

Memorandum



DATE August 21, 2015

TO Members of the Quality of Life Committee and Environment Committee:
Sandy Greyson (Chair), Tiffinni A. Young (Vice Chair), Mark Clayton, Philip T. Kingston, B. Adam McGough, and Rickey D. Callahan

SUBJECT **Proposed Amendments to Outside Storage Use Provisions**

On August 24, 2015 you will receive a follow up briefing on proposed code amendments to the provisions regulating outside storage as requested at the August 10, 2015 briefing. The proposed amendments focus on the need for screening of outside storage in a more consistent manner, particularly along major thoroughfares. The proposed amendments to the outside storage screening requirements have been recommended for approval by the City Plan Commission.



Ryan S. Evans
First Assistant City Manager

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Rosa Rios, City Secretary
Craig D. Kinton, City Auditor
Daniel Solis, Administrative Judge
Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
David Cossum, Director Sustainable Development and Construction
Rick Galceran, P.E., Director, Public Works
Sana Syed, Public Information Officer

Proposed Amendments to Outside Storage Use Provisions

Quality of Life & Environment Committee

August 24, 2015

Presented by the Department of Sustainable Development and Construction



Purpose

- Follow up on the May 26, 2015 and August 10, 2015 briefings to the committee
- Receive recommendation on proposed revisions to outside storage screening requirements

Background

- January 2014, Staff briefed the **Quality of Life & Environment Committee** and was directed to bring the matter back to **ZOC** for direction on outstanding issues.
- **ZOC** considered the proposed amendments at seven meetings between January 23 and September 18, 2014, and recommended approval on September 18, 2014.
- December 4, 2014, the **City Plan Commission** recommended approval of the proposed amendments.
- May 26, 2015 Staff briefed the **Quality of Life & Environment Committee** on proposed code amendments to the provisions regulating outside storage and was directed to meet with property owners along Lamar Street to discuss the proposed amendments. That meeting was held on June 11, 2015.
- August 10, 2015, Staff briefed the **Quality of Life & Environment Committee** on proposed code amendments to the provisions regulating outside storage and was also directed to provide information on Dallas' existing standards for non-required fencing, research non-required fence standards and materials for residential fences in other cities.

Definition of Outside Storage

The outside placement of an item for a period in excess of 24 hours. Outside placement includes storage in a structure that is open or not entirely enclosed.

Primary Use vs Accessory Use

- A primary use is the main use on a building site for which a certificate of occupancy is issued
- An accessory use is a use customarily incidental to the primary use
 - If conducted outside, should not occupy more than 5 % of the area of the building site
 - If conducted inside, may not occupy more than 5% of the area of the building
- Some uses allow outside storage related to the use at greater percentages (i.e. Building material sales yard and salvage and recycling facilities)

Current Requirements

- Outside storage ***with screening*** is allowed by right in:
 - CS (Commercial Service),
 - LI (Light Industrial),
 - IR (Industrial Research),
 - IM (Industrial Manufacturing), and
 - CA-1 and CA-2 (Central Area districts)
- Outside storage ***without screening*** is allowed in the IM (Industrial Manufacturing) district

Current Requirements

- When required, screening must not be less than 6 feet in height and can consist of any combination of the following:
 - **Fences and walls** - must be brick, stone, concrete masonry, stucco, concrete, or wood
 - **Earthen Berm** - planted with turf or ground cover with a slope not greater than one foot of height for each two feet or width
 - **Landscaping** - evergreen plant material capable of reaching a solid appearance within 3 years
- Metal is not a permitted screening material
- Chain link with slats is generally not a permitted screening material
- Screening is required on all sides, irrespective of adjacent district

Screening

Requirements

Current regulations

- Outside Storage is permitted by right in CS, Industrial and Central Area districts
- Screening required in CS, LI, IR and Central Area districts

CPC Recommendation

- Require Outside Storage to be screened in an IM District:
 - On any side that is within 200 feet and visible from a thoroughfare* or adjacent property not zoned IM

*Thoroughfares are streets designated in the City's thoroughfare plan. Typically arterial or collector streets. Does not include freeways and highways.

