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City of Hogansville



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Jeff Todd, City Attorney

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COUNCIL ACTION FORM

MEETING DATE: March 2, 2020 **SUBMITTED BY:** Lynne Miller

AGENDA TITLE: 2nd Reading & Adoption: Temporary Buildings, Storage Containers and Storage Pods.

CLASSIFICATION (City Attorney must approve all ordinances, resolutions and contracts as to form)

- | | | | |
|--|-------------------------------------|--|---|
| <input type="checkbox"/> Ordinance (No. ____) | <input type="checkbox"/> Contract | <input type="checkbox"/> Information Only | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Resolution (No. ____) | <input type="checkbox"/> Ceremonial | <input type="checkbox"/> Discussion/Action | <input type="checkbox"/> Other |

BACKGROUND (Includes description, background, and justification)

The attached ordinance proposes new language for the Hogansville Zoning Ordinance relating to temporary building, storage containers and storage pods. On 1-22-2020, the Hogansville Planning Commission met to revise its earlier recommendations (dated 12-16-2019) after the City Council, on 1-6-2020, tabled action on this item and requested less restrictive language for storage containers.

The Planning Commission is now recommending the attached ordinance. Specific changes to the 12-16-19 version is highlighted in the second attachment. In 2020, the P&Z Commission will be recommending additional ordinance updates relating to tiny, homes, accessory structures and accessory dwelling units.

BUDGETING & FINANCIAL IMPACT (Includes project costs and funding sources)

STAFF RECOMMENDATION (Include possible options for consideration)

Adopt the recommended Zoning Ordinance updates recommended by the City of Hogansville Planning and Zoning Commission.

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING ORDINANCE OF THE CITY SO AS TO MODIFY THE REGULATIONS AS TO TEMPORARY BUILDINGS; TO REGULATE THE LOCATION, PLACEMENT AND AVAILABILITY OF CARGO CONTAINERS WITHIN CERTAIN ZONING DISTRICTS OF THE CITY; TO DEFINE AND REGULATE THE LOCATION OF STORAGE PODS WITHIN THE CITY; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COUNCIL OF THE CITY OF HOGANSVILLE HEREBY ORDAINS:

SECTION 1:

That the Code of Ordinances of the City of Hogansville be amended by deleting therefrom Section 102-229, regarding temporary buildings, inserting in lieu thereof a new Section 102-229, to read as follows:

"Sec. 102-229. – Temporary buildings.

- (a) No temporary building may be located on any lot within the city prior to issuance of a permit pursuant to this code section, the cost for which shall be as established from time-to-time by the governing authority.
- (b) Temporary buildings shall not be permitted in any district except when they are used in conjunction with construction work and pending completion of a permanent building. Such building shall be used for a period not to exceed one (1) year and shall be removed no later than thirty (30) days after construction of the permanent building is completed. Construction of the permanent building is said to be completed at the issuance of a certificate of occupancy.
- (c) For construction projects which are reasonably anticipated to exceed one (1) year in duration, an owner may apply to the mayor and council for a variance from the requirements of this code section."

SECTION 2:

That Code Section 102-2 of the Zoning Ordinance of the City be amended by inserting therein a new entry for the term "Cargo Container," in proper alphabetical order, as follows:

"Cargo container means a pre-fabricated, reusable box-like shipping receptacle, without wheels, having a volume of 64 cubic feet or more, a height that does not exceed "low cube" height of 8 feet 6 inches, a length that does not exceed 20 feet, and a poured foundation or wind resistant tie-downs; designed and constructed to permit lifting with its contents intact, and intended primarily for intermodal transportation. May also be referred to as freight container, shipping container, conex box or sea can."

SECTION 3:

That the Code of Ordinances of the City of Hogansville be amended by inserting therein a new Section 102-235, regarding Cargo Containers, and to read as follows:

applicant requesting to place a permanent cargo container must apply for a permit under the terms of this ordinance and shall pay to the city a one-time permitting fee of fifty dollars (\$50.00).”

SECTION 4:

That the Code of Ordinances of the City of Hogansville be amended by inserting therein a new Section 102-236, regarding Storage Pods, and to read as follows:

“Sec. 102-236. – Movable modular storage units.

Movable modular storage units, also known as storage pods, are permissible temporary structures in all districts provided that such structures are located in compliance with the following standards:

- (1) Such storage units may not exceed 900 cubic feet in volume;
- (2) Duration for location of such storage pod on any lot within the city shall be limited to ninety (90) days per calendar year, except that a change in ownership of the lot at issue shall entitle any new owner to ninety (90) days per calendar year;
- (3) The storage pod may be placed in a front, side or rear yard, but must be placed at least five (5) feet from any property line and other structure;
- (4) No storage pod shall be placed within an easement, storm water area or required buffer; and
- (5) No storage pod shall be located so as to obstruct pedestrian access.”

SECTION 5:

All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

SECTION 6:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING _____

SECOND READING AND ADOPTED/REJECTED _____

SUBMITTED TO MAYOR AND APPROVED/DISAPPROVED _____

BY: _____
Mayor

ATTEST: _____
Clerk