

**RESOLUTION NO. 2501**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING A PROVISION ADDRESSING MOBILE STORAGE UNITS TO THE TOWN'S UNIFIED DEVELOPMENT CODE, AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.**

**WHEREAS**, the Code of the Town of Payson was declared to be a public record by Resolution Number 1536 of the Town of Payson; and

**WHEREAS**, the Code of the Town of Payson was adopted as a public record by Ordinance Number 588 of the Town of Payson; and

**WHEREAS**, it is the intention of the Town of Payson to add Section 15-02-003(A)(9) (addressing Mobile Storage Units) to the Town's Unified Development Code; and

**WHEREAS**, such amendment may be enacted by reference, pursuant to A.R.S. § 9-802,

**NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:**

Section 1. Section 15-02-003(A) is hereby amended by adding subsection (9): Mobile Storage Units, Railroad Cars, Tractor Trailer Units, and Shipping Containers, which is declared to be a public record, and as amended shall read as set forth in Exhibit A attached hereto.

Section 2. If any section, subsection, sentence, clause, phrase or portion of Resolution Number 2501 is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of Resolution Number 2501. The Town Council of Payson declares that it would have adopted Resolution Number 2501 and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses, phrases, or portions may be declared invalid or unconstitutional.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON** this \_\_\_\_ day of \_\_\_\_\_, 2009, by the following vote:

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTENTIONS \_\_\_\_\_ ABSENT \_\_\_\_\_

\_\_\_\_\_  
Kenny J. Evans, Mayor

AUG 20 2009 G.9.A

ATTEST:

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Silvia Smith, Town Clerk

APPROVED AS TO FORM:

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Samuel I. Streichman, Town Attorney

**Exhibit A**  
**to**  
**Resolution 2501**

15-02-003(A)

9. Mobile Storage Units, Railroad Cars, Tractor Trailer Units, and Shipping Containers
  - a. Industrial Districts - Mobile Storage Units, railroad cars, tractor trailer units, and shipping containers may be used as accessory structures within Industrial Districts.
  - b. Commercial Uses -
    - (1) Mobile Storage Units are permitted in Commercial Districts utilized for commercial purposes and other properties legally utilized for commercial uses subject to the following provisions:
      - i. No more than two Mobile Storage Units per parcel may be utilized;
      - ii. Each Mobile Storage Unit shall not exceed eight feet in height, eight feet in width, and sixteen feet in length;
      - iii. Mobile Storage Units shall not be placed (1) within fifteen feet of any building or adjoining property line, (2) within a front or street side yard, or (3) within required landscape areas, open space, or parking areas;
      - iv. Mobile Storage Units shall be screened from view of any adjacent public way or residential use; such screening shall be subject to all applicable Design Review requirements;
      - v. No animals or toxic/hazardous materials (as determined by the Fire Marshall and/or the Building Official) may be stored in a Mobile Storage Unit;
    - (2) Prior to the placement of a Mobile Storage Unit, a permit shall be obtained from the Community Development Department. Such permit shall be issued for a period not to exceed twelve months and may be renewed annually for up to two additional one year terms if requested by the applicant.
  - c. Residential Uses - Mobile Storage Units may not be used as accessory structures within Residential Districts or properties being utilized for residential purposes.
  - d. Construction/Demolition - Mobile Storage Units may be used in all Zoning Districts in conjunction with and during the period of a valid building and/or demolition permit.