



Planning Commission Staff Report

Planning Commission Hearing December 19, 2016

Project Title: Development Code Text Amendment (TAZ 16-04)

Request: A public hearing to consider creating a new chapter in the Development Title regulating and setting standards for the placement of metal shipping containers and construction dumpsters within the City of Ripon.

Location: Corporate City Limits

Planner: Ken Zuidervaart, Director of Planning

Discussion:

At the Planning Commission's October meeting there was a presentation regarding establishing regulations and standards pertaining to the placement of Cargo Containers and Construction Dumpsters within the City of Ripon. At that meeting input was received from the Planning Commission regarding standards and regulations, however most importantly there was a desire from the Planning Commission to move forward with composing a draft ordinance.

Staff, has put together the attached proposed draft ordinance which would regulate and provide standards for Cargo/Storage Containers and Construction Dumpsters within the City of Ripon.

Findings:

1. That the proposed provisions are consistent with the goals, objectives, policies and programs of the City of Ripon General Plan.

Environmental Analysis:

In accordance with the California Environmental Quality Act and the Guidelines, this project has been determined to be exempt from CEQA review, pursuant to CEQA Guidelines Section 15061 (b) (3).

Recommended Action:

Should the Planning Commission agree with staff's recommendation, one of the following motions would be appropriate:

- 1 “The Planning Commission recommends that the City Council approve the creation of Chapter 16.146 – The Cargo Container, Storage Container and Construction Dumpster Ordinance in its current proposed draft format, based on the findings in the staff report.”; or
- 2 “The Planning Commission recommends that the City Council approve the creation of Chapter 16.146 – The Cargo Container, Storage Container and Construction Dumpster Ordinance with modifications to the proposed draft (please state desired amendments), based on the findings in the staff report.”; or
- 3 “The Planning Commission directs staff to provide more input on certain aspects of the proposed ordinance and reschedule the public hearing and review of the proposed ordinance for the next available Planning Commission Meeting.”

General Application Information:

- Owner/Applicant: City of Ripon
- Application#: TAZ 16-04
- GP Designation: N/A
- Zoning: N/A

Attachments:

- A. Proposed Chapter 16.146 – Cargo Containers, Storage Containers and Construction Dumpsters
- B. Public Notices

Chapter 16.146

Cargo Container, Storage Container and Construction Dumpsters

Sections:

- 16.146.010 Purpose
- 16.146.020 Definitions
- 16.146.030 Cargo/Storage Container Standards by Districts
- 16.146.040 Construction Dumpster Standards for Residential Districts
- 16.146.050 Miscellaneous Cargo/Storage Container and Construction Dumpster standards:

16.146.010 Purpose

It is the purpose of this Chapter to establish minimum development standards for the placement of metal shipping containers (cargo containers), storage containers and construction dumpsters within the City of Ripon and limit the use of these containers in residential zones and address requirements in other zones.

16.146.020 Definitions

Cargo Container: An industrial, standardized reusable metal vessel that was originally, specifically, or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities by commercial trucks, trains and/or ships. A cargo container modified in a manner that would preclude future use by a commercial transportation entity shall be considered a cargo container for purpose of this article.

Construction Dumpster: A large metal bin for refuse designed to be hoisted onto a specially equipped truck for emptying or hauling away.

Seasonal Events: Seasonal events include all the major holiday seasons as well as special

sales events and promotions that a company and/or business might be hosting.

Storage Container: A transportable unit designed and used primarily for temporary storage of building materials (before they are utilized for building purposes), household goods, and other such materials for use on a limited basis on a property.

Temporary Storage/Cargo Container: Storage and Cargo Containers meant for a temporary use as defined in this code. "PODS" fall under this category.

16.146.030 Cargo/Storage Container Standards by Districts

A. Residential Districts:

1. Number allowed:

a. One temporary cargo/storage container is allowed per residential lot with the issuance of a temporary cargo container/construction dumpster permit from the Planning Director prior to the placement of a temporary portable storage container.

2. Placement:

a. In the Driveway so long as it does not extend out and obstruct the sidewalk and shall be placed so that vehicle access to the garage remains accessible for at least one car (preferred placement); or

b. May be placed on the street in front of the residence, so long as the container does not block access to any driveway.

i. To maintain safe lines of site, container placement shall be at least 30 feet away from intersections and 10 feet away from any driveway and/or fire hydrants.

ii. If placed on the street, a Cargo container shall contain reflectors or reflective tape so as not to become a safety hazard for vehicles traveling on the street.

iii. If placed on the street, a Cargo container shall be placed a minimum distance of 6" from the curb to allow for gutter flow and

no more than 8-1/2 feet from the curb to the outside edge of the container for traffic safety.

3. Duration:

a. Cargo/Storage containers located at a residential property without an associated building permit is permitted for a period not to exceed fourteen (14) calendar days and not more than two (2) times in a calendar year.

b. Cargo/Storage containers located at a residential property with an associated building permit is permitted for a period not to exceed thirty (30) calendar days. Two (2) thirty (30) day extensions may be granted so long as the building permit is still open and valid.

