

ORDINANCE 2016-15

AN ORDINANCE OF THE CITY OF OCALA, FLORIDA, CONCERNING ZONING; AMENDING SECTION 122-2 PROVIDING FOR DEFINITIONS BY ADDING A DEFINITION OF A PORTABLE STORAGE CONTAINER; AMENDING SECTION 122-1193 BY ALLOWING TEMPORARY PORTABLE STORAGE CONTAINERS SUBJECT TO REQUIREMENTS AND REVISING LANGUAGE CONCERNING STORAGE TRAILERS IN NON-RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, in regular session as follows:

Section 1. That Section 122-2 of the Code of Ordinances, City of Ocala, Florida, is hereby amended by adding the following definition, which shall be codified such that all definitions in such section are in alphabetical order:

Sec. 122-2. - Definitions

The following words, terms and phrases, when used in this article, shall have the meanings as described to them in this section, except where the context clearly indicates a different meaning:

Portable storage container means a weather-resistant enclosed receptacle without wheels designed and used for the storage or shipment of goods, wares, materials or merchandise that resides on the property.

Section 2. That Section 122-1193 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 122-1193. Parking of trailers and commercial vehicles in residential districts; use of trailers and portable containers for storage purposes.

- (a) No travel, boat, utility or horse trailer shall be parked or stored in the R-1, R-1A, R-1AA, R-2 or R-3 district in any front or side yard.
- (b) No commercial vehicles over three-fourths ton shall be parked or stored in the R-1, R-1A, R-2 or R-3 district.
- (c) Use of trailers with wheels for storage purposes is prohibited, except in B-5, M-1, M-2 and M-3 zoning districts. However, upon approval of a permit issued by the building official, a temporary storage trailer may be allowed in other non-residential zones for a maximum period of 60 days, which period may be extended for 30-day intervals upon approval by the building official.

(d) Temporary portable storage containers are allowed on a temporary basis as an accessory use on lots containing a dwelling, subject to all of the following:

- (1) All property owners are required to obtain a no-fee permit from the building official.
- (2) On lots developed with detached single family dwellings:
 - a. Temporary portable storage containers are permitted for a period not to exceed a total of 30 days within any consecutive six-month period. However, in cases where a dwelling has been damaged by natural disaster or casualty, the building official is authorized to allow a temporary portable storage container for a longer period.
 - b. Temporary portable storage containers may not exceed a cumulative gross floor area of 260 square feet.
 - c. Temporary portable storage containers must be located on a driveway or other paved surface and may not be located in the rear yard.
- (3) On lots developed with residential buildings other than detached single family dwellings:
 - a. Temporary portable storage containers are permitted for a period not to exceed 72 hours within any consecutive 6-month period. However, in cases where a dwelling has been damaged by natural disaster or casualty, the building official is authorized to allow a temporary portable storage container for a longer period.
 - b. Temporary portable storage containers may not exceed a cumulative gross floor area of 130 square feet for each dwelling unit.
 - c. Temporary portable storage containers must be located on a driveway or other paved surface and may not be located in a required exterior setback or utilize any required parking spaces.
- (4) On lots with non-residential uses:
 - a. Temporary portable storage containers are permitted for a period not to exceed a total of 60 days within any consecutive six-month period. However, in cases where a use has been damaged by natural disaster or casualty, the building official is authorized to allow a temporary portable storage container for a longer period.
 - b. Temporary portable storage containers may not exceed a cumulative gross floor area of 400 square feet.
 - c. Temporary portable storage containers shall not be located in required parking spaces, landscaped areas or buffers. The location of the portable storage container will be determined as part of the permitting process,
- (5) Temporary portable storage containers shall not exceed 8.5 feet in height.

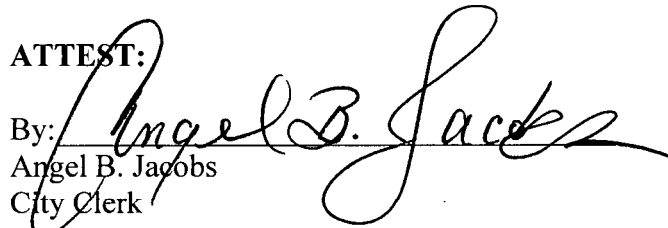
(6) This subsection shall not pertain to a temporary portable storage container being used as part of a construction site that requires a building permit.

Section 3. Severability Clause: Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

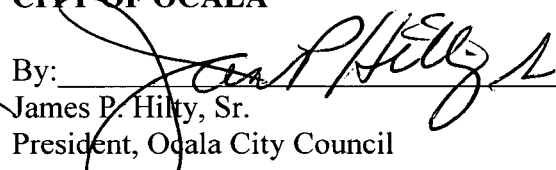
Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall take effect upon approval by the Mayor, or becoming law without such approval.

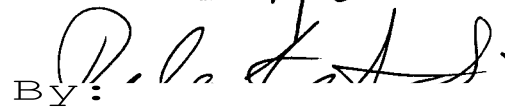
ATTEST:

By: 
Angel B. Jacobs
City Clerk

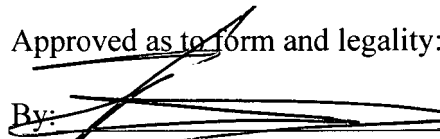
CITY OF OCALA

By: 
James P. Hilty, Sr.
President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on 1/5, 2015.


By: _____
Reuben Kent Guinn
Mayor

Approved as to form and legality:

By: 
Patrick G. Gilligan
City Attorney

Ordinance No: 2016-15
Introduced: 12/15/2015
Adopted: 1/5/2016
Legal Ad No: A000878541 - 12118115