

19.6.7 RMF Multi-Family Residential Zone (2-1-17)

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19.6.7.1 Purpose and Zone Characteristics

The RMF Multi-Family Residential Zone is established to provide areas within the City for high-density housing and multi-family structures designed to allow economical use of land while creating an attractive, functional and safe residential environment. The RMF Zone is intended to have limited commercial services including home occupations. Rezoning to the RMF Zone should be carefully reviewed to ensure compatibility with existing development and neighborhoods and the land use goals of the City.

19.6.7.2 Permitted, Conditional and Accessory Uses
Permitted Uses

The following land use types are permitted uses in the RMF Multi-Family Residential 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. Single family dwellings
2. Multi-family structures and dwellings
3. Public or private utility rights-of-way
4. Parks, trails, open space areas, and other related recreation facilities and project amenities
5. Subdivisions pursuant to Title 20
6. Keeping of animals pursuant to Title 6

Conditional Uses

The following land use types are allowed as conditional uses in the RMF Multi-Family Residential 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 Title.

1. Religious buildings and structures
2. Educational facilities unless otherwise addressed in Utah Code
3. Residential facilities for the elderly or persons with a disability in accordance with State law
4. Public and private utility maintenance facilities

Accessory Uses

The following land use types are allowed as accessory uses in the RMF Multi-Family Residential 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. Storage facilities for equipment that is associated with maintenance of the site may be as an accessory use to a permitted or conditional use in the zone. The accessory building shall be constructed of essentially the same materials as the main residential buildings or structures.
2. Except as a legal non-conforming use, accessory structures for the housing of animals or poultry is not permitted, other than incidental shelter for pets as allowed in Title 6.
3. Home occupations pursuant to Title 4.

19.6.7.3 Minimum Project Area

Each development project in the RMF Multi-Family Residential Zone shall be located on a parcel containing not less than five (5) acres.

19.6.7.4 Project Density Calculation

The RMF Zone accommodates a variety of densities for multi-family dwellings. Project density is calculated based on the type of application submitted, amenities provided and other factors identified herein. In accordance with the provisions of this Chapter, each project will be assigned one of the following density classifications.

RMF-10:	Up to 10 units/gross acre
RMF-15:	10.1 to Up to 15 units/gross acre
RMF-20:	15.1 to Up to 20 units/gross acre

19.6.10 PO-1 Professional Office Zone

- 19.6.10.1 Purpose and Zone Characteristics
- 19.6.10.2 Permitted, Conditional and Accessory Uses
- 19.6.10.3 Lot Area
- 19.6.10.4 Lot Width
- 19.6.10.5 Lot Frontage
- 19.6.10.6 Setback Requirements
- 19.6.10.7 Projections into Setbacks
- 19.6.10.8 Building Height Requirements
- 19.6.10.9 Distance between Buildings
- 19.6.10.10 Permissible Lot Coverage
- 19.6.10.11 Parking, Loading and Access
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- 19.6.10.13 Other Requirements
- 19.6.10.14 Footprint Lots (9-3-08)

19.6.10.1 Purpose and Zone Characteristics

The PO-1 Professional Office Zone is established to provide areas within the City for hospitals and other medical services, office buildings and other professional services. The PO-1 Zone is intended to have limited commercial and retail services directly related to the primary use of the zone. Rezoning to the PO-1 Zone should be carefully reviewed to ensure compatibility with existing development and neighborhoods.

19.6.10.2 Permitted, Conditional and Accessory Uses

Specific uses in the PO-1 Zone can be identified by referring to the chart attached hereto as Appendix A – Non-Residential Land Use Categories. The chart will specify whether each use is a permitted, conditional or accessory use. Special Needs Housing is allowed in accordance with Section 19.23.10 herein. Any use not ~~Unless specifically listed in Appendix A or Chapter 19.23, Special Needs Housing, any other use is not a~~ permitted use in the zone. (10-1-08) (12-19-18)

19.6.10.3 Lot Area

The minimum parcel size allowed in the PO-1 Zone shall be one half (1/2) acre and shall be in single ownership or single control.

19.6.10.4 Lot Width

Each parcel in the PO-1 Zone shall maintain a width no less than one hundred (100) feet in the required front setback area.

19.6.10.5 Lot Frontage

Each parcel in the PO-1 Zone shall abut a public street, or private street if approved by the City Council, for a minimum distance of one hundred (100) feet.

19.6.10.6 Setback Requirements

The following minimum setback requirements shall apply in the PO-1 Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the PO-1 Zone shall have a minimum front setback of twenty-five (25) feet.
2. Side setback - Each lot or parcel in the PO-1 Zone, unless otherwise noted below, shall have a minimum side setback of ten (10) feet.
 - a. Side setback for corner lot - Each corner lot or parcel in the PO-1 Zone shall have a minimum setback on all areas of road frontage of twenty (20) feet.
 - b. Side setback for driveway - Each side setback, when used for access to a garage, carport, or parking area shall have a minimum setback of twenty (20) feet and shall be hard surfaced.
 - c. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of fifteen (15) feet.
 - d. Any structure in the PO-1 Zone that exceeds thirty-five (35) feet in height shall maintain a twenty (20) foot side setback.
3. Rear setback - Each lot or parcel in the PO-1 Zone shall have a minimum rear setback of twenty (20) feet.
 - a. Rear setback for accessory building - An accessory building shall be at least fifteen (15) feet from the rear property line. (2-7-07)

19.6.10.7 Projections into Setbacks

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

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Landscaping and irrigation systems.
3. Necessary appurtenances for utility service.
4. Patios, as defined in Chapter 19.28 herein, may be extended into a side or rear setback area but must be at least five (5) feet from the property line. (2-7-07)
5. Decks, as defined in Chapter 19.28 herein, may be extended into a rear setback area but must be at least fifteen (15) feet from the property line and satisfy all other setback requirements. (2-7-07)
6. Cornices, eaves, sills, buttresses, awnings, planter boxes or other similar architectural features may project up to four (4) feet into any required front or rear setback or up to two (2) feet into a side setback.
7. 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

a permitted or conditional use of the parcel unless otherwise noted in this Section.

