

ORDINANCE NO. 713

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CREATING PAYSON'S DESIGN REVIEW BOARD AND AMENDING THE DESIGN REVIEW APPLICATION PROCESS.

WHEREAS, the Town of Payson has numerous standing Boards, Committees, and Commissions that act in an advisory capacity to the Town Council; and

WHEREAS, it is the intention of the Town of Payson to create a Design Review Board by adding Sections 33.55 through 33.59 to Chapter 33 of the Code of the Town of Payson; and

WHEREAS, it is the intention of the Town of Payson that the Design Review Board shall review all design review applications except applications for minor changes; and

WHEREAS, the Town of Payson has found that the adoption of this Ordinance Number 713 is necessary and appropriate to protect the health, safety, and welfare of the citizens of the Town of Payson as a lawful exercise of police power vested in the Town by the State of Arizona,

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

- Section 1. Sections 33.55 through 33.59 (Design Review Board) of Chapter 33 of the Code of the Town of Payson set forth in Resolution 2258 were heretofore declared to be a public record by such Resolution, and all the provisions thereof are hereby referred to and added to the Code of the Town of Payson and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance Number 713.
- Section 2. That at least three copies of Sections 33.55 through 33.59 (Design Review Board) of Chapter 33, as adopted by this Ordinance Number 713 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. Pursuant to Section 33.02 of the Code of the Town of Payson, the Design Review Board shall have seven members.
- Section 4. In order for the members of the Design Review Board to have staggered terms, of the first members to be appointed, three (3) shall be appointed for three (3) years, two (2) shall be appointed for two (2) years, and two (2) shall be appointed for one (1) year.
- Section 5. The amendments to Sections 15-02-013(F)(5) and (6) of the Unified Development Code of the Town of Payson set forth in Resolution 2258 were heretofore declared to be a public record by such Resolution, and the amendments thereto are hereby referred to and added to the Code of the Town of Payson and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance Number 713.

1st Reading & Pub. Hg. APR 05 2007 G.15
2nd Reading & Public Hearing

APR 19 2007 G.3

- Section 6. That at least three copies of the amendments to Sections 15-02-013(F)(5) and (6) of the Unified Development Code, as adopted by this Ordinance Number 713 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 7. The amendments to Sections 15-02-014(D) and (E) of the Unified Development Code of the Town of Payson set forth in Resolution 2258 were heretofore declared to be a public record by such Resolution, and the amendments thereto are hereby referred to and added to the Code of the Town of Payson and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance Number 713.
- Section 8. That at least three copies of the amendments to Sections 15-02-014(D) and (E) of the Unified Development Code, as adopted by this Ordinance Number 713 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 9. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 713 are hereby repealed to the extent of such conflict.
- Section 10. Sections 5, 6, 7, and 8 shall become effective upon the Council approving the Mayor's appointment of the first seven members of the Design Review Board created by this Ordinance.
- Section 11. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 713 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 Number 713. The Mayor and Common Council of the Town of Payson declares that it would have adopted this Ordinance Number 713 and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases or portions would be declared invalid or unconstitutional.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this ____ day of _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney

SUMMARY OF AGENDA ITEM

DATE: April 5, 2007
TO: Mayor and Council
FROM: Legal Department
SUBJECT: Ordinance 713 and Resolution 2258

PURPOSE:

Ordinance 713 and Resolution 2258 create the Payson Design Review Board which will review design review applications Town wide.

SUMMARY OF CHANGES TO ACCOMPLISH THIS PURPOSE:

- 1) The Payson Design Review Board will be created by adding sections 33.55 through 33.59 to the Town Code.
- 2) The first task of the Design Review Board would be to solicit public input and to review and recommend changes to the Town's Design Review Guidelines. The Board is directed to consider separate guidelines for multifamily, commercial, and industrial development.
- 2) Two of the Board members are not required to be electors of the Town so long as they either own a business in Town or own property in Town. Additionally, two of the Board members must have training or experience in the field of design.
- 3) Upon appointment of the first Design Review Board, the Board would become the reviewing entity for all Design Review Applications (both within the Green Valley Redevelopment Area and Town wide) except for minor changes. (See number 4 below)
- 4) For minor Design Review Applications, the Community Development Director would continue to handle these administratively.

APR 05 2007 Gr.15