



Legislation Text

File #: 17-0232, **Version:** 1

Consider and take action on an ordinance amending Chapter 125 of the Code of Ordinances of the City of League City entitled “Zoning” by amending Section 125-120.B entitled “Accessory Structures” to allow shipping containers to be permitted as an accessory structure in certain instances (Director of Planning and Development)

January 9, 2017 - Pursuant to the Mayor’s request, the City Council conducted a work session to discuss the City’s current prohibition of storage/shipping containers as accessory structures. At that meeting, City Council directed staff to bring back for further discussion a set of draft regulations that would permit such structures under certain conditions.

February 27, 2017 - City Council (1) conducted second work session on subject, and (2) initiated the process to amend the City’s Zoning Ordinance. The proposed amendment would permit such structures under certain conditions.

March 15, 2017 - Pursuant to Statute and local ordinance, notice of the forthcoming public hearings published in the GDN.

April 5, 2017 - The Planning and Zoning Commission conducted a public hearing on the proposed amendment and made a recommendation to City Council.

April 11, 2017 - City Council is scheduled to conduct a public hearing and consider ordinance on first reading.

April 25, 2017 - Subject to approval of first reading, City Council to consider ordinance on second reading.

The use of storage/shipping/cargo containers as accessory buildings within the City limits is prohibited by the City’s zoning ordinance; such prohibition was adopted with the comprehensive zoning ordinance update on August 30, 2005. All cargo containers that were established prior to that date are considered legally nonconforming (i.e. “grandfathered”). However, several installations have occurred since the prohibition that have recently initiated the discussions regarding the possibility of regulating as opposed to an outright prohibition.

Project Summary:

Approval of this ordinance would amend the Zoning Ordinance to provide for cargo containers to be utilized as accessory structures in specific instances as outlined in the proposed ordinance. For example, in General Commercial (GC), Mixed Use Commercial (CM) and Industrial zoned properties containers may be used if a building permit is obtained and other restrictions met and the use meets the requirements; Containers may be used as seasonal storage for retail establishments located in these zones for a minimum of 92 days in any given year; Containers may be used on city-owned property with approval from the City Manager; In cases of emergency as deemed necessary by the City Planner, Chief Building Official or designees may approve the use of containers.

The Comprehensive Plan encourages flexibility to allow for creative site designs. Adopting regulations for storage containers can allow for flexibility in site design while protecting the City and residents from any negative impacts of the containers. Providing additional flexibility is mentioned throughout the Comprehensive Plan and is encouraged.

The following sections from the Comprehensive Plan are consistent with the proposed text amendment:

1. “Promote flexibility in development patterns, site designs and uses by right, to the extent practical...” (Policies, Character; pg.5-23)
2. Regulations should promote flexibility sufficient to allow for impact mitigation and creative site design (Policies, Economic Incentives; pg.11-7)

Staff Recommendation:

Given that the request complements the Comprehensive Plan and would provide a viable solution for the lack of discretionary approval authority of staff, staff recommends approval of the proposed ordinance.

Attachments:

1. Data Sheet
2. Proposed Ordinance

CONTRACT ORIGINATION:
Planning and Development

FUNDING

{ x } NOT APPLICABLE

{ } Funds are available from Account # _____

{ } Requires Budget Amendment to transfer from Account # _____ to Account # _____