

tax assessment roles of Utah County, no less than seven (7) days prior to the public hearing. (3-17-10)

Any costs associated with the provision of the notice requirements herein shall be the responsibility of the proponent of the request. If notice given under authority of this Section is not challenged as provided by State law, notice is considered adequate and proper.

19.2.8 Amendments to Zoning Ordinance and Map

The City Council may amend the number, shape, boundary, or area of any zoning district. The City Council may also amend any regulation or other provisions of a zoning district. The amendments may only occur in accordance with the following procedure.

Any person, including staff, the Planning Commission or City Council, seeking an amendment to the Zoning Ordinance or Zoning Map shall submit to the Planning Commission, on forms provided by Payson City, the following:

1. A description of the specific amendment to the Zoning Ordinance or Zoning Map. In the case of an amendment to the Zoning Map, the applicant shall submit a legal description of the property included in the proposed amendment. (11-6-02)
2. The reason and justification for the proposed amendment and how the proposed amendment would further the purpose and intent of the Zoning Ordinance, and how the proposed amendment is consistent with the Payson City General Plan.
3. Supporting documentation, maps, studies and any other information which would allow the City Council to make a well informed decision.
4. The payment of the appropriate fee in accordance with the Payson City fee schedule.

Upon receipt by the Planning Commission of the proposed amendment, the Planning Commission shall hold a public hearing in accordance with Section 19.2.7 herein. Following the public hearing, the Planning Commission shall forward a recommendation to the City Council on the proposed amendment.

~~The City Council shall hold a public hearing on the proposed amendment in accordance with Section 19.2.7 herein.~~ The City Council may approve, amend and approve, remand the proposed amendment back

to the Planning Commission for further review, or deny the proposed amendment. (7-19-17)

19.2.9 Relationship to other Ordinances and Agreements

This Ordinance is intended to be consistent with all other laws, ordinances and resolutions of Payson City, specifically including the following:

1. The Payson City General Plan and General Plan Map.
2. Title 20 of the Payson City Code, also known as the Subdivision Ordinance.
3. Title 21 of the Payson City Code, also known as the Sensitive Lands Ordinance.
4. The Payson City Standard Specifications and Standard Plans. (11-5-14)
5. Annexation and Development Agreements approved by the City Council
6. Specific project guidelines or restrictive covenants. (9-3-03)

19.2.10 Land Use Applications

A land use application shall be required for all proposed development reviewed under this Title including additions to existing buildings and temporary uses. All land use applications are available from the Development Services Department. The City is not obligated to act on any application that is not complete or does not contain all of the information required herein. (4-15-15)

Any application for a subdivision shall also satisfy the applicable requirements of Title 20, Subdivision Ordinance. Review of zoning requirements and subdivision approval may be completed concurrently.

The use or development of property may not commence until all necessary approvals, permits, and licenses have been issued in accordance with the provisions of this Title and all required fees have been paid by the applicant. (4-15-15)

A concept plan shall not be considered an application for development approval. For the purposes of this Title, a complete application shall be deemed to include, at a minimum, the following information:

1. A signed and completed application(s) form(s) together with payment of appropriate fees in accordance with Chapter 19.27 herein.
2. All relevant information required by this Title in written form.
3. A complete description of the proposal and an indication of what approval(s) are necessary.

19.6.4 A-5 Agriculture Zone (12-19-01)

- 19.6.4.1 Purpose and Zone Characteristics
- 19.6.4.2 Permitted, Conditional and Accessory Uses
- 19.6.4.3 Lot Area
- 19.6.4.4 Lot Width
- 19.6.4.5 Lot Frontage
- 19.6.4.6 Lots Created Prior to Adoption of Ordinance
- 19.6.4.7 Setback Requirements
- 19.6.4.8 Projections into Setbacks
- 19.6.4.9 Building Height Requirements
- 19.6.4.10 Distance between Buildings
- 19.6.4.11 Permissible Lot Coverage
- 19.6.4.12 Parking, Loading and Access
- 19.6.4.13 Project Plan Approval
- 19.6.4.14 Other Requirements
- 19.6.4.15 Annexation Holding Zone (A-5-H) (4-21-10)

19.6.4.1 Purpose and Zone Characteristics

The A-5 Agriculture Zone is established to provide areas within the City where agricultural pursuits can be encouraged and supported. Uses permitted in the zone, in addition to agriculture, should be incidental thereto and should not change or inhibit the basic agricultural character of the zone.

In accordance with Chapter 19.12 of this Title and Section 19.6.4.15 of this Chapter, the City Council may assign the Annexation Holding Zone (A-5-H) to all or a portion of an annexation area with the intention of maintaining the existing character of the area until additional studies and analysis are completed through the master planning process. (4-21-10)

19.6.4.2 Permitted, Conditional and Accessory Uses

The permitted, conditional and accessory uses for the A-5, Agriculture Zone are indicated below. It should be noted that land uses in the A-5-H Zone are limited to the residential permitted, conditional and accessory uses of this Section. In other words, the non-residential uses as outlined in Appendix A – Non-Residential Land Use Categories are not allowed unless the area has been master planned to accommodate those uses and the appropriate zoning has been assigned. (5-16-12)

Permitted Uses – Residential

The following land use types are permitted uses in the Agriculture Zone. 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.

1. Agriculture and horticulture (2-19-14)

2. Keeping of animals pursuant to Title 6
3. Single family dwellings – detached
4. Accessory apartment in accordance with Section 19.9.22 (7-19-17)
5. Public or private utilities and rights-of-way
6. Parks and recreational facilities
7. Subdivisions pursuant to:
 - a. Section 19.6.4.15 herein
 - b. Title 20 of the Payson Municipal Code
 - c. §10-9a-605 of Utah Code Annotated (2-19-14)
8. Residential facilities for the elderly or persons with a disability in accordance with §10-9a-516 of Utah Code Annotated, 1953, as amended. (2-19-14)

Conditional Uses – Residential

The following land use types are allowed as conditional uses in the A-5 Agriculture Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Chapter 19.13 of this ordinance.

1. Ranch or farm employee dwellings (limited to one unit per ten (10) acres of land area which must be reviewed and renewed every three (3) years)
2. Cellular and low power towers pursuant to Chapter 19.17 herein (2-19-14)
3. Water storage facilities, drinking or irrigation
4. Cemetery grounds and facilities (2-19-14)
5. Religious buildings and structures
6. Educational facilities unless otherwise addressed in State Statute (2-7-07)
7. Public or private utility maintenance facilities (2-19-14)

Accessory Uses – Residential

The following land use types are allowed as accessory uses in the A-5 Agriculture Zone. 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. Agricultural buildings as defined in Chapter 19.28 (2-19-14)
2. Garages - detached
3. Stands for selling goods and products produced on the premises as a permitted or conditional use in the zone
4. Home occupations in accordance with Title 4

Non-Residential Uses

Specific non-residential uses in the A-5 Zone can be identified by referring to the chart attached hereto as

19.6.5 R-1-A Residential-Agriculture Zone

- 19.6.5.1 Purpose and Zone Characteristics
- 19.6.5.2 Permitted, Conditional and Accessory Uses
- 19.6.5.3 Lot Area
- 19.6.5.4 Lot Width
- 19.6.5.5 Lot Frontage
- 19.6.5.6 Lots Created Prior to Adoption of Ordinance
- 19.6.5.7 Setback Requirements
- 19.6.5.8 Projections into Setbacks
- 19.6.5.9 Building Height Requirements
- 19.6.5.10 Distance Between Buildings
- 19.6.5.11 Permissible Lot Coverage
- 19.6.5.12 Parking, Loading and Access
- 19.6.5.13 Project Plan Approval
- 19.6.5.14 Other Requirements

19.6.5.1 Purpose and Zone Characteristics

The R-1-A Residential-Agriculture Zone is established to provide areas within the City where agricultural pursuits can be encouraged and supported. Uses permitted in the zone, in addition to agriculture, should be incidental thereto and should not change or inhibit the basic agricultural character of the zone. Rezoning of land in the R-1-A Zone should be accomplished in an orderly manner to avoid undue and inefficient extension of City infrastructure, and “leap-frog” development patterns.

19.6.5.2 Permitted, Conditional and Accessory Uses
Permitted Uses

The following land use types are permitted uses in the Residential-Agriculture Zone. 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.

1. Agriculture and horticulture (2-19-14)
2. Keeping of animals pursuant to Title 6
3. Single family dwellings – detached
4. Accessory apartment in accordance with Section 19.9.22 (7-19-17)
5. Municipal governmental facilities (9-1-10)
6. Public or private utilities and rights-of-way
7. Parks and recreational facilities
8. Subdivisions pursuant to Title 20
9. Residential facilities for the elderly or persons with a disability in accordance with §10-9a-516 of Utah Code Annotated, 1953, as amended. (2-19-14)

Conditional Uses

The following land use types are allowed as conditional uses in the Residential-Agriculture Zone.

Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Chapter 19.13 of this ordinance.

