

CITY OF THIEF RIVER FALLS

RESOLUTION NO. 12-272-20: APPROVAL OF ORDINANCE NO. 130, 3RD SERIES, OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 152 ENTITLED "ZONING CODE" BY AMENDING 152.003, TO ADD DEFINITIONS FOR TEMPORARY STORAGE CONTAINERS AND SEMI-TRAILERS; AND 152.028 PERFORMANCE STANDARDS FOR ALL RESIDENTIAL DISTRICTS AND 152.036 PERFORMANCE STANDARDS FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, RESTRICTING THE USE OF TEMPORARY STORAGE CONTAINERS AND SEMI-TRAILERS, AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 152.998, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

Councilmember Lorenson motioned, being seconded by councilmember Narverud, to call for the second reading of an ordinance of the City of Thief River Falls, Minnesota, by amending city code chapter 152 entitled "zoning code" by amending 152.003, to add definitions for temporary storage containers and semi-trailers; and 152.028 performance standards for all residential districts and 152.036 performance standards for commercial and industrial zoning districts, restricting the use of temporary storage containers and semi-trailers, and by adopting by reference city code chapter 10 and section 152.998, which, among other things, contain penalty provisions. The motion carried. City Attorney Sparby read the proposed ordinance.

Councilmember Lorenson introduced Resolution No. 12-272-20, being seconded by Councilmember Narverud, that:

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. City Code Chapter 152.003 is hereby amended to read as follows:

152.003 DEFINITIONS

(131) TEMPORARY STORAGE CONTAINERS AND SEMI-TRAILERS

- (a) Temporary Storage Container: A standardized reusable steel box or container fabricated for the purpose of transporting freight or goods on a truck, railroad or ship, including cargo containers, shipping containers, storage units, or other portable structures.
- (b) Semi-Trailer: A freight trailer with wheels only in the rear that is designed to be pulled by a truck tractor and is used to transport and store materials and products.

Section 2. City Code Chapter 152.028 is hereby amended to read as follows:

(I) Temporary Storage Containers and Semi-Trailers.

- (1) The use of a temporary storage container/semi-trailer is prohibited in residential districts, C-1, C-3 and C-4, except in accordance with the following:

- (a) The scope of this section, with respect to semi-trailers, is limited to the use of such trailers for storage when they are disconnected from a truck tractor. This section does not apply to the handling of semi-trailers when connected to a truck tractor.

- (2) A temporary storage container/semi-trailer may be used to support construction activities occurring on the same property, subject to the following conditions:

- (a) No more than a combined total of two temporary storage containers/semi-trailers are to be located on a property in R-1, R-2, R-3, C-1, C-3 and C-4 zoning districts.
- (b) The temporary storage container/semi-trailer may only be on the property while the construction activities are occurring on the same property.
- (c) A current building permit has been issued for the construction activities.
- (d) The temporary storage container/semi-trailer is removed within seven (7) calendar days after completion of construction or the expiration of the building permit, whichever occurs first.
- (e) A temporary storage container/semi-trailer for the limited purpose of temporary storage to accommodate a move, a remodeling project, or the clean-up of a casualty loss may be on a property for no more than fifteen (15) consecutive days in a calendar year.

Section 3. City Code Chapter 152.036 is hereby amended to read as follows:

(H) Temporary Storage Containers and Semi-Trailers.

- (1) The use of a temporary storage container/semi-trailer is allowed in C-2 and industrial zoning districts I-1 and I-2, in accordance with the following:
 - (a) The scope of this section, with respect to semi-trailers, is limited to the use of such trailers for storage when they are disconnected from a truck tractor. This section does not apply to the handling of semi-trailers when connected to a truck tractor.
 - (b) No temporary storage container or semi-trailer shall exceed four hundred (400) square feet. No temporary storage containers may be stacked more than two high.
 - (c) Any use of temporary storage containers must be an accessory use related to the primary use of the real property. The use of temporary storage units for third party use or rental is prohibited. The temporary storage container/semi-trailer location shall meet the accessory use setback requirements for the applicable zoning district, including buffer requirements.
 - (d) Contractor's shops and facilities are exempt from the requirements for their temporary storage containers and job trailers that are regularly transported to and from the contractor's shop or facility as part of its on-going business activities.
 - (e) All temporary storage containers/semi-trailers must be kept free of nuisances (grass, weeds, trash, vermin, holes, peeling paint, rust, damage, etc.) or it can be deemed a nuisance.

(f) No temporary storage containers/semi-trailers shall occupy any required off-street parking or loading areas.

Section 4. City Code Chapter 10 entitled "General Provisions" and Section 152.998 entitled "Violation" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 5. This ordinance shall be in force and effect from and after its passage, approval, and publication.

On vote being taken, the resolution was passed by a five to one vote with Brown voting nay.

The above is an excerpt from the December 15, 2020 Council Proceedings