

TOK DRAFT STORAGE CONTAINER Zoning Ordinance Update
Work document for Planning Board Recommendation #2
Last changed 5/20/2010

PORTABLE STORAGE CONTAINERS

SECTION 210 DEFINITIONS

FREIGHT CONTAINER: A reusable transport and storage unit, fit for moving products and raw materials between locations.

PODS (Portable On-Demand Storage): A storage container usually constructed of plywood over steel frames. PODS are generally rented and left in a customer's driveway for the loading of personal and household items to be later stored in a warehouse or delivered to another location. PODS are also utilized for the collection of donations and storage of items during disasters and emergency situations.

SEMI-TRAILER: A trailer supported in the rear by wheels, has legs to support it when uncoupled and has no front axle. A semi-trailer is usually transported by a coupled road tractor or dolly that supports a large portion of the weight. Different types of semi-trailers are designed to haul different cargo. Semi-trailer includes but is not limited to: box or van trailer, curtain side, refrigerator truck, tanker, dry bulk, flatbed, lowboy, car-carrier and sidelifter.

STORAGE OR SHIPPING CONTAINER: A container with strength suitable to withstand shipment, storage, and handling. The container includes but is not limited to: reusable steel boxes, intermodal freight containers, corrugated boxes, wooden boxes, crates, and bulk shipping containers, drums or specialized shipping containers.

TRAILER: An enclosed container, utility or flatbed that is designed principally for the transport of goods or materials.

SECTION 740 STORAGE CONTAINERS

A) Vehicles, trailers (semi-and/or utility), manufactured housing, camping units, PODS and mobile homes shall not be used as an accessory structure, storage building, utility building, shed, or other such uses unless:

- 1) It is part of a commercial operation duly conducted on the premises where such operation is in compliance with the Town of Kendall Zoning Ordinance and or complies with the laws of the State of New York.
- 2) When actively used in connection with active farming or agricultural operations. Operations involving agricultural land or land located in agricultural districts shall be done in compliance with NYS Department of Agriculture and Markets laws and compliance with Environmental Conservation Law.

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- B) Unless approved in writing by the Code Enforcement Officer:
- (1) No Storage or Shipping Container shall be allowed on a lot of record without the existence of a primary residence unless used during:
 - a. Construction of a primary residence or accessory structure.
 - b. Transporting personal property to and from existing structures.
 - c. Major subdivision development or an approved construction site.
 - (2) There shall be no more than one storage, shipping container or trailer per site.
 - (3) PODS (portable on-demand storage) type containers shall be restricted to no larger than 8 feet wide, 20 feet long and 8 feet high.
 - (4) Storage or shipping containers, trailers and semi-trailers or PODS shall be allowed on a lot of record for no more than a total of 45 days in any consecutive 12 month period.
 - (5) Storage or Shipping Containers used as part of a permitted construction project shall be permanently removed from the premises within 30 working days of the issuance of a Certificate of Occupancy.
- C) Vehicles, trailers (semi-and/or utility), manufactured housing, and mobile homes shall be allowed to be temporally used as office space, break rooms or other such similar uses during the construction phase of a commercial development or residential major subdivision.
- D) Unless approved in writing by the Code Enforcement Officer, the location of a Storage or Shipping Container shall:
- 1) Comply with the side and rear zoning setbacks requirements for the zoning district in which it is located.
 - 2) Not be placed in front of the front foundation of the house or other primary structure on the property. The term “front foundation” as utilized herein shall mean the side of the house or primary structure located closest to the highway (or lakeside if located in a waterfront districts) upon which the property fronts.
 - 3) At no time shall a Portable Storage Container be situated on any lot where its placement would impair or obstruct visual sight lines to any public thoroughfare.
- E) Roll-off type dumpsters used for the removal of discarded building materials and debris shall be temporally allowed in the front, side or rear of a primary residence or structure during the period of active construction.

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