

ORIGINAL

RETURN TO:
CITY OF ST. CLOUD
DEPT OF PLANNING AND ZONING
1300 9th STREET
ST. CLOUD, FL 34769

ORDINANCE NUMBER 2018-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. CLOUD, FLORIDA, AMENDING ARTICLE III, "ZONING REGULATIONS", DIVISION 20 "SUPPLEMENTAL DISTRICT REGULATIONS", SECTION 3.20.16 "TEMPORARY STORAGE, OFFICE TRAILERS, AND CONSTRUCTION TRAILERS", SUBSECTION A.2 "CONSTRUCTION/CONTRACTOR OFFICE" OF THE LAND DEVELOPMENT CODE; PROVIDING THAT CONSTRUCTION/CONTRACTOR OFFICES SHALL BE REMOVED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY OF THE FINAL LOT WITHIN A DEVELOPMENT OR PHASE OF DEVELOPMENT; PROVIDING FOR SEVERABILITY, CONFLICT, CODIFICATION AND EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST CLOUD, FLORIDA, as follows:

SECTION 1.

Article III - "Zoning Regulations", Division 20 - "Supplemental District Regulations", Section 3.20.16 - "Temporary Storage, Office Trailers, and Construction Trailers", Subsection A.2 of the Land Development Code of the City of St. Cloud is amended to read as follows: (underlined indicates added language and strike through indicates deleted language)

3.20.16. - Temporary storage, office trailers, and construction trailers.

- A. During periods of active site development and during the end of the year increase in retail sales activity, temporary buildings and trailers are required by developers, builders, business owners, and their agents to be located in close proximity to construction and/or retail activity.

These buildings and trailers may be permitted by the city manager, or designee, during active construction on a development site. Temporary storage units may be permitted by the city manager, or designee, during the time period between November 15 and January 15 at a site in highway business or business commercial zoning districts on developed sites where retail sales is the primary use. All temporary buildings, structures and trailers shall comply with the following requirements: (Ord. No. 2001-40, 9-27-2001)

1. *Applicable to all structures.* Prior to approval of a temporary storage, office, or construction trailer, as provided for in this section, the contractor or property owner shall request written documentation from the building department

regarding the need for a building permit. If a building permit is required, then it shall be obtained prior to installation of the storage, office, or construction trailer.

All temporary trailers intended for human occupancy for habitation shall be required to provide potable water and sanitary sewer services. Potable water and sewer service shall be provided via city approved connection to the public water and sewer services for the property. Alternative potable water and sewer services may be approved by the city engineer—utilities, subject to other jurisdictional authority, where public water and/or sewer service are not available based upon the sole determination of the city engineer—utilities.

2. *Construction/contractor offices.* Structures for the purpose of providing meeting space, work space, and storage space for site development personnel, equipment and materials are permitted subject to the following criteria: (Ord. 2001-40, 09-27-2001)
 - a. One construction/contractor office is allowed per contractor, unless otherwise approved by the city manager or his designee;
 - b. One additional construction/contractor office is allowed for the builder or developer;
 - c. The construction/contractor office shall be of a type specifically designed for human occupancy;
 - d. The construction/contractor office shall be removed prior to the issuance of a certificate of occupancy of a structure on the final lot within the development (or phase of the development) in which it is located.

3. *Storage units.* Structures, buildings, or trailers for the storage of equipment and/or materials that are not designed for human occupation. (Ord. 2001-40, 9-27-2001)
 - a. One storage unit is allowed per contractor, unless otherwise approved by the city manager or his designee;
 - b. Storage units to support retail sales activities shall not be located in a driveway, fire lane, pedestrian way, or parking space required to meet minimum requirements of this code.
 - c. Storage units to support retail sales shall be placed on a durable surface such as concrete or asphalt pavement.
 - d. Storage units to support retail sales shall be placed a minimum of 20 feet from all building openings.

4. *Sales offices in residential subdivisions or planned unit developments.* Structures for the purpose of providing information to potential home buying customers. (Ord. 2001-40, 9-27-2001)
 - a. One allowed per builder in a residential subdivision or development;
 - b. Shall be of a type specifically designed for human occupancy;

- c. Five (5) parking spaces shall be provided. One of the spaces shall be handicapped compliant;
 - d. The site must be landscaped, with skirting around the sales office.
5. *Security quarters.* Structures for use by site security personnel that may or may not be habitable as living quarters on a round-the-clock basis. (Ord. 2001-40, 9-27-2001)
- a. If habitable the building shall meet all local and state codes for habitable buildings; and
 - b. The use is restricted to use by security personnel only.

SECTION 2. SEVERABILITY.

It is declared to be the intent of the City Council that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 3. CONFLICT.

Any portion of the St. Cloud Code, the St. Cloud Land Development Code or any ordinance or part thereof in conflict with this ordinance is hereby repealed to the extent of such conflict.

SECTION 4. CODIFICATION.

The text of Section 1 of this ordinance shall be codified as a part of the St. Cloud City Code. The codifier is authorized to make editorial changes not affecting the substance of this ordinance by the substitution of "article" for "ordinance", "section" for "paragraph", or otherwise to take such editorial license.

SECTION 5. EFFECTIVE DATE.

This ordinance shall take effect as provided by applicable law.

First Reading on the 13th day of September, 2018


Second Reading on the 11th day of October, 2018


Nathan Blackwell, Mayor

ATTEST:


Linda P. Jaworski, City Clerk

LEGAL IN FORM AND VALID IF ADOPTED:
DeBeaubien, Simmons, Knight, Mantzaris & Neal, LLP


Daniel F. Mantzaris, City Attorney

Pursuant to Section 695.26 (3) (f), this instrument exempt from Chapter 695, F.S.