

19.6.6 Conventional Residential Zoning Districts (2-19-14)

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19.6.6.1 Purpose and Zone Characteristics

The residential zoning districts are established to preserve and enhance quality of living in residential neighborhoods, to regulate structures and uses which may affect the character or desirability of residential areas, to encourage a variety of dwelling types and locations and a range of population densities consistent with the Payson City General Plan, and to ensure adequate light, air, privacy and open space.

Because many of the characteristics of the single family zones are similar and it is the intention of this Chapter to create a harmonious transition between adjacent zoning districts, the provisions of the primarily single family zoning districts have been combined in this Chapter. Proper implementation of this Chapter will result in a variety of lot sizes and housing options, while maintaining consistent qualities and amenities in the various zoning districts.

*19.6.6.2 Permitted, Conditional and Accessory Uses**Permitted and Conditional Uses*

The permitted and conditional uses in the residential zoning districts are identified in the chart below. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

LAND USE	ZONING DISTRICTS						
	R-1-20	R-1-15	R-1-12	R-1-10	R-1-9	R-1-75	R-2-75
Single family – detached	P	P	P	P	P	P	P
Two family dwellings – if approved as an RMO-1 Overlay Zone					P	P	P
Multi-family dwellings – if approved as an RMO-2 Overlay Zone						P	P
Multi-family dwellings – if approved as an RMO-3 Overlay Zone							P
Residential facilities for the elderly or persons with a disability in accordance with Chapter 19.23	P	P	P	P	P	P	P
Religious buildings and structures	C	C	C	C	C	C	C
Schools (public, private and quasi-public)	C	C	C	C	C	C	C
Municipal government facilities	P	P	P	P	P	P	P
Parks and recreation facilities (public)	P	P	P	P	P	P	P
Parks and recreation facilities (private)	C	C	C	C	C	C	C
Water storage facilities, drinking or irrigation	C	C	C	C	C	C	C
Cemetery grounds and facilities	P	P	P				
Public or private utility rights-of-way	P	P	P	P	P	P	P
Public or private utility maintenance facilities	C	C	C	C	C	C	C
Subdivisions pursuant to Title 20	P	P	P	P	P	P	P

Accessory Uses

The following land use types are allowed as accessory uses in the residential zoning districts. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

1. Accessory buildings (i.e. carport, garage, outbuilding)
2. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use in the zone and only behind the dwelling unit. The accessory building shall not be larger than ten (10) percent of the total area of the lot or parcel and must meet all setback requirements.
3. Except as legal non-conforming uses, accessory structures for the confinement or protection of animals are not permitted, other than incidental shelter for pets as allowed in Title 6 of the Payson City Municipal Code.
4. Home occupations pursuant to Title 4 of the Payson Municipal Code

19.6.6.3 Lot Configuration

Each dwelling shall be on a separate lot and configured and maintain the required lot area, lot width, lot frontage and setbacks as indicated below:

	ZONING DISTRICTS						
	R-1-20	R-1-15	R-1-12	R-1-10	R-1-9	R-1-75	R-2-75
Lot area	20,000	15,000	12,000	10,000	9,000	7,500	7,500
Lot area (utility uses)	3,500	3,500	3,500	3,500	3,500	3,500	3,500
Lot width	100'	100'	100'	100'	90'	75'	75'
Lot frontage	100'	100'	100'	100'	90'	75'	75'
Lot frontage (utility uses)	40'	40'	40'	40'	40'	40'	40'
Max. lot coverage	40%	40%	40%	45%	50%	50%	50%

Each lot or parcel shall abut a public street, or private street if approved by the City Council, and must maintain the minimum lot width and lot frontage requirements as indicated in the above table. The lot width and lot frontage shall be maintained within the required front setback of the zone, unless otherwise approved as part of a Planned Residential Development (PRD) in accordance with Chapter 20.10 of the Payson Municipal Code or as part of an approved overlay zone.

If the lot or parcel is located on an approved curve radius or cul-de-sac, the width requirement may be reduced as indicated in the chart to the right, provided the requirement is satisfied at the front setback line.

ZONE	MEASUREMENT (at front setback)
R-1-20	80'
R-1-15	80'
R-1-12	80'
R-1-10	80'
R-1-9	80'
R-1-75	65'
R-2-75	65'

Parcels created for utility uses must maintain at least forty (40) feet of frontage along a public street or approved private street. The City Council may reduce or waive the frontage requirement for utility uses provided the applicant can demonstrate that perpetual access to the parcel and utility uses has been secured.

