

### 19.6.15 BPD – Business Park Development Zone (11-4-15)

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#### 19.6.15.1 Purpose and Zone Characteristics

The BPD Business Park Development Zone is established to promote business and employment opportunities to strengthen the economic vitality of the community. The zoning district is intended to provide an aesthetically attractive environment for, and conducive for, the location of offices, light industrial activities, research and development businesses, and related uses in a well-planned architecturally controlled setting. Development will consist of attractively designed buildings and landscaping to create a park-like setting, and land uses that promote the public health, safety, and general welfare of the community. Business activities that create considerable air, ground or water pollution, noise, vibrations or other undesirable impacts are expressly prohibited.

#### 19.6.15.2 Permitted, Conditional, Accessory, and Prohibited Uses

The permitted, conditional, and accessory uses in the BPD Zone may be subject to any stricter requirements included in a development agreement approved by the City Council for an industrial development.

#### Permitted Uses

The following land use types are permitted uses in the BPD 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. Light manufacturing, including fabricating, processing, testing, assembling, packaging, and manufacturing of products from previously prepared materials
2. Wholesale distribution of goods, products, cargo, and materials
3. Food processing, canning, and packaging
4. Professional, business, and administrative offices
5. Research offices and laboratories
6. Catalog sales and call centers
7. Computer software and hardware development
8. Communications offices and facilities such as recording and sound studios, motion picture companies, and broadcasting studios
9. Automotive, power-sports, and recreational vehicle sales
10. Industrial products sales including sale of machinery, equipment, special trade tools, welding supplies, machine parts, store fixtures, and electrical supplies inside of an enclosed building
11. Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions. Health and fitness clubs are specifically excluded.
12. Public and private parks and trails
13. Public or private utility rights-of-way

#### Conditional Uses

The following land use types are allowed as conditional uses in the BPD 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. Restaurants, food courts, and cafes when planned as part of a project to provide service to workers
2. Indoor equipment storage and rental businesses accessory to a permitted use located on the premises
3. Dining, child care centers, and recreational facilities, as well as professional services such as copying centers, shipping offices, and computer services (12-7-16)
4. Public transit stations
5. Public or private utility maintenance facilities

#### Accessory Uses

The following land use types are allowed as accessory uses in the BPD 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 on the premises. Accessory uses are not allowed without the approval of

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

1. Accessory 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. Automotive and machinery repair
4. Salvage and wrecking yards
5. 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 Development Guidelines. 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. (12-19-18)

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 ~~lot or parcel in the BPD Zone~~ shall have a minimum side setback of ~~thirty (30)~~ ten (10) feet. (9-18-19)
  - 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)~~ twenty (20) feet. (9-18-19)
  - b. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of twenty (20) feet.
  - c. Setback in transition area – Each lot or parcel adjacent to a residential zone shall maintain a thirty (30) foot setback, unless it can be demonstrated that any existing residential dwelling is a minimum of one hundred (100) feet from the setback line. The setback line may be reduced up to ten (10) feet from the property line provided one hundred (100) feet is maintained between said structures. (9-18-19)
3. Rear setback - Each lot or parcel in the BPD Zone shall have a minimum rear setback of ~~thirty (30)~~ ten (10) feet. (9-18-19)
  - a. Rear setback for accessory building - An accessory building shall be at least twenty (20) feet from the rear property line.
  - b. Setback in transition area – Each lot or parcel adjacent to a residential zone shall maintain a thirty (30) foot setback, unless it can be demonstrated that any existing residential

dwelling is a minimum of one hundred (100) feet from the setback line. The setback line may be reduced up to ten (10) feet from the property line provided one hundred (100) feet is maintained between said structures. (9-18-19)

All setbacks are subject to the regulations of the adopted building and fire codes. (9-18-19)

*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) percent of the total area of the parcel.

*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 distracting 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, personal items such as boats and recreational vehicles, or similar articles shall not be stored in any area on a site except inside an enclosed building or behind a visual barrier to screen such areas from the view of the public and adjoining properties. Storage of discarded, second-hand or salvage material outside any building or visual barrier is prohibited.

When an applicant can demonstrate that outdoor storage is necessary and will not negatively impact the project, adjoining properties, or the overall appearance of the business area, outdoor storage may be approved. The applicant must demonstrate, to the satisfaction of the Development Services Director, that screening, security, access, and other issues related to outdoor storage have been properly addressed. Approved storage areas are limited to twenty-five (25) percent of the site and must be at least one hundred (100) feet behind the building line and screened from public view.

In order to establish a park-like setting, fences are highly discouraged. When an applicant can demonstrate that a fence is absolutely necessary, the quality and materials used for the fence shall complement the design of the primary structure and amenities on the site.

*19.6.15.15 Landscaping*

Appropriate landscaping shall be implemented to create and maintain a park-like setting. In addition to the landscaping requirements of Chapter 19.8 herein, the following standards must be incorporated into the landscape design of the site.

1. A bermed landscaped area in width of at least twelve (12) feet shall be provided and maintained

along the right-of-way line of dedicated streets. The landscaping area should include a combination of shrubs, grasses, perennials, and trees. Planting materials shall be suitable for the site conditions and irrigated with an automatic underground sprinkling system. Use of drought tolerant vegetation is encouraged.

2. The site shall consist of not less than twenty (20) percent landscaping and/or developed open space, which open space may consist of undisturbed native vegetation or water features.
3. At least five (5) percent of the site must be in formal developed landscaping with no less than 2,000 square feet in area and oriented towards the main entrance and public right-of-way. Xeriscape design and water conservation materials are encouraged.
4. All uses which adjoin a public street will also provide a landscape corridor of trees, planted no more than thirty (30) feet on center. Such landscaping shall not obscure the clear view area for traffic and pedestrians at the intersection of streets or driveways.
5. Undeveloped portions of the property set aside for future expansion or additional development shall be maintained in accordance with Chapter 19.24 herein.

*19.6.15.16 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 are allowed in the BPD Zone in accordance with Chapter 19.15 herein.
2. No trash, garbage or waste material, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles or equipment shall be kept, stored, or allowed to accumulate on any portion of the site except in an approved bin or contained within an enclosed structure appropriately screened from view.
3. Projects may be required to provide landscaped passive or active open space areas for use by employees. These areas may contain picnic tables, pavilions, athletic equipment for use during work breaks, and other appropriate amenities. The type of amenities and amount of open space will be proportionate to the size of the project and determined using factors such as number of employees and hours of operation.