



ADVISORY PLAN COMMISSION STAFF REPORT

Application No:	2024-APC-09
Meeting Date:	February 27, 2024
Subject:	Outdoor Storage Amendment
Action Requested:	The Plan Commission wishes to amend the Town of Pittsboro Unified Development Ordinance to make changes to the UDO regarding outdoor storage and creation of an outdoor storage permit process.
Petitioner:	Town of Pittsboro Advisory Plan Commission
Location:	Not Applicable
Parcel Size:	Not Applicable
Existing Zoning:	Not Applicable
Recommendation:	Approve
Prepared By:	Cynthia Bowen, FAICP cbowen@reasite.com 317-263-0127

Procedure

Proposed zoning text amendments (rezones) are considered by the Plan Commission and ultimately approved or rejected by the Town Council. Before making a recommendation to the Town Council, the Plan Commission must hold a publicly advertised hearing. The public hearing is advertised in The Republican one time, at least 10 days before the hearing. After the Plan Commission conducts the hearing and makes a recommendation, the proposed zoning text amendment is certified to the Town Council. The Town Council has 90 days to hear the text amendment. If the Town Council approves the proposal, it immediately becomes effective. If the Town Council fails to act on the proposal within 90 days after certification, the text amendment takes effect as if it has been adopted ninety days after certification. If the Town Council rejects the proposal or makes an amendment to the proposal, then it shall be returned to the Plan Commission for its consideration, with a written statement of the reasons for the rejection or amendment. The Plan Commission has 45 days to approve the amendment or reject the amendment. If the Plan Commission approve the amendment it becomes law. If the Plan Commission fails to act within 45 days, the ordinance stands as passed by the Town Council. If the Plan Commission disproves the rejection or amendments by the Town Council, the action of the Town Council on the original rejection or amendment stands only if confirmed by another vote of the Town Council within 45 days after the Plan Commission certifies its disapproval.

Background

The Town Planner drafted amendments to the UDO per direction of the Plan Commission from their January 23, 2024 Plan Commission Meeting. The Plan Commission held a workshop on February 8, 2024 to discuss each amendment and provide further direction to the Town Planner. Drafts of the amendments were published for review on February 20, 2024.

Correspondence

As of the writing of this staff report, staff hasn't received any comments from the public.

Summary

Technical Advisory Committee: Not Applicable

Waivers: None.

Secondary Plat Standards: Not Applicable.

Zoning District Standards: Not Applicable.

Attachments

1. Draft Amendments

Recommendation

Staff recommends that the Plan Commission forward a favorable recommendation to the Town Council to amend the Town of Pittsboro Unified Development Ordinance to make changes to the UDO regarding outdoor storage and creation of an outdoor storage permit process.

Motions

1. Motion to forward a favorable recommendation to the Pittsboro Town Council to amend the Town of Pittsboro Unified Development Ordinance to make changes to the UDO regarding outdoor storage and creation of an outdoor storage permit process.
2. Motion to forward an unfavorable recommendation to the Pittsboro Town Council to amend the Town of Pittsboro Unified Development Ordinance to make changes to the UDO regarding outdoor storage and creation of an outdoor storage permit process.
3. Motion to continue UDO Amendments to the to the March 26, 2024 Advisory Plan Commission Meeting.

RESOLUTION No. _____

RESOLUTION OF THE PITTSBORO

ADVISORY PLAN COMMISSION

A Resolution Recommending and Certifying to the Pittsboro Town Council Amendment to the Town of Pittsboro Unified Development Code.

BE IT RESOLVED the Town of Pittsboro, Indiana Advisory Plan Commission, having reviewed, considered, and received public comment, both written and verbal, after notice and public hearing held on February 27, 2024, at the Town Administrative Building, 33 E Main Street, Pittsboro, Indiana, 46167 on the proposed amendments the Town of Pittsboro Unified Development Ordinance modifying the Outdoor Storage standards, which is attached hereto and incorporated by reference, now hereby certifies and recommends, and directs the Secretary of the Advisory Plan Commission to certify a copy of said amendments, to the Town Council for approval at it next regularly scheduled meeting.