1. Accessory facilities to package, store and distribute products made on-site
2. Indoor storage and maintenance facilities for machinery and equipment
3. Pavilions, break rooms, fitness facilities and other gathering areas intended for use by employees
4. The growing of crops, flowers, and nursery plants in a manner that allows land to be used in a productive manner prior to development of the land. Slaughterhouses, feed yards and other intensive agricultural uses are not allowed.

Prohibited Uses

To achieve the goals of the BPD Zone, the following land uses are expressly prohibited on property included in the zoning district.

1. Any outdoor manufacturing, testing, processing or similar activities
2. Outdoor storage, except as provided herein
3. Storage units (12-19-18)
4. Automotive and machinery repair
5. Salvage and wrecking yards
6. On-site hazardous substance processing and handling or hazardous waste treatment and storage facilities

19.6.15.3 Project Plan Approval

A request for project plan approval in the BPD Zone is subject to any and all applicable City resolutions and ordinances including, but not limited to, the Payson City General Plan, Zoning Ordinance, Subdivision Ordinance, and the Standard Specifications and Standard Plans. Projects that include permitted uses will be reviewed and approved in accordance with Chapter 19.8, Commercial Development, Site Plans, herein. Each conditional use must be reviewed and approved in accordance with Chapter 19.13 of this Title.

It is uncommon for parcels in the BPD Zone to be improved in phases. When a development proposal does not include the entire parcel, the City may require a conceptual layout for the entire parcel to address building layout, access, drainage, lot coverage, building orientation, and other development factors that apply to the overall development.

19.6.15.4 Project Area and Parcel Size

The minimum project area for the creation of a new business park is twenty (20) acres. Furthermore, each individual parcel in the BPD Zone shall contain at least

two (2) acres. The parcel size requirement is not intended to restrict condominium units within a multi-tenant building or project.

19.6.15.5 Lot Width

The minimum width requirement in the BPD Zone shall be one hundred (100) feet for all of the area located in the required front setback area.

19.6.15.6 Lot Frontage

All parcels in the BPD Zone shall abut a public street, or a private street if approved by the City Council, for at least one hundred (100) feet.

19.6.15.7 Setback Requirements

The following minimum setback requirements shall apply in the BPD Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel ~~in the BPD Zone~~ shall have a minimum front setback of thirty (30) feet.
 - a. Accessory structures shall be farther from the property line than the front of the primary structure and the street facing side of the primary structure on a corner lot.
2. Side setback - Each parcel ~~in the BPD Zone~~ shall have a minimum side setback of ~~thirty (30)~~ twenty (20) feet.
 - a. Side setback for corner lot - Each corner lot or parcel ~~in the BPD Zone~~ shall have a minimum setback on all areas of road frontage of thirty (30) feet.
 - b. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of twenty (20) feet.
3. Rear setback - Each lot or parcel ~~in the BPD Zone~~ shall have a minimum rear setback of ~~thirty (30)~~ twenty (20) feet.
 - a. Rear setback for accessory building - An accessory building shall be at least twenty (20) feet from the rear property line.

19.6.15.8 Projections into Setbacks

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

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Landscaping and irrigation systems.
3. Necessary appurtenances for utility service.
4. Cornices, eaves, sills, buttresses, awnings, fire escapes, uncovered stairways and landings, planter boxes or other similar architectural features may

project up to four (4) feet into any required front or rear setback or up to two (2) feet into a side setback.

19.6.15.9 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, unless reviewed and approved by the Building Inspector and Fire Chief in accordance with the adopted building and fire codes. Accessory structures may not exceed twenty-five (25) feet in height nor be taller than the primary building.

19.6.15.10 Distance between Buildings

The distance between any building or structure and any other building or structure shall be at least twenty (20) feet.

19.6.15.11 Lot Coverage

The sum total of all buildings, structures and parking on any parcel in the BPD Zone shall not exceed ~~sixty (60)~~ eighty (80) percent of the total area of the parcel. (12-19-18)

19.6.15.12 Parking, Loading and Access

Each project in the BPD Zone shall satisfy the off-street parking requirements found in Chapter 19.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced access.

Loading areas shall be located at the rear or side of the building and shall not occur on a public street. Loading areas shall be recessed, screened, or otherwise designed to buffer this use from public view and adjacent properties. Additional screening methods shall be implemented for projects visible from major transportation facilities, including freeways, highways, and transit corridors.

19.6.15.13 Building Placement and Design

The location and design of all buildings shall provide the following:

1. Architectural features on at least forty (40) percent of the front of the building and include features that accentuate public entrances to the building.
2. A balance of building proportion and scale, recognizing all structures on the development site and adjacent properties.
3. Building design shall be clean and simple. Continuous building wall surfaces shall be relieved with variations of wall planes, materials, textures, and colors.
4. Exterior building materials, including all accessory structures, shall be high quality for

suitability, permanence, and durability. Acceptable materials include:

- a. Architecturally treated tilt-up concrete
 - b. Split face and scored block
 - c. Brick and glazed brick (12-7-16)
 - d. Stone, cast stone, marble or similar material (12-7-16)
 - e. Fiber cement (12-7-16)
 - f. Stucco or synthetic stucco (12-7-16)
 - g. Metal wall panels, provided:
 - i. The design and materials used on the front façade shall satisfy the requirements of this section.
 - ii. A non-metal base, consisting of acceptable masonry materials, is established which wraps around the sides and rear of the building. The non-metal base must be at least six (6) feet in height or 1/3 of the surface wall area, whichever is greater.
 - iii. Architectural features must be incorporated into all sides of the structure to avoid large blank, flat walls without articulation, windows, and design elements. Acceptable architectural features include windows, dormers, awnings, and repeating architectural patterns consisting of color change, texture change, material change, and wall articulation change. (12-7-16)
 - h. Architectural metal panels
 - i. Glass
5. Office buildings should contain multiple stories, where possible.
 6. The primary color of each building will be complementary to surrounding buildings and not create a visually distractive environment.
 7. Buildings along Interstate 15 and other major transportation facilities (i.e. commuter rail) must incorporate architectural features on the exterior walls facing these facilities to avoid the back of the building appearance.
 8. Cooling towers, mechanical equipment, propane tanks, and other unsightly items which could have an adverse effect upon the aesthetics of the building and adjacent properties will be allowed only if adequately enclosed or screened so as to be an integral part of the architectural design of the building.

