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RESOLUTION # 126-2022
ORDINANCE AMENDMENT #15-2022
CHAPTER 9 OF THE ONEIDA COUNTY ZONING AND SHORELAND PROTECTION
ORDINANCE, ARTICLE 5, SECTION 9.59

Resolution to create section 9.59 to regulate the placement of semi-trailers and shipping containers for storage.

Ordinance Amendment offered by the Planning and Development Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Planning & Development Committee, having considered Ordinance Amendment #15-2022, which was filed September 14, 2022 (copy attached) to amend Section 9.59 of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon October 5, 2022 and July 13, 2022 and December 15, 2021 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, the proposed ordinance would create section 9.59 Placement of Semi-Trailers and Shipping Containers as a part of the Chapter 9, the Oneida County Zoning and Shoreland Protection Ordinance; and

WHEREAS, the purpose of the ordinance is to regulate the placement of semi-trailers and shipping containers used for storage; and

WHEREAS, the Planning and Development Committee held three (3) public hearings and listened to the comments from the Towns, private citizens, and companies that sell shipping containers; and

WHEREAS, the Planning and Development committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

9.59 PLACEMENT OF SEMI-TRAILERS AND SHIPPING CONTAINERS

A. Purpose and Intent

50 It is the purpose of this ordinance to provide standards for the placement of semi-
51 trailers and shipping containers used for storage.

52

53 B. Definitions

54 1. Semi-Trailer – Any wheeled vehicle, without motor power, that is designed
55 to be used in conjunction with a laden or unladen truck tractor so that
56 some part of its own weight and that of its cargo load rests upon, or is
57 carried by, such laden or unladen truck tractor and that is generally and
58 commonly used to carry and transport property over public highways and
59 streets/roads.

60 2. Shipping Container – A unit originally or specifically designed or used to
61 store goods or merchandise during shipping or hauling by container ships,
62 rail or other types of transport; a container designed to be moved from one
63 mode of transportation to another without unloading and reloading. Not
64 used for habitation – humans or animals.

65 C. Semi-Trailer and Shipping Container Zoning Permit Requirements

66 1. A semi-trailer or shipping container used for storage shall not be placed on
67 a parcel for more than 45 days without a Zoning Permit unless otherwise
68 exempt under 9.59(D).

69 2. Semi-trailers and shipping containers used for storage shall be subject to
70 the requirements of the zoning district in which it is located.

71 3. Semi-trailers and shipping containers used for storage shall be no less
72 than fifty (50) feet from any property line.

73 4. Semi-trailers or shipping containers used for storage shall be safe,
74 structurally sound, and in good repair. Stacking of trailers or containers is
75 prohibited.

76 5. Semi-trailers or shipping containers used for storage are prohibited in the
77 following zoning districts: District #02 Single Family, District #03 Multiple
78 Family Residential, and District #06 Business B-1.

79 6. One (1) single semi-trailer or shipping container used for storage, may be
80 placed on a parcel in the following zoning districts: District #05
81 Recreational, District #07 Business B-2, District #15 Rural Residential.

82 7. Up to five (5) semi-trailers or shipping containers used for storage may be
83 placed on a parcel in the following districts: District #1A Forestry, District
84 #1B Forestry, District #1C Forestry, District #04 Residential and Farming,
85 District #08 Manufacturing & Industrial, District #10 General Use.

86 D. Semi-trailer and Shipping Container Zoning Permit Exemptions

- 87 1. In all zoning districts two (2) semi-trailers or shipping containers may be
 88 used for storage for 45 days or less, but shall not remain on a property in
 89 excess of 45 consecutive calendar days and shall not be placed at any
 90 one property in excess of 45 days in a 12 month period.
- 91 2. In all zoning districts two (2) semi-trailers or shipping containers placed at
 92 a construction site for the duration of the project. The containers are to be
 93 removed within 45 days of the completion of the project or upon expiration
 94 of the County Zoning Permit.
- 95 3. The semi-trailers or shipping containers must comply with accessory
 96 structure setbacks, including the 5' lot line (side and rear) setback.

97
 98 The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment
 99 #15-2022 by the Oneida County Board of Supervisors, cause a certified copy thereof to
 100 be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin
 101 Department of Natural Resources.

