

**Sec. 21.8.9. Outdoor Display and Storage.**

A. Outdoor display and temporary outdoor storage shall be allowed in Non-residential Districts in accordance with this section. Any merchandise, material or equipment situated outdoors in Non-residential Districts shall be subject to the requirements of this section. For the purpose of this section, outdoor storage and display shall be classified into two (2) categories enumerated as shown below.

Category	OP	NS	GB and PUB	GB-2, M-1 and M-2
Outdoor Display and Temporary Outdoor Storage	-	P	P	P
General Outdoor Storage	-	-	-	P

(P) = Use is permitted in district indicated

(-) = Use is prohibited in district indicated

B. *Categories of outdoor storage and display.*

1. *Outdoor Display and Temporary Outdoor Storage.* Outdoor display and temporary outdoor storage are displays of items actively for sale or lease that are lightweight and that individually can be easily moved without a mechanical lifting device.
  - a. Outdoor display and temporary outdoor storage of goods in individual packaging and not in storage containers which are associated with the primary business on the site may be allowed adjacent to a front principal building wall and may not extend into the public right-of-way. Such storage shall not be permitted to block windows, entrances or exits, and shall not impair the ability of pedestrians to use the building.
  - b. Areas intended for outdoor display must be paved and painted to distinguish them from required off-street parking areas. No outdoor displays shall be allowed in off-street parking areas or fire lanes.
2. *General Outdoor Storage.*
  - a. General outdoor storage consists of all remaining forms of outdoor storage not classified as outdoor display including items of a large size, mass or volume and that are not easily moved or carried such as used tires, railroad ties, discarded inventory, storage pallets, shipping containers, temporary portable storage facilities/containers and semi trailers not attached to a truck.
  - b. General outdoor storage is prohibited within the public right-of-way or fire lane.
  - c. General outdoor storage shall not be allowed in off-street parking spaces.
  - d. General outdoor storage items shall not exceed a maximum of 20 feet (20') in height.
  - e. General outdoor storage items shall be completely enclosed or shall be moved to the rear of the structure, but in no event shall general outdoor storage items be visible from public right-of-way.
3. *Outdoor Display and Storage Requirements.*
  - a. All outdoor display and storage areas must be clearly shown on the Site Plan submitted for the property.

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- b. Unless specifically authorized elsewhere in the City's ordinances, all outdoor display and storage areas shall be located outside the public right-of-way.

4. *Exceptions.*

- a. Vehicles for sale as part of a properly permitted vehicle sales use (including boats and manufactured housing) shall not be considered merchandise, material or equipment subject to the restrictions of this section.
- b. Such vehicles must be located and displayed on a paved vehicle use area and clearly indicated on the Site Plan.
- c. Flea markets, open air markets, farmer's markets with a permanent Certificate of Occupancy for such use are not subject to the restrictions of this section.
- d. Vehicles awaiting repair, food trucks and trailers associated with a business may apply for a permit to allow parking on an unpaved area for a period not to exceed six months during construction or unique circumstances.
  - 1) The City Manager or his/her designee shall receive applications, documentation and issue permits for the temporary parking on an unpaved areas during construction or other unique circumstances such as parts shortages as the result of a pandemic.

C. *Effective Dates.*

1. *Temporary Limited Non-Conforming Use.* Outdoor displays or outdoor storage (temporary or general) described in subsection 21.8.9.B. located on a site on April 30, 2010; in compliance with the provisions of this UDC as in effect on April 12, 2010; and in good working order and actively being used for its intended display or storage purpose on April 30, 2010 may remain in the same location on such site, notwithstanding the provisions of subsection 21.8.9.B. until the earliest to occur of the following:
  - a. the removal of such display or storage from its precise location on April 30, 2010; or
  - b. the failure of the property owner or lessee or the owner of such display or storage to operate or use such display or storage in the manner intended and in effect on April 30, 2010 for a period of three (3) consecutive business days; or
  - c. the reduction in height of any such display or storage that would be governed by subsection 21.8.9.B.2.d. to less than 20 feet (20'); or
  - d. the destruction or damage of such display or storage to the extent of twenty-five (25%) or more of its area or value; or
  - e. *December 31, 2013.* During such period, the property owner or lessee or the owner of such display or storage may perform minor repair or maintenance of such display or storage and may replace any unit of such display offered for sale or lease that is sold or leased with a like unit offered for sale or lease but shall not substitute other types of items for sale or lease in such display, and shall not replace, enlarge or substitute storage facilities or storage areas that do not comply with subsection 21.8.9.B. In all events, none of such displays or storage shall be in a condition of disrepair or non-operation.
2. *Other Outdoor Displays or Outdoor Storage.* Outdoor displays and outdoor storage not described in subsection 21.8.9.C.1. shall be in compliance with the provisions of subsection 21.8.9.B. on and after May 1, 2010. Outdoor displays and outdoor storage described in subsection 21.8.9.C.1. shall be discontinued within thirty (30) days after the earliest to occur of the condition described in subsections 21.8.9.C.1.a.—e.