

**19.58.445 – Portable Storage and Shipping Containers**

- A. Purpose and Scope. The purpose of this chapter is to establish minimum development standards for the placement and maintenance of portable shipping and storage containers within the City in order to maintain the aesthetic appearance of the city, preserve property values, and protect the public health, safety and welfare. These standards are in addition to Federal, State, and local laws and regulations. Wherever there is a conflict between this chapter and other laws or regulations, the more restrictive standard shall apply.
- B. Definitions. For the purposes of this Section, the following definitions shall apply:
- 1) “Portable storage container” means a container typically no larger than eight feet by eight and one-half feet by sixteen (16) feet, and, transported to a designated location for temporary storage purposes. Examples include, but are not limited to, Portable On Demand Storage (“PODS”) and U-Haul “U-Box” containers.
  - 2) “Shipping container” means an industrial, portable vessel typically not greater than forty (40) feet in length, intended for the large-scale shipping or transportation of goods or commodities, and generally designed to be mounted on a rail car, truck, or ship.
- C. Allowed uses. The use of portable storage containers and shipping containers shall comply with the regulations applicable to the zoning district in which they are used. Failure to abide by these regulations shall be subject to fine and nuisance abatement pursuant to Chapter 1.30.
- 1) Residential Districts (R districts).
    - a. Shipping containers shall not be allowed in any residential zoning district, except in conjunction with active construction permit.
    - b. Portable storage containers shall be permitted in any residential zoning district if only confined solely within an existing driveway, or, within the public right-of-way with an approved temporary encroachment permit.
  - 2) Commercial Districts (C districts).
    - a. Shipping containers shall be permitted as an accessory use in the C-T and C-C zones, subject to the standards set forth in this Section.
    - b. Portable storage containers shall be permitted in any commercial zoning district, including the C-T and C-C zones, subject to the standards set forth in this Section.
  - 3) Industrial Districts (I zones).
    - a. Within the I-L and I zones, shipping containers shall be permitted by right as either an accessory use, or, a principal use with an approved Design Review Permit, subject to the standards set forth in this Section.
  - 4) Other Districts Not Specified. Shipping containers and portable storage containers are prohibited unless expressly allowed.

E. Vacant Properties. Shipping containers and portable storage containers shall not be allowed on otherwise vacant parcels in any zoning district except when used in conjunction with construction executed in compliance with an approved construction permit from the City, placed on the same parcel as the construction, and subject to standards set forth in this Section.

F. Notwithstanding any other provision of this chapter, shipping containers and portable storage containers used by the city for a municipal purpose shall not be subject to the standards of this chapter. Such shipping containers and portable storage containers should be located and appropriately screened to minimize visual impacts on the community.

G. Existing shipping containers that are placed on municipal properties with the express permission of the underlying land owner(s) as of the effective date of this chapter shall be considered a legal nonconforming use and allowed; provided, however, owners of such a container shall screen the container from the public right-of-way as best as possible. Examples include decorative fencing or landscaping, painting a mural on the container, or relocating the container.

H. Development Standards – Portable Storage Containers. Use of portable storage containers shall be subject to the following limitations and approval of a temporary use permit from the city.

- 1) Frequency. No more than one portable storage container shall be placed on a single lot or parcel of land within a residential zone.
- 2) Location. Portable storage containers shall be placed on private property, and not within the public right-of-way. If the subject property does not have a driveway, a portable storage container may be placed in the public right-of-way with an approved temporary encroachment permit.
- 3) Duration. Portable storage containers placed on private property shall not remain longer than thirty (30) consecutive calendar days. Portable storage containers placed within the public right-of-way with an approved temporary encroachment permit shall not remain longer than fourteen (14) consecutive calendar days. Under no circumstances may a portable storage container be allowed on the same lot or parcel for more than ninety (90) total days in a calendar year.
- 4) Use. Portable storage containers shall only be used for the storage of goods, materials, equipment, or property. Portable storage containers shall not be used to store or transport hazardous materials or substances, including, but not limited to, the following: solid waste, hazardous materials, explosives, or unlawful substances or materials. Non-storage use of portable storage containers is not allowed.
- 5) Permittee Responsibilities. The permittee shall be responsible for ensuring that the portable storage container is removed in a safe manner and that no debris or materials remain on or around the portable storage container site.

