PLANNING COMMISSION
PAYNESVILLE CITY HALL COUNCIL CHAMBERS
APRIL 4, 2016
6:00 P.M.

AGENDA

I. CALL TO ORDER

II. CONSENT AGENDA
   A. Minutes (page 1)

III. NEW BUSINESS
   A. Variance Request – AMPI (page 4)
   B. Re-Zone Request – Fleischhacker & Bonine (page 14)
   C. Conditional Use Permit Request - Savage Land Partnership, LLC (page 18)

IV. OLD BUSINESS
   A. Member Vacancy (page 23)
   B. Storage Containers/Pods (page 24)

V. INFORMATIONAL
   A. Building Inspector Report (page 60)
   B. Next Meeting – Monday, May 2, 2016 at 6:00 p.m.

VI. ADJOURN

Please contact Renee Eckerly at 320-243-3714 ext. 227 or at renee@paynesvillemn.com if you can't attend the meeting.

Members: VACANCY, Darlene Loven, Ron Mehr, Bob McDaniel, and Neil Herzberg. Advisory Member: Renee Eckerly, City Administrator and Brad Mehlhop, Building Official

This agenda has been prepared to provide information regarding an upcoming meeting of the Paynesville Planning Commission. This document does not claim to be complete and is subject to change.

BARRIER FREE: All Paynesville Planning Commission meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall (320) 243-3714 early, so necessary arrangements can be made.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: April 4, 2016

Agenda Section: Consent

Originating Department: Administration

Item Number: II - A

ITEM DESCRIPTION: Minutes

Prepared by: Staff

COMMENTS:

Please review the minutes from the March 7, 2016 Planning Commission meeting.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve the minutes from the March 7, 2016 Planning Commission meeting

MINUTES
PLANNING COMMISSION

MARCH 7, 2016

Chairman Ron Mehr called the meeting to order at 6:03 p.m. Members present were Darlene Loven, Neil Herzberg, and Bob McDaniel. Also present were Brad Mehlhop; Building Official, JoLyn Lindquist; Social Media Specialist, and Tyler Wendroth. Renee Eckerly, City Administrator was absent.

Motion was made by McDaniel to approve the minutes of the February 1, 2016 Planning Commission Meeting. Seconded by Herzberg and unanimously carried.

VARIANCE REQUEST - WENDROTH

A Variance Application was submitted by Tyler & Rebecca Wendroth, 355 Augusta Ave., Paynesville, MN. The Wendroth's wish to remove the existing detached (non-conforming – currently only 2 feet off the south property line) garage that is currently accessed off of Mill St. and replace it with a new 32x32 detached garage to be accessed from the alley. Wendroth's are not able to meet the 30' setback off of the south property line/Mill St. right of way. The garage would be 9.5' off the south property line requiring a 20.5' setback variance. Wendroth's can meet the height and lot coverage regulations. The property is zoned R1-Residential.

Attorney Spooner has made a change to the format of approving/denying variances as it will require both the Planning Commission and Board of Adjustment to give some consideration and make some findings regarding their thoughts before acting.

Tyler Wendroth spoke about his variance request at 355 Augusta Avenue. Wendroth informed the members that he needs to remove the existing garage because he cannot insure it. Wendroth stated the proposed garage is as big as he can build for lot coverage. The lot is long and narrow; therefore, he cannot meet the setback requirements. The proposed garage would enter onto the alley, making it safer than entering Mill Street.

Loven asked if the neighbors are in agreement that he needs a new garage. Wendroth said yes.

Mehr reminded the members that there is a new format for approving or denying variances. The members worked through the new format.

Motion was made by McDaniel to approve the Wendroth Report & Recommendation and recommend such to the City Council. Seconded by Herzberg and unanimously carried.

AMEND CITY CODE CHAPTER 4, SECTION 4.02 – BUILDING PERMITS REQUIRED

Motion made by Loven to approve Ordinance No. 153, 2nd Series amending section 4.02 Building Permits Required and recommend such to the City Council. Seconded by McDaniel and unanimously carried.

MEMBER VACANCY

Commission members discussed the interest in Nathan Rindahl becoming a member of the Planning Commission. It was noted by Mehlhop that it would make it easier for him to attend if the meeting time was changed to 5:00 p.m. The members discussed the possibility of changing the meeting time and all were in agreement that it would be fine. It was decided that if Rindahl were to accept the position the meeting time could be changed.

STORAGE CONTAINERS/PODS

Mehlhop reported that he had Googled what a conex box is. Wikipedia calls them an Intermodal container. Mehlhop stated that there is a company that has them commercially and rents them under the name "PODS". Mehlhop also Googled other communities for sample ordinances. Mehlhop took what he thought was useful to Paynesville and put it in his report. Loven asked if the City wants an ordinance to use them for storage and construction storage as she has seen them being used as housing.

Mehlhop stated that the pods should be available for use for construction. Mehr noted that they need to be regulated so that they are not used for permanent fixtures. Herzberg asked if they would be allowed in the Industrial Park. He expressed concern with having a lot with 100 of them, taking away from a potential manufacturer. The Commission will weigh whether or not to allow them to be stacked, allowed on streets, where to put them in relationship to buildings, and time limits. Herzberg expressed concern of having them in a vacant lot downtown. Mehlhop stated that some companies receive their freight by these types of boxes/pods. This item was tabled until next meeting.

INFORMATIONAL

Mehlhop reviewed the Building Inspection Report.

NEXT MEETING

The next meeting will be Monday April 4th, 2016 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 6:37 p.m.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: April 4, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: III - A

ITEM DESCRIPTION: Variance Request - AMPI

Prepared by: Staff

COMMENTS:

The City has received a Variance application from AMPI at 200 Railroad St. This is a 3-part Variance for height, setback and lot area coverage. This property is zoned I-2 Heavy Industrial. They wish to erect two silos with pads with the height of up to 65 feet. The height regulations for this property is 45'. In addition, they already have and will continue to exceed their 50% of lot coverage regulation. Furthermore, they will be extending the footprint of their structure southerly an additional 15.3 feet on the west side and an additional 15 feet on the east side toward Railroad Street, not meeting the front setback of 25 feet; only being 6.4 feet from the property line. The stairwell also extends further into the setback than the actual building only being 2.2 feet from the property line.

Please review the attached application and Report & Recommendation.

ADMINISTRATOR COMMENTS:

City Attorney, Bill Spooner is working on one correction (in paragraph number 2) within the Report & Recommendation. The revised document will be available at the meeting.

COMMITTEE/COUNCIL ACTION:

Motion to **APPROVE/DENY** the AMPI Variance Report & Recommendation and recommend such to the City Council.

CITY OF PAYNESVILLE
VARIANCE APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362
Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: Associated Milk Producers Incorporated

Contact Person: DuWayne Olson / Matt Quade

Address: 200 Railroad Street Paynesville MN 56362

Telephone No.: 320-243-3794 Parcel No.: 70.70461.000 70.39050.000

Legal Description: Lot: Block: Addition:

ZONE: I-2

Application Fee: $250.00
(non-refundable) These are the fees incurred per document: Advertising $48.00 (average), Recording $46.00 (actual), Postage $33.00 (average), Legal $123.00 (average), totaling $250.00.

EXISTING USE OF PROPERTY:
Manufacturing

IS THE VARIANCE NEEDED TO REPLACE AN EXISTING STRUCTURE OR ADD AN ADDITIONAL STRUCTURE? Add on to existing

IF REPLACING, IS THE EXISTING STRUCTURE NON-CONFORMING? N/A

DESCRIPTION OF REQUEST: (use separate sheet if needed)

DRAWING OF PROPOSED VARIANCE: (use separate sheet)

Application Must Include:
- ☐ A site plan showing existing lot lines and dimensions as well as lot area, all easements, all public streets, and private right of ways bordering and adjacent to the site, the use and location of all adjacent property.
- ☐ The specific feature or features of the proposed use, construction, or development that requires a variance.
- ☐ Specific provisions of Ordinance from which a variance is sought and the precise variance there from being sought.
- ☐ Statement of characteristics of the property that prevent compliance with the provisions of the Ordinance.
- ☐ Legal description from abstract.
- ☐ Any written or graphic data required by the City Administrator.

X DuWayne Olson Whey Supt. X 3/11/16

X Matt Quade Division Manager 3/11/16

All Property Owners Must Sign This Application Date

For office use only:
Application Fee: $250.00 (non-refundable)
For office use only: Cash Check No. 627980 Date Paid 3.24.16

Present To Planning Commission Date: 4-4.16
Board of Adjustment Public Hearing Date: 5.9.16 6:30pm

Board of Adjustment Set Public Hearing Date: 4.11.16
Board of Adjustment Makes Determination Date: 5.9.16.

PLANNING COMMISSION ACTION:
Recommended to Board of Adjustment Approved Denied Date:

BOARD OF ADJUSTMENT ACTION:
Approved Denied Date:

MAR 24 2016
Date Received In Office:
(Stamp)

LEGAL DESCRIPTION Parcel 70.70461.000
"EXHIBIT A"

All that part of the Soo Line Railroad Company right of way described as follows: Beginning at the intersection of the Northerly extension of the Westerly line of Washburn Avenue in HAINES ADDITION to the City of Paynesville, Minnesota, according to the recorded plat thereof, and on a line parallel with and 8.5 feet Southerly (measured at right angles) from the center line of said Soo Line Railroad Company Track No. 2; thence Westerly, along said parallel line to the intersection with a line parallel with and 25.00 feet Southerly (measured at right angles) from the center line of the main track of said Soo Line Railroad Company; thence Westerly along last said parallel line, to Railroad Survey Station 4379480; thence Southerly, deflecting to the left 90 degrees 00 minutes, a distance of 25.00 feet to the Northerly line of Block 5 of said HAINES ADDITION; thence Easterly, along said Northerly line, to the Northeast corner of said Block 5; thence Southwesterly, along the Southeasterly line of said Block 5, to the Northerly line of Railroad Street in said HAINES ADDITION; thence Easterly, along last said Northerly line, to the intersection with said Northerly extension of the Westerly line of Washburn Avenue; thence Northerly, along said Northerly extension, to the point of beginning.

Parcel # 70. 39050.000
Section 16 Twp 122 Range 032
Haines Addition
NE 2A of Blk 5

3/3/2016

This variance request is for percent coverage and height for two silo pads, and steps with access alcoves for fluid product storage.

This variance request will also include an addition to the existing whey load out bay and apron.

The silo pad size is proposed as two 15 feet by 15 feet concrete pads, one pad by 5 feet 8 inchs tall, the second pad by 7 feet tall, with a 10 feet 1.75 inch wide by 15 feet long alcove extension with a height of 17 feet 5 inchs.

The overall height with silo will be 65 feet.

The whey load out extension is proposed as 15 feet 3 inchs long by 30 feet wide, with a 6 feet 4 inchs by 30 feet concrete apron, with a height of 19 feet.

CITY OF PAYNESVILLE

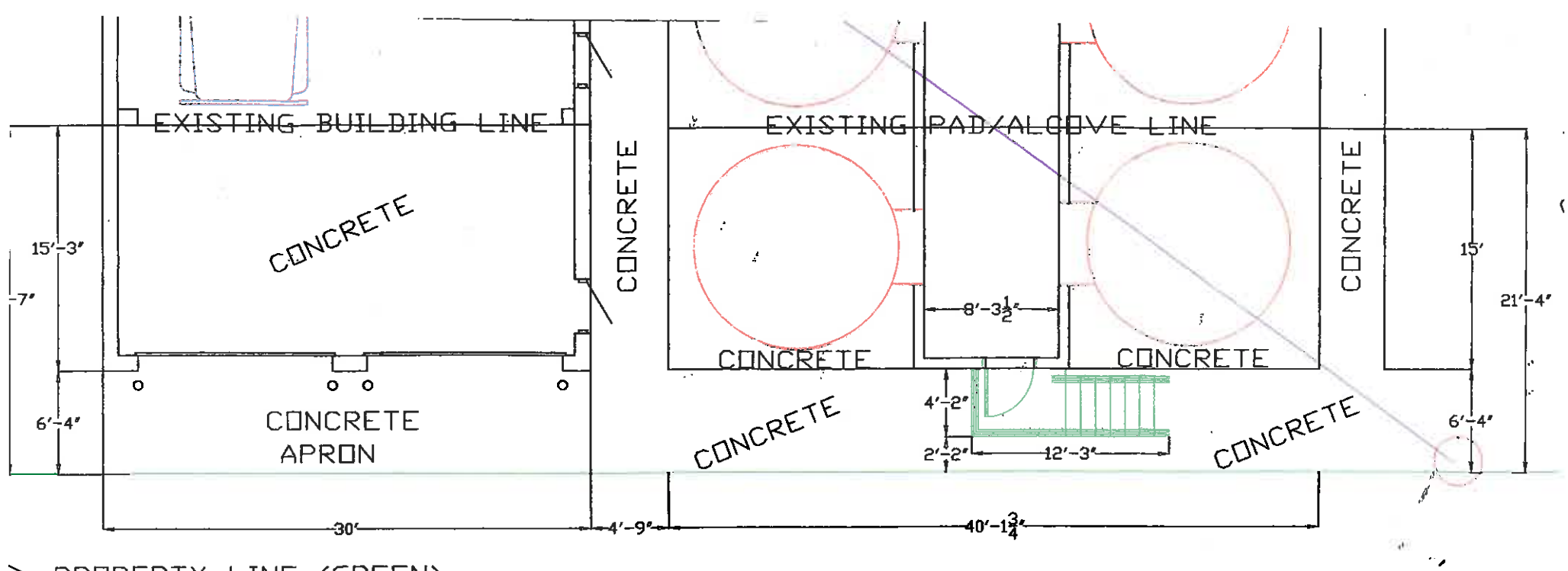
REC#: 00044775 3/24/2016 3:13 PM
OPER: FRONT TERM: 001
REF#: 627980

TRAN: 10.0100 VARIANCE FEE
variance ampl
VARIANCE FEES 250.00CR

TENDERED: 250.00 CHECK
APPLIED: 250.00-

CHANGE: 0.00

4



PROPERTY LINE (GREEN)

RAILROAD ST. CENTERLINE

PROPERTY LINE (GREEN)

9

REPORT & RECOMMENDATION OF PLANNING COMMISSION ON APPLICATION FOR VARIANCE

WHEREAS, the City Administrator has received from Associated Milk Producers, Inc., (hereinafter referred to as AMPI) a Variance Application to allow the following:

1) The construction of two (2) silos with pads with a height of 65 feet, which height exceeds the building height limitation of City Code, Chapter 11, Section 11.51, Subd. 3(c), which provides no structure hereafter erected shall exceed 45 feet in height. Therefore, AMPI seeks a Variance of 20 feet from the height limitation of the provisions of City Code, Chapter 11, Section 11.51, Subd. 3(c).

2) AMPI proposes to locate the structure such that it will be located 15 feet 3 inches on the West side and 15 feet on the East side from Railroad Street, which does not meet the 25 foot setback requirement of City Code, Chapter 11, Section 11.51, Subd. 3(a). Another section of structure will be 6 feet 4 inches from the front property line and the stairwell adjacent to the structure will be setback only 2 feet 2 inches from the property line/street right of way. Therefore, the applicant seeks a Variance at the maximum of 23 feet 8 inches from the setback requirement of City Code, Chapter 11, Section 11.51, Subd. 3(a).

