

# CITY OF PLATO, MINNESOTA

## ORDINANCE NO. [ ]

AN ORDINANCE AMENDING TITLE XV OF THE CITY CODE OF ORDINANCES BY ADDING A NEW CHAPTER 156, ENTITLED "SHIPPING CONTAINERS"

WHEREAS, the City Council of the City of Plato finds that the use of shipping containers and portable storage units as structures and accessory uses has become more common; and WHEREAS, the City desires to ensure that such uses are compatible with the City's Comprehensive Plan, existing zoning regulations, and community aesthetics; and

WHEREAS, the City Council finds that regulating the use, placement, and appearance of such containers will promote the public health, safety, and general welfare of the community;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLATO, MINNESOTA ORDAINS:

### CHAPTER 156: SHIPPING CONTAINERS

#### §156.01 TITLE AND PURPOSE.

(A) This chapter shall be known as the "City of Plato Shipping Container Ordinance"

(B) The purpose of this chapter is to:

1. Establish regulations for the placement and use of shipping containers and portable storage units within the City of Plato;
2. Ensure compatibility with the City's Comprehensive Plan and zoning districts;
3. Protect public health, safety, and property values;
4. Maintain community aesthetics consistent with the City's small-town character.

#### §156.02 DEFINITIONS.

**SHIPPING CONTAINER.** A standardized, reusable box or container originally designed for the storage or transportation of goods, typically eight (8) feet wide, eight and one-half (8.5) feet high, and twenty (20) or forty (40) feet long, designed for intermodal freight transport or temporary on-site storage. This term includes portable storage units such as PODS, MI-BOX, and similar products.

**PERMANENT USE.** The placement of a shipping container for more than ninety (90) consecutive days.

**TEMPORARY USE.** The placement of a shipping container for ninety (90) days or less, typically for construction, moving, or short-term storage.

**HAZARDOUS MATERIALS.** "Hazardous materials" means substances or materials that, because of their chemical, physical, or biological nature, pose a potential risk to life, health, or property if they are released. "Hazardous materials" includes any substance or material in a particular form or quantity that may pose an unreasonable risk to health, safety, and property, or any substance or material in a quantity or form that may be harmful to humans, animals, crops, water systems, or other elements of the environment if accidentally or intentionally released. Hazardous substances so designated may include explosives, radioactive materials, etiologic agents, flammable liquids or solids, combustible liquids or solids, poisons, oxidizing or corrosive materials, chemical and biological substances, and toxic or flammable gases.

### **§156.03 PERMITTED AND PROHIBITED USES.**

#### **(A) Permitted Uses.**

1. Manufacturing Industrial (M-1) District – Shipping containers may be permitted as accessory use, subject to zoning approval. A maximum of two (2) shipping containers shall be allowed per parcel.
2. Downtown Business (B-1) and Highway Business (B-2) Districts - Shipping containers may be permitted as accessory uses, subject to issuance of a Conditional Use Permit (CUP) per §154.115. A maximum of two (2) shipping containers shall be allowed per parcel.
3. Residential (R-1, R-2) Districts - Shipping containers are permitted only as temporary uses, subject to issuance of a Temporary Use Permit (TUP). A maximum of one (1) container shall be allowed per parcel for temporary use.

#### **(B) Prohibited Uses.**

1. Shipping containers shall not be used or converted for occupancy and/or habitation.
2. Stacking of shipping containers is prohibited.
3. Shipping containers shall not be used for commercial advertising or signage, nor may any materials, equipment, or structures be stored or affixed to the top of the container.
4. Shipping containers shall not be placed in any area that would otherwise be restricted to open space per §154.130.
5. No container shall be used to store any illegal or hazardous material, unless otherwise noted in §156.03(C).

#### **(C) Permitted Storage of Hazardous Materials**

1. Nothing in this section shall prohibit the storage of materials customarily incidental to residential or commercial use, including but not limited to:
  - A. Household maintenance supplies
  - B. Lawn and garden products
  - C. Automotive fluids (e.g., fuel, oil, antifreeze)
  - D. Paints, stains, and similar coatings
2. Any hazardous substance that is allowed per §156.03(C) shall be stored in a safe manner, including, but not limited to:
  - A. Such materials shall be stored in containers approved by Minnesota State Statute and Regulation, and any applicable Minnesota State Code.
  - B. Quantities shall not exceed those typically associated with normal use;
  - C. Storage complies with applicable fire and building codes (including the adopted Fire Code); and
  - D. No condition is created that constitutes a nuisance or hazard to adjacent properties.

