinated design theme for the PAD, variety in the design of individual buildings and residences is strongly encouraged, including variety in building massing elements, roofing materials and exterior details.
- (4) Streetscape Design
 - a) Provide graphic details and descriptions of streetscape design for various types of streets, including local residential streets, commercial or mixed use streets, parkways and connector streets. Indicate pavement details, landscaping, site walls and unique signage to be incorporated in the typical streetscape design.
 - b) Provide details of street landscaping, including proposed tree varieties.

The landscaping shall be designed to enhance the aesthetic quality of the development and to integrate with the surrounding natural environment.
- (5) Neighborhood Design
 - a) Indicate how the plan provides a coherent system of neighborhood elements, including interconnected residential blocks, orientation of homes to the street, open space and parks, and safe, convenient and interconnected pedestrian connections.
 - b) Provide adequate buffering and/or screening from less compatible neighborhood elements, such as arterial and collector streets, and adjacent non-residential uses.
- H. Circulation Standards.
 - (1) The arrangement, character, extent, grade, width, and location of all roadways, streets, bike paths, or trails shall conform to applicable

Town standards, unless adjusted for specific topographical or developmental conditions in accordance with an approved traffic engineering study.

- (2) The need to conduct a Traffic Impact Study shall be based on the land use and size of the development. Residential development with 50 dwelling units or more in total and/or commercial development with 100,000 square feet in gross floor area or greater and/or industrial development with 200,000 square feet in gross floor area or greater, including all development approved for phased development, shall be subject to the requirements for conducting a Traffic Impact Study.
- (3) The Town Engineer shall review the Traffic Impact Study based on the following conditions:
 - a) Existing traffic problems or congestion;
 - b) Public concerns regarding the development;
 - c) Negative impacts on adjacent developments;
 - d) The circulation conditions propose a deviation from Town of Taylor standards; or
 - e) Other local issues that may be present.
- (4) Where the need for a Traffic Impact Study has been identified, this study should be completed and submitted to the Town Engineer for review prior to the Planning and Zoning Commission hearing. The developer shall estimate the numbers of trips generated by the development and confirm the Category of the study with the Town Engineer before submitting the report. Traffic Impact Studies for the Town of Taylor are classified into three categories:
 - a) Category I - Developments that generate between 100 and 300 vehicle trips during any peak hour.
 - b) Category II - Developments that generate between 300 and 750 vehicle trips during any peak hour.
 - c) Category III - Developments that generate more than 750 vehicle trips during any peak hour.
- (5) Where such is not shown on the General Plan, adopted transportation plan, specific area plan or preliminary plans, the arrangement of streets, bicycle facilities and trails shall provide continuation or appropriate projection of existing streets, bicycle facilities and trails in surrounding areas. Streets, bicycle facilities and trails shall be designed to make the best use of the land features and open space requirements, in addition to meeting public safety issues.

- (6) Planned development shall provide for adequate traffic circulation that incorporates the adopted Town street functional classification system to handle the projected traffic volumes on the streets.
- (7) Individual home lots should not front onto collector or arterial streets.
Options include orienting the rear of lots to such streets, side orientation at local street intersections, and the creative use of open space, retention areas and screening techniques between the street and the rear of properties.
- (8) Neighborhood streets should be designed to enhance neighborhood integrity and safety, encourage pedestrian activity, and provide logical connections to major activity centers (e.g. parks, schools, recreation facilities). The local street pattern should emphasize traffic calming techniques with short loops, cul-de-sacs, and gently curving streets.
- (9) Streets and street systems within the proposed development need to be designed to provide interconnection with surrounding development and neighborhood streets. Linear streets that encourage cut-through traffic should be avoided unless they are specifically identified in the General Plan as collector or arterial streets.
- (10) The minimum width of right-of-way, measured from lot line to lot line, shall be as established in the MDP based on Town subdivision standards. Proposed streets shall extend or project existing streets at their same or greater width, but not at a width less than prescribed by the subdivision standards.
Notwithstanding the foregoing provisions of this subsection (10), streets that are narrower than permitted by subdivision standards may be approved if it can be demonstrated that a narrower street will serve the function of efficient site planning and convenience for the residents/occupants and still satisfy public safety issues.
- (11) Access to development fronting on state highways must be in compliance with ADOT standards, including the established access management plans for those routes. Documentation must be provided from ADOT to ensure compliance with standards and requirements.

(12) Traffic calming techniques shall be incorporated in the street layout for planned area developments where such calming of traffic is deemed desirable for supporting neighborhood values and improved quality of life. Effective traffic calming programs combine physical design concepts in the engineering of the street environment with traffic management programs that alter driver behavior, so as to reduce neighborhood traffic speeds and/or cut-through volumes in the interest of improving street safety and general neighborhood values. Traffic calming techniques shall include the following:

- a) The incorporation of traffic calming techniques shall be based on carefully considered engineering principles for the design, placement and spacing of such features, as described in standards and guidelines produced by the Federal Highway Administration (FHWA), the Institute for Transportation Engineers (ITE), or similarly recognized professional standards; and
- b) Traffic calming techniques shall include features such as intersection chokers, mid-block swellings, short block design, roadway deflections referred to as chicanes, traffic islands, center island refuges, textured pavement, speed tables, roundabouts, mini-circles and similar measures.

I. Open Space Standards.

- (1) Open space shall be designed as an integral part of the development. The designation of open space includes both undisturbed natural areas and developed landscape components. Open space should be designated to provide interconnection and continuity between undeveloped areas to the greatest extent possible so as to address the health of the environment, habitat protection and natural process. Additional objectives to be addressed by open space shall include buffering, screening, transition and similar design-based objectives.
- (2) Open space shall not be less than 30 percent of the gross acreage, of the parcels within the PAD proposed for residential and mixed-use development, excluding public and private road rights-of-way; and not less than 10 percent of the gross acreage of the parcels within the PAD proposed for commercial or industrial development, excluding public and private road rights-of-way, unless off-setting community benefits are demonstrated and approved in the MDP. Specific parcel allocations of open space may be required as part of the 30 percent and 10 percent overall requirements.

- (3) Additional area for open space may be required as a condition of approval for PAD Zoning based on the need for additional buffering between uses or the need to address preservation of unique natural aspects of the site, including washes, hillsides and other features identified as significant.
- (4) Open space shall be conceptually depicted on the MDP as:
 - a) Dedicated municipal use, public parks, and school sites;
 - b) Bike paths, equestrian, and/ or hiking trails;
 - c) Public or private park and recreation areas;
 - d) Floodway and floodplain areas designated as undeveloped areas;
 - e) Retention basins required to comply with the one hundred (100) year storm, shall be counted as open space when improved or landscaped to be a cohesive and integral element of the overall landscape plan;
 - f) Landscape yards that are adjacent to streets or common areas and that are designed as commonly-maintained and interconnected areas;
 - g) Development site enhancements, including landscapes and hardscaped areas, plazas, and courtyards; and
 - h) Existing natural areas, including washes, drainage courses, riparian areas, hillsides, ridge lines, and other natural open space areas.
- (5) Required open space area shall not include any of the following:
 - a) Dedicated streets, alleys and other public rights-of-way, except that all landscaping within rights-of-way shall be included;
 - b) Vehicular driveways, parking, loading, and storage areas;
 - c) Reservation of municipal use, public park, or school sites which the governmental entity shall be required to purchase; only if such sites are dedicated as open space shall they constitute open space as defined above;
 - d) Concrete channels or rock lined areas designed primarily as a drainage channel. This does not include natural washes that may include some areas with rip rap treatment or minor rock lined features to augment erosion control; and
 - e) Yards within residential areas of a PAD that are not otherwise included as part of a commonly maintained, integrated landscape.

J. Landscape Standards.

Proposed landscape standards shall be in compliance with Landscaping Requirements, of this chapter and the subdivision standards. Any variation proposed for the PAD must clearly indicate an improvement to the adopted subdivision standards. In addition, the following is required:

- (1) Provide a master plant list for the development indicating trees, shrubs, groundcovers and other plants. Indicate proposed varieties for street trees and parking lot trees.
- (2) Describe techniques to ensure low water use landscaping will be provided, including xeriscape landscape treatment, greywater use and rainwater harvesting methods.
- (3) In addition to a master landscape plan for the development, provide graphic details for typical landscape installations, including development entry features, parks or common areas, building landscaping, parking lots, pedestrian walkways, typical streetscape and similar applications.

k. Statement of Water Use. For development that proposes to exceed the number of dwelling units allowed by the existing zoning classification, provide a statement comparing a likely range of water use for the proposed development in comparison to development under the current zoning. Contact the Town of Taylor Utilities Department to obtain current data regarding average household water use for The Town.

l. Phasing Plan. Describe proposed phasing of the development, if any, and indicate the phase lines on the site plan.

- (1) Interconnected public streets, sidewalks, drainage features and infrastructure may be required to be installed with the initial phase of development so as to adequately address public safety access, coherent development and functionality of facilities. The proposed phasing plan needs to indicate how adequate, safe, convenient and efficient circulation and infrastructure needs will be addressed with the phasing plan.
- (2) A PAD plan may be constructed in phases and the PAD narrative shall specify the phases of development, locations and timing of on-site and off-site improvements for each phase, as well as, an estimated range of time for beginning and completion of each phase. Financial assurance shall be required for phases necessary to comply with General Plan compliance.

- (3) Requests for minor modifications to the phasing plan shall be subject to approval by the Director with a right of appeal to the Town Council.
 - (4) The applicant may enter into a development agreement with the Town providing for the timing, sizing, and funding of phased infrastructure improvements required for the PAD or may use any alternative mechanism acceptable to the Town.
 - (5) Disturbed areas approved for future phased development shall include dust free surfacing and/or temporary landscaping. Additional site treatments may be required for future development areas located next to public streets or adjacent to existing development.
- m. Operations and Maintenance Responsibilities. Identify the ownership and maintenance responsibilities for common areas and landscaping within rights-of-way and require the homeowners association, improvements district, or other mechanism to assure long-term maintenance of common areas and rights-of-way.
- (1) In the event that certain land areas or structures are provided within the PAD for private recreational use or as service facilities, the owner of such land and buildings shall establish an arrangement to assure a continued standard of maintenance consistent with the conditions of PAD approval.
 - (2) All utility lines, except electric utility lines 69KV or larger, shall be installed underground.
 - (3) Development within a PAD shall conform to all conditions and standards of PAD approval. The PAD applies to the subject property and change in ownership or successors in interest does not constitute a change in agreed upon standards and requirements. Chapter 18.60 General Building and Development Standards of the Town of Taylor Zoning Ordinance shall apply for any general development standards not specifically a part of the PAD approval.
- n. Other Information and Exhibits. Any other documents, letters, photographs, or exhibits that provide information regarding the proposed PAD may be included with the MDP.
- o. Citizen Review and Participation. Section 18.75 of the Zoning Ordinance regarding Amendments or Zone Changes includes public notification and citizen participation requirements that must be addressed prior to any public hearing on the matter. This includes conducting neighborhood meeting/s, posting public notice on the subject property and mailing notices to surrounding property owners. Include documentation of citizen input, neighborhood meetings, public notification, letters of support, and miscellaneous correspondence.

18.40.50 Application and Procedures

1. Pre-Application Meeting.
The applicant shall meet with the Community Development Director, or his/her designee, to discuss the development concept for the proposed PAD zoning. The Director shall advise the applicant of the specific objectives of this section and the specific procedures, standards, and review process regarding the application.
2. Staff Review.
The Town Staff shall review the preliminary proposal for the PAD. The submittal shall include a narrative description of the proposal and a preliminary site plan indicating use areas, building locations, open space areas, streets and circulation elements and any other major features. Staff will discuss the concept with representatives of applicable Town departments, as well as general development concept and PAD criteria.
3. P&Z Commission Application Submittal.
 - a. Upon completion of the Pre-application and Code Review Board meetings, the Director shall provide the developer with the necessary application forms for the PAD submittal.
 - b. Provide required number of copies of the Draft MDP in a ring binder format, as described in this ordinance, along with the required filing fee, shall be submitted to the Director or his/her designee for distribution to various departments and agencies, and for Planning and Zoning Commission members.
 - c. Additional application material.
 - (1) Full size plans and digital files. Provide the required number of complete sets of full size (24" x 36") copies of the site plan, landscape plan, color renderings and other graphics exhibits shall be submitted with the application. Digital files (10 megs max, jpeg or PDF) shall also be submitted for the site plan, landscape plan, site photos and other requested graphics.
 - (2) Preliminary Traffic Impact Study, if applicable.
 - (3) Preliminary Grading and Drainage Report.
 - (4) Material and color samples. Descriptions and photo copies of material and color samples shall be included in the MDP binder format. Any manufacturer's samples of building materials and/or colors boards should be submitted as a separate exhibit.
4. Review Process.
 - a. Staff will circulate the Draft MDP to the municipal departments and any other agency that may be affected by or have comments to the application.

- b. Within fourteen (14) days of the submittal of the MDP, the developer shall be apprised if Staff will require additional studies, or broadened scope of studies, beyond those enumerated in the MDP application requirements, such as a Multi-modal Circulation Plan, Drainage Concept Plan, Soils Report, Traffic Impact Analysis, or any other studies that the Town staff determines is reasonably necessary for the review and approval of the proposed PAD.
- c. Upon receipt of the comments, the Planning and Zoning Department shall compile the comments and respond to the developer or agents in writing in a reasonable time period as to how the proposed PAD relates to the following:
 - (1) Conformance to the General Plan;
 - (2) Suitability of the PAD for development and constraints or stipulations; and
 - (3) Any additional requirements for improvements and major dedications required by the Town and/or requests for such based on Town policies.

18.40.60 Planning and Zoning Commission Review and Hearing

1. The application shall be filed, reviewed, noticed, and processed in accordance with Section 18.75.040 of the Town Zoning Ordinance, pertaining to Procedures for Amendments or Zone Changes.
2. Upon receipt of a complete PAD application, Draft MDP, initial review comments and any additional materials requested, Staff shall prepare a report and package for the Planning and Zoning Commission.
3. The Planning and Zoning Commission shall review the Staff report and Draft MDP, along with related maps, reports, and data, and conduct a public hearing, to consider the proposal.
4. In considering applications for a PAD approval, the Commission may consider the following:
 - a. Conformance to the General Plan Land Use Map designation for the subject property, as well as to the intent of the General Plan as expressed through the goals, objectives and policies for each of the Plan Elements and Community Vision section;
 - b. The impact of the PAD on the existing and anticipated traffic and parking conditions;
 - c. Adequacy of proposed design criteria and development standards for the PAD;
 - d. Pedestrian and vehicular ingress and egress, including handicapped accessibility;
 - e. Conceptual landscaping proposal;
 - f. Adequacy of utility infrastructure, including water supply and sewer capacity;
 - g. Site drainage and grading;

- h. Open space and/or public land dedications; and. Non-motorized and multi-modal circulation.
5. The Commission shall conduct a public hearing to consider the proposal. The Commission may question the developer and approve, disapprove, carry over the discussion, request additional information, and/or recommend stipulations of PAD approval.
6. If the Commission determines that the proposed PAD will not be detrimental to the health, safety, or welfare of the community, and is in harmony with the purposes and intent of this Ordinance, and the General Plan, the Commission may recommend to the Town Council by motion that the PAD be approved. The recommendation may include any conditions and stipulations determined to be reasonably necessary for implementation of the PAD.

18.40.70 Town Council Consideration and Hearing

1. At least fifteen (15) days prior to the Town Council hearing the applicant shall submit the required number of copies of the Draft MDP as approved by the Planning and Zoning Commission with recommendations from the Development Review Board. The Town Council, following the report and recommendations of the Planning and Zoning Commission, shall consider the PAD request. The request shall be processed and considered as set forth in Section 18.75.040 E Amendments or Zone Changes of the Town of Taylor Zoning Ordinance.
2. The Town Council shall conduct a public hearing to consider the proposal. The Council's review shall encompass the same spectrum of considerations as did that of the Planning and Zoning Commission. The Town Council may approve, deny, carry over the request, or impose conditions and stipulations on the PAD approval. Approvals shall be for a specific development site, not a particular developer.

18.40.80 Building Permit Issuance

No building permit will be issued for any portion of a PAD that has not received Zoning Administrators approval as required and that has not provided required financial assurances or dedications for such portion of the PAD, as may be required.

18.40.90 Method for Withdrawing an Application for PAD Approval

Any application for a PAD may be withdrawn by the applicant in writing at any time prior to approval by the Town Council.

18.40.100 Amendments to PAD Approval

1. A request for an amendment to an approved PAD shall be processed as either a minor amendment or major amendment.
2. An application for a PAD amendment will be routed for review by all affected Town departments or agencies and upon receipt of review comments, the Planning and Zoning Administrator will determine whether the requested change meets any one of the following criteria for a major amendment:
 - a. An increase in the total number of dwelling units of more than 5 percent above the original approval;
 - b. An increase in the gross leasable square feet within a PAD of more than 10 percent above the original approval;
 - c. A reconfiguration in land use designation boundaries and/or parcel sizes that increases or decreases the size of any land use designation boundaries and/or parcel sizes by more than 20 percent; and
 - d. Any other change which could have a significant impact on areas adjoining the PAD, including a significant traffic impact on roadways adjacent or external to the PAD.
3. All major amendments to a PAD shall be reviewed and approved by the Planning and Zoning Commission, Development Review Board and Town Council following the same procedure as prescribed for the original approval.
4. Any PAD amendment application, including a rearrangement of parcels, circulation systems and/or open space areas within a PAD that does not meet any of the above criteria shall be processed as a minor amendment. A minor amendment shall be reviewed by all affected Town departments and agencies and may be administratively approved by the Planning and Zoning Administrator.

18.40.110 Denial of Request

As per Section 18.75.060 F (5). Appeal of the denial of application, in the event the PAD application is denied by the Council, the Commission shall not reconsider the PAD application for the same property or any portion thereof, within a period of six (6) months from the date of denial, unless the conditions on which the original denial was based have substantially changed.

Chapter 18.50 AO (AIRPORT OVERLAY) ZONING DISTRICT

Sections:

18.50.010	Purpose.
18.50.020	Short title.
18.50.030	Definitions.
18.50.040	Airport height restriction zones.
18.50.050	Airport zone height limitations.
18.50.060	Compatible land use regulations.
18.50.070	Nonconforming uses.
18.50.080	Permits.
18.50.090	Enforcement.
18.50.100	Board of Adjustment.
18.50.110	Appeals.
18.50.120	Judicial review.
18.50.130	Penalties.
18.50.140	Conflicting regulations.

18.50.010 Purpose.

A chapter regulating and restricting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of the Taylor Airport by creating the appropriate zones and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such zones; defining certain terms used herein, referring to the Taylor Airport height restriction and compatible land use overlay drawings attached to the ordinance codified in this chapter which are incorporated in and made a part of this title; providing for enforcement; establishing a Board of Adjustment; and imposing penalties.

18.50.020 Short title.

This chapter shall be known and may be cited as the Taylor Municipal Airport overlay zoning chapter.

18.50.030 Definitions.

As used in this chapter, unless the context otherwise requires:

“**Airport**” means the Taylor Municipal Airport.

“**Airport elevation**” means the highest point of an airport’s usable landing area measured in feet from mean sea level.

“**Airport sponsor**” means a public agency or tax-supported organization that is authorized to own and operate the airport, to obtain property interests, to obtain funds, and to be legally, financially and otherwise able to meet all applicable requirements of current laws and regulations.

“Approach surface” means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in TTC 18.50.050. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, Transitional, Horizontal, and Conical Zones. These zones are set forth in TTC 18.50.040.

“Board of Adjustment” The Town of Taylor Town council shall serve as the Board of Adjustment.

“Conical surface” means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to one for a horizontal distance of 4,000 feet.

“Controlling jurisdiction” means the public agency or organization that is authorized to control land uses and implement zoning laws and regulations.

“Hazard to air navigation” means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height. For the purpose of determining the height limits in all zones set forth in this title and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

“Heliport primary surface” means the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.

“Horizontal surface” means a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

“Larger than utility runway” means a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

NAVD 88 or North American Vertical Datum 1988. All elevations in this title are referenced to the 1988 North American Vertical Datum.

“Nonconforming use” means any pre-existing structure, object of natural growth, or use of property and which is inconsistent with the provisions of this title or an amendment thereto.

“Nonprecision instrument runway” means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned. It also means a runway for which a nonprecision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

“Obstruction” means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in TTC 18.50.050.

“Person” means an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

“Precision instrument runway” means a runway having an existing instrument approach procedure utilizing an instrument landing system (ILS), a precision approach radar (PAR) or a global positioning system (GPS). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

“Primary surface” means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in TTC 18.50.040. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

“Runway” means a defined area on an airport prepared for landing and takeoff of aircraft along its length.

“Structure” means an object, including mobile object, constructed or installed by man including, but without limitation, buildings, towers, cranes, smokestacks, earth formations and overhead transmission lines.

Transitional Surfaces. These surfaces extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway centerline.

“Tree” means any object of natural growth.

“Utility runway” means a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

“Visual runway” means a runway intended solely for the operation of aircraft using visual approach procedures.

18.50.040 Airport height restriction zones.

In order to carry out the provisions of this title, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to the Taylor Airport. Such zones are shown on the Taylor Airport height restriction overlay zoning map which is made part of and attached to the ordinance codified in this chapter. Said map was prepared by Armstrong Consultants and is dated October 21, 2003.

An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

A. Precision Instrument Runway Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach surface expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. The centerline of the approach zone is the continuation of the centerline of the runway.

B. Nonprecision Instrument Runway Approach Zone (Larger Than Utility Runway). The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

C. Nonprecision Instrument Runway Approach Zone (Utility Runway). The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

D. Visual Runway Approach Zone (Larger Than Utility Aircraft). The inner edge of this approach zone coincides with the width of the primary surface. The approach surface expands uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. The centerline of the approach zone is a continuation of the centerline of the runway.

E. Visual Runway Approach Zone (Utility Aircraft). The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach surface expands uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. The centerline of the approach zone is a continuation of the centerline of the runway.

F. Transitional Zones. The transitional zones are the areas beneath the transitional surfaces.

G. Horizontal Zones. The horizontal zone is established by swinging arcs of 5,000 or 10,000 feet radii from the center of each end of the primary surface of the primary runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

H. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.

18.50.050 Airport zone height limitations.

Except as otherwise provided in this chapter, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this chapter to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

A. Precision Instrument Runway Approach Zone. Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet and continues on for a distance of 40,000 feet at a slope of 40 feet outward for each foot upward along the extended runway centerline.

B. Nonprecision Instrument Runway Approach Zone (Larger Than Utility Runway). Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

C. Nonprecision Instrument Runway Approach Zone (Utility Runway). Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

D. Visual Runway Approach Zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

E. Transitional Zones. Slope seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is established at 5,820 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline.

F. Horizontal Zone. Established at 150 feet above the airport elevation or at a height of 5,970 feet above mean sea level.

G. Conical Zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

18.50.060 Compatible land use regulations.

A. Airport Compatible Land Use Overlay Zoning Districts Established. For the purpose of regulating the development of noise sensitive land uses to promote compatibility between the airport and the surrounding land uses, to protect the airport from incompatible development and to promote the health, safety, and general welfare of property users, the controlled area of Taylor Airport is divided into airport compatible land use overlay zoning districts. The airport compatible land use overlay zoning districts established herein shall be known as:

Abbreviated Designation	Zoning District Name
AIZ	Airport influence zone
TPZ	Traffic pattern zone
AZ	Approach zone

B. Airport Compatible Land Use Overlay Zoning Map. The boundaries of the airport compatible land use overlay zoning districts set out herein are delineated upon the off airport land use drawing, said drawing being adopted by reference and made a part of this chapter as fully as if the same were set forth herein in detail.

C. Airport Compatible Land Use Overlay Zoning District Boundaries.

1. The airport compatible land use overlay zoning district boundary lines shown on the official airport compatible land use overlay zoning district map shall be located and delineated along contour lines established for the airport. Where uncertainty exists as to the boundaries of the airport compatible land use overlay zoning districts as shown on the official map, the following rules shall apply:
 - a. Boundaries shall be scaled from the nearest physical feature shown on the map.
 - b. Boundaries may be scaled from the nearest platted lot line as shown on the map.
 - c. Distances not specifically indicated on the original airport compatible land use overlay zoning district map shall be determined by a scaled measurement on the map.
2. Where physical features on the ground differ from the information shown on the official airport compatible land use overlay zoning district map or when there arises a question as to how or where a parcel of property is zoned and such questions cannot be resolved by the application of subsection (C)(1) of this section, the property shall be considered to be classified as the most restrictive airport compatible land use overlay zoning district.
3. Where a parcel of land lies within more than one airport compatible land use overlay zoning district, the zone within which each portion of the property is located shall apply individually to each portion of the development.

D. Use of Land and Buildings.

1. Within the airport compatible land use overlay zoning districts as defined herein, no land shall hereafter be used and no structure or other object shall hereafter be erected, altered, converted, or modified other than for those compatible land uses permitted by underlying comprehensive zoning districts, as specified in the local land use code. Additional land uses are prohibited in the airport compatible land use overlay zoning districts, regardless of underlying zoning, as set forth in the land use compatibility table included as Attachment A at the end of this chapter.
2. Where any use of prohibited land and buildings set forth in subsection (D)(1) of this section conflicts with any other allowed land use or structure set forth in this title, this chapter shall apply.
3. This subsection (D) does not apply to property within the official boundaries of the airport.

