



PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

PO Box 490, STATION 11  
GAINESVILLE, FL 32602-0490306 N.E. 6<sup>TH</sup> AVENUE

P: (352) 334-5022

P: (352) 334-5023

F: (352) 334-2648

**TO:** City Plan Board

Item Number: 5

**FROM:** Planning and Development Services Department

DATE: December 2, 2013

**SUBJECT:** Petition PB-13-107 TCH, City of Gainesville. Amend the Land Development Code to allow Portable Storage Units (i.e. PODs) in residential areas for the seasonal distribution of packages by commercial delivery service providers.

### Recommendation

Staff recommends approval of Petition PB-13-107 TCH.

### Description

This petition addresses a referral from the City Commission to the City Plan Board. The referral is to amend the Land Development Code to allow licensed commercial delivery companies to operate temporary placement of portable storage units in residential areas for use as a staging area from which to distribute packages to local residents via golf carts. The activity would occur each year from October to January annually within approved neighborhoods. The use of golf carts on municipal streets is allowed by Florida State Statutes 316.2126 (See Exhibit "A") which authorizes the use of golf carts and utility vehicles upon any state, county, or municipal roads located within the corporate limits of a municipality.

During review and drafting of a petition addressing PODS in Single-family residential districts, a commercial delivery company contacted the City with a request to allow the use of PODS to deliver packages within certain residential neighborhoods. The neighborhood must be a well-defined area with an existing centralized area serving the residents; for example a club house, a defined pool area, a community center, a common area for recreational activities, a centralized bicycle, motorcycle or vehicular use area, among others. The intent and merit of the proposal is to facilitate easier and more convenient delivery of packages during the peak delivery season. During regular business hours, a typical truck would deliver packages to a POD located within the approved residential area. Golf carts would pick-up the stored packages from the POD and deliver them to local residences through a series of short trips. By the end of the business day, the POD would be empty awaiting its next batch of packages for another cycle of golf cart delivery the next day.

The merits of the proposal are: The use is already occurring within residential areas; in some cases the practice eliminates the use of large trucks driving throughout the neighborhood; the strategy reduces the occurrence of truck accidents with neighborhood children playing in the streets; it reduces the amount of carbon emissions from motorized vehicles driving throughout the streets; and it facilitates faster and shorter delivery times throughout the neighborhood.

The negative aspects are the unsightly visual impacts of PODS within the neighborhood; undesirable noises associated with loading and unloading of PODS at the site; potential for unkempt areas around the PODS; potential for theft and vandalism of the PODS; potential for the use of larger vehicles not typically used for regular delivery within the neighborhood; over-extending the allowable storage period for PODS; and

Petition PB-13-107 TCH  
December 2, 2013

management, control and placement of the PODS in situations where more than one delivery company utilizes a single neighborhood.

In response to the current City Commission referral, the following code modifications are proposed.

## **Article VI Specially Regulated Uses:**

***Intent and Purpose:*** The purpose of this ordinance is to allow licensed delivery companies to implement a safe, efficient and manageable delivery service to residential areas while reducing the degree of impact to residents from noise, pollutants and accidents without degrading the quality of life within those residential areas where they operate.

Section 30-23 Definition:

***Neighborhood (PODS):*** As it relates to Portable Storage Units, a neighborhood shall be defined as the combination of contiguous residential dwellings identified under common unifying characteristics such as a geographic area, the name or homeowners association and containing one or more centralized area/s and/or activity centers providing services to residential units comprising the commonly defined area.

### **Sec. 30-XXX. Seasonal Portable Storage Units for Residential Delivery**

Portable storage units, as defined in section 30-23, are allowed as a temporary use by right in the following zoning districts: RSF-1, RSF-2, RSF-3, RSF-4, RSF-R, RMF-5, RC, MH, RMF-6, RMF-7, RMF-8, RMU, RH-1, and RH-2; subject to the following conditions:

#### **(a) Placement, dimensions and use.**

- (1) Shall not be placed within the public right-of-way
- (2) Shall be setback at least 50 feet from all property lines
- (3) Shall be setback at least 5 feet from all regulated trees
- (4) Shall not exceed 10 feet in height
- (5) Shall not exceed a base footprint of 200 square feet.
- (6) Shall only be used for the distribution of seasonal packages within a defined neighborhood
- (7) Only Golf carts and or low speed utility vehicles in accordance with Section 316.2126 Florida Statute may be used for delivery from the POD
- (8) Outdoor storage of delivery vehicles shall not be allowed; vehicles may be stored in the POD
- (9) Only one POD per company shall be allowed per neighborhood, co-location on one site by more than one company is encouraged.

#### **(b) Time Limits**

- (1) The use may be allowed for a 4 month period beginning October 1 through January 15.
- (2) All PODs must be removed within 5 days of the expiration date
- (3) POD can only be place after receiving a permit from the City for this purpose.
- (4) PODs may be accessed only between the hours of 7:00 AM and 6:00PM.
- (5) Permit applications must be filed at least 30 days prior to the intended date of the Placement of the PODs.

**(c) General Conditions**

- (1) The entity operating the delivery facility must have a business license to operate in the City
- (2) Prior to operation in the neighborhood the applicant must post a sign informing residents of the intended use, the hours of operations including the duration of the activity, and that golf carts will be used to deliver the packages.
- (3) No advertising signs related to the business shall be allowed on the property or the POD.
- (4) The applicant must file an application on forms provided by the City for each POD location and pay the fee for each individual location. Each application must include permission from the property owner, or entity with control of the property location, a scaled site plan showing the location of the POD on the site, all setbacks, access and loading areas.

**Draft Application:**
**APPLICATION FOR SEASONAL PORTABLE  
STORAGE UNITS FOR RESIDENTIAL DELIVERY**
**OFFICE USE ONLY**

Petition No. \_\_\_\_\_ Fee: \_\_\_\_\_ Account No. \_\_\_\_\_

Tax Map No. \_\_\_\_\_ Receipt No. \_\_\_\_\_

Owner(s) of Record (please print)		Applicant(s)/Agent(s) (please print)	
Name:		Name:	
Address:		Address:	
E-mail:		E-mail:	
Phone:	Fax:	Phone:	Fax:
(If additional owners, please include on back)			

**PROJECT INFORMATION**

<b>Name of responsible party and phone number</b>	
<b>Attached the following documents for review:</b>	
<b>Development Plan</b>	<input type="checkbox"/> Development Plan drawn to scale depicting the location showing the location of the POD on the site, all setbacks, access and loading areas.

I certify that the above statements are correct and true to the best of my knowledge and that the business will comply with section 30-12X Seasonal Portable Storage Units for Residential Delivery of the Land Development Code attached to this application.

Applicant's signature \_\_\_\_\_

Date \_\_\_\_\_

**Certified Cashier's Receipt:**

Petition PB-13-107 TCH  
December 2, 2013

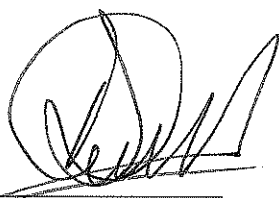
Fees

Amend Appendix A Schedule of Fees, Rates and Charges, of the Land Development Code to add a fee for review of PODS for Delivery of Packages to Residential Dwelling Units: proposed fee \$250.

Respectfully submitted,



Ralph Hilliard  
Planning Manager



Prepared by:

Lawrence Calderon  
Lead Planner

List of Attachments:

- Exhibit A Florida Statutes on Golf Carts 316-2126
- Exhibit B Initial PODS Ordinance # 110873
- Exhibit C Application