1. Cellular and low power towers pursuant to Chapter 19.17 herein
2. Ranch or farm employee dwellings (limited to one unit per ten (10) acres of land area which must be reviewed and renewed every three (3) years)
3. Water storage facilities, drinking or irrigation
4. Cemetery grounds and facilities
5. Religious buildings and structures
6. Educational facilities unless otherwise addressed in State Statute (2-7-07)
7. Resorts and group camps
8. Golf courses
9. Public or private utility maintenance facilities (9-1-04)

Accessory Uses

The following land use types are allowed as accessory uses in the Residential-Agriculture Zone. 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. Garages - detached
2. Storage facilities for products, machinery and equipment as an accessory use to a permitted or conditional use in the zone
3. Buildings used for the confinement or protection of animals used as a permitted or conditional use in the zone
4. Stands for selling goods and products produced on the premises as a permitted or conditional use in the zone
5. Home occupations in accordance with Title 4

19.6.5.3 Lot Area

Each dwelling in the Residential-Agriculture Zone shall be on a separate lot containing not less than one (1) acre, except that ranch or farm employee housing may be on a smaller parcel in conjunction with a bona fide agricultural use at a ratio of one (1) unit per ten (10) acres that must be reviewed and approved every three (3) years, or unless otherwise approved as part of a Planned Residential Development (PRD) in accordance with Chapter 20.10.

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

- 19.6.6.1 Purpose and Zone Characteristics
- 19.6.6.2 Permitted, Conditional and Accessory Uses
- 19.6.6.3 Lot Configuration
- 19.6.6.4 Lots Created Prior to Adoption of Ordinance
- 19.6.6.5 Setback Requirements
- 19.6.6.6 Projections into Setbacks
- 19.6.6.7 Building Height Requirements
- 19.6.6.8 Parking, Loading and Access
- 19.6.6.9 Project Plan Approval
- 19.6.6.10 Other Requirements

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
<u>Accessory apartment in accordance with Section 19.9.22</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
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

vertical surface calculation. Vinyl and wood siding are not permitted; however, shake shingles may be permitted as an accent material as approved. The types of material will be complementary to the architectural design and heavier materials used lower on the building elevation to form the building base.

2. *Colors.* Varied building colors are essential to a quality project. The use of different colors and materials helps to break up the massing of the building. A minimum of two colors per elevation, plus trim and roof color must be provided for consideration. Contrasting but complementary colors should be used for trim, windows, doors and ornamental features.
3. *Wall Plane.* There shall be a variation in wall plane on all facades visible from a public street or public view. It is expected that the highest level of articulation will occur on the front façade. However, some architectural detailing should be incorporated into all building elevations, as well as courtyards, play areas and similar common areas.
4. *Architectural Design.* Architectural elements, such as balconies, porches, overhangs, trellises, projections, awnings, insets, materials and textures should be used to create shadow patterns that contribute to a building's character and visual interest. Deep roof overhangs are encouraged to create shadows and add depth to façades, also helping to shade openings and windows.
5. *Massing.* Tall or large structures should emphasize horizontal planes through the use of trim, awnings, eaves, or a combination of complementary colors. The upper story of a multi-story building should be stepped to reduce the scale of façades facing streets or courtyards.
6. *Roofing Design.* Roof forms typical of residential buildings such as gable or hip roofs are encouraged. For row-type townhouses, each unit should be varied in height and setback.
7. *Development Entrance Features.* Pedestrian and vehicular pavement designs will include material and/or color changes at entrances, walkways and crosswalks and other significant areas.

19.6.7.17 Project Plan Approval

Any request for project plan approval in the RMF Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Standard Specifications and Standard Plans, and the Payson City General Plan. Specifically, project plans will be reviewed for consistency with the applicable regulations of Chapter 19.8 herein and Title 20, Subdivision Ordinance.

1. Each applicant shall first submit a Concept Plan of the proposed development. Following review of the Concept Plan and after receiving staff comments, the applicant may prepare a Preliminary Development Plan and Construction Plans in accordance with this Title and the development standards of the Subdivision Ordinance.
2. Following review by staff, the Planning Commission will hold a public hearing to receive input about the Preliminary Development Plan. Notice of the public hearing will be in accordance with Section 19.2.7 herein.
3. Following a public hearing, the Planning Commission will forward a recommendation to approve, approve with conditions, or deny the Preliminary Development Plan.
4. After receiving a recommendation from the Planning Commission, the City Council ~~will hold a public hearing to receive input about the Preliminary Development Plan. Notice of the public hearing will be in accordance with Section 19.2.7 herein. Following the public hearing the City Council~~ may approve, amend and approve, approve with conditions, remand the proposed development back to the Planning Commission for further review, or deny the application for Preliminary Plan approval. (7-19-17)
5. Following approval of the Preliminary Development Plan by the City Council, the applicant may prepare the Final Development Plan. After their review, the City Council may approve, amend and approve, approve with conditions, or deny the application for Final Plat approval. The City Council, at their discretion, may approve the Preliminary Development Plan and the Final Plat concurrently. A copy of the Final Development Plan will be included in the Planning Commission packet for their review prior to final review by the City Council.
6. If the applicant and staff disagree on the architectural design, types of amenities, or determining adequate amenities for the proposed project, the City Council shall render the decision.

19.6.7.18 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 shall be consistent with the requirements of Chapter 19.15 herein. Sign type and locations should be consistent throughout the

19.6.9 RMO A Accessory Living Unit Overlay Zone (5-16-12)

19.6.9.1 Purpose and Zone Characteristics

19.6.9.2 Accessory Living Unit Defined

19.6.9.3 Scope and Application

19.6.9.4 Project Plan Approval

19.6.9.5 Building Alterations

19.6.9.6 Required Improvements

19.6.9.7 Zoning Considerations

19.6.9.1 Purpose and Zone Characteristics

The RMO A, Accessory Living Unit Overlay Zone is established to conserve and protect the residential atmosphere and character of established neighborhoods and to maintain desirable, attractive, and safe places to live throughout the community. Moreover, these regulations are intended to protect the investment made by adjacent landowners as well as provide a safe living environment for the residents of the structure.

19.6.9.2 Accessory Living Unit Defined

For the purposes of this Section, accessory living unit shall be defined as a second living unit within a single family dwelling which is accessory to the single family dwelling and is an architectural and integral part of the single family dwelling. No more than one (1) accessory living unit shall be allowed in each single family dwelling.

19.6.9.3 Scope and Application

When deemed appropriate and if the applicable provisions of this Section are satisfied, the City Council may approve an accessory living unit in any zone where single family dwellings are permitted. These provisions do not change the regulations of the underlying zoning districts, but are an addition or overlay to those regulations. The scope of these provisions apply only to an accessory living unit in a single family dwelling and all other provisions of the development ordinances of Payson City remain applicable, unless otherwise noted herein.

19.6.9.4 Project Plan Approval

An accessory living unit requires the approval of an overlay zone which is a legislative action of the City Council. Approval for the use of the RMO A Overlay Zone shall be processed in the same manner as a zone change in accordance with Section 19.2.8 herein, with the exception that approval for the use of the overlay zone need not be shown on the Zoning Map.

Use of the RMO A Overlay Zone is a request for increased intensity in the permitted uses of the

underlying zone. The City Council is not obligated to approve the overlay zone and denial of the use of the overlay zone will not result in a constitutional taking because the owner of the single family dwelling will be allowed to use the property in accordance with the provisions of the underlying zoning district.

19.6.9.5 Building Alterations

The accessory living unit shall be designed so that, to the degree reasonably feasible, the appearance of the structure remains that of a single family residence, including retention and enhancement of landscaping. The materials used for any exterior improvements must be similar in character to 43 traditional materials evident in the neighborhood.

A building permit must be obtained for all applicable building alterations associated with the accessory living unit. Prior to the approval, the Payson City Building Inspector will conduct, at the expense of the applicant, an inspection of the single family dwelling and determine if any alterations are necessary to preserve the health and safety of the inhabitants of the structure. All alterations considered necessary to preserve the health and safety of the inhabitants must be consistent with the adopted building and fire codes and completed prior to occupancy of the accessory living unit. (8-6-14)

19.6.9.6 Required Improvements

The following are the minimum required improvements that must accompany the request for an accessory living unit:

1. There must be at least two (2) hard surfaced, off-street parking spaces for each residential unit.
2. Existing utility laterals and service connections will need to be inspected and upgraded as deemed appropriate by the utility provider.
3. Curb, gutter, and sidewalk must be installed along the frontage of the parcel. Replacement and/or repair of existing curb, gutter and sidewalk may be required.
4. The address for each unit must be clearly visible from a public street.
5. Proper exiting from each unit must be independently provided and must not depend upon the residents of the second unit. In other words, if the second unit is in a basement, the residents in the basement must be able to independently exit the structure from an exit that cannot be locked by the residents on the ground floor.

19.6.9.7 Zoning Considerations

Accommodation of an accessory living unit will not generally result in exterior modification of the structure or the building site. Therefore, items such as setbacks, height, coverage and other zoning considerations are often not applicable. However, there are certain items that must be addressed in connection with the additional unit.

