

**AN ORDINANCE TO AMEND CHAPTER 40.1 OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (2006) PERTAINING TO ZONING FOR THE PURPOSE OF AMENDING SELF-SERVICE STORAGE REGULATIONS, INCLUDING BY AMENDING SUBSECTION 40.1-4.3(C)(10) AND SECTION 40.1-8.3.**

**BE IT ORDAINED** by the Council of the City of Portsmouth, Virginia:

1. That Chapter 40.1 of the Code of the City of Portsmouth, Virginia (2006) be amended by the adoption of the amendments shown on Exhibit A hereto and made a part hereof.
2. That this Ordinance shall take effect on the date of its adoption.

**ADOPTED** by the Council of the City of Portsmouth, Virginia at a meeting held on January 9, 2018.

Teste:

City Clerk

## EXHIBIT A

INTERPRETATION: In the amendments listed below, instructions are provided in *underlined italics*. Where only a portion of a section or a table is to be modified, the language to be deleted is indicated with a ~~double strikethrough~~ and the language to be added is indicated by double underlining.

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### AMENDMENT #: 1

### SUBSECTION 40.1-4.3(C)(10)

*Subsection 40.1-4.3(C)(10) is amended by merging portions of subsections 40.1-4.3(C)(10)(a)-(f) into a new subsection (a), deleting the portions of subsections 40.1-4.3(C)(10)(a)-(f) not so merged, and adding new subsections 40.1-4.3(C)(10)(b) and (c), all as shown below.*

### Section 40.1-4.3

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#### (C) Commercial Uses

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#### (10) Self-Service Storage

~~Self-service storage or mini-warehouse uses shall comply with the following standards:~~

(a) ~~Site Layout~~ General Standards for all Facilities

~~(i) The minimum lot area shall be at least two acres.~~

~~(ii)~~ (i) If separate buildings are constructed, there shall be a minimum separation of ten feet between buildings.

~~(b) Operation~~

~~(i)~~ (ii) The only commercial uses permitted on site shall be the rental of storage bays and the pickup and deposit of goods or property in dead storage. Storage bays shall not be used to manufacture, fabricate, or process goods, to service or repair vehicles, small engines or electrical equipment, or conduct similar repair activities, to conduct garage sales or retail sales of any kind, or to conduct any other commercial or industrial activity on the site. The owner/operator shall be allowed to sell moving and packaging materials and related items and to hold auctions on site for the disposal of goods stored on the premises.

~~(ii) Individual storage bays or private postal boxes within a self-service storage facility use shall not be considered premises for the purpose of assigning a legal address.~~

(iii) No more than one security or caretaker quarters may be developed on the site, and shall be integrated into the building's design.

(iv) Except as otherwise authorized in this subsection, all personal property shall be stored ~~on the site shall be enclosed entirely~~ within enclosed buildings.

(v) Hours of public access to a self-service storage ~~use~~ facility abutting a residential zoning district or existing residential use shall be

restricted to the hours between 6:00 A.M. and 10:00 P.M., unless modified by an approved Use Permit.

~~(c)~~ **Parking and Circulation**

- ~~(i)~~ Interior parking shall be provided in the form of aiseways adjacent to the storage bays. These aiseways shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aiseways shall be 21 feet if only one-way traffic is permitted, and 30 feet if two-way traffic is permitted.
- ~~(ii)~~ The one or two-way traffic flow patterns in aiseways shall be clearly marked. Marking shall consist, at a minimum, of standard directional signage and painted lane markings with arrows.
- ~~(iii)~~ (vi) Appropriate access and circulation by vehicles and emergency equipment shall be ensured through the design of internal turning radii of aisle ways.
- ~~(iv)~~ (vii) All access ways shall be paved with asphalt, concrete, or comparable paving materials.

~~(d)~~ **Building Appearance**

- ~~(i)~~ (viii) Garage doors or roll-up doors serving individual storage units shall be perpendicular to a public or private street so as to not be visible from adjacent streets.
- ~~(ii)~~ (ix) ~~With the exception of a structure used as a security guard or caretaker quarters, or the redevelopment of an existing structure,~~ The maximum height of a self-service storage facility shall be 20 feet in accordance with the applicable district standards contained in Article 40.1-3.
- ~~(iii)~~ (x) Outdoor lighting shall be ~~the minimum necessary to discourage vandalism and theft, and shall be~~ provided in accordance with Section 40.1-5.9, Exterior Lighting.
- ~~(iv)~~ (xi) The exterior facades of all structures facing a public street shall be masonry (brick or split-faced CMU) or a combination of said masonry and other building products that have the appearance of a textured finish.
- ~~(v)~~ ~~Windows may not exceed 20 percent of any street-facing façade and shall not be reflective.~~
- ~~(vi)~~ (xii) A maximum of two colors (excluding roof colors) shall be used on wall facades visible from off-site areas. Colors shall be neutral or earth-tone, and shall not be used to call attention to the use.
- ~~(vii)~~ (xiii) Perimeter or exterior walls visible from a public street or detached residential dwelling shall not include metal as a primary material.
- ~~(viii)~~ (xiv) All mechanical equipment and dumpsters shall be fully screened from off-site views.

