

homeowners association will be required to maintain the trails. Sidewalks, unless otherwise approved by the city council, shall be provided on each side of all public streets and shall satisfy the requirements of the Development Guidelines. (12-19-18)

20.17.9 Limits of Disturbance/Vegetation Protection

A separate plan that addresses limits of disturbance and vegetation protection during construction and revegetation of disturbed areas will be required. This shall include construction necessary for all project improvements such as roads and utilities.

20.17.10 Architectural or Design Standards

Architectural or design standards may be required on large projects or developments that could have a significant effect on the character of the surrounding area. These standards will be developed on a case-by-case basis by the City and applicant. It is intended by this section to create a development that will result in compatible building design and materials within the development and the respective zone. Guidelines should include consistency of roof pitch, roofing materials, exterior materials, colors, porch details, window types and similar provisions. These guidelines should also be compatible with adjacent developments. Buildings should be designed to blend and harmonize with the existing environment.

20.17.11 Fire Hydrants

The type or brand of Fire hydrant shall be approved by the fire chief before being installed by the developer. The hydrants shall be spaced in accordance with the adopted fire code. (12-19-18)

20.17.12 Fire Sprinkling

Fire sprinkler systems may be required in projects as determined by the Fire Department. This determination is based upon an analysis of the size of structures, vegetation surrounding the structures and location of the project as it relates to response time.

20.17.13 Landscaping Required

20.17.13.1 Landscaping Required for Lots with Slopes

20.17.13.2 Landscaping of Planter Strip along Arterial or Collector Status Roads in Traditional Subdivisions

20.17.13.3 Landscaping in Agriculture Zones

Prior to issuance of a Certificate of Occupancy and thereafter, all open areas between the public street, including the planter strip, and the front line of the main building, except driveways, parking areas, walkways, utility areas, improved decks, patios, porches, etc., shall be maintained with suitable landscaping of plants,

shrubs, trees, grass and similar landscaping materials. If a dwelling is located on a corner lot, all areas of the front and side areas between the public street, including the planter strip, and the dwelling shall be appropriately landscaped. During the seasonal period, generally between November 1 and April 1, when the City pressurized irrigation system is shut off and the landscaping cannot be completed prior to issuance of a Certificate of Occupancy the applicant must post a performance guarantee. The guarantee shall be a sum, no less than the amount specified in the adopted fee schedule as amended from time to time by resolution of the city council, in the form of cash bond or an irrevocable letter of credit. (12-19-18)

In a subdivision that has been approved with a Development Agreement, there may be additional landscaping requirements that the applicant is required to satisfy. If the applicant is unable to complete the landscaping due to inclement weather or other acceptable excuse, the amount of the performance guarantee will be calculated using the estimated costs needed to satisfy the landscaping requirements of the Development Agreement. (4-16-08)

The performance guarantee shall not extend beyond June 1 following the seasonal period the bond is posted. Landscaping not completed by June 1 will be turned over to the attorney's office for legal remedies, which may include the forfeit of all or a portion of the posted bond. (4-16-08)

In order to conserve water, required landscape areas for all new development whether commercial, industrial or residential shall be maintained using an automatic underground sprinkling system. In certain instances, large areas in the agricultural zones may be irrigated using more traditional systems where an inordinate demand would be placed on the pressurized irrigation system. (1-23-08)

For the purposes of this requirement, landscaping shall mean complete erosion control and elimination of noxious weeds. Xeriscape is acceptable landscaping provided that complete erosion control and elimination of noxious weeds is accomplished. (12-19-01)

20.17.13.1 Landscaping Required for Lots with Slopes

Lots that contain slopes that may cause erosion onto adjacent properties, public property or public rights-of-way shall be completely landscaped prior to issuance of a Certificate of Occupancy. Further, if it is determined by the city engineer that landscaping alone will not alleviate the potential drainage hazard,

retaining walls, drains, or other methods of erosion control will be required. (5-5-04)

20.17.13.2 Landscaping of Planter Strip along Arterial or Collector Status Roads in Traditional Subdivisions

Applicants granted approval of a traditional subdivision adjacent to an arterial or collector status road will be required to landscape the planter strip between the road and the required project fencing. The applicant shall submit a complete landscaping plan that includes appropriate planting materials that are consistent with other corridor landscaping and an irrigation plan that indicates a system that satisfies the Development Guidelines. The installation of the landscaping and irrigation system is the responsibility of the applicant for development approval. (12-19-18)

It is further anticipated that applicants for approval of Planned Residential Developments will be required to complete the landscaping of the planter strips between the project fencing and an arterial or collector status road. (2-7-07)

20.17.13.3 Landscaping in Agriculture Zones (04-01-2020)

Landscaping requirements for lots and parcels in the A-5, Agriculture Zone and A-5-H, Annexation Holding Zone shall satisfy the provisions of this Section.

1. The applicant shall provide a landscaping plan that indicates the proposed landscape treatments for all portions of the lot or parcel, including agricultural uses.
2. Prior to the issuance of a Certificate of Occupancy and thereafter, all areas within twenty-five (25) feet of the dwelling structure, except driveways, walkways, patios, porches, and other similar hard surfaced areas shall be maintained with suitable landscaping of plants, shrubs, trees, grass and similar landscaping materials. The remaining portions of the property must be planted in agricultural crops or maintained in accordance with Chapter 19.24 of this Title.
3. To promote crop production and to maintain Greenbelt status, the yard area surrounding the building structure may be planted with agricultural crops. The planting of agricultural crops surrounding the dwelling structure will satisfy the landscaping requirements of this Section.
4. Properties will be irrigated by irrigation systems connected to private water systems, including onsite wells and/or private irrigation companies (i.e. High Line Canal Company, Salem Irrigation and Canal Company). The yard area immediately

surrounding the dwelling structure may be irrigated with the Payson City pressurized irrigation system, if available. The city pressurized irrigation system will not be used for irrigating agriculture crops.

