RESOLUTION NO. 2918

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTIONS 154-02-004D, 154-07-002A, AND 154-11-002 UNIFIED DEVELOPMENT CODE, RESIDENTIAL LOT DEVELOPMENT STANDARDS, SUBDIVISION DESIGN PRINCIPALS AND STANDARDS GENERAL REQUIREMENTS, AND DEVELOPMENT MASTER PLAN DEFINITION, AND DECLARING SUCH AMENDMENTS AND ADDITION TO BE A PUBLIC RECORD.

WHEREAS, the Code of the Town of Payson ("Code") was declared to be a public record by Resolution 1536 and was adopted as a public record by Ordinance 588; and

WHEREAS, it is the intention of the Town of Payson to amend sections 154-02-004D, 154-07-002A, and 154-11-002 of the Code of the Town of Payson to allow flexibility within established lot development standards through the subdivision and master development plan or minor land division process, and

WHEREAS, in 1996, the Mayor and Council approved Ordinance 466 adopting the Unified Development Code ("UDC") and in 2014 approved Ordinance 850 incorporating the UDC into the main Town Code compilation; and

WHEREAS, the Town may enact the provisions of a code or a public record theretofore in existence by reference pursuant to A.R.S. § 9-802 *et. seq.* without setting forth the provisions, but the adopting ordinance shall be published in full.

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, RESOLVE AS FOLLOWS:

Section 1: Section 154-02-004D, 154-07-002A, and 154-11-002 of the Unified Development Code of the Town of Payson is hereby amended to allow flexibility from lot width, depth, and minimum lot area standards through subdivision plat and master development plan approval or minor land division approval, and shall read as set forth in **Exhibit A**.

Section 2: That Kenny J. Evans, Mayor of the Town of Payson, is authorized to execute Resolution 2918 and Ordinance 883 as presented to Mayor and Council; and

Section 3: This Resolution and said attached **Exhibit A** are hereby declared to be a public record pursuant to A.R.S. § 9-802 *et. seq.*

Section 4: That the Town of Payson and Town Officials are authorized to take such other and further actions as may be necessary or appropriate to carrying out the intent of this Resolution.

Section 5: If any portion of this Resolution is held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution.

MAY 19 2016 G.10.A

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 2nd day of June, 2016, by the following vote:

AYES ____ NOES ____ ABSTENTIONS ____ ABSENT _____

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Hector M. Figueroa, Town Attorney

Prepared by Town of Payson Legal Department
HMF: dkk 5/9/2016 12:21 PM
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Exhibit A

§ 154-07-002 Subdivision Design Principles and Standards
(A) *General requirements.*

(5) Minimum lot width, depth and area standards *may* be modified if a Development Master Plan is submitted and approved by the Planning Commission concurrently with a Preliminary Plat application. The number of housing units proposed in a Development Master Plan shall not exceed the gross density allowed by the zoning district in which the subdivision is located.

§ 154-11-002 Definitions
Development Master Plan (DMP) - A preliminary master plan for the development of a large or complicated land area, the platting of which is expected in progressive stages. A development master plan may be designed by the subdivider or by the department and shall be subject to Commission approval.

§ 154-02-004 Residential Districts
(D) *Lot development standards.* The chart entitled "Table of Residential Lot Development Standards", which follows, establishes the minimum requirements for sizes of lots, areas per dwelling units, yard setbacks and space between buildings, lot depth and percent of lot coverage under roof; and establishes the standard for required connection to public water and sewer systems.

Table of Residential Lot Development Standards

District (1)	Minimum Lot Size (10)			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 § 154-02-003(A)(1)(b).
2. For cul-de-sac and flag lots, see § 154-02-003(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 1,000 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 3,000 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.
10. Up to 25% relief from minimum lot width/depth standards and up to 10% relief from minimum lot area standards may be granted with Minor Land Division application, so long as no newly created lot has a building envelope smaller than 35 feet X 35 feet.