3) The construction of these additional improvements will further exceed the Variance that the applicant seeks from the maximum lot

coverage provisions of City Code, Chapter 11, Section 11.51, Subd. 3(e), which provides that lot coverage shall not exceed 50%. The lot coverage already exceeds 50% and with the addition of these structures as proposed, lot coverage would total 65%, requiring a Variance of approximately 15% from the strict enforcement of the maximum lot coverage provision of Chapter 11, Section 11.51, Subd. 3(e); and

WHEREAS, AMPI is the owner of property located at 200 Railroad Street, Paynesville, MN 56362; and

WHEREAS, the property at issue is more particularly described as Parcel Nos. 70.70461.000 and 70.39050.000, which parcels are legally described as follows, to-wit:

All that part of the Soo Line Railroad Company right of way described as follows: Beginning at the intersection of the Northerly extension of the Westerly line of Washburn Avenue in HAINES ADDITION to the City of Paynesville, Minnesota, according to the recorded plat thereof, and on a line parallel with and 8.5 feet Southerly (measured at right angles) from the center line of said Soo Line Railroad Company Track No. 2; thence Westerly, along said parallel line to the intersection with a line parallel with and 25.00 feet Southerly (measured at right angles) from the center line of the main track of said Soo Line Railroad Company; thence Westerly along last said parallel line, to Railroad Survey Station 4379480; thence Southerly, deflecting to the left 90 degrees 00 minutes, a distance of 25.00 feet to the Northerly line of Block 5 of said HAINES ADDITION; thence Easterly, along said Northerly line, to the Northeast corner of said Block 5; thence Southwesterly, along the Southeasterly line of said Block 5, to the Northerly line of Railroad Street in said HAINES ADDITION; thence Easterly, along last said Northerly line, to the intersection with said Northerly extension of the Westerly line of Washburn Avenue; thence Northerly, along said Northerly extension, to the point of beginning.

AND ALSO:

The Northeast Two (2) acres of Block 5 of Haines Addition to the City of Paynesville, Stearns County, Minnesota; and

WHEREAS, the property in question is zoned "I-2" – Heavy Industrial District; and

WHEREAS, the Planning Commission believes that the owner's use of the property as proposed would be:

a) _____ Unreasonable; or

b) _____ Reasonable

because _____; and

WHEREAS, the Planning Commission believes that the landowner's property is:

a) _____ Due to circumstances unique to the property and not caused by the landowner;

b) _____ Is not due to circumstances which are unique to the property or was caused by the landowner;

because _____; and

WHEREAS, The Planning Commission finds that the Variance, if granted:

a) _____ Will not alter the essential character of the locality; or

b) _____ Will alter the essential character of the locality;

because _____; and

WHEREAS, the Planning Commission finds that the Variance, if granted:

a) _____ Will be in harmony with the general purpose and intent of the zoning ordinance and the Comprehensive Plan; or

b) _____ Will not be in harmony with the general purpose and intent of the zoning ordinance and the Comprehensive Plan;

because _____.

THEREFORE, the Planning Commission recommends that the request for Variance be:

a) _____ Granted; or

b) _____ Denied.

PAYNESVILLE PLANNING COMMISSION

By:_____
Ron Mehr, Chairperson

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: March 7, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: III - B

ITEM DESCRIPTION: Re-Zoning Request – Fleischhacker & Bonine

Prepared by: Staff

COMMENTS:

The City has received a Re-Zoning Request from Wayne Fleischhacker and James Bonine who recently purchased 517 Business 23 W (formerly Thrifty Chicks & a Church). The property is currently in a commercial use zoned C-2 Highway Commercial, but the owners of the property propose that going forward the property will be re-purposed and used for residential purposes. The properties lying both to the East, West and South of this parcel, that being all of the abutting properties, are currently zoned "R-1" – Single & Two Family Residential District.

Please review the attached Re-Zoning Application.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to set the Wayne Fleischhacker and James Bonine Re-Zoning public hearing for Monday, May 2, 2016 at 6:15 p.m.

CITY OF PAYNESVILLE ~ RE-ZONING APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362
Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: Wayne Fleischhacker James Bonine

Contact Person: Wayne Fleischhacker Email Address: NA

Mailing Address: 571 Business 23 west

Telephone No.: 320-444-4692 Parcel No.:

Property Address: 571 Business 23 west

Legal Description: Lot: Block: Addition:

See attached

CURENT ZONE: Connected C2
EXISTING USE: Commercial

PROPOSED ZONE: R1
PROPOSED USE: Residential

Application Fee: $200.00
(non-refundable) These are the fees incurred per document: Advertising $48.00 (average), Recording $46.00 (actual), Postage $33.00 (average), Legal $123.00 (average), totaling $250.00.

WILL THIS RE-ZONE REQUIRE A CONDITIONAL USE? No
WILL THIS RE-ZONE REQUIRE A VARIANCE? No

DESCRIPTION OF REQUEST: (use separate sheet if needed)

Purchase property formaly was a bussness changing over to make into a residence

Application Must Include:
- ☐ Legal description from abstract.
- ☐ Statement containing all the circumstances, factors, and arguments that the applicant offers in support of the proposed re-zone.
- ☐ Any written or graphic data required by the City Administrator.

* MGRPAYNESVILLE@MAINSTREET.COM

Wayne J Fleischhacker 3-21-16

James Bonine 3/21/16

All Property Owners Must Sign This Application — Date

For office use only:

Application Fee: $200.00 (non-refundable)
For office use only: Cash Check No. Date Paid 3.24.16

Present To Planning Commission Date: 4/4/16
Planning Public Hearing Date: 5/2/16 6:15pm

Planning Set Public Hearing Date: 4/4/16
Council Makes Determination Date: 5/9/16

PLANNING COMMISSION ACTION:
Recommended to Council Approved Denied Date:

CITY COUNCIL ACTION:
Approved Denied Date:

PAID IS

Date Received in Office: MAR 24 2016
(Stamp) CITY OF PAYNESVILLE

EXHIBIT 'A'

The West 25 feet of Lot Two (2), Block One (1), Gilbert's Addition to Paynesville and Lot Three (3), Block One (1), Less and Except the Southerly 95 feet of said Lot Three (3), of Gilbert's Addition to Paynesville.

Also the Westerly 25 feet of the Northerly 15 feet of Lot Twelve (12), Block One (1), Gilbert's Addition to Paynesville, all according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Stearns County, Minnesota.

CITY OF PAYNESVILLE

RECW: 00044772 3/24/2016 2:20 PM
OPER: FRONT TERM: 001
RECW: 7585

TRAN 10.0020 REZONING FEE
re-zone fleischhacker bonine
57. business 23 w
ZONING FEES 200.00CR

TENDERED: 200.00 CHECK
APPLIED: 200.00-

CHANGE: 0.00

17

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: March 7, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: III - C

ITEM DESCRIPTION: Conditional Use Permit Request – Savage Land Partnership, LLC

Prepared by: Staff

COMMENTS:

The City has received a Conditional Use Permit Application submitted by Savage Land Partnership, LLC (on behalf of the City) for the construction of a storm water pond to be all or partly constructed within the Shoreland Overlay District. Grading, filling, and shoreland alterations require a Conditional Use Permit. The property is zoned I-1 Light Industrial.

Please review the attached application.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to set the Savage Land Partnership, LLC Conditional Use Permit public hearing for Monday, May 2, 2016 at 6:30 p.m.

CITY OF PAYNESVILLE
CONDITIONAL USE PERMIT APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362
Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: Savage Land Partnership

Contact Person: Brian Savage/Ron Mergen

Address: 180 Lake Avenue N

Telephone No.: 800-864-1649 Parcel No.: 70.39367.0000

Legal Description: Lot: 001 Block: 001 Addition: River Park Estates

ZONE: I1

EXISTING USE OF PROPERTY:
Industrial

Application Fee: $225.00
(non-refundable) These are the fees incurred per document: Advertising $48.00 (average), Recording $46.00 (actual), Postage $33.00 (average), Legal $123.00 (average), totaling $250.00.

WILL THIS CONDITIONAL USE REQUIRE A VARIANCE ALSO? No

DESCRIPTION OF REQUEST: (use separate sheet if needed)
This request is to expand the storm water pond that is currently located on the property. The pond will be expanded to increase its capacity to handle and treat additional storm water runoff to improve water quality. The pond is planned to be constructed by the City of Paynesville as part of the 2016 Improvement Project and the City will take Ownership of the pond property in the future. The attached drawings illustrate the proposed improvements.

DRAWING OF PROPOSED CONDITIONAL USE: (use separate sheet)

Application Must Include:
- ☐ Legal description from abstract.
- ☐ Any written or graphic data required by the City Administrator.

Brian Savage 3/9/2016

All Property Owners Must Sign This Application — Date

For office use only:

Application Fee: $225.00 (non-refundable)
For office use only: Cash ____ Check No. 092206 Date Paid 3.29.16

Present To Planning Commission Date: 4.4.16 Planning Set Public Hearing Date: 4.4.16
Planning Public Hearing Date: 5.2.16 630pm Council Makes Determination Date: 5.9.16

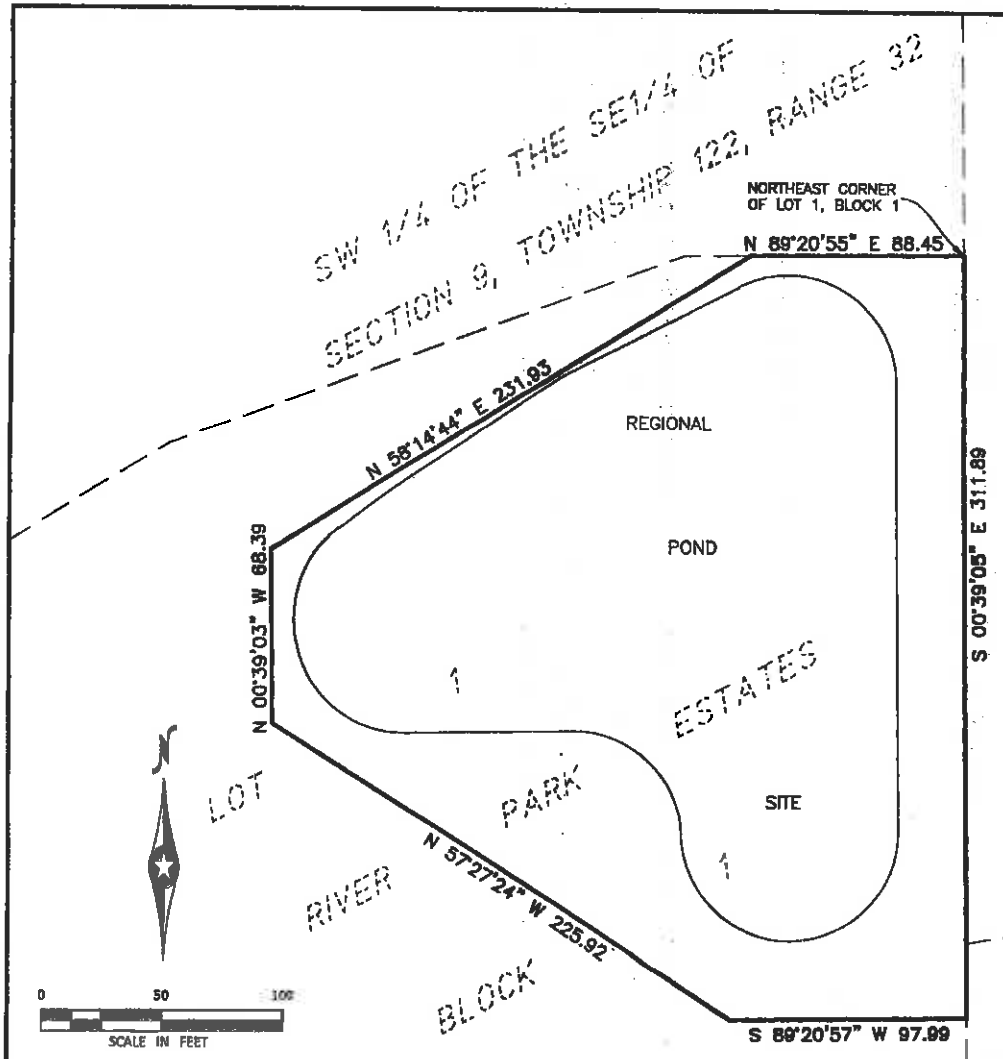
PLANNING COMMISSION ACTION:
Recommended to Council Approved Denied Date: ____

CITY COUNCIL ACTION:
Approved Denied Date: ____

RECEIVED
Date Received in Office: (Stamp)
MAR 29 2016

3/9/2016

9



PROPOSED DESCRIPTION:

That part of Lot 1, Block 1, RIVER PARK ESTATES, Stearns County, Minnesota described as follows:

Beginning at the Northeast corner of said Lot 1; thence South 00 degrees 39 minutes 05 seconds East, along the East line of Lot 1, a distance of 311.89 feet; thence South 89 degrees 20 minutes 57 seconds West a distance of 97.99 feet; thence North 57 degrees 27 minutes 24 seconds West a distance of 225.92 feet; thence North 00 degrees 39 minutes 03 seconds West a distance of 68.39 feet; thence North 58 degrees 14 minutes 44 seconds East a distance of 231.93 feet, to the most Northerly line of Lot 1; thence North 89 degrees 20 minutes 55 seconds East, along said most Northerly line, a distance of 88.45 feet, to the point of beginning.

Contains about 1.51 acres.

