

CITY OF PLANO
PLANNING & ZONING COMMISSION

June 19, 2017

Agenda Item No. 1

Public Hearing: Zoning Case 2017-014

Applicant: City of Plano

DESCRIPTION:

Request to amend and delete various sections of Articles 8, 10, 13, 14, 16, 17, 19, and 21 of the Zoning Ordinance regarding general organization, definitions, uses, and modifications pertaining to open storage and outside display and related requirements. Project #ZC2017-014.

BACKGROUND:

At the August 15, 2016 Planning & Zoning Commission meeting, staff provided a summary of information pertaining to Open Storage and Outside Display uses based upon a request from a local business owner. Per the direction of the Commission, and upon further review of the regulations, staff brought back additional information through a series work sessions on September 6, 2016, December 5, 2016 (this work session was tabled), March 20, 2017, and May 1, 2017.

As a part of this effort, Planning Department staff worked closely with Neighborhood Services, Environmental Health, and the City Attorney's Office in order to gather information and collaborate on the associated issues. At the meeting on May 1, 2017, the Planning & Zoning Commission called a public hearing to amend the relevant portions of the Zoning Ordinance.

Why Does the City Have Open Storage Restrictions?

The purpose of these regulations is to enhance the visual appearance of the city, limit potential nuisances, and to prevent pollution and other public health threats. These purposes are further explained below:

Visual Appearance - The visual appearance of properties can be affected by open storage. A quality visual environment is a valuable resource to a community. Creating ordinance language to improve the appearance of properties can contribute to the overall quality of life for residents, contribute to the economic impact of existing businesses, and enhance opportunities for future economic development.

Nuisances - Open storage can also create nuisances including obnoxious odors, noise, disruption of traffic flow, and other impacts that inhibit the use and enjoyment of private properties. This can occur through the storage of items such as fertilizers, food, unremoved garbage and pet waste, and other materials. Nuisances can also be created by construction projects, and home or typical commercial businesses such as manufacturing, as well as sales of materials or products.

Pollution and Public Health - Open storage can contribute to pollution and illnesses in several ways. Stored items can collect water creating opportunities for mosquito growth and the potential spread of related diseases. Raw materials and finished goods can contribute to stormwater pollution if oil, solid materials, or other pollutants such as heavy metals, solvents, and gases are washed off by rain or snow. If untreated, polluted stormwater can permeate soil, making its way to shallow ground water, creeks, and streams resulting in unknown public health threats. Lastly, without routine enforcement, open storage can devolve into hoarding, which can pose a dangers by creating risk of fire, pests and vermin, mold growth, and other health concerns.

Discussion Points

Throughout this process, staff and the Commission have had discussions over a variety of issues pertaining to open storage and outside display. These ordinances have been reviewed with a focus on balancing the needs of residents, businesses, and city staff. A brief summary of some of the significant discussion topics is included below:

1. **Storage Area:** Currently, the Zoning Ordinance limits the storage area to primary uses and accessory uses. For primary uses, the proposed allowance is 90% of the lot. Accessory uses cannot exceed 5% of the lot area or 20% of the building area, whichever is greater.
2. **Storage Surfaces:** In the LI-1 and LI-2 districts, and within freestanding garden centers, storage may be placed on a gravel surface. In other districts, storage must occur on asphalt or concrete.
3. **Screening:** In the LI-1 and LI-2 districts, storage must be screened from streets by a masonry wall or irrigated living screen. In other districts, storage must be screened from view of streets and other properties by a masonry wall or irrigated living screen. Generally, the modified regulations pertaining to these discussion points above have remained the same in order to provide consistency with current operations. However, the associated language and definitions have been updated to provide greater clarity and improve enforcement.

What is remaining the same?

Many of the existing regulations have not been modified except to be presented in a more clear, organized, and enforceable manner. The list of items which have not been substantively changed includes:

1. The allowed zoning districts for open storage uses.

2. The requirement for open storage to be designated on an approved site plan.
3. The amount of area permitted to be used for open storage.
4. The requirements for storage surfaces.
5. The requirements for screening.

What is changing?

General Organization - Over the years, the related sections and requirements pertaining to open storage have been updated several times. As staff reviewed the regulations, we determined that the general layout of the ordinance may be confusing for residents, property owners, and city officials. For this reason, we recommend consolidating the standards in Article 19 (Open Storage and Outside Display) into three distinct sections including:

1. General Requirements for Open Storage;
2. Screening Requirements for Open Storage; and
3. General Requirements for Merchandise Display.

Reorganizing these portions of the Zoning Ordinance will provide better clarity and help minimize complexity for these regulations.

Specific Standards

1. Vehicle Storage - Open storage restrictions apply to vehicles, with some exceptions. After reviewing the associated regulations, staff is proposing amendments to better address current business practices and provide greater distinction between parking and storage of vehicles.
2. Firewood for restaurant uses - Recently, staff has received several requests to allow stacked firewood to be stored for restaurant uses. In some operations, firewood is a necessary cooking tool, requiring storage. In order to accommodate this, staff is proposing to allow up to a cord of wood to be stored in a rack, adjacent to the rear or side of the main building.
3. Storage Containers - The proposed language clarifies restrictions for storage vaults and shipping containers. Additionally, staff is proposing to add language to address the use of donation containers.
4. Use Tables and Notes - Modifying the tables and notes to reflect the proposed changes in terms and identify locations of primary and accessory open storage operations.

Terms and Definitions - The Zoning Ordinance currently includes over 30 distinct uses which allow some open storage including retail, service contractor, garden center,

automobile storage, and heavy machinery sales and storage. Staff is proposing the following updates:

1. Consolidating service contractor uses into one term and definition. This change will help clear up questions of interpretation and application of open storage standards. Essentially, all service contractor uses have the ability to perform some open storage, consistent with the restrictions of the specific zoning district.

~~Service Contractor (no storage yard)~~

~~Establishments whose primary activity is the provision of services for the construction, maintenance, cleaning, or repair of buildings and properties on a fee or contract basis. Service contractors may include, but are not limited to, plumbing, heating and air conditioning, construction, and landscape maintenance services with no outside storage of equipment, goods, and materials.~~

~~Service Contractor (with storage yard)~~

~~A service contractor with an open storage area for goods, materials, and equipment, including trailers designed to be towed, associated with the conduct of the business. An establishment whose primary activity is the provision of services for the construction, maintenance, cleaning, or repair of buildings and properties on a fee or contract basis. Service contractors may include but are not limited to, plumbing, heating, and air conditioning, construction, and landscape maintenance services.~~

2. Changing the term “Outside Display” to “Merchandise Display” and clearly separating the standards from open storage. In conversations with staff and the public, the term outside display was often confused with open storage. This change in wording will help differentiate the uses, and provide distinction for the storage options.

