

ORDINANCE NO. 07-05-2023-B

AN ORDINANCE AMENDING, REPEALING, AND ENACTING PORTIONS OF THE PAYSON CITY MUNICIPAL CODE, TITLE 13, WATER CONSERVATION AND LANDSCAPING REQUIREMENTS.

WHEREAS, Payson City has previously adopted Title 13, related Water Conservation and Landscaping Requirements of the Revised Ordinances of the Payson City; and

WHEREAS, the Payson City Council desires to update and amend Title 13, as it relates to Water Conservation and Landscaping Requirements; and

WHEREAS, in October 2022, the Central Utah Water Conservancy District (“the District”) released updated water efficiency standards, with associated requirements, recommendations, and design considerations. Along with these standards, a “flip your strip” rebate program is offered by the District. For residents to benefit from the rebate program, cities must adopt, at a minimum, the requirements the District created for the rebate; and

WHEREAS, Title 13, adds Chapter 13.21 which details the water efficiency requirements, recommendations and design considerations. Title 13 as to landscaping requirements is also updated in various places to comply with the new requirements in Chapter 13.21; and

NOW, THEREFORE, be it ordained by the City Council of Payson, Utah, that Title 13, is hereby amended as follows.

(SEE ATTACHED)

This Ordinance shall take effect immediately upon passage by the City Council and subsequent publication in a newspaper having general circulation in Payson City.

Passed and ordained this 5th day of July, 2023.


William R. Wright, Mayor

Attest:


Kim E. Holindrake, City Recorder



SECTION 1: AMENDMENT “12.26.140 Landscaping Required” of the Payson Municode Code is hereby *amended* as follows:

AMENDMENT

12.26.140 Landscaping Required

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 lawn, mulch,~~ and similar landscaping materials, in conformance with PCC 13.21. 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~~may 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.

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.

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.

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.

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.

- A. **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.

- B. 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. 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.
- C. Landscaping In Agriculture Zones.** 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, consistent with the provisions of PCC 13.21, 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 PCC 13.44.
 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.

SECTION 2: **AMENDMENT** “13.14.050.13 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

A M E N D M E N T

13.14.050.13 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.

- A. **Signs.** The following signs, and no others, are allowed in the R-1-A Zone:
1. Name plates not exceeding two (2) square feet in area to identify the name and address of the occupant.
 2. One sign advertising the sale of agricultural products produced on the parcel not to exceed four (4) square feet in area.
- B. **Landscaping.** Prior to issuance of a Certificate of Occupancy and thereafter, all open areas between the public street, including the planter strip, and the front line of the main building, except driveways, walkways, patios, porches, and other similar hard surfaced areas shall be maintained with suitable landscaping of plants, shrubs, trees, ~~grass~~lawn, mulch, and similar landscaping materials, consistent with the provisions of PCC 13.21.
1. If a dwelling is located on a corner lot, all areas of the front and side setback areas between the public street, including the planter strip, and the dwelling shall be landscaped with suitable plants, shrubs, trees, ~~grass~~lawn, mulch, and similar landscaping materials.
 2. During the seasonal period, generally between November 1 through April 1, when the City pressurized irrigation system is shut off and the landscaping cannot be completed prior to issuance of a Certificate of Occupancy the applicant ~~must~~may post a performance guarantee. The guarantee shall be a sum, no less than the amount specified on the Payson City Fee Schedule as amended from time to time by resolution of the City Council in the form of a cash bond or an irrevocable letter of credit. The performance guarantee shall not extend beyond June 1 following the seasonal period the bond is posted. Landscaping not completed by June 1 will be turned over to the City Attorney’s Office for legal remedies, which may include the forfeit of all or a portion of the posted bond.
 3. For the purposes of this requirement, landscaping shall mean complete erosion control, elimination of noxious weeds, and the installation of an automatic sprinkler system. Xeriscape is acceptable landscaping provided weed barrier fabric is installed and complete erosion control and elimination of noxious weeds is accomplished.
- C. **Trash, Junk, And Other Debris.** No trash, used materials, unsightly storage of any

kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed to not be injurious to adjacent properties and appropriate by the City, behind a sight obscuring fence.