~~(e)~~ **Fencing**

~~All areas adjacent to a street frontage not occupied by a building shall include fencing designed in accordance with the following standards:~~

- ~~(i) Fences shall be no shorter than six feet or taller than eight feet.~~
- ~~(ii) Fencing shall be masonry, wrought iron, steel, or aluminum and shall be painted or vinyl coated with colors that compliment the buildings.~~
- ~~(iii) Chain link fencing is prohibited except where the use abuts lots with a business zoning designation, but in no instance shall chain link fencing be visible from a public street.~~
- ~~(iv) Metal fences shall include brick pilasters or supports located with consistent on-center spacing.~~
- ~~(v) Wooden or chain link entry gates into the use are prohibited.~~

~~(f) **Open Storage**~~

~~(xv) Open storage of recreational vehicles, travel trailers, and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a self-service storage facility use, provided that the following standards are met:~~

- ~~(i)a. No outdoor storage shall be visible from off-site at street level from a public right of way.~~
- ~~(ii)b. The storage shall occur only within a designated area, which shall be clearly delineated;~~
- ~~(iii)c. The size of the storage area shall not exceed 25 percent of the buildable area of the site;~~
- ~~(iv)d. Outdoor storage areas shall be located to the rear of the principal structure and be screened with a wooden fence or masonry wall at least eight feet high;~~
- ~~(v)e. Storage shall not occur within the areas set aside for minimum building setbacks;~~
- ~~(vi)f. No dry stacking of boats shall be permitted on-site; and~~
- ~~(vii)g. Portable shipping containers are prohibited; and~~
- ~~(viii) Vehicles shall be allowed on the premises for storage only.~~

~~(xvi) Where an existing building is being converted to a self-storage use, the use specific standards may be varied through an approved Use Permit.~~

~~(b) **Additional Standards for Single Story Facilities:**~~

- ~~(i) The minimum lot area shall be at least two acres.~~
- ~~(ii) In a single-story self-service storage facility interior parking shall be provided in the form of aisle ways adjacent to the storage bays. These aisle ways shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aisle ways shall be 21 feet if only one-way traffic is permitted, and 30 feet if two-way traffic is permitted.~~
- ~~(iii) All areas adjacent to a street frontage not occupied by a building shall include fencing designed in accordance with the following standards:~~
  - ~~a. Fences shall be no shorter than six feet or taller than eight feet.~~

- b. Fencing shall be masonry, wrought iron, steel, or aluminum and shall be painted or vinyl coated with colors that complement the buildings.
- c. Chain link fencing is prohibited.
- d. Metal fences shall include brick pilasters or supports located with consistent on-center spacing.
- e. Wooden or chain link entry gates into the use are prohibited. Gates installed shall open horizontally, not vertically to ensure unencumbered access for emergency equipment.
- (iv) In a single-story self-service storage facility the one- or two-way traffic flow patterns in aisle ways shall be clearly marked. Marking shall consist, at a minimum, of standard directional signage and painted lane markings with arrows.
- (c) Additional Standards for Multi-Story Facilities.**
  - (i) All multi-story facilities shall have interior elevators.
  - (ii) No less than 20% of the front façade facing the primary street shall consist of a non-reflective glazing material.
  - (iii) Where interior ramps are proposed for use by motor vehicles the interior aisle ways shall meet or exceed the requirements of Section 40.1-5.3(10)(b)(ii) above.
  - (iv) If approved by a Use Permit, other uses compatible with the surrounding land uses may be permitted on the first floor of the multi-story facility.
  - (v) A loading dock or loading area shall be provided.
  - (vi) Individual storage units shall not be directly accessible from the exterior of the multi-story facility.

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**AMENDMENT #: 2**

**SECTION 40.1-8.3**

*Section 40.1-8.3 is amended by deleting the defined term “Mini-Warehouse” and by adding the defined term “Self-Service Storage Facility”, as shown below. Except as expressly shown below, Section 40.1-8.3 is not hereby amended.*

**40.1-8.3 DEFINITIONS**

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~~**MINI-WAREHOUSE**~~

~~A building divided into sections for use for storage of items, either temporary or long term, and not to be used for any other purpose (such as small offices, garages, etc.)~~

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## **SELF-SERVICE STORAGE FACILITY**

A building or group of buildings within a controlled access or fenced environment divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses. Also referred to as “mini-warehouse.”