1. The off-street parking requirements may need to be accommodated in a setback area. However, the applicant must demonstrate every attempt was made to accommodate parking outside of the setback areas to preserve the character of the neighborhood including landscaping and streetscape.
2. The exterior of the property shall be maintained free of weeds, junk, solid waste or other materials constituting a violation of the Payson City Municipal Code.
3. Approval for an accessory living unit shall be recorded with the Utah County Recorder's Office, including any special conditions of approval to guarantee compliance with the approval.
4. The applicant shall satisfy any conditions imposed by the City Council associated with the accessory living unit and shall agree to deed restrict the property in a manner that if the conditions are not satisfied at any future date, approval of the accessory living unit will be deemed null and void and use of the structure will be limited to a single family dwelling.

centers, residential areas, recreational areas, employment areas, and other proposed use areas). The P-C Zone Plan shall include the total residential dwelling units and total floor area square footage or acreage of nonresidential uses for the P-C Zone Plan area.

3. Community Plan: Following approval of a P-C Zone Plan, a Community Plan may be submitted for the entire P-C Zone Plan area, or any portion of a P-C Zone Plan area that has or will have a common or independent land use pattern, street system, open space system or other infrastructure system. A Community Plan may be approved at any time concurrent with or following approval of a P-C Zone Plan. Each Community Plan shall establish the circulation and open space networks and shall designate with more specificity the allowed land uses for the community. Each Community Plan shall also establish the infrastructure and services required for development of the community to the degree of detail appropriate to the size and nature of the proposed community. The Community Plan shall include Development Standards specific to that Community Plan.
4. Subdivision Plat, Site Plan, etc.: Prior to construction of any improvements on land within a P-C Zone, the developer must comply with any subdivision, condominium, building permit, or similar submittal requirements contained in the Payson City Code, unless waived by the City Council as noted hereafter in 19.6.31.7.

Prior to completion of steps 1-3 above, public notices shall be provided in accordance with Section 19.2.7, and ~~a public hearing~~ shall be held. For step 4, applications and approvals shall be processed in accordance with the applicable section(s) of the Payson City Code. The P-C Zone planning and approval process is summarized in a table at the end of Section 19.6.31. (7-19-17)

19.6.31.5 P-C Zone Plan

A P-C Zone Plan shall be submitted for review and recommendation by the Planning Commission and approval by the City Council for an entire area that is designated as a P-C Zone area. The plan shall govern development within the P-C Zone Plan area, as set forth in this Section 19.6.31. The following information shall be provided by the applicant for a P-C Zone Plan:

1. Name of planned development;
2. Names, addresses and phone numbers of applicant(s) and owner(s);

3. P-C Zone Plan area parcel location, legal description, acreage, boundary, scale and north arrow;
4. A land use table showing the number of dwelling units and areas of the various nonresidential land uses (in floor area square footage or acreage) proposed in the P-C Zone Plan area;
5. Major existing land uses, roads, waterways, utilities, easements and floodplain boundary;
6. Adjacent parcels, owners, owners' addresses, and existing uses;
7. Topography and significant features on or adjacent to the property;
8. Envelopes for the locations of conceptual land use designations (e.g., mixed-use centers, residential areas, employment areas, major open space); and
9. Other aspects of the development program for the property as desired by the applicant.

The information shall be submitted on one or more dated 24" x 36" sheets and on one or more 11" x 17" reduced copies of each page. An applicant may submit the required information and documentation electronically as the City directs. The City may require additional information to be submitted as necessary to evaluate the application due to site-specific conditions.

The Planning Commission shall hold a public hearing to review a proposed P-C Zone Plan and make a recommendation to the City Council. The Planning Commission and City Council shall review a P-C Zone Plan for consistency with the standards, requirements, and purposes of this zone. The City Council ~~shall hold a public hearing and~~ may reject an application, or approve it with or without conditions. Approval of the P-C Zone Plan vests the entitlement to develop the P-C Zone Plan area property in accordance with the P-C Zone Plan, subject to all related Development Agreements, subject to any infrastructure and service requirements, and in accordance with the procedures set forth in this Section 19.6.31. The landowner(s) shall be entitled to but not required to construct the number of dwelling units and the square footage of nonresidential uses as reflected in the P-C Zone Plan. (7-19-17)

19.6.31.6 Community Plan

One or more Community Plans may be submitted at any time to the Planning Commission for review and recommendation and to the City Council for approval. A Community Plan may include an entire P-C Zone Plan area or a portion thereof. A Community Plan must be submitted for each area to be developed, although all Community Plans for the various portions of the P-C Zone Plan area need not be submitted or developed simultaneously. A Community Plan may

also address issues related to areas adjacent to, but not within, the P-C Zone, if those areas contain elements expedient for establishing connections to infrastructure, transit, nearby open lands, public improvements, or adjacent communities.

The Community Plan shall be submitted on one or more dated 24" x 36" sheets and on one or more reduced 11" x 17" sheets and shall show the following:

1. Name of community;
2. Names, addresses and phone numbers of applicant(s) and owner(s);
3. Community location, acreage, general legal description, boundary, scale and north arrow,
4. Location of land use designations (mixed-use centers, residential areas, and/or employment areas), boundaries, and acreage;
5. A table showing the number of dwelling units, gross open space acreage, and floor area square footage of the various nonresidential land uses;
6. A master vehicular, pedestrian, and bicycle circulation system plan showing collector level and larger roadways and major pedestrian and bicycle routes;
7. Existing and proposed waterways and water bodies, major utilities and easements, floodplain boundaries, and flood control facilities;
8. Existing surface improvements to be retained, improved or removed;
9. Adjacent parcels, owners, and uses;
10. Topography and significant features on or adjacent to the property, including any man-made or natural hazards along with areas of special interest and special environmental value;
11. Open space plan that provides general description and approximate locations of major open space;
12. Existing and proposed major infrastructure systems (including water, sanitary sewer, storm drainage, and collector and larger street improvements), service adequacy analysis, and infrastructure required for development of the Community Plan area to a level of detail sufficient to provide adequate assurances that all of the required infrastructure and services will be provided;
13. Common area and open space maintenance provisions;
14. Design guidelines and mechanisms for review, approval, and enforcement of such design guidelines, which mechanisms may include the use of one or more owners' associations;
15. Proposed site specific Development Standards; and
16. Other information as needed and consistent with the level of detail corresponding to a given Community Plan.

An applicant may submit the required information and documentation electronically as the City directs. The City may require additional information to be submitted as necessary to evaluate the application due to site-specific conditions.

The Planning Commission shall hold a public hearing to review a proposed Community Plan and make a recommendation to the City Council. The City Council ~~shall hold a public hearing and~~ may reject an application, or approve it with or without conditions. The Planning Commission and City Council shall review a Community Plan for (i) consistency with the standards, requirements, and purposes of this zone, (ii) capability of the proposed master circulation system and other infrastructure to adequately serve the community which is the subject of the Community Plan, (iii) general consistency with the approved P-C Zone Plan, (iv) compatibility of adjacent uses, and (v) whether there are satisfactory proposed mechanisms for funding needed infrastructure and governmental services. Approval of the Community Plan vests the entitlement to develop the Community Plan area in accordance with the Community Plan, subject to the terms of all related Development Agreements, subject to any infrastructure and service requirements, and in accordance with the procedures set forth in this Section 19.6.31; provided, however, that no such condition of approval or requirement may limit, restrict, or abridge the vested development rights granted in the Master Development Agreement or any earlier Development Agreement. The applicant shall be entitled but shall not be required to construct the maximum number of dwelling units and the square footage of nonresidential uses as reflected in the Community Plan. (7-19-17)

19.6.31.7 Subdivision Approvals

Prior to commencing development, a developer within the P-C Zone shall comply with any applicable requirements set forth in Title 20. Any required subdivision or other submittals under Title 20 may be submitted simultaneously with the Community Plan. Notwithstanding the foregoing, in acting on requests for approval of an application under the P-C Zone development approval process, to the extent permitted by applicable law, and if the City Council finds that such action is appropriate to further the intent and purposes of this zone, the City Council may waive any limitations on intensity of use, use restrictions and limitations, development standards or similar limitations on development or construction contained in other portions of the Payson City Code, in which case the developer shall comply with the requirements approved as part of the P-C Zone development approval process rather than with the waived

P-C Zone Planning and Approval Process

Approval Step	Scale (Area Covered by Application)	What is Described and Approved	Approval Level
STEP 1			
Zoning	Total land area to be zoned P-C.	Land area to be zoned; Master Development Agreement or Annexation Agreement.	Planning Commission public hearing and recommendation; City Council public hearing review and approval
STEP 2			
P-C Zone Plan	Total land area zoned P-C.	Development program, a unifying system of open space, and envelopes for the locations of conceptual land use designations. A land use table outlining number of dwelling units and square feet of nonresidential development.	Planning Commission public hearing and recommendation; City Council public hearing review and approval
STEP 3			
Community Plan	All or any portion of the P-C Zone Plan area that has a common land use pattern, street system, open space system or other infrastructure system.	A land use table outlining number of dwelling units and square feet of nonresidential development; circulation system; open space plan; land uses; Development Standards.	Planning Commission public hearing and recommendation; City Council public hearing review and approval
STEP 4			
Subdivision plat, site plan, etc.	One or more phases of development.	As required by Titles 19 and 20.	As required by Titles 19 and 20.