SECTION 3: AMENDMENT “13.14.060.10 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

AMENDMENT

13.14.060.10 Other Requirements

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

- A. **Signs.** Signs are permitted in accordance with PCC 13.32.
- B. **Landscaping.** Prior to issuance of a Certificate of Occupancy and thereafter, all open areas between the public street, including the planter strip, and the front line of the main building, except driveways, walkways, patios, porches, and other similar hard surfaced areas shall be maintained with suitable landscaping of plants, shrubs, trees, ~~grass~~lawn, mulch, and similar landscaping materials, consistent with the provisions of PCC 13.21.
 - 1. If a dwelling is located on a corner lot, all areas of the front and side setback areas between the public street, including the planter strip, and the dwelling shall be landscaped with suitable plants, shrubs, trees, ~~grass~~lawn, mulch, and similar landscaping materials.
 - 2. During the seasonal period, generally between November 1 through April 1, when the City pressurized irrigation system is shut off and the landscaping cannot be completed prior to issuance of a Certificate of Occupancy the applicant ~~must~~may post a performance guarantee to ensure completion of the landscaping. The guarantee shall be a sum, no less than the amount specified on the Payson City Fee Schedule as amended from time to time by resolution of the City Council, in the form of a cash bond or an irrevocable letter of credit. The performance guarantee shall not extend beyond June 1 following the seasonal period the guarantee is posted. Landscaping not completed by June 1 will be turned over to the City Attorney’s Office for legal remedies, which may include the forfeit of all or a portion of the posted guarantee.
 - 3. For the purposes of this requirement, landscaping shall mean complete erosion control, elimination of noxious weeds, and the installation of an automatic sprinkler system. Xeriscape is acceptable landscaping provided weed barrier fabric is installed and complete erosion control and elimination of noxious weeds is accomplished.
- C. **Trash, Junk, And Other Debris.** No trash, used materials, unsightly storage of any

kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed to not be injurious to adjacent properties and appropriate by the City, behind a sight obscuring fence.

SECTION 4: **AMENDMENT** “13.14.070.14 Landscaping” of the Payson Municode Code is hereby *amended* as follows:

AMENDMENT

13.14.070.14 Landscaping

Landscaping is an integral part of site development and all open areas not covered by residential buildings or structures, parking, or permitted accessory structures shall be attractively landscaped and maintained. Each multi-family project shall submit a complete landscaping plan consistent with PCC 13.21, prepared by a licensed landscape architect or other qualified landscape professional, for review and approval. At a minimum, the landscaping plan shall include the following:

- A. As a general rule, the landscape design shall address the following objectives:
 - 1. Visual variety and interest to site and buildings;
 - 2. Highlighting primary entry to a building and complex (vehicular and pedestrian);
 - 3. Shading of gathering areas and buildings;
 - 4. Screening of parking areas, undesirable views, providing visual and noise buffer, and sheltering from wind.
- B. Layered landscaping and a mix of deciduous and evergreen trees should be incorporated into the landscape design. As a guideline, the landscaping plan will need to indicate one (1) tree for every two (2) dwelling units, with the trees being a mixture of coniferous evergreen and deciduous trees. The coniferous trees shall be at least eight (8) feet in height and the deciduous trees shall be at least two (2) inches in caliper. Additionally, there shall be shrubs and other plantings included in the landscaping plan.
- C. Landscaped areas must contain grass lawn, mulch, or other acceptable ground cover. Xeriscaping is encouraged, but shall not be used simply to reduce planting materials or overall project or maintenance costs.
- D. All landscaped areas must be irrigated by an underground automatic sprinkling system connected to the pressurized irrigation system of Payson City.
- E. Plant materials shall be selected and located to avoid conflicts with underground or above ground utilities.

SECTION 5: **AMENDMENT** “13.14.080.13 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

A M E N D M E N T

13.14.080.13 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.

- A. **Signs.** The following signs, and no others, are allowed in the RMO-1 Overlay:
 - 1. Name plates not exceeding two (2) square feet in area to identify the name and address of the occupant.
- B. **Landscaping.** Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. The landscaping shall comply with the provisions of PCC 13.21, be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy.
- C. **Trash, Junk, And Other Debris.** No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed to not be injurious to adjacent properties and appropriate by the City, behind a sight obscuring fence.
- D. **Design Guidelines.** Approval for the use of the RMO-1 Residential Overlay indicates that the proposed use can be compatible with surrounding uses. Therefore, the City Council may require that certain design guidelines be employed in the project so that the project is compatible. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.
- E. **Underlying Zoning.** Unless otherwise allowed in this Chapter, all requirements of the underlying zone must be satisfied prior to project plan approval or issuance of a building permit.