19.6.15.14 Storage Areas and Fencing

Except as noted below, all business activities shall be conducted entirely within a building, except for loading and unloading and vehicle parking. Materials, supplies, equipment, finished or unfinished products,

19.6.16 I-1 Light Industrial Zone

- 19.6.16.1 Purpose and Zone Characteristics
- 19.6.16.2 Permitted, Conditional and Accessory Uses
- 19.6.16.3 Lot Area
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- 19.6.16.5 Lot Frontage
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- 19.6.16.7 Projections into Setbacks
- 19.6.16.8 Building Height Requirements
- 19.6.16.9 Distance between Buildings
- 19.6.16.10 Lot Coverage
- 19.6.16.11 Parking, Loading and Access
- 19.6.16.12 Project Plan Approval
- 19.6.16.13 Storage Units
- 19.6.16.14 Other Requirements

19.6.16.1 Purpose and Zone Characteristics

The I-1 Light Industrial Zone is established to provide areas within the City for manufacturing, processing, and warehousing of goods and materials. The I-1 Zone is typically located west of Interstate 15. The zone allows for limited commercial and service uses.

19.6.16.2 Permitted, Conditional and Accessory Uses

The permitted, conditional, and accessory uses in the I-1 Light Industrial Zone may be subject to any stricter requirements included in a development agreement approved by the City Council for an industrial development. (3-5-03)

Specific uses in the I-1 Zone can be identified by referring to the chart attached hereto as Appendix A – Non-Residential Land Use Categories. The chart will specify whether each use is a permitted, conditional or accessory use. Unless specifically listed, any other use is not a permitted use in the zone. (10-1-08)

19.6.16.3 Lot Area

The minimum lot area requirement in the I-1 Zone is one half (1/2) acre, except for parcels created prior to the adoption of this ordinance.

19.6.16.4 Lot Width

The minimum width requirement in the I-1 Zone shall be one hundred (100) feet for all of the area located in the required front setback area, except for parcels created prior to the adoption of this ordinance. Regardless of the adoption date, if the Council finds that the width is inefficient or undesirable, the Council may require that the massing, uses, and other design characteristics be compatible with surrounding uses.

19.6.16.5 Lot Frontage

All parcels in the I-1 Zone shall abut a public street, or a private street if approved by the City Council, for at least one hundred (100) feet, except for parcels created prior to the adoption of this ordinance. Regardless of the adoption date, if the Council finds that the frontage is inefficient or undesirable, the Council may require that the massing, uses, and other design characteristics be compatible with surrounding uses. (3-5-03)

19.6.16.6 Setback Requirements

The following minimum setback requirements shall apply in the I-1 Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel ~~in the I-1 Zone~~ shall have a minimum front setback of thirty (30) feet.
2. Side setback - Each ~~lot or~~ parcel ~~in the I-1 Zone~~ shall have a minimum side setback of ~~thirty (30)~~ twenty (20) feet.
 - a. Side setback for corner lot - Each corner lot or parcel in the I-1 Zone shall have a minimum setback on all areas of road frontage of ~~thirty (30)~~ twenty (20) feet.
 - ~~b. Side setback for driveway - Each side setback, when used for access to a garage, carport, or parking area shall have a minimum setback of thirty (30) feet and shall be hard surfaced.~~
 - c. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of twenty (20) feet.
3. Rear setback - Each lot or parcel ~~in the I-1 Zone~~ shall have a minimum rear setback of ~~thirty (30)~~ twenty (20) feet.
 - a. Rear setback for accessory building - An accessory building shall be at least twenty (20) feet from the rear property line.
4. Storage Units - The side and rear setbacks for a storage unit project designed with zero lot line development (fortress style) may be eliminated if the following provisions are met:
 - a. The City Engineer, Building Official and Fire Chief provide written permission. Permission shall only be granted if the modified setbacks will improve project layout, provide increased safety measures, and satisfies the building and fire codes.

~~Following review of any proposed project, the setbacks for the I-1, Light Industrial Zone may be modified, upon written approval of the City Engineer, Building Official and Fire Chief, if the modified setbacks will improve the layout of the proposed development and~~

~~allow for more appropriate safety provision. Upon review of a request to reduce a setback, the following issues must be considered:~~

- b. The setbacks may not be reduced on projects that are adjacent to another zoning designation or could have negative impact on adjacent properties.
- c. ~~The side setback for a corner lot and the rear setback for a double frontage lot must maintain at least twenty (20) feet.~~
- d. ~~The applicant shall obtain written approval from~~ The public and private utility providers are notified of the proposed ~~to~~ encroachment of the setback area and public utility easements are provided in an alternate location within the development.
- e. The applicant is responsible for relocation of any utility facilities, fencing or other physical features of the site to accommodate the development proposal is the responsibility of the applicant. (2-7-07) (12-19-18)
1. ~~The setbacks may not reduce or eliminate the public utility easement area unless written permission is granted from the adjoining property owner to place the additional public utility easement area on their property. If the public utility easement cannot be provided on the adjoining property, the City Engineer, Building Official and Fire Chief may consider alternate locations for the public utility easement. The preparation of all necessary documentation and recordation fees are the responsibility of the party seeking the reduction. (10-1-08)~~