Screening

Requirements

Current regulations

- Uses with an outside storage component allowed by right in the IM District
 - Petroleum Product Storage and Wholesale – *Residential Adjacency Review (RAR) could require screening*
 - Sand, Gravel, or Earth Sales and Storage – *RAR could require screening*
 - Organic Compost Recycling Facility - *RAR could require screening*

CPC Recommendation

- Required screening for additional uses that have an outside storage component and are allowed by right in the IM District:
 - Petroleum Product Storage and Wholesale
 - Sand, Gravel, or Earth Sales and Storage
 - Organic Compost Recycling Facility
- Screening would be consistent with the screening proposed for Outside Storage in the IM District

Other Uses with an Outside Storage Component

Organic Compost Recycling Facility



Screening

Materials

Current regulations

- Required screening must not be less than 6 feet in height and can consist of any combination of the following:
 - **Fences and walls** - must be brick, stone, concrete masonry, stucco, concrete, or wood
 - **Earthen Berm** - planted with turf or ground cover with a slope not greater than one foot of height for each two feet or width
 - **Landscaping** - evergreen plant material capable of reaching a solid appearance within 3 years
- Metal is not a permitted screening material
- Chain link with slats is generally not a permitted screening material

CPC Recommendation

- Allow chain link with slats and corrugated sheet metal (that includes a cap, a top and a bottom rail) as additional allowable screening materials for this use in the IM District

Screening



Landscaping

Current regulations

- A perimeter landscape buffer must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists

CPC Recommendation

- Require a landscape buffer between any required screening fence and the adjacent thoroughfare
 - Alternative irrigation may be approved by the director
- Regulation would apply to Outside Storage uses issued certificates of occupancy after the ordinance is adopted

Stacking Height

Current regulations

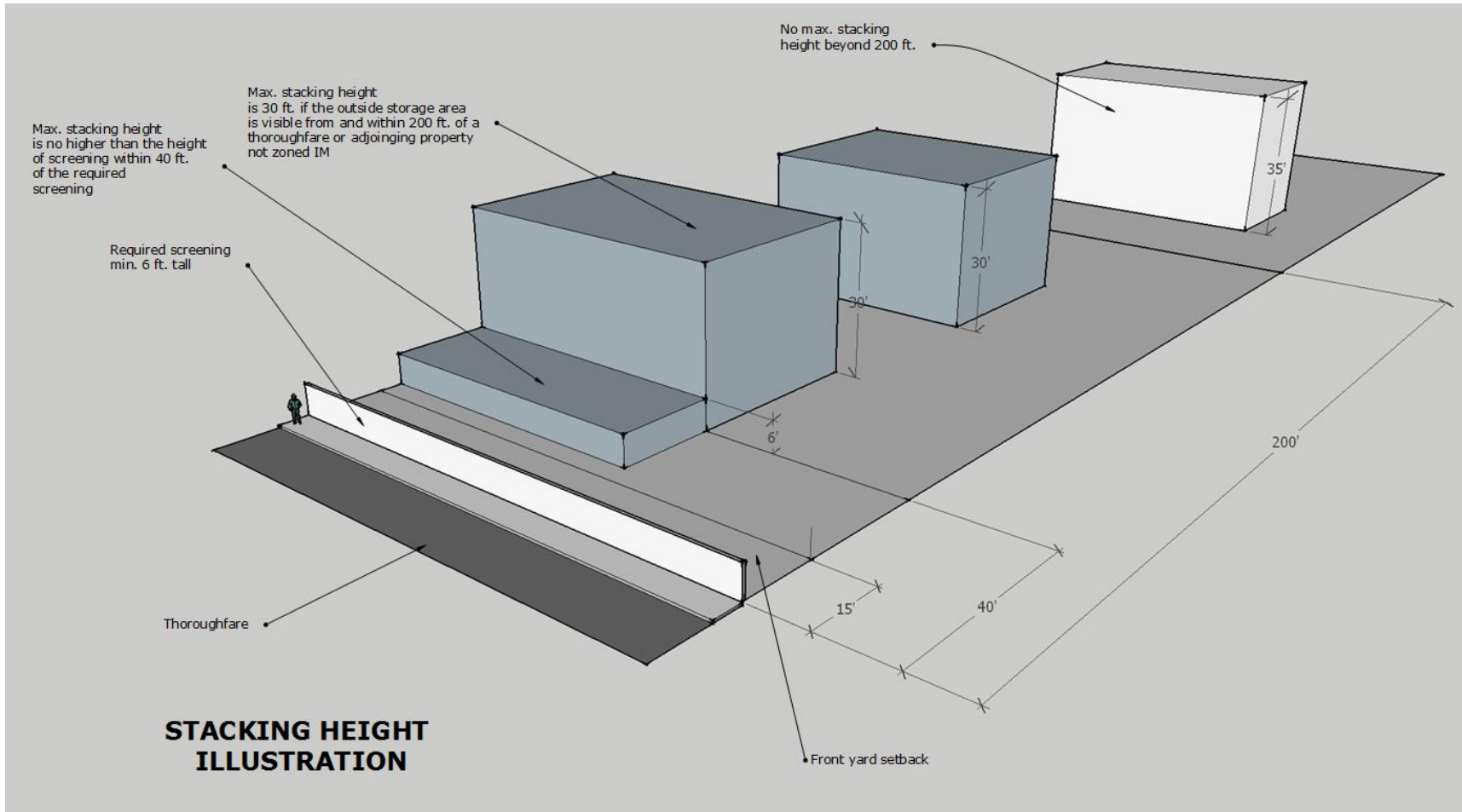
- No restrictions on the stacking height of outside storage

