

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY PLANNING BOARD

**MEETING DATE:** June 16, 2022

**SUBJECT:** LDC Text Amendment – TX-2022-02, Personal Storage Structures and Temporary Portable Storage Container

**PRESENTER:** Autumn Radcliff, Planning Director  
Matt Champion, Zoning Administrator

**ATTACHMENTS:** 1. Draft Amendments

### **SUMMARY OF REQUEST:**

On June 6<sup>th</sup>, the Board of Commissioners held a public hearing on LDC text amendment TX-2022-02 for personal storage structures. During this meeting, the Board discussed the proposed amendment and asked questions of both staff and the Planning Board Chair. The Board voted to send back the amendment so that the Planning Board could discuss the changes requested by Commissioner Hill. The Board also directed the Planning Board to review potential changes to the requirements for temporary portable storage containers.

Attached for the Board's review is the draft amendment recommended by the Planning Board and the proposed changes recommended by Commissioner Hill. Also attached for the Board discussion is the requirements for temporary portable storage containers.

The Board may wish to make additional changes to the draft language following is discussion.

### **BOARD ACTION:**

Recommendation by the Planning Board is required prior to the Board of Commissioners adopting any text amendments to the Land Development Code.

**Suggested Motion:** I move that the Planning Board send forward a favorable recommendation on the proposed text amendment TX-2022-02 for personal storage structures and temporary portable storage containers with any changes as discussed, and that these changes are consistent with the County Comprehensive Plan.

## LDC Text Amendment (TX-2022-02)

Recommended changes are highlighted.

### Personal Storage Structures

**Summary:** The Planning Board request an amendment to allow for personal storage structures. The LDC allows for accessory structures with a principal home or business but does not allow for these types of structures on vacant parcels. This amendment would allow a property owner to build a structure, for example a garage, for personal storage.

Amend the Table of Permitted and Special Uses as follows.

1. Residential Uses	R1	R2	R2R	R3	R4	OI	LC	CC	RC	I	SR
Personal Storage Structure	P	P	P	P	P	P	P	P	P	P	1.14

Amendment as recommended by the Planning Board on May 19, 2022.

#### §42-62. Supplemental Requirements to the Table of Permitted and Special Uses

##### SR 1.14. Personal Storage Structure

- (1) Any lot may have a personal storage structure. If a lot is two (2) or more acres in size, there can be one such structure per acre.
- (2) A personal storage structure may include one (1) bathroom facility and may not include a kitchen facility or be used as a residence or for the purpose of operating a business.
- (3) Personal storage structure footprint may not exceed 24% total parcel size.
- (4) Personal storage structures shall only be for the use by the property owner.
- (5) The use shall meet the front or ROW setback of the applicable zoning district (without a principal structure or use) and must be setback a minimum of 15 (fifteen) feet from the *side* and *rear* property lines.

Commissioner Hill's proposed changes to the draft amendment.

#### §42-63. Supplemental Requirements to the Table of Permitted and Special Uses

##### SR 1.14. Personal Storage Structure

- (1) Any lot may contain one or multiple personal storage structures.
- (2) A personal storage structure may include one (1) bathroom facility and a kitchen facility but shall not be used as a residence or for the purpose of operating a business without the corresponding approvals, permits and inspections.
- (3) The use shall meet the same setbacks as other accessory structures.

Discuss storage shed SR 3.14.

##### SR 3.14. Storage Shed

- (1) Maximum Number Permitted Per Lot. Three (3) on a *lot* in a *residential zoning district*. No maximum is established on a *lot* in a *nonresidential zoning district*.
- (2) Structure Requirements. A storage shed may be attached to, or separate from, the *principal structure*.
- (3) Size. A detached storage shed shall not exceed 25 percent of the heated *floor area* of the *principal structure*.

## Temporary Portable Storage Containers

**Summary:** The Board of Commissioners requested that the Planning Board review the requirements for temporary portable storage containers for conflicts with personal storage structure amendment and possibly extending the 30-day limit.

### **SR 12.1. *Portable Storage Containers***

- (1) Maximum Number Permitted Per Lot. One (1) for *residential zoning district* property.
- (2) Duration and Frequency. *Portable storage containers* shall be placed on *residential zoning district* property for no more than ~~90~~ 30 days, no more than ~~two (2)~~ ~~four (4)~~ times in a 12 month period.
- (3) Permanent Structures. *Portable storage containers* may be permitted as *accessory structures*. ~~In no case shall more than one (1) container be permitted on a single property or shall any permanent accessory portable storage container be permitted on residential zoning district property.~~