SURVEYOR'S NOTES:

1. This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. Research of documents affecting title to the property surveyed or adjoining properties has been limited to a cursory review of record information and it is recommended that all title matters affecting this property and survey be reviewed by an attorney or other title professional.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Peter W. Blethen
License Number 17367

9-17-2013
Date

DESCRIPTION EXHIBIT
PAYNESVILLE, MINNESOTA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
2040 HIGHWAY 12 E, WILLMAR, MN 56201 (320)-231-3956
MANKATO, FAIRMONT, SLEEPY EYE, BURNSVILLE, WILLMAR, CHASKA, RAMSEY, MAPLEWOOD, BAXTER, ROCHESTER, MINNESOTA & AMES, SPENCER, IOWA

Part of Lot 1, Block 1,
RIVER PARK ESTATES,
Stearns County, Minnesota

FOR: City of Paynesville

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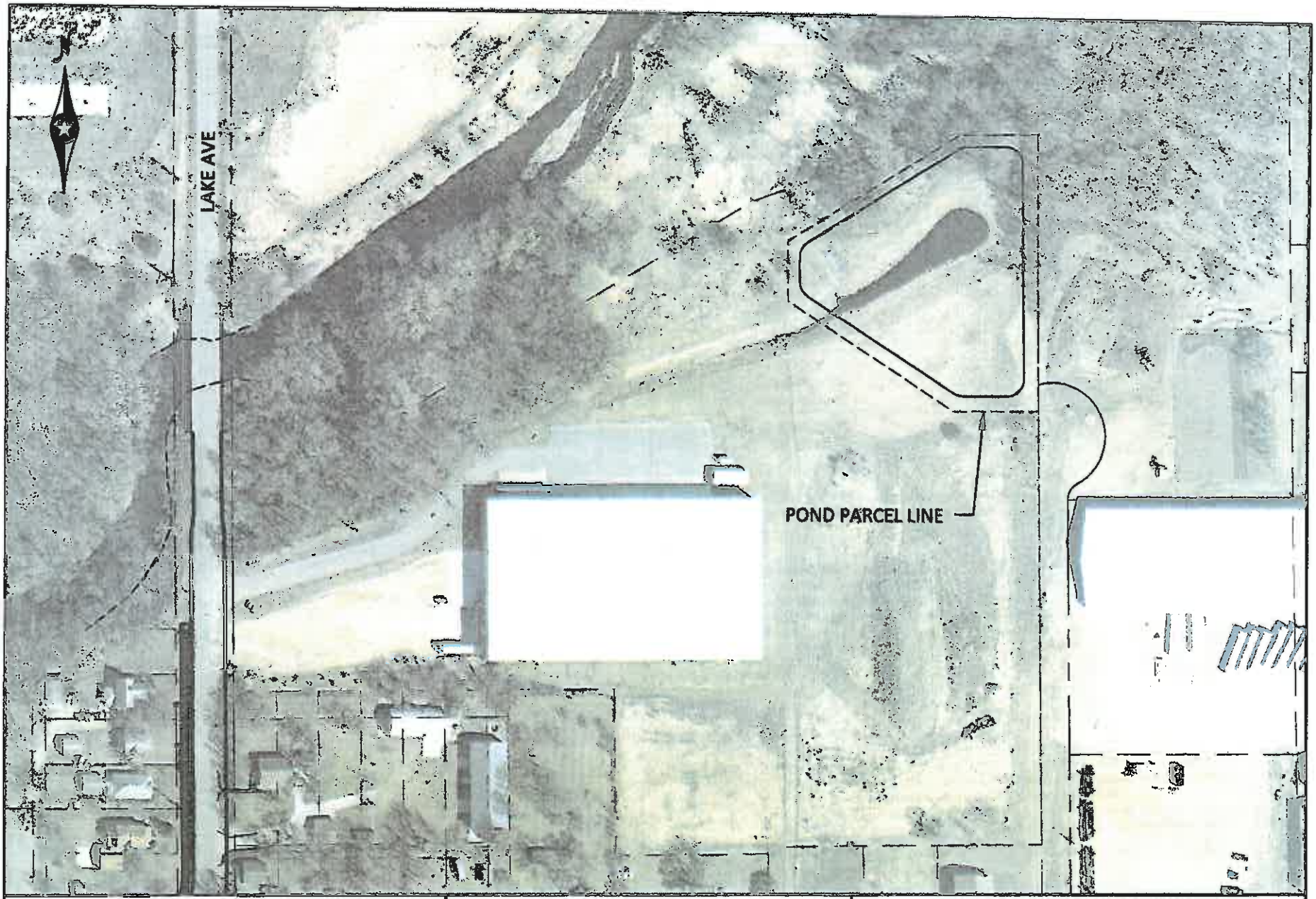
H:\PAYN\W14106123\C3D\106123EX01.DWG 09-17-2013 3:03p.m.

JOB NUMBER: W14.106123 FIELD BOOK: DRAWN BY: FRD

R32-T122-S9-43

22



0 75 150
SCALE FEET

© Bolton & Menk, Inc. 2016, All Rights Reserved
I:_C-Details\D-303.dwg 11/14/13 8:04 am

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN WILLMAR, MN
CHASKA, MN RAMSEY, MN MAPLEWOOD, MN BAXTER, MN ROCHESTER, MN
AMES, IA SPENCER, IA DES MOINES, IA FARGO, ND

CITY OF PAYNESVILLE, MINNESOTA
2016 IMPROVEMENTS
VALLEY INDUSTRIES

FEBRUARY, 2016 FIGURE NO. 1

CITY OF PAYNESVILLE

RCPT: 00044008 3/29/2016 2:56 PM
OPER: FRONT TERM: 001
REF #: 092206

TRAN: 10.0300 CONDITIONAL USE
SAVAGE LAND PARTNERSHIP
POND ZUP
CONDITIONAL USE FEE 225.00CR

TENDERED: 225.00 CHECK
APPLIED: 225.00-

CHANGE: 0.00

4

22

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: April 4, 2016

Agenda Section: Old Business

Originating Department: Administration

Item Number: IV - A

ITEM DESCRIPTION: Member Vacancy

Prepared by: Staff

COMMENTS:

Nate Rindahl has not made a decision regarding serving on the Commissions or not yet. I have sent Mr. Rindahl an agenda to review. He was unable to make this meeting.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: April 4, 2016

Agenda Section: Old Business

Originating Department: Administration

Item Number: IV - C

ITEM DESCRIPTION: Storage Containers/Pods

Prepared by: Staff

COMMENTS:

This was tabled from the March 7, 2016 Planning Commission meeting. Renee Eckerly and Brad Mehlhop will give a verbal report regarding storage containers/pods. Attached are sample ordinance from the League of MN Cities and from research that Brad Mehlhop conducted.

Discussion on:

- where (what Zones) to permit the containers
- to permit them at all within the City
- permit them only during a construction project and when the project is done the pod is removed

ADMINISTRATOR COMMENTS:

From Brad Mehlhop, Building Official:
I did some Googling and found information on this that I felt was relevant. The definition is from Wikipedia. And the ordinances are from Merkel, Texas; Gloucester County, Virginia; and Mount Vernon, Washington. I took, what I thought, was relevant to our last discussion about this and condensed it into one page. I included it for discussion points. I do not consider it to be comprehensive or complete.

COMMITTEE/COUNCIL ACTION:

Motion to _____.

Definition: Intermodal Container: a large standardized shipping container, designed and built for intermodal freight transport. These containers are known under a number of names, such as simply container, cargo or freight container, ISO container, shipping, sea or ocean container, container van or (Conex) box, sea or c can.

Intermodal Container Use.

a. No person shall place an Intermodal Container on any residential property.
b. No person shall store, maintain or otherwise keep an intermodal container on any lot or property without first having obtained a permit issued by the City.
c. *Temporary construction use*. A person may store, maintain, or otherwise keep an intermodal container on a lot or property within any nonresidential zoning district during the period of an active building permit for construction. The intermodal container must be placed on an approved surface, and the Building Official must approve its location on the construction site. In the event that a building permit is expired, revoked, or finalized, any intermodal container used on the lot or property must be removed within ten (10) calendar days from the expiration, revocation, or finalization of the building permit.
d. The use of Intermodal Containers will not be prohibited in industrial and manufacturing zones.
e. Intermodal containers shall not be used for human habitation or commercial business purposes.
f. Intermodal containers shall not be used to store hazardous materials.
g. Refuse and debris shall not be stored against, on, or under intermodal containers.

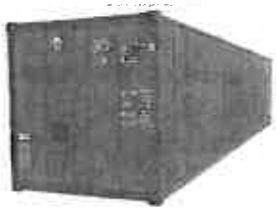
Intermodal Container Placement.

a. The container(s) may not occupy any required off street parking spaces or loading/unloading areas or fire lanes in any district.
b. The container(s) shall not block, obstruct, or reduce in any manner any required exits, windows, vent shafts, parking spaces, and/or access driveways.
c. The container(s) shall conform to the setback of the building line requirements of the zoning district where it will be placed. No container shall be permitted in a location which is nearer to the public street than the main building, except for projects with an active building permit as defined above.
d. The containers(s) shall not be stacked on top of each other or on any other structure.
e. The container(s) shall be secured, structurally sound, stable, and in good repair. Any cargo container that becomes unsecured, unsound, unstable or otherwise dangerous shall be immediately repaired or removed from the property.
f. No signage, lettering, text, or artwork may be placed on any container except when approved by the City Administrator.

Intermodal container

From Wikipedia, the free encyclopedia

An **intermodal container** is a large standardized shipping container, designed and built for intermodal freight transport, meaning these containers can be used across different modes of transport – from ship to rail to truck – without unloading and reloading their cargo. Intermodal containers are primarily used to store and transport materials and products efficiently and securely in the global containerized intermodal freight transport system, but smaller numbers are in regional use as well. These containers are known under a number of names, such as simply **container**, **cargo** or **freight** container, **ISO container**, **shipping**, **sea** or **ocean** container, **container van** or **(Conex) box**, **sea** or **c can**.[nb 1]



A 40-foot (12 m) long shipping container. Each of the eight corners has an essential twistlock fitting for hoisting, stacking, and securing

Intermodal containers exist in many types and a number of standardized sizes, but ninety percent of the global container fleet are so-called *"dry-freight"* or *"general purpose"* containers,[1][2] durable closed steel boxes, mostly of either twenty or forty foot (6 or 12m) standard length.[1][3] The common heights are 8 feet 6 inches (2.6 m) and 9 feet 6 inches (2.9 m) – the latter are known as ***High Cube*** or ***Hi-Cube*** containers.[4]

Just like cardboard boxes and pallets, these containers are a means to bundle cargo and goods into larger, unitized loads, that can be easily handled, moved, and stacked, and that will pack tightly in a ship or yard. Intermodal containers share a number of key construction features to hold-up to the stresses of intermodal shipping, to facilitate their handling and to allow stacking, as well as being identifiable through their individual, unique ISO 6346 reporting mark.

In 2012 there were over 20 million intermodal containers in the world.

In 2012 there were about 20.5 million intermodal containers in the world of varying types to suit different cargoes.[3][nb 2] Containers have largely supplanted the traditional break bulk cargo – in 2010 containers accounted for 60% of the world's seaborne trade.[6][7] The predominant alternative methods of transport carry bulk cargo – either gaseous, liquid or solid – e.g. by bulk carrier or tank ship, tank car or truck. For air freight, the more light-weight IATA-defined unit load device is used.

Freight train carrying containers through West Kingman Canyon, Arizona

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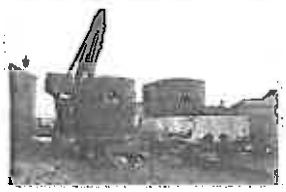
Making containers *stackable* made loading and transport on large ships feasible and efficient

History

By the 1830s, railways on several continents were carrying containers that could be transferred to other modes of transport. The Liverpool and Manchester Railway in the United Kingdom was one of these. "Simple rectangular timber boxes, four to a truck, they were used to convey coal from the Lancashire collieries to Liverpool, where they were transferred to horse-drawn carts by crane."[9] Early versions of standardized containers were used in Europe before World War II. Construction of these containers had a steel frame with wooden walls, floor, roof and doors.

The first international standard for containers was established by the Bureau International des Containers et du Transport Intermodal (B.I.C.) in 1933, and a second one in 1935, primarily for transport between European countries. American containers at this time were not standardized, and these early containers were not yet stackable – neither in the U.S. or Europe. In November 1932, the first container terminal in the world was opened by the Pennsylvania Rail Road Company in Enola, PA. The development of containerization was created in Europe and the US as a way to revitalize rail companies after the Wall Street Crash of 1929, in New York, and resulting economic collapse and drop in all modes of transport.[10]



Transferring freight containers on the London, Midland and Scottish Railway (LMS; 1928)

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In April 1951 at Zürich Tiefenbrunnen railway station the Swiss Museum of Transport and the *Bureau International des Containers* (BIC) held demonstrations of container systems for representatives from a number of European countries, and from the United States. A system was selected for Western Europe, based on the Netherlands' system for consumer goods and waste transportation called *Laadkisten* (lit. "Loading bins"), in use since 1934. This system used roller containers for transport by rail, truck and ship, in various configurations up to 5,500 kg (12,100 lb) capacity, and up to 3.1 x 2.3 × 2 metres in size.[11][12] This became the first post World War II European railway standard of the International Union of Railways – *UIC-590*, known as "pa-Behälter." It was implemented in the Netherlands, Belgium, Luxembourg, West Germany, Switzerland, Sweden and Denmark.[13]

Freight car in railway museum Bochum-Dahlhausen, showing four different UIC-590 pa-containers

The use of standardized steel shipping containers began during the late 1940s and early 1950s, when commercial shipping operators and the US military started developing such units.[14] In 1948 the U.S. Army Transportation Corps developed the "Transporter", a rigid, corrugated steel container, able to carry 9,000 pounds (4,100 kg). It was 8 ft 6 in (2.6 m) long, 6 ft 3 in (1.9 m) wide, and 6 ft 10 in (2.1 m) high, with double doors on one end, was mounted on skids, and had lifting rings on the top four corners.[15] After proving successful in Korea, the Transporter was developed into the Container Express (CONEX) box system in late 1952. Based on the Transporter, the size and capacity of the Conex were about the same,[nb 3] but the system was made *modular*, by the addition of a smaller, half-size unit of 6 ft 3 in (1.9 m) long, 4 ft 3 in (1.3 m) wide and 6 ft 10.5 in (2.1 m) high.[18][19][nb 4] CONEXes could be stacked three high, and protected their contents from the elements.[16] By 1965 the US military used some 100,000 Conex boxes, and more than 200,000 in 1967.[19][22] making this the first worldwide application of intermodal containers.[16]

In 1975, many containers still featured riveted aluminum sheet and post wall construction, instead of welded, corrugated steel.[8]

From 1949 onwards, engineer Keith Tantlinger repeatedly contributed to the development of containers, as well as their handling and transportation equipment. In 1949, while at Brown Trailers Inc. of Spokane, he modified the design of their stressed skin aluminum 30-foot trailer, to fulfil an order of two-hundred 30 by 8 by 8.5 feet (9.1 m × 2.4 m × 2.6 m) containers that could be stacked two high, for Alaska-based *Ocean Van Lines*. Steel castings on the top corners provided lifting and securing points.[23]

In 1955 trucking magnate Malcom McLean bought Pan-Atlantic Steamship Company, to form a container shipping enterprise, later known as Sea-Land. The first containers were supplied by Brown, where McLean met Keith Tantlinger, and hired him as vice-president of engineering and research.[24] Under the supervision of Tantlinger, a new 35 ft (10.7 m) x 8 ft (2.4 m) x 8 ft 6 in (2.6 m) Sea-Land container was developed, the length determined by the maximum length of trailers then allowed on Pennsylvanian highways. Each container had a frame with eight corner castings that could withstand stacking loads.[25] Tantlinger also designed automatic spreaders for handling the containers, as well as the twistlock mechanism that connects with the corner castings.

Two years after McLean's first container ship, the *Ideal X* started container shipping on the U.S. East Coast,[26] Matson Navigation followed suit between California and Hawaii. Just like Pan-Atlantic's containers, Matson's were 8 ft (2.4 m) wide and 8 ft 6 in (2.6 m) high, but due to California's different traffic code, Matson chose to make theirs 24 ft (7.3 m) long.[27] In 1968, McLean began container service to South Vietnam for the US military with great success.