Approved this 27th day of February, 2024, by a vote of _____ yeas and _____ nays.

ADVISORY PLAN COMMISSION OF PITTSBORO, INDIANA

By: _____

Steve Maple
President, Plan Commission

By: _____

Breana Love
Secretary, Plan Commission

Attested By:

Print Name:

PREPARED BY:
Cynthia Bowen, FAICP, LEED AP
Staff Planner

8.10 OUTDOOR STORAGE

A. PURPOSE AND INTENT

1. The purpose of this Section is to establish outdoor storage standards to minimize public nuisances, ensure orderly development and aesthetics, maintain building standards, and protect the public health, safety, and quality of life for residents.

B. APPLICABILITY

1. Outdoor storage is only permitted as an accessory use to a primary use per Schedule A: Schedule of Uses.
2. The display of vehicles, boats, trucks, or farm equipment associated with legally established vehicle sales use shall not be deemed outdoor storage.
3. Accessory parking of Class I and Class II vehicles are not considered outdoor storage.
4. The storage, keeping, or parking of registered, operable vehicle on an approved parking space at a private residence shall not be considered outdoor storage.
5. Seasonal outdoor storage associated with display merchandise or sale of goods and materials must comply with Section 3.5, Temporary Uses.
6. Temporary storage related to a permitted construction project is not considered outdoor storage.
7. The restrictions and regulations contained in this subsection shall not apply to any outdoor storage that is located on property owned or used by a unit of local, state, or federal government, or a railroad.
8. If any part of this subsection is found to be in conflict with any other section of the UDO or ordinance, resolution, motion, order, or parts thereof, the most restrictive or highest standard shall prevail.

C. PROHIBITIONS

1. No outdoor storage can be established until a primary structure is constructed.
2. Outdoor storage of junk, trash, debris, or other waste materials is prohibited on any lot or parcel in the Town.

3. Outdoor storage of automobile parts, discarded tires, or similar materials shall be prohibited.
4. Outdoor storage of wrecked or temporarily inoperable vehicles awaiting repairs shall be prohibited, unless screened or behind a structure.

D. OUTDOOR STORAGE IN REQUIRED YARDS

1. Outdoor storage shall not be located in any front yard.
2. Storage of materials, which are incidental to a primary use in a non-residential district, shall be permitted, provided that such storage is located within an enclosed structure, or the provisions of Subsection 8.5.I., Landscaping and Screening Requirements, are met.
3. No portion of any required yard shall be used for the permanent storage of motor vehicles, trailers, airplanes, boats, or parts thereof, rubbish, garbage, junk, tent or building materials, except during construction and in accordance with the terms of this Ordinance.

E. OUTDOOR STORAGE TIME FRAMES

1. Permanent storage, for the purpose of this subsection, shall be construed as the presence of such storage for a period of 72 or more consecutive hours in any one-week period.
2. Temporary storage, for the purposes of the subsection, shall be construed as the presence of such storage for a period of 71 or less consecutive hours in any one-week period.

F. BULK OUTDOOR STORAGE

1. Outdoor storage areas must have a durable dust-free surface.
2. Structures, buildings, or above ground tanks used for bulk storage of flammable or explosive liquids, gases, or other materials shall not be located closer than 50 feet to the property line.
3. The entire premises where the bulk storage is located shall be enclosed within a fence, or equivalent, of not less than six (6) feet high, except as otherwise required by Subsection 8.5.I., Landscaping and Screening Requirements of this Ordinance.
4. Bulk outdoor storage shall not exceed 15 feet in height unless it is screened on all sides in accordance with the requirements in Subsection 8.5.I., Landscaping and Screening Requirements of this ordinance.

5. Lots containing bulk storage shall be screened according to the provisions of Subsection 8.5.1., Landscaping and Screening Requirements.
6. Additional information regarding evidence of safety measures may be required to determine the public safety therein.

