

Amendment 111 to Council Bill No. 32 -2013

**BY: Chairperson at the request
of the County Executive**

**Legislative Day No. 10
Date: July 25, 2013**

Amendment No. 111

(This amendment:

- 1. Extends the amount of time a temporary storage or refuse container can stay on a site;*
- 2. Removes a requirement that a temporary use application must be submitted for containers staying more than 30 days or exceeding a certain size limit and allows the Director of Planning and Zoning to extend time and to allow an exception for the size of the container upon a showing of certain criteria;*
- 3. Removes a prohibition against temporary storage or refuse containers from being located with certain right of ways;*
- 4. Allows only one 90-day use of temporary storage for a property in a given calendar year; and*
- 5. Sets forth the procedure for extending a temporary use beyond a year.)*

1 In the Comprehensive Zoning Plan, Zoning Regulations, as attached to the Bill as introduced;

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3 On page 353, in line 22, before “IN”, insert “A.”.

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5 On page 353, in line 27, strike “30” and substitute “60”.

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7 On page 353, strike beginning with “IF” in line 29, down through and including “WORKS.” in
8 line 37.

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10 On page 353, in line 38, insert:

11 “B. UPON APPLICATION, THE DIRECTOR OF PLANNING AND ZONING MAY EXTEND THE TIME

12 PERMITTED FOR NO MORE THAN 30 DAYS, UPON A SHOWING OF NEED AND NO HISTORY OF

13 VIOLATIONS REGARDING THIS USE.

14 C. FOR PURPOSES OF THIS SECTION, THE PERIOD OF USE IS CALCULATED FROM THE FIRST DAY

15 OF ACTUAL USE AND INCLUDES THE TIME THE APPLICATION IS PENDING AND ANY APPEAL IF

16 THE USE CONTINUES DURING THAT TIME.

- 17 D. NO MORE THAN ONE 90 DAY USE OF TEMPORARY STORAGE OR REFUSE CONTAINERS MAY BE
18 PERMITTED FOR A PROPERTY IN ANY CALENDAR YEAR.
- 19 E. THE DIRECTOR OF PLANNING AND ZONING MAY GRANT AN EXCEPTION ONLY TO THE SIZE
20 OF CONTAINERS, BUT IN NO EVENT MAY PERMIT A USE BEYOND THE TIME PERIOD SPECIFIED
21 IN THIS SECTION.”.

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23 On page 469, in line 9, after “IN” insert “SECTION 128.0.D.2. AND”.

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25 On page 469, strike lines 20 through 27, inclusive and in their entirety, and substitute:

26 “FOR A TEMPORARY USE WHICH HAS ALREADY BEEN EXTENDED UP TO THE ONE YEAR LIMIT, A NEW
27 TEMPORARY USE PETITION MAY BE PROCESSED IN ACCORDANCE WITH THE PROCEDURES FOR THE
28 ORIGINAL PETITION. SUCH A PETITION WILL ONLY BE GRANTED IF THE APPLICANT IS ABLE TO
29 DOCUMENT THAT THE CONTINUATION OF THE USE IS REQUIRED TO MEET FEDERAL, STATE, OR
30 COUNTY REQUIREMENTS.”.

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