Every international shipping container must have a "CSC-Plate"

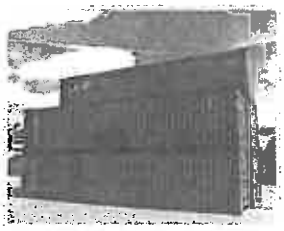
ISO standards for containers were published between 1968 and 1970 by the International Maritime Organization. These standards allow for more consistent loading, transporting, and unloading of goods in ports throughout the world, thus saving time and resources.[28]

The International Convention for Safe Containers is a 1972 regulation by the Inter-governmental Maritime Consultative Organization on the safe handling and transport of containers. It decrees that every container travelling internationally be fitted with a CSC Safety-approval Plate.[29][30] This holds essential information about the container, including age, registration number, dimensions and weights, as well as its strength and maximum stacking capability.

Longshoremen and related unions around the world struggled with this revolution in shipping goods.[31] For example, by 1971 a clause in the International Longshoremen's Association (ILA) contract stipulated that the work of "stuffing" (filling) or "stripping" (emptying) a container within 50 miles of a port must be done by ILA workers or if not done by ILA that the shipper needed to pay royalties and penalties to the ILA. Unions for truckers and consolidators argued that the ILA rules were not valid work preservation clauses because the work of stuffing and stripping containers away from the pier had not traditionally been done by ILA members.[31] In 1980 the Supreme Court of the United States heard this case and ruled against the ILA.[32]

Description

Ninety percent of the global container fleet consists of *"dry freight"* or *"general purpose"* containers – both of standard and special sizes.[1][2] And although lengths of containers vary from 8 to 56 feet (2.4 to 17.1 m), according to two 2012 container census reports [nb 5] about 80% of the world's containers are either twenty or forty foot standard length boxes of the dry freight design.[3] These typical containers are rectangular, closed box models, with doors fitted at one end, and made of corrugated weathering steel (commonly known as CorTen)[nb 6] with a plywood floor.[33] Although corrugating the sheet metal used for the sides and roof contributes significantly to the container's rigidity and stacking strength, just like in corrugated iron or in cardboard boxes, the corrugated sides cause aerodynamic drag, and up to 10% fuel economy loss in road or rail transport, compared to smooth-sided vans.[34]



Forty foot (12.2 m) containers make up 70% of the world's container volume, measured in TEU's[3]

Standard containers are 8-foot (2.44 m) wide by 8 ft 6 in (2.59 m) high,[nb 7] although the taller "High Cube" or "hi-cube" units measuring 9 feet 6 inches (2.90 m) have become very common in recent years. By the end of 2013, high-cube 40 ft containers represented almost 50% of the world's maritime container fleet, according to Drewry's Container Census report.[36]

About 90% of the world's containers are either nominal 20-foot (6.1 m) or 40-foot (12.2 m) long,[3][37] although the United States and Canada also use longer units of 45 ft (13.7 m), 48 ft (14.6 m) and 53 ft (16.15 m). ISO containers have castings with openings for twistlock fasteners at each of the eight corners, to allow gripping the box from above, below, or the side, and they can be stacked up to ten units high.[36][nb 8] Regional intermodal containers, such as European and U.S. domestic units however, are mainly transported by road and rail, and can frequently only be stacked up to three laden units high.[38] Although the two ends are quite rigid, containers flex somewhat during transport.[42]

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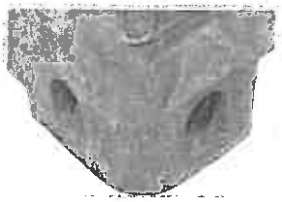
Container capacity is often expressed in twenty-foot equivalent units (TEU, or sometimes *teu*). A twenty-foot equivalent unit is a measure of containerized cargo capacity equal to one standard 20-foot (6.1 m) long container. This is an approximate measure, wherein the height of the box is not considered. For example, the 9 ft 6 in (2.9 m) tall high-cube, as well as 4-foot-3-inch (1.3 m) half-height 20-foot (6.1 m) containers are equally counted as one TEU. Similarly, extra long 45 ft (13.72 m) containers are commonly designated as two TEU, no different than standard 40 feet (12.19 m) long units. Two TEU are equivalent to one forty-foot equivalent unit (FEU).[43][44]



The standard castings on the eight corners of each container. The twistlock proper is done through a larger oval hole on the top or bottom.

In 2014 the global container fleet grew to a volume of 36.6 million TEU, based on Drewry Shipping Consultants' Container Census.[45][nb 9] Moreover, in 2014 for the first time in history 40-foot High cube containers accounted for the majority of boxes in service, measured in TEU.[45]

Manufacturing prices for regular, dry freight containers are typically in the range of $1750—$2000 U.S. per CEU (container equivalent unit),[46] and about 90% of the world's containers are made in China.[37] The average age of the global container fleet was a little over 5 years from end 1994 to end 2009, meaning containers remain in shipping use for well over 10 years.[5]

Forty foot or longer containers typically have a *gooseneck tunnel*, an indentation in the floor structure, that meshes with the gooseneck on dedicated container semi-trailers. The gooseneck tunnel is clearly visible in the underside of a toppled-over container (first picture), as well as in a container's interior, where it takes the space otherwise covered by wood flooring. Gooseneck container trailer showing twistlock couplings for forty-foot boxes at its four corners. Twenty foot containers on the other hand, frequently have forklift pockets, accessible from the sides (last picture).[nb 10]

Types

Other than the standard, general purpose container, many variations exist for use with different cargoes. The most prominent of these are refrigerated containers (a.k.a. *Reefers*) for perishable goods, that make up six percent of the world's shipping boxes.[2][37] And tanks in a frame, for bulk liquids, account for another 0.75% of the global container fleet.[2]

Forty foot High-cube actively refrigerated container – refrigerating equipment visible on the front end.

Although these variations are not of the standard *type*, they mostly are *ISO standard* containers – in fact the ISO 6346 standard classifies a broad spectrum of container types in great detail. Aside from different *size* options, the most important container types are:[49][nb 11]

- General-purpose dry vans, for boxes, cartons, cases, sacks, bales, pallets, drums, etc., Special interior layouts are known, such as
  - rolling-floor containers, for difficult-to-handle cargo
  - garmentainers, *for shipping garments on hangers (GOH)*[51][52]
- Ventilated containers. Essentially dry vans, but either passively or actively ventilated. For instance for organic products requiring ventilation
- Temperature controlled – either insulated, refrigerated, and/or heated containers, for perishable goods
- Tank containers, for liquids or gases. Frequently these are dangerous goods, and in the case of gases one shipping unit may contain multiple gas bottles
- Bulk containers (sometimes *bulktainers*), either closed models with roof-lids, or hard or soft open-top units for top loading, for instance for bulk minerals. Containerized coal carriers and "bin-liners" (containers designed for the efficient road and rail transportation of rubbish from cities to recycling and dump sites) are used in Europe.
- Open-top and open-side containers, for instance for easy loading of heavy machinery or oversize pallets. Open sides are also used for ventilating hardy perishables like apples or potatoes.
- Platform based containers such as:
  - flat-rack and bolster containers, for barrels, drums, crates, and any heavy or bulky out-of-gauge cargo, like machinery, semi-finished goods or processed timber. Empty flat-racks can either be stacked or shipped sideways in another ISO container
  - collapsible containers, ranging from flushfolding flat-racks to fully closed ISO and CSC certified units with roof and walls when erected.[53]

A spine car with a 20 ft tank container and an open-top 20 ft container with canvas cover

A flat-rack container loaded with a small vessel loaded by a reach stacker.

Containers for Offshore use have a few different features, like pad eyes, and must meet additional strength and design requirements, standards and certification, such as the DNV2.7-1 by Det Norske Veritas and the European standard EN12079: *Offshore Containers and Associated Lifting Sets*.[54]

A multitude of equipment, such as generators, has been installed in containers of different types to simplify logistics – see containerized equipment for more details.

Swap body units usually have the same bottom corner fixtures as intermodal containers, and often have folding legs under their frame so that they can be moved between trucks without using a crane. However they frequently don't have the upper corner fittings of ISO containers, and are not stackable, nor can they be lifted and handled by the usual equipment like reach-stackers or straddle-carriers. They are generally more expensive to procure.[55]

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Specifications

Basic dimensions and permissible gross weights of intermodal containers are largely determined by two ISO standards: [nb 12]

- ISO 668:2013 Series 1 freight containers—Classification, dimensions and ratings
- ISO 1496-1:2013 Series 1 freight containers—Specification and testing—Part 1: General cargo containers for general purposes

Weights and dimensions of the most common *standardized* types of containers are given below.[nb 13] Values vary slightly from manufacturer to manufacturer, but must stay within the tolerances dictated by the standards. Empty weight (*tare weight*) is not determined by the standards, but by the container's construction, and is therefore indicative, but necessary to calculate a net load figure, by subtracting it from the maximum permitted gross weight.

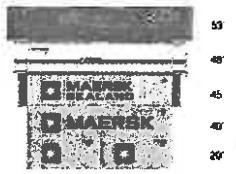
		20′ container		40′ container		40′ high-cube container		45′ high-cube container	
		imperial	metric	imperial	metric	imperial	metric	imperial	metric
external dimensions	length	19′ 10.5″	6.058 m	40′ 0″	12.192 m	40′ 0″	12.192 m	45′ 0″	13.716 m
	width	8′ 0″	2.438 m	8′ 0″	2.438 m	8′ 0″	2.438 m	8′ 0″	2.438 m
	height	8′ 6″	2.591 m	8′ 6″	2.591 m	9′ 6″	2.896 m	9′ 6″	2.896 m
interior dimensions	length	19′ 3″	5.867 m	39′ 5 45/64″	12.032 m	39′ 4″	12.000 m	44′ 4″	13.556 m
	width	7′ 8 19/32″	2.352 m	7′ 8 19/32″	2.352 m	7′ 7″	2.311 m	7′ 8 19/32″	2.352 m
	height	7′ 9 57/64″	2.385 m	7′ 9 57/64″	2.385 m	8′ 9″	2.650 m	8′ 9 15/16″	2.698 m
door aperture	width	7′ 8 ⅛″	2.343 m	7′ 8 ⅛″	2.343 m	7′ 6″	2.280 m	7′ 8 ⅛″	2.343 m
	height	7′ 5 ¾″	2.280 m	7′ 5 ¾″	2.280 m	8′ 5″	2.560 m	8′ 5 49/64″	2.585 m
internal volume		1,169 ft³	33.1 m³	2,385 ft³	67.5 m³	2,660 ft³	75.3 m³	3,040 ft³	86.1 m³
maximum gross weight		66,139 lb	30,400 kg	66,139 lb	30,400 kg	68,008 lb	30,848 kg	66,139 lb	30,400 kg
empty weight		4,850 lb	2,200 kg	8,380 lb	3,800 kg	8,598 lb	3,900 kg	10,580 lb	4,800 kg
net load		61,289 lb	28,200 kg	57,759 lb	26,600 kg	58,598 lb	26,580 kg	55,559 lb	25,600 kg

Two 45-foot 'High-cube' containers on a Roll-on/roll-off (RoRo) tractor. The 9 ft 6 height of the boxes is identified by diagonal yellow and black markings on the top corners of the container

Stacking containers

At stacking load-bearing locations, 40-foot containers are the standard unit length, and 45 ft, 48 ft, and 53 ft all stack at the 40 ft coupling width. Other units can be stacked on top of 20 ft units only if there are two in a row (40 ft coupling width) but 20 ft units can not be stacked on top of 40 ft units, or any other larger container.

The coupling holes are all female and it takes a double male twist lock to securely mate stacked containers together.



Load bearing of container stacking is at the 40 ft coupling

Non-standard and uncommon sizes

Pallet wide containers

Pallet Wide containers have about 4 inches (10.2 cm) more internal floor width than standard containers to accommodate more Euro-pallets, common in Europe.[57] These containers typically have an internal width of 2.44 m (96.1 in), to be able to load either two or three of the 1.2 m (47.2 in) long by 0.8 m (31.5 in) wide pallets side by side. Many sea shipping providers in Europe allow these as overhangs on standard containers are sufficient and they fit in the usual interlock spaces (or with the same floor panel the side ribs of pallet-wide containers are embossed to the outside instead of being molded to the inside).[58]

Especially the 45 ft (13.72 m) pallet-wide high-cube shortsea container has gained wider acceptance, as these containers can replace the 13.6 m (44.6 ft) swap bodies that are common for truck transport in Europe. The EU has started a standardization for pallet wide containerization in the European Intermodal Loading Unit (EILU) initiative.[59]

Australian RACE containers are also slightly wider to optimise them for the use of Australia Standard Pallets.

53′ 48′ 45′ 40′ and 20′ containers stacked

48-foot containers

The 48-foot (14.63 m) shipping container is a High Cube container in that it is 9 ft 6 in (2.90 m) tall on the exterior. It is 8 ft 6 in (2.59 m) wide which makes it 6 inches (15 cm) wider than ISO-standard containers.[60] This size was introduced by container shipping company APL in 1986, and is used domestically in North America on road and rail,[61] and may be transported on deck by ship. This size being 8 feet (2.44 m) longer and 6 inches (15 cm) wider has 29% more cubic capacity than the standard 40-ft High Cube,[62] yet the cost to move it by truck or rail are almost the same.

Forty-five-foot containers can be seen sticking out 2½ feet, as part of the forty foot container stacks at the back of this ship.

