ORDINANCE NO. 825

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE UNIFIED DEVELOPMENT CODE'S TABLE OF RESIDENTIAL LOT DEVELOPMENT STANDARDS (IN SECTION 15-02-004) TO ALLOW ADDITIONAL DENSITY IN R3 ZONING DISTRICTS.

WHEREAS, Section 15-02-004 (including the Table of Residential Lot Development Standards) of the Unified Development Code regulates development in Residential Zoning Districts within the Town; and

WHEREAS, the Town wishes to eliminate the specific requirement of having a 2,420 square foot minimum lot area per dwelling unit for R3 zones and to allow density in R3 zones to be regulated by all other development standards (including, but not limited to building height, lot coverage, hillside regulations, parking, and setbacks); and

WHEREAS, the Town initiated Application P12-002 to amend the Table of Residential Lot Development Standards in Section 15-02-004 ("the Application"); and

WHEREAS, the Planning and Zoning Commission held a Public Hearing on March 19, 2012, considered the issues, and made recommendation on the Application to the Town Council; and

WHEREAS, the Planning and Zoning Commission held a second Public Hearing on the Application on September 10, 2012, received no additional public input, and took no additional formal action; and

WHEREAS, the Town Council held Public Hearings on October 4, 2012 and October 18, 2012, in regard to the Application and has considered the issues relating thereto; and

WHEREAS, it is the desire and intent of the Mayor and Common Council to approve the Application and amend the Table of Residential Lot Development Standards contained in Section 15-02-004 of the Unified Development Code,

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

Section 1. That the Table of Residential Lot Development Standards contained in Section 15-02-004 of the Unified Development Code is hereby amended and as amended shall read as set forth in Exhibit A attached hereto.

Section 2. That, as required by A.R.S. § 9-462.01(F), the allowable uses and density permitted in the amended Table of Residential Lot Development Standards are found to be consistent with

First Reading OCT 04 2012 G.2.b.
Public Hearing
Second Reading and Public Hearing OCT 18 2012 G.2.b.

the General Plan of the Town of Payson as amended by Resolution 2686.

Section 3. Pursuant to A.R.S. §19-142 and §30.54 of the Code of the Town of Payson, this Ordinance shall not become operative until 30 days after its passage; nor shall this Ordinance become effective prior to the effective date of Resolution 2686.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 18th day of October, 2012, by the following vote:

AYES 7 NOES 0 ABSTENTIONS 0 ABSENT 0

Kenny J. Evans, Mayor

ATTEST:

Silvia Smith, Town Clerk

APPROVED AS TO FORM:

Timothy M. Wright, Town Attorney

EXHIBIT A
TO
ORDINANCE 825

PROPOSED

Table of Residential Lot Development Standards

District (1)	Minimum Lot Size			Min. Lot Area per Dwelling Unit	Max Lot Cover	Minimum Yard Setbacks				Minimum Space Between Buildings	Public Water Sewer Required (4)(5)
	Area sq. ft.	Width (2)	Depth (3)			Front	Rear	Side	Strt Side		
R1-6	6,000	60'	90'	6,000	50%	20'	20'	5' (6)	10'	10'	YES
R1-8	8,000	70'	100'	8,000	40%	20'	20'	6' (6)	15'	10'	YES
R1-10	10,000	80'	110'	10,000	40%	20'	20'	7'	15'	10'	YES
R1-12	12,000	90'	120'	12,000	30%	25'	25'	8'	15'	10'	YES
R1-18	18,000	100'	140'	18,000	30%	30'	30'	10'	15'	10'	YES
R1-35	35,000	140'	180'	35,000	20%	35'	35'	20'	20'	10'	YES
R1-44	44,000	150'	190'	44,000	20%	40'	40'	20'	20'	10'	YES
R1-70	70,000	160'	240'	70,000	20%	50'	50'	25'	25'	10'	YES
R1-90	90,000	180'	270'	90,000	10%	55'	55'	25'	25'	10'	NO
R1-175	175,000	300'	300'	175,000	10%	60'	60'	30'	30'	10'	NO
R2	6,000	60'	90'	3,630	50%	20'	10' (8)	5' (6)	15'	6'	YES
R3	6,000 (7)	60'	90'	n/a	50%	20' (9)	10' (8)	5' (6)	15' (9)	6'	YES

1. Building Height: See Section 15-02-003(A)(1)(b).
2. For cul-de-sac and flag lots, see sections 15-02-003(A)(2)(d) and (f).
3. Flag lots shall have a maximum depth, from the street frontage to the area where the lot widens, of not more than 150'.
4. Public sewer facilities shall be utilized: a) when the property is located within the Northern Gila County Sanitary District's boundaries and there is an adequate public sewer within 1000 feet of the nearest property line as measured along the usual or most feasible route of access. b) when property is not within the N.G.C.S. District's boundaries, but there is an adequate public sewer within 500 feet of the nearest property line, as measured along the usual or most feasible route of access, and the total cost of connecting to the sewer is less than two times the cost of installing an on-site disposal system. If facilities are unavailable within the parameters described in a) and b), then other suitable facilities are required to be approved by the Gila County Health Department. However, no new properties (less than 2 acres in size) shall be created by minor land divisions that would require septic or other alternate sanitary systems to be utilized.
5. Water facilities, if not Public, are required to be approved by the Arizona Department of Environmental Quality.
6. Attached housing (zero lot line development) is allowed on contiguous lots within the same street frontage, provided both units are developed at the same time as a common project. All non-street setbacks which are opposite the common property line shall be increased by 2 feet over the minimum side yard setback for that district.
7. Through the platting process, townhouse lots in R3 districts may be reduced to 3000 s.f. minimum width 30', minimum depth 80'.
8. Where the rear property line is common with a single family residential district, the minimum rear yard setback shall be 18'.
9. Minimum front and street-side setbacks may be reduced to 10' when not utilized for parking or vehicular access.