CPC Recommendation

- Maximum stacking height of outside storage within 40 feet of the required screening is no higher than the height of the screening
- Maximum stacking height of outside storage is 30 feet if the outside storage area is visible from and within 200 feet of a thoroughfare or adjoining property not zoned IM
- No maximum stacking height 200 feet or more from a thoroughfare or adjoining property

CPC Recommendation

Stacking Height



Outside Storage Use in CA Districts

Current regulations

- Outside Storage is permitted by right with screening in the CA-1 and the CA-2 Districts

CPC Recommendation

- Require an SUP for Outside Storage as a main use in the CA-1 and the CA-2 Districts
 - Allows for additional scrutiny of this use in these areas

Compliance Periods

- Five year compliance period for screening and stacking height requirements
- No compliance date proposed for landscape buffer requirement

Who will the changes affect?

Existing Business

- Certificate of Occupancy (CO) must list one of the following land uses:
 - Outside Storage
 - Petroleum Product Storage and Wholesale
 - Sand, Gravel, or Earth Sales and Storage
 - Organic Compost Recycling Facility
- Five year compliance period for screening and stacking height requirements
- No compliance date proposed for landscape buffer requirement

New Business

- Must comply after ordinance takes effect

Staff Concerns

- No screening for outside storage from highways in IM districts
 - Staff recommendation, require screening
- Allowing chain link with slats as a screening material along thoroughfares
 - Staff recommendation, only allow slats to bring non-conforming chain link fences into compliance
- SUP requirement for outside storage in IM when exemption from screening requirements sought
 - Staff recommendation, allow exception process through Board of Adjustment similar to other districts

Additional Staff Issues

Outside Salvage and Reclamation



Screening from Highways



Chain Link with Slates



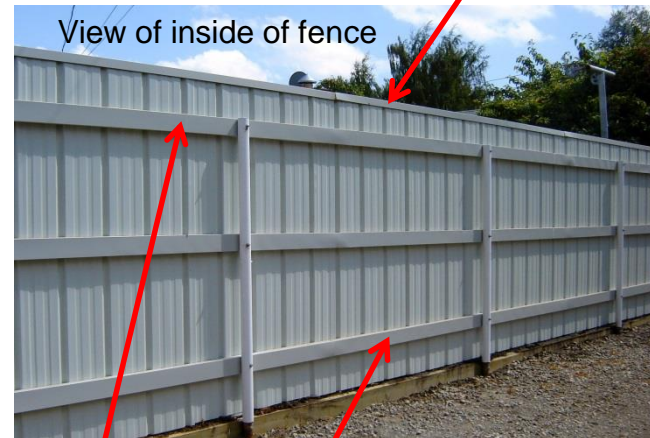
COR-TEN STEEL (US Steel A606 Type 4 or A588) Also know as Weathering Steel

- A group of steel alloys developed to eliminate the need for painting
- Forms a rust-like appearance when exposed to weather over time



Cor-ten material as sculpture
John Carpenter Plaza - 2201 Pacific

Cap & Rail Requirement



Cap provides a finished look

Top and bottom rail provides support

Additional Land Uses in the City of Dallas with an Outside Storage Component

Use	SUP Required	Existing Screening Requirements
Building movers temporary storage yard	Always	Yes*
Metal salvage facility	Always	Yes*
Outside salvage or reclamation	Always	Yes*
Contractors maintenance yard	No	Yes
Vehicle storage lot	Sometimes	Yes
Industrial outside	Sometimes**	No
Organic compost recycling facility	Sometimes	No
Petroleum Product Storage and Wholesale	Sometimes	No
Sand, gravel or earth sales and storage	Sometimes	No

* Corrugated sheet metal & chain link with metal strips is allowed as a screening material