53-foot containers

General purpose 53-foot (16.15 m) containers were introduced in the United States in 1989, and are used both in the U.S.A. and Canada, mainly for domestic road and rail transport.[61] They are considered High-cubes, based on their 9 ft 6 in (2.90 m) ISO-standard height. Their width of 8 ft 6 in (2.59 m) however makes them 6 inches (15 cm) wider than ISO-standard containers.[60] These large boxes have 60% more capacity than standard-height 40-foot (12.2 m) containers, enabling shippers to consolidate more cargo into fewer containers.[62][63][64]

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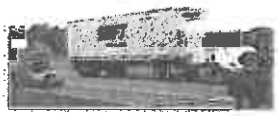
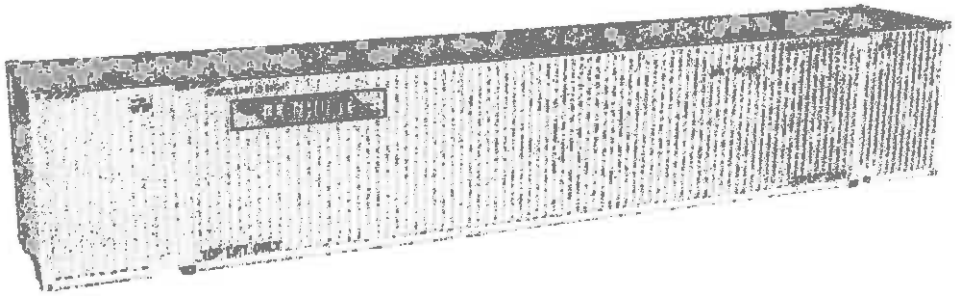
Generally, North American 53-foot containers were not constructed strong enough to endure the rigors of ocean transport, but in 2007 container carrier APL introduced the first 53-foot ocean-capable containers. All new, reinforced 53-foot boxes were built specifically for international trade and designed to withstand ocean voyages on its South-China to Los Angeles service.[61] In 2013 however, APL stopped offering vessel space for 53-foot containers on its trans-Pacific ships.[65] Nevertheless, In 2015 both Crowley and TOTE Maritime each announced the construction of their respective second combined container & RoRo ships for Puerto Rico trade, with the specific design to maximize cubic cargo capacity by carrying 53-foot, 102-inch-wide containers.[66] [67] Within Canada, Oceanex offers 53-foot-container ocean service to and from the island of Newfoundland.[68] Fifty-three-foot containers are also being used on some Asia Pacific international shipping routes.[56]

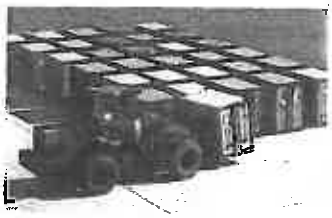


Swift 53 ft Intermodal container

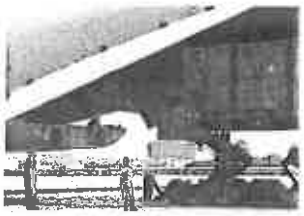


Small containers

The United States military continues to use small containers, strongly reminiscent of their Transporter and Conex boxes of the 1950s and 1960s. These either comply with ISO standard dimensions, or are a direct derivative thereof. Current terminology of the US armed forces calls these small containers Bicon, Tricon and Quadcon, which correspond with ISO 668 standard sizes 1D, 1E and 1F respectively. This comes down to containers of 8 ft (2.44 m) height, and with a footprint size either one half (Bicon), one third (Tricon) or one quarter (Quadcon) the size of a standard 20-foot, one TEU container.[69][70][71]
At a nominal length of 10 feet (3.0 m), two Bicons coupled together *lengthwise* match one 20-foot ISO container, but their height is 6 inches (15 cm) shy of the more commonly available 10-foot ISO containers of so-called *standard* height, which are 8 ft 6 in (2.59 m) tall. Tricons and Quadcons however have to be coupled *transversely* – either three or four in a row – to be stackable with twenty foot containers.[72] Their *length* of 8 ft (2.44 m) corresponds to the *width* of a standard 20-foot container, which is why there are forklift pockets at their ends, as well as in the sides of these boxes, and the doors only have one locking bar each. The smallest of these, the Quadcon, exists in two heights: 96 in (2.44 m) or 82 in (2.08 m).[73] Only the first conforms to ISO-668 standard dimensions (size 1F).



US Navy tractor moves Quadcon containers at Kin Red Port in Okinawa (2005)



US Navy load Tricon containers into a C-5 Galaxy transport aircraft (2006)

US Navy moving a Bicon box – notice forklift pockets only in the sides, not at the ends.

Reporting mark

Each container is allocated a standardized ISO 6346 reporting mark (ownership code), four letters long ending in either U, J or Z, followed by six digits and a check digit.[74] The ownership code for intermodal containers is issued by the *Bureau International des Containers* (International container bureau, abbr. B.I.C.) in France, hence the name BIC-Code for the intermodal container reporting mark. So far there exist only four-letter BIC-Codes ending in "U".

The placement and registration of BIC Codes is standardized by the commissions TC104 and TC122 in the JTC1 of the ISO which are dominated by shipping companies. Shipping containers are labelled with a series of identification codes that includes the manufacturer code, the ownership code, usage classification code, UN placard for hazardous goods and reference codes for additional transport control and security.

Following the extended usage of pallet-wide containers in Europe the EU had started the Intermodal Loading Unit (ILU) initiative. This showed advantages for intermodal transport of containers and swap bodies. This led to the introduction of ILU-Codes defined by the standard EN 13044 which has the same format as the earlier BIC-Codes. The International Container Office BIC agreed to only issue ownership codes ending with U, J or Z. The new allocation office of the UIRR (International Union of Combined Road-Rail Transport Companies) agreed to only issue ownership reporting marks for swap bodies ending with A, B, C, D or K – companies having a BIC-Code ending with U can allocate an ILU-Code ending with K having the same preceding digits. Since July 2011 the new ILU codes can be registered, beginning with July 2014 all intermodal ISO containers and intermodal swap bodies must have an ownership code and by July 2019 all of them must bear a standard-conforming placard.[75]

Various markings on the rear end of a container

Handling

Containers are transferred between rail, truck and ship by container cranes at container terminals. Forklifts, reach stackers, straddle carriers, and cranes may be used to load and unload trucks or trains outside of container terminals. Swap bodys, sidelifters, tilt deck trucks and hook trucks allow transfer to and from trucks with no extra equipment.

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ISO-standard containers can be handled and lifted in a variety of ways by their corner fixtures, but the structure and strength of 45-foot (type E) containers limits their tolerance of side-lifting, nor can they be forklifted, based on ISO 3874 (1997).[76]

A cargo container being transferred from a rail car to a flat-bed truck, lifted by a reach stacker

Transport

Containers can be transported by container ship, truck and freight trains as part of a single journey without unpacking. Units can be secured in transit using "twistlock" points located at each corner of the container. Every container has a unique BIC code painted on the outside for identification and tracking, and is capable of carrying up to 20–25 metric tons. Costs for transport are calculated in twenty-foot equivalent units (TEU).

Rail

When carried by rail, containers may be carried on flatcars or well cars. The latter are specially designed for container transport, and can accommodate double-stacked containers. However the loading gauge of a rail system may restrict the modes and types of container shipment. The smaller loading gauges often found in European railroads will only accommodate single-stacked containers. In some countries, such as the United Kingdom, there are sections of the rail network through which high-cube containers cannot pass, or can pass through only on well cars. On the other hand, Indian Railways runs double-stacked containers on flatcars under 25 kV overhead electrical wires. In order to do this, the wire must be at least 7.45 metres (24 ft 5 in) above the track, but IR is able to do so because of its large loading gauge and the extra stability provided by its 1,676 mm (5 ft 6 in) track. China Railways also runs double-stacked containers under overhead wires, but must use well cars to do so, since the wires are only 6.6 metres (21 ft 8 in) above the track and 1,435 mm (4 ft 8½ in) (standard gauge) does not provide adequate stability to run double-stacked containers on flat cars.[77]

A portion of a "double stack" container train operated by Union Pacific Railroad, the containers are owned by Pacer Stacktrain, the well cars by DTTX.

Ship

Each year an estimated 10,000 shipping containers fall into the sea; of these 10% are expected to contain chemicals toxic to marine life.[78]

Plane

Containers can also be transported in planes, as seen within intermodal freight transport. However transporting containers in this way is typically avoided due to the cost of doing such and the lack of availability of planes which can accommodate such awkward sized cargo.

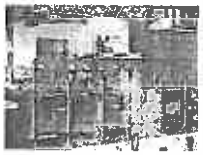
Securing and security

Securing containers and contents

There are many established methods and materials available to stabilize and secure intermodal containers loaded on ships, as well as the internal cargo inside the boxes. Conventional restraint methods and materials such as steel strapping and wood blocking & bracing have been around for decades and are still widely used. Polyester strapping and lashing, synthetic webbings are also common today. Dunnage bags, also known as "air bags" are used to help keep unit loads in place.

Flexi-bags can also be directly loaded, stacked in food-grade containers. Indeed, their standard shape fills the entire ground surface of a 20'ISO container.

Containers can be horizontally connected with lashing bridge fittings



Dockworkers securing containers on a ship with steel lashing bars and turnbuckles

Polyester Lashing Application

Polyester Strapping and Dunnage Bag application

Application in container

Security

Intermodal containers can be the target of break-ins and burglary when left unattended since they often contain valuables. In these cases, a security system consisting of a motion detector and panel can trigger a siren, strobe, or light to deter intruders. Many panels have wireless communication so that security guards can be alerted if an alarm is triggered.

Motion detectors can be used as a security method (although items that were packed incorrectly may come loose and cause a false response from motion detectors). However, many break-ins occur by criminals cutting through a wall of the container, so the obstructed sensor becomes useless. Tomographic motion detectors work well in intermodal containers because they do not require a line of sight to detect motion. The entire container is covered by a volumetric sensing mesh that is not blocked by equipment or inventory. Tomographic motion detection is not prone to misdetection due to dirt buildup as is the case for beams and infrared sensors.

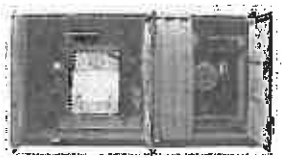
Non-shipping uses

Containerized equipment

Container-sized units are also often used for moving large pieces of equipment to temporary sites. Specialised containers are particularly attractive to militaries already using containerisation to move much of their freight around. Shipment of specialized equipment in this way simplifies logistics and may prevent identification of high value equipment by enemies. Such systems may include command and control facilities, mobile operating theatres[79] or even missile launchers[80] (such as the Russian 3M-54 Klub surface-to-surface missile).

Complete water treatment systems can be installed in containers and shipped around the world.[81]

Electric generators can be permanently installed in containers to be used for portable power.[82]



File:Hammelmann Diesel unit – built into container

Repurposing

Containers have long been used for other purposes, typically but not always at the end of their voyaging lives. US military often used their Conex containers as on-site storage, or easily transportable housing for command staff and medical clinics.[83] Nearly all of over 150,000 Conex containers shipped to Vietnam remained in country, primarily as storage or other mobile facilities.[22] Permanent or semi-permanent placement of containers for storage is common. A regular forty-foot container has about 4,000 kg (8,818 lb) of steel, which takes 8,000 kWh (28,800 MJ) of energy to melt down. Repurposing used shipping containers is increasingly a practical solution to both social and ecological problems.

Shipping container architecture employs used shipping containers as the main framing of modular home designs, where the steel may be an integrated part of the design, or be camouflaged into a traditional looking home. They have also been used to make temporary shops, cafes, and computer datacenters, *e.g.*, the Sun Modular Datacenter.

Intermodal containers are not strong enough for conversion to underground bunkers, as the walls cannot sustain much lateral pressure, and will collapse. Also, the wooden floor of many used containers could contain some fumigation residues, rendering them unsuitable as confined spaces, such as for prison cells or bunkers. Cleaning or replacing the wood floor can make these used containers habitable, with proper attention to such essential issues as ventilation and insulation.

Container City in Cholula, Mexico uses fifty old sea containers for 4,500 m^2 (48,000 sq ft) of workshops, restaurants, galleries, etc., as well as some homes.

See also

- BBC Box
- Container ship
- Containerization
- Customs Convention on Containers
- GWR Container
- Intermediate bulk container
- Logistics Vehicle System
- MIL STD 129
- New York Central container
- RACE
- Roller container
- SECU
- Unit load

Notes

1. Based on size alone, at least 5% of intermodal containers do *not* comply with ISO standards, and should technically not be called ISO containers.[1]
2. Up from an estimated 18.6 million in 2011[5]
3. (8' 6" length, 6' 3" width and 6' 10½" height, and 9000 lbs capacity),[16][17]
4. Some sources also mention a 12-foot version.[20][21]
5. The Containerisation International Market Analysis Report: World Container Census 2012, and the Drewry Maritime Research report: Container Census 2012
6. Originally "COR-TEN", a trademark of U.S. Steel Corporation
7. Using "*standard*" to mean 'standard height', as intended *within the ISO 668 standard*,[35] as opposed to meaning *dry van* or general purpose *container*.[3]
8. Although ISO standard 1496 of 1990 only required nine-high stacking, and only of containers rated at 24,000kg,[39] current Ultra Large Container Vessels of the Post New Panamax and Maersk Triple E class are stacking them ten or eleven high.[40][41]
9. Up from an estimated 34.5 million TEU in 2013[2]
10. Infrequently there are two sets,[47] an outer set which may be used for loaded handling, and an inner set only for unloaded handling, by smaller forklifts.[48]
11. Frequently used abbreviations for the most common ISO 6346 types are: GP (General Purpose), HC / HQ (High Cube), OT (Open Top), RF (Refrigerated), RK (Rack) and TK (Tank).[50]
12. The term *"Series 1"* in the standards names expresses the interrelated nature of the standards, leaving room for another such series in the future. In fact, in 2012 Michel Hennemand, president of the International Container Bureau (BIC), and chair of ISO Technical committee 104, subcommittee SC 1: *General purpose containers*, asked whether the time has come to develop a new series of standards on containers (Series 2), to accommodate new sizes like American 53-foot and European Pallet-wide containers. A new series which, given the significant investments required by the industry, would replace the current series of standards (series 1) in the next 20 or 25 years.[36]
13. Forty-five-foot containers were not standardized by the ISO until the 2005 Amendment No. 2 to the ISO 668:1995 standard.[35]

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ISO container seal on doorlock

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External links

- International Convention for Safe Containers (Geneva, 2 December 1972) (http://www.admiraltylawguide.com/conven/containers1972.html)
- Track and trace by Shipping Containers (http://wheremy.com/container-tracking/)
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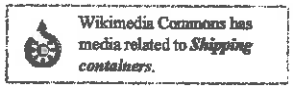

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ORDINANCE NO. 5-20-2010

AN ORDINANCE OF THE CITY OF MERKEL, TEXAS, AMENDING THE CITY OF MERKEL'S CODE OF ORDINANCES BY ADDING CARGO CONTAINERS REGULATIONS, REQUIRING A PERMIT, AND PROVIDING DEVLEOPMENT STANDARDS; PROVIDING A PENALTY OF FINE NOT TO EXCEED FIVE HUNDRED DOLLARS ($500.00); PROVIDING A SEVERABILITY CLAUSE;, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, cargo containers are routinely used during the construction or Remodeling phase of work in commercial and industrial areas; and

WHEREAS, cargo containers, while having a valid temporary construction Purpose, are occasionally placed in residential districts which proves to be unsightly; and

WHEREAS, the City desires, in order to protect the health, safety and welfare, to regulate and provide for the use of such cargo containers.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MERKEL, TEXAS:

CARGO CONTAINERS

As used in this article, the following terms shall have the meanings subscribed in interpreting the provisions of this article.

Active Building Permit. Means and unexpired and unrevoked building permit for which the Building Official has not performed a final inspection.

Applicant. Means an owner, occupant, authorized agent. Or contractor or person with control of a property or lot.

Cargo Container. Means a standardized, reusable vessel maximum forty feet (40') in length, 8 feet (8') in width, and 8 feet, six inches (8'6") in height that is or appears to be:

(1) Originally, specifically or formerly designed for or used in the parking, shipping, movement, transportation or storage of freight, articles, goods or commodities; or
(2) Designed for or capable of being mounted or moved on a rail car; or
(3) Designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

City. Means the City of Merkel, Texas.

Cargo Container Use.

(a) No person shall store, maintain or otherwise keep a cargo container on any lot or property without first having obtained a permit issued by the City Manager or his designee.

(b) *Temporary construction storage use.* A person may store, maintain, or otherwise keep a maximum of two (2) cargo containers on a lot or property within any non-residential zoning district during the period of an active building permit for construction, provided that the Building Official determines that the construction project warrants the use of a cargo container to facilitate the construction, taking into consideration the size of the structure, complexity of the project, and storage options for materials. The cargo container must be placed on an approved surface, and the Building Official must approve its location on the construction site. In the event that a building permit is expired, revoked, or finalized, any cargo container used on the lot or property must be removed within ten (10) calendar days from the expiration, revocation, or finalization of the building permit.

