



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning Division*

**m e m o r a n d u m**

**TO:** The Urbana Plan Commission

**FROM:** Zach Woolard, Planning Intern

**DATE:** April 29, 2011

**SUBJECT:** Plan Case No. 2142-T-11: Request by the Zoning Administrator to amend Section VI-9 of the Urbana Zoning Ordinance regarding portable storage containers

---

**Introduction and Background**

Plan Case No. 2142-T-11 is a request to amend the Urbana Zoning Ordinance to include use regulations for portable storage containers on both public and private property. The proposed text amendment would place limits on the allowed time, location, condition and dimensions of portable storage containers within the City of Urbana.

The proposed amendment is an outcome of the increasing popularity of portable storage containers and concern regarding their use in Urbana. There are currently no restrictions on the use of portable storage containers. This lack of restrictions may allow these units to be used in ways that constitute a nuisance for Urbana residents. For example, residents have periodically reported that these containers are not being used for their intended purpose as a transit storage unit, but instead are being used as an accessory building for long term storage. Residents feel that because the containers are not visually appealing that there should be limits on how long they are allowed in a given space. Community Development Services Department staff also has concerns about using portable storage units for long-term storage in ways that circumvents building codes. Additionally, some containers are also placed on surfaces that are inappropriate for their weight and size. The Urbana Public Works Department has also raised concerns regarding the placement of the containers in the public right-of-way for traffic and parking reasons. In order to address these concerns and provide regulations for the use of portable storage containers, the Urbana Zoning Administrator has requested an amendment to the Zoning Ordinance.

This Zoning Ordinance text amendment would provide standards for portable storage units on residential properties. In commercial and industrial zoning districts, outdoor storage requirements (including screening) are already better defined.

## Proposed Zoning Ordinance Text Amendment

Should this application be approved, the following text would to be added to the Urbana Zoning Ordinance.

### Section VI-9. Portable Storage Containers

- A. *Purpose and intent.* The purpose of this Section is to provide standards to insure that portable storage containers as defined herein are used for the short-term, temporary storage and transport of personal property; are not used as accessory buildings; and do not impede vehicular access, traffic flow or circulation, or create public safety hazards. It is the intent of this Section that portable storage units be placed on private property unless space is not available, in which case placement within a public right-of-way may be allowed with a permit from, and at the discretion of, the Urbana Public Works Department.
- B. *Definition.* For the purposes of this section, portable storage containers shall be defined as any container designed to store personal property and which is typically rented to owners or occupants of residences and intended to be delivered, temporarily used, and removed by truck.
- C. Notwithstanding any contrary provision of any City ordinance or regulation, portable storage containers located outside of a fully-enclosed building or structure shall be allowed only in residential zoning districts or for a residential use in any other district and with the following restrictions:
1. *Permit.* If the portable storage container is located on private property, a Portable Storage Unit permit shall be obtained from Urbana Community Development Services. If the portable storage container is located on public property, a right-of-way permit shall be obtained from Urbana Public Works Department.
  2. *Maximum number and time limits.* In residential zoning districts or for a residential use in any other district, a maximum of one (1) portable storage container shall be allowed no more than two (2) times on a zoning lot for a period no longer than seven (7) consecutive days within in any 12-month period. An extension may be granted by the Urbana Zoning Administrator for a defined period.
  3. *Location of placement.* In residential zoning districts or for a residential use in any other district, portable storage containers shall be placed on a paved surface in a driveway or parking space and shall meet all minimum setback requirements of the district when possible. When space is not available on site, no more than one (1) portable storage container may be placed in a public right-of-way in a legal parking space and only with the approval and permit from the Urbana Public Works Department.
  4. *Dimensions.* No portable storage container located in residential zoning districts or a residential use in any other district shall have dimensions greater than twenty (20) feet in length, eight (8) feet in width, and eight (8) feet in height.

5. *Signs.* Other than the required city permit(s), no sign shall be attached to a portable storage container.
6. *Maintenance.* All portable storage containers shall be maintained in a condition free from rust, peeling paint and other visible forms of deterioration.

## **Issues and Discussion**

The proposed text amendment places regulations on the use of portable storage containers in the City of Urbana. In order to determine appropriate regulations, City staff researched a variety of community's ordinances regarding portable storage containers. After compiling the research, staff drafted an ordinance of the regulations to best suit Urbana's needs. The proposed regulations are based on follow up research at the request of the Urbana Zoning Administrator.

The seven day maximum is proposed to ensure that the containers are used for temporary rather than long term storage. The number of days was determined by the average of the researched ordinances. After formulating the average, city staff contacted a leading portable storage company, PODS Enterprises, Inc., to determine whether seven days would be an acceptable time frame. PODS informed staff that they rented the containers at the same price for 1-30 days and the business operated six days per week. PODS stated that if Urbana adopted regulations for portable storage units, they would notify new clients of any local requirements placed on the containers.

In the proposed ordinance, portable storage units must be stored on a paved surface. In conformance with PODS' recommendation, this is to insure that placement and retrieval of containers leave yards undamaged, and to avoid trucks driving over curbs and across yards.

The recommendation to allow the placement of portable storage containers in an on-street, legal parking space is to accommodate residences with a narrow driveway and residences that are not able to meet property line setbacks. On-street storage would only be allowed at the discretion of the Urbana's Department of Public Works, taking into consideration factors like traffic flow and circulation, sight visibility and public safety, and potential damage to public facilities.

Dimension regulations are based on the different size of containers available through PODS Enterprises, Inc. According to PODS the largest container available for Urbana is 8 feet wide by 8 feet high by 16 ft long. From this information staff created the proposed 8 feet x 8 feet x 20 feet maximum.

## **Summary of Staff Findings**

1. Urbana's Zoning Ordinance has been enacted by the corporate authorities of the City of Urbana pursuant to its home rule powers as provided for in the Constitution of the State of Illinois, 1970, and in conformance with the Illinois Municipal Code; and

2. The Urbana Zoning Administrator has submitted a Zoning Ordinance text amendment to establish regulations for the outdoor storage of portable storage units both on private property and in the public right-of-way; and
3. The proposed text amendment will help in administration of the Urbana Zoning Ordinance; and
4. Plan Case No. 2142-T-11 complies with Section XI-7, Amendments, of the Urbana Zoning Ordinance, and with notification and other requirements of the State Zoning Act (65 ILCS 5/11-13-14).

## **Options**

The Plan Commission has the following options for recommendations to the City Council. In Plan Case 2142-T-11 the Plan Commission may:

- a) Forward this case to the City Council with a recommendation for approval;
- b) Forward this case to the City Council with a recommendation for approval, as modified by specific changes; or
- c) Forward this case to the City Council with a recommendation for denial.

## **Staff Recommendation**

Based on the evidence presented in the above discussion, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Urbana Plan Commission recommend **approval** of the proposed text amendment to the Zoning Ordinance, as presented herein.

Attachments:

Exhibit A: Example Photographs

**EXHIBIT A: EXAMPLE PHOTOGRAPHS**



*Medium-sized portable storage unit in driveway*



*Four small portable storage units*



*Delivery of a smaller portable storage unit*



*On-street secure storage for construction materials*



*Shipping containers used for backyard storage*