SECTION 6: **AMENDMENT** “13.14.090.13 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

A M E N D M E N T

13.14.090.13 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.

- A. **Signs.** Signs are allowed in the PO-1 Zone in accordance with PCC 13.32.
- B. **Landscaping.** Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. Given the maximum lot coverage is seventy-five (75) percent, at least twenty-five (25) percent of the parcel shall be landscaped. At least fifteen (15) percent of the lot or parcel shall include landscaping in aggregated area, such as perimeter landscaping and common spaces, while fulfillment of the parking lot landscape requirements found in PCC 13.10.080 may be used to account for no more than the remaining ten (10) percent. Each project application shall be accompanied by a complete landscaping plan, which complies with the provisions of PCC 13.21, detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy.
- C. **Trash, Junk, And Other Debris.** No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, behind a sight obscuring fence.
- D. **Design Guidelines.** The City Council may require specific design guidelines be employed in the project. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council. The design guidelines apply to all structures in a development including accessory structures.
- E. No ~~D~~dust, odor, ~~S~~smoke, vibration, intermittent light, glare, or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

SECTION 7: AMENDMENT “13.14.110.10 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

A M E N D M E N T

13.14.110.10 Other Requirements

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

- A. Signs are allowed in the CAP Zone in accordance with PCC 13.32. Signs in the CAP Zone may be subject to additional review, such as review by the Utah State Historic Architect as determined by the City Council.
- B. 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 plan, which complies with the provisions of PCC 13.21, detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an

automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy.

- C. No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored anywhere in the CAP Zone.
- D. Each project in the CAP Zone is subject to the design criteria adopted by the City Council. The design guidelines include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.
- E. No dust, odor, smoke, vibration, intermittent light, glare, or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

SECTION 8: AMENDMENT “13.14.120.13 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

AMENDMENT

13.14.120.13 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.

- A. **Signs.** Signs are allowed in the GC-1 Zone in accordance with PCC 13.32.
- B. **Landscaping.** Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. Given that maximum lot coverage is eighty (80) percent, at least twenty (20) percent of the lot or parcel shall be landscaped. At least fifteen (15) percent of the lot shall include landscaping in aggregated area, such as perimeter landscaping and common spaces, while fulfillment of the parking lot landscape requirements found in PCC 13.10.080 may be used to account for no more than the remaining five (5) percent. Each project application shall be accompanied by a complete landscaping plan, which complies with the provisions of PCC 13.21, detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy.
- C. **Trash, Junk, And Other Debris.** No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, behind a sight obscuring fence.
- D. **Design Guidelines.** The City Council may require specific design guidelines be employed in the project. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council. The design guidelines apply to all structures in a development including accessory

structures.

- E. Buildings larger than forty thousand (40,000) square feet - Any building larger than forty thousand (40,000) square feet in the GC-1 zone shall be designed to have main entrances on at least two sides of the building, preferably front and back. This requirement is intended to produce a more attractive building on all sides, not just the front, and to improve traffic flow.
- F. No dust, odor, smoke, vibration, intermittent light, glare, or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

SECTION 9: **AMENDMENT** “13.14.130.16 Landscaping Of Freeway Frontage” of the Payson Municode Code is hereby *amended* as follows:

A M E N D M E N T

13.14.130.16 Landscaping Of Freeway Frontage

Parcels located adjacent to Interstate 15 shall work with the Utah Department of Transportation to provide attractive and appropriate landscaping of the frontage area. The applicant shall provide a complete landscaping plan, which complies with the provisions of PCC 13.21, approved by the Utah Department of Transportation prior to project approval. The Utah Department of Transportation approval shall include information about perpetual maintenance of the landscaping. The landscaping shall be installed prior to issuance of a Certificate of Occupancy and a Payson City business license.

SECTION 10: **AMENDMENT** “13.14.140.15 Landscaping” of the Payson Municode Code is hereby *amended* as follows:

A M E N D M E N T

13.14.140.15 Landscaping

Appropriate landscaping, consistent with the provisions of PCC 13.21, shall be implemented to create and maintain a park-like setting. In addition to the landscaping requirements of PCC 13.18, the following standards must be incorporated into the landscape design of the site.

