

 <p>ST. CHARLES SINCE 1834</p>	<b>PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY</b>			
	<b>Project Title/ Address:</b>	General Amendment – Donation Boxes (City of St. Charles)		
	<b>City Staff:</b>	Matthew O'Rourke, Planner		
<b>Please check appropriate box (x)</b>				
	<b>PUBLIC HEARING 5/22/12</b>	<b>X</b>	<b>MEETING</b>	
<b>APPLICATIONS UNDER CONSIDERATION:</b>				
General Amendment – Donation Boxes				
<b>ATTACHMENTS AND SUPPORTING DOCUMENTS</b>				
General Amendment Application		Community Comparison Sheet		
Staff Memo				
<b>EXECUTIVE SUMMARY:</b>				
<p>Staff has been made aware that the number of charitable and for-profit donation boxes located on private property is increasing within the City. In some instances, there have been reports of donated items and other refuse stacking up next to these boxes.</p> <p>The Zoning Ordinance does not contain any standards that address donation boxes. Staff has prepared an amendment to the Zoning Ordinance to address these concerns and create standards to regulate these donation boxes.</p>				
<b>RECOMMENDATION / SUGGESTED ACTION</b> <i>(briefly explain):</i>				
<p>Conduct the public hearing, provide feedback to Staff, and close if all testimony has been taken. Staff would like the Plan Commission to consider the options presented during the meeting and provide directions to Staff as to which options should be incorporated into the Staff Report for the 6-5-12 Plan Commission Meeting.</p>				

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ST. CHARLES  
SINCE 1834

**STAFF MEMO**

**TO:** Chairman Todd Wallace  
and Plan Commission

**FROM:** Matthew O'Rourke, AICP, Planner

**RE:** General Amendment to Tile 17 (Zoning Ordinance) Donation Boxes

**DATE:** May 18, 2012

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**I. GENERAL INFORMATION**

**Project Name:** General Amendment - Donation Boxes

**Applicant:** City of St. Charles, Planning Division

**Purpose:** Ordinance amendments to create standards for Donation Drop-Off Boxes located on private property.

**II. BACKGROUND**

Staff has been made aware that the number of charitable and for-profit donation boxes located on private property is increasing within the City. In some instances, there have been reports of donated items and other refuse stacking up next to these boxes. The Zoning Ordinance does not contain any standards that address these boxes. Staff has prepared an amendment to the Zoning Ordinance to address these concerns and create standards to regulate these donation boxes.

**III. ANALYSIS**

Staff performed a visual "windshield" survey to find where these boxes are located within the City limits and the condition of these boxes. Staff identified donation boxes on a variety of properties throughout the City.

The majority of observed boxes were located on commercial properties. There are boxes located within residential and downtown Zoning Districts as well. The boxes vary by size and placement. Many of these boxes are located within existing off-street parking spaces and close to public streets. Based on the number and location of certain boxes on private property Staff determined that regulations for location and signage are appropriate to include in the Zoning Ordinance.

Staff examined the Zoning Ordinances of other Illinois communities to identify common practices for regulating these boxes. Staff also examined the current policies of City's adjoining and near St. Charles. See **Community Comparison Attachment** for detailed information.

#### IV. PROPOSED AMENDMENT – AS PRESENTED ON 5-8-12

Based on this analysis, Staff is proposing an amendment to **Chapter 22 General Provisions** of the Zoning Ordinance to create minimum standards that regulate the placement, size, and condition of donation boxes. An amendment to **Chapter 30 Definitions** is also being proposed to define donation boxes.

The proposed amendments are as follows:

##### A. 17.22.020.I DONATION BOXES

Donation Boxes shall be permitted in the BL, BC, BR, PL, and OR Zoning Districts in accordance with the following:

1. Written permission of the property owner must be obtained before placing the box on any property.
2. There shall be no more than one (1) box located on a zoning lot.
3. There shall be no more than three (3) boxes located in a Shopping Center.
4. Boxes shall not be located in the front or exterior side yard parking or building setback of any property.
5. Boxes shall be located within the required Sight Triangle in accordance with Section 17.22.010.F.
6. Boxes shall not be located within in any off-street parking stall.
7. Boxes shall not be placed as to impede pedestrian or vehicular traffic ways.
8. Boxes shall be located on a hard permanent surface.
9. Boxes shall be located so that they are inconspicuous from the public right-of-way.
10. Signage lettering on the box cannot exceed 5” in height.
11. The name, address, email, and phone number of the box’s operator must be posted on the box.
12. Pick up times for removal of the donated contents must be posted and visible on the front of the box.