(7-19-17)

5. Accommodation of storm water generated on the project site.
6. Adherence to any design guidelines established by the Payson City Council.
7. Accommodation or identification of adequate off-street parking.

The City Council may choose to enter into a Deferred Improvement Agreement with the property owner to establish a schedule and guarantees for the installation of required improvements. At a minimum, the agreement shall include a description of required improvements, time frame for completion, and remedies to ensure completion of improvements. The agreement shall be recorded in the office of the Utah County Recorder and shall run with the land. (1-6-16)

19.8.3.2 Complete Application and Review Fees

Each applicant for review of a site plan shall submit a complete application form available from the Development Services Department and submit payment of the associated development review fee(s) in accordance with the adopted fee schedule resolution of Payson City. The application shall include a title report that indicates any covenants, declarations, easements, right-of-ways, dedications, or other similar encumbrances that must be accommodated or addressed prior to improvement of the property. (4-15-15)

19.8.3.3 Submission of Business Statement

Any applicant subject to the provisions of this Chapter must submit a business statement that provides detail about the anticipated business activities, the expected number of employees, demonstration of zoning compliance, future expansion plans, and any other information that can be used to ensure proper review. The business statement should represent both the immediate and anticipated future business practices and will be reviewed regularly to ensure that the business complies with the business statement. Future uses may be limited to those indicated in the business statement. (2-7-07)

19.8.3.4 Administrative Site Plan Review

Any proposed commercial, industrial, manufacturing, or research and development building or site plan may be approved administratively by City staff in accordance with all local, state, and federal laws, ordinances, and resolutions provided the use of the structure(s) is a permitted use in the zoning district. On large commercial projects, staff will provide information to the Planning Commission and City Council at

their regular meetings regarding the proposed site plan, building locations and, if known, types of businesses. (1-23-08)

Any project determined by staff likely to have a significant impact on traffic, environmental quality, lighting, compatibility of uses, or the health, safety, or general welfare of the surrounding properties, property values, or residents shall be submitted to the Planning Commission and City Council for their review. The Planning Commission may recommend and the City Council may hold a public hearing on any proposed commercial or industrial development in any zone of Payson City.

19.8.3.5 Planning Commission and City Council Review

The following list represents development approvals that will not be processed administratively. The developments must receive a recommendation from the Planning Commission following a public hearing ~~with at least a fourteen (14) day notice, and approval from the City Council following a public hearing with at least a fourteen (14) day notice.~~ (7-19-17)

1. Subdivisions of land. All subdivisions are approved by the City Council in accordance with Title 20, Subdivision Ordinance.
2. Any project determined by staff likely to have a significant impact on traffic, environmental quality, lighting, compatibility of uses, or the health, safety, or general welfare of the surrounding properties, property values, or residents.
 - a. Any project determined by staff likely to have significant impact on the surrounding properties, property values, or residents shall be submitted to the Planning Commission for review and recommendation. The Planning Commission recommendation will be presented to the City Council for final approval.
 - b. The City Council may choose to schedule a public hearing on any project likely to have significant impact on the surrounding properties, property values, or residents. (1-23-08)

19.8.3.6 Development Agreement

In accordance with Chapter 19.22 of this Title, the City Council may choose to enter into a development agreement to clarify the obligations of Payson City and the applicant for development approval. If a development agreement is deemed necessary by the City Council, failure by the applicant to enter into a

service. The easement shall grant ample access for maintenance and necessary upgrades to the facility.

Payson City is not obligated to provide, secure, purchase or otherwise ensure that easements across private property are obtained by an applicant for subdivision approval. When an easement is recorded in favor of Payson City, the easement shall be recorded in the office of the Utah County Recorder and include access for maintenance and necessary upgrades of the City utility. (2-16-05)

19.9.21 Casitas

~~If a casita satisfies the criteria established in this Section and the definition in Chapter 19.28 of this Title, the living quarter shall not be considered a separate unit, but rather an extension of a single family dwelling and as long as all other requirements of the applicable development ordinances can be satisfied, a casita is allowed in any location where a single family dwelling is allowed.~~

~~In order to qualify as a casita, the structure containing the casita must be a single family dwelling and the following limitations will apply:~~

~~1. Casitas are only allowed in developments expressly approved by the City Council to contain casitas. The allowance of casitas shall be included in the development agreement for the project.~~
~~2. The casita shall not have a separate mailing address, mail box or post office box.~~
~~3. The casita shall not have separate utility services.~~
~~4. The casita shall not have separate kitchen or laundry facilities.~~
~~5. Temporary guest parking must be provided, but a separate parking structure such as a carport or garage is not allowed for the casita.~~

~~Each applicant for approval of a casita shall record a Certificate of Present Condition indicating the existence of a casita as a short term living quarter attached to a single family dwelling. Transformation of a casita into a separate dwelling unit is a violation of this Title and is subject to the remedies and penalties listed in Chapter 19.25 herein. (2-7-07)~~

19.9.21 Second Kitchens (7-19-17)

Kitchens shall be restricted to the following:

1. Single Family Dwellings: No more than two (2) total kitchens shall be permitted. A dwelling with a second kitchen shall meet the following criteria:
 - a. The dwelling has one (1) front entrance.
 - b. The dwelling has one (1) address, any additional address shall be removed.

- c. Interior access within the entire home shall be maintained. No keyed or deadbolt locks or any other manner of blocking access may be utilized to restrict access from the additional kitchen and the remainder of the dwelling.
- d. The dwelling unit shall have no more than one (1) electrical meter.
- e. The owner shall sign a Certificate of Present Condition, stating that the presence of the second kitchen does not create a second unit or living area.

2. Single Family Dwellings with an Accessory Apartment: The primary and accessory living areas shall each have not more than one (1) kitchen. Upon termination of the accessory apartment, the entire dwelling shall return to having one (1) kitchen or all provisions of section (1) shall be satisfied.
3. Duplexes, Twin Homes, and Multi-Family Dwellings: No second kitchen in any unit shall be permitted.
4. Accessory Structures: No kitchens shall be permitted.

19.9.22 Accessory Apartment (7-19-17)

19.9.22.1 Purpose and Zone Characteristics

19.9.22.2 Accessory Apartment Defined

19.9.22.3 Permitted Accessory Apartments

19.9.22.4 General Requirements

19.9.22.5 Permit Process

19.9.22.6 Non-Conformities

19.9.22.7 Determination of Owner Occupancy Status

19.9.22.1 Purpose and Zone Characteristics

The Accessory Apartment code is established to conserve and protect the residential character of neighborhoods, maintain desirable, attractive, and safe places to live, and protect investments in our communities.

19.9.22.2 Accessory Apartment Defined

For the purposes of this Section, accessory apartment shall be defined as a living area within a single family dwelling. The living area is subordinate to the single family dwelling and does not create a separate unit. An interior connection between the living area and single family dwelling shall be maintained. No more than one (1) accessory apartment shall be allowed in each single family dwelling.

19.9.22.3 Permitted Accessory Apartments

Accessory apartments shall be permitted only in detached single family dwellings located in any Residential (R) or Agricultural (A) zone.

19.9.22.4 General Requirements

Each of the following must be satisfied to establish an accessory apartment:

1. Permits: An accessory apartment permit shall be obtained before utilizing an accessory apartment. A separate building permit shall be obtained for any modification to the structure.
2. Number: Only one (1) accessory apartment shall be permitted in any single family dwelling.
3. Lot Area Requirements: No minimum lot size provided the property can meet all requirements.
4. Location: The accessory apartment shall be located inside the single family dwelling. No accessory apartment shall be permitted in or above an accessory structure, including a detached garage.
5. Appearance: The accessory apartment shall not alter the appearance of the structure from that of a single family dwelling. Any addition or exterior improvement shall be similar in character to the existing dwelling.
6. Access: The accessory apartment shall have its own exterior entrance. An exterior entry into an accessory apartment shall be located only on the side or rear of the structure and have a paved pedestrian access connecting to the driveway and/or public street.
7. Occupancy: Owner occupancy of the single family dwelling shall be required to establish and maintain an accessory apartment. An owner's temporary absence shall not relieve this requirement. Owner occupancy requires primary residency of at least 50% of ownership on property title. Occupancy in the single family dwelling shall be one family as defined in Payson City Code while occupancy in the accessory apartment shall be no greater than two (2) adults and any minor children. The accessory apartment occupants do not need to be related to the owners.
8. Interior Connection: The accessory apartment shall not be walled off and shall maintain an interior connection within the dwelling, including between the primary dwelling and accessory apartment. A door with a lock or deadbolt is an appropriate form of connection. Access from a garage shall not qualify as the required interior connection.