4. Where specified on the airport compatible land use table, the property owner shall dedicate, in advance of receiving a building permit, an aviation easement to the controlling jurisdiction. The purpose of this easement shall be to establish a maximum height restriction on the use of property and to hold the public harmless for any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft landing at, taking off from, or operating on, or at, public airport facilities.

E. Additional Land Use Regulations.

1. Within the controlling jurisdiction the more restrictive of local land use code or subsection (D)(1) of this section shall apply to the development of all property covered by the airport compatible land use overlay zoning district map.

2. On property within the off airport land use drawing boundary, but outside the jurisdictional limits of the airport sponsor, subsection (D)(1) of this section shall apply to formulate land use recommendations or responses to land use comment requests from other jurisdictions.

3. When a provision of this section conflicts with any airport height hazard restrictions, the most restrictive provision shall apply.

4. Notwithstanding any other provisions of this chapter or other chapter of the local land use code, no use may be made of land, water, or structures within any zone established by this chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, or result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport; create bird strike hazards, or otherwise in any way endanger or interfere with the landing, taking off, or flight operations of aircraft utilizing the airport.

5. When a subdivision plat is required for any property within an airport compatible land use overlay zoning district or within an area shown on the airport height restriction overlay zoning map for the controlling jurisdiction, the property owner shall dedicate an aviation hazard easement to the controlling jurisdiction over and across that property. This easement shall establish a height restriction on the use of the property and hold the public harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near the airport.

18.50.070 Nonconforming uses.

A. Regulations Not Retroactive. The regulations prescribed by this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of the ordinance codified in this chapter, or otherwise interfere with the continuance of nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of the ordinance codified in this chapter, and is diligently prosecuted.

B. Marking and Lighting. Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Town of Taylor council to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the Town of Taylor.

18.50.080 Permits.

A. Future Uses. Except as specifically provided in subsection (A)(1) of this section, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefor shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the regulating use, structure, or tree would conform to the regulations herein prescribed. An FAA Form 7460-1, Notice of Proposed Construction or Alteration, shall accompany each application. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this chapter shall be granted unless a variance has been approved in accordance with subsection (D) of this section.

1. In the area lying within the limits of the approach zones, transition zones, horizontal zone and conical zone, no FAA Form 7460-1 shall be required by this chapter for any tree or structure less than 200 feet above ground level which is also lower than an imaginary surface extending outward and upward at a slope of 100 feet horizontal for each one foot vertical beginning at the closest point of the closest runway.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this chapter.

B. Existing Uses. No permit shall be granted that would allow the establishment or creation of any obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of the ordinance codified in this title or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

C. Nonconforming Uses Abandoned or Destroyed. Whenever the Town of Taylor determines that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

D. Variances. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed in this chapter, may apply to the Board of Adjustments for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of a proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this chapter.

Additionally, no application for variance to the requirements of this chapter may be considered by the Board of Adjustment unless a copy of the application has been furnished to the airport manager or FBO for advice as to the aeronautical effects of the variance. If the airport manager or FBO does not respond to the application within 15 days after receipt, the Board of Adjustment may act on its own to grant or deny said application.

E. Obstruction Marking and Lighting. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as conditions may require in accordance with FAA provisions.

18.50.090 Enforcement.

It shall be the duty of the Planning and Planning and Zoning Administrator to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to Town of Taylor upon a form published for that purpose. Applications required by this chapter to be submitted to the Planning and Planning and Zoning Administrator shall be promptly considered and granted or denied. Application for action by the Board of Adjustment shall be forthwith transmitted by the Planning and Planning and Zoning Administrator.

18.50.100 Board of Adjustment.

A. There is hereby created a Board of Adjustment to have and exercise the following powers:

1. To hear and decide appeals from any order, requirements, decision, or determination made by the Planning and Planning and Zoning Administrator in the enforcement of this chapter;
2. To hear and decide special exceptions to the terms of this chapter upon which such Board of Adjustment under such regulations may be required to pass; and
3. To hear and decide specific variances.

B. The Board of Adjustment shall consist of seven members, those members being the Town council of the Town of Taylor as required by this title.

C. The Board of Adjustment shall adopt rules for its governance and in harmony with the provisions of this chapter and the requirements of this title.

D. The Board of Adjustment shall make written findings of facts and conclusions of law giving the facts upon which it acted and its legal conclusions from such facts in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of this chapter.

E. The concurring vote of a majority of the members of the Board of Adjustment shall be sufficient to reverse any order, requirement, decision, or determination of the Planning and Planning and Zoning Administrator or decide in favor of the application on any matter upon which it is required to pass under this chapter, or to effect variation to this chapter.

18.50.110 Appeals.

A. Any person aggrieved, or any taxpayer affected, by any decision of the Planning and Planning and Zoning Administrator made in the administration of this chapter, may appeal to the Board of Adjustment.

B. All appeals hereunder must be taken within a reasonable time as provided by TTC 18.70.030.

C. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Planning and Planning and Zoning Administrator certifies to the Board of Adjustment, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would in the opinion of the Planning and Planning and Zoning Administrator cause imminent peril to life or property. In such case, proceedings shall not be stayed except by the order of the Board of Adjustment on notice to the Planning and Planning and Zoning Administrator and on due cause shown.

D. The Board of Adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.

E. The Board of Adjustment may, in conformity with the provisions of this chapter, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as may be appropriate under the circumstances.

18.50.120 Judicial review.

Any person aggrieved, or any taxpayer affected, by any decision of the Board of Adjustment may appeal to the superior court of Navajo County as provided for in TTC 18.75.100.

18.50.130 Penalties.

Each violation of this chapter or of any regulations, order, or ruling promulgated hereunder shall constitute a misdemeanor and shall be punishable by a fine of not more than \$50.00 or imprisonment for not more than 10 days or both; and each day a violation continues to exist shall constitute a separate offense.

18.50.140 Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, the more stringent limitation or requirements shall govern and prevail.

ATTACHMENT A LAND USE COMPATIBILITY TABLE

LAND USE CATEGORY	AIRPORT INFLUENCE ZONE (AIZ)	TRAFFIC PATTERN ZONE (TPZ)	APPROACH ZONE (AZ)
RESIDENTIAL			
Single-Family, Nursing Homes, Mobile Homes, Multifamily, Apartments, Condominiums	+	o ⁽³⁾	_(1, 3)
PUBLIC			
Schools, Libraries, Hospitals	+	o ⁽³⁾	_(3)
Churches, Auditoriums, Concert Halls	+	o ⁽³⁾	_(3)
Transportation, Parking, Cemeteries	++	++	++
COMMERCIAL AND INDUSTRIAL			
Offices, Retail Trade	++	+	o ⁽³⁾
Service Commercial, Wholesale Trade, Warehousing, Light Industrial	++	+	o ⁽³⁾
General Manufacturing, Utilities, Extractive Industry	++	++	o ⁽³⁾
AGRICULTURAL AND RECREATIONAL			
Cropland	++	++	++
Livestock Breeding	++	++	++
Parks, Playgrounds, Zoos, Golf Courses, Riding Stables, Water Recreation	++	++	++
Outdoor Spectator Sports	++	+	_(3)
Amphitheaters	o	_(4)	--
Open Space	++	++	++

++ Clearly Acceptable + Normally Acceptable o Marginally Acceptable - Normally Unacceptable

-- Clearly Unacceptable

Note: Development projects which are wildlife attractant, including sewerage ponds and landfills, within 10,000 feet of the airport are unacceptable. (Ref.: FAA AC 150/5200-33)

Conditions:

1. If allowed, avigation easements and disclosure must be required as a condition of development.
2. Any structures associated with uses allowed in the RPZ must be located outside the RPZ.
3. If no reasonable alternative exists, use should be located as far from extended centerline as possible.
4. If no reasonable alternative exists, use should be located as far from extended runway centerline and traffic patterns as possible.
5. Transportation facilities in the RPZ (i.e., roads, railroads, waterways) must be configured to comply with Part 77 requirements.

[Ord. 95, 2004. Code 1983 § 12-2-9.]

Chapter 18.55 HOME OCCUPATIONS

Sections:

- 18.55.010 General.
- 18.55.020 Terms and conditions.
- 18.55.030 Examples of qualifying uses.
- 18.55.040 Prohibited home occupations.

18.55.010 General.

A home occupation is an accessory use of a dwelling unit; conducted entirely within the dwelling unit, and carried on by one or more persons, one of which resides within the dwelling unit; provided, that the use is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof or adversely affect the uses permitted in the residential zoning district of which it is part. In general, a home occupation is an accessory use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence. All storage associated with the home occupation is encouraged to be stored within the dwelling or its accessory structures, and any exterior storage must be screened from public view by an opaque wall or fence. Any indoor storage, construction, alterations, or electrical or mechanical equipment used for the home occupation shall not change the fire rating of the structure or the fire district in which it is located. It is the intent of this chapter to eliminate as home occupations all uses except those that conform to the standards set forth in this chapter.

18.55.020 Terms and conditions.

A. Home occupations are a permitted accessory use in residential zoning districts only so long as all of the following conditions are observed:

1. Such occupation shall employ at least one person who resides within the residence;
2. No use shall require any internal or external alterations, include storage, involve construction features, or involve the use of any electrical or mechanical equipment that would change the fire rating of the structure or the fire district in which it is located;
3. All storage associated with the home occupation is encouraged to be located within the dwelling or its accessory structures. Any exterior storage shall be screened from public view by an opaque wall or fence (must be high enough to screen the storage area, with a maximum height of six feet);
4. No home occupation or use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, traffic or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the zoning district in question under normal circumstances wherein no home occupation exists;

5. Signs associated with a home occupation are limited to one attached sign (six square feet maximum sign area) and one detached sign, per street frontage (six square feet maximum sign area with a maximum height above grade of four feet). Such signs are to be constructed and colored to be complementary to the residence;
6. Sufficient area for the parking of three vehicles is to be provided.

18.55.030 Examples of qualifying uses.

The following are typical examples of uses which can be conducted within the limits of the restrictions established in this chapter and thereby qualify as a home occupation. Uses which may qualify as “home occupations” are not limited to those named in this section, nor does the listing of a use in this section automatically qualify it as a home occupation:

- A. Accountant;
- B. Architect;
- C. Artist;
- D. Attorney-at-law;
- E. Author;
- F. Barber, hair-styling;
- G. Consultant;
- H. Dress-making, alterations and tailoring;
- I. Individual musical instrument instruction;
- J. Individual tutoring;
- K. Insurance;
- L. Millinery;
- M. Mobile repair businesses (work completed off-site);
- N. Nail salon;
- O. Preserving and home cooking;
- P. Real estate sales.

18.55.040 Prohibited home occupations.

The following are uses that by the nature of the investment of operation have a tendency to sometimes increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the following shall not be permitted as home occupations:

- A. Automotive, RV and boat repair (minor or major), including body repair and painting;
- B. Dental, chiropractic and medical offices;
- C. Massage parlors

Chapter 18.60 GENERAL BUILDING AND DEVELOPMENT STANDARDS

Sections:

- 18.60.005 Purpose.
- 18.60.010 Use of lands, buildings and structures.
- 18.60.020 Accessory buildings, uses and equipment.
- 18.60.030 Setback and height encroachments, limitations and exceptions.
- 18.60.040 Handicapped accessibility.
- 18.60.050 Fences/walls.
- 18.60.060 Landscaping.
- 18.60.070 Screening.
- 18.60.080 Outdoor (exterior) storage requirements.
- 18.60.090 Parking.
- 18.60.100 Surfacing.
- 18.60.110 Driveway spacing.
- 18.60.120 Signs.
- 18.60.130 Factory-built modular homes, manufactured homes and mobile homes.
- 18.60.140 Manufactured home and recreational vehicle (RV) rental communities.
- 18.60.150 Environmental standards.

18.60.005 Purpose.

The purpose of this chapter is to establish general development standards. These standards are intended and designed to assure compatibility of uses; to prevent blight, deterioration and decay; and to enhance the health, safety and general welfare of the residents of the community.

18.60.010 Use of lands, buildings and structures.

A. Conformity with Minimum Lot Area Required. Upon adoption of this chapter, no land may be split or subdivided so as to have an area which is less than the minimum lot area for the zoning district in which it is located, except that, where the dedication of right-of-way or the placement of an access easement or public utility easement has the effect of reducing the lot size, the gross lot area, prior to the dedication or placement, shall be used in determining minimum lot area.

B. Conformity with Certain Use Designations Required. No building or structure or part thereof shall be erected, altered, or enlarged for a use, nor shall any existing building, structure or part thereof, or land, be used for a purpose or in a manner that is not in conformity with the uses listed as permitted uses for the zone in which such building, structure, or land is situated subject to the provisions of this title, except that any land, building or structure may be erected or used for a purpose listed as a conditional use in such zone; provided, that a conditional use permit therefor is secured in accordance with the provisions of this title.

Additionally, no new construction shall commence without first obtaining a zoning clearance from the Planning and Zoning Administrator.

C. Conformity with Height Limitations Required. No building, or part thereof, or structure shall be erected, reconstructed, or structurally altered to exceed in height the limit herein designated for the district in which such building is located, except as specified in TTC 18.60.030(F) or permitted as a variance.

D. Conformity with Yard and Setback Regulations Required. No building, or part thereof, or structure shall be erected, nor shall any existing building be altered, enlarged, or rebuilt or moved into any zone, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard and setback regulations designed for the zone in which such building or open space is located, except as specified in TTC 18.60.030(A) through (E) or as permitted as a variance.

E. Conformity with Flood Damage Prevention Required. All development within the Town shall conform to the provisions of TTC Title 14 as adopted and amended by the Town of Taylor.

F. Single Yard Not to Fulfill Requirement for Multiple Sites. No yard provided around any building for the purpose of complying with provisions of this title shall be considered providing a yard for any other building, and no yard for one building site shall be considered as providing a yard for a building on any other building site.

G. Recreational Vehicle Parking Restricted. No person shall park or occupy any recreational vehicle on the premises of any occupied dwelling or on any lot which is not a part of the premises of any occupied dwelling, either of which is situated outside of any approved manufactured home or recreational vehicle rental community, except that the parking of only one unoccupied recreational vehicle in any accessory private garage or in the rear or side yard in any district is permitted, providing no living quarters shall be maintained or any business practiced in the recreational vehicle while such recreational vehicle is so parked or stored; and except that, in the event of hardship, temporary use permits may be granted for occupying such recreational vehicle, under procedures established in TTC 18.75.090.

H. Truck Parking Restricted. In the R-1 and R-2 zones, only one commercial truck (with a rated capacity of one and one-half tons or more) shall be parked on any one developed lot. Additionally, the storage of construction equipment such as bulldozers, graders, cement mixers, dump trucks, etc., is prohibited in the R-1 and R-2 zones.

I. Dwelling Unit Restrictions. No cellar, garage, tent, basement with unfinished structure above, or accessory building or any recreational vehicle or nonrehabilitated mobile home outside of an approved manufactured home/recreational vehicle rental community development shall at any time be used as a dwelling unit, except that, in the event of hardship, temporary use permits may be granted for occupying such recreational vehicle or nonrehabilitated mobile home, under procedures established in TTC 18.75.090. The basement portion of a finished home may be used for normal living, eating, and sleeping purposes, provided it is properly damp-proofed and has suitable fire protection and exits.

18.60.020 Accessory buildings, uses and equipment.

A. General Consideration and Restrictions.

1. An accessory building shall be considered an integral part of the principal building if it is connected to the principal building by a roof.
2. Accessory buildings, uses or equipment shall not be stored or constructed between the front lot line and front building setback line.
3. Accessory buildings and garages in residential districts shall not exceed the height of the principal structure and shall not be located within a utility easement.
4. No accessory building for single-family homes shall occupy more than 25 percent of a rear yard area, except that garages may exceed the aforesaid maximum.
5. No accessory building or use shall be constructed or developed on a lot prior to the time of construction of the principal building to which it is accessory, except by a conditional use permit.
6. Accessory buildings in any business or industrial district may be located only to the rear of the principal building.
7. No accessory building in any business or industrial district shall exceed the height of the principal building except by conditional use permit.
8. Cargo Containers. The following development standards shall apply to all cargo containers:
 - (1) The cargo container(s) shall be constructed of steel or aluminum with a minimum 14 gauge thickness, except for a wood floor within the metal shell. Structural plans and calculations are not required.
 - (2) The cargo container(s) shall not exceed forty five feet (45') in length, eight feet (8') in width, and eight feet, six inches (8'6") in height.
 - (3) The cargo container(s) shall not have any factory built or field applied electrical, plumbing, heating, or air conditioning systems. Further, the cargo container(s) shall not be connected to a power system except as permitted by the building department.
 - (4) No fixtures, mechanicals, or equipment of any kind may be affixed to the cargo container, with the exception of a locking device.
 - (5) The cargo container(s) shall meet setback requirements of accessory buildings, shall be installed and maintained in a level and plumb condition with a maximum differential settlement to grade of two inches (2"). For long term use, the container must be placed on a permanent foundation.
 - (6) The cargo container(s) shall be a solid, flat, non-reflective neutral color. Cargo containers with a long term use permit must be painted a solid, flat, non-reflective color that matches the surrounding natural environment or buildings.
 - (7) No signage, lettering, text, or artwork may be placed on any cargo container except when located in a commercial zoning and is approved by the Planning and Zoning administration.
9. Mobile homes, camp trailers, truck campers, RV's, truck beds or trailers shall not be used as an accessory building or use.
10. Moved on sheds over 200 square feet require a building permit and shall conform to building codes in affect at the time of placement.

B. Covered Patios and Walkways. Covered patios, or roofs attached to the main building or connecting the main building with a detached accessory building, may extend into a required rear or side yard; provided, that portions of such structures extending into that yard:

1. Shall not exceed 12 feet in height or project closer than five feet to a side or rear lot line;
2. Shall be entirely open on at least three sides except for necessary supporting columns; except that a roof connecting a main building and an accessory building shall be open on two sides. Such covered patio or covered walkway shall be a maximum width equal to 10 percent of the connecting side of the accessory building. In cases where a connecting wall is less than 40 feet wide, however, a building permit applicant shall be allowed a maximum covered patio (or covered walkway) width of four feet.

C. Detached Structures.

1. A detached structure shall meet the setback requirements of the main building for the front yard area.

D. Swimming Pools. All private and semi-private swimming pools shall meet the following standards:

1. The pool and all structures housing appurtenances thereto shall be not less than five feet from the nearest property line except, however, that such pool or structure shall not be located between the front property line and the front building setback line;
2. Pool barriers shall comply with Arizona statutes and the provisions of the adopted building code.
3. The pool or mechanical equipment shall be located so as to minimize the noise and lessen the nuisance to nearby occupants of apartments and houses.

18.60.030 Setback and height encroachments, limitations and exceptions.

A. Setback Limitations. Setback requirements in any yard shall not apply to:

1. Posts (off-street); open parking spaces; sills; pilasters; lintels; cornices; eaves; gutters; awnings; open terraces; open canopies; flag poles; ornamental features; open fire escapes; sidewalks; street lights (only); traffic-control devices; fences and screening walls; landscaping (including trees, shrubs and plants); terraces; steps; exposed ramps (wheelchair); nameplate signs; air-conditioning and heating equipment; public utility equipment and structures; and stoops or similar features; provided, that placement of any of these structures is in compliance with the defined vision triangle and any other provision of this title.
2. Lighting of private property such as yard lights, floodlights, authorized lights, light standards, or other sources of light illumination for illuminating parking areas, loading areas, or yards for safety and security reasons; provided, that the direct source of light is not visible from the public right-of-way or adjacent residential property and conforms with the provisions of TTC 18.60.150.

- B. Miscellaneous Structure Setback Limitations. Porches, steps, balconies, stairways, wing walls, bay windows, eaves, awnings, chimneys and similar architectural features shall not extend any closer than three feet to any property line.
- C. Limitations in Side and Rear Yards.
1. Balconies eight feet above grade may extend into any yard to within five feet of a lot line, provided the balcony does not extend over any nonresidential driveway or street.
 2. Recreational equipment, picnic tables and apparatus needed for the operation of active and passive solar-energy systems are exempt from side and rear yard setback requirements; provided, that no such equipment or apparatus may extend over or onto any property line or public street or alley.
- D. Additional Limitations in Rear Yards. Covered but not enclosed porches, breezeways and detached outdoor living rooms may extend 20 feet into the rear yard but not closer than 10 feet from the rear lot line.
- E. Side and Rear Setbacks – Zero Lot-Line Provision. Subject to the regulations contained in the International Building Code and other applicable regulations, buildings may be excluded from side and rear setback requirements provided party walls are used and if the adjacent buildings are constructed as an integral unit and are approved subject to site plan review. This primarily pertains to Townhomes and condominium structures.
- F. Height Limitations.
1. Height limitations shall not apply to:
 - a. Church spires, belfries, cupolas and domes;
 - b. Monuments;
 - c. Chimneys and smokestacks;
 - d. Flag poles;
 - e. Amateur radio antennas, towers and support structures;
 - f. Parapet walls that extend no more than four feet above the limiting height of the building, except as hereinafter provided;
 - g. Solar-energy collectors and equipment used for the mounting or operation of such collectors.

(In all cases listed above heights may be limited by a safe fall zone radius, generally 110% of structure height measured in all directions from base)
 2. Places of public assembly in churches, schools, and other permitted public and semi-public buildings may exceed height limitations otherwise established by this title; provided, that the place of assembly is located on the ground floor of such buildings; and provided, that for each one foot by which the height of such buildings exceed the maximum height otherwise permitted in the zone, the side and rear yards of the structure shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the zone.

3. Elevator and stair penthouses, water tanks, monitors and scenery lofts may exceed the height limitations established in this title; provided, that no linear dimension of any such structure exceeds 50 percent of the corresponding street frontage line.

4. Towers and monuments, cooling towers, gas holders or other structures where the manufacturing process requires a greater height, grain elevators and silos are exempt from this title; provided, that any structure above the height otherwise permitted in the zone shall occupy no more than 25 percent of the area of the lot and shall be at least 25 feet from any lot line

18.60.040 Handicapped accessibility.

All new commercial, industrial and public developments (including buildings, structures, parking areas, etc.) shall comply with the requirements of the Americans with Disabilities Act of 1990. It shall be the sole responsibility of the developer and/or property owner to comply with the provisions of this Act.

18.60.050 Fences/walls.

A. Location Requirements. All fences shall be located entirely upon the private property of the persons, firms or corporations constructing or causing the construction of such fence unless the owner of the property adjoining agrees, in writing, that such fence may be erected on the division line of the respective properties.

B. Construction and Maintenance Requirements. Every fence shall be constructed in a substantial, workmanlike manner, and of substantial material reasonably suited for the purpose for which the fence is proposed to be used. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, damage, or unsightliness, or constitute a nuisance, public or private. Any such fence which is, or has become, dangerous to the public safety, health or welfare, or has become unsightly through improper maintenance or neglect is a public nuisance and the Planning and Planning and Zoning Administrator shall commence proper proceedings for the abatement thereof.

C. Placement Regulations.

1. Residential. Fences and walls in any residential zone (AG-2, R-1, and R-2) shall be constructed or installed within the following guidelines:

a. In any front or corner side yard, the fence or wall is limited to a maximum height of four feet.

b. In any rear yard, the fence or wall is limited to a maximum height of six feet.

c. In any side yard, the fence or wall is limited to a maximum height of six feet beginning at the required front yard setback line and extending to the rear property line. The height of any fence or wall located in any side yard that is within the required front setback area shall be limited to a height of four feet.

- d. In instances where a corner side yard and an adjacent front yard share a common boundary, all fences or walls along that boundary line are limited to a maximum height of four feet from the front of the dwelling unit (building face) to the front lot line.
 - e. Along any street corner, the fence or wall shall be limited to 30 inches in height within the defined vision triangle area.
2. Commercial/Industrial. Fences and walls in any commercial or industrial zoning district (COM, IND) shall be constructed or installed within the following guidelines:
- a. Fence/wall height shall be limited to eight feet, except when abutting any residential zone, development or use, in which case the maximum fence/wall height shall be six feet.
 - b. Walls or fences placed along any street frontage so as to be visible from the street shall be installed so as to have the finished elevation visible from the street.
 - c. Along any street corner, the fence or wall shall be limited to 30 inches in height within the defined vision triangle area.
- D. Installation Requirements.
- 1. In the R-1 and R-2 zoning districts all chain-link fences shall be installed so that the unfinished end is placed toward the ground.
 - 2. The use of barbed wire, concertina wire, or electrified fences is limited to the AG-2, COM and IND zoning districts only.

18.60.060 Landscaping.

All new developments within the COM and IND zoning districts, and all manufactured home and/or recreational vehicle rental communities, shall install a landscaped area having a width not less than 10 feet along any street frontage. The use of a mixture of trees, shrubs and ground cover vegetation is encouraged. The landscaping shall be privately maintained in perpetuity. A landscape buffer may be required from adjacent residential developments, subject to the site plan review process. Site landscaping may also be required, subject to the site plan review process.

18.60.070 Screening.

All commercial and industrial uses shall be screened from any adjacent residential use or development by an opaque wall/fence or landscape screen, of a type and height as deemed appropriate by the Town in consideration of the adjacent zones and land uses. It shall be the requirement of the commercial or industrial development to provide the screening prior to occupancy of the building or site.