Merchandise Display

The outside exhibition of goods and materials for immediate sale or rental; and excluding the storage of vehicles, heavy machinery, or light commercial vehicles.

3. Proposing new definitions of Paved and Vehicle. The absence of a definition describing the required improved surfaces has made it difficult to enforce compliance. The term “vehicle” has replaced every reference to the term “automobile” throughout the Zoning Ordinance. In our research, staff determined that the word “vehicle” is more appropriate for regulatory purposes than the word “automobile”. With this change, a definition of vehicle was added for clarity.

Paved

A solid and continuously firm concrete or asphalt surface or other material approved by the Director of Engineering.

Vehicle

A moveable device propelled or drawn by mechanical power designed to carry one or more persons or property.

- Proposing new terms and definitions for Compact Construction Equipment and Compact Construction and Transportation Equipment Sales & Service. These terms are currently not defined in the ordinance. Adding these will help improve and refine the regulations of the proposed ordinance updates.

Compact Construction Equipment

Light-weight construction equipment which is designed to work on small commercial and residential projects including but not limited to track loaders, excavators, backhoe loaders, skid steers, and telehandlers.

Compact Construction and Transportation Equipment Sales & Service

Storage, leasing, renting, or repair of compact construction equipment and transportation equipment designed to be towed by light commercial vehicles for the transport of light loads or deliveries.

- General cleanup, updating references from “automobile” to “vehicle”, and organizing the various types of vehicles into three main categories: personal vehicle, light commercial vehicle, and heavy commercial vehicle. Related terms and definitions have also been updated. The proposed definition changes are intended to better organize and define uses and associated operations.

Existing	Proposed
<p>Automobile A 4-wheeled, self-propelled vehicle designed for passenger transportation and commonly propelled by an internal combustion engine.</p>	<p><u>Vehicle</u> <u>A moveable device propelled or drawn by mechanical power designed to carry one or more persons or property.</u></p>
<p>Automobile Dealer (New) Retail sales and/or leasing of new automobiles or light load vehicles, including, as a minor part of the business, the sales and/or leasing of used automobiles or light load vehicles.</p>	<p><u>Automobile Vehicle Dealer (New)</u> Retail sales and/or leasing of new <u>automobiles personal vehicles</u> or light load <u>commercial vehicles</u>, including, as a minor part of the business, the sales and/or leasing of used <u>automobiles personal vehicles</u> or light load <u>commercial vehicles</u>.</p>
<p>Automobile Dealer (Used) Retail sales and leasing of used automobiles or light load vehicles.</p>	<p><u>Automobile Vehicle Dealer (Used)</u> Retail sales and leasing of used <u>automobiles personal vehicles</u> or light load <u>commercial vehicles</u>.</p>
<p>Automobile Leasing and Renting Storage, leasing, or renting of automobiles, motorcycles, and light load vehicles.</p>	<p><u>Automobile Vehicle Leasing and Renting</u> Storage, leasing, or renting of <u>automobiles, personal vehicles,</u> motorcycles, and light load <u>commercial vehicles</u>.</p>
<p>Automobile Parking Lot/Garage (Accessory) An area or structure for the temporary storage of motor vehicles.</p>	<p><u>Automobile Parking Lot/Garage (Accessory)</u> <u>An area, or structure, for the temporary storage motor vehicles.</u></p>

<p>Automobile Parking Lot/Garage (Commercial) An area or structure where a fee is charged for parking motor vehicles and which serves as the primary use on the lot.</p>	<p>Automobile <u>Vehicle</u> Parking Lot/Garage (Commercial) (Primary) An area or, structure, or shared area where a fee is <u>may be</u> charged for <u>the temporary</u> parking of <u>operable personal and light commercial motor</u> vehicles and which serves as the primary use on the lot.</p>
<p>Automobile Parts Sales (Inside) The use of any building or other premise for the display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.</p>	<p>Automobile <u>Vehicle</u> Parts Sales (Inside) The use of any building or other premise for the display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles <u>other than heavy commercial</u> vehicles.</p>
<p>Automobile Parts Sales (Outside) The use of any land area for the display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.</p>	<p>Automobile <u>Vehicle</u> Parts Sales (Outside) The use of any land area for display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation <u>other than heavy commercial</u> vehicles.</p>
<p>Automobile Repair (Major) Major repair or reconditioning of engines and transmissions, and retrofitting of air-conditioning systems, for motor vehicles; wrecker service; collision services including body, frame, or fender straightening or repair; customizing; painting; vehicle steam cleaning; undercoating and rust proofing; and other similar uses.</p>	<p>Automobile <u>Vehicle</u> Repair (Major) - <u>Personal and Light Commercial</u> Major repair or reconditioning of engines and transmissions, and retrofitting of air conditioning systems, for motor vehicles; wrecker service; collision services including body, frame, or fender straightening or repair; customizing; painting; vehicle steam cleaning; undercoating and rust proofing; and other similar uses <u>services for personal and light commercial vehicles.</u></p>
<p>Automobile Repair (Minor/Fueling Station) An establishment used for the retail dispensing or sales of automobile fuels, lubricants, tires and automobile accessories; the minor repair or replacement of parts, tires, paintless dent repair, and performing state inspections and making minor repairs necessary to pass state inspection. Uses listed under Major Automobile Repair or any other similar uses are not included. Vehicles, which are inoperative or are being repaired, may not remain parked outside for a period greater than 7 days.</p>	<p>Automobile <u>Vehicle</u> Repair (Minor/Fueling Station) - <u>Personal and Light Commercial</u> An establishment used for the retail dispensing or sales of <u>automobile vehicle</u> fuels, lubricants, tires and <u>automobile vehicle</u> accessories; the minor repair or replacement of parts, tires, paintless dent repair, and performing state inspections and making minor repairs necessary to pass state inspection <u>for personal and light commercial vehicles.</u> Uses <u>Services</u> listed under Major <u>Automobile Vehicle</u> Repair or any other similar uses <u>services</u> are not included. Vehicles, which are inoperative or are being repaired, may not remain parked outside for a period greater than 7 days.</p>
<p>Automobile Storage The storage, on a lot or tract, of operable automobiles for the purpose of holding such vehicles for sale, distribution, or storage.</p>	<p>Automobile <u>Vehicle</u> Storage The storage keeping, on a lot or tract, of operable <u>automobiles vehicles</u> for the purpose of holding such vehicles for sale, distribution, or</p>

