ORDINANCE NO. 812

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-006 (INDUSTRIAL DISTRICTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON.

WHEREAS, the Town of Payson's Unified Development Code regulates land uses within Industrial Zoning Districts; and

WHEREAS, on August 18, 2011, the Town Council directed Staff to prepare potential amendments to the Industrial District Standards; and

WHEREAS, on September 12, 2011, the Town's Planning and Zoning Commission held a Public Hearing and made recommendation on such amendments; and

WHEREAS, on September 22, 2011 and October 6, 2011, the Town Council held Public Hearings on such amendments; and

WHEREAS, the Town of Payson now desires to adopt certain amendments to Section 15-02-006 (Industrial Districts),

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

Section 1. Amendments to Section 15-02-006 (Industrial Districts) of the Unified Development Code set forth in Resolution 2625 were heretofore declared to be a public record, and the provisions thereof are hereby referred to and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance.

Section 2. At least three copies of the amendments adopted by Section 1 above, 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. If any section, subsection, clause, phrase or portion of this Ordinance is for any reason including, but not limited to the voter approved Private Property Rights Protection Act of 2006, held 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 relating to such section, subsection, clause, phrase or portion predating the adoption of this Ordinance shall be in effect.

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Res 2625 Publish 2x

Prepared by Town of Payson Legal Department

FIRST READING AND PUBLIC HEARING 10/21/11 - 10/28/11 **SEP 22 2011**

DO 18 0455 **OCT 06 2011** 3

SECOND READING AND PUBLIC HEARING 14, 73 G.2B

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 6 day of October, 2011, 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

SUMMARY OF AGENDA ITEM

DATE: **September 22, 2011**

TO: **Mayor and Council**

FROM: **LaRon Garrett**
Assistant Town Manager

SUBJECT: **Unified Development Code Amendment**
Industrial District (M1, M2) Development Standards **P11-003**
Ordinance 812

PURPOSE:
On August 18, 2011 the Payson Town Council directed staff to prepare the appropriate Unified Development code amendments that would amend section 15-02-006, Industrial Districts (M1, M2).

SUMMARY:
Currently, the Unified Development Code (UDC) Section 15-02-006, Industrial Districts (M1 & M2), contains language that is outdated and in need of revision, including development standards (ie: lot size, maximum lot coverage, setbacks, etc.) that were initiated with the adoption of the UDC in 1996. With decreasing available vacant industrial parcels, the current development standards seem to be incompatible with the needs of smaller scale industrial businesses. For example, the current minimum lot size for industrial lots is 22,000 square feet while in commercial zoning districts, there is no minimum lot size requirement for commercial uses.

Staff prepared the exhibits attached to Ordinance 812 as proposed amendments to the Unified Development Code.

The Planning & Zoning Commission held a public hearing on September 12, 2011 concerning those amendments and recommended (6-0) approval to the Town Council.

SEP 2 2 2011 G.3