18.60.080 Outdoor (exterior) storage requirements.

A. All utility substations, wells, storage facilities or other utilities shall be screened from view by an opaque wall or landscape screen, of a type and height as deemed appropriate by the Town in consideration of the adjacent zones and land uses.

B. All storage for commercial or industrial operations, regardless of the zoning district in which it is located, shall be conducted entirely within a completely enclosed building or within an area completely enclosed, except for access points, by an opaque wall or landscape screen, of a type and height as deemed appropriate by the Town in consideration of the adjacent zones and land uses.

C. Use of a landscape screen shall be allowed in lieu of a solid wall or fence when appropriate landscape material is used that will reach a one-year growth that would achieve a similar height.

18.60.090 Parking.

A. Parking shall be provided on the same lot as the use they are intended to serve (off-street). Parking shall be provided with adequate provisions for ingress and egress by standard-sized vehicles at the time of erection of any principal building, initiation of a principal use, or at the time properties or buildings are changed in use, altered, enlarged, converted, or there is an increase in capacity. Commercial and industrial parking areas are encouraged to be placed within the front yard area of the property, but must be designed so that all parking spaces are accessible within the property boundaries and so that no vehicle has to encroach upon any public or private right-of-way when exiting a parking stall.

B. Parking stalls shall be designed to the following dimensions:

1. Regular Parking Stalls.

- a. The minimum width of a parking stall shall be 10 feet.
- b. The depth shall be 19 feet if the stall is at an angle (45-degree, 60-degree, or 90-degree) to the drive aisle, and 23 feet deep if the stall is parallel to the aisle.

2. Handicapped Accessible Parking Stalls.

- a. The minimum width of a parking stall shall be 11 feet.
- b. A five-foot-wide access aisle shall run adjacent to all handicapped-accessible parking stalls. The access aisle may be "shared" between adjacent handicapped-accessible parking stalls.
- c. The depth shall be 19 feet if the stall is at an angle (45-degree, 60-degree, or 90-degree) to the drive aisle, and 23 feet deep if the stall is parallel to the aisle.
- d. Handicapped parking facilities shall be designed in accordance with the Americans with Disabilities Act and Arizona Revised Statutes.
- e. Five percent of provided parking spaces shall be designated and designed as handicapped-accessible.

C. Parking lot drive aisles shall meet the following criteria:

1. For 60-degree and 90-degree parking, drive aisles shall have a minimum width of 25 feet.
2. For 45-degree parking, drive aisles shall have a minimum width of 25 feet if designed for two-way traffic, and a minimum width of 20 feet if designed for one-way traffic.

D. Off-street parking shall be provided for each use on a lot based on the following:

USE	MINIMUM PARKING SPACES
1.	Residential Uses: a. Single-Family and Multifamily: 3 per dwelling unit (if on-street parking is available, only 2 per dwelling unit are required) b. Manufactured Home and RV Rental Communities: See TTC 18.60.140
2.	Public Assembly Uses: a. Schools: i. Elementary and Junior High: 1 per 400 square feet of floor area ii. High School and College: 1 per 200 square feet of floor area b. Churches: 1 per 250 square feet of floor area c. Auditoriums, Community Centers, and Other Places of Public Assembly: 1 per 250 square feet of floor area
3.	Commercial and Office: 1 per 250 square feet of floor area, plus 1 per 100 square feet of outdoor seating area, plus 1 per 3,000 square feet of outdoor display area
4.	Motels: 1.1 per room, plus spaces to meet the needs of any commercial, office or public assembly
5.	Hospitals, Nursing Homes and Similar Uses: 1 per bed, plus 1 per employee (maximum shift), 1 per 600 square feet of floor area, 1 per 900 square feet of floor area
6.	Industrial, Wholesale and Manufacturing: 1 per 600 square feet of floor area
7.	Warehouse and Storage: 1 per 900 square feet of floor area
8.	All other uses not listed above shall provide parking spaces as deemed necessary by the Town

18.60.100 Surfacing.

All interior driveways, parking areas, loading zones and interior drive or circulation areas associated with any multifamily development exceeding four dwelling units, and all commercial and industrial developments shall be treated with a dust-free surfacing, including, but not limited to, paving asphaltic concrete, concrete, gravel, etc. Specific surfacing requirements shall be decided by the Town council as part of the site plan review, conditional use permit or zone change processes.

18.60.110 Driveway spacing.

Except in the case of single-family, two-family, three-family, four-family and Townhouse developments, all driveways onto a public street shall meet the following minimum standards:

A. Drive accesses onto a public street shall have a minimum spacing of 150 feet (from centerline to centerline).

B. Drive accesses onto a public street shall have a minimum distance from any street intersection of 100 feet. Greater spacing may be required, subject to site plan review, depending on the proposed use, traffic generation, street classification, etc.

18.60.120 Signs.

A. The following signs are permitted in all zones and do not count towards other sign limitations listed below. The size, area, height, location and number criteria noted below shall be used for all signs having the same descriptive name, unless otherwise stated.

1. Nameplate signs indicating the resident's name, address and/or title, not to exceed two square feet in area or four feet in height above ground. Limited to one such sign per dwelling unit.

2. Address signs indicating the street address number, not to exceed one square foot in size or four feet in height above ground. Limited to one such sign per lot per street frontage.

3. On-site directional signs, not to exceed two square feet in area or three feet in height.

4. Window signs; provided, that no more than 25 percent of the window area is devoted to the sign, and that all such signs are affixed to the inside of the window.

5. Political signs: Political signs are permitted in the public right-of-way, subject to the following requirements:

a. Political signs in the right-of-way are allowed for a period not to exceed sixty (60) days prior to a special, primary or general election at the local or state level.

b. Political signs shall be removed no later than fifteen (15) days following a special or general election. Political signs for a candidate in the Primary Election who does not advance to the General Election shall be removed no later than fifteen (15) days following the primary election.

c. Political signs shall not exceed sixteen (16) square feet in an area zoned for residential use and thirty-two (32) square feet in any other location. The highest portion of the sign shall not exceed six (6) feet from the finished grade.

- d. All political signs placed in the right-of-way shall include the name and telephone number of the candidate or campaign committee contact person.
- e. Political signs may be placed on private property with the property owner's permission.
- f. A political sign shall not be placed in a location that is hazardous to public safety, obstructs clear vision in the area, or interferes with the requirements of the Americans with Disabilities Act.
- g. If the Town deems the improper placement of a political sign an emergency, the Town may immediately relocate or remove the sign. The Town shall notify the candidate or campaign committee who placed the sign within twenty-four hours after the relocation that the sign has been relocated or removed.
- h. If a political sign is placed in a location in violation of this ordinance, but is not deemed to constitute an emergency, the Town may notify the candidate or campaign committee who placed the sign of the violation. If the sign remains in violation at least twenty-four hours after the notification to the candidate or campaign committee, the Town may remove the sign. Town staff shall contact the candidate or campaign committee contact and shall retain the sign for at least ten (10) business days to allow the candidate or campaign committee to retrieve the sign without penalty.
- i. Political signs shall not be placed on or affixed to any utility pole, fence, tree or other vegetation, traffic control device, or safety barrier.
- j. The installation of political signs on any structure owned by the Town is prohibited.
- k. No sign permit is required.

6. Construction, real estate and subdivision signs; provided, that they are removed within 30 days after the sale, lease or completion of construction, per the following:

- a. Construction signs are not to exceed 32 square feet in size, six feet in height, nor more than one sign per street frontage.
- b. Real estate signs are not to exceed six square feet in size if the site is one acre in size or less, or 16 square feet in size if the site is larger than one acre. One real estate sign is allowed per lot, plus an additional sign for every 350 feet of street frontage. Real estate signs can advertise only the sale, lease or hire of the premises on which they are located.

- c. Subdivision signs are not to exceed 16 square feet in size and six feet in height. One subdivision sign may be located at each entrance to the subdivision, plus an additional sign for every 350 feet of street frontage.
 7. Governmental or public traffic-control, directional and information signs.
 8. Window and poster signs for special events; provided, that the sign is posted no earlier than four weeks prior to the event and is removed within 10 days of the event.
 9. Yard (garage) sale signs.
- B. Zone-Specific Sign Regulations. In addition to signs allowed in subsection (A) of this section, the following zone-specific signs are permitted:
1. Signs permitted in the AG-2 zoning district:
 - a. Nameplate, address, and directional signs.
 - b. Nonresidential use signs:
 - i. Bulletin boards for noncommercial organizations or institutions, limited to one per parcel and not exceeding 16 square feet in area, six feet in height (attached) or 10 feet in height (detached).
 - ii. Signs associated with agricultural uses, stables, roping arenas, rodeo grounds, etc. Signs are not to exceed 32 square feet in area or eight feet in height, and are limited to one per street frontage.
 - c. Home occupation signs, per Chapter 18.55 TTC.
 - d. Yard (garage) sale signs.
 2. Signs permitted in the R-1 and R-2 zoning districts:
 - a. Nameplate, address, and directional signs.
 - b. Home occupation signs, per Chapter 18.55 TTC.
 - c. Yard (garage) sale signs.
 3. Signs permitted in the COM and IND zoning districts:
 - a. Nameplate, address and directional signs.
 - b. Attached Signs. Limited to one sign per street frontage. The area for the sign shall be determined by allowing two square feet of sign area for every one foot of building frontage, with a maximum area of 150 square feet. Sign area may be divided between more than one tenant in a common building; but in no case shall the cumulative signs exceed the overall limitations stated above. Such signs shall not extend above the roof line, beyond the corner, or project more than one foot from the building to which they are mounted.
 - c. Detached Signs. Limited to one sign per street frontage. The area for the sign shall be determined by allowing one square foot of sign area for every one foot of lot frontage, with a maximum area of 150 square feet. The maximum height for a detached sign in the COM zone is 30 feet.
 - d. Comprehensive sign packages for commercial and industrial uses with standards and sign types differing from those listed above may be approved by the Town, subject to site plan review.

C. Signs Permitted in Manufactured Home and Recreational Vehicle Rental Communities.

1. Attached Signs. Not to exceed 16 square feet in area, or six feet in height, and limited to one per street frontage and shall be attached to the required screening wall.
2. Detached Signs. Not to exceed 24 square feet in area, eight feet in height, and limited to one per street frontage. Shall be designed as a monument-style sign.
3. Nameplate signs.
4. Directional signs.
5. Home occupation signs, per Chapter 18.55 TTC.
6. Yard (garage) sale signs.

D. General Sign Regulations.

1. No sign shall be installed or placed within the defined vision triangle.
2. All signs should be constructed, designed and colored so as to complement the development they are related to.
3. No sign shall be placed within any public utility easement or any street right-of-way (except for traffic-control signs and political signs as permitted in A-5 above).
4. Maintenance. All signs shall be cleaned and repainted, as necessary, and otherwise maintained to prevent and eliminate peeling, cracking, discoloration, covering with dirt or other material, and other similar problems caused by common weather conditions or vandalism. Cracked or broken sign faces and nonfunctioning interior lamps shall be repaired or replaced within 30 days of receipt of notification from the Town that a sign needs repair or other maintenance.
5. Lighting and Illumination. All lighted and/or illuminated signs shall be in conformance with TTC 18.60.150(B) and shall be placed so as to prevent glare or reflection from being cast on any adjoining residentially zoned or used property nor shall any beam or ray of light be directed at any portion of a public street, alley or other right-of-way. Streetlights, traffic-control devices and publicly installed lighting shall be exempted from this section.
Signs may be internally or externally illuminated, and in either case the source of illumination shall not be visible from public rights-of-way. In addition, all external illumination shall be directed so as to be directed downward, in keeping with the intent of lessening the impacts of light pollution.
Outlining of a building with lighting (including neon), or the use of Christmas lighting, shall not be considered a sign except when the lighting forms wording or a logo.

6. Measurement.

a. Area.

- i. The area of signs composed of individual fabricated or painted letters mounted directly on a building facade without painted or other background shall be computed by measuring the squared-off area of individual letters and adding 50 percent.
- ii. For all other types of signs, the area shall include the entire area within a single continuous perimeter enclosing the extreme limits of the sign.

iii. A spherical, double-faced or multi-faced sign shall be counted as one sign, and its measured area shall be the maximum surface which is visible from any single viewing position on or above ground.

b. Height. The vertical distance between the top of the curb or crown of the adjacent roadway and the top of the sign, including ornamentation.

7. Clearance. Any sign installed so as to span a doorway, alley, street or roadway shall be constructed so as to provide a minimum clearance to vehicular and pedestrian traffic.

E. Prohibited Signs.

1. Animated signs, or signs that emit sounds and substances, including message boards, are generally prohibited, except for revolving barber signs, time & temperature signs. Special application may be required if deemed necessary by the Planning and Zoning Administrator and approved by the Planning & Zoning Commission and Council.

2. Edge Treatment and Borders. Except for signs consisting of individual letters mounted against a non-differentiated surface, signs with no edge treatment or borders are prohibited.

3. Miscellaneous Signs and Posters. The tacking, painting, pasting, or otherwise affixing of signs or posters of a miscellaneous character, visible from the public roadway, on the walls of buildings, sheds, trees, fences, utility poles or other structures, or upon vehicles where such vehicles are used primarily as support for such signs, is prohibited.

4. Ingress, Egress and Access Obstructions. No sign shall be erected, relocated, or maintained such that it would prevent free ingress or egress from any door, window, or fire escape, nor shall any sign be attached to a standpipe or fire escape.

5. Intermittent, flashing and nuisance illumination is prohibited on any sign, except those which alternately flash time and temperature, and have a maximum face area not to exceed three square feet in area.

6. Obscene Signs. Statements, symbols and signs are prohibited which:

- a. Would be found by the average person applying contemporary state standards to appeal to the prurient interest;
- b. In a patently offensive way depict or describe sexual activity; and
- c. Lack serious literary, artistic, political or scientific value.

7. Obsolete Signs. Obsolete signs, and their supporting structures and frames, must be removed by the owner of the property within six months of the date of receipt of notification from the Town that the sign is obsolete.

8. Off-site signs, including billboards, except as otherwise noted in this title.

9. Signs on Natural Features. No sign may be erected or painted on or attached to any tree, rock or other natural feature, or to any fence post, or utility pole or structure.

10. Streets. No sign may be supported or project, in whole or in part, from within or overhang any street, alley, or other public right-of-way and no sign may be erected or maintained at or near any intersection of streets, alleys, or other public rights-of-way such that it would obstruct free and clear vision; or at any location where, by reason of its position, shape, color, or illumination, could interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or with any device mounted on a police or fire protection vehicle, or which makes use of the words "STOP," "LOOK," "DANGER" or any other word, phrase, symbol, or character such that it would interfere with, mislead, or confuse traffic.

F. State Regulations. Along all state highways, state regulations shall govern where they are more restrictive than those contained in this title.

G. Grand Opening and Special Event Signs. On-site, special attention-getting devices such as banners, pennants, spinners, displays and balloons under 35 square feet (one display per store front except with special use permit) are permitted provided that no such device be permitted that would in any way interfere with the safe and orderly flow of traffic or in any way present a danger to the public health, safety and welfare. (See vision triangle definition below)

H. Banners. Temporary use permits may be approved for banners announcing special events to hang across State Route 77, or any local street or highway, for a period of time not to exceed 21 days prior to the event, subject to Arizona Department of Transportation approval for any banners over State Route 77. Such banners must be removed within five days after the event.

18.60.121 Billboards

A. Billboards Permitted

1) New billboards:

New billboards as may be permitted by this Ordinance shall conform to the height, size, lighting, and spacing requirement prescribed by this Ordinance, as modified by the designation of any area of Special Control in which the billboard is located

2) Height: All billboards shall be no greater than 25 feet in height.

3) Size: All billboards shall conform in size to Arizona state highway regulations. All billboards shall be no greater than 150 square feet in area where frontage is under 300 feet. A billboard shall not exceed, in square feet, one-third of the total frontage linear footage of the property in question. Only one billboard shall be permitted on each face of billboard structure.

4) Lighting: no billboard shall be so illuminated that it:

Interferes with the safety of aircraft flight in the vicinity of the billboard. Interferes with the use and enjoyment of property of any adjacent land owners. Allows the illumination source to be directly visible from any right-of-way or adjoining property.

5) Spacing (All measurements shall be made parallel to the roadway between perpendiculars extended from the billboard locations in question.):

a) Non freeway federal-aid primary highways:

Within the limits of Our Town, no billboard shall be erected.

- b) Designated Scenic Roadsides: No billboards shall be permitted in areas designated as Scenic Roadsides.
- c) No billboards shall be permitted within 300 feet of other outdoor advertising on the same side of any portion of the roadway.
- i) Minimum Setbacks: All billboards and billboard structures must be located at least 100 feet from any property line and placed so as not to pose a visibility or other hazard to vehicular traffic in the vicinity of the sign subject to site conditions and road contour.
- ii) Areas of Special Control: Areas of Special Control established under Section D may have regulations more or less restrictive than those of this section, consistent with the character of the area of Special Control.

B. Billboards Prohibited

The following are expressly prohibited unless specifically stated otherwise in this Ordinance:

- a) Flashing Billboards: Off-premise billboards that include lights which flash, blink, or turn on and off intermittently, not including time and temperature signs.
- b) Glaring Billboards: Off-premise billboards employing direct, indirect, internal, flashing, or other illumination with light sources or reflectivity of such brightness that constitute a hazard to ground or air traffic or a nuisance, as determined by the Administrator.
- c) Inflatable Billboards and Objects: Including, but not limited to, balloons.
- d) Roof Billboards: Off-premise billboards which are erected or painted on a roof or which extend in height above the roofline of the building on which sign is erected.
- e) Simulated Traffic Signs and Obstructions: Any sign which may be confused with or obstruct the view of any authorized traffic sign or signal, obstruct the sight distance triangle at any street or highway intersection, or extend into the public right-of-way.

C. Exempted Signs

The following signs do not require permits or fee payments under Section 9 but must meet the other requirements of the Ordinance:

- a. Traffic control signs.
- b. Traffic flow informational signs.
- c. Directional signs.
- d. Temporary signs.
- e. Safety control signs.

D. Areas of special control

- 1) The Town Council, by Ordinance and following notice and hearing, may designate any of the following areas of Special Control:
 - a) Architectural, historic, or scenic areas or scenic roadsides.
 - b) Billboard plazas.
- 2) The Administrator, in consultation with the Planning and Zoning Commission, shall maintain and shall continually revise a zoning map of Our Town on which the Administrator shall indicate the boundaries of all designated Areas of Special Control.
- 3) Our Town Council shall adopt special regulations for billboards in areas of Special control which shall be consistent with the character of the area of special Control.

E. General design and construction standards

All billboards shall be designated, constructed, and maintained in accordance with the following standards:

All billboards shall comply with applicable provisions of the International Building Code and the electrical code of Our Town at all times.

All billboards regulated by this ordinance shall be constructed of permanent materials and shall be permanently attached to the ground, by direct attachment to a rigid wall, frame, or structure.

All billboards shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this code, at all times.

F. Non-conforming billboards

1. Continuance: Each non-conforming billboard and billboard structure shall be allowed to be displayed for three (3) years from the adoption of this ordinance, to provide a reasonable opportunity for the owner to benefit from the investment made in the billboard.

2. Removal: Non-conforming billboards and billboard structures shall be removed at the owner's or lessor's expense under the following circumstances:

- a) Not later than three (3) years from the date of the adoption of this ordinance, if not brought into compliance with this ordinance.
- b) The billboard is abandoned.
- c) The billboard becomes damaged or dilapidated to 50 % or more of its physical structure or economic value.

G. Permits administration and enforcement

a. Enforcement Officer: All administration and enforcement of this Ordinance shall be primarily implemented by the designated Code Enforcement Officer (the "Administrator") in the Our Town Department of Planning and Development. The Administrator shall have the responsibility and full authority to administer and enforce all provisions of this Ordinance, other than those provisions specifically reserved for the authority of Our Town Council or the Board of Zoning Appeals. However, other staff in the Department will also be prepared to enforce this Ordinance. Anyone who wishes to report a billboard that may be in violation of this Ordinance should do so to the Administrator.

b. Permit Procedure: All billboards, except as otherwise provided in Section 5 of this Ordinance, shall require a billboard permit prior to being constructed, reconstructed, moved, altered, placed, or repaired. Billboard permits shall be issued by the Administrator.

c. Permit Application: All applications for billboard permits for the erection or relocation of a billboard shall be submitted to the Administrator and shall contain or have attached at a minimum the following information in either written or graphic form:

- (1) Application date.
- (2) Name, address, and telephone number of the billboard owner and, if different, the owner of the land on which the billboard will be erected.
- (3) Address of the property where the billboard or billboard structure will be erected.
- (4) Signature(s) of the billboard owner and, if different, the owner of the land on which the billboard will be displayed.
- (5) Location of the billboard on the property in relation to public rights of way, lot lines, buildings, sidewalks, streets, zoning districts, other existing billboards, and intersections.
- (6) General description of structural design and construction materials.
- (7) Drawing(s) of the proposed billboard which shall contain specifications indicating height, perimeter, and area dimensions, means of support, methods of illumination if any, and any other significant aspect of the proposed billboard.
- (8) A boundary and sign survey showing the property and the proposed sign.
- (9) Certification(s) from licensed professional engineers that the soil surface is capable of sustaining the proposed load and that the electrical and structural strength of the proposed/actual sign is satisfactory.
- (10) Any other information requested by the Administrator in order to carry out the purpose and intent of these regulations.

d. Permit Fees: Each application for a billboard permit shall be accompanied by the applicable fees, which shall be established by the governing body of the Municipality from time to time.

e. Permit Application Completeness: Within five (5) working days of receiving an application for a billboard permit, the Administrator shall review it for completeness. If the Administrator finds that it is complete, the application shall then be processed. If the Administrator finds that it is incomplete, s/he shall, within such five (5) day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this Ordinance.

f. Permit Issuance/Denial Action: All billboard permits shall be dated and numbered in the order of their issuance. Within ten (10) working days of the submission of a complete application for a billboard permit, the Administrator shall either:

- (1) Issue the billboard permit, if the billboard that is the subject of the application conforms in every respect with the requirement of this Ordinance; or
- (2) Deny the billboard permit if the billboard that is subject of the application fails in any way to conform with the requirements of this Ordinance. In case of a rejection, the Administrator shall specify in the rejection the section or sections of the Ordinance or applicable plan with which the billboard is inconsistent.

g. Inspection Upon Completion: Any person installing, structurally altering, or relocating a billboard for which a permit has been issued shall notify the Administrator upon completion of the work. The Administrator shall then conduct an inspection within seven (7) working days. If the construction is complete and in full compliance with this ordinance and with the building and electrical codes, the Administrator shall affix to the billboard a permanent symbol identifying the billboard and the applicable permit by number or other reference. If the construction is substantially complete but not in full compliance with this Ordinance and applicable codes, the Administrator shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If the construction is then complete, the Administrator shall affix to the billboard the permanent symbol described above.

h. Lapses of Billboard Permit: A billboard permit shall lapse if the billboard is an abandoned billboard, or if the permittee's business license lapses, is revoked, or is not renewed. A billboard permit shall lapse if the use of the billboard is discontinued for a period of one hundred eighty (180) days or more. A billboard that was constructed or maintained in conformance with a permit under this Ordinance, but for which the permit has lapsed, shall be in violation of the Ordinance.

i. Assignment of the Billboard Permit: A current and valid billboard permit shall be freely assignable to a successor, as owner of the property where the billboard is located or of the leasehold of the billboard, subject to filing such application as the Administrator may require and paying any applicable fee. The assignment shall be accomplished by filing and shall not require approval.

j. Violations: The Administrator, upon finding that any provision of this Ordinance or any condition of a permit issued under this Ordinance is being violated, is authorized to institute legal proceedings to enjoin violations of this Ordinance.

k. Complaints and Revocations: The Administrator shall investigate any complaints of violations of this Ordinance and may revoke a permit if there is any violation of the provisions of this Ordinance or there was misrepresentation of any material facts in either the application or plans.

l. Appeal Procedure: Any person applying for a billboard permit who is denied a permit or disagrees with any ruling by the Administrator may appeal to the City Council. The City Council may review or over turn the ruling, but may not issue a billboard permit. The findings of the City Council are then remitted back to the Administrator.

m. Business Tax: All new and existing billboards subject to this Ordinance shall be taxed at a rate to be established by the governing body of the Municipality, not to exceed two percent of the gross annual revenue produced by the billboard.

n. Expiration of Billboard Permits: If an approved billboard is not erected within a period of 12 months from the date the permit was originally issued, the permit shall expire and become null and void.

o. Fines: A person who violates the provisions of this Ordinance or the conditions of a permit shall be guilty of a civil violation. Each day of the violation constitutes a separate offense subject to a \$100.00 fine. Such persons shall also be liable for court costs and reasonable attorney fees incurred by the local jurisdiction.

p. Illegal Billboards: The Administrator may remove or order the removal at the expense of the billboard owner or lessor of any illegal billboard and any billboard, other than a non-conforming billboard governed by Section 8, not in compliance with the provisions of this Ordinance.

q. Immediate Peril: If the Administrator shall find any billboard which poses an immediate peril to persons or property, the billboard shall be removed. If the Administrator cannot locate the billboard owner or lessor for immediate removal of the billboard, he shall remove or order the removal of the billboard at the expense of the billboard owner or lessor.

H. Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

I. Protection of first amendment rights

Any billboard, display, or device allowed under this Ordinance may contain, in lieu of any other copy, any otherwise lawful, noncommercial message, including any political message, that does not direct attention to a business operated for profit or to a commodity or service for sale, and that complies with all other requirements of this Ordinance.

18.60.130 Factory-built modular homes, manufactured homes and mobile homes.

All factory-built modular homes, manufactured homes, and rehabilitated mobile homes (as defined in this title) that are placed within the Town, or relocated within the Town, shall be subject to the following provisions (in addition to the provisions of the applicable zoning district):

A. Placement Standards.

1. Factory-Built Modular Homes.

a. The tongue is to be removed.

b. All factory-built modular homes shall be similar to site-built homes in design and construction, and shall be constructed to the requirements of the International Building Code (IBC).

c. All factory-built modular homes are to be permanently installed on a privately owned, non-rental site or lot of record outside of a manufactured home rental community (park) where the land and the factory-built modular home to be installed thereon are held in common ownership.

d. All factory-built modular homes are to be securely anchored to a permanent foundation constructed of reinforced masonry or concrete acceptable to the Town.

e. Standard skirting shall be provided around the entire perimeter of the home, between the home and the ground. A stem-wall shall be deemed an appropriate skirting, provided it completely encloses the home between the home and the ground (excluding door-access to the crawl space).

f. Factory-built modular homes are encouraged to be placed so that the orientation of the wide side of the home is parallel to the front lot line. In addition, the use of pitched roofs, nonmetal roofing material (such as tiles) and finished exterior (nonmetal) is also encouraged.

g. Placement of all factory-built modular homes shall be subject to issuance of an installation permit and/or any related building permits.

2. Manufactured Homes and Rehabilitated Mobile Homes.

a. The tongue is to be removed.

b. All manufactured or rehabilitated mobile homes are to be securely anchored to a pad acceptable to the Town, preferably a concrete pad.

c. All homes must have masonry skirting on approved foundation with mortared joints, or other Town approved product. The building department will have a list of approved products and may accept submittals for approval. (OSB and loosely attached vinyl products will not be accepted)

d. Manufactured homes are encouraged to be placed so that the orientation of the wide side of the home is parallel to the front lot line. In addition, the use of pitched roofs, nonmetal roofing materials (such as tiles) and finished exteriors (nonmetal) is also encouraged.

e. Placement of all manufactured homes and rehabilitated mobile homes shall be subject to issuance of an installation permit and/or any related building permits.

f. All homes must be set as low as possible with a maximum of 30 inches from the bottom of the floor joists to the land-bearing surface.

- g. In all home installations the bottom of the floor joists shall be a minimum of eight inches above finished grade at all points and shall be in compliance with the provisions of this code relating to floor damage prevention.
 - h. All homes are to have porches or decks (covered or uncovered) that meet the current code of the Town. These porches must be compatible with the dwellings in the area and must be a minimum of 32 square feet (four by eight feet). Porches and decks are required for primary entries with a minimum of one front and one back.
 - i. All homes with a standard roof pitch will have eaves of six inches or greater. Manufactured homes with Spanish-style architecture will be exempt from this eave requirement.
 - j. If a garage, carport or room addition is constructed, the external material and roofing used on the garage, carport or addition shall be the same as or as near as practicable to the same as the external material and roofing of the home.
 - k. All homes must have a roof pitch of not less than three inches of vertical rise for each 12 inches of horizontal run. Roofing materials shall be shingles or other materials customarily used for conventional dwellings and approved by the Planning and Planning and Zoning Administrator.
 - l. The homeowner(s) must file an affidavit or affixture to cause the home to become real property.
 - m. Pre-owned manufactured homes relocated to a new location must be in a "like new" condition, including, but not limited to, no significant mars or defects in roofing, siding, paint or other components and no missing parts. If the Planning and Planning and Zoning Administrator determines repairs need to be made on a relocated manufactured home, a certificate of occupancy shall not be issued until said repairs are completed. All repairs must be completed within 60 days of relocation of the manufactured home.
- B. Mobile Home Requirements.** Prior to placement or relocation of any structure meeting the definition of a mobile home within the Town of Taylor, the mobile home is to be rehabilitated to the following standards:
- 1. Rehabilitation Standards.
 - a. Gas Appliance Compartments. The walls, ceilings and doors of each compartment containing a gas-fired furnace or water heater shall be lined with five-eighths-inch gypsum board, unless the door opens to the exterior of the mobile home in which case the door may be all metal construction. All exterior compartments shall seal to the interior of the mobile home.
 - b. Emergency Escape. Each room designated expressly for sleeping purposes shall have an exterior exit door or at least one outside egress window or other approved exit device with:
 - i. A minimum clear height and width dimension of 22 inches.
 - ii. A minimum clear opening of five square feet.
 - iii. The bottom of the exit shall not be more than 36 inches above the floor.
 - c. Electrical Systems. All electrical systems shall be:
 - i. Tested for continuity to ensure that all metallic parts are properly bonded.

- ii. Tested for operation to demonstrate that all equipment is in working order.
 - iii. Given a polarity check to determine proper connections.
 - iv. Protected for the required amperage load.
 - v. If the unit wiring is of aluminum conductors, all receptacles and switches rated 20 amperes or less directly connected to aluminum conductors shall be marked CO/ALR.
 - vi. All 125-volt, single phase, 15- or 20-ampere receptacles installed in bathrooms or within six feet of a kitchen sink and above a counter top surface shall have a ground-fault circuit interrupter protection.
 - vii. Exterior receptacles, other than heat tape receptacles, shall be of the ground-fault circuit-interrupter type.
 - viii. Conductors of dissimilar metals (copper/aluminum or copper clad aluminum) shall be connected in accordance with NEC 110-14.
- d. Smoke Detectors. All mobile homes shall have smoke detectors installed, per the following:
- i. The detector may be a single-station alarm device. It shall be installed on any wall in a hallway, or if installed in a space connecting bedroom areas and the living area, it shall be installed on the living area side of the space.
 - ii. When located in a hallway, the detector shall be placed between the return air intake and the living area.
 - iii. The smoke detector shall be installed in accordance with its listing.
 - iv. When located on a wall, the top of the detector shall be placed between four and 12 inches from the ceiling.
 - v. The detector may be battery powered. If connected to electrical service, it shall be connected into a general electrical branch circuit through an electrical outlet box by a permanent wiring method, without any switch between the detector and the over-current protection device (circuit breaker or fuse).
- e. Gas Piping Systems. The gas piping system shall be tested as follows:
- i. Pressure shall be measured with a mercury manometer or a gauge calibrated so as to read pressure in increments of not greater than one-tenth pound or equivalent.
 - ii. The source of normal operating pressure shall be isolated before the pressure test is made.
 - iii. Gas piping shall be tested with the appliance flex piping disconnected and capped. The piping shall withstand a pressure of at least six inches of mercury, or three psi, for a period of not less than 10 minutes without showing any drop in pressure.
 - iv. After the appliance connections are reinstalled, the piping system and connections shall be tested with a line pressure of not less than 10 inches nor more than 14 inches water column air pressure. The appliance connections shall be tested for leakage with soapy water or bubble solution.

- f. Gas Appliance Venting. All gas furnaces and water heaters shall be vented to the exterior in accordance with the International Mechanical Code.
2. Location Requirements. A rehabilitated mobile home shall only be located within an approved manufactured home rental community.
3. Placement Standards. The placement standards for rehabilitated mobile homes are noted in subsection (A)(2) of this section.
4. Occupancy of a Mobile Home and Connection to Utilities. No non-rehabilitated mobile home shall be occupied until a zoning clearance has been issued. No connection to any utility (water, electric, sewer or septic, etc.) will be granted for a mobile home until such time as it has been rehabilitated and granted a zoning clearance by the Planning and Zoning Administrator (unless approved as a temporary use permit). Proof of rehabilitation shall be by an inspection by the Town or by certification of a licensed contractor.

18.60.140 Manufactured home and recreational vehicle (RV) rental communities.

The development of all manufactured home and recreational vehicle (RV) rental communities shall be to the following standards:

- A. Development of a manufactured home or recreational vehicle rental community shall be subject to the conditional use permit and site plan review processes noted in Chapter 18.75 TTC.
- B. Screening. The perimeter (except access points) of all manufactured home and recreational vehicle rental communities shall be enclosed and screened with a six-foot to eight-foot-high opaque screening wall. Suggested materials are block, wood and chain-link with slats, along with the use of plant material.
- C. Surfacing. All interior streets, drive and parking areas are to be treated with a dust-free surfacing, and shall be privately maintained.
- D. Roadway Standards. All interior, two-way drives are to have a minimum width of 25 feet (plus parking area, if on-street parking is provided adjacent to lot). One-way drives are to have a minimum width of 20 feet. Driveways onto adjacent public streets are to have a minimum width of 25 feet.
- E. Landscaping. All manufactured home and recreational vehicle rental communities shall maintain a 10-foot-wide (minimum) landscaped area along any adjacent public street frontage, between the edge of right-of-way and the perimeter fence. Landscaping shall be privately maintained.
- F. Minimum area required for a manufactured home or recreational vehicle rental community is two acres.
- G. Minimum lot (space) area within a manufactured home or recreational vehicle rental community for a:
 1. Manufactured or rehabilitated mobile home is 4,000 square feet.
 2. Recreational vehicle is 3,000 square feet.
- H. Setbacks within a manufactured home or recreational vehicle rental community are as follows:
 1. Perimeter Setback. All manufactured and rehabilitated mobile homes, recreational vehicles and other accessory structures are to maintain a 10-foot minimum setback from the perimeter boundary of the manufactured home or recreational vehicle rental community.

2. All manufactured and rehabilitated mobile homes, recreational vehicles, and their accessory structures are to maintain a minimum distance from any interior lot (space) line of five feet. Sufficient front/corner side yard area should be maintained to allow for the parking of at least one vehicle as required in this section.

3. All manufactured and rehabilitated mobile homes, recreational vehicles, and their accessory structures are to maintain a minimum separation of 10 feet.

I. Parking. Parking within a manufactured home or recreational vehicle rental community is to be provided at the ratio of two parking spaces per lot (space), and at least one of those parking spaces shall be provided within each lot (space) area.

Parking areas within a manufactured home or recreational vehicle rental community, but not included on a lot, are to be plainly marked for resident/guest parking.

J. Signs. Sign requirements for manufactured home and recreational vehicle rental communities are listed in TTC 18.60.120(C).

K. Placement of a manufactured or rehabilitated mobile home on lots (spaces) designed or designated for recreational vehicle placement shall be prohibited.

L. Temporary/seasonal placement of recreational vehicles on lots (spaces) designed or designated for manufactured homes is allowed within an approved manufactured home rental community; provided, that no more than 25 percent of the lots within a manufactured home rental community development are used for RV placement.

M. Placement of Manufactured Homes. All manufactured homes, rehabilitated mobile homes and/or recreational vehicles placed within a manufactured home or recreational vehicle rental community shall meet the guidelines listed below:

1. No occupancy of any manufactured or rehabilitated mobile home, nor of any recreational vehicle, is allowed until the unit is connected to an approved water system, and to a public sewer or other sanitary sewer facility deemed appropriate by the Town. Installation of a septic or other private system will require the submittal and attestation (by a certified professional engineer) that the soils are acceptable for the system and that the system will not adversely affect adjacent properties or their development potential.

2. No manufactured, mobile, or modular home, or any RV, may be parked on a roadway for more than 48 hours.

3. No abandoned, burned or wrecked manufactured or mobile home, or RV, may be kept within a manufactured home or recreational vehicle rental community for more than 30 days.

4. Each manufactured or rehabilitated mobile home must bear an insignia which attests that the construction of the dwelling unit meets regulation A 119.1 of the American National Standards Institute (adopted by the U.S. Department of Housing and Urban Development) or has been rehabilitated to the standards listed in TTC 18.60.130.

5. Standard skirting must be provided around the entire perimeter of the manufactured or rehabilitated mobile home between the bottom of the body of the dwelling unit and the ground.

6. Each manufactured or rehabilitated mobile home must be securely anchored to a permanent concrete pad acceptable to the Town.

7. There shall be no exposed outdoor storage of furniture (except lawn furniture), household goods, appliances, tools, equipment, building materials or supplies, inoperable vehicles or boats.

8. In addition to the above, placement of a manufactured or rehabilitated mobile home shall meet the requirements of TTC 18.60.130(A)(2).

18.60.150 Environmental standards.

A. Air.

1. No emission of smoke from any source may be permitted to exceed a greater density than the density described as Number 1 on the Ringelmann Chart. However, smoke may be emitted which is equal to, but not greater than, Number 2 on the Ringelmann Chart, for a period of time not to exceed four minutes in any eight-minute period. AU measurements shall be taken from the point of emission of the smoke.

2. No emission of fly ash, dust, fumes, vapors, gases or other forms of air pollution are permitted which may be injurious to humans, animals, vegetation or other forms of property, or which can cause excessive soiling or staining of materials.

B. Outdoor Lighting, Glare and Heat.

1. Any lighting used to illuminate an off-street parking area, sign, or other structure, or to provide security lighting, shall be arranged so as to deflect light away from any adjoining residential zone or use and from any public street.

2. All lighting used to illuminate an off-street parking area, sign, or other structure, or to provide security lighting, shall be shielded so that the light is directed downward, and so that the source of illumination (exceeding 150 watts) is not visible from any public street.

3. Activities producing intense glare or heat shall be performed within completely enclosed buildings in such manner as to avoid creating a nuisance or hazard beyond the property line of the property on which it is occurring.

C. Noise. The emission of noise from any use shall be in compliance with adopted Town standards and regulations.

D. Radioactive Materials. The use of radioactive materials in any manufacturing activity, medical diagnosis and therapy, educational use, or industrial research and development shall conform to regulations of the Arizona Atomic Energy Commission in regard to sources of ionization, radiation and radioactive materials, and to any other Town, county, state or federal regulation.

Chapter 18.63 FARM ANIMAL REGULATIONS

18.63.010 Purpose and scope

The purpose of this is to provide rules and regulations for the keeping of agricultural animals, household pets and other animals so that these animals do not become a nuisance, hazard, and/or health problem to the adjoining neighbors and the general public. Open range provisions apply only outside city and Town limits (See ARS 3-1421-1428)

18.63.020 Agricultural animals

No agricultural animal/livestock shall be kept, maintained or stabled on any lot less than 15,000 square feet, except for those developments previously approved by the council. On parcels of 15,000 square feet or more, livestock shall be permitted in the R-1, R-2(Single Family Only), AG-1 and AG-2 Zoning Districts and shall be subject to the following provisions.

1. One animal unit is equivalent to one (1) large livestock animal, five (5) medium livestock animals or ten (10) small livestock animals/fowl as defined in this ordinance. The number of animal units permitted is established in the table below.

Permitted Animal Units in Residential Districts

Square Footage of Residential Lot	Number of Animal Units Permitted
15,000 square feet to 29,999 square feet	1
30,000 square feet to 39,999 square feet	2
40,000 square feet to 43,559 square feet	3
43,560 square feet (1 acre) or larger	4
One (1) additional animal unit is permitted for each 3,000 square feet in excess of one acre (43,560 sf).	
Offspring (under the age of 6 months) of animals on-site, do not count towards the number of permitted animal units	
Animals used for educational purposes as stated in 18.63.060 do not count towards the number of permitted animal units.	

2. The area used for grazing, exercising or training of said animals shall be securely fenced to prevent the animals from straying, or a suitable restraint shall be provided to prevent straying. For lots less than one (1) acre in size, no confinement area shall be located in the front yard, and the grazing of livestock shall be limited to the side and rear yards.
3. Fencing shall be required for all agricultural animals and shall consist of a view or partial view type fence, pipe sufficient height to restrain the animals(s). Such fence or wall shall be maintained and kept in a sound condition at all times.

4. Where permitted by this Ordinance, private stables for the housing of agricultural animals shall be constructed so as to facilitate maintenance in a clean and sanitary condition.
5. Where permitted, stables used for the keeping of agricultural animals shall be located behind the front face plane of the principal building or structure. Stables shall be set back a minimum of three (3) feet from all other property lines. Stables shall not exceed the height regulations of the zoning district in which they are located. Where allowed to be located within the setbacks, stable height shall not exceed fifteen (15) feet. Any structure 200 square feet or larger is required to obtain a building permit as established in this Zoning Ordinance.
6. Corrals, or yards areas used for the keeping of agricultural animals on lots less than one acre shall be located within the rear half of the lot (or side yard) or parcel and shall be enclosed by a view or partial view-type fence, pipe rail or other similar fencing material, or wall of sufficient height to restrain the animal(s). Such fence or wall shall be maintained and kept in a sound condition at all times.
7. Animal wastes shall be stored at least twenty (20) feet from any property line, open space, drainage channel or surface waters and shall not violate the health and sanitation provisions of the Town Code and Navajo County's Health Code.

18.63.030 HOUSEHOLD PETS (See Title 6 as well)

1. In all zones, a maximum of six (6) dogs shall be permitted.
2. In all zones, a maximum of six (6) cats shall be allowed to be kept outside of the residence.
3. The requirements of this subsection shall not apply to those small animals kept within a residence including fish, cats, small birds (parakeets, parrots), rodents (mice, rats), and reptiles (non-poisonous snakes, lizards).
4. Dogs confined in kennels shall not be kept closer than twenty feet (20') from the nearest principal residential structure on an adjacent property. Such permission may be revoked at any time. Upon revocation, the owner of the animal(s) shall have thirty (30) days to move the animal(s) so that compliance is achieved. All agreeing parties shall have their signatures notarized.

18.63.040 KENNELS.

Facilities for the boarding of all dogs and other household pets shall conform to the following:

1. No shelter or building used for boarding of said animals or the storage of feed and supplies shall be located closer than thirty (30) feet from any property line.
2. A conditional use permit is required for commercial boarding and kennel facilities.
3. Animal wastes shall not be stored any closer than fifty (50) feet from any property line, open space, drainage channel or surface waters.
4. The area used for grazing, exercising or training of said animals shall be securely fenced to prevent the animals from straying or a suitable restraint shall be provided to prevent straying.

18.63.050 ANIMAL HUSBANDRY.

Offspring (less than six (6) months of age) of animals on-site are not counted toward the number of permitted animal units.

18.63.060 ANIMAL HUSBANDRY FOR EDUCATIONAL PURPOSES.

1. Any agricultural/livestock activity or project conducted primarily for educational purposes (i.e. Future Farmers of America (FFA), 4-H), or school credits, are permitted. HOA limitations may be applicable.
2. Under this provision, animals utilized in projects are not counted toward the number of permitted animal units. Animals may include swine. The following criteria shall be met:
 - a) Active membership must be maintained and verification of such may be required upon request.
 - b) A sign designating a given member (i.e. 4-H or FFA) is in residence must be posted on the property at all times any such project or activity is in progress.

ANIMAL UNIT Represents the unit of measurement utilized as the basis for determining the number of agricultural animals permitted in residential districts on lots 15,000 square feet and larger. An animal unit consists of: one large livestock animal (e.g. a weaned beef animal over six months of age, or horse, llama, alpaca, mule, burro, ostrich or similar animals (swine are only permitted as part of an educational project), 4 Medium animals (e.g. sheep, goats etc.) or, ten (10) small livestock animals or fowl, (e.g. rabbits, ducks, chickens, geese, or similar animals or fowl (excluding pea fowl and roosters).

Chapter 18.65
NONCONFORMING (“GRANDFATHERED”) USES

Sections:

- 18.65.010 General.
- 18.65.020 Applicability to existing lots.

18.65.010 General.

- A. Any structure or use lawfully existing upon the effective date of the ordinance codified in this title may be continued at the size and in the manner of operation existing upon such date except as hereinafter specified.
- B. The right to operate and maintain a nonconforming use shall terminate when the structure(s) housing such use are removed, razed or remodeled to the extent of 50 percent of the fair market value of the structure as determined by the last equalized assessment roll of the county, unless such condition was created as described in subsection (D) of this section.
- C. When any lawful and nonconforming use of any structure or land in any district has been changed to a conforming use, it shall not hereafter be changed to any nonconforming use.
- D. Whenever a lawful nonconforming use of a building or structure has been damaged by fire, flood, explosion, earthquake, war, riot or act of God to an extent greater than 50 percent of its fair market value, as determined by the last equalized assessment roll of the county, it shall not be reconstructed, but such property shall revert to a conforming use.
- E. Whenever a lawful nonconforming use of a building, structure or land is discontinued for a period of 3 years (three years), any future use of the building, structure or land shall be in conformity with the provisions of this title.
- F. Normal maintenance of a building or structure containing or related to a lawful nonconforming use is permitted, including necessary structural repairs, provided such repairs do not enlarge or intensify the nonconforming use.
- G. A lawful nonconforming use shall not be changed except in conformance with the use requirements of the zone in which it is located.
- H. Alterations may be made to a structure or building containing a lawful nonconforming residential units when they will improve the livability thereof, providing that the alterations will not increase the number of dwelling units.
- I. An existing single section manufactured home may be replaced with a single section manufactured home provided the following conditions are met:
 - 1) Home date of manufacture 25 years old or newer.
 - 2) Site setbacks are met.
 - 3) Home siding is not metal and is in like new condition.
 - 4) All other conditions set forth in Section 18.60.130 are met.
- J. Applicability to Conditional Uses. Any use that the Town may allow as a conditional use, existing at the time this title or any amendments thereto become effective, shall be considered a nonconforming use unless such use has been established as a conditional use as provided for in this title

18.65.020 Applicability to existing lots.

At the time of enactment of the ordinance codified in this title, if any lot or parcel does not conform to the dimensional requirements (minimum width, depth, or frontage) of the zoning district in which it is placed, it shall nonetheless be used as a building site. The dimensional requirements of the district in which the piece of land is located may be reduced by an amount proportionate to the amount that the lot is undersized. Any additional reduction in setback or area requirement shall be subject to the variance procedures as provided for in this title.

Chapter 18.70 ADMINISTRATION

Sections:

- 18.70.010 General.
- 18.70.020 Planning and Planning and Zoning Administrator.
- 18.70.030 Board of Adjustment.
- 18.70.040 Planning and Zoning Commission.

18.70.010 General.

The following will have primary responsibility of administering this title as established and described in this title:

- A. Planning and Planning and Zoning Administrator.
- B. Board of Adjustment.
- C. Town council.

18.70.020 Planning and Planning and Zoning Administrator.

A. The staff position of Planning and Planning and Zoning Administrator shall be and is established for the general and specific administration of this title. The Town manager shall serve as the Planning and Planning and Zoning Administrator, but may delegate such duties as noted in subsection (B) of this section. If the duties are delegated, the Planning and Planning and Zoning Administrator shall perform such duties as set forth in this title under the direction of the Town manager.

B. Duties. It shall be the responsibility of the Planning and Zoning Administrator to perform the following duties:

1. To receive, process, record and administer all requests for approvals and permits, as governed by this title;
2. To advise and recommend to the Town council and the Board of Adjustment regarding requests for approvals and permits as required by this title;
3. To direct such inspections, observations and analyses of any and all erection, construction, reconstruction, alteration, repair or use of buildings, structures or land within the Town relating to the regulations and restrictions as set forth by this title;
4. To take action as is necessary for the enforcement of this title relating to violations of the regulations and restrictions;
5. To pass upon all building permits to determine if the proposed construction, remodeling or alterations are in conformity with the provisions of this title, and in particular that any intended use is in conformance with the zoning district in which it is intended to be located;
6. To determine and make decisions regarding zoning clearances as provided for in this title;
7. To make decisions regarding temporary use permits as provided for in this title.

C. At the Planning and Planning and Zoning Administrator's discretion, any matter being considered for action by the Planning and Planning and Zoning Administrator may be referred to the Town council for decision.

18.70.030 Board of Adjustment.

A. Board of Adjustment Established. In accordance with A.R.S. section 9-462.06, the Taylor Town council shall be designated to serve as the Board of Adjustment until such time as a Board of Adjustment is appointed.

B. Adoption of Rules to Govern Meetings. The Board of Adjustment shall adopt bylaws and rules governing its organization and meetings, and the bylaws shall not be inconsistent with the ordinances of the Town and the laws of the state. It shall be the duty of the chairperson to call a meeting of the board to pass upon and determine all variances and appeals and all matters upon which it is the duty of the board to act. The board shall meet at any other times as it may prescribe in its rules. The chairperson of the board, or in his/her absence the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of all its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of other artificial actions, all of which shall be immediately filed in the offices of the Town clerk and shall be of public record.

C. Appeals. Appeals to the Board of Adjustment may be taken by any person, or by any officer, department, board, commission, the council or of the Town aggrieved or affected by the decision of the Planning and Zoning Commission regarding the appeal of decisions or interoperations made by the Planning and Planning and Zoning Administrator. Such appeal shall be taken within 30 days of the aggrievement by filing with the Planning and Planning and Zoning Administrator and the board a notice of appeal specifying the grounds thereof. The Planning and Planning and Zoning Administrator shall immediately transmit all records concerning the grievance to the board. Failure to appeal a decision within 30 days shall deem a decision final. Procedures outlining an appeal to the Board of Adjustment are outlined in TTC 18.75.100.

D. Stays of Proceedings. An appeal suspends the action taken and stays all proceedings in the matter, unless the Town certifies that a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed except by restraining order as injunctive relief granted by a court of record on application and notice to the Town. Proceedings shall not be stayed if the appeal requests relief which has previously been denied except pursuant to a special action in superior court.