(c) *Long-term use.* A cargo container may only be stored, maintained, or kept for a long period exceeding twelve (12) months on a lot or property that has been an approved site by the City Manager or his designee. A person whose property meets this qualification is limited to one (1) cargo container for the first three (3) acres, and one (1) additional cargo container per every additional ten (10) acres, but not to exceed five (5) cargo containers total per 100 acres of abutting property.

(d) No person shall store, maintain or otherwise keep a cargo container on any lot or property after the expiration of ten (10) calendar days of any valid cargo container permit issued under this article.

Temporary Construction Storage Use Permit.

(a) No person shall store, maintain, or otherwise keep a cargo container as provided in this section without obtaining the required permit, which shall be issued by the City Manager or designee after the applicant complies with the following requirements.

(1) The applicant must submit a written permit application identifying the intended temporary use for the cargo container, and provide a scaled site or location plan showing the size and location of any proposed cargo container(s) on the lot or property, and the location of all existing buildings and parking spaces.

(2) The applicant shall pay the required permit fee for each cargo container as provided in this article.

(b) No person shall be issued a permit for the maintenance of a cargo container unless a current, active building permit has been issued for the lot or property where the cargo container shall be located, and the applicant clearly demonstrates the need for such container under the building permit issued for the lot or property. The applicant may provide a written statement identifying the reasons the cargo container(s) are needed during constructions or remodeling activities for which a building permit has been issued.

(c) The permit for a cargo container shall contain such reasonable conditions which shall minimize the visual clutter and use of adjacent property.

Long-term Use Permits

(a) No person shall store, maintain, or otherwise keep a cargo container as provided in this Section without obtaining the required permit, which shall be issued by the City Manager or designee after the applicant complies with the following requirements.

(1) The applicant annually must submit a written permit application for each cargo container, provide a copy of the most recent property tax valuation to establish that the lot or property has an agricultural exemption from ad valorem taxation and provide a scaled site or location plan showing the size and location of the cargo container(s) on the lot or property, any screening features for the cargo container(s), and the location of any existing buildings or structures.
(2) The applicant shall pay the required permit fee for each cargo container as provided in this article.
(3) If the container is in a non agricultural zoning, the applicant annually must submit a written permit application for each container, provide a specific use for the container, provide a scaled site or location plan showing the size and location of the cargo container(s) on the lot or property, any screening features for the cargo container(s), and the location of any existing buildings. This must be approved by the building inspector to ensure it will not be an eyesore to the area.

(b) The permit for a cargo container shall contain such reasonable conditions which shall minimize the visual clutter and use of adjacent property.

Standards for Cargo Containers

(a) The following development standards shall apply to all cargo containers:

(1) The cargo container(s) shall be constructed of steel or aluminum with a minimum 14-gauge thickness, except for a wood floor within the metal shell. Structural plans and calculations are not required.
(2) The cargo container(s) shall not exceed forty feet (40') in length, eight feet (8') in width, and eight feet, six inches (8'6") in height.
(3) The cargo container(s) shall not have any factory-built or field-applied electrical, plumbing, heating, or air conditioning systems. Further, the cargo container(s) shall not be connected to a power system.
(4) No fixtures, mechanicals, or equipment of any kind may be affixed to the cargo container, with the exception of a locking device.
(5) The cargo container(s) shall be installed and maintained in a level and plumb condition with a maximum differential settlement to grade of two inches (2"). For long-term use, the container must be placed on a permanent foundation.

(6) The cargo container(s) shall be a solid, flat, non-reflective neutral color. Cargo containers with a long-term use permit must be painted a solid, flat, non-reflective color that matches the surrounding natural environment.
(7) No signage, lettering, text, or artwork may be placed on any cargo container except when located in a commercial zoning and is approved by the City Manager or his designee.

(b) The following standards shall apply to the placement and location of all cargo containers:

(1) The cargo container(s) may not occupy any required off-street parking spaces or loading/unloading areas or fire lanes in any district.
(2) The cargo container(s) shall not block, obstruct, or reduce in any manner any required exits, windows, vent shafts, parking spaces, and/or access driveways.
(3) The cargo container(s) shall conform to the setback and building line requirements of the zoning district where it will be placed. No cargo container shall be permitted in a location which is nearer to the public street than the main building, except for projects with an active building permit as defined in the City of Merkel's Zoning Ordinance.
(4) The cargo container(s) shall not be stacked on top of each other or on any other structure.
(5) The cargo container(s) may not be placed closer than 1,000 feet to any existing inventoried wetland or identified floodplain/floodway.
(6) The cargo container(s) with a long-term use permit must not be visible from the portion of any public road that abuts the lot or property. Acceptable screening features for a cargo container include landscaping, fencing, pole barns, terrain, or a combination of these features. Applicant must provide a detailed, to scale site plan for the cargo container(s), which show any screening features. All structures and fences used for screening must be permitted through the Building Department.

(c) The following standards apply to use of all cargo containers:

(1) The cargo container(s) shall not be used for human habitation or commercial business purposes.
(2) The cargo container(s) shall not be used to store hazardous materials.
(3) Refuse and debris shall not be stored in, against, on, or under the cargo container(s).

(d) A person may only place a cargo container on a property or lot that has:

(1) An active building permit issued by the City, and on which construction has commenced; or an active cargo permit issued by the City.

(e) The cargo container(s) shall be secured, structurally sound, stable, and in good repair. Any cargo container that becomes unsecured, unsound, unstable or otherwise dangerous shall be immediately repaired or removed from the property. The Building

Official shall provide the permit holder for the cargo container(s) of any condition in violation of this section. After notice to the permit holder, any cargo container stored or kept in such a manner deemed a dangerous condition and a public nuisance as determined by the Building Official may be immediately removed by the City.

(f) Any cargo container in violation of this article shall be removed by the City, and any cost or expense associated with the removal shall be the responsibility of the property owner where the cargo container is located. All associated costs, including but not limited to legal fees and court costs, shall constitute a debt due and owed to the City, and shall be recordable as a lien upon the land of the cargo container storage facility and/or property owner.

Revocation and Appeal.

SECTION 1.

(a) Any permit issued under this article may be revoke upon ten (10) days written notice to the owner, occupant or person in control of the property if such person is storing, maintaining or otherwise keeping a cargo container in violation of this article or permit herein issued.

(b) Any person aggrieved by a decision of the City Manager or designee to revoke a permit may appeal to the Planning and Zoning Board whose decision shall be final."

SECTION 2. That all provisions of the Ordinances of the City of Merkel, Texas, in conflict with the provisions of this ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. If any article, paragraph or subdivision, clause or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of the Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Merkel, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Merkel, Texas, shall be subject to a fine not to exceed the sum of five hundred ($500.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. This Ordinance shall take effect immediately from and after the publication of its caption, as the law in such cases provides.

DULY PASSED by the City Council of the City of Merkel, Texas, on the 20th day of May 2010.

APPROVED:

_____

RUSTY WATTS, MAYOR

ATTEST:

GWEN WETSEL, CITY SECRETARY

APPROVED AS TO FORM:

CLAUDIA E. CLINTON, CITY ATTORNEY

WHEREAS, the proposed ordinance is consistent with several goals in Gloucester County's Comprehensive Plan, including: upgrading regulations as growth and development patterns warrant; encouraging efficient and attractive commercial development to provide convenient access to goods and services, increase the number of local jobs for County residents, and broaden the economic base of the County; encouraging housing of various types by considering revisions to the land development and construction codes to reflect new techniques and innovations in order to facilitate housing development, rehabilitation and construction; and encouraging quality by regulating the design of industrial areas to promote and retain high standards of community appearance; and

WHEREAS, the Gloucester County Planning Commission prepared a draft ordinance amendment and held a public hearing on January 2, 2014, voting 8-0 (with 3 absent and 2 vacancies) to forward the ordinance amendment to the Gloucester County Board of Supervisors with a recommendation of approval; and

WHEREAS, the Gloucester County Board of Supervisors has held a duly advertised public hearing and is of the opinion that public necessity, convenience, general welfare, and good zoning practice will be furthered by such an amendment.

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Gloucester County, Virginia, this ___ day of ___, 2014, that the Gloucester County Code, Appendix B, Article 2 – Definitions, Section 2-2 – Definitions; and Article 9 - Supplementary District Regulations, be amended as follows:

APPENDIX B – ZONING

Add the following definitions to Appendix B – Zoning – Article 2 – Section 2-2 Definitions:

Caregiver: **An adult who provides care for a mentally or physically impaired person within the Commonwealth. A caregiver shall be either related by blood, marriage, or adoption to or the legally appointed guardian of the mentally or physically impaired person for whom he is caring.**

Freight containers: **Portable, weather resistant receptacles designed for the multi-modal shipment of goods, wares, or merchandise. This definition includes shipping containers, cargo containers, and similar containers designed for multi-modal transport. This definition does not include trailers, travel trailers, tractor trailers, truck bodies, manufactured homes, motor vehicles, and similar transportable units.**

ORDINANCE NO. 3528

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON RELATING TO MOUNT VERNON MUNICIPAL CODE TITLE 17, ZONING, BY AMENDING PORTIONS OF CHAPTER 17.72, PROVISIONS APPLICABLE TO ALL DISTRICTS.

WHEREAS, the requisite notice of adoption of the proposed amendments has been duly transmitted in compliance with RCW 36.70A.106 (1); and,

WHEREAS, a SEPA Threshold Determination of Non-significance, non-project action, was published on January 18, 2011 and no comments were received or appeals filed; and,

WHEREAS, the hearings of February 15, 2011; and March 9, 2011 were both preceded with appropriate notice, published on January 18, 2011. At the March 9, 2011 hearing the City Council officially continued the hearing for the amendments to MVMC 17.72 to April 13, 2011 with a majority vote of the City Council; and,

WHEREAS, the requirements for public participation in the development of this amendment as required by the State Growth Management Act (GMA) and by the provisions of City of Mount Vernon Resolution No. 491 have all been met; and,

WHEREAS, The City utilized the State Attorney General Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property for evaluating constitutional issues, in conjunction with and to inform its review of the Ordinance. The City has utilized the process, a process protected under Attorney-Client privilege pursuant to law including RCW 36.70A.370(4), with the City Attorney's Office which has reviewed the Advisory Memorandum has discussed this Memorandum, including the "warning signals' identified in the Memorandum, with decisions makers, and conducted an evaluation of all constitutional provisions potentially at issue and advised of the genuine legal risks, if any, with the adoption of this Ordinance to assure that the proposed regulatory or administrative actions did not result in an unconstitutional taking of private property, consistent with RCW 36.70A.370(2); and,

WHEREAS, the proposed amendments ensure that the City's development regulations are internally consistent; and,

WHEREAS, the proposed amendments reflect the City Council's desire to ensure that storage/cargo containers are not permanently placed in residential zones, that public safety is protected by ensuring that sight distance is not hampered, and that they are screened from view in some commercial districts. These amendments also recognize that storage/cargo containers are an integral part of business operations in certain commercial, industrial and manufacturing zones; and in these zones, the use of storage/cargo containers will not be prohibited; and,

WHEREAS, the proposed amendments are found to be in compliance with the State Growth Management Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, AS FOLLOWS:

SECTION ONE. The City Council does hereby adopt the above listed recitals as set forth fully herein.

SECTION TWO. PLANNING COMMISSION RECOMMENDATION ADOPTED. The City Council adopts the Planning Commission's findings of fact and conclusions of law, attached, in their entirety.

SECTION THREE. That Section 17.72.090, Storage/Cargo Containers, is hereby repealed and reenacted, the new section to read as follows:

17.72.090 Storage/cargo containers.

A. Storage/cargo containers are not allowed to be permanently placed in any residential zone. Storage/cargo containers can be allowed on a temporary basis when needed for activities like on-site construction projects, or when someone is packing and moving, or other similar reasons. For the purposes of this section, "permanently placed" shall be defined as a period of up to six months; however, the Community & Economic Development Director can administratively approve the placement of a storage/cargo container for up to one year, or longer, as long as the applicant demonstrates why an extension of time is necessary. (Ord. 3315, 2006). Storage/cargo containers are defined as follows. Storage/cargo containers in other than residential zones can be approved with the conditions outlined below.

1. Storage/cargo containers are defined as: a reusable, non-collapsible container designed to provide protection for a specific item against impact, climatic conditions, and the like, during handling, shipment, and storage. Common examples of storage/cargo containers are pods, connex, or sea vans. This is not meant to include storage sheds or other similar residential accessory storage structures.
2. Storage/cargo containers in the C-L, M-1, and M-2 districts can be permanently placed so long as they are not within required setback, or landscaping areas.
3. Storage/cargo containers in all zones other than residential, C-L, M-1, or M-2 can be permanently placed so long as they are not within required setbacks or landscaping areas; and so long as they are not visible from the adjacent public right-of-ways. A property owner can screen with fencing and/or landscaping to obscure the containers from view to meet the intent of this section of the code.

SECTION FOUR. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

SECTION FIVE. City staff are hereby directed to complete preparation of the final ordinance, including correction of any typographical or editorial edits.

SECTION SIX. This ordinance shall be in full force and effect five days after its passage, approval and publication as provided by law.

PASSED AND ADOPTED this 13th day of April, 2011.

_____
Alicia D. Huschka, Finance Director

_____
Bud Norris, Mayor

Approved as to form:

_____
Kevin Rogerson, City Attorney

Published _____

ORDINANCE NO. 693
2ND SERIES

AN ORDINANCE AMENDING CITY CODE SECTION 10.03 FOR THE PURPOSES OF REGULATING THE USE OF PORTABLE STORAGE/SHIPPING CONTAINERS WITHIN THE CITY OF ALEXANDIA

The City Council of the City of Alexandria does **ORDAIN:**

SECTION I. That Section 10.03, Subdivision 2 of the Alexandria City Code is hereby amended by the addition of the following:

K. Portable Storage/Shipping Containers

Subd. 1. **PURPOSE.** The purpose of this Section is to provide for the public health, safety and general welfare of the community and its people through the establishment of standards to insure that portable storage/shipping containers as defined herein are used for the short-term, temporary storage and transport of personal property; are not used as accessory buildings; and do not impede vehicular access, traffic flow or circulation, or create public safety hazards. It is the intent of this Section that portable storage/shipping containers be placed on private property unless space is not available, in which case placement within a public right-of-way may be allowed with a right-of-way permit from, and at the discretion of, the Alexandria Public Works Department.

Subd. 2. **GENERAL REGULATIONS:**

A. *Definition*. For the purposes of this section, portable storage/shipping containers shall be defined as any container designed to store or ship personal property and which is typically rented to owners or occupants of residences and intended to be delivered, temporarily used, and removed by truck.

B. Notwithstanding any contrary provision of any City ordinance or regulation, or relevant provisions of the International Building Code which may allow use as a component of a principal residential use, portable storage/shipping containers located outside of a fully-enclosed building or structure shall be regulated in residential zoning districts or for a residential use in any other district with the following restrictions:

1. *Permit*. If the portable storage/shipping container is located on private property, a Portable Storage Unit permit shall be obtained from the City of Alexandria. If the portable storage/shipping container is located on public property, a right-of-way permit shall be obtained from Alexandria Public Works Department.