G. OPEN OUTDOOR STORAGE

1. In the event that accessory storage is in the open, the following provisions must be met:
 - a. Open storage shall be accessory to the use of the main building on the lot.
 - b. Open outdoor storage areas shall be surfaced with a durable dust-free surface.
 - c. Open storage shall be located behind the front or exterior wall of the main building facing any street and shall comply with all yard regulations of this ordinance and with intersection visibility standards as set forth in Section 8.18, Vision Clearance Areas.
 - d. Open storage shall not cover more than five percent (5%) of the lot area or an area in excess of twice the ground floor area of the main building on the lot, whichever is less.
 - e. Open storage shall be screened with a 6-foot solid screen fence or wall on three sides, or equivalent, subject to approval by the Zoning Administrator.
 - f. Open outdoor storage shall not exceed 15 feet in height.
2. Accessory Non-residential Recreational Vehicle Storage
 - a. Each unit may store one recreational vehicle camper.
 - b. The RV camper shall be parked or stored in a rear parking area, behind the rear building elevation so that it is screened from the right-of-way.
 - c. The RV camper being stored may not be occupied.
 - d. These standards do not apply to recreational vehicles parked in a permitted storage facility or campground.

H. TEMPORARY OUTDOOR STORAGE

1. All outdoor display of merchandise must be kept on an improved surface such as asphalt, concrete, or pavers or similar materials.

2. Such area shall be limited to five percent (5%) of the gross floor area of the principal structure.
3. All seasonal outdoor storage/display of merchandise may be temporarily located in the parking lot of a retail store for the duration of a season if the merchandise is secured and located at least 200 feet from the public right-of-way.
4. Any outdoor display area shall not block handicapped parking areas, parking lot access aisles, or sidewalk areas, and shall not reduce the number of parking spaces below the minimum requirement for the use.

I. OUTDOOR STORAGE PERMIT PROCESS

1. Any permanent outdoor storage use must obtain an Outdoor Storage Permit. The Outdoor Storage Permit shall be reviewed by the Zoning Administrator. The application must include a site plan indicating the outdoor storage location, area, setbacks, and screening and landscaping.
2. An Outdoor Storage Permit shall be required upon a change of use, or if a new or existing outdoor storage area changes location or size, except for the following:
 - a. Temporary storage as defined in Section E.2.
 - b. Temporary or seasonal outdoor storage used for the display of merchandise.
 - c. Temporary storage related to a permitted construction project.
3. Enforcement of an Outdoor Storage Permit shall be subject to the site plan of record.

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1. The purpose of this Section is to establish outdoor storage standards to minimize public nuisances, ensure orderly development and aesthetics, maintain building standards, and protect the public health, safety, and quality of life for residents.

B. APPLICABILITY

1. Outdoor storage is only permitted as an accessory use to a primary use in the Industrial Districts per Schedule A: Schedule of Uses.
2. The display of vehicles, boats, trucks, or farm equipment associated with legally established vehicle sales use shall not be deemed outdoor storage.
3. Accessory parking of Class I and Class II vehicles are not considered outdoor storage.
4. The storage, keeping, or parking of a legal license registered, operable vehicle on an approved parking space at a private residence shall not be considered outdoor storage.
5. Seasonal outdoor storage associated with display merchandise or sale of goods and materials will be required to get require a temporary use permit in accordance must comply with Section 3.5, Temporary Uses.
6. Temporary storage related to a permitted construction project is not considered outdoor storage.
7. The restrictions and regulations contained in this subsection shall not apply to any outdoor storage that is located on property owned or used by a unit of local, state, or federal government, or a railroad.
8. If any part of this subsection is found to be in conflict with any other section of the UDO or ordinance, resolution, motion, order, or parts thereof, the most restrictive or highest standard shall prevail.

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E. OUTDOOR STORAGE TIME FRAMES

1. Permanent storage, for the purpose of this subsection, shall be construed as the presence of such storage for a period of **72 or more** consecutive hours in any one-week period.
2. Temporary storage, for the purposes of the subsection, shall be construed as the presence of such storage for a period of ~~36~~ **71** or less consecutive hours in any one-week period.

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1. Outdoor storage areas ~~shall be surfaced with~~ **must have** a durable dust-free surface.
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