	<p><u>storage in reserve. This definition excludes temporary parking.</u></p>
<p>Car Wash Structure used to wash motorcycles, automobiles, and light load vehicles.</p>	<p>Car Wash Structure used to wash motorcycles, automobiles <u>personal vehicles</u>, and light load <u>commercial vehicles</u>.</p>
	<p><u>Compact Construction and Transportation Equipment Sales & Service</u> - Storage, leasing, renting, or repair of compact construction equipment and transportation equipment designed to be towed by light commercial vehicles for the transport of light loads or deliveries.</p>
	<p><u>Compact Construction Equipment</u> - <u>Light-weight construction equipment which is designed to work on small commercial and residential projects including but not limited to track loaders, excavators, backhoe loaders, skid steers, and telehandlers.</u></p>
<p>Convenience Store A retail establishment of 5,000 square feet or less of floor area that sells food and other consumable and non-consumable products for off-premise use or consumption. Convenience stores may include the dispensing or sales of automobile fuels, lubricants, and accessories, but shall not include automobile repair or the sale of replacement parts.</p>	<p>Convenience Store An retail establishment of 5,000 square feet or less of floor area that sells food and other consumable and non-consumable products for off-premise use or consumption. Convenience stores may include the dispensing or sales of <u>automobile personal vehicle fuels</u>, lubricants, and accessories, but shall not include <u>automobile personal vehicle</u> repair or the sale of replacement parts.</p>
<p>Heavy Load Vehicle A self-propelled vehicle having a Manufacturer's Recommended Gross Vehicle Weight (GVW) of greater than 11,000 pounds, such as tractor-trailers, buses, vans, and other similar vehicles. The term "truck" shall be construed to mean "Heavy Load Vehicle" unless specifically stated otherwise.</p>	<p><u>Heavy Load Commercial Vehicle/Truck</u> A self-propelled vehicle having a Manufacturer's Recommended Gross Vehicle Weight (GVW) of greater than 11,000 pounds, such as tractor-trailers, buses, vans, and other similar vehicles. The term "truck" shall be construed to mean "<u>Heavy Load Commercial Vehicle</u>" unless specifically stated otherwise.</p>
<p>Light Load Vehicle A self-propelled vehicle having no more than 2 axles such as a pick-up truck or van but excluding recreation vehicles and vehicles designed for commercial hauling or for the moving of home furnishings and similar articles.</p>	<p><u>Light Load Commercial Vehicle</u> A self-propelled vehicle having no more than 2 axles such as pick-up truck or van but excluding recreation vehicles and vehicles designed for commercial hauling or for the moving of home furnishings and similar articles <u>a Manufacturer's Recommended Gross Vehicle Weight (GVW) of less than or equal to 11,000 pounds including, but not limited to, a pick-up truck or van. This definition excludes personal vehicles.</u></p>

	<p><u>Merchandise Display</u> <u>The outside exhibition of goods and materials for immediate sale or rental; and excluding the storage of vehicles, heavy machinery, or light commercial vehicles.</u></p>
<p>Motor Vehicle Any vehicle designed to carry one or more persons, which is propelled or drawn by mechanical power, such as automobiles, trucks, motorcycles, and buses.</p>	<p><u>Motor Personal Vehicle</u> Any vehicle designed to carry one or more persons, which is propelled or drawn by mechanical power, such as automobiles, trucks, motorcycles, and buses. <u>A movable device propelled or drawn by mechanical power designed to carry one or more persons, not to exceed 22 feet in length, such as automobiles, pick-up trucks, motorcycles, mopeds, all-terrain vehicles (ATVs), and golf carts. This definition excludes light and heavy commercial vehicles.</u></p>
<p>Motorcycle A usually 2-wheeled, self-propelled vehicle having one or 2 saddles or seats and which may have a sidecar attached. For purposes of this ordinance, motorbikes, motor scooters, mopeds, and similar vehicles are classified as motorcycles.</p>	<p><u>Motorcycle</u> A usually 2-wheeled, self-propelled vehicle having one or 2 saddles or seats and which may have a sidecar attached. For purposes of this ordinance, motorbikes, motor scooters, mopeds, and similar vehicles are classified as motorcycles. <u>A vehicle, other than a tractor, that is equipped with a rider's saddle and designed to have, when propelled, not more than 3-wheels on the ground.</u></p>
<p>Motorcycle Sales/Service The display, sale, and servicing, including repair work, of motorcycles.</p>	<p><u>Motorcycle Sales/ & Service</u> The display, sale, and <u>servicing, including and</u> repair work, of motorcycles.</p>
<p>Office (Showroom/Warehouse) An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area. This designation does not include service contractor (with storage yard).</p>	<p><u>Office (Showroom/Warehouse)</u> An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area. This designation does not include service contractor (with storage yard).</p>
<p>Open Storage and Outside Display The outside storage or exhibition of goods, materials, merchandise, or equipment on a lot or tract.</p>	<p><u>Open Storage and Outside Display</u> The storage or exhibition <u>keeping</u> outside of goods, materials, <u>containers, vehicles, trailers,</u> or <u>other</u> equipment on a lot or tract.</p>

	<p><u>Paved</u> <u>A solid and continuously firm concrete or asphalt surface or other material approved by the Director of Engineering.</u></p>
<p>Recreation Vehicle (RV) A portable vehicle designed for temporary or short-term occupancy and primarily intended for travel, recreational, and vacation usage. Recreation vehicles include, but are not limited to, boats and other marine vehicles, travel and tent trailers, pickup campers and shells, motorized travel units (motor homes), converted buses, and similar vehicles used for temporary portable housing or recreational use.</p>	<p><u>Recreational Vehicle (RV)</u> A portable vehicle designed for temporary or short-term occupancy and primarily intended for travel, recreational, and vacation usage. <u>Recreational</u> vehicles include, but are not limited to, boats and other marine vehicles, travel and tent trailers, pickup campers and shells, motorized travel units (motor homes), converted buses, and similar vehicles used for temporary portable housing or recreational use.</p>
<p>Recreation Vehicle Parking Lot/Garage An area or structure designed for the short- or long-term parking of recreation vehicles for sale, distribution, or storage purposes.</p>	<p><u>Recreational Vehicle Parking Lot/Garage</u> An area or structure designed for the short- or long-term parking of <u>recreational</u> vehicles for sale, distribution, or storage purposes.</p>
<p>Recreation Vehicle Sales and Service Retail sales and repair of new or pre-owned recreation vehicles.</p>	<p><u>Recreational Vehicle Sales & and Service</u> Retail sales, <u>renting, leasing,</u> and repair of new or pre-owned <u>recreational</u> vehicles.</p>
<p>Restaurant (Drive-in) An eating establishment where primarily food or drink is served to customers in motor vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in automobiles on or near the restaurant premises.</p>	<p><u>Restaurant (Drive-in)</u> An eating establishment where primarily food or drink is served to customers in motor <u>personal</u> vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in automobiles <u>personal vehicles</u> on or near the restaurant premises.</p>
<p>Service Contractor (no storage yard) Establishments whose primary activity is the provision of services for the construction, maintenance, cleaning, or repair of buildings and properties on a fee or contract basis. Service contractors may include, but are not limited to, plumbing, heating and air conditioning, construction, and landscape maintenance services with no outside storage of equipment, goods, and materials.</p>	<p><u>Service Contractor (no storage yard)</u> Establishments whose primary activity is the provision of services for the construction, maintenance, cleaning, or repair of buildings and properties on a fee or contract basis. Service contractors may include, but are not limited to, plumbing, heating and air conditioning, construction, and landscape maintenance services with no outside storage of equipment, goods, and materials.</p>
<p>Service Contractor (with storage yard) A service contractor with an open storage area for goods, materials, and equipment, including trailers designed to be towed, associated with the conduct of the business.</p>	<p><u>Service Contractor (with storage yard)</u> A service contractor with an open storage area for goods, materials, and equipment, including trailers designed to be towed, associated with the conduct of the business. <u>An establishment whose primary activity is the provision of services for the construction, maintenance, cleaning, or repair of buildings and</u></p>

