

Ordinance No. 805

**An Ordinance Amending Title 17, Chapters 17.02 and 17.04 of the City Of Anderson
Municipal Code (Zoning Ordinance) By Adding Provisions Governing the Use of
Temporary Storage Containers and Structures**

WHEREAS, California State Law has delegated the responsibility to municipalities to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Anderson General Plan has established the obligation of the City Council to implement the following land use goals (GG) for the 2007-2027 General Plan which are directly related to the purpose and need for the proposed ordinance:

1. GG-1. Enhance the physical, social, economic and environmental stability of the City of Anderson by maintaining orderly growth and physical development while ensuring the continuity of the City's "small town" atmosphere;
2. GP-9 The City will promote the character and value of existing neighborhoods and historical structures; and
3. GP-10 Discourage development that results in land use incompatibility.

WHEREAS, pursuant to State Law, this amendment to the City of Anderson Zoning Ordinance has been reviewed and recommended by the City of Anderson Planning Commission at a noticed Public Hearing on January 23, 2017; and

WHEREAS , the City Council held a public hearing on February 21, 2017, and said hearing was noticed on February 9, 2017 in the Record-Searchlight a paper of general circulation as required by State Law; and

WHEREAS, the City Council of the City of Anderson after due consideration following the close of a public hearing concurs with the recommendation of the Planning Commission; and

WHEREAS, the project has been reviewed pursuant to the California Environmental Quality Act, and the City Council has determined based on the information in the record that the proposed ordinance amendment is an "Exempt" project pursuant to California Environmental Quality Act Guidelines Section §15061(b)(3).

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Anderson that the City of Anderson Zoning Ordinance, Title 17 be amended as herein contained and set forth below:

Section 1. Chapter 17.04, *Definitions*, be amended by adding the following defined terms and phrases:

Section .763 TEMPORARY STORAGE STRUCTURES: A portable storage unit that does not have a permanent foundation or footing and which includes cargo containers, portable storage containers, truck trailers, construction trailers, and bulk solid waste containers. Such structures shall not be considered a building unless placed on a permanent foundation, connected to electrical, water, sewer or any other utility services. Temporary storage structures shall include any of the following:

- (a) CARGO CONTAINER: A container intended for multi-modal transportation via sea going vessel, train, and truck-trailer. These containers are self-contained without axles or wheels.
- (b) PORTABLE STORAGE CONTAINER: A self-storage container that is delivered to and retrieved from a home or business for off-site or on-site storage. Portable Storage On Demand or PODS are a familiar trade name for such containers. These containers are not on a chassis and do not have axles or wheels.
- (c) SEMITRAILER STORAGE: A mobile trailer with a chassis, axles, and wheels that is towed by a truck or tractor and is utilized for the storage and/or transport of material. Such trailers shall not exceed fifty-three (53) feet in length.
- (d) CONSTRUCTION TRAILER/CONTAINER/PORTALBLE STRUCTURE: A trailer, portable temporary container, or portable structure with or without axles and wheels intended to support construction activity at a site with an active building permit.
- (e) BULK SOLID WASTE CONTAINER: A container intended for construction waste material or other refuse, for the purpose of removing said material from a site.

Section 2. That the following new **Section 17.02.112** shall be added to the City of Anderson Zoning Ordinance in its entirety:

17.02.112. Use of Temporary Storage Structures. Temporary storage structures are intended to provide temporary storage of household goods on residential property and business specific goods on professional, commercial, or industrial used and/or zoned lands. Such temporary structures shall not interfere with the normal operation of the established use on the property, and are subject to the following requirements:

A) Permit Required: Placement of a temporary storage structure of any kind is subject to the following permitting requirements:

1. **Agricultural, Public, Commercial and Industrial Districts**: A valid Building permit is required for temporary use of such containers on property zoned Agricultural, Public, Commercial or Industrial use. An Administrative Use permit shall be obtained prior to the permanent placement of any temporary storage structure on property zoned Agricultural, Public, Commercial or Industrial.
2. **Residential Districts**: A valid building permit shall be obtained prior to the placement of any temporary or portable storage container on any residentially zoned property designated R-E, R-1, R-2, or R-3.

B) Temporary Storage Standards: The following standards shall apply to all temporary storage structures:

1. **SIZE**: Temporary storage structures shall not exceed 10 feet in width and 10 feet in height, and shall not exceed fifty-three (53) feet in length when located in Agricultural, Public, Commercial and Industrial Districts. Temporary storage structures shall not exceed 10 feet wide by 10 feet high by 20 feet in length in Residentially zoned areas, except in cases where an Administrative Use Permit has been obtained authorizing a modification to this standard.
2. **LOCATION**: Temporary storage structures shall not be located in required drive isles or landscape areas, and shall meet the required front, rear, street side, and side yard setback of the district where they are located, except that a temporary storage container may be placed on a residential driveway where setback a minimum of 5 feet from the property line, and where such container does not create a safety hazard for pedestrians or vehicles entering or exiting the site. No temporary storage structure shall be located on any property so as to interfere with traffic visibility, and no temporary storage structure may be placed in the public right-of-way without issuance of an encroachment permit by the Public Works Director.
3. **NUMBER**: There is allowed a maximum of two (2) temporary storage structures per site on Agriculture, Public, Commercial and Industrially zoned properties, and one per site on Residentially zoned property, except where an Administrative Use Permit has first been obtained authorizing a greater number.
4. **TERM OF USE**: The use of temporary containers shall be limited to no more than sixty (60) days in a calendar year on a property where a valid building permit has

been issued for substantial construction; or an Administrative Use Permit has been granted in the case of property zoned Agricultural, Public, Commercial or Industrial authorizing a longer period. Such containers shall be removed within one (1) week of the demolition or building permit expiration, the issuance of a Certificate of Occupancy, or the issuance of a Certificate of Completion on the property. In the event the owner of the property suffers a catastrophic loss due to fire, flood, or other physical calamity, the owner shall obtain a demolition permit and/or building permit prior to the placement of the temporary storage structure. Requests for extensions of time for use of temporary storage may be granted in writing by the City Manager or designee, where it can be determined with certainty that such extension is necessary to support the reasonable completion of the project. In no case shall such extension(s) exceed one year.

5. **BULK SOLID WASTE CONTAINERS:** Bulk solid waste containers may be used in all districts where a building permit has been issued. Such containers shall be set back a minimum of five (5) feet from side and rear property lines and ten (10) feet from front property lines. Such container used in conjunction with a demolition permit or building permit shall be removed prior to the demolition or building permit expiration, the issuance of a Certificate of Occupancy, or the issuance of a Certificate of Completion.

Bulk solid waste containers may also be used for the removal of miscellaneous waste without a demolition or building permit. In this case, the use of such containers shall be limited to no more than thirty days in any calendar year and the containers shall comply with the location standards set forth in this ordinance for temporary storage containers.

Section 3. This ordinance shall take effect 30 days after the required public hearing and its final passage, the welfare of the City of Anderson requiring it.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Anderson held on February 21, 2017, and enacted at a regular meeting of the City Council of the City of Anderson held on March 7, 2017, by the following vote:

AYES: Councilmembers Hunt, Baugh, Neutze, Comnick, and Mayor Browning.
NOES: None.
ABSENT: None.
ABSTAIN: None.


Baron Browning, Mayor of the City of Anderson

ATTEST:


Juanita Barnett, City Clerk