5. When irrigation systems are shut off and the landscaping cannot be completed prior to issuance of a Certificate of Occupancy, the applicant must post a performance guarantee to ensure the completion of landscaping improvements. The guarantee shall be a sum, no less than the amount specified in the adopted fee schedule as amended from time to time by resolution of the city council, in the form of cash bond or an irrevocable letter of credit.

20.17.14 Mail Boxes

Each unit shall provide a mailbox. The applicant will be required to work with the Postmaster to determine the most desirable mail delivery system. If a community box unit (CBU) is required by the Postmaster, the location of the CBU shall be indicated on the Final Plat in a location approved by the City.

A community box unit (CBU) in the public right-of-way is highly discouraged and shall not be located adjacent to an arterial or collector status street. Each development should provide an area where the CBU can be located outside of the right-of-way on a separate parcel. The applicant will provide information about the proposed ownership and maintenance of the parcel.

If the mailbox unit is located within the public right-of-way the applicant, Postmaster and Payson City shall complete an agreement encompassing maintenance, access and location of the CBU unit. (5-5-04)

20.17.15 Addressing Required

The numbers or letters indicating the address of any unit must satisfy the requirements of the adopted building code and shall be clearly visible at all times including nighttime hours. The numbers or letters shall be backlit or of a reflective nature, contrast with the underlying color, and be readable from the public right-of-way at all times. (9-3-03)

20.17.16 Upgrades to Existing Utility Services

Prior to issuance of any building permit in an approved development, the applicant may be required to upgrade some or all of the existing utility services and place any overhead power lines underground. Upgrades shall be required if the Superintendent of the Public Works Department determines:

1. The utility service is more than ten (10) years old.
2. The utility service is not sufficient to serve the proposed use.

the City to proceed to contract out the work for the installation of the necessary improvements in a sum not to exceed the amount of the escrow deposit or letter of credit.

20.34 Maintenance of Improvements

20.34.1 Prior to Completion

20.34.2 Warranty After Acceptance and Dedication

20.34.1 Prior to Completion

The applicant shall be required to maintain all improvements on the individual lots and provide for snow removal on streets and sidewalks until acceptance of the improvements by the City. The City will not normally accept water improvements or street improvements or assume responsibility for either general maintenance or snow removal until over fifty (50) percent of the lots within the development are built upon. (12-19-18)

20.34.2 Warranty after Acceptance and Dedication

The applicant shall be required to file a maintenance guarantee with the City, prior to acceptance, in an amount considered adequate by the city engineer and in a form satisfactory to the city attorney, in order to assure the satisfactory condition of the required improvements, including all lot improvements on the individual lots for ~~a period of two (2) one years~~ after the date of their acceptance by the City and dedication to the City, ~~or until twenty five (25) percent of the structures in the development have been built whichever is the greater length of time.~~ (12-19-18) (04-01-2020)

20.35 Issuance of Building Permits and Certificates of Occupancy

Where a performance guarantee has been required for a development, no certificate of occupancy, temporary or final, for any building in the development shall be issued prior to the completion of the improvements and dedication to the City, as required in the final approval of the subdivision. (12-19-18)

20.36 Consumer Protection Legislation and Conflicts of Interest Statutes

No building permit or certificate of occupancy shall be granted or issued if an applicant or authorized agent have violated any federal, state, or local law pertaining to consumer protection of real estate land sales, promotion, or practices, or any applicable conflicts-of-interest legislation with respect to the lot or parcel of land which is the subject of the permit or certificate, until so ordered by a court of

competent jurisdiction.

With respect to a lot or parcel of land, in the event a building permit or certificate of occupancy has been granted or issued, it shall be subject to revocation by the City until so ordered otherwise by a court of competent jurisdiction, provided that in no event shall the rights of intervening innocent third parties in possession of a certificate of occupancy be prejudiced by any such revocation.

Any violation of a federal, state, or local consumer protection law (including but not limited to: Postal Reorganization Act of 1970; the Federal Trade Commission Act of 1970; Interstate Land Sales Full Disclosure Act; the Truth in Lending Act; the Uniform Commercial Credit Code; State "Blue Sky" laws; State subdivision disclosure acts or conflicts of interest statute, law, or ordinance) shall be deemed a violation of these regulations and subject to all of the penalties and proceedings as set forth in this Title.

20.37 Penalties

In accordance with §10-9a-803 Utah Code Annotated, 1953, as amended, any applicant that violates this Title may be charged with a Class C misdemeanor or an appropriate civil penalty if indicated herein and subject to all fines and imprisonment associated with such penalty. (1-18-06)

Because it is impractical to expect that all grading, infrastructure, and other improvement can be adequately inspected by Payson City, applicants are expected to complete all development improvements in accordance with the approved plans. If an applicant installs improvements that are inconsistent with the development approval granted by the city council, the improvements will be corrected to satisfy the approval granted by the city council at the applicant's expense even if discovery of the inconsistency occurs after an initial acceptance of development improvements. Failure to correct the inconsistencies may result in any legal action necessary to correct the inconsistencies. (12-19-18)