	<u>properties on a fee or contract basis. Service contractors may include but are not limited to, plumbing, heating, and air conditioning, construction, and landscape maintenance services.</u>
	<u>Temporary Parking</u> <u>Parking of an operable vehicle for a reasonable period of time considering the primary use of the lot and consistent with Article 16.</u>
Theater (Drive-in) An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in automobiles.	Theater (Drive-in) An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in <u>automobiles personal vehicles.</u>
Trailer Rental The display and offering for rent of trailers designed to be towed by light load vehicles.	Trailer Rental The display and offering for rent of trailers designed to be towed by light load vehicles.
Truck A heavy load vehicle.	Truck A heavy load <u>commercial vehicle unless specifically stated otherwise.</u>
Truck Parking Lot Area for parking heavy load vehicles.	Truck Parking Lot Area for parking heavy load <u>commercial vehicles and/or trucks for sale, distribution, or storage purposes.</u>
Truck Sales (Heavy Truck) The display, sale, or rental of new or used heavy load vehicles in operable condition.	Truck Sales (Heavy Truck) The display, sale, or rental of new or used heavy load <u>commercial vehicles or trucks</u> in operable condition.
Truck/Bus Leasing The rental of new or used panel trucks, vans, trailers, recreation vehicles, or motor-driven buses in operable condition and where no repair work is done.	Truck/Bus Leasing The rental of new or used panel trucks, vans, trailers, <u>recreational</u> vehicles, or motor-driven buses in operable condition and where no repair work is done.
Truck/Bus Repair An establishment providing major and minor automobile repair services to heavy load vehicles.	Truck/Bus Repair An establishment providing major and minor <u>automobile vehicle</u> repair services to heavy load <u>commercial vehicles.</u>

CONFORMANCE WITH COMPREHENSIVE PLAN:

The Built Environment - Land Use Action Statement BE-LU1 - *Review and evaluate the Zoning Ordinance and make appropriate amendments based on the policies of the Comprehensive Plan.*

The proposed amendments are consistent with the policies of the Comprehensive Plan. These updates will positively contribute to a vibrant built environment with strong

commercial corridors, quality community design, and clear and consistent regulations which respect existing neighborhoods and businesses. This request is in conformance with this action statement and associated vision and policy statements.

SUMMARY:

This zoning case includes language intended to update various portions of the Zoning Ordinance pertaining to open storage and outside display and associated regulations. The proposed amendments will significantly improve the city's standards pertaining to this land use. The recommended updates are in conformance with the recommendations of the Comprehensive Plan. For these reasons, staff recommends approval of the proposed amendments.

RECOMMENDATION:

The proposed amendments are as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

Section 8.200 (Terms Defined) of Article 8 (Definitions)

Automobile

~~A 4-wheeled, self-propelled vehicle designed for passenger transportation and commonly propelled by an internal combustion engine.~~

Automobile Vehicle Dealer (New)

Retail sales and/or leasing of new ~~automobiles~~ personal vehicles or light load ~~commercial~~ vehicles, including, as a minor part of the business, the sales and/or leasing of used ~~automobiles~~ personal vehicles or light load commercial vehicles.

Automobile Vehicle Dealer (Used)

Retail sales and leasing of used ~~automobiles~~ personal vehicles or light load ~~commercial~~ vehicles.

Automobile Vehicle Leasing and Renting

Storage, leasing, or renting of ~~automobiles,~~ personal vehicles, motorcycles, and light load ~~commercial~~ vehicles.

Automobile Parking Lot/Garage (Accessory)

~~An area, or structure, for the temporary storage motor vehicles.~~

Automobile Vehicle Parking Lot/Garage (Commercial) (Primary)

~~An area or structure, or shared area where a fee is~~ may be charged for the temporary parking of operable personal and light commercial ~~motor vehicles and which serves as the primary use on the lot.~~

Automobile Vehicle Parts Sales (Inside)

The use of any building or other premise for the display and sale of new or used parts for ~~automobiles, panel trucks or vans, trailers, or recreation~~ vehicles other than heavy commercial vehicles.

Automobile Vehicle Parts Sales (Outside)

The use of any land area for display and sale of new or used parts for automobiles vehicles, panel trucks or vans, trailers, or recreation other than heavy commercial vehicles.

Automobile Vehicle Repair (Major) - Personal and Light Commercial

Major repair or reconditioning of engines and transmissions, ~~and~~ retrofitting of air conditioning systems, ~~for motor vehicles~~; wrecker service; collision services including body, frame, or fender straightening or repair; customizing; painting; vehicle steam cleaning; undercoating and rust proofing; and other similar ~~uses~~ services for personal and light commercial vehicles.

Automobile Vehicle Repair (Minor/Fueling Station) - Personal and Light Commercial

An establishment used for the retail dispensing or sales of ~~automobile~~ vehicle fuels, lubricants, tires and ~~automobile~~ vehicle accessories; the minor repair or replacement of parts, tires, paintless dent repair, and performing state inspections and making minor repairs necessary to pass state inspection for personal and light commercial vehicles. ~~Uses~~ Services listed under Major ~~Automobile~~ Vehicle Repair or any other similar ~~uses~~ services are not included. ~~Vehicles, which are inoperative or are being repaired, may not remain parked outside for a period greater than 7 days.~~

Automobile Vehicle Storage

The ~~storage~~ keeping, on a lot or tract, of operable ~~automobiles~~ vehicles for the purpose of holding such vehicles ~~for sale, distribution, or storage~~ in reserve. This definition excludes temporary parking.

