



# CITY OF OCEANSIDE

## PLANNING DEPARTMENT

### OUTDOOR DISPLAY OF RETAIL MERCHANDISE

March 1997

The City's zoning ordinances have been modified to include standards for outdoor display of retail merchandise. These modification are found in Section 3020A.2 and are excerpted below for your information. These standards and their implementation within the commercial districts of the City will be reviewed by the City Council after a six month period.

Outdoor display of retail merchandise is allowed within Commercial (C), Industrial (I) and Downtown (D) districts if the outdoor display is in conformance with the standards listed below.

If the proposed outdoor display does not meet the standards listed below, the business owner may apply for an Alternate Outdoor Display Permit. This Alternate Outdoor Display Permit requires specific findings to be made and the approval of the Building Director and the Planning Director or Redevelopment Director. An application for the permit may be obtained from the Planning Department or Redevelopment Department.

#### STANDARDS

- (a) An application is not required if the proposed Outdoor Merchandise Display is consistent with the standards listed below. An application is required for an Alternative Outdoor Display. See (r) below for additional information on processing an Alternative Outdoor Display application.
- (b) The outdoor display area shall not exceed 50% of the building frontage length. If a store fronts on more than one street, only one frontage may be used to display the items. Displayed items shall be identical to items sold within the building onsite. Displays shall be temporary and removed at the end of each business day. Displayed items shall be located within 5 feet of the front building wall.
- (c) Parking lot circulation and required parking spaces shall remain unobstructed at all times. Private sidewalks, courtyards, or entries shall provide a minimum four foot wide pedestrian area clear and unobstructed. Additionally, all fire, building and disabled access requirements shall be met.
- (d) Displayed merchandise shall not impede sight distance requirements.
- (e) Display of merchandise is permitted only by the tenant/owner of an existing business on the site. Display of merchandise on vacant property is prohibited.
- (f) No display of merchandise from cars, trucks, or other vehicles is permitted.
- (g) Signs associated with the display of merchandise are not permitted.
- (h) All displays shall be located within hardscape areas. Displays are not permitted on landscaped or areas not hard-surfaced.

- (i) Displayed merchandise shall not obscure or interfere with any official notice, public safety sign or device.
- (j) All merchandise displayed shall be maintained in a state of order, security, safety and repair. No damaged merchandise shall be displayed.
- (k) No single item taller than 12 feet is permitted. No more than two items may be stacked. Stacking of items above 6 feet is prohibited.
- (l) Items shall not be displayed in bins, boxes or on racks.
- (m) Food and beverage sales are prohibited.
- (n) Lighting of outdoor merchandise displays is prohibited. No electricity shall be utilized by an outdoor merchandise display.
- (o) No noise shall be generated by an outdoor merchandise display.
- (p) The tenant shall maintain the sidewalk and parkway area adjacent to the building in good order and repair and shall keep the area clean.
- (q) Outdoor merchandise displays may be allowed on public property subject to the above standards and the following specific requirements:
  - (1) Display of merchandise within the public right-of-way is permissible only after approval of an encroachment permit issued by the City Engineer.
  - (2) Displayed merchandise shall only be allowed within the four feet of public right-of-way nearest the property line and parallel to the curb in front of the business to which it relates.
  - (3) A minimum four foot wide sidewalk area, clear of any obstructions and in conformance with all fire, building and disabled access requirements, shall be maintained in front of the displayed merchandise.
- (r) Alternatives to the above restrictions may be proposed. Applications for Alternative Outdoor Display shall be submitted on forms provided by the City. The proposed Alternative Outdoor Display is subject to the review and approval of the Building and Planning Director, or Redevelopment Director for alternatives proposed in the Redevelopment Project Area. The alternative shall be renewed at time of business license renewal or issuance. The following findings must be made by the Building and Planning Director, or the Building and Redevelopment Director for projects in the Redevelopment Project Area, to approve the proposed alternative:
  - (1) There is reasonable justification for the alternative proposed.
  - (2) The public health, safety and general welfare are not compromised by the proposed alternative.
  - (3) The alternative is tasteful and assists in creating a top quality shopping environment.

**PLOT PLAN:** Please provide a fully dimensioned plot plan, to scale, of the site and outdoor display area.

**CONDITIONS:** The owner/lessee of the business shall comply with all regulations of the Section 3020A.2 of the Zoning Ordinance (unless specifically modified by this permit) and the additional conditions as listed below:

**APPROVALS**

PLANNING DEPT/  
REDEVELOPMENT DEPT

APPROVED BY:

DATE:

BUILDING DEPARTMENT

APPROVED BY:

DATE:

**CITY OF OCEANSIDE  
PLANNING DEPARTMENT  
REDEVELOPMENT DEPARTMENT  
BUILDING DEPARTMENT**

**APPLICATION  
OUTDOOR DISPLAY  
ALTERNATE PERMIT**

3/97

Business Address:		Permit No.
Business Name:		Date of Application:
Business Owner /Lessee:		APN:
Property Owner:		Phone:
Property Owner Address:		Phone:
Description of Alternate Display Request:		

**JUSTIFICATION LETTER REQUIRED :** An alternative to the outdoor display standards of Section 3020A.2 of the Zoning Ordinance may be applied for with this Alternate Outdoor Display Permit. The proposed Alternative Outdoor Display is subject to review and approval by the Building Director and the Planning or Redevelopment Director. The following findings must be made by the City to approve the Alternative Outdoor Display :

1. There is reasonable justification for the alternative proposed.
2. The public health, safety and general welfare are not compromised by the proposed alternative.
3. The alternative is tasteful and assists in creating a top quality shopping environment.

**PLEASE PROVIDE A JUSTIFICATION LETTER ADDRESSING THE NEED FOR THE ALTERNATE PERMIT AND THE REQUIRED FINDINGS.**

**PLOT PLAN REQUIRED:** Please provide a plot plan on the back of this form showing property lines, structures, doorways, public utilities, sidewalk, parking and landscape areas, proposed display area and all dimensions.

I have read the outdoor display and alternate display standards and agree to comply with them and any specific conditions for my permit at all times. I shall renew my Alternate Display Permit at the time of Business License Renewal.      **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_