



# City of Boardman

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## MEMORANDUM

To: Mayor Keefer  
Members of the City Council  
Brandon Hammond, City Manager

From: Carla McLane, Planning Official

Date: March 28, 2024

RE: Use of Shipping Containers – Residential, Commercial, and Industrial Application

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The opportunity for a policy discussion about the use of shipping containers is much appreciated. The reason for this requested discussion and direction is to be sure that decisions being made are based on a clear direction on how Boardman can and should be developed. I am going to start by sharing what I understand the history is, a bit about what appears to be taking place, some current inquiries that we have, and end with some suggestions.

### *History of the Use of Shipping Containers*

Currently there are installed shipping containers in both the Commercial and Industrial use zones. In talking with staff there was an allowance for their use only in those two use zones but no siting standards were applied. While this is an assumption these two use zones do not have clear design standards so utilizing a shipping container can be allowed without a 'violation' of Development Code provisions. That would not be the case in the Residential use zone as a shipping container would not meet the design standard that requires that "The accessory structure shall be of a compatible and complimentary nature to the primary structure and be consistent with the detail design criteria identified in Section 2.1.180 (C)(3) – Detailed Design. Accessory structures under 200 square feet shall meet at least one (1) of the design criteria identified in 2.1.180 (C)(3)."

### *Current Practice or What I Have Seen*

While I have not driven every street in Boardman looking for Shipping Containers, I know there are several just in the area around City Hall zoned for Commercial use. And there are a number of them in areas zoned for Industrial use. There is at least one that has been placed in a back yard in an area zoned for Residential use that would be considered a violation given past practice and the design requirements listed above.

### *Current Inquiries*

We have two inquiries that we working through, one in the Commercial use zone to be developed as a coffee drive-through and the second in the Residential use zone. We have denied the Residential request but have a verbal agreement with the applicant to pursue this

discussion. The Commercial use zone request is holding off on an application to see where this discussion goes as well.

#### *Some Thoughts on Next Steps*

**Residential Use of Shipping Containers:** The argument to allow the use of shipping containers comes down to cost. Shipping Containers can be obtained for a relatively low cost. The argument against is that they don't meet the requirement that the "accessory structure shall be of a compatible and complimentary nature to the primary structure." There are ways that could be addressed through requirements to paint the shipping container to be consistent with either the landscape or the primary structure and to install faux roofing or other attachments to reach some level of compliance with the stated requirements. If allowed it would be considered an accessory use and structure which would require review under the Boardman Development Code to assure that its installation would comply with applicable standards and any policy decision made and implemented based on this conversation.

**Commercial Use of Shipping Containers:** Currently shipping containers have been allowed in both the Commercial and Industrial use zones and I would support that continuing. What I would like to see changed is that when installed it be done with a Development Review permit and have some simple standards that would be applicable to be sure that it can conform to the local environment and meet any set back or other applicable requirements. The current request that we have however is for the shipping container to be modified and serve as the building for a drive-through activity. The modification of a shipping container for this or other uses has not been seen in Boardman and probably requires a bit more thought.

**The Morrow County Approach:** For some insight into how Morrow County has approached this I share the following that they include when issuing their permit for use of a shipping container: "...the use of Shipping Containers as on-site storage containers has not been limited in Morrow County. However, Planning Commission members have indicated that when placed, these containers should visually conform with the surrounding local environment. For example, when a container is placed in an urban or commercial environment the container should be painted in a manner which blends with surrounding buildings and improvements. If a container is placed in a natural environment the container should be painted in a manner that blends with the surrounding land. This conformation in either the urban or natural environment would also include the concealment of any company logos and/or container nomenclature. Additionally, any improvements or modifications made to these containers will need to conform to all local or state building codes."

#### *Requested Action*

Planning staff, working with the Building Official, would ask for the following to be agreed to by the City Council as a consensus for current action on these requests. It would be the intent of the Planning Department to memorialize this consensus as a part of either the Development or Municipal Code when those updates are accomplished.

1. **Shipping Containers in Residential Use Zones:** Shipping Containers are authorized for use in Residential use zones as an accessory use when a Development Review permit is requested and approved. Any installation shall conform to applicable setbacks and other siting standards and shall be painted to conform with other uses on the property and placed in such a way as to not be visible from the street. If that cannot be achieved landscaping can be used as a suitable barrier. The shipping container shall also be subject to applicable building code requirements.
2. **Shipping Containers in Commercial Use Zones:** Shipping Containers are authorized for use in Commercial use zones as an accessory use when a Development Review permit is requested and approved. Any installation shall conform to applicable setbacks and

other siting standards and shall be painted to conform with other uses on the property. The shipping container shall also be subject to applicable building code requirements.

Shipping Containers proposed to be used for uses other than storage is authorized and would be subject to the applicable review process that any other building proposed for that use would also be subject to. It would also be subject to applicable building code requirements.

3. Shipping Containers in Industrial Use Zones: Shipping Containers are authorized for use in Industrial use zones as an accessory use when a Development Review permit is requested and approved. Any installation shall conform to applicable setbacks and other siting standards and shall be painted to conform with other uses on the property. The shipping container shall also be subject to applicable building code requirements.

No doubt this will raise as many questions as it is answering. Please reach out if you have any questions and I look forward to the conversation on Tuesday evening. Your consideration of this request is appreciated.