E. Duties. It shall be the responsibility of the Board of Adjustment to perform the following duties:

1. To hear and decide appeals of the Planning and Zoning Commission decision in which it is alleged there is an error in an order, requirement, decision or determination made by the Planning and Planning and Zoning Administrator in the enforcement of this title or of any ordinance adopted pursuant to the ordinance codified in this title;

2. To reverse or affirm, wholly or in part, or modify the order, requirement or decision of the Planning and Zoning Commission appealed from, and make such order, requirement, decision or determination as necessary;

3. To vary the strict application of this title in the case of a narrow, irregular, shallow or steep lot, or in relation to other physical condition applying to a lot or building, that enforcing a strict application of this title would result in practical difficulty or unnecessary hardship that would deprive the owner of the land the reasonable use of the land or building involved. Any such variance granted shall be granted according to the requirements and procedures established by this title.

Variations may be granted only for hardships related to the physical characteristics of land. Variations to this title related to permitted, accessory and/or conditional uses in any use (zoning) district shall not be allowed. No variance in the strict application of any provision of this title shall be granted unless:

- a. Special circumstances or conditions fully described in the board's findings are peculiar to the land or building for which the variance is sought, and do not apply generally to land or buildings in the neighborhood and have not resulted from any act of the applicant subsequent to the adoption of the ordinance codified in this title;
 - b. For reasons fully set forth in the board's finding, the circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant the reasonable use of the land or building, the granting of a variance is necessary for the reasonable use thereof and the variance as granted is the minimum variance that will accomplish this purpose;
 - c. The granting of the variance is in harmony with the general purpose and intent of this title and will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
4. To grant exceptions and variations upon request when, after a showing that an illegal construction or a nonconforming building or use existed for a period of at least five years in violation of the ordinance codified in this title after adoption, and the Town, with knowledge of the existence of the condition, has not taken any steps toward elimination of the violations.

18.70.040 Planning and Zoning Commission.

A. Planning and Zoning Commission Established. A Planning and Zoning Commission (“planning commission”) is hereby established by the mayor and Town council.

B. Appointments and Composition. The members of the planning commission shall be appointed by the mayor and Town council. The planning commission shall be composed of five members, who shall be residents of the Town.

C. Terms – Termination. Members shall be appointed for a term of three years, with the terms staggered so that the terms of no more than three members shall expire in any one year. The term of all members shall extend until their successors are qualified; provided, however, three successive unexcused or unexplained absences from a regular or called meeting shall be grounds for termination at the pleasure of the Town council, without the necessity of a hearing or notice and such action shall be final.

D. Quorum. Three members shall constitute a quorum. The affirmative vote of a majority of those members present shall be required for passage of any matter before the planning commission.

E. Election of Chair and Vice Chair. The planning commission shall elect a chair and vice chair from among its own members, who shall serve for one year and until their successors are elected. Such election shall be held during the first meeting in January of each year. Vacancies created by any cause shall be filled for the unexpired term by a new election.

F. Duties.

1. Review of and make recommendations to the Town council regarding any amendments to the zoning map, which divides the Town into districts of such shape, number and area as may be determined best suited to carry out the purpose of this title and the provisions of the Arizona State Statutes and within such districts, it shall determine such regulations and restrictions concerning the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land as it shall deem to be in the best interests of the Town and its inhabitants;
2. Review and make recommendations to the Town council regarding the reclassification of parcels of land from one zoning classification to another;
3. Review and make recommendations to the Town council regarding any changes in any of the regulations of this title as to the use of land in any district, or as to the restrictions upon buildings or structures therein, by amendment to this title;
4. Review and make recommendations to the Town council regarding a general plan to guide the physical development of the Town, including any amendments thereof;
5. Review and determine site plans for multiple-dwelling residential structures or developments, manufactured home and recreational vehicle parks, commercial development and industrial development and to determine the appropriate action and requirements for each site plan of the development, as called for in this title;
6. Review and make determinations regarding conditional uses as provided for in this title;

7. Review and make determinations regarding preliminary plats (subdivision plans) as provided for in this title or other Town of Taylor ordinance, code and requirements;
8. Determine appeals to decisions and interpretations of the Planning and Zoning Administrator, and determine any matter referred to the planning commission by the Planning and Zoning Administrator.

Chapter 18.75 ADMINISTRATIVE PROCEDURES

Sections:

- 18.75.010 Conformance with Arizona Revised (State) Statutes and this title.
- 18.75.020 Notice of public hearing and notification procedures.
- 18.75.030 General plan amendment procedures.
- 18.75.040 Zone change procedure.
- 18.75.050 Site plan review procedures.
- 18.75.060 Conditional use permit procedures.
- 18.75.070 Variance procedures.
- 18.75.080 Procedures for amendments to this title (text amendments).
- 18.75.090 Temporary use permit procedures.
- 18.75.100 Procedures for appeals to the Board of Adjustment.
- 18.75.110 Zoning clearance procedures.
- 18.75.120 Building permits and certificates of occupancy.
- 18.75.130 Enforcement.
- 18.75.140 Penalties.

18.75.010 Conformance with Arizona Revised (State) Statutes and this title.

In general, all administrative procedures shall conform to the terms, conditions and public notice requirements as set forth in Arizona Revised (State) Statutes (A.R.S.), and as listed in this chapter.

18.75.020 Notice of public hearing and notification procedures.

All general plan amendments, zone changes, site plan reviews, conditional use permits and/or variance procedures shall conform to the following notice procedures:

A. No general plan amendment or zone change may be adopted until a public hearing has been held on the matter by the Town council, after the review and recommendation of the Planning and Zoning Commission through the public hearing process set forth below.

B. No site plan review or conditional use permit may be adopted until a public hearing has been held on the matter by the Planning and Zoning Commission. An appeal of such Planning Commission decision shall be decided by the Town council through the public hearing process set forth below.

C. No variance may be adopted until a public hearing has been held on the matter by the Town Council (or Board of Adjustment if such body is designated).

D. A similar notice shall be made at least 15 days before the day of the first public hearing to each owner of property situated wholly or partly within 300 feet of the property to which the request relates. The Planning and Planning and Zoning Administrator shall be responsible for placing and mailing such notices. For the purpose of giving mailed notice, the Planning and Planning and Zoning Administrator shall require the applicant to furnish the names and addresses of all owners of property within 300 feet of the subject property, and shall require the applicant to certify that the list represents the most current property owners as listed in the records of the Navajo County assessor's office. The Planning and Zoning Administrator shall make a copy of the notice and a list of the owners and addresses to which the notice was sent as part of the record of proceedings. The failure to receive notice by individual property owners, if such notices were published and mailed 15 days prior to the hearing, shall not necessarily invalidate the proceedings.

E. In proceedings involving land which abuts other municipalities or unincorporated areas of Navajo County, or a combination thereof, copies of the notice of the public hearing shall be transmitted to the planning agency of such governmental unit abutting such land.

18.75.030 General plan amendment procedures.

A. General. In accordance with the provisions of the Arizona Revised Statutes, the Town council, upon the review and recommendation of the Planning and Zoning Commission, may from time to time change the general plan for the Town of Taylor and the land use designations of parcels of, and within, the municipality. Changes in land use classifications are for the purpose of meeting the land use needs of the residents of the Town. General plan amendments may be initiated by the Town council, the zoning administration, the owner of the property proposed for the general plan amendment, or the agent of any of the foregoing, duly authorized in writing, or by petition of the person whose property would be affected by the general plan. Amendments to the land use component of the general plan shall only be considered in conjunction with a zone change request, unless the request is made by the Town or the Town is conducting a periodic update and review of the general plan.

B. Application Requirements. An application for a general plan amendment shall be made on a form provided by the Planning and Planning and Zoning Administrator. On the application form shall be indicated the legal description of the property, the present land use classification, the proposed land use and the purpose of the amendment request. With the application, the applicant shall submit a land use map for the site, which indicates the proposed land use(s), densities, floor area ratios or other information as deemed necessary by the Planning and Planning and Zoning Administrator. The applicant shall present evidence to the Planning and Planning and Zoning Administrator of ownership or type of controlling interest in the property. This application shall be completed, verified by a notary public, and submitted along with the established fee to the Planning and Planning and Zoning Administrator at least 21 days prior to the public hearing by the Town council.

C. Notice of Public Hearing. The notice of public hearing and notification procedures for a general plan amendment shall conform to TTC 18.75.020.

D. Hearing and Decision by the Town Council.

1. A general plan not initiated by the Town council shall be referred to the council for study and public hearing in its deliberations on the matter. The council shall consider oral or written statements from the applicant, the public, Town staff, and its own members.

2. The Town council may approve, deny, or table the request for a general plan amendment. The application may not be tabled for more than two meetings. If approved, the Planning and Planning and Zoning Administrator shall revise the general plan land use map accordingly. If the application is denied there may be no re-application for the same site for a period of 90 days.

E. Public Protest Against General Plan Amendment.

1. If there is a written protest against a change in the land use classification of a parcel of land, which is signed by the owners of 20 percent or more of the area of lots included in the proposed general plan amendment, or signed by those owners of 20 percent or more of the area within a distance of 300 feet of the perimeter of the general plan amendment, not including street rights-of-way, the amendment shall not be approved except upon the affirmative vote of three-fourths of all the members of the Town council.

2. If any members of the governing body are unable to vote on such a question because of conflict of interest or absence, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the council; provided, that such required number of votes shall in no event be less than a majority of the full membership of the council.

18.75.040 Zone change procedure.

A. General. In accordance with the provisions of the Arizona Revised Statutes, the Town council, upon the review and recommendation of the Planning and Zoning Commission, may from time to time change the zoning classification of parcels of, and within, the municipality. These changes in zoning classification are for the purpose of meeting the land use needs of the residents of the Town in conformance with the Town's general plan. Zone changes may be initiated by the Town council, the Planning and Planning and Zoning Administrator, the owner of the property proposed for the zone change, or the agent of any of the foregoing, duly authorized in writing, or by petition of the person whose property would be affected by the zone change.

B. Application Requirements. An application for a zone change shall be made on a form provided by the Planning and Planning and Zoning Administrator. On the application form shall be indicated the legal description of the property, the present zoning classification, and the recommended use of this property by the Town's general plan. With the application, the applicant shall submit a site plan (as defined) of the zone change property and surrounding area. The applicant shall present evidence to the Planning and Planning and Zoning Administrator of ownership or type of controlling interest in the property. This application shall be completed, verified by a notary public, and submitted along with the established fee to the Planning and Planning and Zoning Administrator at least 21 days prior to each of the public hearings by the Planning and Zoning Commission and the Town council.

C. Notice of Public Hearing. The notice of public hearing and notification procedures before the planning commission and the Town council for a zone change shall conform to TTC 18.75.020.

D. Hearing and Recommendation by the Planning and Zoning Commission.

1. A zone change initiated by the Town council or planning commission shall be referred to the Planning and Zoning Commission for study and public hearing and a recommendation prior to any public hearings before the Town council. In its deliberations on the matter, the commission shall consider oral or written statements from the applicant, the public, Town staff, and its own members.

2. The planning commission's recommendations may include approval, conditional approval, denial, or postponement of any request; provided, that the applicant may not be postponed for more than two meetings. Once a recommendation is made by the Planning and Zoning Commission, the Planning and Zoning Administrator shall schedule the zone change request for the next available Town council meeting, subject to the notice requirements of this chapter.

E. Hearing and Decision by the Town Council.

1. A zone change not initiated by the Town council or planning commission shall be referred to the council for study and public hearing after a recommendation by the planning commission in accordance with this section. In their deliberations on the matter, the commission and the council shall consider oral or written statements from the applicant, the public, Town staff, and its own members.

2. The Town council may approve, conditionally approve, deny, or postpone a decision on the request for a zone change. The application may not be postponed for more than two meetings. If approved, the Planning and Zoning Administrator shall revise the official zoning map accordingly. If the application is denied there may be no re-application for the same site for a period of 90 days.

a. All conditions specifically stated under any conditional use listed in this title shall apply and be adhered to by the owner(s) of the land, their successors or assigns.

b. All of the special conditions shall be consented to in writing by the applicant and/or property owner.

c. The conditional use permit may be subject to periodic review, and it may be required that the applicant/property owner submit status reports regarding the use.

d. The resolution granting the application, together with all consent forms, may be recorded in the office of the county recorder.

3. The planning commission may approve, conditionally approve, deny or postpone a decision on any application for a conditional use. Action on the application may not be postponed for more than two meetings. Appeals of a decision of the planning commission shall be taken as provided in TTC 18.75.060(F). If an application is denied, the denial shall constitute a finding that the applicant has not shown that the conditions required for approval do exist. No application for a conditional use permit, the denial of which, wholly or in part, has not been appealed, shall be resubmitted for a period of six months from the date of the order of denial, except on grounds of new evidence or proof of change of conditions found to be valid by the planning commission.

F. Appeal of Planning Commission Decision.

1. Any aggrieved person or party, including but not limited to an applicant, adjacent property owner, Town resident, Town staff member, planning commission member or Town council member, can appeal the decision of the planning commission.
2. Such appeal shall be forwarded to the Town council for final determination and decision.
3. Such appeal shall be made within 15 calendar days of the decision of the planning commission, on a form as required by the Planning and Zoning Administrator. Applicable fees shall be as required by the Town.
4. Such appeal shall be subject to the notice provisions of TTC 18.75.020.
5. If the appeal of the denial of an application is denied by the Town council, the denial shall constitute a finding that the applicant has not shown that the conditions required for approval do exist. No application for a conditional use permit which has been denied wholly or in part shall be resubmitted for a period of six months from the date of the order of denial of such an appeal, except on grounds of new evidence or proof of change of conditions found to be valid by the council. Any re-submission on grounds of new evidence or changed conditions after denial of appeal shall be to the council.

G. Notification of Council Action. The applicant shall be notified in writing of the action taken by the planning commission, or in the case of an appeal, action taken by the council, within 30 days of its action. If the applicants request has been granted, a zoning clearance form may be issued upon the signature of the Planning and Zoning Administrator, and any conditions, automatic termination date, or period of review shall be stated on the permit.

H. Violation. A violation of the conditions of a conditional use permit shall constitute a violation of the conditional use permit and of this title and shall be subject to the enforcement regulations of this title and applicable sanctions, including but not limited to revocation of the conditional use permit or the placement of additional conditions on the use by the planning commission and/or the council in the case of an appeal.

I. Modifications to Approved Structures. Any proposed additions, enlargements or modifications of the structures approved in any conditional use permit, or any proposed extension of the use into areas not approved in any such permit, shall be subject to the procedures described in TTC 18.75.060.

J. Nonconforming Conditional Uses. Any use that the Town may allow as a conditional use, existing at the time the ordinance codified in this title or any amendments thereto become effective, shall be considered a nonconforming use unless such use has been established as a conditional use as provided in this title.

18.75.045 Procedure for establishment of a PAD.

A. Rezoning. Applications for rezoning property to a PAD shall be submitted in the same manner and shall be reviewed and considered in the same manner as other applications to change the zoning classification of property by amendment to the official zoning district map as set forth in TTC 18.75.030.

B. Master Plan. Every application for rezoning to the PAD shall include a master plan for the site development. The plan shall include all of the following and shall be submitted in such numbers as required by the planning commission:

1. A plat, legal description of the property and verification of ownership or control of the applicant.
2. Existing zones and structures on the subject site, and existing zoning and use on adjacent properties.
3. An inventory of the major site characteristics and natural features, topography with contour intervals of five feet or less.
4. Description of proposed development, including its general character.
5. A land use plan for the site.
6. Statements or graphic representations showing proposed development standards such as minimum yard requirements, maximum building heights, etc.
7. General plans for public services and road access.
8. Statement and graphic representations of typical general character and architectural and design guidelines.
9. Covenants and restrictions.
10. Development and phasing schedule.

11. Such other information as deemed necessary by the **Planning and Zoning Administrator**, planning commission or Town council.

C. Review and Consideration of Application. Prior to the submission of an application and master plan, the applicant shall participate in at least one pre-application meeting with Town officials.

D. Approval of Subdivision and Plans of Development. Prior to any development, subdivision plats as required by the subdivision ordinance and plans of development as required by this title shall be submitted and must meet the requirements of the PAD.

E. Modifications or Amendments to Approved Master Plan. The Planning and Zoning Administrator may grant minor modifications to an approved PAD plan when such will not: alter the property boundaries; conflict with the requirements of this title; significantly decrease the width or depth of any yard, setback or buffer area; significantly alter point of access to the property or internal circulation system; or significantly alter the arrangement of major site plan elements. Changes other than minor modifications will require submission of a new application.

F. Failure to Submit Plats or Plans of Development. Failure to submit a subdivision or plan of development within 12 months of approval of the district shall cause Town council to initiate action to revert the property back to its original classification

18.75.050 Site plan review procedures.

A. Requirements and Procedures.

1. All developments within the Town, except individual single-family, duplex and triplex residential units, shall be subject to site plan review, and shall receive approval of the site plan prior to issuance of any permits for development of the lot. Site plan review involves one or more of the following:

- a. Four or more dwelling units in a multiple structure or structures;
- b. Expansion of existing commercial or industrial uses involving 15,000 or more square feet of:
 - i. Commercial space;
 - ii. Industrial space;
- c. One or more new buildings on one existing, vacant site for:
 - i. Commercial use over 5000 square feet;
 - ii. Industrial use;
- d. Twenty thousand or more square feet of exterior storage of materials or goods;
- e. Manufactured home and/or recreational vehicle rental communities;
- f. Subdivisions (residential, commercial, etc.) consisting of six or more lots.

2. Any other site plan is considered minor and shall be reviewed through the building permit application process. All building permit applications shall include scaled plans and drawings showing sufficient information for the Planning and Zoning Administrator and Town staff to determine whether the proposed development will meet the development requirements of the Town.

3. The Planning and Zoning Commission has the right to review, and require revisions to, any proposed site plan. The purpose of this review is to relieve demonstrable adverse impacts of the development upon public safety, health, or welfare; to protect public investments in roads, drainage facilities, sewage facilities, etc.; to conserve the value of buildings; and to ensure that the regulations of the Town are upheld.

4. Any required variances for site plans must be appealed to the Board of Adjustment.

B. Applicability of Procedures.

1. The procedures for site plan review, as set out in this section, shall apply to all R-2, COM, and IND zone changes, and all development other than single-family, duplex and triplex development within the Town.

2. For those zone change requests that may not comply with the Town general plan, the site plan shall be submitted in conjunction with the zone change application.

3. For zone change requests that may comply with the general plan, the site plan shall be submitted prior to any construction or development, and may be required as part of the zone change application.

4. For those areas with the desired zoning, the site plan shall be submitted and approved prior to any construction or development of the site.

C. Application for Site Plan Review Approval – Requirements. Applications for site plan review approval shall be on a form provided by the Planning and Zoning Administrator. Site plans shall be submitted at least 21 days prior to the Planning & Zoning Commission meeting at which they will be reviewed. The Planning & Zoning Commission will at the applicants request then refer the application and comments to be heard by the Town Council for final consideration. The application shall be accompanied by the appropriate fee and development plans showing sufficient information for the Town council and staff to determine whether the proposed development will meet the development requirements of the Town. In all cases the application shall contain the following:

1. General.
 - a. Name of project/development;
 - b. Existing and proposed zoning;
 - c. Existing and proposed use;
 - d. Location of project/development by street address;
 - e. Location map, including area within one-half mile of site;
 - f. Name, mailing address and physical address of developer/owner;
 - g. Name, mailing address and physical address of developer/owner;
 - h. Date of plan preparation;
 - i. North point indicator;
 - j. Scale of not less than one inch to 100 feet; and
 - k. Names and addresses of property owners within 200 feet of site.
2. Site plan, which is defined as a drawing, drawn to scale, and including:
 - a. Boundary line of property with dimensions;
 - b. Location, identification and dimension of existing and proposed distance of 100 feet unless otherwise stated:
 - i. Topographic contours at a minimum interval of two feet;
 - ii. Adjacent streets and street rights-of-way to a distance of 150 feet, except for sites adjacent to major arterial streets where the distances shall be 200 feet;
 - iii. On-site streets and rights-of-way;
 - iv. Ingress and egress points;
 - v. Traffic flow on-site;
 - vi. Traffic flow off-site;
 - vii. Utilities and utility rights-of-way or easements:
 - (A) Electric;
 - (B) Natural gas;
 - (C) Telephone;
 - (D) Cable TV;
 - (E) Water;
 - (F) Sewer (sanitary treated effluent and storm);
 - c. Buildings and structures;
 - d. Parking facilities, including bicycle racks;
 - e. Water bodies;
 - f. Surface water holding ponds and drainage ditches;
 - g. Surface water drainage arrows;

- h. Floodplain or floodway boundaries;
 - i. Significant rock outcroppings;
 - j. Sidewalks, walkways, driveways, loading areas and docks, bikeways;
 - k. Provision for handicapped accessibility, including but not limited to wheelchair ramps, parking spaces, hand rails, and curb openings in accordance with A.R.S. sections 41-1492 and 41-1492.11;
 - l. Fences and walls;
 - m. Exterior signs;
 - n. Exterior refuse collection areas;
 - o. Exterior lighting;
 - p. Landscaping (detailed plan showing plantings, etc.):
 - i. Botanical and common names of vegetation to be used;
 - ii. Size of plantings at time of planting and at maturity;
 - iii. Areas to be irrigated;
 - q. Number of employee and nonemployee parking spaces, existing and proposed, and total square footage of each;
 - r. Site statistics including site square footage, percent of site coverage (building and parking), dwelling unit density, percent park or open space; and
 - s. A reproducible copy of the site plan with appropriate signatures shall be submitted upon approval.
3. Building Information (On-Site).
- a. Height above sea level of the lowest floor when the structure is proposed to be located in a floodplain area;
 - b. Gross square footage of existing and proposed structures; and
 - c. Front, rear and side elevations, with a description of exterior materials to be used.
4. Permits.
- a. A listing of all required federal, state and Town permits and status of applications;
 - b. Certificate of 100-year assured water supply (if applicable);
 - c. Certificate showing compliance with minimum county and state water quality standards.
- D. Notice of Public Hearing. The notice of public hearing and notification procedures for site plan review shall conform to TTC 18.75.020.
- E. Site Plan Review – Consideration Process.
1. In considering applications for site plan review, the Town council shall consider the following:
- a. Relationship of the plan elements to conditions both on and off the property;
 - b. Conformance to this title;
 - c. Conformance to the Town's general plan;
 - d. The impact of the plan on the existing and anticipated traffic and parking conditions;
 - e. The adequacy of the plan with respect to land use;
 - f. Pedestrian and vehicular ingress and egress;
 - g. Building location, height, orientation, design and appearance;

- h. Landscaping;
 - i. Lighting;
 - j. Provisions for utilities;
 - k. Site drainage;
 - l. Open space;
 - m. Loading and unloading areas;
 - n. Grading;
 - o. Signs;
 - p. Screening;
 - q. Setbacks; and
 - r. Any other related matters.
2. The Planning and Zoning Commission shall consider oral or written statements from the applicant, the public, Town staff members, or its own members. It may question the applicant and approve, conditionally approve, deny, or table the development proposal. The application may not be tabled for more than two regular meetings of the commission.
3. If the Planning and Zoning Commission shall determine that the proposed site plan will not be detrimental to the health, safety, or welfare of the community, nor will it cause traffic congestion or seriously depreciate surrounding property values, and at the same time is in harmony with the purposes and intent of this title, the plan for the area, and the general plan, then the Town Council may grant such site plan approval and impose conditions and safeguards as they deem necessary.
4. Site plan review applications may be denied by motion of the Planning and Zoning Commission when such motion or consent shall constitute a finding and determination by the Planning and Zoning Commission or staff that the conditions required for approval do not exist.
- F. Duration of Site Plan Approval. Site plan approval shall be valid for one year from its date of approval, or until the zoning on a particular site lapses, whichever occurs first. The Town may authorize extensions.
- G. Procedure for Amendment to Site Plans.
- 1. Any amendment or modification to an approved site plan shall be submitted to the Planning and Zoning Administrator for review and recommendation. All amendments shall be shown on a revised site plan drawing.
 - 2. Amendments to site plans may be approved by the Planning and Zoning Administrator if it is determined that such amendments are in substantial compliance with the originally approved site plan and the development requirements of the Town. If it is determined that the amended site plan is not in substantial compliance with the originally approved site plan, the application shall be resubmitted and shall be subject to the same requirements as an original submittal.

18.75.060 Conditional use permit procedures.

A. General. Certain uses, while generally not suitable in a particular zoning district, may under certain circumstances be acceptable. When such circumstances exist, a conditional use permit may be granted. Conditions may be applied to the issuance of the conditional use permit and periodic review may be required. The conditional use permit shall be granted for a particular use and not for a particular person or firm. No conditional use permit shall be granted for a use which is not specifically designed as such in this title. Any use listed as a conditionally permitted use in a zoning district shall follow the procedures listed below and receive a zoning clearance prior to initiation of the use.

B. Conditionally Permitted Uses Designated. In addition to those conditionally permitted uses listed within a specific zoning district or otherwise listed in this title, the following uses shall be allowed in any zoning district upon receiving an approved conditional use permit from the Town:

1. Wireless telecommunication facilities, such as cellular telephone and personal communication service receiving and transmission facilities, including any tower or accessory structure that exceeds the height limitation of the respective zoning district in which it is to be located. (In all cases heights may be limited by a safe fall zone radius, generally 110% of structure height measured in all directions from base)

2. Manufactured home rental community, subject to the design criteria of TTC 18.60.140.

3. Recreational vehicle rental community, subject to the design criteria of TTC 18.60.140.

C. Application Required. The person applying for a conditional use permit shall fill out and submit to the Planning and Zoning Administrator the appropriate form together with the required fee and site plan. The request for a conditional use permit shall follow the application procedures and other applicable requirements of TTC 18.75.050, Site plan review procedures.

