

ORDINANCE NO. 2024-02-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLES 17.02 DEFINITIONS AND ESTABLISHING TITLE 17.04.420 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lindon City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the goal of the Lindon City General Plan to preserve and protect neighborhood as diverse and attractive places; and

WHEREAS, the Lindon City Council finds that it is in the best interest of the City to allow for portable storage containers and where specific standards are met to limit negative effects on surrounding properties; and

WHEREAS, on August 22, 2023, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance amendment and recommended that the City Council adopt the attached ordinance; and

WHEREAS, the Council held a public hearing on March 4, 2024, to consider the recommendation and the Council received and considered all public comments that were made therein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

**SECTION I:** Amend Lindon City Code section as follows:

**17.02.010**

"Portable Storage Container" means a container fabricated for the purpose of transporting freight or goods on a truck, railroad or ship, including cargo containers, intermodal shipping containers, storage units, or other portable structures that are placed on private property and used for storage and shipment of materials and merchandise.

**SECTION II.** Establish Lindon City Code section as follows:

**17.04.420. Portable Storage Containers**

1. Portable Storage Containers, as defined in 17.02 of this title, may be used as accessory buildings, only in accordance with the following:

- a. Permanent placement of the portable storage container shall meet all setback requirements for the zone in which it will be located. Storage containers shall not be located in any front yard area on a lot or parcel.
- b. Portable storage containers may not be used for uses other than storage.
- c. Semi-trailers do not meet the definition of a portable storage container and shall not be used for permanent storage greater than one hundred and eighty (180) days.
- d. A building permit shall be required for permanent portable storage containers that are located on the property longer than one hundred and eighty (180) days and exceeding two hundred (200) square feet in area in residential zones and one hundred twenty (120) square feet in area in commercial or industrial zones.
- e. In all zones portable storage containers shall have a maximum length of fifty-three (53) feet.



- f. If a building permit has been issued for the construction or remodeling of a building, one (1) temporary portable storage container may be used for up to one (1) year. The container must be removed within ten (10) days of approval of the final inspection. Portable storage containers on construction sites may be extended beyond one (1) year for projects that are anticipated to have a longer construction period with approval from the planning director.
- g. A temporary portable storage container may be placed on a property located in any zone for an emergency, such as for storage following a building fire or flood, or for the purpose of moving, and shall be removed within one hundred and eighty (180) days. This requirement may be extended by following the requirements in subsection d.
- h. Portable storage containers shall not be used for retaining walls.
- i. Only one (1) portable storage container shall be permitted per lot or parcel in all residential zoning districts where a residential dwelling is located with the following requirements:
  - a. All requirements of Title 17.44.140 and building code requirements shall be met.
  - b. The exterior of the container shall either be clad in a material comparable in material to the onsite single-family dwelling or entirely painted to cover all advertising, letters, or numbers on the container.
  - c. Portable storage containers are prohibited on lots less than twelve thousand (12,000) square feet.
- j. Portable storage containers are not permitted on vacant property except where allowed as part of an ongoing agricultural operation of a minimum of three (3) acres of contiguous property. Such agricultural operation shall be limited to two containers. Containers shall have a minimum setback of five (5) feet from the property line and shall meet building code requirements if located on the property longer than one hundred and eighty (180) days. If located in a residential zone, a permanent portable storage container shall be entirely painted to cover all advertising, letters, or numbers on the container.
- k. Portable storage containers may be used in commercial and industrial zones where the containers are being used for shipping or receiving merchandise for a period not to exceed one hundred eighty (180) days. Portable storage Containers used longer than one hundred eighty (180) days are considered permanent. Permanent portable storage containers in commercial or industrial zones shall be screened from public view with fencing or the container shall be entirely painted to cover all advertising, letters, or numbers on the container.
- l. Vertical stacking of portable storage containers and stacking of any other materials on top of any portable storage container shall be prohibited in all zones.
- m. No temporary portable storage container shall be placed or located in a vehicle circulation aisle/lane, fire access lane, public utility easement or rights-of-way, including streets and sidewalks. Portable storage containers may be placed temporarily in a parking stall when shipping or receiving merchandise. The placement of a portable storage container in a parking stall shall not affect the overall parking management of the property.
- n. Portable storage containers are permitted for temporary site plan uses such as firework stands or similar uses and shall follow location and time limits as provided in Section 17.17.140 for temporary site plan uses.

**SECTION III:** The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

**SECTION IV:** Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

**SECTION V:** This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this 4th day of March, 2024.

Carolyn Lundberg  
Carolyn Lundberg, Mayor

ATTEST:

Britni Laidler  
Britni Laidler,  
Lindon City Recorder

SEAL







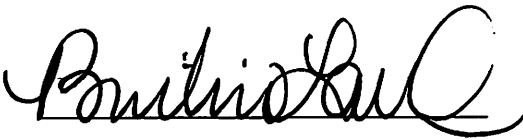
CERTIFICATE OF PASSAGE

STATE OF UTAH    }  
                          }ss.  
COUNTY OF UTAH }

I, Britni Laidler, City Recorder of Lindon City, Utah do hereby certify and declare that the above and foregoing is a true, full and correct copy of the ordinance passed and adopted by the City Council of Lindon City, Utah on the 4<sup>th</sup> day of March 2024 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH AMENDING TITLES 17.02 DEFINITIONS AND ESTABLISHING TITLE 17.04.420 AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate seal of Lindon City, Utah, This 13<sup>th</sup> day of March 2024.



Britni Laidler, City Recorder

(SEAL)

