

REGULATORY INFORMATION

SEC. 206-8.24. PORTABLE ACCESSORY STRUCTURE

- A. **DEFINED.** Any box-like storage container transported by truck or trailer to the desired location for drop-off with a storage capacity of more than 216 cubic feet that would normally be stored at an offsite location. Although these containers are often generically referred to by the trademarked brand name “PODS,” this ordinance shall be applicable to any brand of portable outdoor storage container meeting the specifications of this paragraph.

This definition shall not include: a) consumer fireworks retail sales stands licensed in accordance with O.C.G.A. Title 25; b) a contractor office trailer which is used in association with a Land Disturbance Permit/Site Development Permit approved by the Director of Planning and Development; c) semi-trailers or cargo trailers containing two or more tandem axles at the rear and which attaches to the tractor with a fifth wheel hitch; or d) roll-off open top dumpsters used for the collection and transport of solid waste, which are exempt under this subsection.

B. USE STANDARDS.

- I. Where a portable accessory structure is allowed as a limited use, it is subject to the following:
- a. May not be used for permanent onsite storage.
 - b. May be used as a convenient means of temporarily storing belongings relating to a move-in/move-out; or following damage by a fire or natural disaster; or when the building is undergoing renovation, repair or reconstruction; or for the temporary storage of seasonal merchandise.
 - c. May not be used for the storage or repair of motorized vehicles of any type.
 - d. May not be used to store solid waste, recyclable materials, refuse, and/or construction demolition debris.
 - e. May not be used to store any hazardous, combustible, or flammable materials.
 - f. Must be placed flush on the ground as designed and not raised for underneath storage; cannot be stacked vertically or placed upon any structure.
 - g. May not exceed 16 feet in length, eight feet in width, or 8.5 feet in height.
 - h. May not be used for vegetative, human, and/or animal shelter or habitation.
 - i. No temporary or permanent electrical wiring shall be provided to any storage unit.
 - j. When not attended, must be locked or secured to prevent unauthorized access or access by children.
 - k. During remodeling, renovation or other construction, the portable accessory structure may be used to store on-site tools, equipment and materials to be used, provided an active building permit has been issued for the property. The portable accessory structure must be removed upon completion or cessation of construction, or by the permit expiration, or before issuance of a Certificate of Occupancy; whichever is earliest.
 - l. Must be kept in good condition, free from weathering, discoloration, graffiti, rust, peeling/flaking paint, tearing or other holes or breaks, and other visible forms of deterioration or blight. The area around the portable accessory structure must be kept free of debris and litter and must be in strict compliance with the weed and refuse provisions of Chapter 300 Article 4 (Property Maintenance).
 - m. May not be placed in the street or block any sidewalk or placed where it can obstruct or diminish a motor operator's view of other vehicles, bicycle or pedestrian ways, or placed in a manner that obstructs any fire lane or hydrant.

- n. May not be located within a required landscape strip; required landscape area; buffer area; areas that are considered environmentally sensitive; within any drainage easement; or on top of a septic tank or septic system drain field.
2. **Residential Districts.** Where a portable accessory structure is allowed as a limited use in a residential district, it is subject to the following:
- a. May not be used to store commercial goods (i.e., used for retail sales), goods for property other than that of the residential property where the PAS is located.
 - b. The number of portable accessory structures allowed on any developed lot or contiguous lots under the same ownership is limited as follows:
 - i. One portable accessory structure may be used for the first 2,000 square feet of conditioned floor area of the principal dwelling. Two (2) may be used for dwellings with 2,001 to 5,000 square feet of conditioned floor area. Three (3) may be used for dwellings that exceed 5,000 square feet of conditioned floor area.
 - ii. In no event may there be more than three (3) portable accessory structures placed on any developed lot or contiguous lots under the same ownership.
 - iii. The above restrictions notwithstanding, when the principal structure on the property has been made uninhabitable as a result of a declared natural disaster, or a fire or other damaging event beyond the control of the owner, the Director may authorize the use of more than one portable accessory structure for on-site storage, provided the authorization for such use is dependent upon issuance of a building permit for the reconstruction/repair of the principal structure.
 - c. When possible, the portable accessory structure must be placed on the driveway or other hard-surfaced area and located at least 5 feet from the side (interior) lot line and 10 feet from a public or private street right-of-way.
 - d. The portable accessory structure may block or obstruct any required exits, parking spaces, and/or any driveways for access to multifamily dwelling units.
 - e. The placement of a portable accessory structure on a lot must not cause vehicles to be illegally parked (i.e., parked in the yard or on the street/right-of-way where the posted speed limit is above 25 mph).
 - f. Duration/length of time allowed:
 - i. Where a portable accessory structure is used for the storage of items for moving:
 - a. First 30-day period in any 12-month period. No permit required.
 - b. Second 30-day period in any 12-month period. Permit required.
 - c. Portable accessory structure must be removed on or before the 60th day from the initial drop.
 - ii. Where used during renovation, remodel or repair of the dwelling with an approved building permit being issued:
 - a. First 90-day period in any 12-month period. Permit required.
 - b. Thirty-day renewal period in any 12-month period. Permit required.
 - c. Portable accessory structure must be removed on or before the 120th day from the initial drop, or upon issuance of a certificate of occupancy, whichever occurs first.
 - d. Permit fee will be waived/refunded upon providing proof of a filed insurance claim for the repair or damages caused by fire, water, lightning, fallen tree, or other unforeseen acts.
 - iii. Where used due to a declared natural disaster with an approved building permit being issued:
 - a. First 180-day period in any 12-month period: permit required; however, permit fee is waived.