##### B. 17.30.030 GENERAL DEFINITIONS

**Donation Boxes.** Any enclosed container located on private or public property specifically for the purposes of collecting donated clothing, books, electronics, or other similar items. Cargo Containers, trash dumpsters, or trash receptacles shall not be considered Donation Boxes.

#### V. PLAN COMMISSION COMMENT 5-8-12

The Plan Commission reviewed the original proposal during the 5-8-12 public hearing. The Plan Commission offered comments based on the original proposal. Staff has responded to those comments in the following section:

**Plan Commission Comment: Limit the boxes to a few locations in town.**

*Staff Response:*

Staff is revising the proposed General Amendment to further limit the Zoning Districts in which Donation Boxes will be permitted. Staff is presenting the following 2 options for the Commission to consider:

*Option 1:*

Staff is revising the proposal to limit donations boxes to the BC and BR Zoning Districts only. Based on the comments received during the public hearing, Staff has included the following size restrictions as part of the amendment:

- Boxes shall be limited to a maximum height of 7'.
- Individual boxes shall be limited to a maximum foot print area of 25 square feet.

*Option 1 A:*

In addition to the limiting the boxes to the BC and BR Zoning Districts, the Plan Commission could recommend that the boxes only be permitted on properties that are considered Shopping Centers. Shopping Centers are defined in the Zoning Ordinance as follows:

*“Shopping Center. Two (2) or more retail stores and/or service establishments located on a parcel of four acres or more sharing customer parking areas, regardless said stores and/or establishments occupy separate structures or are under separate ownership.”*

**Plan Commission Comment: Investigate the possibility of requiring a permit for Donation Boxes.**

Staff conferred with Bob Vann, Building and Code Enforcement Division Manager, to obtain information regarding the possibility of requiring a permit for Donation Boxes. Staff discussed the following potential benefits to requiring a permit:

- Advanced knowledge and review of the location of the boxes.
- The ability to hold the responsible party accountable for refuse or overflowing materials outside of the box.
- Ability to monitor which boxes are permitted on one lot, and which boxes are located without a permit.
- Regardless of whether a permit is required or not, the proposed Zoning Ordinance standards will apply in the same manner and enforcement will follow the same procedures.

If the City Council decides to approve a permit requirement a fee structure will be decided at that time. Staff has included the fees of other communities for comparative purposes:

Naperville:	\$221.00
Cicero:	\$100.00
Byron:	\$100.00

**VI. RECOMMENDATION**

Conduct the public hearing, provide feedback to Staff, and close if all testimony has been taken. Staff would like the Plan Commission to consider the options presented in this memo and provide direction to Staff as to which options should be incorporated into the Staff Report for the June 6-5-12 meeting.

## Community Comparison Attachment

### Communities That Permit Donation Boxes

City	Permit Required	Limited Specific Zoning Districts	Size Limits	Allowed in Parking Spaces	Front and Exterior Side Yard Restrictions	Cannot Disrupt Vehicular or Pedestrian Traffic Flow	Letter Size Limits	List Owner On Box	Limit on Number of Boxes on a Lot	Placed to be Inconspicuous From Public View	Written Permission of Property Owner Required
Wheaton	No	Yes	Yes 7' tall 25 square feet area	No	Yes	Yes	No	No	Yes Limit 3 on lots larger than 1 acre	No	Yes
Naperville	Yes	Yes	Yes 6.5' tall 4' by 4' wide	No	Yes	Yes	Yes	Yes	Yes 1 per lot or shopping center	Yes	Yes
Cicero	Yes	Yes	Yes 6.5' tall	No	Yes	Yes	Yes	Yes	Yes 1 per lot	Yes	Yes
Byron	Yes	No	No	Yes	Yes	Yes	No	No	Yes 1 per lot	No	Yes
New Lennox	No	Yes	No	No	Yes	Yes	No	Yes	Yes 3 per lot	No	Yes

### Communities Adjoining and Near St. Charles

- **Geneva** – Currently Under Consideration.
- **Schaumburg** – Donation boxes are not permitted.
- **Batavia** – No Restrictions Listed
- **South Elgin** – No Restrictions Listed
- **West Chicago** - No Restrictions Listed