



Legislation Text

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AN ORDINANCE AMENDING SECTION 50-20.6 AND 50-40 RELATED TO SHIPPING OR STORAGE CONTAINERS.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 50-20.6, Temporary Uses, of the Duluth City Code, 1959, as amended, be amended as follows.

C ~~Temporary moveable storage container.~~ Storage or Shipping Container

1. ~~Temporary moveable storage containers~~ Storage or shipping containers shall must comply with the same UDC setback standards as for accessory structures, and shall not be located on any public right of way, or utility, pedestrian, or drainage easement, or on any required off-street parking, loading, or landscaping areas.

2. ~~Temporary moveable storage containers~~ Storage or shipping containers:

~~a(a) Are~~ allowed in the MU-B and MU-W district only if buffered and screened from adjoining property to the same extent as is required for a principle primary or accessory structures;

~~a(b) Are~~ allowed in the I-G or I-W districts without a requirement for buffering or screening;

~~a(c) Are~~ allowed in the RR-1, RR-2, R-1, R-2, and MU-N zone districts, but shall not remain on any property for more than 15 days in any calendar year;

~~a(d) Are~~ allowed in all other zone districts but shall not remain on any property for more than 45 days during any calendar year.

(e) Shall not be used for, or contain, any advertisement, and shall be painted a uniform color on all sides with no alpha-numeric writing or characters visible.

3 Storage or shipping containers shall not be used as permanent or semi-permanent storage or warehouse structures, or used to conduct business or commercial or similar activities, unless such storage or shipping container meets the following requirements:

(a) The exterior siding materials and color, the building form, and the roof design must be substantially similar in form and construction type as the principle building;

(b) The structure must meet all requirements of the Minnesota State Building Code;

(c) The structure must be installed on a concrete pad and permanently and immovably anchored to the concrete;

(d) No shipping container may be stacked upon another shipping container; and

(e) Has been granted an approved zoning permit per 50-37.13.

(f) May be converted for permanent use as a principle or accessory dwelling, subject to the installation of windows and doors consistent with those typically found on residential structures, and compliance with applicable UDC and building code requirements.

34. Exceptions to the above standards:

(a)-Licensed and bonded contractors may use shipping containers for temporary storage housing of equipment and materials during construction projects only as expressly authorized by a City building, excavation, zoning, or obstruction permit.

(b) The Land Use Supervisor may grant extensions to the time limit listed in subsection 2 above, but in no case shall the duration exceed 180 days.

Section 2. That Section 50-40.19, Definitions, of the Duluth City Code, 1959, as amended, be amended as follows.

Storage or Shipping Container. A container placed outdoors and used for the storage or transport of goods, cargo, materials or merchandise, typically by container ships, by rail, or other types of transport, that are used in connection with a lawful principle or accessory use of the lot. This use includes, but is not limited to, containers such as semi-trailers, roll-off containers, slide-off containers, piggyback containers, shipping containers, and portable moving and storage containers.

Section 3. That Section 50-40.20, Definitions, of the Duluth City Code, 1959, as amended, be amended as follows.

~~Temporary moveable storage container. A container designed for the storage of property that is typically rented to owners or occupants of property, and that customarily is delivered and removed by truck. This includes metal shipping containers.~~

Section 4. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: This ordinance implements a minor text amendment related to accessory structures regulated by chapter 50 of the City Code, known as the Unified Development Chapter (UDC).

This proposed text change amends basic existing language related to shipping containers. The amendment clarifies basic requirements and uses more common language; instead of referencing temporary moveable containers, the amendment proposes to use the more universally understood term storage or shipping containers.

The planning commission held a public hearing and considered the changes at a regular November 9, 2021, planning commission meeting. Following discussion, the commission voted with 7 yeas, 0 nays, and 0 abstentions, to recommend that the city council approve the text change to the Unified Development Chapter of the City Code.