D. Notice of Public Hearing. The notice of public hearing and notification procedures for a conditional use permit shall conform to TTC 18.75.020.

E. Planning and Zoning Commission Considerations and Findings.

1. Within 30 days after the conclusion of the public hearing, the Planning and Zoning Commission shall approve, conditionally approve, or deny the conditional use permit application.

2. The Planning and Zoning Commission, in approving a conditional use permit, by an affirmative vote of not less than the majority of all its voting members, find as follows:

- a. That the site for the proposed use is adequate in size and topography to accommodate the use, and all yards, spaces, walls and fences, parking, loading and landscaping are adequate to properly relate the use with the land and uses in the vicinity;

- b. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

- c. That the proposed use demonstrates adequate provisions for water and sewer;
 - d. That the proposed use will have no adverse effect upon the abutting property(ies);
 - e. That the proposed use shall be in conformance with the general plan;
 - f. That the conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare. The conditions may include, but are not limited to:
 - i. Regulation of use;
 - ii. Special yards, spaces and buffers;
 - iii. Special fences, solid fences and walls;
 - iv. Regulation of design, landscaping or other aesthetic features;
 - v. Surfacing of parking areas;
 - vi. Requiring street, service road or alley dedications and improvements or appropriate bonds;
 - vii. Requiring the dedication of access rights;
 - viii. Regulations of points of vehicular ingress and egress;
 - ix. Regulation of signs;
 - x. Requiring maintenance of the grounds;
 - xi. Regulation of noise, vibrations, odors;
 - xii. Regulation of hours for certain activities;
 - xiii. Time period within which the proposed use shall be developed;
 - xiv. Time period/limit for the duration of use; and
 - xv. Other conditions as will make possible the development of the Town in an orderly and efficient manner.
3. The Planning and Zoning Commission shall, in addition to any other conditions, impose the following general conditions upon every conditional use permit granted:
- a. The right to a use and occupancy permit shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure;
 - b. All of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, their successors or assigns;
 - c. All conditions specifically stated under any conditional use listed in this title shall apply and be adhered to by the owner of the land, successors or assigns;
 - d. All of the special conditions shall be consented to in writing by the applicant and/or property owner;
 - e. The conditional use permit may be subject to periodic review, and it may be required that the applicant/property owner submit status reports regarding the use;
 - f. The resolution granting the application, together with all consent forms, may be recorded by the county recorder.

4. Applications for conditional use permits may be approved, conditionally approved, or denied by motion of the Planning and Zoning Commission. If an application is denied, the denial shall constitute a finding that the applicant has not shown that the conditions required for approval do exist. No application for a conditional use permit which has been denied wholly or in part shall be resubmitted for a period of six months from the date of the order of denial, except on grounds of new evidence or proof of change of conditions found to be valid by the council.

F. Notification of Planning and Zoning Commission Action. The applicant shall be notified in writing of the action taken by the Planning and Zoning Commission within 30 days of its action. If the application has been granted, a zoning clearance form may be issued upon the signature of the Planning and Zoning Administrator, and any conditions, automatic termination date, or period of review shall be stated on the permit.

G. Violation. Violations of the conditions of a conditional use permit, as determined by the Planning and Zoning Administrator shall constitute a violation of the conditional use permit and of this title and shall be subject to the enforcement regulations of this title, including but not limited to revocation of the conditional use permit or the placement of additional conditions by the Planning and Zoning Commission.

H. Modifications to Approved Structures. Any proposed additions, enlargements or modifications of the structures approved in any conditional use permit, as determined by the Planning and Zoning Administrator, or any proposed extension of the use into areas not approved in any such permit, shall be subject to the procedures described in this section. Disagreements with any determination by the P&Z administrator may be appealed to the P&Z Commission and/or Town Council.

I. Nonconforming Conditional Uses. Any use that the Town may allow as a conditional use, existing at the time the ordinance codified in this title or any amendments thereto become effective, shall be considered a nonconforming use unless such use has been established as a conditional use as provided for in this title.

18.75.070 Variance procedures.

A. General. The Planning and Zoning Commission may allow a departure from the terms of the zoning regulations contained in this title that pertain to height or width of structures, or the size of yard and open spaces where such departure will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape or topography, and not as a result of any action of the applicant, the strict and literal enforcement of this title would deprive the owner of the reasonable use of the land and/or building involved.

B. Application for a Variance. A request for a variance shall be made by filing an application with appropriate fees with the Planning and Zoning Administrator at least 21 days prior to a Board of Adjustment meeting. Such application shall be accompanied by a site plan showing such information as the Planning and Zoning Administrator deems necessary. The plans shall contain sufficient information for the board to make a proper decision on the request. The request shall state the exceptional conditions and the peculiar and practical difficulties claimed as a basis for a variance. In all cases, the application shall include:

1. Name and address of the applicant.
2. The legal description, including the tax assessor's parcel number, of the property involved in the request for the variance, and the street address, if any, of the property.
3. The names and address of the owners of the property and any other persons having a legal interest in the property.
4. A site plan drawn to scale showing the property dimensions, adjacent streets, drive accesses, driveways and parking areas, sidewalks, grading, landscaping, existing and proposed buildings, and location of all utilities, as applicable.
5. The actual variance request and the reasons for the request.
6. Evidence of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within six months after issuance of the permit.

C. Notice of Public Hearing. The notice of public hearing and notification procedures for a variance shall conform to TTC 18.75.020.

D. Evidence Required for a Variance. At the public hearing on a variance application, the applicant shall present a statement and adequate evidence in such a form as the board may require showing:

1. That there are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zone;
2. That the strict application of the regulations would work an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights;
3. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood, and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

E. Board of Adjustment Action. In the event the Board of Adjustment determines that substantial conformity to the standards previously established in the zoning district may be secured, and that detriment or injury to the neighborhood will not result from the granting of the variance applied for, the board may, upon the affirmative vote of three-fourths of all the members of the board, approve or conditionally approve a variance, or, by simple majority, postpone a decision on the variance request. A decision shall not be postponed for more than two consecutive meetings. Upon approval or conditional approval, the board shall transmit notice of its action to the Planning and Zoning Administrator, along with the issuance of a zoning clearance and/or building permit. A report of the board's findings and recommendations, and any conditions imposed or required, shall also be submitted promptly to the Town council in the form of official minutes of the board's meeting(s).

F. Disapproved Application. In the event the Board of Adjustment disapproves an application for a variance, no zoning clearance or permit shall be issued pending further application thereon as a result of an appeal to the superior court. Appeal shall be submitted within 30 days from the date the disapproval is officially entered on the minutes of the board. If the court shall by final order overrule the action of the board, then the Planning and Zoning Administrator shall issue such permit as is ordered issued by the court without further action by the board unless the court by final order orders the board to hold a further hearing. If the court orders a further hearing by final order, said order shall be complied with.

G. Conditional Approval. In approving any variance, the Board of Adjustment may designate such conditions in connection therewith as will in its opinion substantially secure the objectives of the regulation or provision as to which such variance is granted, to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted, and shall provide the Planning and Zoning Administrator with a copy of the same.

H. Guarantees. Where necessary, the Board of Adjustment may require guarantees, in such form as it may deem proper under the circumstances, to ensure that the conditions designated in connection therewith are being or will be complied with. Where any condition under which a variance has been granted is violated, in the determination of the Planning and Zoning Administrator, the variance shall cease to exist and the permit shall become null and void. Determination of the Planning and Zoning Administrator may be appealed to the Planning & Zoning Commission and/or Town Council. Appeal shall be submitted within 30 days from date of determination.

18.75.080 Procedures for amendments to this title (text amendments).

A. General. In accordance with the provisions of Arizona Revised Statutes, the planning commission may recommend and the Town council may from time to time adopt amendments to this title. An amendment to this title may involve changes in its text or wording, including but not limited to changes in the regulations regarding uses, setbacks, heights, lot areas, definitions, administration, and/or procedures. Such title amendments which do not include rezoning of property are herein referred to as "text amendments." Text amendments may be initiated by the Town council, recommendation of the Planning and Zoning Administrator, planning commission, or by petition of a person whose property would be affected by the amendment.

B. Application Requirements. If an individual or other party initiates a request for a text amendment to this title, the request must be made on a form provided by the Planning and Zoning Administrator. The request must state the exact section of the ordinance codified in this title proposed for amendment, the proposed substitute wording, and the reasons for requesting the amendment. Graphic material should also be submitted if it will assist in understanding the alleged benefits of the proposed amendment. The submittal must be made to the Planning and Zoning Administrator and the processing fee paid at least 30 days prior to the date of public hearing by the planning commission. Amendments initiated by Town staff, the planning commission or the Town council shall not be subject to application fees.

C. Notice of Hearing. No amendment to this title shall be adopted until public hearings have been held thereon by the planning commission and by the Town council. A notice of the time, date, place and purpose of the hearings shall be published at least once in a newspaper of general circulation, that is published or circulated within the Town, at least 15 days prior to the date of the first hearing which shall be held by the planning commission and at least 15 days prior to the date of the first hearing which shall be held by the Town council. The hearing date shall be set for not more than 30 days after the application for amendment has been received by the Planning and Zoning Administrator and all appropriate processing fees are paid in full.

D. Hearing and Recommendation by the Planning and Zoning Commission.

1. A text amendment not initiated by the Town council or planning commission shall be referred to the Planning and Zoning Commission for study and public hearing and for a recommendation prior to any public hearings before the Town council. In its deliberations on the matter, the commission shall consider oral or written statements from the applicant, the public, Town staff, and its own members.

2. The planning commission may recommend approval, conditional approval, denial, or postponement of any application or recommendation for a text amendment. The application may not be postponed for more than two meetings. Once a recommendation is provided by the Planning and Zoning Commission, the Planning and Zoning Administrator shall schedule the text amendment request for the next available Town council meeting, subject to the notice requirements of this chapter.

E. Hearing and Decision by Town Council. An amendment not initiated by the Town council shall be referred to the council for study and public hearing, after a recommendation of the planning commission on the proposal. In its deliberations on the matter, the council shall consider oral or written statements from the petitioner, the public, Town staff members, and its own members. The council may approve the request, deny the request, or postpone a decision on the request. A decision shall not be postponed for more than two consecutive meetings. The council shall forward the ordinance approving an amendment to the Planning and Zoning Administrator and Town Clerk for inclusion in this title.

18.75.090 Temporary use permit procedures.

A. General. Uses permitted subject to a temporary use permit are those temporary uses which are required for the proper function of the community or are temporarily required in the process of establishing a permitted use or constructing a public facility. Such uses shall be so conducted that they will not be detrimental in any way to the surrounding properties or to the community.

B. Temporary Uses Designated. Uses permitted subject to a temporary use permit include:

1. Christmas tree sales.
2. Carnivals, circuses and special events are not to exceed one week in duration. The three special events sponsored by the Town, specifically the Town Fourth of July celebration; Taylor Trapper Days celebration; and the Taylor Sweet Corn Festival, will be exempt from this requirement.
3. Temporary keeping and raising of rabbits, cavies, chickens (hens only), sheep, goats, or cattle in relation to a 4-H or Future Farmers of America project are allowed providing compliance with the following regulations:
 - a. 4-H and FFA project approval documents must accompany the application;
 - b. Only one Town authorized street address will be permitted for the project;
 - c. Multiple projects at the same street address must not exceed the maximum allowance of animals per address;
 - d. All animals must be contained within the street address property;
 - e. Any corral, holding pen, hutch, coop or other structure for the containment of animals must be set back a minimum of 20 feet from all property lines;
 - f. Any corral, holding pen, hutch, coop or other structure for the containment of animals must be constructed so as not to be unsightly in the determination of the Planning and Planning and Zoning Administrator, subject to the appeal process as provided under TTC 18.70.030(C);
 - g. Any corral, holding pen, hutch, coop or other structure for the containment of animals must be kept clean and odorless at all times, in the determination of the Planning and Planning and Zoning Administrator, subject to the appeal process as provided under TTC 18.70.030(C);
 - h. The maximum number of animals allowed per project, per street address, is six rabbits or cavies; 12 hen chickens; two sheep; two goats; and two calves;

- i. Any person(s) seeking to temporarily keep or raise any animal(s) as a 4-H or Future Farmers of America project which are not defined or designated in this section must obtain the written approval of the Planning and Planning and Zoning Administrator, subject to the appeal process as provided under TTC 18.70.030(C);
 - j. Repetitive complaints, or validated complaints, by immediate neighboring residents may be cause for termination of the permit;
 - k. Any corral, holding pen, hutch, coop or other structure for the containment of animals which remains standing for an unreasonable amount of time after the 4-H or Future Farmers of America project is completed may be subject to removal in the event that it constitutes a violation of any other sections of the Taylor Town Code as determined by the Planning and Planning and Zoning Administrator, subject to the appeal process as provided under TTC 18.70.030(C).
4. Temporary sales stands, such as fruit and vegetable stands, sales of electronic goods, appliances or furniture not associated with a principal use. Includes sales of such items from vehicles.
 5. Temporary housing during construction of a home (includes use of a recreational vehicle or other housing as deemed appropriate by the Town). The applicant shall have applied for a building permit and the building permit shall remain active throughout the use of the temporary housing. The temporary housing shall be removed when a certificate of occupancy for the dwelling is granted by the Town.
 6. Temporary construction office, including security office or residence. The applicant shall have applied for a building permit and the building permit shall remain active throughout the use of the temporary construction office, and the temporary construction office shall be removed when construction of the principal use is completed.
 7. Emergency Housing. Temporary shelter required due to a natural disaster or other hardship as deemed to constitute an emergency by the Planning and Planning and Zoning Administrator. Includes the use of recreational vehicles and mobile homes (including nonrehabilitated).
 8. Tent revival meetings.
 9. Other uses as the Town council may, by resolution, deem to be within the intent and purpose of this title.
- C. Application and Filing Fee. Application for a temporary use permit may be made by the property owner or authorized agent. The application shall be filed with the Planning and Zoning Administrator who shall charge and collect a filing fee for each application, as provided in this title, except that the filing fee may be waived by the Planning and Planning and Zoning Administrator for charitable, religious, patriotic or philanthropic (nonprofit) organizations. The Planning and Planning and Zoning Administrator may also require any information deemed necessary to support the approval of a temporary use permit, including site plans as described in TTC 18.75.050(C).

D. Decision. Application for temporary use permit shall be reviewed by the Planning and Planning and Zoning Administrator who shall approve, conditionally approve, or disapprove such application. Approval or conditional approval shall be given only when in the judgment of the Planning and Planning and Zoning Administrator such approval is within the intent and purposes of this title. Any person aggrieved by the decision of the Planning and Planning and Zoning Administrator may file an appeal with the Board of Adjustment.

E. Approval Made Subject to Conditions. In approving a temporary use permit, the approval shall be subject to a time limit and other conditions deemed necessary to assure that there will be no adverse effect upon adjacent properties. The conditions may include the following:

1. Regulation of hours;
2. Regulation of lights;
3. Requirement of bonds or other guarantees for cleanup or removal of structure or equipment;
4. Such other conditions deemed necessary to carry out the intent and purpose of this title.

18.75.100 Procedures for appeals to the Board of Adjustment.

A. Application for Appeal. Any aggrieved person, property owner, or any officer or department of the Town affected by a decision of an administrative officer, pertaining to this title, may appeal the decision to the Board of Adjustment by filing an application with the Planning and Planning and Zoning Administrator. The Board of Adjustment shall serve as the Town's hearing officer in appeals of required dedications and exactions. The application shall state the name and address (or Town office) of the applicant and the reasons for filing the appeal. The application shall be made within 15 days of the date of the decision which is being appealed. The Planning and Planning and Zoning Administrator shall then transmit to the board the complete record of the action for which the appeal is made. Appeals to the board may be made only in response to an action. There is no filing fee for an appeal as described in this section.

B. Stay of Proceedings – An appeal suspends the action taken and stays all proceedings in the matter, unless the Town certifies that a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed except by restraining order as injunctive relief granted by a court of record on application and notice to the Town. Proceedings shall not be stayed if the appeal requests relief which has previously been denied except pursuant to a special action in superior court.

C. Notice of Hearing Required.

1. No appeal may be granted by the board until a public hearing has been held on the application. A notice of the time, date, place and purpose of the hearing shall be published in a newspaper of general circulation, published or circulated within the Town at least 15 days prior to the date of the hearing.

2. If the appeal relates to a decision on a specific site, a similar notice shall be posted in conspicuous places close to or on the site affected, and shall be mailed at least 15 days prior to the hearing to each owner of the property situated within 300 feet of the property to which the appeal relates. The Planning and Planning and Zoning Administrator shall be responsible for mailing the notice. For the purpose of giving mailed notice, the Planning and Planning and Zoning Administrator shall require the applicant to furnish the names and addresses of all property owners within 300 feet of the property, and shall require the applicant to certify that the list represents the most current property owners as listed in the records of the Navajo County assessor's office. Failure to receive notice by individual property owners will not necessarily invalidate the proceedings.

3. Notice of the time, date, place and purpose of the hearing shall be sent to the applicant at least seven days prior to the hearing date.

D. Review and Decision by the Board.

1. Within 45 days of the date of application, but no sooner than 15 days from the date of public notice, the board shall hear and decide arguments for appeal to the decision in question. The board shall consider oral or written statements from the appellant, his/her agent or attorney, the public and Town staff members. The board shall also study the record of the action to which the appeal is related.

2. When addressing the appeal, the Planning and Planning and Zoning Administrator (Town) will bear the burden of proving that the dedications or exactions to be imposed on a property bear an essential nexus between the requirements and a legitimate governmental interest, and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development proposed by the applicant.

3. The board may, by three-fourths vote of the members present, approve or deny an appeal or, by simple majority, table the appeal. If tabled, the board shall make a decision on the appeal at the next regularly scheduled meeting of the board. A decision shall not be tabled for more than two consecutive meetings. The board may impose such conditions and safeguards as it deems necessary to satisfactorily correct the situation in question, but it shall not attempt to infringe upon matters not specifically contained in the appeal.

E. Notice of Board Decision. The board shall issue a written notice of its decision to all concerned parties and to the Planning and Planning and Zoning Administrator and the Town clerk, who shall make official record of the decision. The notice shall state the facts of the matter as determined by the board, the reason for its decisions, and any conditions applied to the decision.

F. Appeal of a Decision of the Board of Adjustment. If the applicant is dissatisfied with any decision of the Board of Adjustment, the applicant may file a complaint for a trial de novo with the superior court within 30 days of the board's decision.

18.75.110 Zoning clearance procedures.

A. General. No person, firm, corporation or government agency/entity shall commence new construction or obtain a building permit for any building or structure in the Town, without first obtaining a zoning clearance for each property or lot. In addition to the development standards and regulations set forth in this title, issuance of a zoning clearance may require one or more of the following procedures prior to issuance:

1. General plan amendment.
2. Zone change.
3. Site plan review.
4. Text amendment.
5. Conditional use permit variance.
6. Variance.
7. Temporary use permit.

B. Zoning Clearance Application. Application for a zoning clearance may be made by the property owner or authorized agent. The application shall be filed with the Planning and Planning and Zoning Administrator who shall charge and collect a filing fee for each application, as provided in this title, except that the filing fee may be waived by the Planning and Planning and Zoning Administrator for charitable, religious, patriotic or philanthropic (nonprofit) organizations. The Planning and Planning and Zoning Administrator may also require any information deemed necessary to support the approval of a zoning clearance, including site plans as described in TTC 18.75.050(C).

C. Decision. Application for a zoning clearance shall be reviewed by the Planning and Planning and Zoning Administrator, who shall approve, conditionally approve, or disapprove such application. Approval or conditional approval shall be given only when in the judgment of the Planning and Planning and Zoning Administrator such approval is within the intent and purposes of this section and that any stipulations placed upon an administrative process as regulated in this chapter have been met. Any person aggrieved by the decision of the Planning and Planning and Zoning Administrator may file an appeal with the Board of Adjustment.

D. Approval Made Subject to Conditions. In approving a zoning clearance, the approval may be subject to conditions deemed necessary to assure that there will be no adverse effect upon adjacent properties. The conditions may include the dedication of rights-of-way or easements, screening or landscaping, but in no case be more restrictive than the terms and conditions expressed for a particular zoning district as described in this title.

18.75.120 Building permits and certificates of occupancy.

A. General. No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure (including any sign, factory-built modular home, manufactured home, [rehabilitated] mobile home, etc.) in the Town, or cause the same to be done, without first obtaining a separate building permit for each building or structure from the Town, as set forth in the International Building Code (IBC) as adopted and amended by the Town.

B. Building Permit Application. In order to facilitate the administration of the provisions of this title and the International Building Code of the Town, each application for a building permit shall comply with the requirements as set forth in IRC Sections 105 and 110 and as follows:

1. Identify and describe the work to be covered by the permit for which the application is made;
2. Describe the land on which the proposed work is to be done, by tax assessor's parcel number, lot, block, tract, and house and street address, or similar description that will readily identify and definitively locate the proposed building or work;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Be accompanied by plans and specifications as required in this section;
5. State the valuation of the proposed work;
6. Be signed by the permittee, or his authorized agent, who may be required to submit evidence to indicate such authority;
7. Give such other information as reasonably may be required by the Town;
8. In addition hereto, said application shall contain the following:
 - a. A drawing or plat, in duplicate, drawn to scale and showing the lot, the proposed buildings (to include projection) thereon, the dimensions of lot and building, and the exact location of the proposed building on the lot;
 - b. The present use of any existing building on the same lot;
 - c. Such information on front yard depths and other yard sizes on other lots, together with such other information as the Planning and Planning and Zoning Administrator shall require for the proper enforcement of the zoning ordinance.

C. Building Permit Regulations.

1. No person shall construct or cause to be constructed any building or addition to any building within the corporate limits of the Town which does not meet or exceed the standards as set forth in the International Building Code as adopted and amended by the Town.

2. A building permit fee may be charged pursuant to TTC 18.05.040. In addition, any person beginning construction without a building permit, as required under this title, may be charged a penalty fee in addition to the normal fee, as established by the Town.

D. Certification of Occupancy Required Prior to Certain Actions. A certificate of occupancy, stating that all of the provisions of this title have been fully complied with, including any stipulations as placed on an administrative process required under this chapter, shall have been obtained from the Planning and Planning and Zoning Administrator before:

1. Any structure for which a building permit is required is used or occupied, including any conversion of any building to provide additional dwelling units;
 - a. Any use of an existing structure is changed to a use of a different classification;
 - b. Any use of a nonconforming use is changed.

2. In the case of a structure or use established, altered, enlarged, or moved after conditional approval thereof by the council, such certificate shall be issued only if all the conditions thereof have been satisfied.

3. Application for a certificate of occupancy shall be made and filed with the Planning and Planning and Zoning Administrator when any structure or use for which a certificate is required is ready for use or occupancy. Within three days after the filing thereof, the Planning and Planning and Zoning Administrator shall inspect such structure or use, and if found to be in conformity with all provisions of this title, and if found that any applicable stipulation(s) placed on any procedure required under Chapter 18.75 TTC has been met, shall sign and issue a certificate of occupancy.

4. No permit or license required by the Town or other governmental agency shall be issued by any department, officials or employees of the Town or such governmental agency, unless the application for such permit or license is accompanied by a certificate of occupancy issued by the Planning and Planning and Zoning Administrator.

18.75.130 Enforcement.

A. Violations. When any building, structure or parcel of land regulated by this title is being used contrary to this title, the Town may order such use discontinued, or such structure removed or restored, or the land or portion thereof vacated by notice served on any person causing the violation. Such person shall eliminate the violation within the time prescribed by the Town after receipt of such notice, and bring the building, structure, parcel of land or portion thereof, into conformance with the requirements of this title. Failure to comply fully with the conditions of approval of any permit is a violation of this title. Violations of this title related to TTC Title 14 shall further be reported to the administrator of the Federal Insurance Administration and Arizona Department of Water Resources as a declaration for denial of insurance, stating that the property is in violation of a cited state or local law, regulation or ordinance, pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

B. Site Inspections. The Town, members of the Board of Adjustment and Town council, and other enforcement officers may, in the discharge of their duties, and for good or probable cause, enter any premises, building, or structure at any reasonable hour to inspect the same in connection with any application made under this title, or for any investigation or inspection as to whether or not any portion of such premises, building, or structure is being used in violation of this title. Written notice served on the owner or occupant of any premises sought to be inspected at least 24 hours before such inspection takes place shall be given in all cases in which permission to inspect has been refused. Every person who, after the receipt of such notice, denies or prevents, obstructs, or attempts to deny, prevent, or obstruct access to such premises is guilty of a misdemeanor.

C. The Town manager, Planning and Planning and Zoning Administrator, or a designee, the police chief, and all other officers of the Town of Taylor otherwise charged with enforcement of the law, shall enforce the provisions of this title.