2. *Maximum number and time limits*. In residential zoning districts or for a residential use in any other district, a maximum of one (1) portable storage/shipping container shall be allowed no more than two (2) times on any parcel for a period no longer than fourteen (14) consecutive days within in any 12-month period. An extension may be granted by the Alexandria Zoning Administrator for a defined period.

3. *Location or placement*. In residential zoning districts or for a residential use in any other district, portable storage/shipping containers shall be placed on a paved surface in a driveway or parking space and shall meet all minimum setback requirements of the district when possible. When space is not available on site, no more than one (1) portable storage/shipping container may be placed in a public right-of-way in a legal parking space and only with the approval and right-of-way permit from the Alexandria Public Works Department.

4. *Dimensions*. No portable storage/shipping container located in residential zoning districts or a residential use in any other district shall have dimensions greater than twenty (20) feet in length, eight (8) feet in width, and eight (8) feet in height.

5. *Signs*. Other than the required city permit(s) and ownership identification, no advertising sign shall be attached to a portable storage/shipping container.

6. *Maintenance*. All portable storage/shipping containers shall be maintained in a condition free from rust, peeling paint and other visible forms of deterioration.

SECTION II. This Ordinance shall be in full force and effect from and after its passage and publication.

ADOPTED by the City Council of the City of Alexandria this 23rd day of December, 2013, by the following vote:

YES: BATESOLE, THALMAN, MILLER, BENSON, JENSEN

NO: NONE

ABSENT: NONE

Sam Carlson, Mayor

ATTEST:

Martin D. Schultz, City Administrator

AN ORDINANCE TO AMEND CHAPTER 51 SOLID WASTE OF THE CITY OF BENSON CODE OF ORDINANCES TO PROVIDE FOR THE REGULATION OF DUMPSTERS AND PORTABLE STORAGE CONTAINERS

WHEREAS, in an effort to keep the streets within the city safer and cleaner, an ordinance is hereby being enacted to regulate the placement of dumpsters, portable storage containers and the like on the public right-of-way and streets within the City of Benson;

THE CITY COUNCIL OF THE CITY OF BENSON, MINNESOTA, DOES ORDAIN AS FOLLOWS:

§ 51A.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates a different meaning.

CONTAINER. Any portable container used or designed for collection, transportation, disposal or storage of solid waste or personal property.

DUMPSTER. Any portable container used or designed for collection of, transportation of, or disposal of solid waste or the like. Dumpsters shall include, but is not limited to, roll-off containers, collection bins, and tubs.

PORTABLE STORAGE CONTAINER. A portable, weather-resistant receptacle designed and used for the storage or shipment of household goods, wares, building materials or merchandise.

ROLL-OFF CONTAINER. A large metal container designed and used for the temporary storage of refuse, rubbish, trash, garbage, junk, debris, offal, or any material rejected as useless and fit only to be thrown away. Such container is typically rented or leased to owners or occupants of property for their temporary use and which is typically delivered and removed by truck.

SOLID WASTE. All matter of useless, unwanted or discarded solid or semisolid domestic, commercial, industrial, institutional, construction and demolition waste material, including garbage and refuse.

§ 51A.02 PERMIT. Every person seeking to place one or more containers upon any public right-of-way or public street must obtain a container permit from the Director of Public Works.

§ 51A.03 RULES.

(A) Containers must be well maintained and in good working condition and be suitably supported at each contact point to prevent damage to paved surfaces.

(B) Containers must be covered when materials inside are easily airborne, pose a hazard, emit an odor or are otherwise offensive.

(C) Debris and property must be placed inside the container and not along side or on top of it.

(D) All dumpsters are required to be emptied when full. For the purpose of this ordinance, full is defined as when the contents of the dumpster reach an average level of one foot below the top edge of the dumpster sides. Any dumpster which has reached the full status, and is not emptied within seven (7) calendar days shall be considered in violation of this ordinance.

(E) Cleaning containers on the street or sidewalk is not permitted.

§ 51A.04 CONTAINERS IN THE PUBLIC RIGHT-OF-WAY.

(A) A container placed in the public right-of-way must have a flasher or reflector on the outside corner facing traffic at all times. Where traffic may approach from either side, the container must have a flasher or reflector on the outside corner on both sides.

(B) Containers shall not block a public sidewalk or be placed in a location that restricts the "sight lines" of an intersection. "Sight lines" will be determined by the Public Works Director.

(C) Dumpsters placed in the public right-of-way for construction, remodeling or demolition projects shall be removed immediately upon the completion of the project. No dumpster shall be placed in the public right-of-way for more than sixty (60) days. An extension of the sixty (60) day rule may be allowed with written permission from the City.

(D) Portable storage containers in the public right-of-way for temporary storage of personal property shall be placed in the public right-of-way for no more than fourteen (14) days. An extension of the fourteen (14) day rule may be allowed with written permission from the City.

(E) No container shall be placed on streets, sides of streets or areas designated as "No Parking". Dumpsters shall not be placed in public parking lots or parks without prior written permission from the City.

(F) The owner and/or the user of a container on a public right-of-way is/are responsible for any public property, street, curb and gutter, or public infrastructure damage.

(G) No container shall be placed in the public right-of-way during the winter snow season, defined for this purpose of this ordinance as the period from November 1 to the next following April 1.

(1) The Director of Public Works may issue a special permit to a property owner for placement of a container in the city right-of-way during the winter snow season due to the necessity of immediate cleanup of solid waste or storage of personal property due to fire, flood, or other calamity. The permit would be issued on a temporary basis not to exceed thirty (30) days, and the permit may provide additional requirements for visibility. Extensions cannot be granted for more than the aforesaid time period unless a longer period is granted by the City Council.

§ 51A.05 CONTAINERS IN THE PUBLIC RIGHT-OF-WAY.

(A) The City Council may deny the use of containers in the public right-of-way if the container is too wide to allow public safety vehicles through, or due to any other traffic concerns.

(B) The City Council may also deny the use of containers to protect public health or safety concerns.

§ 51A.06 FEES AND FINES. Any permit fees or fines pursuant to the provisions of this section shall be set by and amended, from time to time, by the City Council through resolution.

§ 51A.99 VIOLATION. Any violation of this ordinance is a misdemeanor.

(A) The City may remove or have a container removed from the public right-of-way, if the container is in violation of this ordinance.

(B) The owner of the container, or if the owner cannot be determined, the person placing it in the public right-of-way shall pay all costs, fees, penalties or other expenses incurred by the City in removal, storage fees and disposal of any container and its contents.

(C) If the container is not claimed within 30 days by its owner or person responsible for placing it in the public right-of-way, it may be disposed of as abandoned property, but disposal shall not diminish the responsibility of the owner or the person responsible for placing the container in the public right-of-way to pay all amounts due.

(D) The City shall not release a container from storage until all amounts due under this section have been paid.

(E) The City of Benson shall not be responsible for any damages to such container removed in accordance with the provisions of this Ordinance.

This Ordinance shall become effective thirty days upon publication.

Mayor

ATTEST: _____
Clerk

Approved as to Form: _____
City Attorney

First Reading: January 4, 2010
Second Reading: February 16, 2010
Publication: February 24, 2010

Blaine

RESIDENTIAL BUILDING SURFACES (EXTERIOR MAINTENANCE) BCO (18-301 - 18-304)

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. The following items will require corrective action:

- Exterior surfaces including siding, fascia, or roof surfaces which are missing, rotting, lacking paint, or having pealing paint over 20% of any one side or 10% of all sides combined;
- Missing exterior doors or broken windows;
- Decks or exterior stairs which have any structural defects which create an immediate hazard or have over 20% rotting or missing structural components and structural deterioration creating a danger of collapse.

Contact Community Standards at 763-785-6187 for additional information. For financial assistance and other home improvement information call 612-335-5869.

RESIDENTIAL EXTERIOR STORAGE BCO (18-261 thru 18-264)

Personal property should generally be stored inside. Storage of yard maintenance equipment, toys, and non-permanent recreational equipment are permitted if not stored outside for periods longer than 72 consecutive hours. Vehicles and ornamental yard enhancements (landscaping, light poles, trellises, benches designed and intended for exterior use, and other permanent improvements designed to enhance the appearance of the yard) are excluded from this standard.

Portable storage or moving containers (POD's) are not allowed.

Contact Community Standards at 763-785-6187 for additional information.

SATELLITE DISHES BZO (33.12 (d))

Satellite dishes exceeding 24 inches in diameter must be located in the rear yard at a distance of five (5) feet from adjacent property lines.

Contact Community Standards at 763-785-6187 for additional information.

SEPTIC SYSTEMS BCO (34-241 thru 34-246)

The Blaine City Ordinance requires that septic tanks be pumped and inspected every three years by a certified pumper.

Questions relating to pumping requirements should be directed to the Building Department at 763-785-6170.

ARTICLE VII. - RESIDENTIAL EXTERIOR STORAGE

Sec. 18-261. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ornamental yard enhancements means landscaping, light poles, trellises, benches designed and intended for exterior use, and other permanent improvements designed to enhance the appearance of the yard.

Residential storage means storage of personal property, exceeding 72 hours, at a residence including, but not limited to, lawn furniture, yard maintenance equipment, toys, and recreational equipment, exclusive of vehicles and ornamental yard enhancements.

(Code 1980, § 11-121; Ord. No. 01-1929, 12-6-2001)

Cross reference— Definitions generally, § 1-2.

Sec. 18-262. - Penalties for violation of article.

Any person violating any provision of this article shall be guilty of a misdemeanor and may be subject to criminal and administrative municipal court action.

(Code 1980, § 11-123; Ord. No. 01-1929, 12-6-2001)

Sec. 18-263. - Purpose of article.

The purpose of this article is to preserve property values, eliminate blighted properties, and protect the character and appearance of residential neighborhoods through the regulation of exterior storage.

(Code 1980, § 11-120; Ord. No. 01-1929, 12-6-2001)

Sec. 18-264. - Residential exterior storage limited.

Exterior residential storage is prohibited.

(Code 1980, § 11-122; Ord. No. 01-1929, 12-6-2001)

Secs. 18-265—18-300. - Reserved.

5) Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint of any such persons; or

6) Erotic or lewd touching, fondling, or other sexually-oriented contact with an animal by a human being; or

7) Human excretion, urination, menstruation, vaginal or anal irrigation.

STEEP SLOPE: Means land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of this ordinance. Where specific information is not available, steep slopes are lands having average slopes over 12 percent over horizontal distances of 50 feet or more, that are not bluffs.

STORAGE CONTAINER: An all-metal structure, or made of other construction materials, fully enclosed, used for storage purposes, and is accessory and detached from the principal building. Storage containers are individual units that are periodically removed from a property by truck and are considered a structure without any attached foundation or footings. A storage container may be a self-contained unit that includes wheels and is licensed as a vehicle or a unit that must be trucked to a site and removed from the trailer used for transport. This definition excludes warming sheds at city parks and schools, sheds and dumpsters or rolloff containers that are used for the collection of solid waste. Storage containers are also referred to as cargo containers, temporary storage containers, portable storage containers, containerized storage devices, semi-trailers or truck-trailers.

STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six (6) feet above grade for more than fifty (50%) percent of the total perimeter or is more than 12 feet above grade at any point, such usable or unused under-floor space shall be considered as a story.

STORY, FIRST: The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more that 4 feet below grade for more than 50% of the total perimeter, or not more that 8 feet below grade at any point.

STREET: A strip of land used or intended to be used for the passage or travel of motor vehicles, non-motorized vehicles and pedestrians, including roadway, boulevard, medians, islands, paths, sidewalks and related facilities.

STREET, PRIVATE: A street owned and maintained by one or more private property owners.

CHAPTER 61

LOT AND SITE DEVELOPMENT APPROVAL PROCEDURES

61.100 The requirements of this section identify which permits or certificates will be required prior to the commencement of any development involving the establishment, modification or change to a use on a parcel or tract of land within the City of Rochester.

61.110 ZONING CERTIFICATE:

A document issued by the Zoning Administrator authorizing a development to proceed based on information included on the application evidencing compliance with ordinance requirements.

61.111 **When a Zoning Certificate is Required**: Subdivision 1. A zoning certificate shall be required before (1) any new use may be established involving a change in the manner in which the exterior portion of a site is used or involving the erection, construction, reconstruction or alteration (as defined) of a building or structure; (2) an existing use is changed or modified so as to alter the character of its occupancy; (3) the re-establishment of a use involving the erection, reconstruction, construction or alteration of a building or structure; or (4) the establishment of a temporary use on a site may proceed.

Subd. 2. For purposes of this Chapter, the Zoning Administrator's signature appended to an Application for Sound Amplification Permit to be issued pursuant to Chapter 117 shall constitute zoning approval and an approved zoning certificate.

61.112 **Procedure**: All zoning certificates shall be processed under the Type I review procedure outlined in subsection 60.510.

61.113 **Submission Criteria**: Appendix B outlines the information that is to be submitted with an application for a zoning certificate.

61.114 **Criteria or Approval of Zoning Certificates**: It shall be the duty of the Zoning Administrator to issue the zoning certificate provided that he is satisfied that the use and layout of the development as indicated on the site plan conform with ordinance requirements. No zoning certificate authorizing a conditional use, or requiring a variance, special relief, or design modification, shall be issued until said permit has been approved under the regulations of this ordinance, and the zoning certificate evidences compliance with any conditions attached to the approval of said permit.

61.115 **Approval of Temporary Uses**: The zoning administrator may approve a zoning certificate for a temporary use in the form of a revocable permit for a period not to exceed 12 months subject to conditions that will safeguard the public health, safety and general welfare. Specific restrictions applying to certain types of temporary uses are:

A. **Carnival or Circuses**: No structure or equipment shall be within 500 feet of any residential property line.

B. **Christmas Tree Sales**: Only permitted in non-residential zoning districts for a period not to exceed 45 days.

C. **Contractor's Office and Construction Equipment Shed**: Permitted in any district where use is incidental to a construction project. The office or shed shall not contain sleeping or cooking accommodations and shall be removed upon completion of the construction project.

D. **Seasonal Sales of Farm Produce**: Sale areas shall be set back a minimum of 20 feet from any right-of-way.

E. **Public Gatherings (concerts, religious meetings, tent meetings)**: Unless the public gathering is the subject of an approved Sound Amplification Permit issued pursuant to Chapter 117, the organizers of such events shall present a traffic control and parking plan that has been approved by the Police Department and the City Traffic Engineer. The site shall be cleared of debris at the end of the event and all temporary structures removed within 20 days after the close of the event.

F. **Storage Containers:** Storage containers placed as temporary uses may not block fire lanes, no-parking zones or restrict emergency vehicles, delivery or other vehicle circulation. The placement of the container shall not block the visibility for vehicles or pedestrians entering or exiting the site. No solid or hazardous waste or hazardous material is permitted in or around the storage containers. No materials may be stacked or stored on top of the storage container.