- b. Ninety-day renewal period in any 12-month period: permit required; however, permit fee is waived.
 - c. Portable accessory structure must be removed on or before the 270th day from the initial drop or upon issuance of a certificate of occupancy, whichever occurs first.
 - d. The Director has the authority to grant a one-time extension up to an additional 90 days.
 - e. In no event may a portable accessory structure be allowed to remain on any property for a period exceeding one (1) year.
3. **Nonresidential Districts.** Where a portable accessory structure is allowed as a limited use in a nonresidential district, it is subject to the following:
- a. The portable accessory structure may only be located within the designated rear yard of the associated business, or the side (interior) yard where there is no rear yard. A site plan designating the proposed location of the structure(s) must be submitted with the portable accessory structure permit application. Site plan must first be reviewed and approved by the Gwinnett County Fire Marshal's Office.
 - b. Duration/length of time allowed:
 - i. Where a portable accessory structure is used for the storage of items for moving or for the temporary storage of seasonal merchandise:
 - a. First 60-day period in any 12-month period. Permit required.
 - b. Second 60-day period in any 12-month period. Permit required.
 - c. In no event may a portable accessory structure be allowed to exceed 120-days in any 12-month period.
 - ii. Where used during renovation, remodel or repair of the building with an approved building permit being issued:
 - a. First 90-day period in any 12-month period. Permit required.
 - b. Second 90-day day renewal period in any 12-month period. Permit required.
 - c. Portable accessory structure must be removed on or before the 180th day from the initial drop, or upon issuance of a certificate of occupancy, whichever occurs first.
 - d. Permit fee will be waived/refunded upon providing proof of a filed insurance claim for the repair or damages caused by fire, water, lightning, fallen tree, or other unforeseen acts.
 - iii. Where used due to a declared natural disaster with an approved building permit being issued:
 - a. First 180-day period in any 12-month period: permit required; however, permit fee is waived.
 - b. Ninety-day renewal period in any 12-month period: permit required; however, permit fee is waived.
 - c. Portable accessory structure must be removed on or before the 270th day from the initial drop or upon issuance of a certificate of occupancy, whichever occurs first.
 - d. The Director has the authority to grant a one-time extension up to an additional 90 days.
 - e. In no event may a portable accessory structure be allowed to remain on any property for a period exceeding one (1) year.
 - c. The business owner and/or property owner upon which the portable accessory structure will be located must acquire a portable accessory structure permit from the City before locating any structure(s) on-site.

******* CERTIFICATION *******

I have read and understand the above and will comply with all City regulations for the use of a Portable Accessory Structure. I understand that as the applicant, I will be held responsible for compliance of these regulations. I understand that a citation(s) can be issued to both the property owner and the applicant for failure to comply with these regulations. I further understand that any violation of these regulations may result in revocation of this permit without refund and/or denial of future Portable Accessory Structure Permits.

Applicant Signature

Date

Applicant Name (print or type)

Mailing Address

City

State

Zip Code