

ORDINANCE 04-15-2026-C

AN ORDINANCE AMENDING THE PAYSON CITY ZONING CODE TO ADDRESS DENSITY CALCULATIONS

WHEREAS, the City is undertaking a comprehensive review of its municipal codes to ensure clarity, intent, enforceability and compliance with many state law changes that have been made in recent legislative sessions; and

WHEREAS, the City has determined that it is essential that the code provides regulations that can be clearly understood and in this case, clarity requires a few language adjustments without making substantive changes to the density allowed in any of the existing zones, the definition of density and the methods by which density calculations are made requires clarification; and

WHEREAS, the clarifications contained in this Ordinance are language based and not substantive and clarify that all density calculations are based on the lot size and lot requirements of each zone and that any calculations shall be made using available land to ensure that the density calculation reflects the amounts of usable land available for building rather than being based on the gross amount of land available whether usable or not; and

WHEREAS, this does not reflect a change to policy or current practice but rather provides clarification to residents and applicants as they contemplate development; and

WHEREAS, using the density calculation defined below provides a more accurate method and these changes provide for clarity, efficiency and usability of the City Code; and

WHEREAS, the City has studied this topic, sought information and recommendation from the Planning Commission and the public and has determined that the following amendment is necessary to clarify the goals of the City;

NOW, THEREFORE, be it ordained by the City Council of Payson, Utah that Sections: 13.04.020, 13.14.070.4, 13.14.250.5, 13.14.260.4, 13.14.260.15, 13.14.270.4, 13.14.280.4, 13.14.310.5, of the Payson City Code be amended as follows:

13.040.020 Definitions; Zoning Ordinance

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

DENSITY. The term density shall mean the number of units obtained by multiplying the units per acre allowed in the zone in which the proposed development is located or seeking by the total number of usable acres. Usable acreage shall not include public or private roadways, school, or any similar non buildable use such as retention or detention basins if

not approved as open space, public utility locations, any hazard area, any slope above 30% or any other unbuildable square footage.

13.14.070.4 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 acre

RMF-15. Up to 15 units acre

RMF-20. Up to 20 units acre

In calculating the maximum number of units for a proposed development/project, the assigned density will be multiplied by the total usable acreage and rounded to the nearest whole number. Usable acreage shall be calculated using the Density definition found in 13.040.020 of this Title. Regardless of which density classification is assigned to a project, all of the requirements of this Chapter including, but not limited to, lot coverage, setback, parking, open space, and project amenities must be satisfied.

13.14.250.5 Density

The following Density requirements shall apply to all residential uses in the applicable Transit Station Overlay. The Payson Transit Station Overlay shall allow for a minimum of fifteen (15) units per acre of residential Density with a maximum of twenty-five (25) units per acre.. The actual Density allowed pursuant to any development application shall be subject to the approval of the development plan by the Planning Commission and City Council.

13.14.260.4 Permitted Density, Width and Frontage

Residential development in the MH-1 Zone is strictly limited to avoid overcrowding of land in sensitive areas. Density in the MH-1 Zone shall not exceed one (1) unit per ten (10) acres. Each development in the zone will be unique to protect or take advantage of the unique characteristics of the site. There are no lot size requirements except that all provisions of the adopted development ordinances must be satisfied including those that may limit lot sizes.

The width of individual lots may vary according to the development layout and design. Regulations for adequate fire protection, access, environmental protection and other layout considerations will determine lot width.

Each development in the MH-1 Zone shall obtain primary access from a publicly owned and maintained street. Specific frontage requirements on the public street shall be determined on an individual case-by-case basis. Multiple development proposals shall not obtain access from a single private access from a publicly owned and maintained street.

13.14.260.15 Clustering And Placement Of Structures

Clustering of development through the use of a Planned Residential Development (PRD) as allowed in PCC 12, Subdivision Ordinance is generally recommended and may be required by the City Council to achieve the objectives of this Chapter. The Density for any PRD within the MH-1 Zone shall be in accordance with the Density requirements of PCC 13.14.260.4. Whether proposed by the applicant or required by the City Council, clustering of development shall lead to satisfaction of the following objectives in addition to the objectives required by PCC 12:

1. Clustering will further the policies and objectives of this Chapter, such as providing more open space, preserving existing trees and vegetation coverage, and preserving sensitive environmental areas such as stream corridors, slide areas, wetlands, wildlife habitat, and steep slopes.
2. The architecture, height, building materials, building colors, and other design features of the development blend with the surrounding natural landscape.

