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2 **ORDINANCE 2024-16**
3

4 AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA
5 COUNTY, FLORIDA, AMENDING THE CODE OF
6 ORDINANCES OF THE COUNTY OF VOLUSIA
7 REGARDING SHIPPING CONTAINERS; AMENDING
8 SECTION 72-2 DEFINITIONS; CREATING A NEW SECTION
9 72-310 SHIPPING CONTAINERS; PROVIDING LOCATION
10 AND OPERATIONAL REGULATIONS IN CERTAIN ZONING
11 CLASSIFICATIONS; PROVIDING FOR DEFINITIONS;
12 PROVIDING FOR ALLOWANCE AS AN ACCESSORY USE
13 AND STRUCTURE IN CERTAIN ZONING
14 CLASSIFICATIONS; PROVIDING FOR PROHIBITIONS IN
15 VACANT LOTS; PROVIDING FOR COMPLIANCE WITH
16 LIFE SAFETY CODES AND FLOODPLAIN CODES;
17 PROVIDING FOR DIMENSIONAL REQUIREMENTS AND
18 LOCATIONAL CRITERIA AND NUMBER; PROVIDING FOR
19 LIMITATIONS ON USE; PROVIDING FOR SEVERABILITY;
20 PROVIDING FOR CONFLICTING ORDINANCES;
21 AUTHORIZING INCLUSION IN CODE; AND PROVIDING AN
22 EFFECTIVE DATE.
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24 WHEREAS, shipping containers, are also referred to as cargo containers, intermodal
25 containers, ISO containers, Sea or Ocean Containers, Sea Can or C-Can, Container Van or Dry
26 Van, or Freight Containers; and
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28 WHEREAS, the purpose of this ordinance amendment is to allow for the use of shipping
29 containers on non-residential and agricultural properties to reasonably accommodate the
30 storage of goods and materials while also ensuring compatibility with surrounding areas and with
31 residential neighborhoods; and
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33 WHEREAS, these proposed regulations are authorized under Chapter 163, Florida
34 Statutes, to establish reasonable zoning regulations; and
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36 WHEREAS, the Volusia County Council determines that reasonable locations for the
37 placement of shipping containers are within Commercial (B-3, B-4, B-5, B-6 and B-7), Industrial
38 (I-1 through I-4), Public (P), Forestry Resource (FR), Agriculture (A-1, A-2, A-3 and A-4), Rural
39 (RA and RR), Mobile Home (MH-3, MH-4 and MH-8), Osteen agriculture use classifications
40 (OTR, ORE and OCR) and the nonresidential subclassifications of the Planned Unit
41 Developments (PUD) zoning classifications; and
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43 WHEREAS, the Volusia County Council recognizes the shipping containers may provide
44 a valid onsite storage option; and
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1 WHEREAS, this ordinance is not a more restrictive or burdensome land development
2 regulation nor creates a more restrictive or burdensome process for the issuance of development
3 orders or development permits; and
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5 WHEREAS, the intent of this ordinance is to not require a building or zoning permit, with
6 the exception of permits that may be necessary for implementation of floodplain management
7 regulations; and
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9 WHEREAS, this ordinance has met the notice and public hearing requirements of
10 sections 125.66(4)(b), F.S., and was heard before the Planning and Land Development
11 Regulation Commission pursuant to section 163.3174, F.S.
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13 BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AS
14 FOLLOWS:
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16 **(Words in ~~strike-through~~ type are deletions; words in underscore type are**
17 **additions.)**
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19 **SECTION 1:** Incorporation of Recitals. The above recitals are incorporated in this
20 Ordinance as legislative findings of fact and intent.

21 **SECTION 2:** Section 72-2 of Chapter 72 of the Code of Ordinances of the County of
22 Volusia is hereby amended to revise and add the following definitions:

23 **Sec. 72-2. – Definitions.**

24 *AASHTO:* The American State Highway and Transportation Officials.

25 * * * *

26 Accessory use or structure: Any use or detached structure clearly incidental, subordinate,
27 and related to the principal use or structure and located on the same lot with such principal use
28 or structure. Accessory uses or structures shall include, but not be limited to, sheds; storage
29 buildings; portable storage containers; gazebos; pergolas; carports; detached garages;
30 bulkheads; seawalls; retaining walls; docks; wharfs; piers; floating docks; boat slips; boathouses;
31 and moorings. Provided, however, a recreational vehicle, motor vehicle; mobile home; trailer or
32 semi-trailer; railroad car; shipping container; bus, truck or automobile body, or other similar unit

1 shall not be used as an accessory building or structure or converted into an accessory building
2 or structure even when altered, stripped, or otherwise built, unless otherwise expressly permitted
3 by section 72-310 of this chapter.

