



## MEMO

TO: Planning and Zoning Commission

FROM: Sheila DeSchaaf, AICP  
Planning & Development Director

DATE: September 21, 2015

SUBJECT: Unified Development Code Amendment  
Extending Mobile Storage Unit provisions currently in effect

P15-010

### **Background:**

In April, 2013 the Town Council approved Ordinance 830 and Resolution 2707 which enacted the current standards that regulate the use of mobile storage units in residential and commercial zoning districts. The standards enacted by Ordinance 830 are set to sunset after 36 months pending a review by the Planning Commission and further action by the Council. The current standards, enacted by Ordinance 830, are attached as Exhibit A. The previous standards are attached as Exhibit B.

### **Analysis:**

As part of the Commission's review of the mobile storage unit provisions, Council asked that the Commission make a recommendation for one of the following actions for the Council to consider: A) extend the provisions established in 2013 permanently; B) extend the provisions established in 2013 temporarily; or C) let the provisions expire. If the provisions established by Ordinance 830 were extended permanently, then it is unlikely the mobile storage unit standards could be made more stringent in the future. If the mobile storage unit provisions enacted by Ordinance 830 were allowed to expire, then the mobile storage unit standards previously in effect (created in 2009) would be used to regulate mobile storage uses. The major differences between the two standards are highlighted below:

#### **Previous - 2009**

- Not allowed in Residential districts.
- Required to be screened from view in accordance with Design Guidelines on Commercial properties.
- Limited to 8' X 8' X 16' in size.
- Minimum of 15' from a property line or structure.

#### **Current - 2013**

- Allowed in Residential districts.
- Required to be painted to match the primary structure on the site or to complement the surroundings.
- 320 s.f. size limit (640 s.f. lots over 1 acre)
- 3' from side or rear property line, no separation from structures
- Waiver provisions were created allowing staff or the commission to provide relief to size and/or time limitations on a case by case basis.

**Staff Recommendation:**

Staff recommends the Commission recommend in favor of extending the provisions enacted with Ordinance 830/Resolution 2707. Rather than making the provisions permanent and potentially irrevocable at a future date, staff suggests extending the provisions for a longer time period and reviewing the standards again after a period of 5 years.

**Suggested Motion to recommend APPROVAL:**

If the Commission agrees with staff's recommendation, a possible motion could be:

“I move the Planning and Zoning Commission recommend to the Town Council temporarily extending the Mobile Storage Unit provisions enacted with Ordinance 830/Resolution 2707 for a period of 66 months, with a review within six months prior to expiration.”

## 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
  - i. Industrial Districts - Mobile Storage Units, railroad cars, tractor trailer units, and shipping containers may be used as accessory structures within Industrial Districts.
  - ii. Commercial Districts, Multifamily 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 multifamily uses established subject to the following:
    - (1) 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.
    - (2) Mobile Storage Units shall not be stacked nor placed:
      - (a) within three feet of any adjoining property line
      - (b) within a front or street side yard, nor
      - (c) within required landscape areas, open space, or parking areas;
    - (3) 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.
    - (4) Prior to the placement of a Mobile Storage Unit, a permit shall be obtained from the Community Development Department.
    - (5) Mobile Storage Unit permit shall be issued for a period not to exceed twelve months.
  - iii. Single Family Residential Districts and Single Family uses within all districts-- Mobile Storage Units are an allowed accessory use subject to the following:
    - (1) 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.
    - (2) Mobile Storage Units shall not be stacked nor placed
      - (a) within three feet of any adjoining property line
      - (b) within a front or street side yard, nor
      - (c) within required landscape areas, open space, or parking areas;
    - (3) 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.

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.