

Master Design Program – Outdoor Merchant Display

An application may be made for the use of a portion of the sidewalk area and/or outdoor private property between a storefront and the public right-of-way for outdoor merchant display by the owner of a permitted and fully conforming retail use that occupies a ground floor retail storefront subject to the provisions of the Downtown Specific Plan.

Approval of an application for outdoor merchant display use shall be granted to the applicant only, and shall not be transferable.

Allocation of the Sidewalk Area: Allocation of the sidewalk area for outdoor merchant display use shall be based on and limited to an area directly in front of an individual ground floor tenant frontage. Display areas shall begin at the storefront wall and extend up to five-feet into the sidewalk area and up to 2/3 the length of the storefront to a maximum of 50 square feet (existing private property setbacks between the public right-of-way and a storefront wall are counted toward this maximum; recessed storefront entrance areas on private property are not counted toward this maximum), provided that a minimum six-foot sidewalk corridor is maintained and the use does not extend beyond the individual ground floor tenant frontage. Outdoor merchant displays shall not exceed a height of four feet and shall not block views into primary storefront windows.

General Standards:

Display furnishings (carts, tables, racks, baskets, etc.) shall be of commercial grade. Display furnishings shall reflect high quality design and craftsmanship and be constructed primarily of wood and metal. Plastics shall not be permitted. Display furnishings shall be designed to reflect a traditional character and be compatible with the design of surrounding buildings. Display furnishings shall be properly maintained and cleaned regularly, maintained in a safe, clean, and attractive manner, and shall be stored indoors nightly. Display furnishings are limited to two per permitted outdoor merchant display use.

Where display furnishings are proposed, displayed merchandise shall fit within or upon the display furnishings and shall not be draped from or hang over the sides. Display furnishings and displayed merchandise shall not encroach beyond the permitted use area or overhang pedestrian circulation paths.

Individual items to be displayed and individual display furnishings shall not exceed five-feet in length by three-feet in width (to a maximum of 15 square feet) and shall not exceed four-feet in height. Larger merchandise and display furnishings may be requested where appropriate to the size of the tenant frontage and the merchandise desired to be displayed; however, such requests shall be subject to approval by the Planning Commission. Larger merchandise and display furnishings shall not exceed a maximum of six-feet in height and shall not block views into primary storefront windows.

Merchandise displayed outdoors shall not pose a danger to the public health, safety, or welfare, and shall meet the requirements for appearance, quality, and character as provided within the Downtown Specific Plan. Merchandise shall be required to be folded, stacked, or otherwise arranged in a neat and tidy manner at all times.

Decorative item displays (non-representative of merchandise for sale and non-representative of a corporate image) that enhance the streetscape and promote the District as envisioned in the Downtown Specific Plan may be permitted within the sidewalk area subject to administrative design review or may be referred to the Planning Commission for review and approval of a Zoning Use Permit consistent with the Master Design Program and Zoning Use Permit application procedures specific to outdoor merchant display uses contained within Chapters 6 and 10 of the Downtown Specific Plan. An application for a decorative item display may be made for the use of a portion of the sidewalk area by the owner of a permitted and conforming use (i.e., restaurant, retail, and other uses as defined in Downtown Specific Plan Chapter 5 Downtown Core Plan Area Sections 2.1 and 2.2) that occupies a ground floor storefront. Approval of an application for a decorative item display shall be granted to the applicant only and shall not be transferable.

Streamers, balloons, banners, and other decorative items not specifically permitted herein are prohibited.

Lighting of outdoor displays, signage, and portable heaters are prohibited.

All outdoor merchant display uses shall maintain ingress/egress and pedestrian circulation pursuant to Uniform Building Code and Uniform Fire Code; and shall comply with the following minimum:

- Maintain a minimum five-foot wide access in a direct and straight path to the building entrance clear and unimpeded for ingress and egress.

- Maintain a minimum six-foot wide sidewalk corridor for general pedestrian circulation adjacent to the use.
- Maintain a minimum 15-foot radius from street corner intersections, measured from the back of curb.
- The City may require a minimum six-foot clearance adjacent to City street trees and furnishings within the sidewalk area to allow for use of trash containers and benches by the general public and to allow access for maintenance of planters, trellis structures, street lights and other street furnishings by City maintenance crews. City staff will review each applicant's site plan to determine if additional access or clearance is required.

All outdoor merchant display uses shall meet ADA requirements.

An outdoor merchant display use may be located directly adjacent to another outdoor merchant display use or an outdoor dining use.

Permanent changes to the sidewalk area shall not be permitted. Any City improvements, furnishings, or utilities damaged or destroyed by the outdoor merchant display use shall be replaced to City standards with the cost borne by the use operator.