- A. 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.
- B. The site shall consist of not less than twenty (20) percent landscaping and/or

developed open space, which open space may consist of streetscape requirements, parking lot landscaping, foundation planters, undisturbed native vegetation, or water features.

- C. 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.
- D. 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.
- E. Appropriate use of entryway, corner, and foundation planters must be incorporated into the landscaping design.
- F. Undeveloped portions of the property set aside for future expansion or additional development shall be maintained in accordance with PCC 13.44.

SECTION 11: **AMENDMENT** “13.14.150.14 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

AMENDMENT

13.14.150.14 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.

- A. **Signs.** Signs are allowed in the I-1 Zone in accordance with PCC 13.32.
- B. **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 plan, which complies with the provisions of PCC 13.21, detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. On larger parcels, an alternative method of landscaping may be presented to the City Council for their consideration and approval.
- C. **Trash, Junk, Outside Storage And Other Debris.** No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, behind a sight obscuring fence.
- D. **Design Guidelines.** The City Council may require specific design guidelines be employed in the project. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council. The design guidelines apply to all structures in a development including accessory structures.

- E. **Buildings Larger Than Forty Thousand (40,000) Square Feet.** Any building larger than forty thousand (40,000) square feet in the I-1 Zone shall be designed to have main entrances on at least two sides of the building, preferably front and back. This requirement is intended to produce a more attractive building on all sides, not just the front, and to improve traffic flow.
- F. **Open Space.** Industrial developments one (1) acre or larger 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. In an industrial park, property owners may work together to provide open space areas.

SECTION 12: AMENDMENT “13.14.160.13 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

AMENDMENT

13.14.160.13 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.

- A. **Signs.** Signs are allowed in the I-2 Zone in accordance with PCC 13.32.
- B. **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 plan, which complies with the provisions of PCC 13.21, detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. On larger parcels, an alternative method of landscaping may be presented to the City Council for their consideration and approval.
- C. **Trash, Junk, Storage And Other Debris.** No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate behind the City, by a sight obscuring fence.
- D. **Design Guidelines.** The City Council may require specific design guidelines be employed in the project. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council. The design guidelines apply to all structures in a development including accessory structures.
- E. **Open Space.** Industrial developments one (1) acre or larger 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. In an industrial park, property owners may work together to provide open space areas

SECTION 13: **AMENDMENT** “13.14.170.13 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

AMENDMENT

13.14.170.13 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.

- A. **Signs.** Signs are allowed in the R&D Zone in accordance with PCC 13.32.
- B. **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 plan, which complies with the provisions of PCC 13.21, detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. On larger parcels, an alternative method of landscaping may be presented to the City Council for their consideration and approval. The R&D Zone is intended to be a campus or park-like setting.
- C. **Trash, Junk, Storage And Other Debris.** No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, behind a sight obscuring fence.
- D. **Design Guidelines.** The City Council may require specific design guidelines be employed in the project. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council. The design guidelines apply to all structures in a development including accessory structures.

SECTION 14: **AMENDMENT** “13.14.180.12 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

AMENDMENT

13.14.180.12 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.

- A. **Signs.** Signs shall not distract from the residential character of the area. Sign size, lighting and location must be compatible with surrounding uses. All signs must be consistent with the regulations of PCC 13.32.
- B. **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 plan, which complies with the provisions of PCC 13.21, detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy.
- C. Accessory structures are not allowed in the NC-1 Zone. Outdoor storage is not allowed and commercial uses shall be wholly conducted within an enclosed building.
- D. **Trash, Junk, And Other Debris.** No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles are allowed on site.
- E. **Design Guidelines.** The City Council may require specific design guidelines be employed in the project. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council. The design guidelines apply to all structures in a development including accessory structures.
- F. No dust, odor, smoke, vibration, intermittent light, glare, or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

SECTION 15: AMENDMENT “13.14.190.15 Landscaping Of Freeway Frontage” of the Payson Municode Code is hereby *amended* as follows:

AMENDMENT

13.14.190.15 Landscaping Of Freeway Frontage

Parcels located adjacent to Interstate 15 shall work with the Utah Department of Transportation to provide attractive and appropriate landscaping of the frontage area. The applicant shall provide a complete landscaping plan, which complies with the provisions of PCC 13.21, approved by the Utah Department of Transportation prior to project approval. The Utah Department of Transportation approval shall include information about perpetual maintenance of the landscaping. The landscaping shall be installed prior to issuance of a Certificate of Occupancy and a Payson City business license.