9. Second Kitchens: The accessory apartment and single family dwelling shall each have no more than one (1) kitchen.
10. Parking: Four (4) total off-street parking spaces are required to establish and maintain a single family residence with an accessory apartment. Parking spaces may be in tandem. No more than one side yard may be utilized for parking. The parking spaces shall:
 - a. be hard surfaced and accessed by a hard surfaced driveway.
 - b. be served by the same drive approach, with no more than one curb cut permitted in order to prevent the appearance of a duplex.
 - c. not be located closer to the front lot line than the dwelling unless the parking space leads to covered parking.
 - d. serve the same address if two parking spaces are in tandem, tandem spaces shall not be more than two vehicles in depth, and
 - e. continuously be available for parking and not obstructed by storage or other items.
11. Required Improvements: Curb, gutter, and sidewalk along the frontage of the parcel shall be installed and maintained. If a curb, gutter, or sidewalk is in a state of disrepair, it shall be repaired or replaced prior to the issuance or renewal of an accessory apartment permit.
12. Utilities: Existing utility laterals and service connections will need to be inspected and upgraded as deemed necessary by the utility provider. The structure shall have no more than one (1) meter for each utility service.
13. Addresses: The single family dwelling and the accessory apartment shall have independent addresses assigned by the city. These addresses shall be clearly visible from a public street. It is the responsibility of the property owner to install and maintain visible address placards.
14. Conformance with Payson City Code: A violation of any Payson City Code may result in denial, suspension, or revocation of an accessory apartment application or permit.
15. Duration and Severance: An accessory apartment permit is only valid for the duration of ownership of the applicant and does not run with the land. The accessory apartment shall terminate whenever owner occupancy is not maintained or when an owner occupant elects to discontinue using the living space as an accessory apartment. If an accessory apartment is denied, revoked, or discontinued, and the accessory apartment address shall be removed from the structure.

16. Recordation: A deed restriction outlining the permitted use of the property shall be recorded with the Utah County Recorder's Office.

19.9.22.5 Permit Process

To obtain an accessory apartment permit, an applicant shall:

1. Submit a completed application and:
 - a. A site plan showing the location of the single family dwelling structure and any accessory structures. The site plan shall include dimensions, setbacks, distance between the single family dwelling and any accessory building, location of utility meters, and location and dimensions of parking spaces.
 - b. A floor plan labeling the rooms, egress windows and their dimensions, accessory apartment, interior connection, and exterior entrances.
 - c. Payment of the application fee as shown in the fee schedule.
5. Complete and pass a building inspection to ensure compliance with this section, building and fire codes, and any other applicable ordinances.
6. Install an address placard displaying the assigned address for the accessory apartment.
7. Sign a deed restriction establishing accessory apartment.

19.9.22.6 Non-Conformities

Any accessory apartment legally established prior to this ordinance shall obtain an accessory apartment permit and shall not be denied a permit due to inability to satisfy a provision of this section if that provision was not required by the ordinance in effect at the time of legal establishment. The property owner has the burden of proof that the property was both legally established and has been maintained as an accessory apartment since the date of establishment. The inquiry to determine legal establishment shall be met by the preponderance of the evidence based on information such as: the zoning designation and any overlays at the time of establishment, the applicable zoning ordinance, building permits, any rental records, affidavits, utility records, city and county records, tax records, and any other information indicating prior use and/or legal establishment.

19.9.22.7 Determination of Owner Occupancy Status

A determination of owner occupancy may be rebutted by documentation submitted to Development Services that shows the individual(s)

claiming homeowner occupancy is (are) an owner occupant. An owner occupant possesses at least 50% ownership and has a bona fide intent to establish and maintain primary residency in the dwelling. Documentation may include loan documents, title, tax returns, residency status, driver's license, insurance statements, rental agreements, and any other documentation indicating proof of ownership and primary residency. Once staff has made a final determination of owner occupancy status, an applicant may appeal to the Board of Adjustment.

19.9.22.8 Violation

Any violation of this section may result in a Class C Misdemeanor.

19.9.23 Projections into Setbacks (6-1-11)

The following structures may project into the setback area, provided the following requirements are satisfied.

1. Decks, as defined in Chapter 19.28 herein, may extend five (5) feet into the front setback or project to fifteen (15) feet from the rear property line.
2. Patios, as defined in Chapter 19.28 herein, may extend into a side or rear setback area but must be at least five (5) feet from the property line.
3. Porches, as defined in Chapter 19.28 herein, may extend five (5) feet into the front or rear setback area.
4. Patio covers may be extended into a rear setback area but must be at least fifteen (15) feet from the property line. A patio cover may also extend into a side setback area but must be at least five (5) feet from the property line. If a patio cover is enclosed, the structure shall satisfy all setback requirements.

To encourage preservation of existing dwellings and promote reinvestment in established neighborhoods, the City may reduce the front setback to fifteen (15) feet to accommodate a porch as defined herein. The request must satisfy the following requirements:

1. The porch must be part of the overall house design and extend at least one-third (1/3) of the width of the dwelling or twelve (12) feet whichever is less.
2. The porch must be elevated above the sidewalk grade a minimum of eighteen (18) inches.
3. The new portion of the dwelling shall be architecturally compatible with the primary structure, using similar exterior materials and colors.
4. Covered parking areas (i.e. garages, carports) must be clearly secondary to front porches, setting back further than the porch.

3. An accurate map prepared by a licensed surveyor of the area proposed for annexation suitable for recordation in the office of the Utah County Recorder.
4. Documentation for conveyance of water rights, public rights-of-way, streets, and other dedications required by this Chapter or other federal, state, or local laws or ordinances.
5. An agreement to observe and obey all applicable laws, ordinances, and resolutions recognized by Payson City.
6. The proposed zoning designation of the area to be annexed or an indication that a Specific Plan will be prepared in accordance with Section 19.12.11.1 herein for the area proposed to be annexed. If a specific plan has not been adopted for the annexation petition area it may be zoned A-5-H, Annexation Holding Zone and allow a specific plan to be prepared prior to or at the time of development approval. (9-18-13)

19.12.4 Acceptance or Denial of Annexation Petition

Once an applicant has completed the application procedure in accordance with Section 19.12.3, the petition will be reviewed by the City Council within fourteen (14) days. The fourteen (14) day notice period shall not begin until the petition has been deemed complete by the Development Services Director in accordance with Section 19.12.3 herein. An incomplete petition will not be presented to the City Council for review. (9-18-13)

At the time of petition review, the City Council shall determine if a specific plan and infrastructure study should be required prior to annexation or if the studies may be delayed and completed prior to development. (4-21-10)

After acceptance for further review by the City Council and if a specific plan is not in place for the annexation area, the Planning Commission may recommend the appropriateness of accepting the annexation with an A-5-H, Annexation Holding Zone designation and allow a specific plan to be completed after annexation or at the time of development. The Planning Commission may also recommend the petitioner complete a specific plan for the area, prior to annexation. (4-21-10)

If the petition for annexation is not accepted for further review, the proponent is eligible for a partial refund in accordance with the fee resolution of Payson City. Denial of a petition for annexation will have the effect of ending any further review of the

proposed annexation. In order to have the land annexed into Payson City, the applicant will need to re-submit the proposed annexation as a new petition and satisfy each of the requirements of this Chapter including the payment of all review fees. (9-18-13)

If a petitioner sells, transfers, or otherwise disposes of some or all of the property in an annexation petition, the City Council may choose to deny the annexation petition and require the new owner to submit a new petition including the payment of fees and preparation of a Specific Plan. (2-16-05)

Annexation is a municipal legislative decision. If the City Council takes action to deny a petition for annexation, there will be no appeal process.

19.12.5 Approval Process for Accepted Petitions

All petitions accepted for future review shall comply with the following procedures:

1. Staff will review the petition and generate a list of items needed to complete the review of the proposed annexation. An applicant may appeal, to the City Council, the need for particular information at a regular meeting of the City Council. (9-1-10)
2. Once staff has received all of the information requested, staff shall prepare a recommendation to present to the Planning Commission. The recommendation should be based on the requirements of this Chapter and any other information that would mitigate negative impacts of the annexation. (9-18-13)
3. The Planning Commission, following a public hearing, shall determine whether the proposed annexation petition is consistent with the Payson City General Plan and review the proposed zoning designation or Specific Plan. (7-19-17)
4. After reviewing the information provided by staff, the Planning Commission shall forward a recommendation to approve, approve with conditions or deny the proposed annexation petition.
- ~~5. The City Recorder shall schedule a public hearing before the City Council with at least fourteen (14) day notice. The notice requirements of Section 19.12.6 herein shall be satisfied prior to holding the public hearing. (9-1-10)~~
6. The City Council shall review the recommendation of the Planning Commission, along with the petition for annexation and any other relevant information. The City Council shall determine if the petition satisfies the requirements of this Chapter and ensure that all

review fees have been paid. The City Council shall also determine whether the proposed annexation petition is consistent with the Payson City General Plan and/or specific plan, if required. Following the review of the petition, the City Council shall approve the annexation petition, approve the petition based on the satisfaction of certain conditions, remand the petition back to the Planning Commission for further review, or deny the petition for annexation. (4-21-10)

Annexations are legislative matters and the City is not required to approve any petition for annexation, regardless of location, even if the proponent of an annexation is prepared to comply with all provisions required for annexation. At any point in the approval process the City Council may deny the petition for annexation by notifying the applicant in writing. (9-18-13)

If a petition for annexation is denied by the City Council, the proponent of the annexation shall be required to submit a new application and pay all associated fees in order to have the petition reviewed again by the staff and the City Council. (9-18-13)

19.12.6 Notification Requirements for Accepted Petitions

Following acceptance of an annexation petition by the City Council, notice will be provided to all affected entities within the annexation area. The notice shall inform all entities that their property is included in a recently filed annexation petition, and shall include the date of the filing, the names of the petitioners and a description of the area proposed for annexation. The applicant shall provide pre-addressed stamped envelopes complete with the names of each property owner as shown on the latest Utah County tax assessment rolls for this notice. (9-18-13)

Prior to the public hearing before the City Council Planning Commission, the City shall provide notice, in accordance with §10-2-406 of Utah Code. The notice shall appear in a newspaper having general circulation in Payson City prior to the hearing and the notice shall be posted at the City Center. (9-18-13) (7-19-17)

Courtesy notice of the public hearing shall be mailed to property owners in the City within five hundred (500) feet of the proposed annexation and those owners in the unincorporated area located within ¼ mile of the area to be annexed. The applicant shall

provide pre-addressed stamped envelopes complete with the names of each property owner as shown on the latest Utah County tax assessment rolls. The City will prepare the letter and mail the notices to each property owner. (4-21-10)

The notice shall contain the place, time and date of the public hearing on the proposed annexation along with a general description of the area proposed to be annexed. The notice shall state that public input will be accepted at the hearing and how to contact the City to obtain additional information.