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6 Shipping Container: A pre-manufactured, reusable steel vessel that is originally,
7 specifically or formerly designed for or used in the packing, shipping, movement, or
8 transportation of freight, articles, goods, or commodities and is also designed for or capable of
9 being mounted or moved on a rail car, truck trailer or loaded on a ship. The term "shipping
10 container" is synonymous with "cargo container," "conex box," "freight container, or intermodal
11 container." This definition does not apply to temporary portable storage containers with a
12 dimension of less than 8 feet by 17 feet.

13 * * * *

14 **SECTION 3:** Section 72-310 Shipping Containers of Chapter 72 of the Code of
15 Ordinances of Volusia County is hereby created as follows:

16 **Sec. 72-310. Shipping Containers.**

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18 (a) Purpose and intent. It is the intent of this section to establish specific development
19 standards allowing for the use of shipping containers as an accessory use or
20 structure for certain agriculture, rural, commercial and industrial zoning
21 classifications. The purpose of this section is to ensure that shipping containers
22 are installed in a manner that is safe, compatible with adjacent surrounding uses,
23 and in compliance with this section to protect public health, safety, and the
24 aesthetic quality of the Volusia County. A building permit is not required if the

1 installation complies with all provisions of this section. Nothing in this section is
2 intended to regulate the normal operations of shipping businesses.

3 (b) Applicability.

- 4 1. The standards within this section shall apply to shipping containers as storage in
5 unincorporated Volusia County in the following zoning classifications: RC, FR, A-1
6 through A-4, MH-3, RR, RA, OTR, ORE, OCR, B-3 through B-7, I-1 through I-4, P,
7 and nonresidential portions of PUDs.
- 8 2. No variances pursuant to section 72-379 may be applied for or granted to the
9 provisions of this section.

10 (c) General Operational requirements.

- 11 1. Use Limitations: Containers are for storage only. Use as habitable space, office,
12 or signage is prohibited. Rental or lease of containers is not permitted.
- 13 2. Utility Restrictions: Containers shall not be connected to water, sewer, air
14 conditioning, or other utilities.
- 15 3. Placement Restrictions: Containers shall not be placed in required parking,
16 access aisles, sidewalks, pedestrian paths, landscaped areas, public streets, or
17 easements.
- 18 4. Maintenance Requirements: Containers must be kept in good condition, free of
19 visible damage or corrosion. They must be located on a stable foundation to
20 prevent shifting and settling.
- 21 5. Locational requirements:
 - 22 i. Shipping containers are allowed as accessory uses and structures, subject to
23 the standards in this section. Containers must meet principal structure

1 setbacks in nonresidential zoning, and 15-foot side and rear setbacks in
2 residential and agricultural zoning. They shall count toward the maximum lot
3 coverage allowed in the applicable zoning classification. Bona fide
4 agricultural uses are exempt from setback requirements.

5 ii. Shipping containers cannot be visible from a street, unless the container is
6 screened by a fence or landscaping at least six feet in height, as measured
7 from adjacent grade, with the exception of industrial zoned properties.

8 iii. Shipping containers cannot be placed on vacant or unimproved properties,
9 with the exception of industrial zoned properties, and bona fide agricultural
10 uses.

11 (d) Number of Shipping Containers. Shipping containers shall be limited to two containers
12 on property with a minimum parcel size of one acre, with one additional container per five
13 acres of land up to a maximum of six shipping containers per parcel, as shown in Table
14 I: Number of Shipping Containers Allowed.

15 Table I: Number of Shipping Containers Allowed.

<u>Parcel Size (Acres)</u>	<u>Maximum Number of Containers</u>
<u>1 to <5 acres</u>	<u>2 Shipping Containers</u>
<u>5 acres</u>	<u>3 Shipping Containers</u>
<u>10 acres</u>	<u>4 Shipping Containers</u>
<u>15 acres</u>	<u>5 Shipping Containers</u>
<u>20 +acres</u>	<u>6 Shipping Containers</u>

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1. The limits in the number of shipping containers allowed in this subsection (d) does not apply to industrial zoned properties and bona fide agricultural uses.

SECTION 4: SEVERABILITY. Should any word, phrase, sentence, subsection or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section so held shall be severed from this ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION 5: CONFLICTING ORDINANCES. All ordinances, or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

SECTION 6: AUTHORIZING INCLUSION IN CODE. The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the County of Volusia, as additions or amendments thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

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SECTION 7: EFFECTIVE DATE. This ordinance shall take effect upon electronic filing of a certified copy with the Department of State.

ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT THE THOMAS C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA, THIS 16TH DAY OF SEPTEMBER A.D., 2025.

ATTEST:



George Recktenwald
County Manager

COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA


Jeffrey S. Brower
County Chair