102
 103 Approved for presentation to the County Board by the Planning and Development
 104 Committee this 19th day of October, 2022.

105
 106 Consent Agenda Item: _____ YES NO

107
 108 Vote Required: Majority = 2/3 Majority = _____ 3/4 Majority = _____

109
 110 The County Board has the legal authority to adopt: Yes No _____ as
 111 reviewed by the Corporation Counsel, _____, Date:
 112 10.26.2022

113
 114
 115 Offered and passage moved by: [Signature]
 116 _____ Supervisor
 117 _____ Supervisor
 118 _____ Supervisor
 119 _____ Supervisor
 120 _____ Supervisor
 121 _____ Supervisor
 122 _____ Supervisor
 123 _____ Supervisor
 124 _____ Supervisor

125
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 128 _____ Ayes
 129
 130 _____ Nays
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 132 _____ Absent
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134 _____Abstain

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136

137 _____ Enacted

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139 by the County Board of Supervisors this _____ day of _____, 2022.

140

141 _____Defeated

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145 _____
Tracy Hartman, Clerk

Scott Holewinski, County Board Chair

146

OFFICE OF COUNTY CLERK
ONEIDA COUNTY
SEP 14 2022
ONEIDA COUNTY CLERK

ORDINANCE AMENDMENT #15-2022

CHAPTER 9

ARTICLE 5 – ADDITIONAL TYPES OF USES

Additions noted by underline; deletions noted by ~~strikethrough~~

9.59 PLACEMENT OF SEMI-TRAILERS AND SHIPPING CONTAINERS

A. Purpose and Intent

It is the purpose of this ordinance to provide standards for the placement of semi-trailers and shipping containers used for storage.

B. Definitions

1. Semi-Trailer – Any wheeled vehicle, without motor power, that is designed to be used in conjunction with a laden or unladen truck tractor so that some part of its own weight and that of its cargo load rests upon, or is carried by, such laden or unladen truck tractor and that is generally and commonly used to carry and transport property over public highways and streets/roads.
2. Shipping Container – A unit originally or specifically designed or used to store goods or merchandise during shipping or hauling by container ships, rail or other types of transport; a container designed to be moved from one mode of transportation to another without unloading and reloading. Not used for habitation – humans or animals.

C. Semi-Trailer and Shipping Container Zoning Permit Requirements

1. A semi-trailer or shipping container used for storage shall not be placed on a parcel for more than 45 days without a Zoning Permit unless otherwise exempt under 9.59(D).
2. Semi-trailers and shipping containers used for storage shall be subject to the requirements of the zoning district in which it is located.
3. Semi-trailers and shipping containers used for storage shall be no less than fifty (50) feet from any property line.
4. Semi-trailers or shipping containers used for storage shall be safe, structurally sound, and in good repair. Stacking of trailers or containers is prohibited.
5. Semi-trailers or shipping containers used for storage are prohibited in the following zoning districts: District #02 Single Family, District #03 Multiple Family Residential, and District #06 Business B-1.

6. One (1) single semi-trailer or shipping container used for storage, may be placed on a parcel in the following zoning districts: District #05 Recreational, District #06 Business B-1, District #07 Business B-2, District #15 Rural Residential.
7. Up to five (5) semi-trailers or shipping containers used for storage may be placed on a parcel in the following districts: District #1A Forestry, District #1B Forestry, District #1C Forestry, District #04 Residential and Farming, District #08 Manufacturing & Industrial, District #10 General Use.

D. Semi-trailer and Shipping Container Zoning Permit Exemptions

1. In all zoning districts two (2) semi-trailers or shipping containers may be used for storage for 45 days or less, but shall not remain on a property in excess of 45 consecutive calendar days and shall not be placed at any one property in excess of 45 days in a 12 month period.
2. In all zoning districts two (2) semi-trailers or shipping containers placed at a construction site for the duration of the project. The containers are to be removed within 45 days of the completion of the project or upon expiration of the County Zoning Permit.
3. The semi-trailers or shipping containers must comply with accessory structure setbacks, including the 5' lot line (side and rear) setback.