19.12.7 General Annexation Guidelines

There are several annexation guidelines that applicants should be aware of prior to submission of a petition for annexation. Some of these guidelines are dictated by State statute and others are policy of Payson City. In any instance, the following guidelines shall be reviewed upon submission of each annexation petition.

1. An annexation that would create, or have the effect of creating, an unincorporated island or peninsula, as defined in State statute will not be approved. (12-19-01)
2. Existing uses, including animal rights, agricultural uses, and other land uses may be allowed following annexation, unless the use is deemed inappropriate to the proposed zoning classification or the land use designation indicated on the specific plan. (9-18-13)
3. The petitioner for an annexation must demonstrate how all existing dwellings in the proposed annexation will be connected to Payson City utilities and other municipal services, including solid waste removal. The City Council may require the petitioner(s) to participate financially in the provision of City services. (4-5-17)
4. In order to complete a review that is meaningful and identifies the need for the entire area, each annexation should contain no less than one hundred (100) acres. Unless otherwise approved by the City Council, the specific plan shall encompass no less than one hundred (100) acres. If the City has prepared a specific plan that identifies the future development pattern and infrastructure needs of the area, or if Payson City deems the annexation area critical to achieve the land use and economic development goals of the City, the minimum acreage recommendation may be modified or waived. (4-21-10)

Chapter 19.13

Conditional Use Permits

- 19.13.1 Purpose
- 19.13.2 Permit Required
- 19.13.3 Approval Procedure
- 19.13.4 Planning Commission Review
- 19.13.5 City Council Approval
- 19.13.6 Criteria and Factors
- 19.13.7 Atypical Conditional Uses (1-18-06)
- 19.13.8 Duration
- 19.13.9 Fees
- 19.13.10 Other Requirements
- 19.13.11 Appeals
- 19.13.12 Implementation
- 19.13.13 Amendment, Suspension or Revocation
- 19.13.14 Violation

19.13.1 Purpose

Uses designated as conditional uses require special consideration from the City Council. These uses may or may not be appropriated for a specific piece of property. The purpose of this Chapter is to allow the City Council to evaluate the appropriateness of designated conditional uses on a case by case basis. The conditional use permit procedure allows the City Council to approve, deny, or conditionally approve any request for a conditional use permit.

19.13.2 Permit Required

Persons or entities shall not operate or conduct a use designated as a conditional use within the applicable zone without first obtaining a conditional use permit from the City. (5-2-07)

19.13.3 Application Procedure

The applicant for a conditional use permit shall submit a completed application form and a site plan with sufficient information to allow the Planning Commission and City Council to make a well informed decision. The application shall be accompanied by a written explanation of the specific activities associated with the proposed conditional use, elevations or building plans for any new structures, any modifications to existing structures, or any site improvements. The applicant shall also pay a fee in an amount established by resolution. (5-2-07)

19.13.4 Planning Commission Review

The Planning Commission shall review the proposed conditional use considering the criteria and factors set forth in Section 19.13.6. The Planning

Commission shall hold a public hearing and recommend that the application for a conditional use permit be approved, approved with conditions or denied. The validity of the permit shall be conditioned upon strict compliance with applicable City ordinances, the approved project plan and any additional conditions or requirements imposed by the City Council. (7-19-17)

19.13.5 City Council Review

Prior to granting a conditional use permit and after receipt of reports and recommendation of the Planning Commission, the City Council ~~shall hold a public hearing to accept and consider public comment. Required public hearing notice and courtesy notices to landowners shall be in accordance with Section 19.2.7 herein, unless otherwise expressed herein. Courtesy notice is not a legal requirement and failure to do so shall not invalidate any decision made by the City Council if proper legal notice was given shall take final action on the conditional use request.~~ (8-6-14) (7-19-17)

The City Council shall be the final approving authority for all applications for conditional use permits. The City Council shall review the proposed project plan while considering the criteria and factors set forth in Section 19.13.6. The application for a conditional use permit shall be approved, approved with conditions, or denied. The validity of the permit shall be conditioned upon strict compliance with applicable City ordinances, the approved site plan, project plan and any additional conditions of the City Council. (5-2-07)

Requests to install and maintain transmission lines, pipelines, utility right-of-ways, and other utility services that traverse multiple parcels are required to send courtesy notices to the owner(s) of the affected parcel and the parcels immediately adjacent to the affected parcel for a maximum distance of three hundred (300) feet from the centerline of the utility. (8-6-14)

19.13.6 Criteria and Factors to be Considered

The following factors shall be weighed and considered when determining whether a conditional use permit application should be approved, approved with conditions or denied:

1. Harmony of the request with the general objectives of the General Plan, Zoning Ordinance, Subdivision Ordinance, any other City ordinance and the particular zone in which the request is located.

Chapter 19.17

Cellular and Low Power Towers

- 19.17.1 Purpose and General Provisions
- 19.17.2 Specific Definitions
- 19.17.3 Approval Process
- 19.17.4 Types of Structures
- 19.17.5 Location and Criteria for Conditional Use
- 19.17.6 Landscaping and Color
- 19.17a Alternate Electric Generation Systems

19.17.1 Purpose and General Provisions

The purpose of this Chapter is to provide standards and regulations for the height, location and general design of low power communication towers in Payson City. The requirements of this Chapter apply to both commercial and private low power radio systems such as cellular or Personal Communication Systems (PCS), and paging systems. All facilities approved under this Chapter shall comply with these regulations and all other ordinances of Payson City and any pertinent state or federal regulations.

Each facility shall be considered as a separate use and an annual business license shall be required for each such facility. Uses exempted by the regulations of the Federal Communications Commission shall still be required to obtain a business license to operate a facility, however no fee shall be charged for such uses. (1-18-06)

The staff will review each application for approval to ensure that the proposed facility is compatible with the height and mass of existing buildings and utility structures and that co-location of antennas or other structures is possible without significantly altering the existing facility. The facility shall blend with existing vegetation, topography and buildings. The location of a facility may not create a detrimental impact to adjoining property owners.

19.17.2 Specific Definitions

The following list of definitions is provided to add clarification to the terms used in this Chapter. If further clarification of these terms is required, it will be given by the Payson City Board of Adjustment.

1. Antenna - A transmitting or receiving device used in telecommunications that radiates or captures radio signals.
2. Guyed Wire Tower - An open steel frame supported by guyed wires which extend 80% of the height of the structure away from the structure.
3. Lattice Tower - A self-supporting, multiple sided, open steel frame structure used to support

telecommunications equipment.

4. Low Power Radio Services Facility - An unmanned structure which consists of equipment used primarily for the transmission, reception or transfer of voice or data through radio wave or wireless transmissions. Such sites typically require the construction of transmission support structures to which antenna equipment is attached.
5. Monopole - A single cylindrical steel or wood pole that acts as the support structure for antennas.
6. Roof Mounted Antenna - An antenna or series of antennas mounted on an existing roof, mechanical room or penthouse of a building.
7. Wall Mounted Antenna - An antenna or series of antennas mounted against the vertical wall of a building or structure.
8. Whip Antenna - An antenna that is cylindrical in shape that can be directional or omnidirectional and vary in size depending upon the frequency and gain for which they are designed.

19.17.3 Approval Process

All applications for approval of a low power tower or cellular or PCS facility will be reviewed by the staff. Staff will review the size, height, color, accessory facilities, and general nature of the proposed tower. Staff may recommend conditions on any tower to address the items detailed above and any other appropriate conditions.