The City Engineer, Building Official and Fire Chief are under no obligation to approve the request to modify the setbacks of this Chapter and no precedent is set by any approval or denial of such a request. (3-5-03)

19.6.16.7 Projections into Setbacks

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

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Landscaping and irrigation systems.
3. Necessary appurtenances for utility service.
4. Patios, as defined in Chapter 19.28 herein, may be extended into a side or rear setback area but must be at least five (5) feet from the property line. (2-7-07)

5. Decks, as defined in Chapter 19.28 herein, may be extended into a rear setback area but must be at least fifteen (15) feet from the property line and satisfy all other setback requirements. (2-7-07)
6. Cornices, eaves, sills, buttresses, awnings, planter boxes or other similar architectural features may project up to four (4) feet into any required front or rear setback or up to two (2) feet into a side setback.
7. 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. (2-7-07)

19.6.16.8 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, unless reviewed and approved by the Fire Chief, in accordance with the adopted building and fire codes. Accessory structures may not exceed eighteen (18) feet in total height as defined in Chapter 19.28 herein. (5-16-12)

19.6.16.9 Distance between Buildings

The distance between any building or structure and any other building or structure shall be at least twenty (20) feet.

19.6.16.10 Lot Coverage

The sum total of all buildings, structures and impervious material on any parcel in the I-1 Zone shall not exceed ~~sixty (60)~~ eighty (80) percent of the total area of the parcel. (4-15-15) (12-19-18)

19.6.16.11 Parking, Loading and Access

Each project in the I-1 Zone shall satisfy the off-street parking requirements found in Chapter 19.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

Loading and unloading areas shall be located in an area that can be secured from public access. Further, loading and unloading shall not occur on a public street.

19.6.16.12 Project Plan Approval

Any request for project plan approval in the I-1 Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance,

19.6.17 I-2 Heavy Industrial Zone

19.6.17.1 Purpose and Zone Characteristics

19.6.17.2 Permitted, Conditional and Accessory Uses

19.6.17.3 Lot Area

19.6.17.4 Lot Width

19.6.17.5 Lot Frontage

19.6.17.6 Setback Requirements

19.6.17.7 Projections into Setbacks

19.6.17.8 Building Height Requirements

19.6.17.9 Distance between Buildings

19.6.17.10 Lot Coverage

19.6.17.11 Parking, Loading and Access

19.6.17.12 Project Plan Approval

19.6.17.13 Other Requirements

19.6.17.1 Purpose and Zone Characteristics

The I-2 Heavy Industrial Zone is established to provide areas within the City for manufacturing, processing, warehousing, and fabrication of goods and materials. These uses are not compatible with residential uses and should be placed in appropriate locations and protected from residential encroachment. (3-5-03)

19.6.17.2 Permitted, Conditional and Accessory Uses

Specific uses in the I-2 Zone can be identified by referring to the chart attached hereto as Appendix A – Non-Residential Land Use Categories. The chart will specify whether each use is a permitted, conditional or accessory use. Unless specifically listed, any other use is not a permitted use in the zone. (10-1-08)

19.6.17.3 Lot Area

The minimum lot area requirement in the I-2 Zone is one (1) acre.

19.6.17.4 Lot Width

The minimum width requirement in the I-2 Zone shall be one hundred (100) feet for all of the area located in the required front setback area.

19.6.17.5 Lot Frontage

All parcels in the I-2 Zone shall abut a public street, or private street if approved by the City Council, for at least one hundred (100) feet. (3-5-03)

19.6.17.6 Setback Requirements

The following minimum setback requirements shall apply in the I-2 Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel ~~in the I 2 Zone~~ shall have a minimum front setback of ~~forty (40)~~ thirty (30) feet. (12-18-19)

2. Side setback – Each ~~lot or~~ parcel ~~in the I 2 Zone~~ shall have a minimum side setback of ~~thirty (30)~~ twenty (20) feet.

- a. Side setback for corner lot - Each corner lot or parcel ~~in the I 2 Zone~~ shall have a minimum setback on all areas of road frontage of ~~thirty (30)~~ twenty (20) feet.

- ~~b. Side setback for driveway – Each side setback, when used for access to a garage, carport, or parking area shall have a minimum setback of thirty (30) feet and shall be hard surfaced.~~

- c. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of twenty (20) feet.

3. Rear setback - Each lot or parcel in the I-2 Zone shall have a minimum rear setback of ~~thirty (30)~~ twenty (20) feet.

- a. Rear setback for accessory building - An accessory building shall be at least twenty (20) feet from the rear property line. (3-5-03)

4. Storage Units – The side and rear setbacks for a storage unit project designed with zero lot line development (fortress style) may be eliminated if the following provisions are met:

- a. The City Engineer, Building Official and Fire Chief provide written permission. Permission shall only be granted if the modified setbacks will improve project layout, provide increased safety measures, and satisfies the building and fire codes.

- b. The setbacks may not be reduced on projects that are adjacent to another zoning designation or could have negative impact on adjacent properties.

- c. The side setback for a corner lot and the rear setback for a double frontage lot must maintain at least twenty (20) feet.

- d. The public and private utility providers are notified of the proposed encroachment of the setback area and public utility easements are provided in an alternate location within the development.