** If this use is potentially incompatible, it is permitted by SUP only in the IM district

Outside Storage Screening Requirements in Neighboring Cities

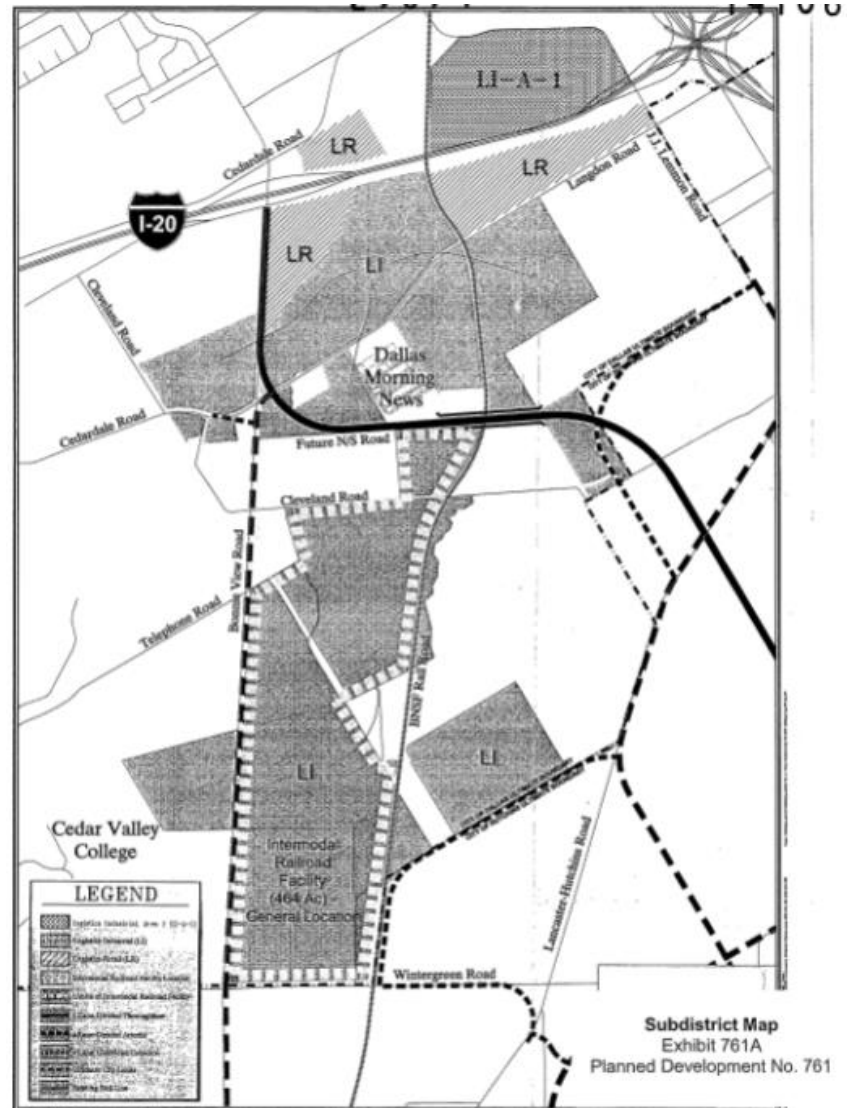
City	Screening Required	Min. Screening Height	Stacking Height Limited	Screening Materials Specified
Arlington	✓	✓	✓	✓
Cedar Hill	✓	✓		✓
Desoto	✓	✓	✓	✓
Duncanville	✓	✓		✓
Garland	✓	✓		✓
Town of Sunnyvale	✓	✓		✓

Outside Storage Screening Requirements in Neighboring Cities

City	Screening Required	Min. Screening Height	Stacking Height Limited	Screening Materials Specified
San Antonio	✓	✓	✓	✓
Fort Worth	✓	✓	✓	✓
Richardson	Outside Storage is not permitted as a main use			
Grand Prairie	✓	✓		✓
Lancaster	✓	✓	✓	
Mesquite	✓	✓	✓	✓
Plano	✓	✓	✓	✓

Appendix

PD 761 – Dallas Logistics Port Special Purpose District



PD 761 – Dallas Logistics Port Special Purpose District

- **Max. stacking height of outside storage is 30-ft.**
- **Max. stacking height of outside storage *within 40-ft of screening is 8-ft.***
- **Screening required for outside storage if visible from:**
 - Public right-of-way
 - Single family, Duplex or multifamily use or
 - Visible from and within 100 feet of an adjoining property with a use other than a residential or an intermodal railroad facility use.
- **Screening must be a min. of 9 feet in height**
- **Screening must be constructed of:**
 - Brick, stone, or concrete masonry;
 - Earthen berm planted with turf grass or ground cover;
 - Evergreen plant materials (in a bed that is at least 3-ft wide)
 - Any combination of the above
- **Intermodal rail facility exempt from screening requirements**