If the proposed tower is a permitted use in the zone, the application may be approved administratively by staff. The staff may require the applicant for installation of any tower to obtain approval by the City Council if deemed necessary. All applications that require a Conditional Use Permit for approval of a low power radio tower or cellular or PCS facility, ~~if approved, shall be in writing by the City Council following a recommendation by the Planning Commission. The Council shall hold a public hearing after a minimum of fourteen (14) day notice shall be processed in accordance with Chapter 19.13 herein and~~ consistent with other land use applications administered under Titles 19 and 20 of the Payson City Code. Staff shall prepare a concise report indicating any inconsistencies with requirements of this Chapter along with options for approval, approval with conditions, or denial of the application. ~~(4-15-15) (7-19-17)~~

Any interested party, including the applicant may appeal the action of the Council to the Payson City Board of Adjustment provided that such appeal is submitted to the Board within ten (10) days of the Council decision. If the decision has not been appealed within ten (10) days of the decision, the

Chapter 19.28**Definitions (2-19-14)**

19.28.1 Purpose and Intent

19.28.2 Definitions

19.28.1 Purpose and Intent

The purpose for including certain definitions as part of this ordinance is to clarify meaning specific to this ordinance. Words and phrases used in the present tense include the future, singular words include the plural as well as the singular.

19.28.2 Definitions

The following definitions are specific to this ordinance. If there is occasion to need interpretation of any word or phrase not listed below, the Board of Adjustment shall provide the interpretation.

1. Accessory Apartment - A living area within a single family dwelling that is subordinate to the single family dwelling, has an interior connection, and does not create a separate unit. (7-19-17)
2. Accessory Use or Structure - A use or structure that:
 - a. is clearly incidental to and customarily found in connection with a primary building or use;
 - b. is subordinate to and serves a primary building or use;
 - c. is subordinate in area, extent, or purpose to the primary building or principal use served;
 - d. contributes to the comfort, convenience, or necessity of occupants, business, or industry in the primary building or principal use served;
 - e. is located on the same lot as the primary building or principal use served.
3. Adult Day Care Facility - A facility that furnishes continuous care, supervision, and guidance for three (3) or more adults unaccompanied by a guardian for at least four (4) hours, but less than twenty-four (24) hours per day. (12-7-16)
4. Agriculture - Land used exclusively for a bona fide agricultural operation by the owner or tenant. The use of land for agricultural purposes including grazing or raising of livestock (except feed yards), sod production, orchards, plowing, tillage, cropping, seeding, cultivating, or harvesting for the production of food and the necessary accessory uses for packing, treating, or storing the produce, provided the operation of the accessory use is clearly incidental to the agricultural activity. The business of garbage feeding of hogs, fur farms, or the raising of animals for use in medical or other tests or experiments is excluded.

5. Agricultural Building – A structure on agricultural land designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner or lessee, or their employees, and persons engaged in the pick up or delivery of agricultural produce or products grown or raised on the premises. The term “agricultural building” shall not include dwellings.
6. Alternative Transportation Modes - Methods of travel other than by means of a low-occupant vehicle. Alternative modes may include carpooling or vanpooling, public transit, bicycling or walking.
7. Appeal Authority - The person, board, commission, agency or other body designated herein to decide an appeal of a decision of a land use application or a variance.
8. Architectural Metal Panels – Insulated metal panels used to provide architectural enhancements through a variety of panel profiles, colors, and applied finishes designed with concealed clips and fasteners. (12-7-16)
9. Assisted Living Facility - A residential facility, licensed by the State of Utah, with a home like setting that provides an array of coordinated supportive personal and health care services, available twenty-four (24) hours per day, to residents who have been assessed under Utah Department of Health or Utah Department of Human Services rules to need any of these services. Each resident shall have a service plan based on the assessment, which may include:
 - a. Specified services of intermittent nursing care
 - b. Administration of medications
 - c. Support services promoting the resident’s independence and self-sufficiency

An assisted living facility does not include:

 - a. A residential facility for persons with a disability
 - b. Adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability
10. Automobile Repair - The repair of the mechanical functioning parts of an automobile. Automobile repair does not include the storage or impounding of vehicles with the exception of vehicles that will be repaired within forty-eight (48) hours.
11. Automobile Restoration - The external repair of automobiles including body work and painting. Automobile restoration does not include the storage or impounding of vehicles with the exception of vehicles that will be restored within forty-eight (48) hours.
12. Automobile Impound - The secured storage of

from the street line to the nearest point of the building façade. The build-to-line identifies the precise horizontal distance, or range of distances, from a street that the front of all primary structures must be built in order to create a uniform line of buildings along a street. (4-15-15)

19. Carport - A structure not completely enclosed by walls for the shelter of automobiles.
- ~~20. Casita - A casita is a temporary living quarter attached to a single family dwelling intended to provide visitors semi private living space for a short period of time without establishing residency. Containing bedroom and bathroom areas, a casita essentially allows a separate sleeping and bathroom area that is attached to a single family dwelling with a separate entrance.~~
21. Certificate of Occupancy - A permit issued prior to occupancy of a structure to ensure that the structure is ready for occupancy with all defects corrected and all construction debris removed and the site graded to final grade.
22. Child Care Center - A building wherein ordinary care and supervision are provided during customary day-time periods by the resident family to non-related persons. To qualify, the building and business operations must be approved by the Utah Department of Health or other appropriate State agency. (12-7-16)
23. City Council - The legislative or governing board of Payson, Utah.
24. Common Area - Land in a development held in common or single ownership and not reserved for the exclusive use or benefit of an individual tenant or owner. Maintenance of such areas is not the responsibility of city government and shall be set forth by the development association in the form of restrictive covenants, which shall guarantee the maintenance of these areas.
25. Community Correctional Facility - A facility licensed by the State of Utah to provide temporary occupancy for previously incarcerated persons which assists such persons in making a transition from a correctional institution environment to independent living. The facility may also provide ancillary, temporary occupancy for individuals placed as part of, or in lieu of confinement rehabilitation, or treatment in a correctional institution.
26. Complete Application - A determination by an appropriate staff member that an applicant has submitted the correct form together with all mandatory and supplementary information necessary to complete a review of the project, including the payment of the established fee.
27. Composting Facility - A facility providing an area for the accelerated biological decomposition of organic matter under managed aerobic conditions resulting in a stable, innocuous final product and specifically includes all related receiving, processing, production, curing, and storage areas, buildings equipment, facilities and other infrastructure located at the site.
28. Conditional Use - A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.
29. Condominium - The ownership of a single unit in a multi-unit project together with an undivided interest in common in the common areas and facilities of the property.
30. Condominium Project - A plan or project whereby two or more units, together with an undivided interest in the common area or facility, are separately offered or proposed to be offered for sale. This definition shall apply to existing or proposed apartments, commercial or industrial buildings, or structures. Condominium project shall also mean the property when the context so requires.
31. Congregate Housing - Independent living designed to integrate the housing and nonmedical supportive services of elders. Increases self-sufficiency through the provision of supportive services (i.e. meals, transportation, housekeeping, social activities) in a residential setting. Congregate housing does not offer 24-hour care and supervision; however, home health services are often arranged.
32. Deck - An exterior floor system adjacent and accessible to a primary building.
33. Density - The term density shall mean the number of dwelling units per acre of land.
 - b. Gross Density - The ratio of dwelling units per acre utilizing the full acreage of the parcel(s) without subtracting areas dedicated to public or private roads, schools, parks, or similar public use and open space areas or hazard areas.
 - c. Net Density - The total number of dwelling units divided by the project area after the acreage for all areas dedicated to public or private roads, schools, parks, or similar public use and open space areas or hazard areas have been removed.
34. Disability - A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such an impairment. The following

secondary school, seminary, parochial school or private education institution having a curriculum similar to that ordinarily provided in grades one through twelve in a public school system. The term education institution for the purpose of this ordinance does not include post high school education facilities or education facilities which include residential facilities for its students.

41. Elderly Housing - A general term for the different types of age restricted residential developments and facilities allowed under the Federal Fair Housing Act, which include: senior apartments, senior condominiums, active adult community, and retirement community where residents live independently and do not require assistance with day-to-day activities.
42. Elderly Person - A person who is sixty (60) years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.
43. Equivalent Residential Unit (ERU) - A calculation to determine the impact of a development in comparison with single family residential units. An ERU is equal to one (1) single family unit. Each Payson City utility will have unique ERU calculations including, but not limited to, to the following:
 - a. Impact on traffic: One ERU = 10 vehicle trips per day.
 - b. Impact on drinking water: One ERU = the gallons of water that can be obtained through a three quarter (¾) inch service lateral.
 - c. Impact on irrigation water: One ERU = the gallons of water that can be obtained through a one (1) inch service lateral.
 - d. Impact on power: One ERU = 4 Kw peak demand.
44. ~~Family - An individual, or two (2) or more persons related by blood, marriage, adoption, or guardianship or a group of not more than four (4) persons who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities and entrances.~~

Family - One of the following groups living in a dwelling unit as a single housekeeping unit and using common cooking facilities and entrances:
 - a. Two (2) or more persons related by blood, marriage, adoption or guardianship and within three (3) degrees of consanguinity.
 - b. Up to four (4) adults and any minor children, if any. (7-19-17)
45. Fence - A structure, solid or otherwise, intended to partition or enclose a property or portion of a property.
 - a. Fence, Open - A fence that is at least seventy-

five percent (75%) open which does not present a visual barrier/hazard for pedestrians or drivers.

