



AGENDA REPORT

To: Planning Commission

From: Ben Song, Community Development Director

Agenda: October 1, 2024 – Planning Commission

Item: **Zoning Ordinance Text Amendment (A-24-002) to Allow Limited Outdoor Storage**

Item Summary

This Council initiated amendment to the Zoning Ordinance is to allow for limited outdoor storage on commercially zoned properties using the Administrative Permit process. This amendment, if approved, is proposed to be a one-year pilot program commencing on November 1, 2024.

Background

The City currently prohibits outdoor storage for all commercial areas. The intent of the code is to ensure all commercial properties, shopping centers in particular, maintained a pristine and clean appearance. The Zoning Ordinance already allows for provisions of a permanent accessory structure to be built on commercial property for storage purposes with a building permit that meets all applicable zoning conditions, building material requirements, zoning district setbacks and height, and other applicable codes and regulations. Storage containers are not permitted as a permanent solution for outdoor storage on commercial properties. However, as the needs of businesses have evolved, it has been brought to the attention of the City that a solution may be required to allow for limited outdoor storage on commercial property.

Update

Staff reviewed ordinances from adjacent and nearby jurisdictions related to outdoor storage and found various stipulations and process requirements, some requiring a special use permit and others an administrative permit. A common theme across all jurisdictions has been restrictions on placement/location on the property, setbacks and height.

Analysis

To tailor a solution for the context of Johns Creek, staff is recommending a “limited outdoor storage” option to be processed through an administrative permit to grant a temporary outdoor storage option in lieu of a permanent accessory structure provision already included in the Zoning Ordinance. This amendment, if approved, is proposed as a one-year pilot program commencing on November 1, 2024.

Recommendation

Staff recommends amending the following articles of the Zoning Ordinance to allow for “limited outdoor storage” in commercial zoning districts: Article III – Definitions; Article XII-E – Community Standards; and Article XIX – Administrative Permits and Use Permits.

1. Modify the definition for “Outdoor Storage.”

Article III, Section 3.3.15. O.

Outdoor Storage. ~~Open air storage of goods, merchandise, materials, vehicles/equipment and/or any similar object that is not clearly intended for outdoor use on the premises.~~ The keeping outdoors of any goods, materials, merchandise, equipment or vehicles (except vehicles related to a permitted use on the property) in the same place for more than twenty-four hours. Permitted outdoor storage shall only apply to portable moving or storage containers by obtaining an Administrative Permit for Limited Outdoor Storage (Article 19.3.6(1)).

2. Add language for “Miscellaneous Provisions” in the Community Standards.

Article XII-E., Section 12E.5.

1. Front and side yards, parking lots, areas immediately adjacent to buildings or any area outside the interior permanent and sheltered portions of a building shall not be used for storage, display or sale of goods except for out of store marketing devices, restaurant/cafe; seating, seasonal holiday trees, pumpkins, open air fairs (provided an Administrative Permit is obtained pursuant to Article 19 of the Zoning Ordinance).
 2. Outside storage and outdoor display is prohibited except for LP tanks, garden centers and plant nurseries, ~~or provided an Administrative Permit is obtained for Limited Outdoor Storage pursuant to Article 19 of the Zoning Ordinance.~~ A maximum of two out of store marketing devices (i.e. drink machines, video drop-boxes) may be permitted, provided they are located adjacent to the building.
 3. Storage of shopping carts shall be located adjacent to the building where the carts are utilized. Storage/enclosure shall be made out of masonry to match the exterior building materials. Parking lot corrals are allowed.
 4. Parking in excess of the minimum requirements for retail and service commercial centers in excess of 50,000 square feet must be located on a pervious surface.
3. Add Administrative Permit for “Outdoor Storage, Limited” as Section 19.3.6(1) and renumber Administrative Uses to maintain alphabetical order.

Article XIX, Section 19.3.6(1).

Outdoor Storage, Limited.

A. *Required Districts:* C-1 and C-2

B. *Standards:*

1. Outdoor storage in a portable moving or storage container allowed as an accessory to an allowable primary use on the subject property. Tractor trailers are prohibited.

2. No more than one (1) Administrative Permit shall be granted annually per business located on the subject property. This permit shall be renewed annually in accordance with the standards herein for the permit to remain in compliance with this article.
3. No more than two (2) concurrent permits shall be permitted at one time on a single parcel of land/property.
4. The location shall be limited to the rear yard and behind the principal structure. No container shall be located directly adjacent to the principal structure and shall maintain a minimum setback of 10 feet.
5. The container shall not be visible from the public right-of-way.
6. The container shall not occupy more than two parking spaces or an area exceeding 306 square feet.
7. The container shall not exceed eight (8) feet in height.
8. The location of the container shall not block or inhibit access to driveways for delivery and emergency vehicle/apparatus, to a fire hydrant, and/or loading/unloading areas.
9. The applicant shall submit a written statement from the property owner or property management company of the subject property granting permission for outdoor storage.
10. Not permitted in outparcels.

Attachments

1. Draft Amendment Ordinance