

ORDINANCE NO. 865

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING TOWN CODE SECTIONS 33.56 AND 33.58 CONCERNING THE DESIGN REVIEW BOARD AND SECTION 154-02-014 PART III OF THE UNIFIED DEVELOPMENT CODE TO CONSOLIDATE THE PLANNING AND ZONING COMMISSION WITH THE DESIGN REVIEW BOARD, CLARIFY THE ROLES OF TOWN STAFF AND THE DESIGN REVIEW BOARD, AND AMEND THE RESPONSIBILITIES OF THE COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE, AND THE PROCESS TO APPEAL DESIGN REVIEW DECISIONS.

WHEREAS, certain new development, businesses, and/or construction within the Town are required to obtain approvals from one or more of the Town's various Boards and Commissions; and

WHEREAS, in many cases, these approvals are provided by the Planning and Zoning Commission ("the Commission") and the Design Review Board ("DRB"); and

WHEREAS, the approvals from these various Boards and Commissions can extend the approval process; increase costs for developers; require additional and/or duplicative Town Staff time and effort; frustrate Board and Commission Members who are not making a truly final decision; and create the possibility of inconsistent approvals; and

WHEREAS, the Council desires to streamline the development approval process by designating the Commission to perform the DRB functions of recommending amendments to the Design Review Guidelines and hearing appeals of the Community Development Director; and

WHEREAS, on March 2, 2015, the Commission conducted a public hearing concerning the proposed amendments of Section 154-02-014 Part III of the Unified Development Code of the Town of Payson as set forth in Exhibit B and voted 3-2 to recommend those proposed amendments for adoption by the Town Council; and

WHEREAS, the Town Council held Public Hearings on March 19, 2015 and April 2, 2015 on the recommended amendments set forth in Exhibits A and B to Resolution 2837; and

WHEREAS, the Town desires to enact the recommended amendments,

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

SECTION 1: That the amendments to Payson Town Code Sections 33.56 and 33.58 set forth as Exhibit A to Resolution 2837 were declared to be a public record, and that the amendments are hereby referred to and adopted by this Ordinance as though all of the provisions thereof were set forth in full in this Ordinance.

Second Public Hearing APR 02 2015 2:30 B

SECTION 2: That the amendments to Payson Town Code Section 154-02-014 Part III of the Unified Development Code set forth as Exhibit B to Resolution 2837 were declared to be a public record, and that the amendments are hereby referred to and adopted by this Ordinance as though all of the provisions thereof were set forth in full in this Ordinance.

SECTION 3: All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

SECTION 4: If any section, subsection, or other portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Payson, Arizona, this ____ day of _____, 2015, by the following vote:

AYES: _____ NAYES: _____ ABSENT: _____ ABSTAINED: _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Hector M. Figueroa, Town Attorney

I, SILVIA SMITH, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 865 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA ON THE ____ DAY OF _____, 2015, WAS POSTED IN THREE PLACES ON THE ____ DAY OF _____, 2015.

Silvia Smith, Town Clerk