

ORDINANCE NO. 814

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE TOWN'S DESIGN REVIEW GUIDELINES BY ADDING ARCHITECTURAL DESIGN GUIDELINES, REGULATIONS, AND DEVELOPMENT REQUIREMENTS SPECIFIC TO GOVERNMENTAL PROPERTIES AND NON GOVERNMENTAL UTILITY DEVELOPMENTS.

WHEREAS, on April 19, 2007, the Payson Town 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 making recommendations for changes, amendments, deletions, or additions to the Guidelines; and

WHEREAS, on December 11, 2008, the Council approved Ordinance 746 which added Section 15-02-014, Design Review Overlay District (commonly referred to as the Payson Design Review Manual) to Payson's Unified Development Code; and

WHEREAS, Part IV, subsection (E) of the Payson Design Review Manual is entitled "Governmental Properties and Buildings, Public Utilities;" and

WHEREAS, Part IV, subsection (E) was an interim step requiring Governmental and Public Utility Developments to comply with the Commercial Guidelines; and

WHEREAS, on September 13, 2011, the Board voted to recommend amendments to the Guidelines, specifically related to Governmental Properties and Non Governmental Utility Developments ("the Amendments"); and

WHEREAS, on October 10, 2011, the Planning and Zoning Commission held a Public Hearing on the Amendments and following such Public Hearing recommended approval (6-0) of the Amendments; and

WHEREAS, on November 3, 2011, the Payson Town Council held a public hearing on the Amendments; and

WHEREAS, the Mayor and Common Council find that maintaining the aesthetic quality of the Governmental and Non Governmental Utility Developments within the Town increases property values, increases economic development and creates financial benefits for the Town's property owners; and

WHEREAS, the Mayor and Common Council find that the Amendments are necessary to regulate, maintain, and promote the aesthetic quality of the Town; and

Prepared by Town of Payson Legal Department

See Res# 2628

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FIRST READING AND PUBLIC HEARING
12/2/11 - 12/9/11
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SECOND READING AND PUBLIC HEARING NOV 17 2011
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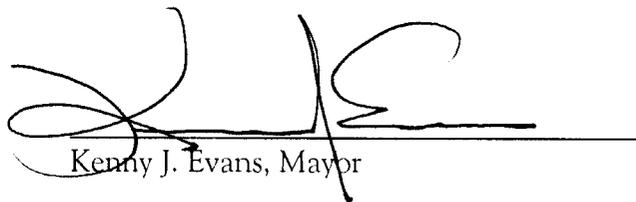
WHEREAS, it is the desire of the Mayor and Common Council to amend the Code of the Town of Payson by amending certain portions of Section 15-02-014, Part II(A), Part III(A), and Part IV(E) and (F),

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

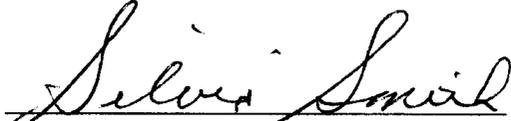
- Section 1. Amendments to Section 15-02-014 (Design Review) of the Unified Development Code set forth in Resolution 2628 were heretofore declared to be a public record, and the provisions thereof are hereby referred to and adopted by this reference as though all the provisions thereof were set forth 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.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 17th day of November, 2011, by the following vote:

AYES 6 NOES 0 ABSTENTIONS 0 ABSENT 1


Kenny J. Evans, Mayor

ATTEST:


Silvia Smith, Town Clerk

APPROVED AS TO FORM:


Timothy M. Wright, Town Attorney