

Ordinance # 2024-2

An Ordinance Adopting Changes to the Town of Lincoln Zoning Ordinance For Shipping Containers Used for Storage

Authority

The following changes to the Town of Lincoln's Zoning Ordinance are adopted pursuant to the authority granted under Wis. Stats. §60.01 to "enter into contracts necessary for the exercise of its corporate powers", §60.61 to adopt a zoning ordinance, and the Town's exercise of Village Powers under §60.10 and 60.62.

Purpose

This **Ordinance** is intended to establish regulations to limit the use of shipping containers to avoid unsightly conditions, reduce their view from the public right-of-way and the degradation of community character while accommodating the use of shipping containers in some controlled circumstances.

Definition

"Shipping container" shall refer to portable storage facilities including shipping containers, cargo containers, PODS (portable on demand storage) SAM containers (store and move) freight containers, and similar items no longer used for their designated purpose. Each single shipping container constitutes a single unit for the purpose of determining the number of containers that are allowed in a given zoning district.

Applicability

This Ordinance applies to all districts as follows:

10.0404 A-1 Exclusive Agricultural District

4. Conditional Uses

The following uses may be allowed in the A-1 District subject to a Site Plan Review and possibly the issuance of a Conditional Use Permit:

(t) No more than four (4) shipping containers pending approval are allowed following a Site Plan Review and the issuance of a Conditional Use Permit for each shipping container. *Shipping containers permanently housed in an existing building do not require a conditional use permit. All other regulations apply.*

10.0405 A-2 General Agricultural District

3. Conditional Uses

A conditional use in this district is to permit the following uses only after public meeting and approval of the Town Board.

(m) No more than three (3) shipping containers pending approval are allowed following a Site Plan Review and the issuance of a Conditional Use Permit for each shipping container. *Shipping containers permanently housed in an existing building do not require a conditional use permit. All other regulations apply.*

10.0406 Rs-1 Residential District

4. Conditional Uses

A conditional use in this district is to permit the following uses only after a public meeting and approval of the Town Board.

(k) Up to two (2) shipping containers pending approval are allowed following a Site Plan Review and the issuance of a Conditional Use Permit. *Shipping containers permanently housed in an existing building do not require a conditional use permit. All other regulations apply.*

10.0407 B-1 Business District

4. Conditional Uses

(l) No more than two (2) shipping containers pending approval are allowed following a Site Plan Review and the issuance of a Conditional Use Permit. *Shipping containers permanently housed in an existing building do not require a conditional use permit. All other regulations apply.*

General Regulations Applicable to All Shipping Containers

All shipping containers shall:

1. Be used as a storage facility;
2. Be placed on concrete, or asphalt, or level, compacted, hard surface;
3. Be structurally sound and in good repair;
4. Be painted so as to blend in with the buildings to which they are associated;
5. Abide by all setback requirements applicable to the zone in which they are located;
6. Comply with National Electrical Code Regulations for any electrical service or wiring attached to it.
7. Comply with the site and building design regulations identified in **Section 10.0704**.

Shipping containers shall not:

1. Exceed approximately forty (40) feet in length;
2. Be placed end to end to achieve the forty (40) foot single unit maximum length;
3. Be raised on blocks or wheels or above the ground in any manner;
4. Be placed in the front yard of the property;
5. Be visible to the motoring public or from residential neighborhoods or neighbors adjacent to the property where located unless other measures are employed to mitigate the visual impacts of such containers;

6. Be used for human habitation for any length of time;
7. Be used to house any type of livestock or animals for any length of time;
8. Be stacked, fastened, or welded together;
9. Contain plumbing or plumbing fixtures;
10. Display off-premise advertising, company logos, names, or other markings painted on, or otherwise attached, to the exterior;
11. Be used as hunting shacks.

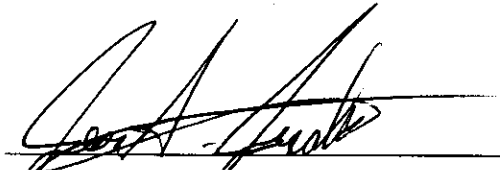
Temporary Shipping Containers and Shipping Containers on Construction Sites

A temporary permit for the placement of shipping container(s) may be issued in conjunction with an active building permit for a construction site in all zones. This temporary permit will be valid for a period of one calendar year from the date of issuance, or until the building permit expires or work is completed, but may be extended for an additional 180 days subject to Zoning Administrator's determination.

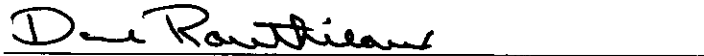
1. Temporary shipping containers must be removed before the expiration of the associated active building permit;
2. Temporary shipping containers may not be placed within the public right-of-way, and may not be placed in such a manner as to obstruct or impair the free and full use of the right-of-way or road by the public, or obstruct the view of pedestrians or users of vehicles thereon or interfere with the wires, poles or fixtures lawfully maintained thereon;
3. All temporary shipping containers must be placed on the construction site associated with the active building permit;
4. All temporary shipping containers must be placed a minimum of five feet away from all adjacent property lines and public rights-of-way;
5. Temporary shipping containers may not be stacked;
6. Temporary shipping containers must be secured at nighttime and maintained in good condition.

Enacted this 5th day of AUGUST., 2024 by the Town Board of Supervisors of the Town of Lincoln.

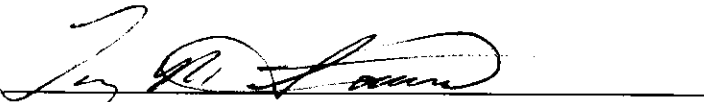
TOWN BOARD



Jesse Jerabek, Chairman



Dave Routhieaux, Supervisor #1




Tony Strnad, Supervisor #2

CERTIFICATION OF ENACTMENT

I hereby certify that the foregoing **Ordinance** was duly adopted by the Town Board of the Town of Lincoln on this

5th day of AUGUST, 2024



Mary Ann Salmon, Town Clerk