

ORDINANCE NO. 870

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 154-02-005D(2) AND 154-02-006D OF THE UNIFIED DEVELOPMENT CODE TO ALLOW REDUCED FRONT AND/OR STREET-SIDE SETBACK REQUIREMENTS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

WHEREAS, Sections 154-02-005D(2) and 154-02-006D of the Unified Development Code (“UDC”) regulate required front and street-side setbacks in commercial and industrial zoning districts; and

WHEREAS, said UDC Sections presently require a twenty foot front setback and a 15 foot street-side setback in commercial zoning districts and a twenty foot front setback and a fifteen foot street-side setback in industrial districts; and

WHEREAS, in order to facilitate commercial and industrial project planning, redevelopment or expansion, staff proposed reduced setback requirements in commercial and industrial districts of a zero front setback and a zero street-side setback; and

WHEREAS, on June 1, 2015 the Planning and Zoning Commission held a public hearing on the proposed UDC amendments and recommended approval of said amendments to the Mayor and Council; and

WHEREAS, on July 2, 2015 and July 23, 2015 the Mayor and Council held public hearings on the proposed UDC amendments.

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

Section 1. That Section 154-02-005D(2) of the Town of Payson Unified Development Code (Table of Commercial Lot Development Standards) is hereby amended, and as amended shall read as follows:

Table of Commercial Lot Development Standards

District (1)	Minimum Lot Size		Max Lot Cover	Minimum Yard Setback				Min Space Between Buildings	Public Water Sewer Required (5)
	Area sq. ft. (2)	Lot Area Per DU (2)		Front	Rear (3,4)	Interior Side (3,4)	Street Side		
C-1	6,000	2,420'	50%	20-0'	15'	10'	15 0'	10'	YES

*Prepared by Town of Payson Legal Department
HMF:ds June 18, 2015 (2:05PM)
O: Civil Ordinances 870 UDC Amendment re commercial, industrial setbacks.doc*

*First Public Hearing JUL 02 2015 D.3
Second Public Hearing JUL 23 2015*

C-2	6,000	2,420'	50%	20 0'	15'	10'	15 0'	10'	YES
C-3	6,000	2,420'	50%	20 0'	15'	10'	15 0'	10'	YES

1. *Building height: See § 154-02-003(A)(1)(b).*
2. *Minimum lot area and area for dwelling unit is required for residential uses only; for non-residential uses, no minimum area is required.*
3. *Commercial businesses with rear or side loading/service areas shall maintain a minimum rear and/or side setback of 30', when adjacent to residential districts.*
4. *Rear and side yard setbacks will apply only when the commercial 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.*
5. *Public sewer facilities shall be utilized. Water facilities, if not public, are required to be approved by the Arizona Department of Environmental Quality.*

Section 2. That Section 154-02-006D of the Town of Payson Unified Development Code (Table of Industrial Lot Development Standards) is hereby amended, and as amended shall read as follows:

Table of Industrial Lot Development Standards

District (1)	Minimum Yard Setback				Public Water, Sewer Required
	Front	Rear (2)	Interior Side (2)	Street Side	
M-1	20 0'	30'	30'	15 0'	YES
M-2	20 0'	30'	30'	15 0'	YES

1. *Building Height: See § 154-02-003(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. If adjoining another commercial or industrial property, no rear or side yard setbacks are required.*

Section 3. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein 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 thereof.

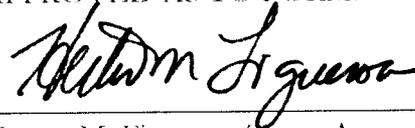
PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON this 2nd day of July, 2015, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:



Silvia Smith, Town Clerk

Hector M. Figueroa, Town Attorney