



# TOWN OF BOONSBORO

21 NORTH MAIN STREET ♦ BOONSBORO, MARYLAND 21713

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## MEMORANDUM

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**To:** Mayor Long and Town Council Members

**From:** Megan Clark, Town Manager

**Date:** October 26, 2017

**Subject:** Zoning Text Amendment – Temporary Portable Storage Containers

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At the October 24<sup>th</sup> Regular Meeting of the Boonsboro Planning Commission, the Commission unanimously recommended to the Mayor and Council to approve a Zoning Text Amendment to address temporary portable storage containers.

Attached please find the proposed zoning text amendment that would allow for temporary portable storage containers, provided a permit is obtained.

If you have any questions or need additional information, please feel free to contact me.

Thank you for your consideration.

ORDINANCE NO.2017-03

THE MAYOR AND TOWN COUNCIL OF BOONSBORO

**AN ORDINANCE TO AMEND AND ADD CERTAIN PROVISIONS TO THE ZONING ORDINANCE TO ALLOW FOR STORAGE CONTAINERS AS TEMPORARY USES WITH CHANGES RELATING TO ITS TEXT**

WHEREAS, the Town of Boonsboro adopted the Boonsboro Zoning Ordinance on June 2, 1975, which Zoning Ordinance became effective July 1, 1975, and enacted certain amendments to the Ordinance thereafter; and

WHEREAS, the Mayor and Town Council repealed said Zoning Ordinance and enacted the Boonsboro Zoning Ordinance of 1995 on the 5<sup>th</sup> day of September, 1995, with an effective date of October 2, 1995 (the "Zoning Ordinance"); and

WHEREAS, pursuant to a duly advertised public meeting held on \_\_\_\_\_, it has been recommended to the Mayor and Town Council by the Boonsboro Planning Commission that certain amendments pertaining to Temporary Storage Containers should be made to the Zoning Ordinance of 1995; and

WHEREAS, pursuant to Section 1103 of the Zoning Ordinance, the Mayor and Town Council held a public hearing on \_\_\_\_\_ for the purpose of taking testimony on the proposed Text Amendments pursuant to public notice duly given in accordance with the Land Use Article of the Annotated Code of Maryland; and

WHEREAS, following the public hearing, the Mayor and Town Council considered comments received a part of the public hearing; and

WHEREAS, the Mayor and Town Council believe the enactment of the amendments as set forth in the Text Amendment to be in the best interests of the citizens of Boonsboro, Maryland; and

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** that certain provisions of the Zoning Ordinance, as amended, be further amended as follows in **EXHIBIT A** attached hereto and incorporated herein. Note new language/amendments are in **UNDERLINED BOLD** and changes are in [~~strikethrough~~].

ATTEST:

BOONSBORO MAYOR AND TOWN COUNCIL:

\_\_\_\_\_  
Sarah Campbell, Clerk

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Howard W. Long, Mayor

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Cynthia Kauffman, Assistant Mayor

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Rickard Byrd, Councilmember

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Terry Davis, Councilmember

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Marilee Kerns, Councilmember

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Janeen Solberg, Councilmember

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Brigitte Schmidt, Councilmember

Date of Introduction:

Date of Passage:

Effective Date:

305.G.83. Accessory uses, including:	MR	RR	SR	TR	TC	GC	NC	EC
f. <u>Temporary Portable Storage Containers, see provisions of Section 901.C.</u>	SE	SE	SE	SE	P	N	SE	N
	<u>P</u>							

201.93 Temporary Portable Storage Containers

A 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 that are placed on private property and used for storage of items, including, but not limited to, clothing, equipment, goods, household or office fixtures or furnishings, materials and merchandise.

Section 901 Zoning Permits

C. Temporary Zoning Permit

i. Authorization of Temporary Uses.

The Zoning Administrator shall have the authority to authorize a temporary use of land, in any district, for a period not exceeding 30 days, provided the land shall be entirely cleared of such use within five days after such temporary authority expires. Up to three extensions of the temporary uses may be granted by the Zoning Administrator for periods not exceeding 30 days each, up to a maximum limit of 120 days. The extension may be approved upon written request if there are no modifications of the use and no complaints regarding the temporary use have been received. Requests for extension of a temporary use that involve any use modification or that is the subject of a complaint will be processed in accordance with the procedures for the original temporary use approval.

ii. Criteria for Approval.

A temporary use may be approved if the Zoning Administrator determines that:

- a. The use will not adversely affect adjacent properties.
- b. The use does not require significant or permanent changes to the existing topography vegetation, structures or other features of the site, and will be returned to the same or better condition upon expiration of the use.