Outside Storage Screening Requirements in Neighboring Cities - Details

City	Screening Required	Min. Screening Height	Stacking Height	Screening Materials
Arlington	Yes. From public streets and from adjoining property not zoned Light Industrial or Industrial Manufacturing	8 ft.	No materials may be stacked above the top of the screening device	Wood, Masonry Units or Corrugated Metal
Cedar Hill	Yes. From public streets	7 ft. or 1 ft. above the top of the storage materials, whichever is taller	None Specified	Masonry Wall, Berm, Planting enclosure
Desoto	Yes (In Commercial District – 2) from public view	6 ft.	No materials may be stacked above the top of the screening device	Solid Masonry, Chain Link (with solid landscape screening), or Wrought Iron (with solid landscape screening)
Duncanville	Yes. At property line (adjacent to area to be screened)	6 ft.	None Specified	Solid Brick or Masonry; Vinyl; Chain Link (with solid landscape screening. Slats, fabric or other materials woven or attached to chain link fences shall not be permitted); Wrought Iron (with solid landscape screening)

Outside Storage Screening Requirements in Neighboring Cities - Details

City	Screening Required	Min. Screening Height	Stacking Height	Screening Materials
Garland	Yes. From public streets and adjacent residential districts	6 ft.	None Specified	Masonry Walls; Earthen Berms (vegetated with lawn grass or groundcover within 2 years); Live Screening (hedgerow of evergreen shrubs that will grow to or exceed the min. height planted in a minimum 3-ft wide bed)
Town of Sunnyvale	Yes. From public ROW and from adjacent property	6 ft. or 8 ft. (next to residential uses)	None Specified	Chain Link with ¼" slats (allowed in industrial districts); Solid Masonry (adjacent to residential); Landscaped Berms; Living Fence (a combo of planted materials and fencing that forms an opaque screen at least 6-ft tall in two growing seasons)
Lancaster	Yes. From public streets & open space; from abutting residential and from NS, R, CS, CBD or RT districts	Height of what is being stored	No materials may be stacked above the top of the screening device	None Specified

Outside Storage Screening Requirements in Neighboring Cities - Details

City	Screening Required	Min. Screening Height	Stacking Height	Screening Materials
Mesquite	Yes. On front and exterior property lines; rear or interior property lines (adjacent to zones that do not allow outdoor storage); and any side open to public view	6 ft.	No materials may be stacked above the top of the screening device or 8 ft., whichever is less	Wood; Masonry; or Chain Link with ¼" slats
Plano	Yes. From the view of adjacent streets and adjacent properties	6 ft. – 8 ft.	Stacking height may not exceed the height of screening	Masonry; or chain link or ornamental fencing in combination with a landscape screen; or a solid evergreen shrub landscape screen without a fence or wall-evergreen shrubs shall be placed so as to create at least a 6ft tall solid screen within two years of their installation with proper irrigation plans.
San Antonio	Yes. From street view and adjacent residence, office, and commercial districts to a height commensurate with the location and height of the proposed storage	6 ft.	No materials may be stacked above the top of the screening device	Fences or walls shall be 100% opaque and solid; fences may be of ½ inch thickness and of wood, precast concrete, metal, or wrought iron with an adjoining hedge which provides an opaque barrier; Corrugated and galvanized steel or metal sheets shall not be permitted. Walls may be concrete, concrete block with stucco finish, masonry, stone or a combination of these materials. Solid landscaping within the buffer yard to completely screen the use.

Outside Storage Screening Requirements in Neighboring Cities - Details

City	Screening Required	Min. Screening Height	Stacking Height	Screening Materials
Fort Worth	Yes. Storage must be surrounded by a screen fence min of 6ft; in order to screen the storage from public view	6 ft. – 8 ft.	No materials may be stacked above the top of the screening device	Landscape buffer yard that's 20 feet wide, irrigated and shall be provided with three-inch caliper trees with a mature height of 25 feet planted every 20 feet in an overlapping pattern such that the canopy creates a solid visual screening at maturity and live ground cover; Along with an 8 foot masonry wall constructed of brick, stone, split block or concrete cast to simulate such materials.
Richardson	Not permitted as a principal use	N/A	N/A	N/A
Grand Prairie	Yes. With a setback of 25ft from any street right-of-way line.	6 ft.	Concealed from eye-level public view from all areas of a public street r-o-w and from eye-level public view of any residentially zoned property.	Solid masonry wall consisting of brick with decorative stone pilasters every 50 ft., cast stone to be used as a cap at walls, columns and pilasters; or if adjacent to any different land use, the screening wall shall be a solid cement fiberboard wall or a wood screening fence.