Car Wash

Structure used to wash motorcycles, ~~automobiles~~ personal vehicles, and light ~~load~~ commercial vehicles.

Compact Construction and Transportation Equipment Sales & Service

Storage, leasing, renting, or repair of compact construction equipment and transportation equipment designed to be towed by light commercial vehicles for the transport of light loads or deliveries.

Compact Construction Equipment

Light-weight construction equipment which is designed to work on small commercial and residential projects including but not limited to track loaders, excavators, backhoe loaders, skid steers, and telehandlers.

Convenience Store

An ~~retail~~ establishment of 5,000 square feet or less of floor area that sells food and other consumable and non-consumable products for off-premise use or consumption. Convenience stores may include the dispensing or sales of ~~automobile~~ personal vehicle fuels, lubricants, and accessories, but shall not include ~~automobile~~ personal vehicle repair or the sale of replacement parts.

Heavy Load Commercial Vehicle/Truck

A self-propelled vehicle having a Manufacturer's Recommended Gross Vehicle Weight (GVW) of greater than 11,000 pounds, such as tractor-trailers, buses, ~~vans~~, and other similar vehicles. The term "truck" shall be construed to mean "Heavy Load Commercial Vehicle" unless specifically stated otherwise.

Light Load Commercial Vehicle

A self-propelled vehicle having ~~no more than 2 axles such as pick-up truck or van but excluding recreation vehicles and vehicles designed for commercial hauling or for the moving of home furnishings and similar articles~~ a Manufacturer's Recommended Gross Vehicle Weight (GVW) of less than or equal to 11,000 pounds including, but not limited to, a pick-up truck or van. This definition excludes personal vehicles.

Merchandise Display

The outside exhibition of goods and materials for immediate sale or rental; and excluding the storage of vehicles, heavy machinery, or light commercial vehicles.

Motor Personal Vehicle

~~Any vehicle designed to carry one or more persons, which is propelled or drawn by mechanical power, such as automobiles, trucks, motorcycles, and buses.~~ A movable device propelled or drawn by mechanical power designed to carry one or more persons, not to exceed 22 feet in length, such as automobiles, pick-up trucks, motorcycles, mopeds, all-terrain vehicles (ATVs), and golf carts. This definition excludes light and heavy commercial vehicles.

Motorcycle

A vehicle, other than a tractor, that is equipped with a rider's saddle and designed to have, when propelled, not more than 3-wheels on the ground. ~~A usually 2-wheeled, self-propelled vehicle having one or 2 saddles or seats and which may have a sidecar attached. For purposes of this ordinance, motorbikes, motor scooters, mopeds, and similar vehicles are classified as motorcycles.~~

Motorcycle Sales/ & Service

The display, sale, ~~and servicing, including~~ and repair work, of motorcycles.

Office (Showroom/Warehouse)

An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area. This designation does not include service contractor ~~(with storage yard).~~

Open Storage and Outside Display

The ~~storage or exhibition~~ keeping outside of goods, materials, containers, vehicles, trailers, or other equipment on a lot or tract.

Paved

A solid and continuously firm concrete or asphalt surface or other material approved by the Director of Engineering.

Recreational Vehicle (RV)

A portable vehicle designed for temporary or short-term occupancy and primarily intended for travel, recreational, and vacation usage. Recreational vehicles include, but are not limited to, boats and other marine vehicles, travel and tent trailers, pickup campers and shells, motorized travel units (motor homes), converted buses, and similar vehicles used for temporary portable housing or recreational use.

Recreational Vehicle Parking Lot/Garage

An area or structure designed for the ~~short- or long-term~~ parking of recreational vehicles for sale, distribution, or storage purposes.

Recreational Vehicle Sales & Service

Retail sales, renting, leasing, and repair of new or pre-owned recreational vehicles.

Service Contractor (no storage yard)

~~Establishments whose primary activity is the provision of services for the construction, maintenance, cleaning, or repair of buildings and properties on a fee or contract basis. Service contractors may include, but are not limited to, plumbing, heating and air conditioning, construction, and landscape maintenance services with no outside storage of equipment, goods, and materials.~~

Service Contractor (with storage yard)

~~A service contractor with an open storage area for goods, materials, and equipment, including trailers designed to be towed, associated with the conduct of the business.~~
An establishment whose primary activity is the provision of services for the construction, maintenance, cleaning, or repair of buildings and properties on a fee or contract basis. Service contractors may include but are not limited to, plumbing, heating, and air conditioning, construction, and landscape maintenance services.

Restaurant (Drive-in)

An eating establishment where primarily food or drink is served to customers in ~~motor~~ personal vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in ~~automobiles~~ personal vehicles on or near the restaurant premises.

Temporary Parking

Parking of an operable vehicle for a reasonable period of time considering the primary use of the lot and consistent with Article 16.

Theater (Drive-in)

An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in ~~automobiles~~ personal vehicles.

Trailer Rental

~~The display and offering for rent of trailers designed to be towed by light load vehicles.~~

Truck

A heavy-load commercial vehicle unless specifically stated otherwise.

Truck Parking Lot

Area for parking heavy load commercial vehicles and/or trucks for sale, distribution, or storage purposes.

Truck Sales (Heavy Truck)

The display, sale, or rental of new or used heavy load commercial vehicles or trucks in operable condition.

Truck/Bus Leasing

The rental of new or used panel trucks, vans, trailers, recreational vehicles, or motor-driven buses in operable condition and where no repair work is done.

Truck/Bus Repair

An establishment providing major and minor ~~automobile~~ vehicle repair services to heavy load commercial vehicles.

Vehicle

A moveable device propelled or drawn by mechanical power designed to carry one or more persons or property.

Section 10.400 (R, Retail District) of Article 10 (Nonresidential Districts)

10.400 R, Retail District**.6 Special District Requirements****A. Automobile Vehicle Fueling Stations**

For ~~automobile~~ vehicle fueling stations, canopies shall be considered as an accessory structure and shall be included in all calculations of lot coverage.

A maximum 30% of the lot may be covered by the primary and/or accessory structures.

Section 10.500 (LC, Light Commercial District) of Article 10 (Nonresidential Districts)

10.500 LC, Light Commercial District**.1 Purpose**

The LC district is intended to provide for a wide array of retail, office, and service uses to meet the needs of local residents and businesses. Some ~~automobile~~ vehicle-related uses and limited assembly, which address local service and employment opportunities are also included in LC districts.

.6 Special District Requirements

A. For ~~automobile~~ vehicle fueling stations, canopies shall be considered as an accessory structure and shall be included in all calculations of lot coverage. A maximum 30% of the lot may be covered by the primary and/or accessory structures.

