

ORDINANCE NO. 746

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE TOWN'S DESIGN REVIEW GUIDELINES AND PROCEDURES

WHEREAS, on April 19, 2007, the Council approved Ordinance 713 creating the Town's Design Review Board ("the Board"); and

WHEREAS, the Board was charged with reviewing the Town's Design Review Guidelines ("Guidelines") and to make recommendations for changes, amendments, deletions, or additions to the Guidelines; and

WHEREAS, the Board, since its inception has reviewed the Guidelines and on July 8, 2008 voted to recommend amendments to the Guidelines; and

WHEREAS, on July 14, 2008, the Planning and Zoning Commission held a Public Hearing on the recommended amendments to the Guidelines and following such Public Hearing recommended approval; and

WHEREAS, on August 7, 2008, The Payson Town Council conducted a public hearing on the proposed amendments to the Guidelines; and

WHEREAS, the Town finds that the amendments to the Guidelines will provide clarity, streamline the review process, and provide consistency to applicants; and

WHEREAS, the Town finds that maintaining the aesthetic quality of the Town increases property values, increases tourism and creates financial benefits for the Town's property owners; and

WHEREAS, the Town finds that the Guidelines are necessary to regulate, maintain, and promote the aesthetic quality of the Town; and

WHEREAS, amendments to Sections 15-02-013(F) and 15-02-014 of Chapter 154 (The Unified Development Code) of the Code of the Town of Payson were declared to be a public record by Resolution 2410; and

WHEREAS, it is the desire of the Mayor and Common Council to amend the Code of the Town of Payson by amending Sections 15-02-013(F) and 15-02-14 by reference pursuant to A.R.S. § 9-802,

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

DEC 11 2008 G.8

Second Reading and Public Hearing

Second Reading & Public Hearing  
Second Reading & Public Hearing

SEP 04 2008 G.5

SEP 18 2008 G.12

- Section 1. That the amendment to Section 15-02-014 (Design Review Overlay District) of Chapter 154 (the Unified Development Code) of the Code of the Town of Payson set forth in Resolution 2410 was heretofore declared to be a public record by such Resolution, and that the amendment to Section 15-02-014 is hereby referred to and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance Number 746.
- Section 2. That at least three copies of the amendment to Section 15-02-014 of Chapter 154, as adopted by this Ordinance Number 746 shall be filed in the Office of the Clerk of the Town of Payson and the same shall be maintained and kept available for public use and inspection.
- Section 3. That the amendment to Section 15-02-013(F) (Design Review in Green Valley Redevelopment Area) of Chapter 154 (the Unified Development Code) of the Code of the Town of Payson set forth in Resolution 2410 was heretofore declared to be a public record by such Resolution, and that the amendment to Section 15-02-013(F) is hereby referred to and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance Number 746.
- Section 4. That at least three copies of the amendment to Section 15-02-013(F) of Chapter 154, as adopted by this Ordinance Number 746 shall be filed in the Office of the Clerk of the Town of Payson and the same shall be maintained and kept available for public use and inspection.
- Section 5. That Section 15-02-003(B)(7) (Design Review Standards) of Chapter 154 (the Unified Development Code) of the Code of the Town of Payson is hereby deleted.
- Section 6. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 746 are hereby repealed to the extent of such conflict.
- Section 7. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 746 is held for any reason including, but not limited to the voter approved Private Property Rights Protection Act of 2006, 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 as they existed on the date of approval of this Ordinance amended by such section, subsection, sentence, clause, phrase or portion shall be in effect.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON** this \_\_\_\_ day of \_\_\_\_\_, 2008, by the following vote:

AYES \_\_\_\_ NOES \_\_\_\_ ABSTENTIONS \_\_\_\_ ABSENT \_\_\_\_

\_\_\_\_\_  
Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Silvia Smith, Town Clerk

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Samuel I. Streichman, Town Attorney