### **§156.04 GENERAL STANDARDS.**

(A) Size. Maximum size per container: forty (40) feet in length, eight and one-half (8.5) feet in height, and eight (8) feet in width.

#### **(B) Placement.**

1. Containers must comply with all setback and placement standards applicable to accessory structures per §154.130.
2. Containers may not be placed in front yards of residential properties or within required visibility triangles at intersections unless approved by the zoning administrator.

3. Containers shall not obstruct public rights-of-way, sidewalks, drainageways, or utilities.
4. Containers shall be placed to maintain adequate fire department and emergency access. No container shall obstruct fire lanes, fire hydrants, emergency access drives, or building egress points. At least three (3) feet of clearance shall be maintained around all sides of a container, including access doors, unless otherwise approved by the Fire Chief.
5. Containers shall comply with any and all zoning requirements.

(C) Aesthetic Standards.

1. Containers shall be free of rust, dents, or graffiti, and shall be painted a neutral or compatible color approved by the Zoning Administrator.
2. Containers granted permanent use status visible from a public street or adjacent residential property shall be screened with fencing, landscaping, or other methods as approved by the Zoning Administrator per §154.154.
3. Signage on containers is limited to the storage container company identification labels. Storage containers shall not be used for commercial advertising purposes.

(D) Structural Standards.

1. Containers shall be structurally sound, placed on a stable and level surface such as gravel or concrete, and anchored in accordance with the Minnesota State Building Code.
2. Containers shall not be modified, altered, or equipped with plumbing, heating, electrical service, or openings intended to accommodate human occupancy or conversion to another structure type.

**§156.05 PERMITTING REQUIREMENTS.**

(A) Temporary Use Permit (TUP).

1. Required for temporary placement of containers (ninety (90) days or less) in all zoning districts.
2. Application shall include site sketch, purpose, duration, and container dimensions.
3. Fee shall be as established in the City Fee Schedule.
4. The Zoning Administrator may grant one (1) extension for up to thirty (30) additional days, based on demonstrated need.
5. The extension shall require payment of an additional fee, as set by the City Fee Schedule. The extension fee shall be established at a level sufficient to discourage repeated or prolonged temporary use in place of permanent compliance.
6. Portable storage units such as PODS, MI-BOX, etc. in place for 30 days or less are exempt from needing a Temporary Use Permit (TUP)
7. The City may impose reasonable conditions to the Temporary Use Permit to mitigate visual or safety impacts.
8. No parcel may be granted more than one (1) TUP in a 12 month period.

(B) Conditional Use Permit (CUP).

1. Required for permanent use of shipping containers in the Downtown Business (B-1) and Highway Business (B-2) Districts.
2. Application shall include a site plan, container specifications, color and screening plan, and documentation of compliance with §§154.130, and any other zoning requirements.
3. A public hearing shall be held in accordance with §154.115(B)(3), with notice published and mailed to property owners within three hundred fifty (350) feet.
4. The Planning Commission shall evaluate applications based on consistency with the City's Comprehensive Plan and completion of the Conditional Use Permit Determination Form.
5. The City may impose reasonable conditions to the Conditional Use Permit to mitigate visual and/or safety impacts.

**§156.06 ENFORCEMENT AND PENALTIES.**

(A) Unauthorized placement or non-compliance with permit conditions constitutes a violation of this chapter.

(B) Upon written notice, the property owner shall have thirty (30) days to remove or bring the container into compliance.

(C) Failure to comply with this ordinance is a Misdemeanor punishable by up to 90 days in jail and/or a \$1,000 fine. In addition, violation of this ordinance shall be subject to:

1. Administrative fines as established in the City Fee Schedule;
2. Removal of the container at the owner's expense; and
3. Additional penalties as provided in §154.037-154.042 of the City Code.

**§156.07 EFFECTIVE DATE.**

This ordinance shall take effect upon completion of a public hearing, passage by the City Council and publication in the official city newspaper as required by law.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF PLATO, MINNESOTA THIS \_\_\_ DAY OF \_\_\_\_\_, 2026.

CITY OF PLATO, MINNESOTA

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk/Treasurer