The placement of structures on any lot must be approved by Payson City. Staff shall determine the location of each structure concentrating on the issues cited in this Chapter, the geotechnical report prepared for the development, the visual impact of the structure, and other general site considerations. If an applicant is in disagreement with the location determined by staff, the applicant may appeal the decision to the City Council whose decision shall be final.

13.14.270.4 Permitted Density, Width and Frontage

1. **Residential Density.** Residential Density in the MH-2 Zone shall not exceed one (1) unit per net acre. Each development in the zone will be unique to protect or take advantage of the unique characteristics of the site. A great deal of flexibility will be given to an applicant for development approval in relation to individual parcel size provided that the applicant is able to demonstrate that the size of the parcels are compatible with the natural features and topography of the property, undue crowding of any portion of the property will not occur, the visual impact of the development is appropriately addressed, and all provisions of the adopted development ordinances are satisfied including those that may limit lot sizes. The width of individual lots may vary according to the development layout and design. Regulations for adequate fire protection, access, environmental protection and other layout considerations will be considered in the determination of lot width.
2. **Allowable Units For Nightly Rental Establishments.** With the exception of a bed and breakfast business which is further regulated by this Chapter, the number of nightly rental units allowed in the MH-2 Zone shall be calculated by multiplying the total number of net acres in the proposed development by three (3). For instance, if a nightly rental establishment is situated on a ten (10) acre parcel, the applicant for development approval may be allowed to construct a structure with up to thirty (30) rental units. All design requirements of this Chapter shall apply to the construction of any nightly rental establishment.
3. **Size Limitations For Non-Residential Structures Other Than Nightly Rental Establishments.** Non-residential structures other than nightly rental establishments shall

be limited to no more than ten thousand (10,000) square feet per acre. Each story of a multi-story structure shall be included in the size limitation of the structure.

13.14.280.4 Permitted Density, Width and Frontage

Residential development in the GCD Zone is strictly limited to areas where development can enhance the golf course without interfering with play. Each development in the zone will be designed to complement the golf course and take advantage of the unique characteristics of the site.

Each development in the GCD Zone may be allowed, but is not required, to have a Density of up to ten (10) units per net acre.

Individual ownership of residential units is highly encouraged. The width of individual lots may vary according to the development layout and design. Regulations for adequate fire protection, access, environmental protection and other layout considerations will determine lot width.

Each development in the GCD Zone shall obtain primary access from a publicly owned and maintained street. Specific frontage requirements on the public street shall be determined on an individual case-by-case basis. Multiple development proposals shall not obtain access from a single private access from a publicly owned and maintained street.

13.14.310.5 Specific Requirements

Requests for use of the overlay must include, at a minimum, the following:

1. **Compliance With City Ordinances and Policies.** Except as otherwise listed in this Chapter, a Senior Housing Facility shall comply with all applicable ordinances and policies required in the Payson City Municipal Code for development in the underlying zone, as well as other state and federal laws, including laws related to access.
2. **Conformity.** The facility shall conform to all applicable building, fire, health and safety codes and requirements for facilities of this type.
3. **Project Acreage Requirement.** Project acreage shall be a minimum of 2.5 acres but not larger than 5 acres.
4. **Density.** The Senior Housing Facility Overlay may have up to a maximum Density of thirty (30) dwelling units per net acre if full-time onsite management is present and one (1) indoor and one (1) outdoor common area/recreation space is provided within the facility. If full-time onsite management is not present or the two common area/recreation spaces are not provided, the maximum Density shall be twelve (12) dwelling units per net acre. The location, size, and type of common area/recreation spaces may vary from project to project and will be determined through the approval process.
5. **Concept Plan and Building Elevations.** A concept plan and building elevations/renderings showing the project proposal for the site. The overlay is tied to the concept plan and building elevations, and any conditions imposed by the planning commission and city council. Any significant changes to the concept plan and/or building elevations requires additional approvals by the city. Significant changes include, but are not limited to, changes in density, parking ratios, landscaped open space, building height, mass, and location.

6. **Setbacks.** The following minimum setback requirements shall apply. Each setback is measured from the property line of the lot or parcel.

