

ORDINANCE 19-11

AN ORDINANCE OF THE CITY OF WOODWAY, TEXAS, AMENDING APPENDIX A - ZONING - OF THE CITY OF WOODWAY CODE OF ORDINANCES, PART SEVEN, ACCESSORY USES AND BUILDINGS ARE REGULATED, SECTION 7.1: THE FOLLOWING ACCESSORY USES ARE PERMITTED, SUBSECTION 7.105, SHIPPING CONTAINERS AS STORAGE BUILDINGS PROHIBITED; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODWAY, TEXAS,
THAT:

SECTION 1. Subsection 7.105 is added to Section 7.1, The Following Accessory Uses are Permitted; of Part Seven, Accessory Uses and Buildings are Regulated of Appendix A - Zoning - of the Code of Ordinances, of the City of Woodway, Texas, and provides as follows:

Subsection 7.105: - Shipping containers as storage buildings prohibited.

A. It is the intent of this section to limit, except as provided herein, the placement and use of any shipping container as an accessory building, storage building, or living unit. This is to protect the public health and safety, and the aesthetic quality of the City.

B. No person shall place, cause to be placed, use, or permit use of any shipping container as an accessory building, storage building, or living unit unless explicitly permitted in the intended zone of placement.

C. Shipping containers, to include all portable containers originally designed and constructed for use in the packing, shipping, movement, or transportation of freight, articles, goods, or commodities by rail, truck, or ship, may be used for temporary storage only, under the following conditions:

(1) All temporary placement of a shipping container for purposes of storage requires a permit, to be issued by the City of Woodway Building Official, and adherence to the time frame set forth by that permit.

(a) For residential properties with an active construction permit, placement is allowed by permit for 30 calendar days, with extensions available in conjunction with the length of the building permit, but not to exceed 180 consecutive days.

(b) For residential properties without an active construction permit, placement is allowed by permit for 30 calendar days, with a maximum of 60 days in a one (1) year period.

(c) For non-residential properties, placement is allowed by permit for 30 calendar days, not to exceed 90 consecutive days, with a maximum of 180 days in a one (1) year period.

(2) At no time shall a permitted shipping container be placed on the street, in the City's rights-of-way or easements, or in any position where it will cause sight obstruction. Intended placement must be indicated on permit application, and approval will not be granted unless these conditions are met.

SECTION 2. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph

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or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining

phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 3. This ordinance shall become effective upon passage and in accordance with the applicable laws of the State of Texas and the Charter of the City of Woodway.

SECTION 4. It is found and declared that the City Council meeting at which this Ordinance has been adopted was open to the public and was noticed and held in accordance with Chapter 551 of the Government Code.

PASSED this 23rd day of September 2019 by a vote of _____ Ayes to _____ Nays with _____ Abstentions.

CITY OF WOODWAY, TEXAS

Bob Howard, Mayor

Attest:

Donna Barkley, City Secretary

Approved:

Mike Dixon, City Attorney