19.6.6.4 Lots Created Prior to Adoption of Ordinance

Lots or parcels of land which were created prior to the adoption and application of the zoning districts (January 1983) shall not be denied the issuance of a building permit for the construction of one (1) single family dwelling solely on the reason of non-conformance with the parcel size requirements of this Chapter. A building permit must be obtained and all requirements of the appropriate development ordinances and building code must be satisfied. It shall be the burden of the applicant to demonstrate that the parcel legally existed and was recorded in the office of the Utah County Recorder prior to January of 1983.

19.6.6.5 Setback Requirements

Each setback is measured from the property line of the lot or parcel. It is the responsibility of the property owner to ensure the property lines are accurately identified and easily recognized for inspection by the City.

SETBACKS	ZONING DISTRICTS						
	R-1-20	R-1-15	R-1-12	R-1-10	R-1-9	R-1-75	R-2-75
Front setback	25'	25'	25'	25'	25'	25'	25'
Side setback (interior)	8'	8'	8'	8'	8'	8'	8'
Side setback (corner) – along the public street on the side of the lot not used as the front setback	20'	20'	20'	20'	20'	20'	20'
Side setback (driveway) – when used for access to a garage, carport, or parking area	12'	12'	12'	12'	12'	12'	12'
Side setback (accessory structure) – interior/corner measurements	5'/20'	5'/20'	5'/20'	5'/20'	5'/20'	5'/20'	5'/20'
Rear setback	25'	25'	25'	25'	25'	25' 15' corner	25' 15' corner
Rear setback (accessory structure) – interior/double sided lot	5'/25'	5'/25'	5'/25'	5'/25'	5'/25'	5'/25' 15' corner	5'/25' 15' corner
Distance between structures	3'	3'	3'	3'	3'	3'	3'

Accessory buildings and structures that house animals or poultry must maintain the minimum setback requirements as outlined in Title 6, Animal Control Ordinance.

19.6.6.6 Projections into Setbacks

The following structures may project into a required setback upon the completion of a survey to accurately determine the property line:

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Landscaping and irrigation systems.
3. Necessary appurtenances for utility service.
4. Cornices, eaves, sills, buttresses, awnings, planter boxes or other similar architectural features may project up to four (4) feet into any required front or rear setback or up to two (2) feet into a side setback.
5. Patios, decks, and other structures as specified in Section 19.9.22 herein.

19.6.6.7 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, except that accessory buildings may not exceed eighteen (18) feet in total height unless it can be shown that the building or structure must be higher to accommodate a bona fide agricultural use.

Exceptions from the building height requirements are limited to the following:

1. Religious structures in accordance with the criteria listed in Chapter 19.13 herein
2. Cellular and low power towers in accordance with Chapter 19.17 and overhead utility facilities
3. Wind generating facilities

19.6.6.8 Parking, Loading and Access

Each lot or parcel shall have on the lot or parcel two (2) off-street parking spaces for each dwelling unit. The spaces shall satisfy the requirements of Chapter 19.4, be hard surfaced with asphalt or concrete, and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, driveway or access.

19.6.6.9 Project Plan Approval

Any request for project plan approval in the residential zones is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Payson City General Plan.

19.6.6.10 Other Requirements

The following requirements are in addition to the requirements found in this Chapter, the General Provisions or Supplementary Provisions of this ordinance, or any other applicable resolution or ordinance.

1. Signs - Signs are permitted in accordance with Chapter 19.15 herein.

2. Landscaping – Prior to issuance of a Certificate of Occupancy and thereafter, all open areas between the public street, including the planter strip, and the front line of the main building, except driveways, walkways, patios, porches, and other similar hard surfaced areas shall be maintained with suitable landscaping of plants, shrubs, trees, grass and similar landscaping materials.
 - a. If a dwelling is located on a corner lot, all areas of the front and side setback areas between the public street, including the planter strip, and the dwelling shall be landscaped with suitable plants, shrubs, trees, grass and similar landscaping materials.
 - b. During the seasonal period, generally between November 1 through April 1, when the City pressurized irrigation system is shut off and the landscaping cannot be completed prior to issuance of a Certificate of Occupancy the applicant must post a performance guarantee to ensure completion of the landscaping. The guarantee shall be a sum, no less than the amount specified on the Payson City Fee Schedule as amended from time to time by resolution of the City Council, in the form of a cash bond or an irrevocable letter of credit. The performance guarantee shall not extend beyond June 1 following the seasonal period the guarantee is posted. Landscaping not completed by June 1 will be turned over to the City Attorney's Office for legal remedies, which may include the forfeit of all or a portion of the posted guarantee.
 - c. For the purposes of this requirement, landscaping shall mean complete erosion control, elimination of noxious weeds, and the installation of an automatic sprinkler system. Xeriscape is acceptable landscaping provided weed barrier fabric is installed and complete erosion control and elimination of noxious weeds is accomplished.
3. Trash, junk, and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed to not be injurious to adjacent properties and appropriate by the City, behind a sight obscuring fence.