

Pender County Planning and Community Development

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MEMORANDUM

To: Pender County Planning Board

From: Planning Staff

Date: July 1, 2014, Tabled till August 5, 2014

RE: Discussion Items— Portable Storage Containers

Planning Board members,

Per your request at the Planning Board meeting on June 3, 2014, staff has prepared and will be presenting to you information on Portable Storage Containers. Below, you will find Pender County's current definition of portable storage containers, issues that have recently arisen, and questions to be considered. Three attachments have also been included. Attachment A contains an excerpt from Pender County's UDO containing the Portable Storage Container section. Attachment B contains an overview of how counties and municipalities within North Carolina address Portable Storage Containers. Attachment C contains example images of portable storage containers.

Portable Storage Container (Pender County UDO definition):

A container designed to store personal property which is typically rented and intended to be delivered, temporarily used, and removed by truck. Portable storage containers shall not be used as an accessory structure or dwelling and shall not impede access or create a public safety hazard. This includes PODS, shipping containers, and other portable self-storage units.

Issues with the Current Standards for Portable Storage Containers

- Portable storage containers are not permitted by ordinance as permanent storage buildings.
- Use of portable storage containers as permanent storage buildings is prevalent throughout Pender County in both residential and commercial districts.

Questions to Consider

- Should the UDO be amended to permit portable storage containers as permanent storage buildings?
- If permitted, should they be permitted in both commercial and residential districts?
- Should setbacks and buffers be required?
- Should portable storage containers be permitted as dwellings? Under what circumstances?

ATTACHMENT A—

Current Pender County UDO Standards for Portable Storage Containers

§ 5.3.12.G Portable Storage Containers

- 1) A portable storage container may be placed for fifteen or less consecutive days in any twelve month period without issuance of a permit in all zoning districts, except Environmental Conservation.
- 2) All portable storage containers located on private property to be placed for sixteen or more consecutive days must apply for and obtain a permit. Each individual shall submit a complete application, site plan, and fee for review and approval by the Administrator or their agent.
- 3) All portable storage containers located in the front or side yard must be placed in an area primarily used for vehicular access such as a driveway or other paved surface.
- 4) All containers must adhere to the minimum setbacks for the zoning district when possible and must be five (5) feet from all other structures.
- 5) No portable storage container shall be greater than twenty (20) feet in length, eight (8) feet in width, or eight (8) feet in height.
- 6) More than one portable storage container shall be allowed on a single lot as long as the total square footage of all containers does not exceed 160 square feet.
- 7) Stacking of portable storage containers shall not be permitted.
- 8) No sign shall be attached to a portable storage container other than the provider's contact information.
- 9) Portable storage containers shall be allowed no more than two (2) times on a lot for a period no longer than 60 days within a twelve (12) month period when the following items are met. A longer extension may be granted for portable storage containers located in all nonresidential districts, excluding Environmental Conservation, up to 180 days within a twelve (12) month period approved by the Administrator when the following items are met:
 - a) The principal structure is damaged and dilapidated and is undergoing repairs, reconstruction, or renovation.
 - b) A building permit has been issued for the repairs, constructions, reconstruction, or renovation, if required, and is valid throughout the extension.

ATTACHMENT B—

Samples from Ordinances of Counties/Municipalities throughout North Carolina

- **New Hanover County**

Allows Portable Storage Containers as accessory structures where accessory are permitted. No buffering required. Must meet minimum setback and separation requirements.

- **City of Wilmington**

Sec. 18-302. Shipping containers permanent off-chassis and on-site.

Shipping containers shall only be permitted as permanent storage buildings when each of the following conditions are met:

(a)Permanent use is restricted to the following commercial zoning districts: Community Business (CB), Regional Business (RB), and Commercial Services (CS).

(b)Permanent shipping containers shall not be permitted as a principal building.

(c)A maximum of one (1) permanent shipping container per site shall be permitted on lots of one (1) acre or less. One (1) additional permanent shipping container per acre may be permitted for lots greater than one (1) acre.

(d)Permanent shipping containers shall not be stacked vertically.

(e)Permanent shipping containers shall be maintained in good condition free from structural damage, rust, and deterioration. Containers shall be painted tan, brown, dark forest green, or light gray.

(f)Permanent shipping containers shall be used for storage purposes only.

(g)No signs or lettering shall be permitted on permanent shipping containers.

(h)All permanent shipping containers shall be screened from view from any public right-of-way or private street, and any residential use or residential zoning district. Screening shall be accomplished by a wooden privacy fence or a brick or stucco screen wall at a height no greater than or less than seven (7) feet. The exterior of the fence or wall shall be lined with foundation plantings that reach a minimum of three (3) feet in height at maturity and spaced appropriately for the species which must be listed in the "Approved Plantings List" in the city's Technical Standards [and Specifications Manual].

(i)Permanent shipping containers shall meet all building setback requirements and shall be located on the rear half of the lot.

(j)Permanent shipping containers shall not be permitted in any parking areas, required buffers or setbacks.

(k)No permanent off-chassis shipping containers shall be permitted in loading areas.

(l)Permanent shipping containers shall not be permitted to be rented or leased to a use not located on the same lot.

(m)Permanent shipping containers shall not exceed the dimensions of forty (40) feet in length, eight (8) feet in width, and ten (10) feet in height.

(n)Businesses shall submit a site plan showing any permanent container and its relationship to the overall site. The plan shall indicate how the container meets all permanent requirements, including stormwater, traffic circulation, screening requirements, other development codes and technical standards, and inspection requirements.

- **Brunswick County**

A residential/personal/non-commercial storage structure shall be a stand-alone structure for the sole personal/non-commercial use of the property owner on which the structure is located.