Front setback	25 feet
Side or rear yard setback when adjacent to a non-residential zone	20 feet
Side or rear yard setback when adjacent to a residential use or a residential zone	25 feet 40 feet—if building is taller than 35 feet
Street-side yard setback (corner lot) determined by type of adjacent street	Local street = 25 feet Collector street = 40 feet Arterial street = 40 feet

7. **Landscaping And Open Space.**

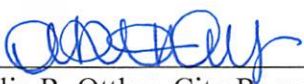
1. Except as otherwise listed in this Chapter, and regardless of the underlying zone, landscaping requirements shall be the same as those found in PCC 13.18, Commercial and Industrial Development herein.
 2. A minimum of twenty percent (20%) of each project shall be maintained in permanent landscaped open space.
8. **Fencing.** Six (6) foot high, site-obscuring fencing may be installed along the perimeter of the property, regardless of whether it abuts existing residential or commercial properties or uses. The fence shall be constructed and maintained by the owner of the senior housing facility. Installation of fencing should not limit pedestrian access to vehicular access points and natural pedestrian access points. Such fencing will be constructed in a manner consistent with the residential character of the senior housing structure.
9. **Parking.**
1. No portion of the senior housing facility's open space shall be used to provide parking spaces as required by this Section.
 2. Projects are encouraged to provide covered parking and shall provide adequate ADA stalls to accommodate the residents and guests of the facility.
10. **Maximum Building Height.** The maximum primary building height shall be approved with the overlay request. Accessory buildings shall not exceed twenty (20) feet in height.
11. **Occupancy Restrictions.** The units are restricted to three (3) persons, regardless of familial relationship, as the maximum number of occupants with a maximum unit size of three (3) bedrooms, with the following restrictions:
1. In one (1) bedroom units, the maximum number of occupants shall be two (2) persons;
 2. Minimum dwelling unit size shall be six hundred (600) square feet.
 3. The units are intended for, and to be occupied by, at least one person fifty-five (55) years of age or older per unit with all occupants being at least 18 years of age;

4. A unit may be occupied by the surviving spouse of a household, regardless of age, if the fifty-five (55) years of age or older qualifying person has passed away, provided the surviving spouse was a resident of the unit at the time of that qualifying person's death;
5. Dependents of the deceased qualifying person may continue to reside in the unit if a surviving spouse of the qualifying person is remaining in the unit under the circumstances outlined in paragraph K,4. Otherwise, dependents shall have a ninety (90) day transition period during which they are able to remain in the unit following the qualifying person's death.
6. A deed restriction shall be recorded on the property indicating the occupancy restrictions listed herein.
12. **Lighting.** All outside lighting shall be arranged and shielded as to prevent glare, nuisance, inconvenience or hazardous interference on adjoining streets or property. Streetlights shall be installed on all public roads according to standards established in the Payson City Municipal Code and Development Guidelines.
13. **Accessory Buildings and Facilities.** Allowable accessory buildings and facilities include free standing club facilities for member use; garage structures, carports, and sheds; pools and hot tubs/spas; recreation facilities such as game rooms, fitness facilities, basketball courts, tennis courts, and similar structures. A minimum separation distance of ten (10) feet shall be maintained between all buildings.
14. **Architectural Design.** The architectural design of a Senior Housing Facility shall comply with architectural design guidelines as established in the RMF, Multi-Family Residential Zone and any additional design standards imposed by the city council.
15. **Unified Ownership.** Senior housing development projects within the zone shall be under a single ownership, with respect to each development. Individual dwelling units may not be developed or converted to condominiums and may not be sold separately from the rest of the development.

PASSED AND ADOPTED by the Payson City Council this 15th day of April, 2026.


William R. Wright, Mayor

Attest:


Amalie R. Ottley, City Recorder



**ORDINANCE PASSAGE BY THE CITY COUNCIL OF PAYSON, UTAH
ON THE 15TH DAY OF APRIL 2026**

Ordinance No. 04-15-2026-C

**Title: AN ORDINANCE AMENDING THE PAYSON CITY ZONING CODE TO ADDRESS
DENSITY CALCULATIONS**

ROLL CALL VOTE:

**Councilmember Brian Hulet
Councilmember Anne Moss
Councilmember Bob Provstgaard
Councilmember Ryan Rowley
Councilmember Lacee Smith
Mayor William R. Wright**

Motion	Second	Yes	No	Abstain	Absent
		X			
	X	X			
					X
X		X			
		X			