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**AN ORDINANCE OF THE CITY OF COAHOMA, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY BY ADDING A DEFINITION OF INTERMODAL SHIPPING CONTAINER AND PROHIBITING THE USE OF SUCH CONTAINERS AS LIVING QUARTERS AND AS AN ACCESSORY USE EXCEPT AS STORAGE IN INDUSTRIAL AND COMMERCIAL ZONES WITH A SPECIFIC USE PERMIT; AMENDING THE DEFINITION OF RECREATIONAL VEHICLE AND PROHIBITING THE USE OF SUCH A VEHICLE AS AN ACCESSORY USE OR AS LIVING QUARTERS EXCEPT FOR TEMPORARY USE AS GUEST LIVING QUARTERS IN RESIDENTIAL ZONES WITH A SPECIFIC USE PERMIT, LIMITING THE DURATION OF SUCH USE; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council published notice of and held a public hearing regarding the amendment on Nov 21, 2013, 2013; and

**WHEREAS**, the City Council finds that it is in the best interest of the citizens of the city to add a definition of intermodal shipping containers; limiting their use and requiring a specific use permit; and

**WHEREAS**; the City Council finds that it is in the best interest of the citizens of the city to amend the definition of Recreational Vehicle in the City's zoning ordinance and to prohibit their use as primary or accessory use or as living quarters in any zone except for temporary guest use with a specific use permit and to limit the duration of such use;

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

**Section 1.** That, Section 21-2 of the City of Coahoma Zoning Ordinance is hereby amended by adding a definition of Intermodal Shipping Container and amending the definition of Recreational Vehicle with such definitions to read as follows:

**Intermodal Shipping Container.** Also referred to as a freight or sea container, shall mean a metal standardized re-sealable transportation box normally used for freight handling and that does not have a stamp of approval as an industrialized housing structure from the Texas Department of Licensing and Regulation. These shall not be permitted for use as living quarters or any other primary or accessory use in any zone in the City, except as an accessory use for storage purposes only in an Industrial or Commercial zone under such specific conditions that may be imposed by the Planning and Zoning Commission in a specific use permit issued in

accordance with Section 7-3 of this Zoning Ordinance, which conditions must include that the container be painted a neutral color so that no logo is visible

**Recreational Vehicle.** Shall mean a Travel trailer, pick-up camper, converted bus, tent-trailer, motor home, camping trailer, or similar vehicular dwelling used for travel, vacation, or recreational purposes. These are not permitted for primary or accessory use in any zone in the city. Recreational Vehicles may not be used as living quarters in any zone in the City except in a properly permitted Recreational Vehicle Park or for use as temporary guest living quarters in the R-1, R-2 or R-3 zones for no more than fifteen (15) days with one fifteen (15) day renewal allowed pursuant to a specific use permit issued by the Planning and Zoning Commission under Section 7-3 of this Zoning Ordinance. Under no circumstances shall such use exceed thirty days in any twelve month period unless a hardship exception (six month maximum) is granted by the Planning and Zoning Commission.

**Section 2. THAT,** upon conviction, a violation of this ordinance shall be punishable by a fine of up to Two Thousand Dollars for ordinances governing fire safety, public health or sanitation or as otherwise determined by the state legislature, with each day of such violation constituting a separate violation.

**Section 3. THAT,** if any paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any other part or provision thereof.

**Section 3. THAT,** all ordinances or resolutions or parts thereof heretofore passed and adopted by the governing body of the City of Coahoma, Texas that are in conflict herewith, shall be and the same are hereby repealed to the extent of such conflict.

**Section 5. THAT,** this ordinance shall become effective immediately upon its passage in accordance with law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Coahoma on this 21<sup>st</sup> day of NOV, 2013.



Warren Wallace, Mayor

ATTEST:



Tammy Griffith, City Secretary