SECTION 16: **AMENDMENT** “13.14.190.16 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

A M E N D M E N T

13.14.190.16 Other Requirements

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

- A. **Signs.** Signs are allowed in the CT Zone in accordance with PCC 13.32. However, because there are several transition zones, signs in the CT-1 Zone shall be consistent with the requirements of the S-1 Zone, the signs in the CT-2, Zone shall be consistent with the requirements of the I-1, Zone and only signs allowed in residential zones shall be allowed in the CT-3 Zone. The City Council may impose stricter sign regulations as part of any development in the CT Zone.
- B. **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 plan, which complies with the provisions of PCC 13.21, detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy.

The landscaping plan shall be prepared using trees, shrubs, turf, and ground cover appropriate for the climatic zone of Payson City. There shall be a minimum of one tree with no less than a two (2) inch caliper for every five hundred (500) square feet of landscaped area. Parking areas shall be landscaped according to the Payson City Development Guidelines.

- C. **Trash, Junk, And Other Debris.** No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, behind a sight obscuring fence.
- D. **Design Guidelines.** The City Council may require that specific design guidelines be employed in the project if it can be reasonably shown that the materials, colors, or elevations of the buildings could have a significant impact on the existing or future atmosphere of the area, and to improve compatibility. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.
- E. No dust, odor, smoke, vibration, intermittent light, glare, or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

SECTION 17: **AMENDMENT** “13.14.320.11 Other Requirements” of the Payson Municode Code is hereby *amended* as follows:

A M E N D M E N T

13.14.320.11 Other Requirements

The following requirements are in addition to all other requirements:

- A. **Signs.** Signs shall not distract from the residential character of the area. Sign size, lighting and location must be compatible with surrounding uses. Sign locations shall be shown on the concept plan and approved with the overlay. Electronic signs are not permitted. All signs must be consistent with the regulations of PCC 13.32.
- B. **Landscaping.** The applicant shall submit a complete landscaping plan, which complies with the provisions of PCC 13.21, that details the types and sizes of planting materials to be used. Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy.
- C. **Trash, Junk, And Other Debris.** No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles are allowed on site.
- D. **Design Guidelines.** The City Council may require specific design guidelines. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass and orientation, innovative design of buildings and access, and any other features deemed appropriate by the City Council. The design guidelines apply to all structures in a development including accessory structures.
- E. No dust, odor, smoke, vibration, intermittent light, glare, or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

SECTION 18: **AMENDMENT** “13.14.330.16 Open Space And Landscaping” of the Payson Municode Code is hereby *amended* as follows:

A M E N D M E N T

13.14.330.16 Open Space And Landscaping

The following site landscaping standards shall apply to all new development:

- A. **Required Percentage.** At least twenty percent (20%) of a master development site shall be devoted to open space or landscaping, exclusive of required park strips and walks. Wetlands may count toward one-third (1/3) of such open space or landscape requirement. Additional landscaping should be provided where needed to buffer and

achieve compatibility between different adjoining uses.

- B. **Approved Landscaping Plan.** All areas of a developed site not occupied by buildings, required parking, driveways, walkways or service areas shall be landscaped according to an approved landscaping plan, which complies with the provisions of PCC 13.21. These areas may also incorporate hardscape for patios, plazas and courtyards, which areas shall be credited against the required landscaping percentage.
- C. **Street Trees.** Street trees shall be provided on all street frontages at a maximum spacing of thirty (30) feet on center. Street trees shall be planted within a landscape strip of at least six (6) feet in width, between the roadway and sidewalk where feasible. Street trees shall be planted no closer than twenty five (25) feet to light standards.
- D. **Parking Areas.** Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each twelve (12) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.
- E. **Open Space.** Open space should be an integral part of the development project. The open space within a project should be integral to the site design, not small, leftover pieces of land. Open space may also be used as a buffer between adjacent properties and uses.
- F. **Outdoor Lighting.** Outdoor lighting should provide for the illumination of buildings and grounds for safety purposes, but in an aesthetically pleasing manner. Lighting should be focused downward, and placed and screened to limit the emission of light beyond the development boundaries. A condition of approval may be the certain lighting be extinguished after certain hours.