61.116 **Certificate of Zoning Compliance**: A document issued by the Zoning Administrator permitting the occupancy of a Type III use in a building or on a parcel of land to commence, based upon a finding that the development is consistent with the terms of the zoning certificate authorizing the development. The Zoning Administrator may approve a conditional certificate of zoning occupancy where conditions beyond the control of the applicant exist which will not permit total completion of the development for a specified period of time.

61.120 HOUSING CERTIFICATE:

A document issued by the zoning administrator pursuant to Section 38.05 of the Rochester Code of Ordinances establishing that a rental unit meets all the provisions and requirements of the zoning ordinance. A housing certificate shall be issued before the City of Rochester Building Safety Department approves a registration certificate allowing an owner or operator to let for occupancy to another individual any habitable unit.

61.121 **Procedure**: All housing certificates shall be processed under the Type I review procedure outlined in Section 60.510.

61.122 **Submission Criteria**: Appendix B outlines the information that is to be submitted with an application for a housing certificate.

61.123 **Criteria for Issuance of a Housing Certificate**: It shall be the duty of the zoning administrator to issue the housing certificate if he is satisfied that the requirements of the zoning ordinance have been met.

62.2721 **Limitation On Use – Non-residential and Accessory Uses:** Subdivision 1. Accessory Uses in residential districts shall not include (A) the conduct of any business, trade or industry, except as provided for in this section; (B) any private way or walk giving access to such activity; or (C) the boarding of animals or the keeping of fowl or farm animals except as otherwise provided by any provision of the Rochester Code of Ordinances.

Subd. 2. Accessory uses or structures to a residential principal use may include (A) garages, carports, other parking spaces, swimming pools and tool sheds for the exclusive use of residents on the premises and their guests; (B) summer houses or servant quarters of persons employed on the premises without kitchen facilities and not rented or otherwise used as a separate dwelling; (C) gardening and the keeping of a limited number of household pets exclusively for the personal enjoyment of residents of the premises; (D) solar collection systems that are used for servicing the principal residence on the lot; (E) private greenhouses for the use by residents of the premises, or (F) Small non-utility WECS and WECS Meteorological Tower, freestanding or attached to a building, for servicing the principal use and accessory uses on the lot (refer to section 62.930 for standards).

62.2722 **Limitation On Use – Storage Containers:** Subdivision 1. Storage containers are permitted in any zoning district, but only on public parkland or school sites for a period not to exceed six months per year. The location of the storage container shall be no closer than 50 feet to a property line adjacent to a residential zoning lot. A storage container shall be no closer than 25 feet to a public street. The storage container must be located a minimum of 50 feet from the property/right-of-way line when residential dwellings are located across the street from residential dwelling units.

Subd. 2. The storage container must be an earth tone color and may have an identification sign with no more than two square feet of sign area. The storage container must be maintained as required by Section 62.396(G).

62.2723 **Limitations on Use – Garage Sales:** Garage sales are limited to no more than three (3) sales per calendar year at any one property. Such sale cannot exceed three (3) consecutive calendar days.

62.273 **Accessory Building in Residential Districts-General:** The following general regulations apply to garages, accessory buildings and structures in residential districts:

1. **Location:** Detached garages and accessory buildings accessory to a residential use may be located:

   A. in the buildable lot area;

   B. in the required rear yard to within 18 inches, or five feet when in the R-Sa District, of any lot line of adjoining lots, or to within five (5) feet of any lot line separating the lot from an alley, except in the case where the wall of the accessory building facing an alley contains doors which will permit the parking of vehicles or recreational vehicles within the accessory building, in which case the setback shall be 18 feet;

b) the property abuts an existing nonresidential district, and natural features of the site, such as shallow bedrock or poor subsoil conditions, make the development of residential uses on the site economically unfeasible.

62.265 **Parking Facilities**: Non-accessory community parking lots may be developed in residential districts according to the regulations contained within this paragraph and the zoning district tables. To be considered as a Type I use, the site shall have landscaped area ratio equal to 1/2 the amount of landscape area required for nonresidential uses in the applicable zoning district. All other developments are considered a Type III use.

62.266 **Other Requirements**: The following requirements apply to residential uses in the various residential districts:

1) **Inadequate Dwelling Facilities**: No garage, tent, trailer, recreational vehicle, accessory building, basement or cellar shall at any time be used as a dwelling, except as provided for within the ordinance under the accessory use provisions of this ordinance.

2) **Lot Area in the R-Sa District**: New lots for single family detached dwellings in the R-Sa District shall have a minimum lot size determined by using the procedure identified in 60.424 Subd. 5 (A)(1).

3) **Storm Shelter Facilities**: Any multifamily residential development which has a density of 16 units/acre or greater shall be required to provide storm shelter facilities meeting the following requirements:

a) The storm shelter facility must meet the minimum design standards set forth in Chapter 1370 of the 1990 State Building Code.

b) The shelter must be constructed to accommodate the following number of people:

c) The shelter space (no. of people) = 0.75 x no. of dwelling units x 2.5 people per dwelling unit.

4) **Detached Single Family Uses:** In the R-3 and R-4 Districts, detached single family uses are permitted only on lots under 12,000 square feet platted prior to 1992.

5) **Duplex Uses:** In the R-4 District, duplex uses are permitted only on lots under 12,000 square feet platted prior to 1992.

62.270 ACCESSORY USE - RESIDENTIAL DISTRICTS:

No accessory use or structure shall be established or constructed unless a zoning certificate evidencing the compliance of such use or structure with the provisions of this section and other applicable provisions of this ordinance has been issued.

62.271 **Limitation on Establishment**: No accessory structure shall be constructed or established on any lot prior to the time of the substantial completion of construction of the principal structure to which it is accessory.

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(2) Shall not be more than ten feet above the roof to which it is attached;

(3) Wall mounted solar collectors shall not extend over property lines;

(4) Shall not exceed the maximum height permitted in the zoning district in which it is located;

(5) Shall comply with all city and state building and electrical codes;

(6) The property owner shall notify the electrical utility where the solar collection system is connected to the electrical utility system; and

(7) If the solar collector cease to perform its originally intended function for more than 12 consecutive months, the property owner shall remove the collector, mount and associated equipment and facilities by no later than 90 days after the end of the twelve- month period.

62.396 **Storage Containers in Non-Residential Districts:** Container storage of merchandise is permitted only when incidental to the permitted use located on the same lot, and provided that the container storage area meets the following requirements. These standards do not apply to truck trailers or semi-trailers that are actively being used for the transportation of merchandise and are temporarily located adjacent to loading docks of a principal structure.

A. Storage Container Lots: The exterior storage of storage containers by a lease agent or storage container leasing business shall be permitted only in the M-1 and M-2 districts. This use shall be classified as a "Non-Production Industrial" use and must meet the requirements established for that use in the M-1 and M-2 districts. Storage containers shall not be stacked for storage on such lots. A Site Development Plan review and zoning certificate is required for this use.

B. Accessory Use in a Non-residential District: Storage containers are a permitted accessory use only within the B-4, M-1 and M-2 districts for those use categories that permit exterior storage or display as specified by the applicable zoning district standards and site appearance standards, and Section 63.240. A Site Development Plan review and zoning certificate is required for the placement of any storage container in any zoning district so long as the storage container is not part of an approved Site Development Plan.

C. Storage container location: Storage containers must meet Exterior Storage Standard "S" as specified in Section 63.242(4). Storage containers may be located within the buildable area of a lot and setback from any public right-of-way 25 feet. Storage containers and the container storage area shall not be located on any part of a yard between the front or side street lot line and the principle structure or building. Storage containers may not be located on utility or drainage easements. The area of a lot designated for storage containers shall be located immediately adjacent to the principal structure.

D. Maximum permitted heights: The maximum height permitted shall be nine and one-half feet above the finished grade in any district. Storage containers shall not be stacked.

E. Site impact: The area of a lot designated for storage containers shall be included as a part of the floor area and all related calculations including floor area ratio and landscape area. In no case shall the area on a property designated for storage containers exceed the outer dimensions of the principal structure or 10% of the gross floor area, whichever is less. Where a home center or lumber yard which is classified as a Non-Production Industrial Use proposes to use storage containers, the containers shall be located within the permitted exterior storage area and must be calculated as part of the exterior storage area as regulated by the district and Sections 63.250, 63.260.

F. Site improvements: The storage containers shall be located on a paved level surface to prevent shifting, rolling, or other movement. In the B-4 and M-1 districts:

(1) the area designated for storage containers shall be required to provide a bufferyard that meets the standard established for the Non-Production Industrial use category;

(2) the storage container shall be completely enclosed by a solid wall made of the same material and the same appearance as the principal structure, and a gate that blocks the view of the storage area. The wall shall be ten feet in height. The gate shall be securable. A wall will not be required where a home center or lumber yard classified as a Non-Production Industrial Use proposes to use storage containers and the containers are located within the exterior storage area as regulated by the district, and by Sections 63.240, 63.260.

(3) In the M-2 district, the area designated for storage containers shall be required to provide a bufferyard that meets the standard established for the Non-Production Industrial use category.

G. Maintenance: The storage containers must be free of graffiti, posters, bills or advertising signs. All containers must be free of corrosion, rust, rot, holes or leaks. The containers must be painted. Graffiti and other vandalism must be repaired within two weeks of the incident. A company identification sign no more than 2 square feet in area shall be attached to the storage container.

H. General standards:

(1) storage containers shall not be connected to utility services;

(2) storage containers may not be used to store mixed municipal waste or other solid waste or hazardous, flammable, explosive, corrosive or biologically infectious or contagious materials;

(3) the area used to park the storage containers shall be located on a lot that allows the units to be moveable;

(4) no object may be stacked or stored on top of a storage container.

Building Inspection Report

Brad Mehlhop

April, 2016

These are notes of outstanding building permits for the years 2013 and 2014.

>2013-00169 – This permit is for a basement remodel. Progress is being made. Health problems in the family caused a delay. No change from last month.

>2014-00010 – Mike Brockner has walked away from this project. Homeowner is finishing on their own. They are very near final. Waiting for a call for inspection. I have not been able to contact the homeowner.

School update: There are only five weeks of school remaining. I have submitted an application to sit for the five day class that is administered by the Department of Labor and Industry. After the completion of School and the five day class, I will be eligible to take the test to become a certified Building Official limited.

BD

City of Paynesville
Pending Inspections Report

Order By: Issued Date and Permit#
Issued Date From: 1/28/2013 To: 3/30/2016
Permit Type: All Property Type: All Construction Type: All
Inspection Type: All
Report Detail: None

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
12/16/2013	2013-00169	530 MAYWOOD AVE JUMA, EMSON (320) 267-1183	Building Residential Remodel
03/03/2014	2014-00010	714 BUSINESS 23 W MIKE BROCKNER CONSTRUCTION (320) 492-4036	Building Residential Remodel
02/12/2015	2015-00014	531 MINNIE ST STANG,BRUCE F & BERNADETTE L	Building Industrial Remodel
05/07/2015	2015-00033	214 POMEROY AVE DAHL HOUSE RENTALS (320) 492-0374	Building Residential Siding
05/07/2015	2015-00040	214 POMEROY AVE DAHL HOUSE RENTALS (320) 492-0374	Building Residential Window/Door Replacement
05/19/2015	2015-00049	110 SPRUCE ST NEW STYLE CUSTOMS (320) 492-4391	Building Commercial Remodel
06/12/2015	2015-00056	404 BUSINESS 23 W MUETZEL, WHITTNEY	Building Residential Window/Door Replacement
07/22/2015	2015-00081	405 BUSINESS 23 E UTSCH, DIANE & TOM (320) 243-3747	Building Multi Family (5+ Units) Remodel
09/04/2015	2015-00094	302 AUGUSTA AVE DAHL HOUSE RENTALS	Building Residential Remodel
08/19/2015	2015-00101	108 HOFFMAN ST E RON MEHR CONSTRUCTION INC (320) 492-5313	Building Residential Addition
08/25/2015	2015-00111	505 BURR ST ST LOUIS CHURCH OF PAYNESVILLE (320) 243-4413	Building Commercial Remodel

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Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
08/25/2015	2015-00113	350 POMEROY AVE HELLERMANN, JOSH	Building Residential Addition
09/29/2015	2015-00131	245 HIGHWAY 55 ALLIANCE BUILDING CORP (320) 253-3524	Building Multi Family (5+ Units) New Construction
10/08/2015	2015-00135	107 WASHBURNE AVE Song, Sejin (Shane) (612) 423-1055	Building Commercial Remodel
10/19/2015	2015-00136	310 LAKE AVE CROMWELL, TYLER	Building Residential Remodel
10/30/2015	2015-00141	200 RAILROAD ST W ROOF 1 RBR, INC (320) 836-7663	Building Industrial Roofing
10/28/2015	2015-00143	245 HIGHWAY 55 VOSS PLUMBING & HEATING (320) 243-3644	Building Multi Family (5+ Units) New Construction
11/13/2015	2015-00145	216 RAILROAD ST SERENITY PATH	Building Residential Siding
11/23/2015	2015-00147	314 STEARNS AVE CHANEY, JAMES (320) 980-7522	Building Residential Roofing
12/09/2015	2015-00151	104 BUSINESS 23 W BENSON, DOUGLAS	Building Commercial Remodel
12/11/2015	2015-00154	1204 MAIN ST W LUTGEN COMPANIES (320) 252-4932	Building Residential Window/Door Replacement
11/25/2015	2015-00155	639 WASHBURNE AVE RINDAHL, NATHAN (320) 894-9404	Building Residential Remodel
11/24/2015	2015-00156	208 JAMES ST W HOUSKE/JACKLITCH, ANN (320) 237-7834	Building Commercial Accessory Building
12/29/2015	2015-00159	130 INDUSTRIAL LOOP E KORONIS BUILDERS ONE (320) 249-7074	Building Industrial Addition

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Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
12/31/2015	2015-00163	1030 STEARNS AVE VELYAN, RAYMOND & MARETTA (320) 243-7898	Building Residential Remodel
03/15/2016	2016-00005	540 MINNIE ST VOSS, DAVID (320) 250-2410	Building Industrial Window/Door Replacement
01/19/2016	2016-00011	619 KORONIS AVE BRANDON WENSMANN CONSTRUCTION	Building Residential Remodel
01/28/2016	2016-00012	628 ALLDON PARK DR LARSON, LARRY AND JUDY (320) 243-7542	Building Residential Remodel
02/01/2016	2016-00013	805 HIGHWAY 55 GRACE UNITED METHODIST (320) 243-3601	Building Commercial Remodel
02/02/2016	2016-00015	245 HIGHWAY 55 VOSS PLUMBING & HEATING (320) 243-3644	Mechanical Multi Family (5+ Units) New Construction
02/05/2016	2016-00016	1150 COAKLEY ST SCHMITZ, TREVER (320) 761-3641	Building Residential Remodel
02/11/2016	2016-00017	121 WASHBURNE AVE SL HILTNER PROPERTY MANANGEMENT (320) 254-3438	Building Multi Family (5+ Units) Remodel
03/03/2016	2016-00018	475 SOUTH ST RON MEHR CONSTRUCTION INC (320) 492-5313	Building Multi Family (5+ Units) Roofing
03/23/2016	2016-00019	325 LAKE AVE LUTGEN COMPANIES (320) 252-4932	Building Residential Addition

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