

SELF-STORAGE SITE AND LEGAL-USE CHECKLIST

Use this checklist to verify whether a parcel can legally and practically support the facility you intend to operate.

This checklist is provided for general informational purposes and does not constitute legal, financial, tax, investment or lending advice. Requirements and transaction risks vary by property and jurisdiction. Consult qualified legal, financial, engineering and lending professionals regarding your specific circumstances.

PROPERTY IDENTIFICATION

- ☐ Confirm the parcel number.
- ☐ Confirm the legal description.
- ☐ Verify that the zoning, title, survey and purchase agreement cover the same property.
- ☐ Compare the property boundaries with the existing improvements and proposed plans.

ZONING AND PERMITTED USES

- ☐ Confirm the current zoning district.
- ☐ Locate the ordinance section that defines self-storage.
- ☐ Confirm that the ordinance definition covers the intended facility type.
- ☐ Determine whether indoor, drive-up and outdoor storage are treated differently.
- ☐ Confirm whether vehicle, RV or boat storage is permitted.
- ☐ Confirm whether accessory retail, truck rental, offices or manager housing are permitted.
- ☐ Identify any overlay district that adds separate requirements.
- ☐ Check for pending ordinance amendments that could affect the property.
- ☐ Obtain written zoning verification or a legal opinion.

REQUIRED APPROVAL PATH

- ☐ Determine whether self-storage is permitted by right.
- ☐ Determine whether a conditional-use or special-use approval is required.
- ☐ Determine whether rezoning is required.
- ☐ Identify any variances the project may need.
- ☐ Confirm that the proposed use is not prohibited.
- ☐ Identify every site-plan, building, fire, stormwater and access approval required.
- ☐ Confirm whether approvals transfer to a new owner.
- ☐ Confirm whether material changes to the plan would require another hearing or approval.

EXISTING FACILITY STATUS

- ☐ Determine whether the facility is legal and conforming.
- ☐ Determine whether the use, structure, lot or site contains legal nonconformities.
- ☐ Obtain documents showing that the use was legally established.
- ☐ Confirm that a change in ownership will not affect the right to operate.
- ☐ Determine whether the existing facility can be expanded or altered.
- ☐ Confirm how the ordinance defines abandonment.
- ☐ Determine whether a temporary closure could terminate the right to operate.
- ☐ Confirm whether the facility can be rebuilt after fire, wind, flood or another casualty.
- ☐ Identify any damage threshold that limits reconstruction rights.
- ☐ Identify deadlines for beginning or completing reconstruction.

APPROVAL AND PERMIT HISTORY

- ☐ Obtain the original zoning and land-use approvals.
- ☐ Obtain conditional-use or special-use permits.
- ☐ Review all recorded conditions of approval.
- ☐ Obtain approved site plans and later revisions.
- ☐ Obtain building permits and certificates of occupancy.
- ☐ Review fire inspection and code-enforcement records.
- ☐ Obtain sign permits and approved variances.
- ☐ Obtain approvals for expansions or additional buildings.
- ☐ Review correspondence involving violations or disputed uses.
- ☐ Compare approved plans with the property as it exists today.
- ☐ Identify buildings, canopies, parking areas or other improvements missing from approved plans.

EXPANSION PLANS

- ☐ Confirm expansion is legally permitted.
- ☐ Treat proposed expansion as unapproved until it is verified.
- ☐ Have a civil engineer or architect prepare a concept plan.
- ☐ Show setbacks, easements, buffers, utilities and stormwater facilities on the concept plan.
- ☐ Show access lanes, fire circulation and parking requirements on the concept plan.
- ☐ Calculate the usable building envelope after all constraints are applied.
- ☐ Confirm the site can support the planned building size, unit count and layout.
- ☐ Identify whether expansion requires a new site-plan review or conditional-use hearing.
- ☐ Identify existing nonconformities that may have to be corrected.
- ☐ Estimate the cost and timeline of required approvals and improvements.

DEVELOPMENT STANDARDS

- ☐ Confirm front, side and rear setback requirements.
- ☐ Confirm maximum building height.
- ☐ Review floor-area-ratio restrictions, lot-coverage limits and open-space requirements.
- ☐ Review landscaping, tree-preservation and residential-buffer requirements.
- ☐ Review fence, wall, building-material and facade requirements.
- ☐ Confirm roof and mechanical-equipment screening requirements.
- ☐ Confirm parking and loading requirements.
- ☐ Review lighting and photometric standards.
- ☐ Confirm sign size and placement requirements.
- ☐ Identify restrictions on operating hours.
- ☐ Confirm outdoor-storage and vehicle-storage screening requirements.
- ☐ Account for trash, snow-storage and maintenance areas.

ACCESS AND CIRCULATION

- ☐ Confirm recorded ingress and egress rights.
- ☐ Confirm existing and proposed curb-cut approvals.
- ☐ Review shared-driveway agreements and cross-access obligations.
- ☐ Identify median restrictions and permitted turning movements.
- ☐ Confirm who owns and maintains the road.
- ☐ Confirm sufficient gate stacking and vehicle queuing space.
- ☐ Test moving-truck and trailer turning radii.
- ☐ Confirm emergency-vehicle circulation and sight-distance requirements.
- ☐ Consider seasonal road conditions.
- ☐ Determine whether access depends on neighboring property.
- ☐ Review access easements for width, vehicle types, traffic volume and hours of use.
- ☐ Confirm easement rights allow gates, signs and utilities.
- ☐ Test access for RVs, boats and other large vehicles when applicable.