Section 10.900 (CB-1, Central Business-1 District) of Article 10 (Nonresidential Districts)

10.900 CB-1, Central Business-1 District

.5 Special District Requirements

A. Miscellaneous

vii. For ~~automobile~~ vehicle fueling stations, canopies shall be considered as an accessory structure and should be included in all calculations of lot coverage. (A maximum 30% of the lot may be covered by the primary and/or accessory structures)

Section 10.1000 (CE, Commercial Employment District) of Article 10 (Nonresidential Districts)

10.1000 CE, Commercial Employment District

.6 Special District Requirements

A. Miscellaneous

ix. For ~~automobile~~ vehicle fueling stations, canopies shall be considered as an accessory structure and should be included in all calculations of lot coverage. (A maximum 30% of the lot may be covered by the primary and/or accessory structures)

C. Location of Uses

iii. ~~Automobile~~ Vehicle Fueling Station

a. No ~~automobile~~ vehicle fueling station shall be located within 400 feet of any residential structure and no residential structure shall be located within 400 feet of any ~~automobile~~ vehicle fueling station.

b. No ~~automobile~~ vehicle fueling station shall be located within 400 feet of any area zoned residential by the City of Plano or shown as residential on the then existing Land Use Plan of the City of Plano.

c. Such distances shall be measured as the shortest possible distance in a straight line from the closest point of the ~~automobile~~ vehicle fueling station to the closest point of the residential structure or area, as the case may be. Notwithstanding the foregoing, such uses may be located in closer proximity by specific use permit.

Section 10.1100 (RC, Regional Commercial District) of Article 10 (Nonresidential Districts)

10.1100 RC, Regional Commercial District

.6 Special District Requirements

The design and orientation of buildings and related elements shall be in accordance with the following:

A. Loading docks or spaces, trash collection facilities (dumpsters, compactors, and related devices), and ~~automobile~~ vehicle or truck service bays shall be located a minimum of 100 feet from rights-of-way of Type C and above thoroughfares that form a boundary between an RE district and adjacent zoning districts. The Planning & Zoning Commission may require wing walls or other techniques to visually screen loading docks or spaces, trash collection facilities and service bays from surrounding streets. In addition to the requirements for placement and screening of these facilities as outlined above and in *Article 16* and *Article 20*, any loading docks or spaces, trash collection facilities, or service bays which face toward the parallel Type C and above thoroughfares and which are not blocked from view by a building or other structure shall be screened by increased landscaping requirements. In such instances, a 50-foot landscape edge will be required for the full length of the lot or parcel under development. Earthen berms of at least 4 feet in height, as measured from the finished grade of the lot, shall be placed within the landscape edge. The berms shall have a maximum slope of 4 to 1, requiring at least 4 feet of horizontal width for every one foot in vertical height. The berms may be placed within the required front yard only when used to screen loading spaces, trash collection facilities, and service bays. The landscape edge shall include one 3-inch caliper shade tree and one ornamental tree (7-foot planted height) per 25 feet of frontage on specified thoroughfares. Drive-ways may extend through the landscape edge if they meet the city's requirements for location, design, and traffic visibility.

Section 10.1200 (RE, Regional Employment District) of Article 10 (Nonresidential Districts)

10.1200 RE, Regional Employment District

.6 Special District Requirements

A. The design and orientation of buildings and related elements shall be in accordance with the following:

i. Loading docks or spaces, trash collection facilities (dumpsters, compactors, and related devices), and ~~automobile~~ vehicle or truck service bays shall be located a minimum of 100 feet from rights-of-way of Type C and above thoroughfares that form a boundary between an RE district and adjacent zoning districts. The Planning & Zoning Commission may require wing walls or other techniques to visually screen loading docks or spaces, trash collection facilities, and service bays from surrounding streets. In addition to the requirements for placement and screening of these facilities as outlined above and in *Article 16* and *Article 20*, any loading docks or spaces, trash collection facilities, or service bays which face toward the parallel Type C and above thoroughfares and which are not blocked from view by a building or other structure shall be screened by increased landscaping requirements. In such instances, a 50-foot landscape edge will be required for the full length of the lot or parcel under development. Earthen berms of at least 4 feet in height, as measured from the finished grade of the lot, shall be placed within the landscape edge. The berms shall have a maximum slope of 4 to 1, requiring at least 4 feet of horizontal width for every one foot in vertical height. The berms may be placed within the required front yard only when used to screen loading spaces, trash collection facilities, and service bays. The landscape edge shall include one 3-inch caliper shade tree and one ornamental tree (7-foot planted height) per 25 feet of frontage on the specified thoroughfare. Driveways may extend through the landscape edge if they meet the city's requirements for location, design, and traffic visibility.

Section 10.1400 (LI-1, Light Industrial-1 District) of Article 10 (Nonresidential Districts)

10.1400 LI-1, Light Industrial-1 District

.6 Special District Requirements

A. See Sec. 23.300 for provisions governing the use of metal and membrane building materials.

B. For ~~automobile~~ vehicle fueling stations, canopies shall be considered as an accessory structure and should be included in all calculations of lot coverage. (A maximum 30% of the lot may be covered by the primary and/or accessory structures for ~~automobile~~ vehicle fueling stations)

Section 10.1500 (LI-2, Light Industrial-2 District) of Article 10 (Nonresidential Districts)

10.1500 LI-2, Light Industrial-2 District

.6 Special District Requirements

A. See Sec. 23.300 for provisions governing the use of metal and membrane building materials.

B. For gasoline ~~automobile~~ vehicle fueling stations, canopies shall be considered as an accessory structure and should be included in all calculations of lot coverage. (A maximum 30% of the lot may be covered by the primary and/or accessory structures for ~~automobile~~ vehicle fueling stations)

Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards)

13.500 Yard Regulations

.2 Front Yard Regulations

J. Automobile Vehicle fueling station pump islands shall not be located closer than 39 feet to the front property line. Canopies for pump islands shall have a minimum setback of 20 feet from the front property line when the canopy thickness is 3 feet or less. An increased setback of 10 feet will be required for each additional foot or portion of a foot in excess of 3 feet.

