



MEMO

TO: Planning and Zoning Commission

FROM: Sheila DeSchaaf,
Planning & Development Director

DATE: May 2, 2016

SUBJECT: **Unified Development Code Amendment; Section 154-11-002**
Mobile Storage Unit

P16-002

Background

Payson currently allows Mobile Storage Units to be utilized in all districts subject to a number of criteria as outlined in Unified Development Code Section 154-02-003, attached hereto as Exhibit A.

Analysis

Staff is recommending the Mobile Storage Unit definition be amended to allow for refrigerated units commonly utilized by restaurants and grocery stores. Currently, Mobile Storage Units are prohibited from being connected to utilities. In order to facilitate the use of containers in conjunction with commercial restaurant and/or grocery type uses where cold storage is needed, the proposed amendment would remove the utility connection prohibition and allow an electrical connection for this type of commercial establishment.

This will help local small businesses by providing them with an opportunity to order certain items in bulk for the purpose of keeping sale items well-stocked or purchasing product when pricing is low in order to keep their operating costs more stable. The proposed amendment should have little to no visual effect as restaurants and grocery stores are already allowed to utilize mobile storage units and the appearance of refrigerated units and non-refrigerated units is not significant.

Existing Definition:

Mobile Storage Unit –A structurally unaltered portable storage container that may be transported by truck and/or trailer that is used as an accessory structure and is not designed for human/animal occupancy nor connected to utilities. Mobile Storage Unit shall not include containers used as part of a recycling program approved by the Town council.

Proposed Definition:

Mobile Storage Unit – A structurally unaltered portable storage container that may be transported by truck and/or trailer that is used as an accessory structure and is not designed for human/animal occupancy nor connected to utilities-*except for refrigerated units used in conjunction with grocery and/or restaurant type operations*. Mobile Storage Unit shall not include containers used as part of a recycling program approved by the Town council.

Motion

If the Commission supports the proposed revisions, an acceptable motion could be:

“I move the Planning and Zoning Commission recommend to the Town Council approval of P16-002, an amendment to the Unified Development Code definition of mobile storage unit as outlined in this staff report.”

154-02-003A

(9) *Mobile storage units, railroad cars, tractor trailer units, and shipping containers.*

(a) *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.

(b) *Prohibited storage.* No animals or toxic/hazardous materials (as determined by the Fire Marshal and/or the Building Official) may be stored in a mobile storage unit, railroad car, tractor trailer unit, or shipping container.

(c) *District uses.*

1. Industrial districts. Mobile storage units, railroad cars, tractor trailer units, and shipping containers may be used as accessory structures within industrial districts.

2. Commercial districts, multi-family districts and non-residential uses within single family residential districts. Mobile storage units may be used as accessory structures within commercial and residential districts that have commercial or multi-family uses established subject to the following:

a. Mobile storage units shall be limited to a maximum of 320 square feet on parcels less than one acre and a maximum of 640 square feet total on parcels one acre or larger.

b. Mobile storage units shall not be stacked nor placed:

i. Within three feet of any adjoining property line;

ii. Within a front or street side yard; nor

iii. Within required landscape areas, open space, or parking areas;

c. Mobile storage units shall be painted to match the primary structure's exterior and/or complement the surroundings. Mobile storage units may not display markings or advertisements and shall be maintained free of rust, graffiti, and other visual nuisances.

d. Prior to the placement of a mobile storage unit, a permit shall be obtained from the Community Development Department.

e. Mobile storage unit permit shall be issued for a period not to exceed 12 months.

3. Single Family Residential Districts and single family uses within all districts. Mobile storage units are an allowed accessory use subject to the following:

a. Mobile storage units shall be limited to a maximum of 320 square feet on parcels less than one acre and a maximum of 640 square feet total on parcels one acre or larger.

b. Mobile storage units shall not be stacked nor placed:

i. Within three feet of any adjoining property line;

ii. Within a front or street side yard; nor

iii. Within required landscape areas, open space, or parking areas;

c. Mobile storage units shall be painted to match the residence's exterior and/or complement the surroundings. Units may not display markings or advertisements and shall be maintained free of rust, graffiti, and other visual nuisances.

(d) *Waivers.*

1. A request for a waiver seeking relief from the provisions of division (c)2.a. above (square footage limitations) may be filed with Community Development Department. Such request shall be processed in the same manner as a request for a conditional use permit except that (1) a citizens participation plan and report is not required; and (2) the decision of the Planning and Zoning Commission shall be final and not subject to appeal.

2. A request for a waiver seeking relief from the provisions of division (c)2.e. above (12 month time limit) may be filed with the Zoning Administrator. The Zoning Administrator shall disapprove or approve with conditions such requests. In considering a request for such waiver the Zoning Administrator shall review the application based on the standards of review utilized for the evaluation of conditional use permits.

3. If a request for relief from both divisions (c)2.a. and (c)2.e. above is filed, such request shall be processed in accordance with division (d)1. above.