TITLE, SURVEY AND PRIVATE RESTRICTIONS

- ☐ Obtain a current title commitment and appropriate current survey.
- ☐ Review deed restrictions and restrictive covenants.
- ☐ Review utility, access and drainage easements.
- ☐ Review shared parking and maintenance agreements.
- ☐ Identify rights of first refusal, boundary conflicts and encroachments.
- ☐ Review mineral, water and development rights when applicable.
- ☐ Review liens and other title exceptions.
- ☐ Confirm that private restrictions do not prohibit self-storage.
- ☐ Have counsel identify title exceptions that affect the intended use.
- ☐ Determine whether problematic exceptions can be removed, amended, insured over or accepted.

UTILITIES AND INFRASTRUCTURE

- ☐ Confirm electric service availability and capacity.
- ☐ Confirm water and sewer availability.
- ☐ Verify fire-flow requirements, hydrant locations and sprinkler demand.
- ☐ Confirm internet and communication service.
- ☐ Identify utility connection and impact fees.
- ☐ Determine whether off-site utility extensions are required.
- ☐ Identify easements needed for new service.
- ☐ Confirm whether private wells or septic systems are permitted.
- ☐ Determine who owns and maintains private utility lines.
- ☐ Obtain written utility-availability information and preliminary cost estimates.

FLOODING, DRAINAGE AND STORMWATER

- ☐ Check the official FEMA flood map.
- ☐ Determine whether flood insurance may be required.
- ☐ Ask about prior flooding, standing water, drainage complaints and insurance claims.
- ☐ Evaluate elevation changes across the property.
- ☐ Determine whether stormwater enters from neighboring property.
- ☐ Identify undersized culverts or drainage systems.
- ☐ Confirm detention and water-quality requirements.
- ☐ Review easements affecting drainage facilities.
- ☐ Check for pending flood-map revisions or local flood studies.
- ☐ Confirm access roads remain passable during storms.
- ☐ Determine whether stored property sits above likely water levels.
- ☐ Have a civil engineer evaluate grading, drainage, detention and effects on buildable area.

BUILDING, FIRE AND ACCESSIBILITY

- ☐ Identify the building and fire codes currently adopted by the jurisdiction.
- ☐ Confirm allowable construction type, building area and height.
- ☐ Review fire separation, sprinkler, alarm and emergency-access requirements.
- ☐ Verify hydrant locations and available fire flow.
- ☐ Determine whether elevators are required.
- ☐ Review egress and exit-travel requirements.
- ☐ Review climate-control and electrical requirements.
- ☐ Identify restrictions involving batteries or hazardous materials.
- ☐ Confirm unit doors and locking systems comply with applicable requirements.
- ☐ Identify existing code violations.
- ☐ Determine whether renovations would trigger broader upgrades.
- ☐ Evaluate applicable federal, state and local accessibility requirements.
- ☐ Review accessible parking, routes, entrances, elevators, controls and storage units.
- ☐ Estimate the cost of correcting accessibility barriers.

ENTITLEMENT PROCESS

- ☐ Identify every required application, submission deadline and fee.
- ☐ List required plans and studies.
- ☐ Estimate staff-review periods.
- ☐ Identify public-notice and hearing requirements.
- ☐ Confirm applicable appeal periods and approval expiration dates.
- ☐ Determine what conditions may be imposed.
- ☐ Meet with planning staff before filing.
- ☐ Review the comprehensive plan's treatment of the site.
- ☐ Review recent decisions involving self-storage and similar land uses.
- ☐ Consider likely concerns involving appearance, traffic, lighting and drainage.

PURCHASE AGREEMENT AND DILIGENCE PERIOD

- ☐ Allow enough time to complete zoning and entitlement review.
- ☐ Include acceptable-title-and-survey and legal-and-physical-access contingencies.
- ☐ Include environmental, property-condition, flood and drainage contingencies.
- ☐ Include utility-availability, feasibility, financing and appraisal contingencies when appropriate.
- ☐ Obtain sufficient inspection and testing access.
- ☐ Include the right to extend the diligence period when appropriate.
- ☐ Address the return of deposits if required conditions are not satisfied.
- ☐ Tie approval contingencies to an acceptable size, unit count, layout and access plan.
- ☐ Define which approval conditions and project costs are acceptable.
- ☐ Avoid allowing the deposit to become nonrefundable before material questions are resolved.
- ☐ Have transaction and land-use counsel tailor the agreement to the property.

DILIGENCE FILE

- ☐ Save the zoning map, applicable ordinance sections and use definitions.
- ☐ Save written zoning verification or the applicable legal opinion.
- ☐ Save approved site plans, approval documents, permits and certificates of occupancy.
- ☐ Save code and fire inspection records.
- ☐ Save the title commitment, survey, easements and private agreements.
- ☐ Save access and curb-cut approvals.
- ☐ Save utility-availability letters.
- ☐ Save the flood map and drainage review.
- ☐ Save the concept plan showing current development constraints.
- ☐ Save the entitlement schedule.
- ☐ Maintain a dated written list of unresolved questions and each material conclusion's source.

FINAL DECISION

- ☐ Confirm the parcel can legally support the intended self-storage use.
- ☐ Confirm the property can physically support the proposed facility.
- ☐ Confirm required approvals are reasonably obtainable.
- ☐ Confirm approval conditions will not undermine the project's economics.
- ☐ Include off-site improvements, compliance work and approval delays in the budget.
- ☐ Resolve material zoning, access, title, utility and reconstruction questions before closing.
- ☐ Confirm the project remains workable within the buyer's budget and timeline.