

**Sec. 32-609. Outdoor storage and outdoor display.**

- (a) *Intent.* The purpose of this action is to provide regulations for the outdoor storage and outdoor display of material, merchandise, and equipment. The intent of these provisions is to provide adequate and convenient areas for such outdoor storage and outdoor display while minimizing visual impacts to adjacent properties and public rights-of-way.
- (b) *Areas of application.* These regulations shall apply to all residential, commercial, and industrial districts, subject to the following exceptions and prohibitions.
  - (1) Outdoor vehicle storage in residential districts shall be regulated by section 32-584.
  - (2) The outdoor storage or parking of wrecked or partially dismantled vehicles at automobile service stations and public garages shall be regulated by section 32-585.
  - (3) The storage of hazardous substances and petroleum products in commercial or industrial districts shall be regulated by section 32-598.
  - (4) The outdoor storage of goods and materials is prohibited in the C-1 local business district. (See also section 32-313(7)(a).)
  - (5) The outdoor storage of goods and materials is prohibited in the C-2 planned shopping district. (See also section 32-338(a)(2).)
  - (6) Outdoor storage is prohibited in the M-1 light industrial district. (See also section 32-444(7).)
  - (7) Outdoor storage in the M-2 general industrial district shall be regulated by sections 32-478(2) and 32-480(7).
  - (8) Solid waste storage shall be regulated by section 32-594.
  - (9) Items stored on a site during construction and stock piled materials within the M-3, Extractive Industrial District are exempt from these provisions.
  - (10) Portable on demand storage used for a period of less than three months is exempt from these provisions.
  - (11) The temporary storage of materials and equipment used during construction of a building or structure for which a valid building permit exists is exempt from these provisions. Any such material or equipment shall be removed from the site within 30 days of the issuance of the certificate of occupancy or similar notice of completion.
  - (12) Except as may be otherwise provided for in this section, the outdoor storage or outdoor display for permitted principal uses in all residential zoning district are exempt from these provisions.
- (c) *General provisions.* Outdoor storage and outdoor display areas shall comply with the following general provisions.
  - (1) Outdoor storage and outdoor display areas shall be prohibited in all floodplains, wetlands, drainage easement, parking stalls, and in areas where outdoor storage

or display causes traffic or pedestrian circulation problems as determined by the building official.

- (2) Outdoor storage and outdoor display areas shall not interfere with fuel station operation, obstruct doorways, occupy loading zones, or conceal views into the site's interior which are necessary for public safety surveillance.
  - (3) The use of a public address/outdoor speaker system in connection with outdoor storage and outdoor display areas is prohibited. This section shall not prevent the temporary use of a public address/outdoor speaker system used in connection with a special event such as, but not necessarily limited to, auctions.
- (d) *Outdoor storage and outdoor display requirements for uses requiring special approval in residential zones.* Outdoor storage and outdoor display requirements for uses requiring special approval in residential zones are as follows:
- (1) Outdoor storage shall be permitted only as an accessory use on the same lot or tract of land as the permitted use.
  - (2) No outdoor storage shall be permitted in any required yard.
  - (3) Outdoor storage shall not be seen from any public right-of-way, zoned or planned residential area, or any open space area accessible to the public. All stored items shall be screened by solid fences, walls, buildings, landscaping, or by any combination of screening elements, which comply with the requirements of this Chapter.
  - (4) No outdoor display shall be permitted except on a temporary basis for duly authorized events such as, but not limited to, garage sales.
- (e) *Outdoor storage and outdoor display requirements for nonresidential zones.* Outdoor storage and outdoor display requirements for nonresidential zones are as follows:
- (1) Outdoor storage or display shall be permitted only as an accessory use on the same lot or tract of land.
  - (2) Outdoor storage shall not be located in the front yard or nearer than ten feet to any abutting existing or planned residential area.
  - (3) Outdoor display shall be prohibited in the RO-1 restricted office district. Except as provided in subsection (e)(7) of this section, an outdoor display area in the C-1 local business district, the C-2 planned shopping center district, the M-1 light industrial district, and the M-2 general industrial district shall not exceed an area equal to ten percent of the total at grade (first floor) area of the principal structure, or 2,000 square feet, whichever is less.
  - (4) Items within an outdoor storage area shall not exceed a height of eight feet.
  - (5) Outdoor storage or outdoor display areas shall not be seen from any neighboring zoned or planned residential area. All such outdoor stored or outdoor displayed items shall be screened from neighboring existing or planned residential area views by solid fences, walls, buildings, greenbelts, or any combination or screening elements, which comply with the requirements of this chapter.
  - (6) The following merchandise, if for sale or rent on the premises, may be displayed

outdoors during the hour of business operation without screening except along property lines that abut residentially zoned or used lots.

- a. Flowers and plants;
- b. Food products;
- c. Handcrafted products and goods;
- d. Artwork and pottery;
- e. For rent recreational equipment;
- f. Items commonly associated with periodic "sidewalk sales" and similar special events.

(7) Retail establishments having an at-grade (first floor) area of the principal structure of 20,000 square feet or more may be permitted an outdoor display area subject to the following conditions:

- a. The outdoor display area shall be located immediately adjacent to the principal structure, with direct access to the outdoor display area available from the principal structure.
- b. The outdoor display area shall be located within an area capable of being secured to trespass (compound).
- c. The placement of merchandise shall be arranged and presented in an "open market" atmosphere and generally accessible to customers; however, this requirement shall not prevent the stacking of merchandise on racks, shelving, and similar platforms which may only be accessible by customers with the assistance of an employee. In no instance shall the height of stacked material exceed 20 feet.
- d. The compound shall be enclosed on its sides by the principal building and an ornamental barrier equal to the height of the material being displayed, but not less than eight feet. The first four feet of the barrier, measured from grade shall consist of a solid decorative wall. If the barrier does not entirely consist of a solid decorative wall, the barrier height above four feet shall consist of a decorative fence (other than chainlink fencing) having an opacity of at least 75 percent.

(f) *Outdoor display requirements for vehicle dealerships.* The outdoor display of inoperable vehicles is prohibited. The outdoor display of operable vehicles (e.g., automobiles, recreational vehicles, boats, motorcycles, and trucks) for sale, where authorized by existing zoning, shall not be permitted unless the method of display conforms to the following requirements:

- (1) Vehicle display areas located within 100 feet of a property line shared with a zoned or planned residential area shall be located behind a landscaped greenbelt at least 15 feet wide between such property line and the display area. (See also section 32-587(f).)
- (2) An undulating earthen berm, ranging in height not less than one foot and at least three feet in height, shall be installed as a buffer between the display area and

all streets or private road easements which extend along its frontage. The berm shall maintain an average height of 18 inches and have a 3:1 slope in accordance with section 32-587(f)(2)a.4. It shall be planted with grass or other suitable ground cover to ensure that it withstands wind and weather and retains its height. The berm shall also be planted with intermediate evergreen shrubs in the ratio of three shrubs for every ten feet of berm length. Such landscaping shall be in addition to front yard landscaping, also required by this section. (See also section 32-587(g).)

- (3) Not more than one vehicle display pad, which may be elevated up to three feet in height, shall be permitted for every 100 feet of road frontage directly associated with that parcel or unit.
- (4) Outdoor display areas shall not be located between the principal structure and the front lot line.
- (5) Outdoor display areas shall be hard surfaced, consisting of asphalt or concrete surfacing, brick pavers, or a grass paver system.

(Ord. No. 156-A-132, § 1(19-114), 1-16-2008)

Secs. 32-610--32-634. Reserved.