- e. The applicant is responsible for relocation of any utility facilities, fencing or other physical features of the site to accommodate the development proposal is the responsibility of the applicant. (12-19-18)

Following review of any proposed project, the setbacks for the I 2, Heavy Industrial Zone may be modified, upon written approval of the City Engineer, Building Official and Fire Chief, if the modified setbacks will improve the layout of the proposed development and allow for more appropriate safety provision. Upon

~~review of a request to reduce a setback, the following issues must be considered:~~

- ~~1. The setbacks may not be reduced on projects that are adjacent to another zoning designation or could have negative impact on adjacent properties.~~
- ~~2. The applicant shall obtain written approval from the public and private utility providers to encroach the setback area.~~
- ~~3. The setbacks may not reduce or eliminate the public utility easement area unless written permission is granted from the adjoining property owner to place the additional public utility easement area on their property. The preparation of all necessary documentation and recordation fees are the responsibility of the party seeking the reduction.~~
- ~~4. The relocation of any utility facilities, fencing or other physical features of the site to accommodate the development proposal is the responsibility of the applicant. (2-7-07)~~

~~The City Engineer, Building Official and Fire Chief are under no obligation to approve the request to modify the setbacks of this Chapter and no precedent is set by any approval or denial of such a request. (3-5-03)~~

19.6.17.7 Projections into Setbacks

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

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Landscaping and irrigation systems.
3. Necessary appurtenances for utility service.
4. Patios, as defined in Chapter 19.28 herein, may be extended into a side or rear setback area but must be at least five (5) feet from the property line.
5. Decks, as defined in Chapter 19.28 herein, may be extended into a rear setback area but must be at least fifteen (15) feet from the property line and satisfy all other setback requirements. (2-7-07)
6. Cornices, eaves, sills, buttresses, awnings, planter boxes or other similar architectural features may project up to four (4) feet into any required front or rear setback or up to two (2) feet into a side setback.
7. 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. (2-7-07)

19.6.17.8 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, unless reviewed and approved by the Fire Chief, in accordance with the adopted building and fire codes. Accessory structures may not exceed eighteen (18) feet in total height as defined in Chapter 19.28 herein. (5-16-12)

19.6.17.9 Distance between Buildings

The distance between any building or structure and any other building or structure shall at least twenty (20) feet.

19.6.17.10 Lot Coverage

The sum total of all buildings, structures and impervious material on any parcel in the I-2 Zone shall not exceed ~~seventy (70)~~ **eighty (80)** percent of the total area of the parcel. ~~(4-15-15)~~ **(12-19-18)**

19.6.17.11 Parking, Loading and Access

Each project in the I-2 Zone shall satisfy the off-street parking requirements found in Chapter 19.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

Loading and unloading areas shall be located in an area that can be secured from public access. Further, loading and unloading shall not occur on a public street.

19.6.17.12 Project Plan Approval

Any request for project plan approval in the I-2 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. (11-5-14)

Projects in the I-2 Zone will be reviewed and approved in accordance with Chapter 19.8, Commercial Development, Site Plans, herein.

19.6.17.13 Other Requirements

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

1. Signs - Signs are allowed in the I-2 Zone in accordance with Chapter 19.15 herein.
2. Landscaping - Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. Each project application shall be accompanied by a complete landscaping

19.6.25 I-O Infill Overlay Zone

- 19.6.25.1 Purpose and Objectives
- 19.6.25.2 Review of Applications for Compatibility
- 19.6.25.3 Guidelines for Neighborhood Preservation
- 19.6.25.4 Zone Area Requirements
- 19.6.25.5 Permitted, Conditional, and Accessory Uses
- 19.6.25.6 Duration
- 19.6.25.7 Structure Placement
- 19.6.25.8 Special Considerations

19.6.25.1 Purpose and Objectives

Payson City encourages infill development that is compatible and consistent with existing uses, provided that adequate infrastructure is in place to serve any proposed development. The purpose and objectives of the I-O Infill Overlay Zone include, but are not limited to, the following:

1. To allow the orderly development of the established areas of the community.
2. To encourage reinvestment and maintenance of existing neighborhoods.
3. To stabilize and enhance property values.
4. To foster community pride.
5. To promote new development that will enhance and protect the existing structures.
6. To strengthen the economy and improve the quality of life. (9-1-04)

Use of the I-O Infill Overlay Zone is a request for increased intensity in the permitted uses of the underlying zone. Therefore, any applicant for use of the I-O Infill Overlay Zone understands and acknowledges that the development rights on the subject property are those found in the underlying zone until, and unless, approved to use the I-O Infill Overlay Zone, at which time the regulations found in this Chapter may be applied. The applicant further understands and acknowledges that denial for the use of the I-O Infill Overlay Zone shall not constitute a takings claim in that the applicant shall not be denied the ability to use the property in accordance with the underlying zone.

The I-O Infill Overlay Zone may be utilized in the R-1-10, R-1-9, R-1-75, and R-2-75 zones. Approval for the use of the I-O Infill 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 I-O Infill Overlay Zone need not be shown on the Zoning Map.

19.6.25.2 Review of Rezoning for Compatibility

Any application for use of the I-O Infill Overlay Zone shall be reviewed by the Planning Commission and City Council for compatibility with the purposes and objectives of the overlay zone. ***Applications for the purpose of using the overlay zone to simply avoid compliance with this ordinance, or any building code or any federal, state, county or local law, shall not be approved.***

19.6.25.3 Guidelines for Neighborhood Preservation

Use of the I-O, Infill Overlay Zone to create a flag lot is highly discouraged in any location where the use of a through street or cul-de-sac would result in a more efficient land use pattern, better emergency access, connectivity, proper installation of infrastructure, and increased harmony in the neighborhood. It is the responsibility of the applicant to demonstrate that a flag lot is preferable to a cul-de-sac alternatives. (1-18-06) (12-19-18)

The guidelines found in this Section are in addition to, and do not necessarily take the place of any other adopted ordinance or resolution of Payson City, Utah County, the State of Utah, and the United States Government. Each request for the use of the I-O Infill Overlay Zone shall be reviewed separately and judged on its own merits. ***The intention of the zone is to allow for infill development that is compatible with existing uses.***

19.6.25.4 Zone Area Requirements

Each I-O Infill Overlay Zone will differ in size from a single lot or parcel, to several lots or parcels.

19.6.25.5 Permitted, Conditional, and Accessory Uses

The permitted, conditional, and accessory uses are the same as the underlying zone. The overlay permits site modification, such as modified setbacks and a reduction in lot frontage and lot area requirements.

