



Legislation Text

File #: 17-0274, **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)

Planning and Zoning Commission recommended approval of an amended ordinance, 6-2-0, on April 5, 2017.
Council postponed for a minimum of two weeks, 7-1-0, on April 11, 2017.

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 a second work session on the 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 held a public hearing and postponed the item to April 25, 2017 in order for staff to modify the ordinance.

April 25, 2017 - City Council to consider ordinance on first reading.

May 9, 2017 - Subject to approval of the 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 instance in commercial and industrial zoned properties.

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)

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission recommended approval of a truncated version of the original ordinance; only seasonal allowances, allowances on City property, allowances for temporary storage of equipment related to a valid building permit, and allowances in cases of emergency (hurricanes, water leaks, sewage backups, etc.).

City Council:

At the April 10, 2017 work session, City Council requested a modification to the ordinance removing the grandfathering language for cargo containers placed after August 2005, and to provide such with six months to comply with the new regulations.

At the April 11, 2017 City Council meeting, Council voted, 7-1-0, to postpone the item to allow staff to bring back the revised draft text reflective of the modifications discussed during the work session.

Staff Recommendation:

If the Council wishes to amend the City's current regulations regarding cargo containers, staff recommends approval of the regulations contained within the draft 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 # _____