

ORDINANCE NO. 2019-293

AN ORDINANCE AMENDING CHAPTER 28-ZONING OF THE CODE OF ORDINANCES OF THE CITY OF WACO, TEXAS, FOR THE PURPOSE OF ESTABLISHING DESIGN STANDARDS FOR REPURPOSED SHIPPING CONTAINERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR PENALTIES; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, it is necessary to make certain amendments to Chapter 28 – Zoning of the Code of Ordinances of the City of Waco for the purpose of establishing design standards for repurposed shipping containers; and

WHEREAS, the City Plan Commission conducted a public hearing on March 26, 2019, concerning said proposed changes to Chapter 28 – Zoning of the Code of Ordinances of the City of Waco to establish design standards for repurposed shipping containers; and

WHEREAS, the Waco City Council conducted a public hearing on these proposed changes on April 16, 2019,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WACO, TEXAS:

Section 1. That Article I “In General” of Chapter 28 “Zoning” of the Code of Ordinances of the City of Waco is amended to read as follows (~~deletions~~/ additions):

Sec. 28-1. - Definitions.

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

Block-face shall mean the properties along one side of a street between two consecutive intersections.

Repurposed Shipping Container shall mean a container originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities repurposed for a residential or commercial use.

Section 2. That Division 3 “Requirements and Standards for Site Development” of Article III “Site Development Plans” of Chapter 28 “Zoning” of the Code of Ordinances of the

City of Waco is amended by adding a new Section 28-226 and amended to read as follows (~~deletions/~~ additions):

Sec. 28-226. – Design Standards for Repurposed Shipping Containers.

The intent of this section is to promote compatible design of repurposed shipping containers in context to the relationship of scale, materials and architectural elements to surrounding neighborhoods, buildings and structures:

(1) Building Scale and Relationship

- a. Each building or structure built with repurposed shipping containers, or with any part of a repurposed shipping container, shall be within 20% of the average height and within 20% of the average width of buildings and structures located in the same block-face and
- b. In a residential zoning district, each building or structure built with repurposed shipping containers, or with any part of a repurposed shipping container, shall be within 20% of the average depth of buildings and structures located in the same block-face.
- c. In a block-face located in residential zoning that contains no building or structures, the minimum width of a building or structure built with repurposed shipping containers, or with any part of a repurposed shipping container located in a residential zoning district, shall be a minimum width of 20 feet and a minimum depth of 40 feet.

(2) Building Materials

- a. In a residential zoning district, the exteriors of each building or structure built with a repurposed shipping container, or with any part of a repurposed shipping container shall consist of 100% of the following building materials:
 - i. Masonry;
 - ii. Glass;
 - iii. Wood; and/or
 - iv. Siding.
- b. Building materials shall be consistent with building materials for other buildings located in the same block-face.

(3) Architectural Elements of each building or structure built with repurposed shipping containers, or with any part of a repurposed shipping container:

- a. The pitch of roof lines shall be within 20% of the average pitch of the roof lines of buildings located in the same block-face.
- b. The foundation shall be consistent with the type of foundation of other buildings located in the same block-face. Pier and beam or raised foundations shall be screened with landscaping or covered with a compatible building material.
- c. A porch shall be installed where 50% or more of buildings located in a block-face contain a porch.

Secs. 28-226—28-240. – Reserved

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. That the terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 5. That it is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Waco, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.

Section 6. That a violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this ordinance shall be as provided for in Sec. 1-14 of the Code of Ordinances of the City of Waco which shall be a fine of not less than \$1.00 and no more than \$2,000.00, and each day a violation exists shall be a separate offense.

Section 7. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

PASSED AND APPROVED:

First Reading: this 16th day of April, 2019.

Second Reading: this 30th day of April, 2019.

DocuSigned by:



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Kyle Deaver, Mayor
City of Waco, Texas

ATTEST:

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Esmeralda Hudson, City Secretary



APPROVED AS TO FORM & LEGALITY:

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Jennifer Richie, City Attorney