



## MEMO

TO: Planning and Zoning Commission

FROM: Doni Wilbanks  
Planning Technician

DATE: ~~February 11, 2013~~ \*Hearing postponed to March 11, 2013

**SUBJECT: Unified Development Code Amendment; Section 15-02-003(A)9**  
Mobile Storage Containers

**P12-006**

### Background

At the January 14, 2013 meeting, staff presented recommendations for amendments to the UDC pertaining to mobile storage units. These recommendations were made in response to previous discussion and concerns from the Commission. Further discussion from the Commission and feedback from the public were received.

### Analysis

From the Commission's discussion/direction and from public input, staff addressed the following areas and provided a draft amendment to the code for formal consideration (attached Exhibit A):

- *Unit size* – It was concluded that limiting unit size by square footage rather than dimensions could make this sort of restriction unnecessary.
- *Number of units* – Addressed by square footage rather than number of units.
- *Residential uses* – Allowed use similar to an accessory use (exempt structures such as sheds) with some restrictions/requirements.
- *Multifamily uses* – Multifamily uses (apartments, condominiums) and uses that are conditionally allowed within multifamily zoned districts (hotels, hospitals, offices, etc) shall be allowed to utilize mobile storage in the same manner as commercially zoned properties.
- *Permits* – An over-the-counter permit shall be required for commercial uses not to exceed one year, also see Exceptions below.
- *Exceptions* – A waiver may be requested to go beyond the 12 months subject to approval and conditions from the Zoning Administrator or designee.
- *Location* – Mobile storage units shall not be placed within a front or street side yard nor within required landscape areas, open space, or minimum required parking areas.
- *Setback* – Mobile storage units shall be located a minimum of three (3) feet from a common property line (same requirement as an exempt accessory structure, such as a shed that is exempt from building permit requirements).
- *Separation* – Amending the requirement for a minimum of fifteen (15) feet separation from buildings on the site. Requirement for separation from structures removed in favor of limitations on no hazardous/toxic storage allowed.
- *Appearance* – Mobile storage units may be white or off-white or may be painted to match the building exterior or complement the surroundings. Units may not display markings or advertisements and shall be maintained free of graffiti, rust, and other visual nuisances.

**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 P12-006, an amendment to the Unified Development Code provisions concerning mobile storage units as outlined in Exhibit A of the staff report.”

# Exhibit A

## Mobile Storage Units, Railroad Cars, Tractor Trailer Units, and Shipping Containers

- I. 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.
- II. 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.
- III. District Uses
  - 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 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 may be white or off-white or may be painted to match the building exterior or complement the surroundings. Units may not display markings, 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. Such permit shall be issued for a period not to exceed twelve months.
    5. To utilize Mobile Storage Unit(s) for a period exceeding 12 months, a waiver may be requested with the Planning and Zoning Division. In considering an application for a waiver the Zoning Administrator or designee shall review the application based on the following standards of review;
      - a. Access and Traffic; pedestrian, bicycle and vehicular circulation
      - b. Screening, Buffering and Landscaping provisions
      - c. Design Review guidelines
      - d. Impact on public utilities
      - e. Impact on adjoining properties
      - f. Impact on the native vegetation and ecological character of the site
      - g. Any other factors necessary to assure that the proposed use is compatible and not detrimental to the surrounding land uses.

6. The Zoning Administrator, or designee, may disapprove or approve with conditions an application for a waiver of the 12 month maximum use requirement. The conditions may include, but are not limited to:
  - a. Limitations on size and location/placement or number of Mobile Storage Units
  - b. Requirements for additional landscaping, screening or buffering
  - c. Duration of the waiver
  - d. Mitigation of **any** adverse impacts
  
- C. 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 may be white or off-white or may be painted to match the building exterior or complement the surroundings. Units may not display markings or advertisements and shall be maintained free of rust, graffiti, and other visual nuisances.

#### Definitions 15-11

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.