Subsection 13.900.4 (Donation Containers) of Section 13.900 (Accessory Building Regulations) of Article 13 (Lot and Building Standards)

.4 Donation Containers

- A. The use of donation containers for storage purposes is restricted per the following:**
- i. Containers must not be located within any residential lot, required parking space, easement, or within building setbacks.**
 - ii. Containers must be stored on a paved surface.**
 - iii. The number of containers must not exceed two per lot or cover more than a maximum of 360 square feet, whichever is more restrictive.**
 - iv. Containers must not exceed a maximum height of 6 feet unless part of an enclosed vehicular trailer, which may be a maximum of 14 feet.**
 - v. All goods and materials must be screened from view within the containers.**

Section 14.100 (Residential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications)

14.100 Residential Districts Use Table

.2 The first column of the residential districts use table contains an alphabetical listing of use types. The second column of the use table assigns use types to broader “use categories.” The use categories are as follows:

Use Category	Abbreviation
Accessory and Incidental Uses	Accessory & Incidental
Automobile <u>Vehicle</u> and Related Uses	Auto <u>Vehicle</u> & Related
Commercial, Manufacturing, and Industrial Uses	Comm., Mfg. & Ind.
Educational, Institutional, Public, and Special Uses	EIPS
Office and Professional Uses	Office & Prof.
Primary Residential Uses	Primary Res.
Retail Uses	Retail
Service Uses	Service
Transportation, Utility, and Communications Uses	Trans., Utility, & Comm.
Wholesale Uses	Wholesale

Recreational Vehicle Sales and Service	Auto Vehicle & Related																
Service Contractor (no storage yard)	Service																
Service Contractor (with storage yard)	Service																
Storage, Open	EIPS																
Trailer/Mobile Home Display and Sales	Service																

Section 14.200 (Nonresidential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications)

14.200 Nonresidential Districts Use Table

.2 The first column of the nonresidential districts use table contains an alphabetical listing of use types. The second column of the use table assigns use types to broader “use categories.” The use categories are as follows:

Use Category	Abbreviation
Accessory and Incidental Uses	Accessory & Incidental
Automobile Vehicle and Related Uses	Auto Vehicle & Related
Commercial, Manufacturing, and Industrial Uses	Comm., Mfg., & Ind.
Educational, Institutional, Public, and Special Uses	EIPS
Office and Professional Uses	Office & Prof.
Primary Residential Uses	Primary Res.
Retail Uses	Retail
Service Uses	Service
Transportation, Utility, and Communications Uses	Trans., Utility, & Comm.
Wholesale Uses	Wholesale

NONRESIDENTIAL ZONING DISTRICTS

Permitted Uses	Use Category	O-1 - Neighborhood Office	O-2 - General Office	R - Retail	LC - Light Commercial	CC - Corridor Commercial	UMU - Urban Mixed-Use	BG - Downtown Business/Government	CB-1 - Central Business-1	CE - Commercial Employment	RC - Regional Commercial	RE - Regional Employment	RT - Research/Technology	LI-1 - Light Industrial-1	LI-2 - Light Industrial-2
Automobile Vehicle-Dealer (New)	Auto Vehicle & Related				S,R	R			S,R	S,R	S,R			R	R
Automobile Vehicle Dealer (Used)	Auto Vehicle & Related				S,R	S,R			S,R					R	R
Automobile Vehicle Leasing and Renting	Auto Vehicle & Related			S R	R	R			S R	R	S R		R 33	R	R
Automobile Vehicle Parking Lot/Garage (Commercial Primary)	Auto Vehicle & Related		P	P	P	P	P	P	P	P	P	P	31	P	P
Automobile Vehicle Parts Sales (Inside)	Auto Vehicle & Related			P	P	P			P		P			P	P
Automobile Vehicle Parts Sales (Outside)	Auto Vehicle & Related														S
Automobile Vehicle Repair (Major)	Auto Vehicle & Related				R 33	R 33			R 33	R 26 33				R 33	R 33
Automobile Vehicle Repair (Minor/Fueling Station)	Auto Vehicle & Related			R 33	R 33	R 33			R 33	R 25 33	R 33			R 33	R 33
Automobile Vehicle Storage	Auto Vehicle & Related				S	S			P					P	P
Compact Construction & Transportation Equipment Sales & Service	Retail			S	R	R			R		S			R	R
Machinery Sales and Storage, Heavy	Retail													P	P
Motorcycle Sales / & Service	Auto Vehicle & Related				R	R			R					R	R
Recreational Vehicle Parking Lot/Garage	Auto Vehicle & Related				28									R	R
Recreational Vehicle Sales and Service	Auto Vehicle & Related				S	S R								R	R
Service Contractor (no storage yard)	Service			P	P	P			P					P	P

NONRESIDENTIAL ZONING DISTRICTS															
Permitted Uses	Use Category	O-1 - Neighborhood Office	O-2 - General Office	R - Retail	LC - Light Commercial	CC - Corridor Commercial	UMU - Urban Mixed-Use	BG - Downtown Business/Government	CB-1 - Central Business-1	CE - Commercial Employment	RC - Regional Commercial	RE - Regional Employment	RT - Research/Technology	LI-1 - Light Industrial-1	LI-2 - Light Industrial-2
Service Contractor (with storage yard)	Service				8									P	P
Storage, Open	EIPS			7 24	7 24	7 24		7 24	7 24	7 24	7 24			P 7	P 7
Trailer/Mobile Home Display and Sales	Service													P	P

Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications)

The residential and nonresidential district use tables contain numbered notes that apply to some uses in some districts. The following table provides further explanation of those numbered notes

Number	End Note
7	Permitted as a primary use. See Article 19.
24	Allowed as a secondary use only to automobile and related uses as listed in the use table. Permitted as an accessory use to a primary use on the same lot. See Article 19.
25	Permitted in the CE district. (See Sec. 10.1000)
26	Permitted as an accessory use but not as a primary use.
28	Allowed by specific use permit as a primary use; allowed by right as an accessory use to other storage
31	Permitted as an accessory use to motel/hotel.
33	Fueling dispensing and/or car washing facilities associated with this use may be prohibited when in proximity to residential districts. See Residential Adjacency Standards of Article 21.
46	Dispensing of automobile vehicle fuels is not allowed.

Sections 16.500 (Parking Area Standards) of Article 16 (Parking and Loading)

16.500 Vehicle Parking and Storage Area Standards

.1 Unless noted otherwise in this section, all required vehicle parking, storage spaces, and loading areas, together with driveways and maneuvering aisles, and additional parking areas ~~which are routinely and customarily used on a daily or weekly basis~~ shall be a paved with a concrete or asphalt surface. Driveways and maneuvering aisles associated with single-family residences, farms, dairies, and ranches within the Agricultural and Estate Development zoning districts may be gravel construction. No minimum paving standard is required for parking areas for special events and seasonal sporting events or overflow

parking beyond required parking for religious facilities. Paving and drainage shall be in accordance with city standards. Alternative pavement and drainage design intended to improve storm water quality and/or intended to decrease storm water quantity will be considered if submitted as part of a site-specific storm water management plan per *Article 18*. Alternative pavement and drainage design shall be subject to approval by the City Engineer. All ~~parking areas~~ paved surfaces shall be maintained in good condition, free of potholes and other deterioration.

