
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
RENEE HANLON, ZONING ADMINISTRATOR
SUBJECT: DISCUSSION: AMENDING ZONING ORDINANCE TO ALLOW SHIPPING CONTAINERS IN CERTAIN DISTRICTS
AGENDA: MAY 15, 2018 VILLAGE BOARD MEETING
DATE: MAY 11, 2018

ISSUE

Shall the Village Board discuss an Ordinance amending the Zoning Ordinance to add a definition of “shipping container” and add same to the table of Permitted Accessory Use, Structures, and Buildings.

DISCUSSION

The Village Board previously discussed this matter at its May 1, 2018 meeting and was generally receptive to the idea of regulating this type of structure/use and expressed interest in considering additional regulations, particularly preventing shipping containers from being stacked and adding some time limitation on their deployment on property where they are permitted.

With respect to a limit on the duration, we need to differentiate between shipping containers used for shipping/receiving activities and those used for storage purposes. To this end, we altered the regulations to apply more narrowly to shipping containers that have been separated from the trailer chassis and wheels and are located on a lot for more than 30 days. The Village currently permits shipping containers, i.e., “PODS,” on a temporary basis by permit for up to 30 days, thus we are regulating the *permanent* use of shipping containers as storage facilities.

Village staff also re-evaluated the standards and criteria for placing shipping containers on property in the A-1, M-1 and I-1 zoning districts to address other concerns raised by the Village Board. The proposed standards have been revised. Shipping containers, where permitted, are required to comply with the following conditions and requirements:

- a. Shall be located within an enclosed outdoor storage yard.
- b. Shall not be stacked vertically, stored on end, joined or interconnected.
- c. Shall be located at least ten (10) feet from any building and comply with parking setbacks.

- d. Shall not be placed directly on soil, organic material, or poorly drained area.
- e. Shall not occupy or cause the reduction of required off-street parking or loading spaces on the premises.
- f. Shall not exceed 10 feet in height, 10 feet in width, and 40 feet in length.
- g. Shall have no wall openings, except the access door opening.
- h. Shall not be used for the storage of flammable/combustible liquids or hazardous materials.
- i. Shall not be located so as to block, obstruct or reduce any required exits, windows, vent shafts on the premises.
- j. Shall not be used for human occupancy.
- k. Shall be factory built.
- l. Shall not be connected to a power source.
- m. Shall not be modified by adding windows or electrical, plumbing or mechanical improvements, and shall be considered as non-habitable structures. The addition of roof-mounted ventilation turbines and the replacement or modification of the original doors shall be permitted, however, subject to the approval of the Building Official.
- n. Shall be modified to provide a panic bar inside the door and ventilation.
- o. Shall be painted a solid dark color, no graphics or commercial message other than DOT markings required by law is permitted, and corrosion shall be covered or repaired.
- p. Number. The maximum number of shipping containers on a lot shall be 1 per 10,000 square feet of rear yard area but not more than three (3).

Village staff surveyed the industrial uses in the Village and identified a number of locations where shipping containers are currently used for storage. All of the locations can satisfy the proposed standards and criteria, except for the requirement for life safety modifications, e.g. ventilation and panic door hardware.

To address the use of shipping containers on the Village's property on Railroad Street, we propose an exception in the R-2 District specifically for property that has no street frontage and is accessible only via the railroad right-of-way between Grove Street and Main Street as a means to allow their use at this specific location and no others in the R-2 District in the Village. Alternatively, the Village Board could require a license to place them on the property.

ATTACHMENT

- Ordinance Amending Title 11, Zoning Regulations, of the Village Code (Shipping Containers)

COSTS

The only costs associated with this ordinance amendment are nominal publication and codification costs.

RECOMMENDATION

That the Village Board provide any additional input and direction necessary in order to prepare an Ordinance Amending Title 11, Zoning Regulations, of the Village Code (Shipping Containers).