18.75.140 Penalties.

A. Fines/Imprisonment. Any person, whether as principal, owner, agent, tenant, employee, or otherwise found violating this title, or violating or failing to comply with any order or regulation made hereunder, shall be subject to a Class 2 misdemeanor, and upon conviction thereof may be punished by a fine, and/or imprisonment as prescribed by law for such a violation. Such person shall be subject to a separate offense for each and every day during which any such violation or failure to comply with these regulations is committed, continued, or permitted.

B. Prosecution. Any building, structure, or improvement set up, erected, built, or maintained, any fill, excavation, or development, or any use of property contrary to the provisions of this title shall be and the same is hereby declared to be unlawful and a public nuisance per se. The Town attorney may, upon order of the council, direction by the Town manager, or on his own initiative, immediately upon discovery of such public nuisance, commence all necessary actions or proceedings for the abatement, injunction, and removal thereof in the manner provided by law; and may take such other lawful steps and may apply to such court or courts as may have jurisdiction to grant such relief as will abate, enjoin, and remove such building or use and restrain and enjoin any person from setting up, erecting, building, moving, or maintaining any such building or using any property contrary to the provisions of this title or otherwise violating this title.

C. Exclusivity. All misdemeanors provided for herein shall be cumulative and exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibility to correct prohibited conditions or to remove buildings, structures, or improvements, nor prevent the enforcement, correction, or removal thereof.

Chapter 18.80 DEFINITIONS

Sections:

- 18.80.010 General.
- 18.80.020 Definitions.

18.80.010 General.

A. Usage. For the purposes of this title, certain terms, phrases, words, and their derivatives shall be construed as specified herein. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The words “used” or “occupied” include the words “intended,” “designed,” or “arranged to be used or occupied.” The word “shall” is mandatory, and the word “may” is permissive, except when used in the negative. When not inconsistent with the context, the present tense includes the future, the singular includes the plural, and the plural includes the singular.

B. Undefined Terms. Where terms are not defined, they have their ordinarily accepted meanings within the context with which they are used. The latest version of Webster’s New World Dictionary of American English shall provide the ordinarily accepted word meanings.

18.80.020 Definitions.

“Abandoned Billboard” A billboard which has carried no message for more than 180 days or which no longer identifies a bona fide business, lessor, service, owner, product, or activity, date or time of past event, and/or for which no legal owner can be found. The definition shall also include any billboard structure which no longer supports the billboard for which it was designed.

“Accessory structure or use” means a subordinate structure or use, not used as living quarters and not including kitchen or sleeping facilities, customarily incidental to and located on the same lot occupied by a principal use or structure. Accessory uses are permitted in all zones and a home occupation may be accessory to any residential use.

“Adversely affect” means when the cumulative effect of a proposed development, when combined with all other existing and anticipated development, will increase the water surface elevation of the base flood more than one foot at any point.

“Agricultural ranching” means the cultivation of the soil or the raising of livestock and all activities incidental thereto. The terms “farming” and “ranching” shall be interchangeable for purposes of this title.

“Airport” means a licensed facility where commercial, military and private aircraft may land or take off and where additional space is provided for repairs, services, storage facilities, offices, and buildings for administration and passenger convenience.

“Alley” means a permanent public thoroughfare providing a secondary means of access to abutting lands.

“Apartment building” means a building other than a hotel or motel containing five or more dwelling units which have the primary entrances from common hallways.

“A.R.S.” means Arizona Revised Statutes.

“Architectural, scenic, or historic area” An area of special control that contains unique visual or historic characteristics or whose natural beauty requires special regulations to ensure that all billboards displayed within the area are compatible with the area.

“Auto salvage yard” means a junkyard primarily containing inoperable vehicles.

“Automobile reduction yard” means any area of land where two or more motor vehicles not in running condition and/or two or more unlicensed motor vehicles, or parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking, dismantling, storage or abandonment of motor vehicles or parts thereof.

“Automobile service station” means an establishment with the primary business function of the retail sale of gasoline for passenger car use with or without minor service and repair work incidental to the operation of passenger automobiles.

“Basement” means any floor level below the first story in a building, except that a floor level in a building having only one floor shall be classified as a basement unless such floor level qualifies as a first story. A basement is considered a story if its ceiling is more than five feet above the average established grade of its perimeter, or if it is used for residential or business purposes by other than janitors or domestic servants in the same building.

“Bed and breakfast inn” means a dwelling in which the occupants of the dwelling provide, for compensation, the short-term lodging and meals for guests, occupying not more than five guest rooms, located within the dwelling.

“Billboard” A billboard is an off-premises object, device, display, sign, or structure, or part thereof, displayed outdoors or visible from a public way, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location, or to express a point of view, by any means, including words, letters, figures, design, symbols, advertising flags, fixtures, colors, illuminations or projected images. Each substantially different face of a billboard structure shall constitute a separate billboard. Billboards do not include on-premises commercial or political signage nor small commercial or non-commercial signs temporarily placed in residential lawns by residents, owners, contractors, realtors, or by or on behalf of political candidates or issues.

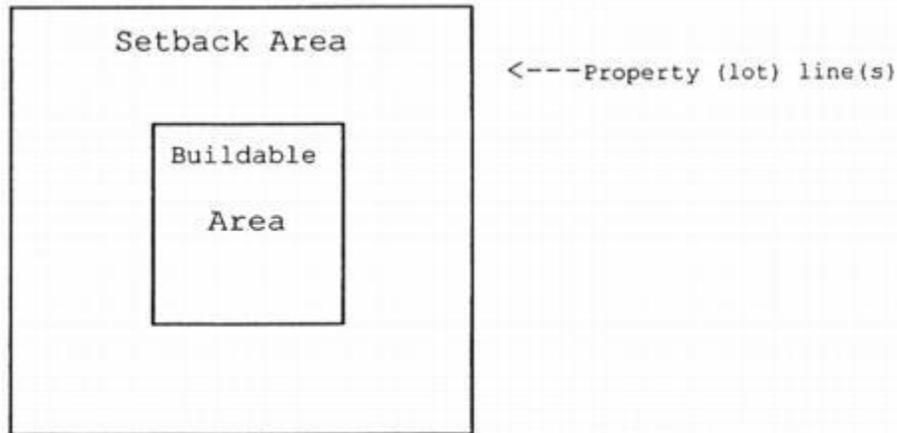
“Billboard area” The facing of a billboard, including copy, insignia, and background, structural supports, and border and trim. The measurement shall be determined by the smallest rectangle inclusive of all letters and images. The structural supports shall be excluded if they do not constitute a major part of the billboard or if the structure is not used to identify or attract attention to the business or product.

“Billboard Plaza” An area of special control which Our Town Council designates as appropriate for the display of billboards.

“Board” means the Board of Adjustment for the Town of Taylor, as established in TTC 18.70.030(A).

“Boarding house” means a building where, for compensation and by prearrangement for definite long-term periods, lodging and meals are provided for three or more but not exceeding 20 persons.

“Buildable area” means that portion of a lot or parcel within the required front, rear and side yard setbacks which is available for construction of structures.



“Building” means a structure having a roof supported by columns or walls for housing, shelter, or enclosure of persons, animals, or property of any kind.

“Building envelope” means that area of a lot lying between the front, rear, and side yard setback lines (known as the buildable area), and between the ground level and the maximum allowable building height, amounting to a three-dimensional area available for potential building construction.

“Building, front line of” means a line across the face of a building nearest the front lot line.

“Building height” means the vertical distance to the level of the highest point of the building wall, if the building has a flat roof, or to the highest point of the roof, if the roof is of any other type, measured from the natural grade, or from the average level of the finished ground surface across the front of the building.

“Building inspector” means the Town manager, or a designee, whose principal duty is enforcement of the building codes as adopted by the Town.

“Building line, front” means the line nearest to the front of, and across, a lot establishing the minimum open space to be provided between the front line of a building and front lot line.

“Building line, rear” means the line nearest to the rear of, and across, a lot establishing the minimum open space to be provided between the rear line of a building and the rear lot line.

“Building, main” means a building in which the principal use on a lot is conducted; in any residential zone any dwelling is considered a main building on the lot on which it is situated.

“Building, nonconforming” means a legally existing building which fails to comply with the regulations set forth in this title applicable to the zone in which the building is located.

“Building official” means the Town manager, or a designee, whose principal duty is enforcement of the building codes as adopted by the Town.

“Building, principal” means a building in which is conducted the main, or principal, use of the lot on which the building is situated.

“Building, public” means a building, supported by government funds, to be used in an official capacity on behalf of the entire community.

“Business” means the engaging in of the purchase, sale, barter or exchange of goods, wares, merchandise or service; the maintenance or operation of offices or recreational or amusement enterprises.

“Campground” means an area of land used to temporarily accommodate two or more camping parties including cabins, tents, recreational vehicles or other camping outfits.

“Cargo Container” means a standardized, reusable vessel maximum forty feet (40’) in length, 8 feet (8’) in width, and 8 feet, six inches (8’6”) in height that is or appears to be:

- (1) Originally, specifically or formerly designed for or used in the parking, shipping, movement, transportation or storage of freight, articles, goods or commodities; or
- (2) Designed for or capable of being mounted or moved on a rail car; or
- (3) Designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

“Carport” means a structure, open on at least two sides, consisting of a roof and either walls or columns for the purpose of housing automotive vehicles and other chattels. The structure shall be considered as an accessory building when detached from the principal building and as a part of the principal building when attached to the principal building along one or more sides of the carport or principal building.

“Cemetery” means land used for the burial of the dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

“Changeable copy” Copy that changes at intervals of more than once every six seconds.

“Church” means a building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain worship.

“Clinic or medical center” means an establishment where patients are admitted for special study and treatment by licensed physicians and/or dentists and their professional associates, as distinguished from a “professional office” for general consultation purposes.

“Commercial Billboard” A billboard which identifies goods or services that are not sold on the premises where the billboard is located.

“Conditional use permits” means legal authorization to undertake a conditionally permitted use as defined by this title.

“Council” means the Taylor Town council.

“Day care” means the care, supervision and guidance of a child or children, unaccompanied by parent, guardian or custodian, on a regular basis for periods of less than 24 hours per day, in a place other than the child’s or children’s own home or homes.

“Day care center” means any facility in which day care is regularly provided for compensation for five or more children not related to the proprietor.

“Development” means any manmade change to improve or alter real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

“Development plan” means a Town-approved plan for the development of a property.

“Developmental disability” means autism, cerebral palsy, epilepsy or mental retardation.

“Directional Sign” A sign erected and maintained by local officials within the public right-of-way, to indicate to the traveling public the route and distance to public accommodations, facilities, commercial services and points of scenic, historical, cultural, recreational, educational or religious interest. Such signs shall conform to all applicable state regulations regarding the placement of billboards in public rights-of-way.

“Drive access” means that area between the curb of a street, or edge of the traveled portion of a street when no curb exists, and the right-of-way/property line over which the Town will permit vehicular travel from the traveled portion of a street to an individual property, or off-street parking space(s).

“Dwelling” means a building, or portion thereof, used primarily for residential occupancy, including single-family, two-family, multiple-family dwellings and group homes, but not including hotels, motels, or tourist homes.

“Dwelling, attached” means a dwelling that has a wall, roof and/or floor in common with any other dwelling.

“Dwelling, detached” means a dwelling that does not have a wall, roof and/or floor in common with any other dwelling.

“Dwelling, multiple (multifamily)” means a building or portion thereof designed for occupancy by two or more households living independently in which they may, or may not, share common entrances and/or other spaces.

“Dwelling, single-family” means a detached dwelling unit with kitchen and sleeping facilities, designed for occupancy by one family.

“Dwelling, two-family” means a building or portion thereof, used for occupancy by two or more families living independently of each other, with the units completely separated by a common wall, floor and/or ceiling.

“Dwelling unit” means any building or portion thereof which contains living facilities, including facilities for sleeping, eating, cooking and sanitation, for not more than one family, or a congregate residence for six or fewer unrelated individuals.

“Expressway or Freeway” A highway to which access is restricted except by ramps or interchanges.

“Factory-built modular home” means a residential or nonresidential building meeting the requirements of the International Building Code (IBC), including a dwelling unit or habitable room thereof, which is either wholly or in substantial part manufactured at an off-site location to be assembled on-site, except that it does not include a “manufactured home,” a “recreational vehicle,” or “mobile home.” Also referred to as a “modular home or building.”

“Family” means an individual, or two or more individuals related by blood, marriage, or adoption, or a group not exceeding six unrelated individuals, living together as a single housekeeping unit.

“Fence” means a barrier constructed of materials erected for the purpose of protection, confinement, enclosure or privacy.

“Flashing illumination” A light source which, in whole or in part, physically changes in light intensity or gives the appearance of such change at intervals of less than six seconds.

“Garage, private” means a detached accessory building, or portion of a main building, used for the storage of self-propelled vehicles.

“Garage, public” means any building or premises, except those defined herein as a private garage, used for the storage or care of motor vehicles; or where such vehicles are equipped for operation, repaired, or kept for rental, hire, or sale.

“General plan” means the Town of Taylor general plan.

“Grade” means the average level of the finished ground surfaces surrounding a building.

“Greenhouse” means a building or structure constructed chiefly of glass, glass-like translucent material, cloth, lath or similar materials which is devoted to the protection or cultivation of flowers and other plants.

“Ground floor area” means the square foot area of a building within its largest outside dimension computed on a horizontal plane at the ground floor level, exclusive of open porches, breezeways, terraces, garages, exterior stairways, and secondary stairways.

“Group home” means a single, residential structure having common kitchen facilities and occupied by more than six persons having physical, mental, emotional, or social problems, and living together for the purpose of training, observation and/or common support on a 24-hour basis, except that a residential facility shall not be included in the definition of a “group home.”

“Habitable floor” means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof.

“Home occupation” means any use conducted entirely within a dwelling and carried on solely by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and which meets the requirements of Chapter 18.55 TTC.

“Hospital” means an institution for the diagnosis, treatment, or other cure of human ailments and includes sanitarium or clinic, provided such institution is operated by or treatment is given under direct supervision of a physician licensed to practice by the state of Arizona.

“Hotel” or “motel” means a building or portion thereof, or a group of buildings, in which lodging is provided and offered to transient guests for compensation; shall not include a lodging house.

“Household” means an individual or two or more persons related by blood, marriage, adoption and usual servants, living together as a single housekeeping unit in a dwelling unit; or a group of not more than six persons who need not be related living together as a single housekeeping unit.

“Illegal billboard” A billboard that was constructed in violation of regulations that existed at the time it was built.

“Improvement, substantial” means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either: (1) before the improvement or repair is started; or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include either: (1) any project from improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or (2) any alteration of a structure listed on the National Register of Historic Places.

“Incidental” means any action or use of less importance, or secondary to, any other action or use.

“Indirect Illumination” A light source not seen directly.

“Internal Illumination” A light source that is concealed or contained within and becomes visible in darkness through a translucent surface.

“Junkyard” means any place at which personal property is or may be salvaged for reuse, resale, or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled, or sorted, including but not limited to: use of salvaged base metal or metals, their compounds or combinations; use of salvaged rope, bags, rags, glass, rubber, lumber, millwork, brick, automobiles, and similar property which are used, owned, or possessed for the purpose of wrecking or salvaging parts therefrom.

“Kennel” means any establishment at which five or more dogs, cats, or other domestic pets are bred or raised for sale or boarded or cared for, commercially, or on a nonprofit basis; not including establishments which are primarily intended to provide animal dental, medical, or surgical care, or quarantine quarters.

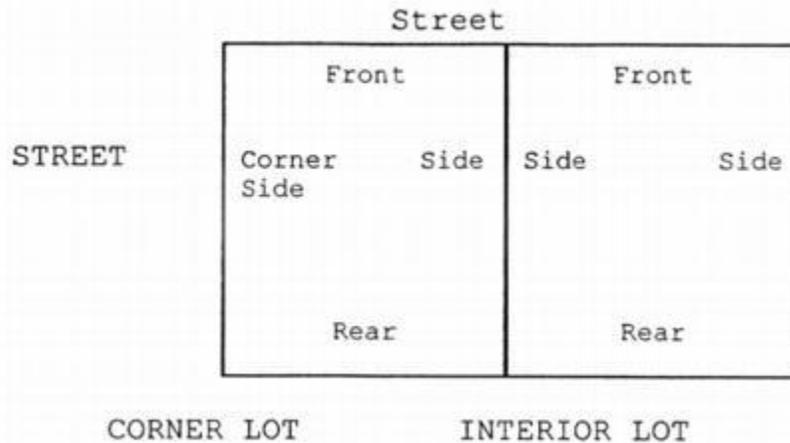
“Land development” means the division of land into lots or parcels, the construction of structures, or initiation of a use on a property.

“Lodging house” means a building where, for compensation and by prearrangement for definite long-term periods, lodging only is provided for three or more but not exceeding 20 persons.

“Lot” means a piece, parcel, plot, tract, or area of land occupied or capable of being occupied by one or more principal buildings, and the accessory buildings or uses customarily incidental to them, and including the open spaces required under this title, and having its principal lot frontage on a street as shown on a recorded subdivision plat or having a deed recorded by a metes and bounds description.

“Lot area” means the total horizontal area within the boundary lines of a lot (typically width multiplied by depth).

“Lot, corner” means a lot abutting two intersecting streets where the interior angle of intersection does not exceed 135 degrees. The shorter of the two street frontages of such lots is considered the front of the parcel unless otherwise determined by the Planning and Planning and Zoning Administrator.



“Lot coverage” means the percentage of the area of a lot which is occupied by covered structures.

“Lot depth” means the shortest horizontal distance between the midpoint of the front lot line and the mid-point of the rear lot line.

“Lot, interior” means any lot which is not a corner lot.

“Lot line, front” is the line demarcating the separation between the street right-of-way and the front yard of the lot. On corner lots, the shorter frontage is the front of the lot unless determined otherwise by the Planning and Planning and Zoning Administrator.

“Lot line, rear” is a dividing line between two lots, or between a lot and an alley, provided the alley runs generally parallel to the front lot line.

“Lot line, side” means any lot line which is not a front or rear lot line; a line dividing a lot from an adjacent lot.

“Lot size” means the area contained within the lines separating one property from other ownerships.

“Lot width” means the distance between the side lot lines measured at the front property (lot) line.

“Manager” means the Taylor Town manager.

“Manufactured home” means a structure, as further defined in A.R.S. section 41-2142(24), built in accordance with the HUD Act of June 15, 1976, at a site other than where it is intended to be used; as opposed to a “factory-built modular building,” which is constructed in accordance with the International Building Code. Manufactured homes are built on a permanent chassis, capable of being transported in one or more sections, and designed to be used with a permanent foundation as a dwelling when connected to on-site utilities. A “manufactured home” is not a “mobile home,” a “recreational vehicle,” or a “factory-built building.” Placement and use of a manufactured home within the Town limits shall be subject to TTC 18.60.130.

“Manufactured home, multi-section” means a structure meeting the definition of a manufactured home, except that it is transported and assembled as two or more sections which are intended to be joined together to form a single dwelling unit.

“Manufactured home rental community” means a parcel of land under single ownership on which three or more manufactured or rehabilitated mobile homes are occupied as residences, regardless of whether or not a charge is made for use of the property. In addition to manufactured and rehabilitated mobile homes, such parks may include facilities intended to serve the needs of persons residing within the park and buildings and structures customarily incidental to the residential use of the property including such things as common buildings, offices, storage sheds, carports, swimming pools, awnings, and garages.

“Manufactured home space” means an area within a manufactured home rental community designed for the accommodation of one manufactured home, together with its accessory structure(s).

“Manufacturing” means the creation of products either with machinery or by and according to an organized plan and with the division of labor.

“Manufacturing, light” means the fabrication of and/or assembly of goods from previously prepared materials.

“Mining” means the extraction of sand, gravel, or other material from the land in the amount of 400 cubic yards or more and the removal thereof from the site without processing.

“Mini-storage” (also known as a mini-warehouse) means a building or group of buildings in a controlled access and fenced or screened compound that contains relatively small storage spaces of varying sizes and/or spaces for recreational vehicles or boats, having individual, compartmentalized and controlled access for the dead storage of excess personal property of an individual or family generally stored in residential accessory structures, when such building or group of buildings are not located on the lot of the residence.

“Mobile home” means a structure, as further defined in A.R.S. section 41-2142(26), built prior to the HUD Act of June 15, 1976, on a permanent chassis, capable of being transported in one or more sections, and designed to be used with, or without, a permanent foundation as a dwelling when connected to on-site utilities. A mobile home is not a “manufactured home,” a “recreational vehicle,” or a “factory-built” building. Placement and use of a mobile home is subject to the regulations of TTC 18.60.130.

“Mobile home space” means an area within a manufactured home rental community designed for the accommodation of one rehabilitated mobile home, together with its accessory structure(s).

“Model home” means a home constructed to display a builder’s for sale or lease units but which does not serve as a dwelling unit.

“Modular building” means a IBC “factory-built building,” designed to be anchored to a permanent foundation as required by the Town. See also “Factory-built modular home.”

“New construction” means structures for which the “start of construction” commenced on or after the effective date of the ordinance codified in this title.

“Nonconforming use” (also known as a “grandfathered” use) means the lawful use of any building or lot existing at the effective date of the ordinance codified in this title or amendments thereto as they become effective, which does not conform to the use regulations of the zone in which it is located.

“Noxious matter or material” means material capable of causing injury to living organisms by chemical reaction or capable of causing detrimental effects on the physical or economic well-being of individuals.

“Offices” means structures, or portions of structures, in which commercial activities take place but where goods are not produced, sold, or repaired. These include banks, general and professional offices, governmental offices, insurance offices, real estate offices, taxicab offices, but not taxi stands, travel agency or transportation ticket offices, telephone exchange, utility offices, radio broadcasting and similar uses.

“Ordinance” means the Town of Taylor zoning ordinance.

“Overlay zone” means a zone superimposed upon an underlying zone which establishes special requirements in addition to, or in lieu of, those of the underlying zone. Development or use of land or structures must conform to the requirements of both zones or the more restrictive of the two, if in conflict.

“Parking space” means a permanently surfaced area, enclosed or open, of not less than nine feet in width and having an area of not less than 180 square feet accessible to a street or alley and permitting ingress and egress of an automobile.

“Parking space, off-street” means a space designated for the temporary parking of a motor vehicle, not on the right-of-way or alley but accessible from a street or alley.

“Personal and convenience services” means businesses offering services such as barber shops, beauty shops, laundromats, laundry and dry-cleaning pickup and delivery stations, and similar uses.

“Persons” includes any individual or group of individuals, corporations, partnerships, associations, or any other organized group of persons, including state and local governments and agencies thereof.

“Planning and Zoning Commission (planning commission)” means the Planning and Zoning Commission of the Town of Taylor, whose principal duty is the guidance of the development of the Town of Taylor and the enforcement and oversight of this title, as defined and regulated by this title.

“Political Billboard” A billboard that advertises a candidate or an issue which is to be voted on in a local, state, or federal elections.

“Premises” The contiguous land in the same ownership or control which is not divided by a street.

“Property, personal” means property, other than real property, consisting of things temporal and movable.

“Property, real” means property consisting of buildings and/or land.

“Public and quasi-public uses” means any use or property that is owned, operated, managed by, or otherwise serves the interest of any governmental agency or entity, such as the Town of Taylor, Navajo County or any state or federal agency. Includes, but is not limited to, parks, Town Hall, rodeo grounds, sanitation facilities, fire stations, cemeteries, etc.

“Recorded” means recorded with the Navajo County (Arizona) recorder.

“Recorder” means the Navajo County (Arizona) recorder’s office.

“Recreational vehicle (RV)” means a vehicular type of unit, as defined in A.R.S. section 41-2142(30), which is:

1. A portable camping trailer mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold for camping.

2. A motor home designed to provide temporary living quarters for recreational, camping or travel use and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.

3. A park trailer built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and having a gross trailer area of not more than 320 square feet and not less than 400 square feet when it is set up, including “park models.” Does not include fifth wheel trailers.

4. A travel trailer mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle and having a trailer area of less than 320 square feet, including fifth wheelers.

5. A portable truck camper constructed to provide temporary living quarters for recreational, travel or camping use and consisting of a roof, floor, and sides designed to be loaded onto and unloaded from the bed of a pickup truck.

“Recreational vehicle (RV) rental community” means a property under single ownership on which three or more recreational vehicles are occupied as temporary residences, regardless of whether or not a charge is made for such residency. Such parks may include a park office, recreational facilities, enclosed areas for maintenance of equipment and facilities, a convenience store to serve the needs of the residents, and other structures customarily incidental to the principal use including storage sheds and garages.

“Residential facility” means a single residential structure having common kitchen facilities, and occupied by six or fewer persons having developmental disability and living together for the purpose of residential training, observation and/or common support, in which care is given on a 24-hour-per-day basis. The limitation of six or fewer persons does not include the operator of a residential facility, members of the operator’s family, or persons employed as staff, except that the total number of all persons living at the residential facility shall not exceed eight.

“Residential treatment center” means a facility providing structured treatment with daily 24-hour supervision for clients who require extensive therapeutic counseling and activity, staff supervision, training in activities of daily living or support and assistance.

“Restaurant” means any restaurant, drive-in restaurant, coffee shop, cafeteria, short-order cafe, luncheonette, tavern, sandwich stand, drugstore, and soda fountain serving food, and all other eating and drinking establishments; provided, that at least one-half of the total sales are derived from the sale of food.

