

SUBJECT: Proposed text amendments for various sections of the Cincinnati Zoning Code regulating Portable Storage Containers.

PURPOSE:

To obtain approval from the City Planning Commission (CPC) on text amendments related to portable storage containers.

PROPOSED TEXT AMENDMENT:

§1401-01-P14 Portable Storage Container

“Portable Storage Container” means any container designed for the storage of personal property of a non-hazardous nature which is typically rented to owners or occupants of property for their temporary use and which is delivered and removed by truck.

§ 1401-01-P~~14~~15**. Preexisting.**

“Preexisting” means in existence prior to the effective date of this zoning code or amendments thereto (as in nonconforming use).

Renumber definitions P14 through P24 to accommodate the new definition for Portable Storage Container.

§1419-24 Portable Storage Containers.

- (a) **Location.** Portable storage containers must be located on a paved surface and be setback a minimum of ten feet from the front lot line.
- (b) **Maximum Size.** The maximum size for a portable storage container is 8 feet by 16 feet with a maximum height of 8 feet 6 inches.
- (c) **Time Limitation.** Portable storage containers are permitted for a maximum of 30 consecutive days within a calendar year.
- (d) **Number Permitted.** Two portable storage containers may be placed on a lot at the same time.

“Portable Storage Containers” must also be added to the accessory uses section of each district’s Use Schedule except the DD district, and to Schedule 1445-07, List of Allowable Special Exceptions.

§ 1445-07. Authority to Grant Variances, Special Exceptions and Conditional Uses.

The Zoning Hearing Examiner may grant variances, special exceptions and conditional uses, in accordance with the procedures and standards enumerated in this Chapter.

- (a) **Variances.** The examiner may not grant a variance that is greater than the minimum necessary relief demonstrated by the applicant or authorizes a change in use that would permit a use contrary to the use regulations of the applicable zoning district.
- (b) **Special Exceptions.** The examiner may consider applications only for those special exceptions specifically listed in Schedule 1445-07, List of Allowable Special Exceptions.
- (c) **Conditional Uses.** The examiner may, in accord with regulations applicable to the district in which the subject property is located, approve uses listed as conditional uses in the schedule of use regulations for a district or for a category of zoning districts. Conditional uses are also subject to the special provisions of the district use regulations in those districts where such conditional uses are authorized.

Schedule 1445-07: List of Allowable Special Exceptions

Standard	Chapter or § Reference
Building Placement Requirements	§ 1409-19, 1409-21
Commercial Continuity	§ 1411-17
Ground Floor Transparency	§ 1409-23, 1411-21
Location of Parking	§ 1409-25, 1425-15
Additional Development Regulations	Chapter 1419
Landscaping and Buffer Yards	Chapter 1423
<u>Portable Storage Containers</u>	<u>§1419-24</u>
Parking Lot Landscaping	§ 1425-29
Parking Lot Screening	§ 1425-27

(*revised 7/22/05 by Ordinance #257-2005)

JUSTIFICATION:

Portable Storage Containers can be misused as permanent storage. The Zoning Text Amendment Committee determined that the containers should be permitted but should be regulated in order to prevent them from becoming a nuisance, especially in residential districts.

PUBLIC STAFF CONFERENCE:

A Public Staff Conference was held on February 13, 2008. Comments received recommended changing the language in part (c) Time Limitation as follows: “a total of 30 days” instead of “a maximum of 30 consecutive days”. It was recommended to change the language “maximum” to “total”.

Another comment was made that it should allow two periods per year not exceeding a total of 30 days per year and any continuous period should be 14 days or the standard minimum contract period offered by the storage unit companies. The rationale behind

this comment was if one were remodeling, one would need to load their belongings and remove the portable storage container, then later return the portable storage container to unload. A concern expressed was that during this process, they would have to wait a year to return their belongings after remodeling.

RECOMMENDATION:

The City Planning Department staff recommends that the City Planning Commission approve the text amendment as written.

RESPECTFULLY SUBMITTED BY:

Alex Peppers, Intern, City Planning Department

REVIEWED BY:

Margaret A. Wuerstle, AICP, Chief Planner
City Planning Department

12/13/07, 1/10/08
ZTAC

APPROVED:

Charles C. Graves, III
Director, City Planning Department