- .2 Except as noted above, any new vehicle parking or storage area construction or expansion of an existing vehicle parking or storage area shall be constructed of a paved surface concrete or asphalt. Properties with existing parking areas not constructed of a paved surface concrete or asphalt shall conform to these requirements upon a change of property use or tenant. Alternative pavement and drainage design intended to improve storm water quality and/or intended to decrease storm water quantity will be considered if submitted as part of a site-specific storm water management plan per *Article 18*. Alternative pavement and drainage design shall be subject to approval by the City Engineer. Section 16.700 (Off-Street Parking Schedule) of Article 16 (Parking and Loading)

16.700.2 Off-Street Parking Schedule

D. The excess parking is in elevated or below-grade parking structures subject to area, yard, and bulk requirements in this ordinance.

Parking Space Schedule for Nonresidential Uses in all Districts Use

Use	Minimum Required Off-Street Parking
Fueling Station, <u>Automobile Vehicle</u>	Minimum of 6 spaces (No maximum number of parking spaces.)

Standards for Uses Listed in the Use Tables of Sec. 14.100 and Sec. 14.200, not Matched with a Parking Requirement Above

General Use Category	Parking Space Requirements
<u>Automobile Vehicle</u> and Related Uses	One space per employee plus one space per stored vehicle

Subsection 17.100.1 (Landscaping along Street Rights-of-Way) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation)

17.100 Nonresidential Landscaping Requirements

.1 Landscaping along Street Rights-of-Way

- B. Automobile Vehicle bumpers shall not overhang into the landscape edge. If the parking stalls adjacent to the landscape edge are 18 feet deep, an additional 2 feet of landscape area shall be required. The additional 2 feet of landscape area shall not be included in calculating the required landscape edge requirements.

Article 19 (Open Storage and Outside Display)

This Article is to be deleted in its entirety and adopted as follows:

Article 19 Open Storage and Merchandise Display

- 19.100** **General Requirements for Open Storage**
- 19.200** **Screening Requirements for Open Storage**
- 19.300** **General Requirements for Merchandise Display**

19.100 **General Requirements for Open Storage**

- .1** **Open storage must be designated on an approved site plan.**
- .2** **Open storage must not be placed:**
 - A.** **Within any required building setbacks;**
 - B.** **Within parking spaces, fire lanes, easements, maneuvering aisles, customer pick-up lanes, or loading zones;**
 - C.** **So as to obstruct visibility or interfering with pedestrian or vehicular circulation;**
 - D.** **On the roof of any structure; and**
 - E.** **So as to exceed the height of required screening, except for the open storage of living plants and trees.**
 - F.** **At the front of the primary building in R and RC districts.**
- .3** **The maximum permitted area of open storage is as follows:**

<u>Use</u>	<u>Maximum Storage Area</u>
<u>Accessory</u>	<u>5% of the total lot area or 20% of the main building gross floor area, whichever is more restrictive</u>
<u>Garden Center or Nursery</u>	<u>50% of the total lot area</u>
<u>Primary</u>	<u>90% of the total lot area</u>

- .4** **Open storage must be screened as required in Sec. 19.200.**
- .5** **Open storage items must be stored on a paved surface, and associated access and maneuvering drives must be constructed of a paved surface. In LI-1 or LI-2 zoning districts, or for freestanding garden center and nursery uses, open storage items, except vehicles, may be placed on a gravel surface or similar permeable surface.**

- .6 Restaurant uses may store a maximum of one cord of firewood in a rack, off the ground, placed immediately adjacent to the rear or side facade of the primary structure, not to exceed 4 feet in height. Firewood stored in accordance with the above requirements is not required to be screened.
- .7 Vehicle storage is open storage except when:
- A. Temporarily parked in a parking space consistent with Article 16 on a lot with a permitted and directly associated primary use;
 - B. Fleet or rental vehicles are staged or stored on a lot with a permitted and directly associated primary use and consistent with the approved site plan;
 - C. Located at minor vehicle repair uses temporarily stored for a reasonable period of time considering the circumstances;
 - D. Operable vehicles for sale are staged or stored at vehicle dealer uses on a lot with a permitted vehicle dealer use consistent with the approved site plan.
- .8 Seasonal open storage must meet the requirements of the Itinerant Vendors ordinance where applicable.

19.200 Screening Requirements for Open Storage

- .1 Open storage must be screened as follows:
- A. In the LI-1 and LI-2 districts, storage must be screened from the view of streets by the primary building, a masonry wall, and/or an irrigated evergreen living screen.
 - B. In all other districts, storage must be screened from view of streets and other properties by the primary building, a masonry wall, and/or irrigated evergreen living screen.
- .2 The height of a screening wall must be a minimum of 6 feet and maximum of 8 feet.
- .3 Plantings used for a landscape screen shall be placed so as to create at least a 6-foot tall solid screen within 2 years of their installation. All landscaping shall be irrigated with an automatic sprinkler system and maintained in a healthy and growing condition.
- .4 Wood fencing and/or chain link with slats are not permitted methods of screening.
- .5 Gates at maneuvering aisles are not required to be of solid construction.

.6 Masonry screening walls must be consistent in design, color, and materials with the primary building.

.7 The Planning & Zoning Commission may waive these requirements if no public purpose would be served by the construction of a required screen, or natural features (i.e. vegetation or topography) exist that sufficiently screen the open storage.

19.300 General Requirements for Merchandise Display

.1 Merchandise display must be placed within 10 feet of the front facade of the primary structure and must not exceed 4 feet in height.

.2 If the items are placed on a sidewalk or other pedestrian area, a 6-foot wide pedestrian path must be maintained through and adjacent to the outside display area. The pedestrian path must be concrete or asphalt and may not be located within off-street parking areas, including parking spaces, fire lanes, easements, maneuvering aisles, customer pick-up lanes, and loading zones.

.3 Nothing in this article shall prohibit temporary open storage of merchandise for display and sale during a sidewalk sale. A 4-foot wide clearance shall be provided along the public sidewalk and a 6-foot clearance shall be provided on the sidewalk around the building.

.4 Seasonal merchandise display must meet the requirements of the Itinerant Vendors ordinance where applicable.

Section 21.300 (Definitions) of Article 21 (Residential Adjacency Standards)

21.300 Definitions

Vehicular Service Bays

Any partially or fully enclosed space used for major or minor automobile vehicle repair, truck and bus repair, or similar activities.

Individual Service Speakers

Speakers used to conduct business with individual customers outdoors or in a partially enclosed structure including, but not limited to:

- Drive-through payment windows,
- Drive-through restaurant ordering boards,
- Automobile Vehicle fueling station pump islands, and
- Car washes.