~~Each I-O Infill Overlay Zone may be different in nature, focus and scope, and thus the permitted, conditional, and accessory uses shall be determined on a case by case basis by the City Council. However, residential development is limited to single-family homes in the I-O Infill Overlay Zone except as noted in Section 19.6.25.8 herein.~~ (12-19-18)

Each application for an I-O Infill Overlay Zone shall include, at a minimum, the following information:

1. The lots or parcels proposed to be included in the zone.
2. The reason for the overlay zone change request and how the request relates to the purpose and objectives herein. in accordance with one or more

~~of the criteria found in Section 19.6.25.1 herein.~~
(12-19-18)

3. Proposals for special requirements of the zone including architectural controls, materials, uses, massing, or other similar ideas.
4. A detailed explanation of how the proposed use will be compatible and consistent with the existing neighborhood.
5. Any other information that will assist the Planning Commission and City Council determine appropriate characteristics and controls leading to the success of the proposal.
6. Proposed setback, width, frontage, parcel size and other requirements of the zone.

19.6.25.6 Duration

Unless otherwise specified by the City Council, approval of the overlay zone shall be valid for one year. If substantial construction of the proposed structure has not been completed, the approval for use of the overlay zone shall be null and void.

19.6.25.7 Structure Placement

Because each request for use of the I-O Infill Overlay Zone is unique, the placement of structures will need to be reviewed on a case-by-case basis. However, there are several placement issues that need to be adhered to in the placement of any structure in the I-O Infill Overlay Zone:

1. *Setbacks* – Each structure in the I-O Infill Overlay Zone shall satisfy the setback requirements of the underlying zone except when the land use authority determines an alternative setback satisfies the land use goals of the city and is consistent with the neighborhood look and feel. ~~that~~ The front setback for a flag lot shall be measured at the point where the access (flag pole) connects to the remaining area (flag portion) of the parcel. (12-19-18)
2. *Frontage* – The front of each residential structure approved for use of an I-O Infill Overlay Zone shall face the public right-of-way from which the access is obtained. When possible, each residential structure shall be situated in a manner as to be seen from the public right-of-way from which the access is obtained.
3. *Public Safety* – Access for flag lots shall be at least twenty (20) feet in width and shall be hard surfaced using asphalt or concrete and shall be unobstructed for use by public safety vehicles at all times. Each flag lot shall provide an adequate turn around for public safety vehicles. Each residential structure will be identified at the entrance from the public right-of-way from which access is obtained by a carriage light that includes

the address of the residential structure. Furthermore, the Fire Chief or Police Chief may impose additional requirements if deemed necessary to provide proper protection of a flag lot. (5-16-12)

4. *Public Utilities* – A public utility easement shall be recorded around the perimeter of the parcel. All utilities outside of the public right-of-way are the ownership and maintenance responsibility of the property owner. (9-1-04)

19.6.25.8 Special Considerations

Due to the unique circumstances in the established areas of the community, the following considerations are applicable only in the I-O Infill Overlay Zone:

1. Each applicant for the use of the I-O Infill Overlay Zone shall provide notice of the request to the owners of property within two hundred fifty (250) feet, in any direction of the proposed project, except when property is intended to be subdivided in accordance with Title 20, Subdivision Ordinance wherein the notification provisions of Title 20 shall apply. (2-7-07)
2. The land use authority may authorize a reduced lot width and/or size if the proposed width and/or size fulfills the land use goals of the city and is consistent with the neighborhood look and feel. (12-19-18)
3. Use of the overlay shall not apply to greenfield development. The overlay shall only apply to lots and parcels in an existing neighborhood. (12-19-18)
4. ~~Parcel improvements including curb, gutter and sidewalk and infrastructure upgrades may be reduced or waived by the City Council following a recommendation from the City Engineer. The City Council is under no obligation to reduce or waive the infrastructure requirements of the City.~~
5. ~~If it can be shown that a parcel is not suitable for the construction of additional dwellings that are compatible with surrounding uses, and the parcel could have beneficial use, an acceptable accessory structure other than a single family dwelling may be allowed by the Planning Commission and City Council. All structures in the I-O Infill Overlay Zone must be compatible with surrounding development. Design requirements and other conditions, such as fencing and landscaping, may be placed upon any application to reduce the potential for adverse impact on the existing neighborhood.~~ (3-21-04) (12-19-18)
6. Access to any structure ~~within an I-O, Infill Overlay Zone~~ shall be approved by the Fire Chief. At a minimum, the access shall be at least twenty (20) feet in width and hard surfaced with concrete or asphalt. (4-5-14) (12-19-18)

7. ~~In order to encourage infill development, the City Council may, but is not obligated to, utilize the following incentives for applicants that have received approval for the use of the I-O, Infill Overlay Zone:~~
- a. ~~Modification of timing requirements for the installation of curb, gutter, and sidewalk to allow access to the parcel prior to the installation of curb, gutter and sidewalk. The City Council shall determine when the improvements shall be installed, but in no case shall the applicant be issued a Certificate of Occupancy until all improvements are completed.~~
 - b. ~~Increase the number of dwelling units, including the allowance of multi family units to offset the additional costs associated with infill development if:~~
 - i. ~~The proposed development includes the updating of existing structures and facilities through significant exterior and interior renovation, provision of off street parking, or general improvement of neighborhood appearance (on-site or off-site). (1-18-06)~~
 - ii. ~~The increase would allow reinvestment in the established areas of the community and would be compatible with surrounding uses.~~
 - iii. ~~The existing infrastructure is capable of handling the proposed increase in density. (9-1-04)~~

19.8.4.1 Permanent Primary Building Required, Exceptions

~~It is the intention of Payson City to locate commercial and industrial businesses in the community that are stable and are expected to become part of the fabric of the City. Therefore, each commercial and industrial business is required to be housed on a permanent masonry foundation with the following exceptions:~~