SECTION 19: **ADOPTION** “13.21 Water Efficiency Standards For Landscaping” of the Payson Municode Code is hereby *added* as follows:

ADOPTION

13.21 Water Efficiency Standards For Landscaping(*Added*)

SECTION 20: **ADOPTION** “13.21.010 Purpose” of the Payson Municode Code is hereby *added* as follows:

ADOPTION

13.21.010 Purpose(*Added*)

The purpose of these Water Efficiency Standards is to conserve the water resources of Payson City by establishing water conservation standards for outdoor landscaping.

SECTION 21: **ADOPTION** “13.21.020 Definitions: Water Efficiency Standards for Landscaping” of the Payson Municode Code is hereby *added* as follows:

ADOPTION

13.21.020 Definitions: Water Efficiency Standards for Landscaping(*Added*)

ACTIVITY ZONES. Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.

ACTIVE ZONES. Areas of the landscape dedicated to active play where lawn may be used as the playing surface, including, but not limited to sports fields, play areas, etc.

CENTRAL OPEN SHAPE. An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.

GATHERING AREAS. Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.

HARDSCAPE. Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.

LAWN. Ground that is covered with grass or turf that is regularly mowed.

LOCALSCAPES. A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).

MULCH. Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.

PARK STRIP. A typically narrow landscaped area located between the back-of-curb and sidewalk.

PATHS. Designed routes between landscape areas and features.

PLANTING BED. Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.

TOTAL LANDSCAPED AREA. Improved areas of the property that incorporate all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

SECTION 22: **ADOPTION** “13.21.010.1 Application” of the Payson
Municode Code is hereby *added* as follows:

ADOPTION

13.21.010.1 Application(*Added*)

A. The following standards shall be required for all new landscaping installed by a contractor as part of a new development in front and side yard, as well as any required park strip area, in any residential, commercial, institutional, or industrial zone, as applicable. All new landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects shall comply with these standards.

B. These landscaping standards are not intended to conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may conflict with Utah law, such conflicting requirements shall not apply.

SECTION 23: **ADOPTION** “13.21.030 Landscaping Requirements” of the
Payson Municode Code is hereby *added* as follows:

ADOPTION

13.21.030 Landscaping Requirements(*Added*)

A. Lawn shall not be less than 8 feet wide at its narrowest point.

B. Lawn shall not exceed 35% of the Total Landscaped Area, as defined above.

1. Small residential lots, which have no backyards, and which the Total Landscaped Area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8-foot wide lawn requirement, are exempt from the 8-foot minimum width lawn requirement and maximum of 35% lawn requirement.

C. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.

D. In commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.

SECTION 24: **ADOPTION** “13.21.040 Landscaping Recommendations” of the Payson Municode Code is hereby *added* as follows:

ADOPTION

13.21.040 Landscaping Recommendations(*Added*)

- A. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers should be used except in lawn areas. Drip irrigations systems must meet City requirements and should be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- B. Each irrigation valve should irrigate landscaping with similar sites, slope, and soil conditions, and plant materials with similar watering needs. Lawn and planting beds should be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers should be placed on separate irrigation valves.
- C. Landscaped areas should be provided with a WaterSense® labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers should be equipped with automatic rain delay or rain shut-off capabilities.
- D. At least 3-4 inches of mulch, permeable to air and water, should be used in planting beds to control weeds and improve the appearance of the landscaping.
- E. At maturity, landscapes are recommended to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.

SECTION 25: **ADOPTION** “13.21.050 Landscaping Design Considerations” of the Payson Municode Code is hereby *added* as follows:

ADOPTION

13.21.050 Landscaping Design Considerations(*Added*)

- A. If size permits, the landscaped areas of the front yard and back yard should include a designed central open shape created by using lawn, hardscape, groundcover, gravel, or mulch.
- B. Gathering areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without lawn, gathering areas may function as the central open shape.
- C. Activity zones should be located outside of the central open shape and should be

surfaced with materials other than lawn.

D. Paths should be made with materials that do not include lawn, such as hardscape, mulch, or other groundcover.