- b. Fence, Obscuring - A fence or wall whose vertical surface is covered by a solid or opaque material which permits vision through not more than ten percent (10%) of surface.
46. Final Decision - A successful motion by the City Council, Planning Commission, or other land use authority to approve or deny a land use application, effective the moment the vote is taken.
47. Final Plat - Record of Survey Map - A plat or plats of survey of land within a subdivision or other large scale development, which has been prepared in accordance with applicable city standards and/or state statutes for the purposes of recording in the office of the County Recorder.
48. Flood, 100 Year - A flood, the magnitude of which will probably occur only once in 100 years.
49. Flood Channel - A natural or artificial watercourse with definite bed and banks to confine and conduct flood water.
50. Floor Area - The sum of the horizontal areas of each floor of a building, measured from the interior faces of the exterior walls or from the centerline of walls separating two buildings. The floor area measurement does not include areas of unfinished basements, unfinished attics, attached garages or space used for off-street parking or loading, breezeways, enclosed and unenclosed porches, elevator or stair bulkheads, and accessory structures.
51. Foster Care Home - A dwelling unit wherein room, board, care, and supervision are provided by the resident family under the approval and supervision of the Department of Human Services or other placement agency licensed by the State to provide for children who are unrelated to the resident.
52. Fraternity or Sorority House - A building occupied by and maintained exclusively for students affiliated with an academic or professional college or university or other recognized institution of higher learning, who are associated together in a fraternity or sorority that is officially recognized by such institution and who receive lodging and/or meals on the premises for compensation.
53. Frontage - The width of a parcel along a public or private road from which the parcel is accessed. The frontage shall be represented as the primary access to a structure (front or main door). In the case of a corner lot, frontage shall be calculated using the primary access to the structure. This definition also defines the front of a parcel for setback purposes. Therefore, the front setback

shall be calculated using the side of the parcel determined to have frontage on a public or private street.

54. Garage and/or Yard Sale – An occasional sale of miscellaneous items commonly associated with residential use conducted by a property owner at the owner's place of residence which offers personal possessions for sale but does not include items brought to the site for sale.
55. General Plan (Master Plan) - A comprehensive long-range plan intended to guide growth and development of a community or region and includes analysis, recommendation, and proposals for the community's population economy, housing, transportation, community facilities, and land use.
56. Grade of Building
 - a. For buildings fronting one street only - the elevation of the sidewalk or center line of street, whichever is higher, at right angles to the midpoint of the fronting walls.
 - b. For buildings fronting on more than one street - the average of the elevations of the sidewalk or center line of surrounding streets, whichever is higher.
57. Grade of Street and Driveways - Grade shall mean the ratio of vertical distance to horizontal distance along such a street or driveway expressed in either percentage or degree.
58. Guest - A person or persons staying temporarily within a dwelling unit without payment of compensation or remuneration to the owners, tenants, or full time inhabitants of said dwelling unit.
- ~~59. Guest House - See Casita.~~
60. Height, Walls and Fences - Such height shall be measured from the highest of the two grades adjacent to the wall or fence, except when the wall or fence is adjacent to a street right-of-way which has a higher grade than that on the adjacent site. For such conditions, the height of the wall or fence shall be measured from the top of the curb or the crown of the street where there is no curb.
61. Home Occupation - An occupation conducted entirely within the dwelling unit and carried on only by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the residential character of the dwelling unit, and for which a home occupation business license has been issued by Payson City.
62. Hospital – An institution licensed by the State of Utah which provides diagnostic, therapeutic, and rehabilitative services to individuals on both an inpatient and outpatient basis by or under the supervision of one or more physicians. Any medical clinic or professional office which offers any inpatient or outpatient care, or operates on a twenty-four-hour basis shall be considered to be a hospital. A hospital may include integral support service facilities such as laboratories, outpatient units and training and central services, together with staff offices necessary to the operation of the hospital.
63. Hotel and Motels – A facility offering transient lodging accommodations to the general public and which may provide additional services such as restaurants, meeting rooms, entertainment and recreational facilities.
64. Household Pets - Cats and dogs and other domestic animals which are housed in the residence in areas occupied by the family.
65. Impervious Surface - Any hard-surfaced area that does not allow for the natural percolation of water into the soil, including but not limited to building roofs, concrete patios, concrete or asphalt driveways, graveled areas, sidewalks, and paved recreation areas.
66. Industrial, Light – The manufacturing, compounding, processing, assembling, packaging, or testing of goods or equipment or research activities entirely within an enclosed structure, with limited outdoor storage, serviced by a modest volume (less than 12 trips in 24 hours) of small (¾ ton) trucks or vans and imposing a negligible impact upon the surrounding environment by noise, vibration, smoke, dust or pollutants.
67. Industrial, Heavy – Uses that are generally involved in the processing of large volumes of raw materials into refined materials and/or have significant external impacts, with potential outdoor storage that is capable of being screened from neighboring properties. Environmental impacts such as air, water, vibration, smoke, dust, pollutants and noise shall satisfy all federal and state regulations and those of Payson City.
68. Junk Yard-Salvage Yard - A place where scrap, unused, discarded salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including places where such uses are conducted entirely within a completely enclosed building or where salvaged materials are kept incidental to manufacturing operations conducted on the premises.
69. Kitchen – An area designed to be used for cooking and preparing food. An area is considered to meet this definition when it has more than one (1) of the following: stove, garbage disposal, sink, 220 voltage and/or gas supply lines, or other appliance

used to cook or prepare food. (7-19-17)

70. Landscaping - The use and integration of a combination of planted trees, shrubs, vines, groundcover, lawns, rocks, foundations, pools, art works, screens, walls, fences, benches, or surfaced walkways set into an aesthetically pleasing arrangement. However, the use of structures or surfaced walkways alone, in the absence of planted trees, lawns, etc., shall not meet the requirements of this ordinance.
71. Land Use Authority - A person, board, commission, agency, or other body designated by the Payson City Council to act upon a land use application.
72. Land Use Ordinance - A planning, zoning, development or subdivision ordinance of Payson City, not to include the General Plan.
73. Living Area - The interior habitable area of a dwelling unit, including the basement and attic, but excluding the garage or any accessory structure not intended for human habitation.
74. Lot - A parcel of real property shown as a delineated parcel of land with a number and designation on the final plat of a recorded subdivision; or a parcel of real property defined by metes and bounds, containing not less than the minimum area and width required in the zone in which it is located.
 - a. Lot, Corner - A lot situated on two intersecting or intercepting streets where the interior angle of intersection or interception does not exceed 135 degrees.
 - b. Lot, Interior - A lot other than a corner lot.
 - c. Lot, Zoning - A parcel of land which:
 - i. Complies with all existing area frontage, width, setback, and supplementary requirements of the zone in which it is located.
 - ii. Has frontage on a city street, which street has (a) been accepted by the City Council and has been improved in accordance with city standards and is in use by the public, or (b) has frontage on a private right-of-way within an approved large scale development.
 - iii. Is shown as a separate lot in an approved subdivision plat or large scale development plan, which plat or plan has been approved in accordance with the applicable ordinances or which is exempted from compliance with said ordinances.
75. Lot Area - The total area measured on a horizontal plane included within the lot line of the lot or parcel of land.
76. Lot Coverage - The portion of the lot or parcel that is covered by any part of a building, structure, or impervious material (i.e. concrete, asphalt) on or above the surface of the lot. The percentage is determined by dividing (a) the area of the lot or parcel covered by the total (in square feet) of: (1) the footprint of the main building; and (2) the footprints of accessory buildings; and (3) parking pads, driveways and other impervious cover; by (b) the gross area of the lot or parcel. (4-15-15)
77. Lot Line - The property line bounding the lot.
 - a. Lot Line, Front - A line separating an interior lot from a street. For corner lots, the lot owner may elect any street lot line as the front lot line unless otherwise established by a plat or covenant.
 - b. Lot Line, Rear - A lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or gore-shaped lot, the rear lot line shall be a line within the lot, parallel to and at the maximum distance from the front lot line, having a length of at least ten (10) feet.
 - c. Lot Line, Side - Any lot boundary line not a front lot line or a rear lot line.
78. Lot Width - The horizontal distance between the side lot lines and measured at the required front yard setback line.
79. Lot Line Adjustment - The relocation of a property boundary line between two adjoining parcels with the consent of the owners of record and consistent with the minimum requirements established in this Title.
80. Master Plan - See General Plan.
81. Maintenance Facilities - Facilities used for provision of public or private utilities such as: electrical substations, gas regulator stations, telephone transmission equipment buildings, sewage lift stations, water pumping stations, water reservoirs, and public safety buildings and training facilities.
82. Manufactured Home - A home or other building of new construction which has been assembled fully or in substantial part, upon another site or in a factory and moved to the site where it is to be placed upon a permanent foundation in compliance with the provisions of the International Building Code.
83. Mixed Martial Arts - A full-contact sport allowing a wide range of unarmed combat techniques such as striking and grappling. This term includes karate, wrestling, boxing, kickboxing and Jiu Jitsu forms of martial arts. Training facilities for mixed martial arts instruction are permitted in certain zoning districts. Contests, exhibitions, and club fighting are not allowed.
84. Mobile Home - A dwelling unit which complies with the Mobile Home Building Code as adopted