B. Commercial, Office and Mixed Use Districts

1. Number allowed:

a. Two (2) temporary cargo/storage containers are allowed per business to support seasonal events with the issuance of a temporary cargo container/construction dumpster permit from the Planning Director

2. Placement:

a. The containers shall be located to the rear or other non-conspicuous areas of the site. The containers shall not be located within the front areas of the site or highly visible areas from the public way. Proposed location shall be depicted on the permit application.

3. Duration:

a. Cargo/Storage containers shall not be located on any site for more than 60 consecutive days and for no more than two (2) special events per year.

C. Industrial and Business Park Districts

1. Number allowed:

a. Cargo/storage containers are allowed on lots zoned industrial or Business Park for short term and long-term use.

i. There is no maximum, however the amount of containers shall not exceed the maximum lot coverage for the site, and shall meet all required setbacks for the zone that they are placed.

2. Placement:

a. Cargo/Storage containers shall meet the setback requirements of the industrial zoning district.

b. Cargo/Storage containers shall be reasonably screened from the public view.

3. Duration:

a. All cargo containers meant for long-term use shall be subject to a minor site plan permit from the Planning Department.

b. All cargo containers meant for temporary storage ninety (90) days or less shall be subject to the issuance of a temporary cargo container/construction dumpster permit from the Planning Director.

D. Public-Semipublic Districts and for Sports Fields located in the Commercial Recreation Districts. Cargo Containers may be used for storage purposes in conjunction with schools that maintain sports fields and school premises, and for parks, golf courses, governmental facilities, and other similar uses as determined by the Director.

1. Number allowed:

a. No limits on number of containers.

2. Placement:

a. The containers shall be located in a non-conspicuous location on the site and conform to the setbacks of the underlying zone, but no closer than ten feet to any exterior property boundary. Appropriate screening may be required, as determined by the Director.

3. Duration:

a. All cargo containers meant for long-term use shall be subject to a minor site plan permit from the Planning Department.

b. All cargo containers meant for temporary storage ninety (90) days or less shall be subject to the issuance of a temporary cargo container/construction dumpster permit from the Planning Director.

16.146.040 Construction Dumpster Standards for Residential Districts

A. Residential Districts

1. Number allowed

a. One construction dumpster is allowed per residential lot with the issuance of a temporary cargo container/construction dumpster permit from the Planning Director prior to the placement of a construction dumpster.

2. Placement

a. In the Driveway so long as it does not extend out and obstruct the sidewalk and shall be placed so that vehicle access to the garage remains accessible for at least one car (preferred placement); or

b. May be placed on the street in front of the residence, so long as the dumpster does not block access to any driveway.

i. To maintain safe lines of site, dumpster placement shall be at least 30 feet away from intersections and 10 feet away from any driveway and/or fire hydrants.

ii. If placed on the street, a dumpster shall contain reflectors or reflective tape so as not to become a safety hazard for vehicles traveling on the street.

iii. If placed on the street, a dumpster shall be placed a minimum distance of 6" from the curb to allow for gutter flow and no more than 8-1/2 feet from the curb to the outside edge of the dumpster for traffic safety.

3. Duration

a. Cargo/Storage containers located at a residential property without an associated building permit is permitted for a period not to exceed fourteen (14) calendar days and not more than two (2) times in a calendar year.

b. Cargo/Storage containers located at a residential property with an associated building permit is permitted for a period not to exceed thirty (30) calendar days. Two (2) thirty (30) day extensions may be granted so long as the building permit is still open and valid.

16.146.050 Miscellaneous Cargo/Storage Container and Construction Dumpster standards:

A. Cargo/Storage containers shall not be stacked on top of each other or upon any other structure.

B. Cargo containers shall not be modified by adding windows or electrical, plumbing or mechanical improvements, and shall be considered as non-habitable structures. The addition of roof-mounted ventilation turbines and the replacement or modification of the original doors shall be permitted, however such modifications are subject to the approval of the Building Official.

C. Containers shall be maintained in good condition and free of graffiti at all times.

D. Residential subdivisions during the buildout of their project are not required to obtain any temporary cargo container/construction dumpster permits for their project. The last house within the subdivision shall not receive their final inspection until all temporary cargo containers/construction dumpsters are removed from the project site.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that The City of Ripon Planning Commission will hold a public hearing on Monday, December 19, 2016 at 6:00 P.M. in the Council Chambers, 259 N. Wilma Avenue, Ripon, on the following matter:

ZONING TEXT AMENDMENT (TAZ16-04) for The City of Ripon - a public hearing on a request to consider amendments to Title 16 (Development Title) by adding a new Chapter to address the use of Cargo/Storage Containers and Construction Dumpsters in all zones. **This proposed amendment is not subject to CEQA review pursuant to CEQA Guidelines Section 15061(b)(3).**

PURSUANT TO SECTION 65009 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA, NOTICE IS HEREBY FURTHER GIVEN THAT IF SUCH PROPOSED AMENDMENTS ARE CHALLENGED IN COURT, SUCH CHALLENGES MAY BE LIMITED TO ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE PLANNING COMMISSION AT OR PRIOR TO THE PUBLIC HEARING.

ALL INTERESTED PARTIES will be given an opportunity to appear and be heard by the Planning Commission of The City of Ripon at said time and place pertaining to the above described matter.

CITY OF RIPON
Ken Zuidervaart, Director
Planning and Economic Development

Published: November 21, 2016