- ~~1. Temporary or transient businesses in accordance with Title 4, Business License Ordinance of Payson City.~~
- ~~2. If it can be demonstrated to the City Council that a permanent building is not an essential part of the business operation.~~

Any lot or parcel with a primary use that is a manufacturing, retail, business, service, trade, storage, educational facility, or similar use requires a primary building on a permanent foundation, except for any temporary or transient business authorized under Title 4, Business License Ordinance. (12-19-18)

19.8.5 Commercial and Industrial General Design Elements**19.8.5.1 Description, Purpose and Intent****19.8.5.2 Site Planning****19.8.5.3 Parking and Circulation****19.8.5.4 Building Architecture****19.8.5.5 Landscaping****19.8.5.6 Accessory Design Elements**

The commercial and industrial design elements serve to enhance the built environment in the most visible and active areas of the community. A predictable and organized development pattern accomplishes more than just improved aesthetics. The design elements create a cohesive development pattern, improve traffic flow, provide safeguards for patrons, and encourage attractive buildings and landscaping.

These elements are intended to be consistent with Chapter 19.15, Signs and Outdoor Advertising herein. Harmonized signage reduces visual clutter and allows each business to be readily identified without confusion or blockage of sight lines.

19.8.5.1 Description, Purpose and Intent

For more than one hundred and fifty years, the community has been shaped by the location of major thoroughfares and the built environment. Over time both of these defining elements have significantly transformed, but remain critical in the development

pattern of the City. The construction of Interstate 15 has pulled from the central commercial core of historic Main Street and extended commercial corridors to the high volume interchanges on north Main Street and 800 South. The traditional State Route 198 entering from the east through Salem City and exiting the community heading south toward Santaquin City continues to serve as an important commercial corridor. Industrial development encouraged west of Interstate 15 by the General Plan is reasonably separated from current residential development, but encroachment of incompatible land uses is a concern.

The purpose of these design elements is to link these areas together with effective transportation patterns, architectural cohesiveness, appropriate land use transitions, and a balance of the architectural heritage and modern design of the built environment. Together, the existing and anticipated structures will retain and create the fabric of the City. Transitions between zoning districts and architectural styles should seem natural and rational. Finally, the design elements will provide mechanisms to blend the commercial and industrial development into the primarily residential nature of the City.

The intention of this Section includes an effort to determine the appropriate amount of area in each commercial and industrial zone to serve the City now and in the future, and the desirable amount of each commercial use. Other intentions include an effort to avoid congestion, create a healthy business environment with ample competition but lack of over-saturation, and to improve the quality of life for the residents of the community by balancing the tax base, providing employment opportunities, and a variety of retail options. In order to accomplish these intentions, this Section provides general elements for all commercial and industrial development in the City.

19.8.5.2 Site Planning

As a development site plan is created, there are many considerations that should be incorporated including, but not limited to, the following:

1. Consideration of the surrounding area character and development pattern.

Each site plan must be created that accounts for existing development in terms of architecture, access and compatible land uses. The plan will accommodate the general topography, physical attributes, and other elements that may be unique to the surrounding area and create appealing gathering

Chapter 19.9 Supplementary Provisions

- 19.9.1 Purpose and Intent
- 19.9.2 Requirements to be Met on One Lot or Parcel
- 19.9.3 Sale or Lease of Required Lot Space Prohibited
- 19.9.4 Each Dwelling or Building on a Zoned Lot
- 19.9.5 Clear View Areas
- 19.9.6 Drainage
- 19.9.7 Transfer of Adequate Water
- 19.9.8 Pollution Prevention
- 19.9.9 Concessions in Public Parks and Playgrounds
- 19.9.10 Lots to be Improved Prior to Issuance of Permit
- 19.9.11 Driveway Location
- 19.9.12 Public Benches on Public or Private Property
- 19.9.13 Fences and Walls
- 19.9.14 Ancillary Structures
- 19.9.15 Contact with the County Health Department
- 19.9.16 Detached Garages and Accessory Structures
- 19.9.17 Back-lit Addresses
- 19.9.18 Adequate Public Facilities (9-1-04)
- 19.9.19 Historical Locations (2-16-05)
- 19.9.20 Easements (2-16-05)
- 19.9.21 Second Kitchens (7-19-17)
- 19.9.22 Accessory Apartment (7-19-17)
- 19.9.23 Projections into Setbacks (6-1-11)
- 19.9.24 Flagpoles (8-1-18)

19.9.1 Purpose and Intent

The intent of this Chapter is to provide for several miscellaneous land development standards that are applicable in all zones. The requirements of this Chapter shall be in addition to development standards contained within the various zones. Where the provisions of this Chapter may be in conflict with other provisions of this ordinance the more stringent shall prevail.

19.9.2 Requirements to be met on One Lot or Parcel

All required yards, setbacks and other requirements shall be situated on the same lot as the building or structure to which it applies. No required yard, area, or other open space around a building or use, which is needed to comply with the area, setback, or open space requirements of this ordinance, shall be considered as providing the required area, yard, setback, or open space for any other building or use.

19.9.3 Sale or Lease of Required Lot Space Prohibited

The space needed to meet the area, frontage, width, coverage, off-street parking, frontage on a public

street, or other requirement of this ordinance for a lot or building may not be sold or leased.

19.9.4 Each Dwelling or Building on a Zoned Lot

Only one single-family dwelling shall be located and maintained on a zoning lot. Multi-family dwellings shall be located and maintained on a zoning lot in accordance with 19.6 herein. Human habitation is limited to the living area in each dwelling. (12-19-18)

Additionally, each dwelling for which a Certificate of Occupancy is required shall be constructed upon a permanent concrete foundation.

