

ORDINANCE NO. 1181

AN ORDINANCE OF THE CITY OF LYNN HAVEN AMENDING THE UNIFIED LAND DEVELOPMENT CODE, RELATING TO ACCESSORY STRUCTURES; AMENDING THE DEFINITION OF ACCESSORY STRUCTURE TO INCLUDE PORTABLE STORAGE UNITS; REGULATING THE USE AND PLACEMENT OF PORTABLE STORAGE UNITS IN FRONT YARDS; REQUIRING PERMANENT ACCESSORY STRUCTURES TO BE ANCHORED; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS,

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF LYNN HAVEN, FLORIDA, that;

SECTION 1: Section 1.07.00 of Chapter 1 General Provisions, of the City of Lynn Haven Unified Land Development Code is hereby amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

1.07.00 - ACRONYMS AND DEFINITIONS

Accessory use means a use of land or structure or portion thereof customarily incidental and subordinate to the principal use of the land or structure and located on the same parcel with the principal use.

Accessory structure (Appurtenant structure) means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, **portable storage units** and hay sheds.

Building means any enclosed or roofed structure for any occupancy or storage.

Accessory building means any building, the use of which is incidental to the main building, and which is placed upon the same lot as the main building.

Permanent means designed, constructed and intended for more than temporary use as regulated in this ULDC.

Portable storage unit shall mean any container designed for the storage of personal property which is typically rented to owners or occupants of property for temporary use and which is delivered and removed by truck. Examples of portable storage units include, but are not limited to, moving and storage containers, road and storage trailers and steel shipping containers.

Structure means anything constructed, installed, or portable, the use of which requires a location on a parcel of land.

Temporary means designed, constructed, and intended to be used for a limited duration.

SECTION 2: Section 5.01.02 of the City of Lynn Haven Unified Land Development Code related to Accessory, Temporary and Special Use Situations is hereby amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

5.01.02 - Accessory Structures in All Land Use Districts

Accessory structures may be located on a parcel, provided that the following requirements are met:

- A. There shall be a permitted principal structure or use on the parcel, located in full compliance with all standards and requirements of this ULDC.
- B. Accessory structures shall be included in all calculations of impervious surface and stormwater runoff.
- C. **Except as provided in Section 5.02.04,** Accessory buildings shall be permitted only in side and rear yards and shall not abut the front yard setback of an adjacent property.
- D. Accessory buildings shall conform to the setback requirements in Section 4.02.02 except as provided in Section 5.01.03.
- E. **Except as provided in Section 5.02.00, accessory structures shall be installed using methods and practices which minimize flood damage and shall be securely anchored to a permanently affixed foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.**

SECTION 3: Section 5.02.04 of the City of Lynn Haven Unified Land Development Code is hereby created to read as follows:

5.02.04. Portable Storage Units.

- A. Prohibitions. It shall be unlawful for any person to place or permit the placement of a portable storage unit on improved or unimproved property in violation of sub-section (B) below.
- B. Regulation of Portable Storage Units.
- i. No premises improved with one or more dwellings (herein, a residential premises) shall contain more than one portable storage unit at any time.
 - ii. No residential premises shall continuously contain a portable storage unit in excess of thirty (30) days in any 60-day period. In the event of damage to a premises caused by fire, storm, flood or declared government emergency, this period may be extended upon written approval of the City Manager.
 - iii. No portable storage unit placed on a residential premises shall exceed eight (8) feet in width, twenty (20) feet in length, and ten (10) feet in height.
 - iv. No portable storage unit or any portion thereof shall be placed on a sidewalk, in a right-of-way, or otherwise on a residential premises so as to cause an obstruction of vision at street intersections.
 - v. No portable storage unit shall be placed on unimproved or vacant property.
 - vi. Portable storage units may be placed in driveways or front yards, provided that they are located more than 10' from the front lot line.
- C. Remedies and Enforcement.
- i. The provisions of this section may be enforced by the Building Inspector, the Code Enforcement Officer, or any law enforcement officer.
 - ii. Each day a portable storage unit remains on property in violation of this article shall constitute a separate violation.
 - iii. In addition to any other penalty provided by law, compliance with this Section 42 may be enforced by the remedies and procedures set forth in Article III, Chapter 2 of the City's Code of Ordinances (the Code Enforcement Special Magistrate System) or removal of the portable storage unit by the City. In the event of removal by the City, the company providing the portable storage unit and the owner and occupant of the private property where same is located, shall be jointly and severally liable for the expenses incurred by the City.

SECTION 4: If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5: It is the intention of the City Council that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to

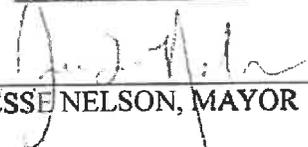
"chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Mayor or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION 6: All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: This Ordinance shall be effective immediately upon passage.

INTRODUCED AND PASSED on first reading, this 27th day of MAY, 2025.

PASSED AND ADOPTED on second reading this 10th day of JUNE, 2025.



JESSE NELSON, MAYOR

ATTEST: -


VICKIE GAINER, CITY MANAGER

Approved as to form.


CITY ATTORNEY

Coding: Words in ~~strikeout~~ type are deletions from existing text.
Words in underline type are addition