The structure may be used for the storage of personal items only and may not be used as a dwelling; and is subject to the following additional requirements:

1. Permitted in the Rural Low Density Residential (RR) Zoning District only.
2. Meets all setback requirements for residential uses;
3. Must be placed on the parcel in such a manner that at such time the structure becomes an accessory to a primary structure, it is compliant with all of the requirements for accessory structures, consistent with Section 5.4.1. of the UDO;
4. May not exceed the height limit for the zoning district in which it is located;
5. For one (1) Stand-Alone Residential/Personal/Non-Commercial Storage Structure for lots up to one (1) acre, two (2) Stand-Alone Residential/Personal/Non-Commercial Storage Structures for lots greater than one (1) acre up to ten (10) acres and one (1) additional Stand-Alone Residential/Personal/Non-Commercial Storage Structure for each additional ten (10) acres of lot size beyond ten (10) acres; and
6. Use of a travel trailer, recreational vehicle (RV), or any type of camping as an accessory use shall be prohibited. No RV or travel trailer shall be permanently connected to public or private utilities.

- **Town of Elkin**

Converted Storage Unit (CSU): defined as any storage container/vehicle not originally designed or built for storage and shall include trailers originally maintained with wheels and axels; buses; cars; vans; trucks; portable boxes; shipping containers; and any other similar unit. CSU's may not be permitted in any residential zone, except on a temporary basis for "moving in", "moving out", or construction projects, including re-model. The zoning enforcement officer shall issue a permit for these limited uses, which permit shall set forth the maximum permitted time, the CSU may be present on the property. There shall be a \$20.00 charge for this permit.

CSU's in Commercial zones shall be permitted only as follows:

- 1) A maximum of two CSU's shall be permitted on any commercial property for use as non-retailing storage of inventory or goods. These CSU's shall be located at the rear of the buildings; or, if located in the side, must be screened from view of the fronting street; shall be located on a paved or gravel surface, and shall not be in an area of "Approved parking spaces". These permits shall be \$100.00 for each CSU and shall be for a maximum of 90 days; but may be renewed for an additional 90 days for additional \$300.00 permitting fee, for each CSU. (In accordance with current fee schedule)
- 2) Construction trailers and "construction trash dumpsters" shall be exempt from permitting during demolition and construction. These trailers must be removed within ten (10) working days of construction completion or issuance of final Certificate of Occupancy (C.O.). If not removed after ten (10) days, they must be permitted
- 3) Utility trailers used by businesses for storage and sale of seasonal merchandise which are not expected to remain on the property in excess of two weeks; and, utility trailers used to collect used goods, donations, and equipment which are not expected to remain stationary in excess of two weeks shall be exempt from permitting.
- 4) CSU's shall be allowed without permitting on industrial property (M-1 and M-2 Districts) subject only to "screening" requirements from residential and commercial zones set forth in other sections of this ordinance.

- **Stokes County**

A portable on-site storage unit is any container designed for the storage of personal property and for transport by commercial vehicle that is typically rented to owners or occupants of property for their temporary use. A portable on-site storage unit is not a building or structure. Road trailers intended for highway use, mobile homes and camper trailers are not permitted as

temporary storage units. **Temporary Storage Trailers are not to be set up as permanent structures.** Electrical service, plumbing fixtures or mechanical service is not permitted on temporary storage units. Time limit is one (1) year.

- **City of Roanoke Rapids**

The following activities shall not be regarded as accessory to a residential principal use and are prohibited in residential districts: The parking and or storage of motorized and non-motorized vehicles in excess of 10,000 pounds gross vehicle weight, tractor trailers and semi-trailers (in tow or detached) in all residential districts except for loading and unloading purposes. **No tractor trailer or semi-trailer shall be allowed to be used as a storage facility or accessory building in any residential district.** Nothing herein shall be construed as to prohibit the parking and/or storage of personal utility trailers and recreation vehicles including but not limited to homes, vans, campers, travel trailers, in residential districts.

- **Montgomery County**

Defines a building as any structure enclosed and isolated by exterior walls constructed or used for residence, business, industry or other public or private purposes, or accessory thereto, and including tents, lunch wagons, dining cars, trailers, free standing billboards, and signs and similar structures whether stationary or movable. **"Based on our definitions, I would treat a cargo trailer the same as I would a storage building. It would require a zoning permit and perhaps a building permit as the size is over 12' in any direction. I couldn't really prevent the trailer from being used as a storage building however."**

- **Burke County**

Regulates semi-truck trailers through abandoned vehicle/nuisance ordinance and are only allowed as long as they are road worthy. At minimum, they must display a valid registration. DMV requires inspections and insurance on these vehicles to be maintained prior to issuance of a registration plate. "The way we see it, if they got through the trouble of getting DMV to permit them each year, we will allow them to stay unless they deteriorate to the point of being considered a junk vehicle."

- **City of Burlington**

Large Vehicles: The parking and/or storage of motorized and non-motorized vehicles in excess of 10,000 pounds gross vehicle weight shall be prohibited in all residential districts except for loading and unloading purposes; for emergency home service; for use in the conduct of a legal non-conforming use; for temporary construction purposes; or for bona fide agricultural purposes. **No apparatus designed to be used as a motor vehicle or designed to be towed by a separate motorized unit or vehicle shall be allowed to be used as a storage facility or accessory building in any residential district.** Nothing herein shall be construed so as to prohibit the parking and/or storage of personal recreational vehicles including but not limited to motor homes, vans, campers, travel trailers, etc., in residential districts.

ATTACHMENT C—

Examples Images of

PORTABLE STORAGE CONTAINERS

PODS (moving container)



Shipping Container (Conex box)



Semi Trailer (tractor trailer)