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

Ordinance No. 2018-0515_

**An Ordinance Amending Title 11, Zoning Regulations, of the Village Code
(Shipping Containers)**

Adopted by the President and Board of Trustees of the Village of Sugar Grove
this 15th day of May 2018

Published in pamphlet form by authority of the Board of Trustees of the Village of Sugar Grove
this 15th day of May 2018

ORDINANCE NO. 2018-0515_

**An Ordinance Amending Title 11, Zoning Regulations, of the Village Code
(Shipping Containers)**

WHEREAS, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution, and accordingly, acts pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the corporate authorities of the Village of Sugar Grove have proposed an amendment to the Village of Sugar Grove Zoning Ordinance; and,

WHEREAS, after due notice, the Sugar Grove Planning Commission held a public hearing on April 18, 2018 to consider the proposed amendment to the Village Zoning Ordinance and all interested parties who were present were allowed to speak and no objectors were present; and,

WHEREAS, the corporate authorities of the Village of Sugar Grove deem it necessary, desirable, and in the best interest of the Village to amend the Village of Sugar Grove Zoning Ordinance to update its regulations regarding shipping containers on property within the village corporate limits.

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows;

SECTION ONE: AMENDMENT

A. The Village Code of Ordinances Section 11-3-2 *Definitions* shall be and it is hereby amended to add the following term and definition in alphabetical order:

SHIPPING CONTAINER: A reusable transportation box intended for use in intermodal unitized freight handling. Shipping containers are typically constructed of corrugated steel.

B. The Village Code of Ordinances Section 11-4-7 *Accessory Uses, Structures, and Buildings* shall be and it is hereby amended to add the following:

Use	A1	E1	R1	R2	R3	SR	B1	B2	B3	BP	OR	M1	I1
Accessory buildings:													
Shipping container	P*	N	N	N^	N	N	N	N	N	N	N	P*	P*

^ Except on non-residential property having no street frontage and accessible only via railroad right-of-way between Main Street and Grove Street and subject to Section 11-4-7-F.

C. The Village Code of Ordinances Section 11-4-7-F *Additional Standards for Specific Accessory Uses, Accessory Buildings, and Accessory Structures* shall be and it is hereby amended to add the following in alphabetical order:

#. Shipping container. For the purpose of this section, shipping containers that are attached to a trailer chassis and wheels do not apply. A shipping container that is located on a lot for more than 30 days shall be determined to be a storage container and shall comply with the following additional requirements:

- q. Shall be located within an enclosed outdoor storage yard.
- r. Shall not be stacked vertically, stored on end, joined or interconnected.
- s. Shall be located at least ten (10) feet from any building and comply with parking setbacks.
- t. Shall not be placed directly on soil or organic material.
- u. Shall not occupy or cause the reduction of required off-street parking or loading spaces on the premises.
- v. Shall not exceed 10 feet in height, 10 feet in width, and 40 feet in length.
- w. Shall have no wall openings, except the access door opening.
- x. Shall not be used for the storage of flammable/combustible liquids or hazardous materials.
- y. Shall not be located so as to block, obstruct or reduce any required exits, windows, vent shafts on the premises.
- z. Shall not be used for human occupancy.
- aa. Shall be factory built.
- bb. Shall not be connected to a power source.
- cc. Shall not be modified by adding windows or electrical, plumbing or mechanical improvements, and shall be considered as non-habitable structures. The addition of roof-mounted ventilation turbines and the replacement or modification of the original doors shall be permitted, however, subject to the approval of the Building Official.
- dd. Shall be modified to provide a panic bar inside the door and ventilation.
- ee. Shall be painted a solid dark color, no graphics or commercial message other than DOT markings required by law is permitted, and corrosion shall be covered or repaired.
- ff. Number. The maximum number of shipping containers on a lot shall be 1 per 10,000 square feet of rear yard area but not more than three (3).

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 15th day of May 2018.

ATTEST:

P. Sean Michels,
Village President

Cynthia L. Galbreath,
Village Clerk

	Aye	Nay	Absent	Abstain
Trustee Mari Johnson	_____	_____	_____	_____
Trustee Sean Herron	_____	_____	_____	_____
Trustee Ted Koch	_____	_____	_____	_____
Trustee Heidi Lendi	_____	_____	_____	_____
Trustee Rick Montalto	_____	_____	_____	_____
Trustee David Paluch	_____	_____	_____	_____