

AN ORDINANCE TO AMEND CHAPTER 24 (CITY ZONING ORDINANCE), ARTICLE I, ENTITLED, "IN GENERAL," § 24-1, ENTITLED, "DEFINITIONS," ARTICLE IV, ENTITLED, "SUPPLEMENTARY ZONE REGULATIONS," § 24-163, ENTITLED, "ACCESSORY STRUCTURES AND GARAGES," SO AS TO PROVIDE NEW STANDARDS FOR DONATION DROP BOXES

CTAM-4269-2014

ARTICLE I. IN GENERAL

Sec. 24-1. Definitions

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Donation Drop Boxes. Any enclosed container or receptacle made of metal, steel or a similar durable material and designed or intended for the donation and the temporary storage of clothing or other materials. Donation drop boxes may not be constructed of fiberglass, plastic, cardboard, or any other non-durable material.

ARTICLE IV. SUPPLEMENTARY ZONE REGULATIONS

Sec. 24-163. Accessory structures and garages.

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(d) Donation drop boxes.

(1) All existing donation drop boxes erected on land within the City shall, within 90 days of the effective date of this ordinance, be registered with the Planning and Code Administration. Registration of donation drop boxes shall be accompanied by:

- a. A site plan depicting the size (height, width and length) and location of any and all donation drop boxes located on the property, and
- b. Information identifying the organization(s) responsible for the maintenance and monetary proceeds of the donation drop

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
Single strikethrough	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>
***	<i>Existing law unaffected by bill.</i>

box, including a contact name, phone number, and website (if applicable) for the organization (s).

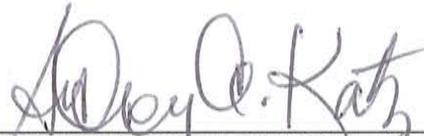
- (2) Any donation drop box not registered with the Planning and Code Administration within the prescribed time frame shall be removed at the expense of the property owner, and is subject to enforcement and fines in pursuant to Section 24-184 of the City Code.
- (3) Any new donation drop box erected on land within the City, or donation drop box existing prior to June 8, 2014, that is relocated on any lot within the City, shall be subject to the issuance of a permit. Such permit shall be accompanied by:
 - a. A site plan depicting the dimensions (height, width and length) and location of any and all donation drop boxes to be located on the property.
 - b. Information identifying the organization(s) responsible for the maintenance and monetary proceeds of the donation drop box, including a contact name, phone number, and website (if applicable) for the organization (s).
 - c. Information depicting the dimensions of any proposed signage to be displayed on all sides of the donation drop box.
- (4) Requirements for new or relocated donation boxes:
 - a. Permitted Zones. Donation drop boxes are permitted in the C-1, C-2, C-3, CBD, CD, CB, H-M, E-1, E-2, C-P, I-1, I-2, I-3, I-4, MXD, and R-B zones when occupied by a commercial, public, educational, not-for-profit or religious use or facility. Donation drop boxes are permitted in the R-A and R-90 zones when occupied solely by a public, educational, not-for-profit or religious use or facility.
 - b. Location and Design. Donation drop boxes shall be subject to the following location and design provisions:
 - i. Shall not be located between the street lot line and the front building line on any lot.
 - ii. Shall not be located within any required parking space. Donation drop boxes may be located within surplus parking spaces.

- iii. Shall not be located within existing landscape buffers.
- iv. Shall not be located within required drive aisles, circulation areas, or within a twenty by twenty site distance triangle at any intersection.
- v. Shall be located on a paved surface.
- vi. The maximum size for any donation drop box shall be five (5) feet in width by five (5) feet in depth and seven (7) feet in height.
- vii. When feasible, multiple donation drop boxes located on an individual property must be clustered within the same general area. When it is not feasible to cluster the location of multiple donation drop boxes, they must not be located within the same view shed.
- viii. The total allowable number of donation drop boxes shall be defined by the size of the parcel on which the drop box is located with the following limitations:
 - 1. Property equal to or less than one acre: a maximum of one donation drop box is permitted.
 - 2. Property greater than one acre: a maximum of one donation drop box per acre, and fraction thereof, of land area is permitted.
- ix. All donation drop boxes erected on land shall have clearly identified, in writing, on its face Information identifying the organization(s) responsible for the maintenance and monetary proceeds of the donation drop box, including a contact name, phone number, and website (if applicable) for the organization (s).
- x. Maintenance. Each donation drop box must be regularly emptied of its contents so that it does not overflow. If the entity responsible for the maintenance of the donation drop box is other than that provided in subsection (4)(b)ix of this provision, the name, phone number, and website (if applicable) for such entity shall be clearly identified in writing on the face of the box.
- xi. All donation drop boxes must be designed so that they are secure from unauthorized access.

xii. A waiver of the total allowable size and number of donation boxes may be requested by submittal of a letter to the City Manager or his/her designee that demonstrates compliance with the following conditions:

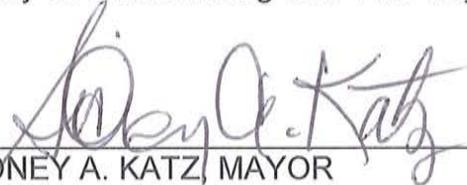
1. The site is solely occupied by a public, educational, not-for-profit, religious use or facility;
2. The location and design of the donation boxes is otherwise in conformance with subsection (4) of Section 24-163(c).

ADOPTED by the City Council this 19th day of May, 2014.



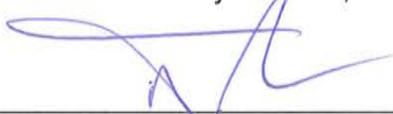
SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg this 19th day of May, 2014. APPROVED by the Mayor of the City of Gaithersburg this 19th day of May, 2014.



SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY, that the foregoing Ordinance was adopted by the City Council of the City of Gaithersburg, in public meeting assembled on the 19th day of May, 2014; and that the same was APPROVED by the Mayor of the City of Gaithersburg on the 19th day of May, 2014. This Ordinance will become effective on the 8th day of June, 2014.



Tony Tomasello, City Manager