I. Development standards—Shipping containers. Use of shipping containers shall be subject to the following limitations.

- 1) General Standards.
  - a. Use. Shipping containers shall only be used for the storage of goods, materials, equipment, or property associated with the principal use of the parcel on which the container is located. Shipping containers shall not be used to store or transport

hazardous materials or substances, including, but not limited to, the following: solid waste, hazardous materials, explosives, or unlawful substances or materials. Non-storage use of shipping containers as a principal use within an industrial zone may be allowed if approved pursuant to this Section.

- b. *Maximum Height.* If not stacked, shipping containers shall not exceed nine (9) feet in height. Stacked shipping containers shall not be more than two containers high, or a maximum of twenty (20) feet, and placed on a surface that can withstand its weight.
- c. *Location.* Shipping containers shall be placed on the parcel and proximate to other structures on the parcel pursuant to fire code regulations and this Code, including setbacks from property lines and other location requirements for accessory structures. The Zoning Administrator shall review and approve any changes to setbacks if the applicant can establish that such use will not be detrimental to the community welfare or safety of the property and surrounding uses.
- d. *Signage.* No advertising is allowed on or otherwise in conjunction with a shipping container. The exception to this is if the manufacturer's name is printed on the container.
- e. *Exterior Façade.* Shipping containers shall not display signage beyond that required by law and shall be kept free of graffiti. Any graffiti shall be removed within seven calendar days of discovery.

2) Commercial Districts.

- a. *Frequency.* A maximum of two containers on a single lot or parcel of land. Stacking is prohibited.
- b. *Buffer from Residential Districts.* Shipping containers shall not be located within three hundred (300) feet of an existing residential district.
- c. *Screening.* Shipping containers shall be fully screened from public view. Screening may include, but is not limited to, walls or solid fencing, or fast-growing landscaping.

3) Industrial Districts.

- a. *Frequency.*
  - i. *Principal Use.* Where the principal use of the parcel is a business that sells, leases, or places shipping containers at locations and does not provide on-site storage of goods or commodities as a service there is no frequency limit, provided the shipping containers meet the standards set forth in this Section. Stacking is permitted with height not to exceed twenty (20) feet.
- b. *Accessory Use.*
  - i. *A shipping container shall not be allowed as an accessory use on a single lot or parcel that is less than one acre.*

- ii. No more than fifteen (15) shipping containers shall be allowed as an accessory use on a single lot or parcel that is greater than one acre. Stacking is permitted with height not to exceed twenty-five (25) feet.
- iii. A parcel may contain more shipping containers than permitted by obtaining a conditional use permit, and approval by the Planning Commission, who, when approving such permit, shall make the following findings:
  - A. The shipping containers shall not pose a threat to the public health, safety, or welfare due to their placement, frequency, or condition.
  - B. The shipping containers shall be placed in accordance with fire and building code standards.
  - C. The shipping containers are, and shall remain, in good repair such that no container, due to its structural condition, contents, immediate surroundings, or other condition, contributes to visual blight or nuisance conditions.
  - D. The applicant shall reduce any potential for visual blight or nuisance conditions and shall implement and maintain those improvements at all times. Such improvements may include any enhancements deemed acceptable and appropriate by the City.
- iii. Setbacks. Stacked shipping containers shall be placed at least one hundred and fifty (150) feet from any public right-of-way. Non-stacked shipping containers shall be placed at least one hundred (100) feet from any public right-of-way.
- iv. Buffer from Residential Districts. Shipping containers shall not be placed within five hundred (500) feet of any residential district.

J. Temporary use of shipping containers. Shipping containers shall be allowed in all zones on a temporary basis subject when utilized during construction operations for the parcel, pursuant to an approved construction permit, and, when utilized solely for the storage of supplies and equipment used for such construction operations. Removal of the container shall occur either upon occupancy of the building or expiration of the construction permit, whichever occurs first.

K. Nonconforming uses—Portable storage and shipping containers.

- 1) Unless otherwise provided by this chapter, all illegal, nonconforming uses of shipping containers and portable storage containers within the city as of the date of the adoption of this chapter are prohibited and may be subject to citation, fine, or abatement pursuant to Chapter 1.30, or other civil or criminal penalties.
- 2) A shipping container constructed or placed prior to the date of adoption of this chapter shall be allowed to continue provided that the shipping container meets the following conditions:
  - a. The shipping container is on a parcel in an industrial zone.

b. The shipping container, nor use of the container, is not modified, increased, enlarged, or extended beyond that in existence on the date of adoption of this chapter.