

**Mclean Citizens Association Resolution
On a Proposed Fairfax County Zoning Ordinance Amendment
Regarding the Use of Portable Storage Containers in Residential Areas**

March 7, 2007

WHEREAS, the Fairfax County zoning ordinance currently regulates accessory storage structures (sheds), but contains no specific provisions to address a subset of such structures designed for temporary use, and

WHEREAS, accessory storage structures are not permitted on a front yard, except on lots of over 36,000 square feet, and

WHEREAS, Fairfax County has proposed **zoning ordinance amendments (ZOA)** to accommodate and regulate the use, *on residential properties*,¹ of **temporary portable storage containers (PSCs)** within the county as a subset of accessory storage structures, and

WHEREAS, the ZOA proposes to define PSC as a “purpose-built, fully enclosed, box-like container with signage on one or more of its outer surfaces that is designed for temporary storage of household goods and/or equipment. Such containers are uniquely designed for ease of loading to and from a transport vehicle,” and

WHEREAS, the definition should not turn on whether or not a particular PSC actually has signage, and

WHEREAS, it should be easy enough for providers of PSCs to provide evidence of the length of time they have rented out their PSCs, by address, on a publicly available website, and

WHEREAS, people renting PSCs may have little choice in determining where on their property to place the PSCs (as it may only be possible to place them on driveways located in their front or side yards), and

WHEREAS, PSCs should be regulated in the same way in residentially-zoned areas, whether or not the particular property on which they are used is subject to a special permit or special exception, and

WHEREAS, the ZOA proposes to limit the use of PSCs

1. by time (duration) of use (except in casualty situations, which are governed by separate rules currently proposed to allow up to ninety days within a six month period):
 - a. (on lots developed with detached single family dwellings) to a period of thirty days within a six month period;
 - b. (on lots developed with single family attached or multiple family dwellings) to a period of 72 hours within a six month period;
 - c. (in cases subject to a special permit) to a period of the shorter of up to nine months or for the period of an active building permit;
2. by size (to a height of eight and one half feet and a cumulative gross floor area of 130 square feet);

¹ Previously, the County had advertised a proposed ZOA which would have addressed both residential and commercial use of PSCs, as well as the use of roll-offs. Following submission of an MCA resolution and resolutions by other groups to address many of the issues not adequately covered by that earlier proposal, the County withdrew the earlier proposal and is now limiting this proposal to the use of PSCs on residential lots. The staff report on the current proposal indicates that the County will consider commercial portable storage and roll-off debris containers in two separate amendments to be proposed in the future.

3. by location, allowing their placement anywhere on a lot *other than* on required open space, in pedestrian or vehicular walkways, and in areas that would violate the sight-distance provisions of the zoning ordinance;
4. such that signage is limited to PSC-provider information (i.e. that no other advertisement be allowed),

NOW, THEREFORE BE IT RESOLVED that the McLean Citizens Association recommends that the Board of Supervisors adopt the proposed amendments modified as follows:

1. By changing the definition of PSC to read: “purpose-built, fully enclosed, box-like container **which may contain** with signage on one or more of its outer surfaces that is designed for temporary storage of household goods and/or equipment. Such containers are uniquely designed for ease of loading to and from a transport vehicle,” and
2. By running time restrictions *by resident* at a particular address, so that people moving into a home will be able to use PSCs to unload furniture even after the people moving out of that home have used the maximum time allotted to them to move furniture out, and
3. By allowing PSCs, with a total footprint not to exceed one hundred thirty (130) square feet, to remain on lots developed with detached single family homes for a period of forty-five (45) days within a six month period, and
4. By allowing PSCs to remain on lots developed with single family attached or multiple family dwellings for a period of ninety-six (96) hours within a six month period, and
5. By requiring the providers of PSCs to maintain a publicly available website indicating how long a PSC has been on a particular property, and
6. Without requiring that PSCs be addressed by special permits/special use exceptions in situations where the principal structure is allowed by special permit/special use exception,

AND, BE IT FURTHER RESOLVED that the McLean Citizens Association supports the decision to allow PSCs on any portion of a residential property.

cc: Fairfax County Planning Commission
Fairfax County Board of Supervisors