

INTERPRETATION REQUEST – USE OF PORTABLE SELF-STORAGE CONTAINERS ON RESIDENTIALLY-ZONED PROPERTY

Applicable Monterey County Code Sections:

- 20.06.1200 (Structure)
- 21.06.1220 (Structure)
- Chapter 20.44 (Regulations for Design Control Zoning Districts)
- Chapter 21.44 (Regulations for Design Control Zoning Districts)
- Chapter 18.01 (Building Standards Administrative Code)
- 2013 California Building Code

Date: July 24, 2014

Subject: Use of portable self-storage containers (PODS or shipping containers) for storage on residentially-zoned property

What is the Question?

Are portable storage containers allowed to be used for storage for extended periods of time on residentially-zoned properties without a permit?

Short Answer:

Yes, under certain conditions:

- 1) If the property has an active construction permit;
- 2) If the occupant of the property is in the process of moving or remodeling where no construction permit is required (for up to 60 days);
- 3) If the unit is used for >60 days for a use other than construction purposes, the unit would need to meet building and zoning regulations.

If the unit is used for >60 days for any use listed above and the property is in a Design Control or “D” district, an over-the-counter Design Approval is required. The unit would need to meet applicable building and zoning regulations.

Discussion:

Portable storage containers, such as PODS or larger shipping containers, are becoming more popular as a low-cost means of providing additional secure storage during construction or remodeling in lieu of permanent accessory structures. The increased use of these units has resulted in increased awareness of the visual impacts of these units in residentially-zoned areas of the County.

Because the timeframes for construction or remodeling on a site can vary, there is a need to allow the units on a temporary basis, without an additional permit requirement, as long as the construction permit remains active or for up to 60 days if no construction permit is required.

If the unit is needed for more than 60 days for a use other than construction purposes, the unit would need to meet applicable building and zoning regulations, including but not limited to yard regulations (setbacks & height), FAR, and coverage. If the unit is used for more than 60

days for any use and the property is in a Design Control or "D" district, a Design Approval approved by the Director of Planning (over-the-counter) is required. The unit would need to meet building and zoning regulations including but not limited to yard regulations (setbacks) and coverage.

Facts of the situation:

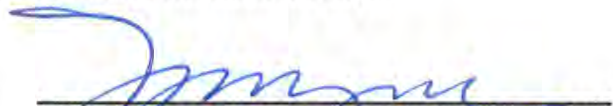
The 2013 California Building Code defines a structure as that which is built or constructed. Further, Monterey County Code (MCC) section 18.01.040.B exempts one-story detached structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed two hundred forty (240) square feet and the structure does not contain any electrical, plumbing or mechanical work and is not used to store hazardous materials or vehicles. Such structures shall be in substantial conformance with all provisions of Title 18 and all referenced Codes. Portable storage units, under the Building Code definition, would not be considered structures. In addition, if portable storage units meet the exemptions under the California Building Code and MCC section 18.01.040.B, no permit is required.

Monterey County Code sections 20.06.1200 and 21.06.1220 define a structure as anything constructed or erected, except fences under six feet in height, the use of which requires location on the ground or attachment to something having location on the ground, but not including any trailer or tent. Portable storage units, under the zoning code definitions, would be considered structures for Planning purposes as they require location on the ground and they are not a trailer or tent.

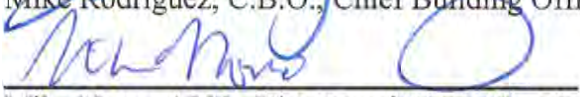
Monterey County Code Chapter 20.44 and 21.44 provide the regulations for Design Control Zoning Districts. Sections 20.44.040 and 21.44.040 authorize the Director of Planning to approve plans and submittals in "D" Districts for small structures such as structure additions, accessory structures and similar minor structures and minor modifications to approved designs.

Interpretation Prepared By: Laura Lawrence, RMA-Services Manager

Interpretation/Opinion Confirmed by:



Mike Rodriguez, C.B.O., Chief Building Official



Mike Novo, AICP, Director of RMA-Planning