

ORDINANCE NO. 812

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-006 (INDUSTRIAL DISTRICTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON.

WHEREAS, the Town of Payson's Unified Development Code regulates land uses within Industrial Zoning Districts; and

WHEREAS, on August 18, 2011, the Town Council directed Staff to prepare potential amendments to the Industrial District Standards; and

WHEREAS, on September 12, 2011, the Town's Planning and Zoning Commission held a Public Hearing and made recommendation on such amendments; and

WHEREAS, on September 22, 2011 and October 6, 2011, the Town Council held Public Hearings on such amendments; and

WHEREAS, the Town of Payson now desires to adopt certain amendments to Section 15-02-006 (Industrial Districts),

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

- Section 1. Amendments to Section 15-02-006 (Industrial Districts) of the Unified Development Code set forth in Resolution 2625 were heretofore declared to be a public record, and the provisions thereof are hereby referred to and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance.
- Section 2. At least three copies of the amendments adopted by Section 1 above, shall be filed in the Office of the Town Clerk of the Town of Payson and the same shall be maintained and kept available for public use and inspection.
- Section 3. If any section, subsection, clause, phrase or portion of this Ordinance is for any reason including, but not limited to the voter approved Private Property Rights Protection Act of 2006, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the Mayor and Common Council of the Town of Payson declare that the provision or provisions of the Unified Development Code relating to such section, subsection, clause, phrase or portion predating the adoption of this Ordinance shall be in effect.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of October, 2011, by the following vote:

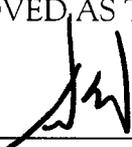
AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk



Timothy M. Wright, Town Attorney

**RESOLUTION NO. 2625 IS
PROVIDED FOR INFORMATION
ONLY
AT THE 9/22/11 COUNCIL MEETING.**

**RESOLUTION NO. 2625 WILL
BE AGENDIZED AS AN ACTION ITEM
AT THE 10/6/11 SPECIAL COUNCIL
MEETING.**

RESOLUTION NO. 2625

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-006 (INDUSTRIAL DISTRICTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.

WHEREAS, the Code of the Town of Payson was declared to be a public record by Resolution Number 1536 and was adopted as a public record by Ordinance Number 588; and

WHEREAS, it is the intention of the Town of Payson to amend Section 15-02-006 (Industrial Districts) of Unified Development Code of the Town of Payson; and

WHEREAS, such amendment may be enacted by reference, pursuant to A.R.S. § 9-802,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

- Section 1. Section 15-02-006 (Industrial Districts) of the Unified Development Code of the Town of Payson is hereby amended, such amendment is declared to be a public record, and pursuant to such amendment, Section 15-02-006 shall read as set forth in Exhibit A.
- Section 2. The Table of Industrial Lot Standards referenced in Section 15-02-006(D) of the Unified Development Code of the Town of Payson is hereby amended, such amendment is declared to be a public record, and pursuant to such amendment, the Table of Industrial Lot Standards shall read as set forth in Exhibit B.
- Section 3. The "Residential Uses" portion of the Table of Industrial District Uses set forth in Section 15-12-003 of the Unified Development Code of the Town of Payson is hereby amended, such amendment is declared to be a public record, and pursuant to such amendment, the "Residential Uses" portion of the Table of Industrial District Uses shall read as set forth in Exhibit C.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of October, 2011, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

Silvia Smith, Town Clerk

APPROVED AS TO FORM:



Timothy M. Wright, Town Attorney

EXHIBIT A TO RESOLUTION 2625

15-02-006 Industrial Districts

A. Purpose and Intent

1. M-1 Industrial One/Light Industry District - to provide for limited manufacturing, processing, warehousing and light industrial uses, with predominance on indoor industrial activities conducted in a manner not to cause inconvenience or disturb neighboring properties.
2. M-2 Industrial Two/General Industry District - to provide for a wide range of industrial and manufacturing uses including intensive activities and outdoor storage while maintaining appropriate measures for safety and welfare.

B. Industrial District Stipulations and Provisions

1. All outdoor lighting shall be hooded or shielded so as to deflect light away from any residential district. The source of illumination for signs shall not be visible. All outdoor lighting shall be of a minimum necessary to serve the purpose intended. **See Section 15-03.**
2. ~~Upon commencement of any non-residential use, a solid, continuously opaque, masonry wall of 6 feet minimum height shall be constructed alongside and rear property lines adjacent to any residential zoned district, and all requirements for s~~ Screening and landscaping as specified in **shall comply** with Section 15-03, ~~shall be installed.~~
3. All parking and signage shall comply with Section 15-04 and 15-06, ~~of this Code.~~
4. In the M-1 and M-2 Districts, open land uses, and storage of materials and equipment, may be permitted if located beyond the front 50 feet of the lot or parcel and screened by a continuously opaque, solid masonry wall 6 feet in height, so that this storage or use is not visible from any adjacent properties or street; and no part of any materials or equipment shall be stacked or positioned higher than the screening wall.
5. ~~Prior to development of any multi-family of four units or more or non-residential project, a development master plan shall be submitted to the Community Development Department for review; master development plans shall be prepared in compliance with the materials and information required in Section 15-02-007.E for Planned Area Developments.~~

C. Industrial District Uses

The following uses as specified in the "Table of Industrial Districts", in Section 15-12-003, are permitted in the zoning district designated where a "P" (permitted) appears in the corresponding column; uses designated with a "C" (conditional use) shall be permitted only with the approval of a Conditional Use Permit in accordance with the procedures for Conditional Use Permits set forth in Section 15-09-004; where a "N" (not permitted) is designated, such use is prohibited.

D. Lot Development Standards

The chart entitled "Table of Industrial Lot Development Standards", which follows, establishes the minimum requirements for ~~sizes of lots, units, yard setbacks and space between buildings, and percent of lot coverage under roof;~~ and ~~establishes the standard for~~ required connection to public water and sewer systems.

EXHIBIT B TO RESOLUTION 2625

Table of Industrial Lot Development Standards

District (1)	Minimum Lot Size			Max Lot Cover	Minimum Yard Setback				Min Space Between Buildings	Public Water, Sewer Required (2)
	Area (sq. ft.)	Width	Depth		Front	Rear (2)	Interior Side (2)	Street Side		
M-1	22,000	110'	150'	50%	20'	30'	30'	20' <u>15'</u>	10'	YES
M-2	22,000	110'	150'	50%	20'	30'	30'	20' <u>15'</u>	10'	YES

1. Building Height: See Section 15-02-003(A)(1)(b).
2. Rear and side yard setbacks will apply only when the industrial property has a common property boundary with a residentially zoned lot or the adjoining property has residential uses established; otherwise, if adjoining another Commercial or Industrial property, no rear or side yard setbacks are required.
3. ~~Public sewer facilities shall be utilized. Water facilities, if not Public, are required to be approved by the Arizona Department of Environmental Quality.~~

EXHIBIT C TO RESOLUTION 2625

15-12-003 Table of Industrial District Uses

<p>P = Permitted Use N = Use Not Permitted C = Conditional Use Permit</p> <p>Use Description</p>	<p>District</p> <p>M-1 M-2</p>	
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Residential Uses		
Single family dwelling unit, for caretaker and family	P <u>N</u>	P <u>N</u>
<u>For Caretaker and Family (Accessory Use Only) (Site Built Only)</u>	<u>P</u>	<u>P</u>