19.9.5 Clear View Areas

19.9.5.1 Clear View Area

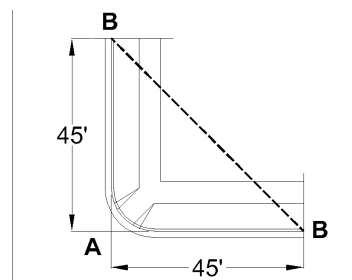
19.9.5.2 Special Concerns, Safety Concerns

In order to promote safe vehicular movement and improve pedestrian safety, clear view zones at all street intersections and railroad crossings are hereby established.

19.9.5.1 Clear View Area

The purpose of this Section is to establish minimum acceptable vision clearance standards for motorist and pedestrian safety at vehicular access points along streets. (2-19-14)

The clear view area is a triangular area formed by the perpendicular intersection (A) of the curb face at the corner, or property lines on parcels without curb, and two points (B) measuring forty-five (45) feet down each curb face, or property line on parcels without curb, as indicated in the diagram below. (2-19-14)



1. On property at any corner formed by intersecting streets or which lie adjacent to railroad tracks, it shall be unlawful for the owner or occupant to install, set out, maintain or to permit the installation or maintenance of any sign, fence, hedge, tree, shrubbery, natural growth, building, construction or other obstructions in a clear view

- 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. 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.
 21. Child Care Center - A building wherein ordinary care and supervision are provided during customary daytime 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)
 22. City Council - The legislative or governing board of Payson, Utah.
 23. 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.
 24. 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.
 25. 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.
 26. 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.
 27. 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.
 28. 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.
 29. 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.
 30. 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.
 31. Deck - An exterior floor system adjacent and accessible to a primary building.
 32. 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.
 - d. Development or development activity – Means any of the following:
 - i. Any construction or expansion of a building, structure, or use.
 - ii. Any change in the use of a building or structure.
 - iii. Any manmade change to improved or unimproved land, including but not limited to mining, dredging, filling, grading, paving, excavation or drilling operations.
 - iv. Any change in the use of land that creates additional demand and need for

- capital facilities.
 - v. The total area of a lot or parcel of land on which a building permit is to be issued or the total area of property being improved.
 - vi. The land being developed and/or subdivided.
 - vii. The act, process or result of developing.
 - viii. When the context so requires, a project plan as set forth in this Title or Title 20, Subdivision Ordinance. (12-19-18)
33. 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 definitions are incorporated into the definition of disability:
- a. "Disability" does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, Title 21 U.S.C. Section 802, or as defined under Title 58, Chapter 37, Utah Code Annotated, 1953, as amended:
 - b. "Physical or mental impairment" includes:
 - i. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.
 - ii. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
 - iii. Such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.
 - c. "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
 - d. "Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
 - e. "Is regarded as having an impairment" means:
 - i. Has a physical or mental impairment that does not substantially limit one or more major life activity but is treated by another person as constituting such a limitation.
 - ii. Has a physical or mental impairment that substantially limits one or more major life activity only as a result of the attitudes of others toward such impairment
 - iii. Has none of the impairments defined in paragraph (a) of this definition but is treated by another person as having such an impairment.
34. Documentation - The legal instruments required under the provisions of this ordinance and applicable State law for approval of a development.
35. Domestic Staff – Persons employed or residing on the premises of a dwelling or other residential facility to perform domestic services or to assist residents in performing daily life activities. In single family residential zones, separate apartments or dwelling units may not be created for domestic employees, whether attached, detached, or within the single family residence structure. In multiple family residential zones, any separate apartment or dwelling unit for domestic staff must satisfy the requirements applicable to any other dwelling unit in the zone.
36. Drive-in, Retail - Any form of merchandising, serving or dispensing of goods in which the customer is serviced while in an automobile.
37. Dwelling - A building or portion thereof designated or used exclusively for residential purposes, including one-family, two-family, multi-family, and apartment buildings; but shall not include boarding, rooming, or lodging houses, tents, trailers, mobile home parks, motels, motor courts, cottage camps, or similar structures designed or used primarily for transient residential uses. A dwelling consists of living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy by an individual or family.
- a. Dwelling, Single Family - A detached dwelling unit arranged, designed for, and occupied by not more than one (1) family, and which has a kitchen and a bathroom.
 - b. Dwelling, Two Family (duplex/twin home) - A building arranged, designed for, and occupied by two (2) families living independently of each other and containing two (2) separate dwelling units.
 - c. Dwelling, Multi Family - A building designed as a single structure, containing three (3) or more separate living and housekeeping units,

- completely enclosed building or where salvaged materials are kept incidental to manufacturing operations conducted on the premises.
67. 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)
68. 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.
69. Land Use Authority - A person, board, commission, agency, or other body designated by the Payson City Council to act upon a land use application.
70. Land Use Ordinance - A planning, zoning, development or subdivision ordinance of Payson City, not to include the General Plan.
71. Living Area - The interior habitable area of a dwelling unit, including the basement and attic, but excluding the garage ~~or and~~ any accessory structure ~~not intended for human habitation. A~~ single-family dwelling with an accessory apartment has two (2) living areas. (12-19-18)
72. Lot of Record – Any parcel of land created as a buildable lot prior to January 1983 or subsequently amended to meet the regulations for a buildable lot. (12-19-18)
73. 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.
- Lot, Corner - A lot situated on two intersecting or intercepting streets where the interior angle of intersection or interception does not exceed 135 degrees.
 - Lot, Interior - A lot other than a corner lot.
 - Lot, Zoning - A parcel of land which:
 - Complies with all existing area frontage, width, setback, and supplementary requirements of the zone in which it is located.
 - 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.
 - 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.
74. Lot Area - The total area measured on a horizontal plane included within the lot line of the lot or parcel of land.
75. 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)
76. Lot Line - The property line bounding the lot.
- 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.
 - 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.
 - Lot Line, Side - Any lot boundary line not a front lot line or a rear lot line.
77. Lot Width - The horizontal distance between the side lot lines and measured at the required front yard setback line.
78. 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.
79. Master Plan - See General Plan.
80. 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.
81. 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