“Ringelmann chart” means the chart published by the U.S. Bureau of Mines for grading the density of smoke. (See Appendix)

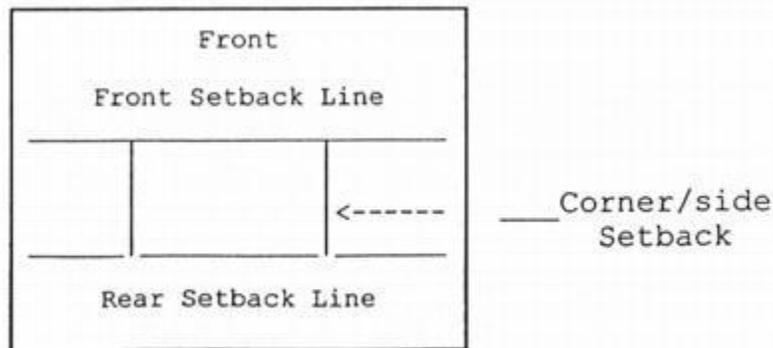
“Scenic roadside” Scenic roadsides include those land areas within the municipal limits which lie within the view shed of either side of the outermost edge of any of the roads, which are of uncommon visual importance or scenic attractiveness.

“School” means any pre-primary, primary or grammar, public, parochial or private school, high school, charter school, preparatory school or academy, public or founded, or owned or conducted by or under the sponsorship of a religious or charitable organization; private preparatory school or academy furnishing courses of instruction substantially equivalent to the courses offered by public high schools for preparation of admission to college or universities which award B.A. or B.S. degrees; junior college or university, public or founded or conducted by or under the sponsorship of a religious or charitable organization; or private school when not conducted as a commercial enterprise for the profit of individual owners or stockholders.

“Screening” means a solid or nearly solid barrier (i.e., wall, fence, plants) constructed or installed for the purpose of visual separation.

“Setback” means the horizontal distance between the front line of a building and the street right-of-way line or lot line.

“Setback line” means that line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be placed.



“Sewer, public” means any sanitary sewer line owned and maintained by the Town, whether or not installed by the Town.

“Sewer system, community” means any sanitary sewer system, whether treatment plant, septic tank or lagoon, designed with a sewer collection system to be used by a legally constituted association of property owners. The system may or may not be a public system.

“Shopping center” means any grouping of two or more principal retail uses, whether on a single lot or on abutting lots under multiple or single ownership and whether contained in one building or multiple buildings.

“Sign” means any device for visual communication, including part or all of any structure, or natural object, that is used for the purpose of bringing the subject concerned to the attention of the public, but not including any sign of any governmental agency, or any flag, badge or insignia of any governmental, civic, charitable, religious, patriotic, fraternal, or similar organization.

“Sign, attached (wall)” means a sign fastened to or painted on a structure in such a manner that the structure becomes the supporting structure for or forms the background surface of the sign, and which does not project more than 12 inches from the surface of such structure.

“Sign, detached (freestanding)” means any non-movable sign not affixed to a building and mounted on its own self-supporting frame, including the following types:

1. “Ground” means any freestanding sign, other than a pole or monument sign, placed upon or supported by the ground independent of any other structures except footings.

2. “Pole” means any freestanding sign that is mounted on a pole or other support so that the bottom edge of the sign face is six feet or more above grade.

3. “Monument” means any freestanding sign that does not exceed 10 feet in height, has a solid base equal to at least half of the width of any sign area, and is constructed so as to represent an integral structure.

“Sign height” The vertical distance measured from grade at the edge of the adjacent right-of-way to the highest point of the billboard.

“Sign, nameplate” means a sign that indicates the address, name and/or title of the persons residing at the dwelling to which it is associated.

“Sign, obsolete” means any sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product, activity, or product available on the premises where such sign is displayed.

“Sign, off-premises” means a sign which directs attention to a business, commodity, service, entertainment establishment, or other activity or phenomenon not exclusively related to the premises on which the sign is located. Also known as “billboards.”

“Sign, on-premises” means a sign which directs attention to a business, profession, or activity conducted on the property on which the sign is located.

“Sign, portable” means a sign that is not permanent, affixed to a building, structure or the ground.

“Sign, temporary” means a sign or advertising display constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed for a short period of time.

Site Plan. See TTC 18.75.050(C)(2).

“Stable, private” means any building or structure on a lot where horses are kept which is designed, arranged, used or intended for the private use of the owner of the lot.

“Stable, public” means any building or structure on a lot where horses are kept for remuneration, hire or sale.

“Start of construction” means the first placement of permanent construction of a structure (other than a manufactured or mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the “start of construction” includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation.

“Story” means that portion of a building included between the surface of any floor and the surface of the next floor above; or if there is no floor above, the space between such floor and the ceiling above.

“Street” means a right-of-way other than an alley, dedicated or otherwise legally established for public use, usually affording the principal means of access to abutting property.

“Street, arterial” means a street with access control, signals at important intersections and stop signs on the side streets and restricted parking designed to primarily distribute traffic.

“Street, collector” means a street which carries (collects) traffic from local streets and connects with minor or major arterial streets.

“Street frontage” means any property line separating a lot from a street; the front lot line.

“Street, local” means a street designed to provide vehicular access to abutting properties and to discourage through traffic.

“Street, public” means any street which has been dedicated or is otherwise publicly owned by the Town. Any street not a public street shall be deemed a private street.

“Structure” means anything constructed or erected with fixed location on the ground, or attached to something having a fixed location on the ground; including, but not limited to, dwellings, buildings, towers, swimming pools, walls, fences, and billboards.

“Structure alteration” means any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any change in the exterior walls or roof.

“Structure, principal” means the structure which accommodates the principal use on a property.

“Structure, temporary” means anything constructed or erected which is readily moveable and intended to be used for a period not exceeding 180 consecutive days.

“Town” means the Town of Taylor.

“Townhouse” means a single-family dwelling constructed as part of a series of dwellings, all of which are either attached to the adjacent building and/or buildings by party walls, or are located immediately adjacent thereto without any visible separation between walls or roof; all of which may be located on individual and separate lots if individually owned, or upon a single lot if under common ownership.

“Townhouse cluster” means a building consisting of three or more non-communicating, attached one-family units placed side by side and/or back to back having a common wall between each two adjacent dwelling units.

“International Building Code (IBC)” means the International Building Code as adopted and amended by the Town of Taylor.

“Use” means the purpose for which land or a structure is occupied, maintained, arranged, designed, or intended.

“Use, conditionally permitted” means either a public or private use as listed herein which, because of its unique characteristics, cannot be properly classified as a permitted use in a particular district. After consideration in each case of the impact of such use upon neighboring land and of the public need for the particular use at the particular location, a permit for such conditional use may or may not be granted, with or without conditions, in addition to any condition specifically stated in this title for any particular conditional use, including time limits, pursuant to the requirements of this title. A conditional use may be a principal use or an accessory use.

“Use, nonconforming” means an existing use of land or building which was legal prior to the effective date of the ordinance codified in this title but which fails to comply with the requirements set forth in this title applicable to the zone in which such use is located.

“Use, permitted” means a use which is lawfully established in a particular district or districts and which conforms to all requirements, regulations, and performance standards of such district. A permitted use may be a principal use or an accessory use.

“Use, principal” means a use or structure which determines the predominant or major use of the lot on which it is located. The principal use shall be that use which establishes the character of the property relative to surrounding or adjacent properties. A principal use may be either permitted or a conditional use.

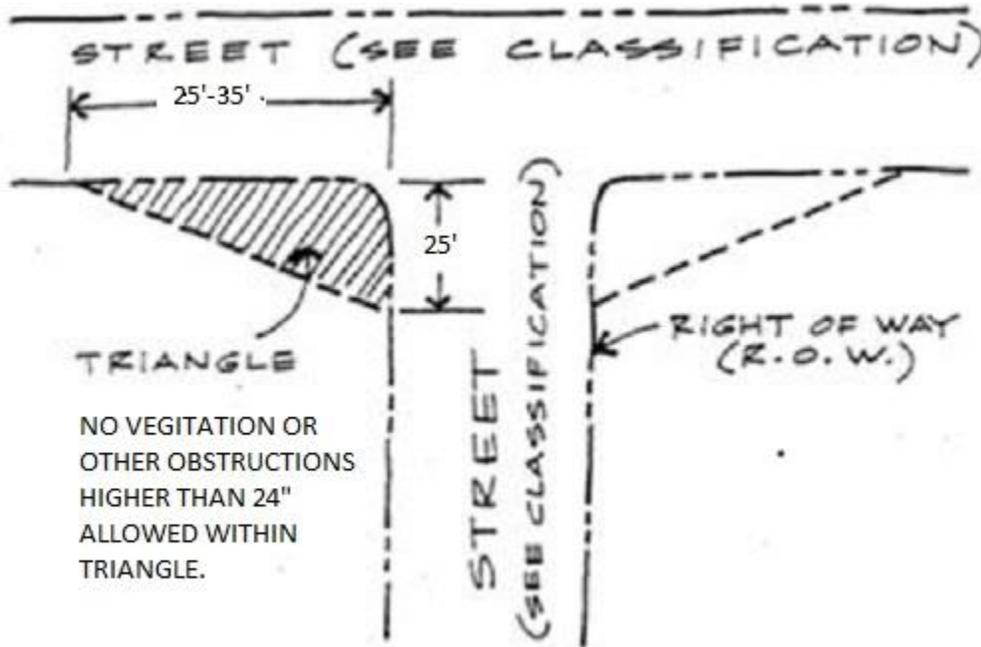
“Use, temporary” means a use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

“Variance” means a modification or variation of the provisions of this title as applied to a specific piece of property. Dimensional variances only may be allowed; no variance regarding use of property shall be permitted and no variance decreasing lot area requirements shall be allowed. A variance may be permitted only by the Board of Adjustment.

“Variance, dimensional” means departure from the terms of the zoning regulations pertaining to height or width of structures and size of yard and open spaces where such departure will not be contrary to the public interest and where, owing to conditions peculiar to the property because of its size, shape or topography and not as a result of the action of the applicant, the literal enforcement of the zoning regulations would result in unnecessary and undue hardship.

“Viewshed” An area visible from the road that provides vistas over water or across expanses of land, such as farmland, woodlands, coastal wetlands, mountaintops or ridgelines.

“Vision Triangle” At the intersection of any two streets, the “vision triangle” shall be defined as an area with the following boundary: Beginning at the intersection of the ROW limits at any street corner, thence to a point 25’ (35’ feet if posted speed limit is over 35 mph) on street along the front lot line, thence to a point 25 feet along the corner side lot line, then connecting those two points by a line that runs diagonally across the corner.

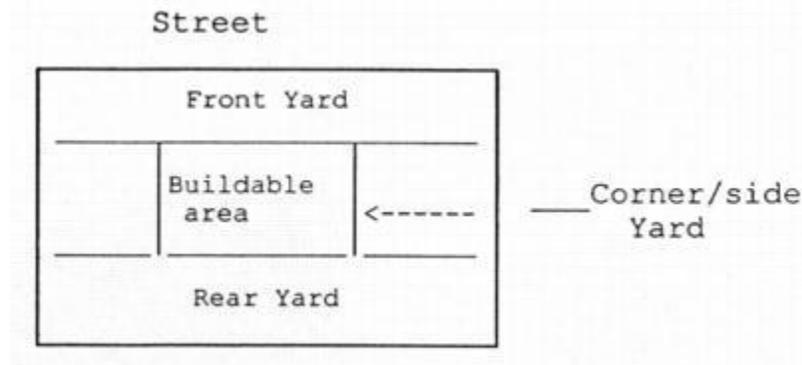


“Wall, party” means a wall of a building or structure which is common to two or more buildings.

“Warehouse” means an enclosed building designed and used primarily for the storage of goods and materials.

“Wrecking yard” means a place, lot or area where the primary function is that of dismantling, storage, abandonment or sale of goods and materials as parts or scraps.

“Yard” means the open space at grade level between a building and the adjoining lot line which is unobstructed by any portion of a structure from ground upward.



“Yard, corner side” means a yard on a corner lot which extends across the side width of the lot, and being the minimum horizontal distance between the side lot line and the principal structure.

“Yard, front” means a yard extending across the front width of a lot, and being the minimum horizontal distance between the front lot line and the principal structure.

“Yard, rear” means a yard extending between the side yards of a lot or between the side lot lines in the absence of side yards, and being the minimum horizontal distance between the rear lot line and the rear of the principal structure. On corner lots and interior lots the rear yard is in all cases at the opposite end of the lot from the front yard.

“Yard, side” means the yard between the building and the side lot line of a lot extending from the front yard to the rear lot line, or along the full depth in the absence of front and rear yards and being the minimum horizontal distance between a side lot line and the side of the principal structure. An interior side yard is defined as the side yard adjacent to a common lot line.

“Planning and Planning and Zoning Administrator” means the Town manager, or a designee, whose principal duty is enforcement of this title.

“Zoning clearance” means certification by the Planning and Planning and Zoning Administrator that the proposed use or structure meets the requirements of this and every other applicable Town of Taylor ordinance.

“Zoning district” means any portion of the Town of Taylor in which the same zoning regulations apply. Also known as “zone.”

Chapter 18.85 MEDICAL MARIJUANA

Sections:

- 18.85.010 Purpose.
- 18.85.020 Definitions.
- 18.85.030 Medical marijuana cultivation – Nonresidential.
- 18.85.040 Medical marijuana cultivation – Residential.
- 18.85.050 Medical marijuana dispensing facilities.

18.85.010 Purpose.

This chapter defines the requirements for the sale and use of medical marijuana as established by A.R.S. section 36-2801 et seq. and regulates the sale and use in order to protect, enhance, and promote the health, safety and welfare of individuals within the Town of Taylor.

18.85.020 Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

“Designated caregiver” means a person who is at least 21 years old; has agreed to assist a patient with the use of medical marijuana; has not been convicted of an excluded felony; and may assist no more than five patients as defined by A.R.S. section 36-2801(5).

“Medical marijuana” means all parts of the genus Cannabis, whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patient’s debilitating medical condition or symptoms associated with the patient’s debilitating medical condition.

“Medical marijuana combination facility” means a facility that combines the dispensing and cultivation of medical marijuana as approved by the Town of Taylor.

“Medical marijuana cultivation” means the process by which a person grows a marijuana plant.

Medical Marijuana Cultivation and Storage Facility. A “facility” shall mean a building, structure or premises used for the cultivation or storage of medical marijuana that is physically separate and off site from a medical marijuana dispensary.

“Medical marijuana dispensary” means a nonprofit entity, defined in A.R.S. section 36-2801(11), that sells, distributes, transmits, gives, dispenses, or otherwise provides medical marijuana to qualifying patients.

“Medical marijuana infusion facility” means a facility that incorporates medical marijuana (cannabis) by the means of cooking, blending, or incorporation into consumable/edible goods.

“Medical marijuana qualifying patient” means a person who has been diagnosed by a physician as having a debilitating medical condition as defined in A.R.S. section 36-2801(13).

“Physician” means a person authorized to issue a certificate pursuant to A.R.S. section 36-2801(12).

18.85.030 Medical marijuana cultivation – Nonresidential.

Medical marijuana cultivation is subject to the following conditions and limitations:

A. The applicant shall provide:

1. The name(s) and location(s) of all off-site medical marijuana dispensaries associated with the cultivation operation.

2. A copy of the operating procedures adopted in compliance with A.R.S. section 36-2804(B)(1)(c) as set forth in the application submitted to DHS.

3. A survey sealed by a registrant of the state of Arizona showing the location of all medical marijuana dispensary or cultivation locations within 5,280 feet.

B. Combination facilities are subject to the regulations of this section and TTC 18.85.050.

C. Retail sales of medical marijuana from cultivation locations are prohibited except of combination facilities as approved by the Town of Taylor.

D. Medical marijuana cultivation may be permitted as a special use in AG-1 and AG-2 zoning districts.

E. Shall not be located within 5,280 feet of similar facilities or operations. This distance shall be measured from the lot line of the property in which the cultivation is conducted or proposed to be conducted.

F. Shall not be located within 500 feet of a residentially zoned property. This distance shall be measured from the lot line of the property in which the cultivation is conducted or proposed to be conducted to the property boundary line of the residentially zoned property.

G. Shall not be located within 1,000 feet of a public or private preschool, parochial, charter, dramatic, dancing or music learning center, kindergarten, elementary, secondary or high school or other similar school or educational facility that caters to children, place of worship, public park, public cemetery, childcare center, community center or facility devoted to family recreation or entertainment. This distance shall be measured from the lot line of the property in which the cultivation is conducted or proposed to be conducted to the property line of the protected use.

H. Shall have operating hours no earlier than 7:00 a.m. and no later than 6:00 p.m.

I. Shall provide for proper disposal of marijuana remnants or byproducts and not to be placed within the facility's exterior refuse containers.

18.85.040 Medical marijuana cultivation – Residential.

Residential medical marijuana cultivation is subject to the following conditions and limitations:

A. A residential cultivation property must be located more than 25 miles from a medical marijuana dispensary as defined in A.R.S. section 36-2801(11).

B. Residential cultivation shall be conducted only by a qualifying patient or a designated caregiver as defined by A.R.S. section 36-2801.

C. There shall be no exterior evidence of medical marijuana cultivation either within or outside a residential property as viewed from a public right-of-way.

D. The qualified patient shall reside in the residence in which the residential medical marijuana cultivation occurs.

E. The qualified patient may only cultivate marijuana in the patient's primary residence. It is unlawful for a qualified patient otherwise to cultivate marijuana within the Town limits of the Town of Taylor.

F. The residence shall maintain kitchen, bathrooms, and primary bedroom(s) for their intended use and shall not be used primarily for residential medical marijuana cultivation.

G. The quantity of residentially cultivated medical marijuana shall be limited to 12 marijuana plants as defined by A.R.S. section 36-2801(1)(b)(ii).

H. There shall be no emission of dust, fumes, vapors, or odors of marijuana into the environment from the residence.

I. Residential cultivation shall be confined to an enclosed, locked facility as defined by A.R.S. section 36-2801(6).

18.85.050 Medical marijuana dispensing facilities.

Medical marijuana dispensaries are subject to the following conditions and limitations:

A. The applicant shall provide:

1. The name(s) and location(s) of all off-site medical marijuana cultivation operations associated with and/or providing product to the dispensary.

2. A copy of the operating procedures adopted in compliance with A.R.S. section 36-2804(B)(1)(c) as submitted to DHS.

3. A site plan, floor plan, building permits for occupancy change if required, and a security plan.

B. Combination facilities are subject to the regulations of TTC 18.85.030 and this section.

C. Shall be located in permanent buildings and may not be located in a trailer, cargo container, motor vehicle or similar temporary structure.

D. Shall be a maximum 1,500 gross square feet for a dispensing facility or 3,000 gross square feet for a combination dispensing/cultivation facility.

E. Shall not be located within 5,280 feet of the same type of use. This distance shall be measured from the lot line of the property in which the dispensing is conducted or proposed to be conducted.

F. Shall not be located within 1,000 feet of a public or private preschool, parochial, charter, dramatic, dancing or music learning center, kindergarten, elementary, secondary or high school or other similar school or educational facility that caters to children, place of worship, public park, public cemetery, childcare center, community center or facility devoted to family recreation or entertainment. This distance shall be measured from the lot line of the property in which the cultivation is conducted or proposed to be conducted to the property line of the protected use.

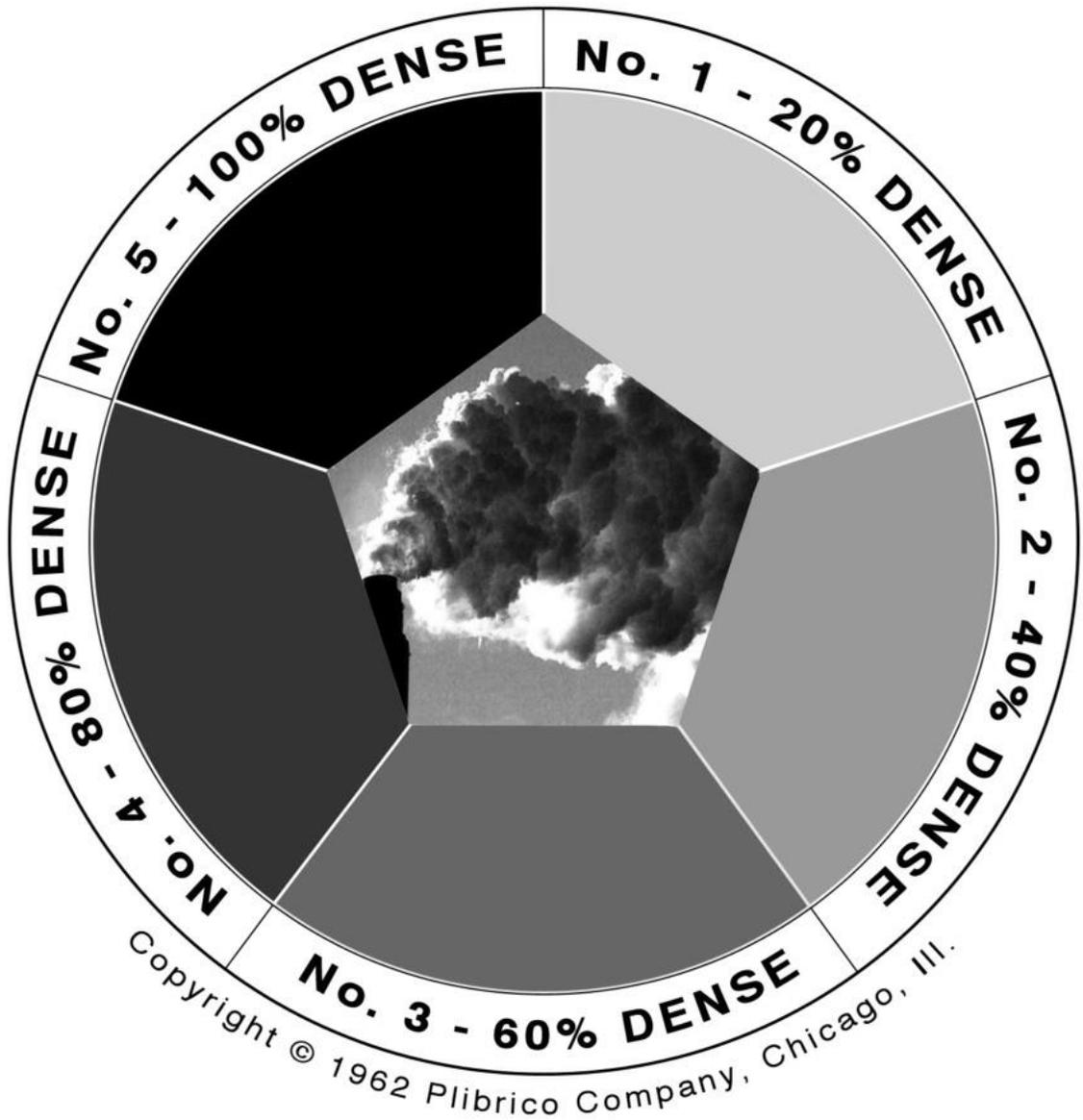
G. Drive-through services are prohibited.

H. Shall have operating hours no earlier than 7:00 a.m. and no later than 6:00 p.m.

I. Shall provide for proper disposal of marijuana remnants or byproducts, and not to be placed within the facility's exterior refuse containers.

PLIBRICO SMOKE CHART

RINGELMANN TYPE



TAYLOR ZONING TABLE							
Zone	Min Lot Size	Multi Family	Mobile Homes Allowed	Notes	Animals	Main Building Setbacks (feet)	Accessory Structure Setbacks (feet)
AG-1 Agricultural	1 acre	No	Yes	Multi-section mobile home only	Horses, cattle, sheep, or goats.	Front- 25 Side- 10 Rear- 25	Front- 25 Side- 3 Rear- 3 Between - 7
AG-2 Agricultural	2 acres	No	Yes	Multi-section mobile home only	Livestock, horses, swine, poultry, rabbits and other small animals	Front- 25 Side- 20 Rear- 25	Front- 25 Side- 3 Rear- 3 Between - 7
R-1 Single Family	10,000 sq ft	No	Yes	Multi-section mobile home only	Horses, cattle, sheep, or goats w / 15,000 sq ft min lot	Front - 20 Cornerside - 20 Rear - 20 Side - 10	Front- 20 Side- 3 Rear- 3 Between - 7
R-2 Multi Family	10,000 sq ft	Yes	No		Non-Specific	Front - 25 Cornerside - 25 Rear - 25 Side - 8	Front- 25 Side- 3 Rear- 3 Between - 7
Com (Commercial)	10,000 sq ft	Yes	No		Non-Specific	Front - 50 Cornerside - 35 Residential Zone - 35	Front - 50 Cornerside - 35 Residential Zone - 35 Between - per IBC
Ind-L (Light Industrial)	10,000 sq ft	Non-Specific	Non-Specific		Non-Specific	Front - 25 Cornerside - 25 Residential Zone - 50	Front - 25 Cornerside - 25 Residential Zone - 50 Between - Per IBC
Ind-H (Heavy Industrial)	10,000 sq ft	Non-Specific	Non-Specific		Non-Specific	Front - 25 Cornerside - 25 Residential Zone - 50	Front - 25 Cornerside - 25 Residential Zone - 50 Between - Per IBC
PAD	Town Council Approval	Town Council Approval	Town Council Approval		Town Council Approval	Town Council Approval	Town Council Approval
AO (Airport Overlay)	Varies	Varies	Varies		Varies	Varies (height restrictions also in place)	Varies (height restrictions also in place)