



APPLICANT'S GUIDE FOR:

# **OUTDOOR DISPLAY AND INCIDENTAL SEATING PERMIT**

## **The Outdoor Display and Incidental Seating Concept**

The City of La Palma's Outdoor Display and Incidental Seating Permit expands display and seating options for businesses located within the Neighborhood Commercial and Multi-use Business zones. The permit is intended to allow businesses within the specified zones to merchandise products and services by allowing a minor ancillary outdoor use in conjunction with an existing business. Incidental outdoor areas should enhance and complement the appearance of commercial storefronts by being attractive and safe. Further information and instructions on the City of La Palma's outdoor display and incidental permit are listed below.

### **Step One: Complete the Outdoor Display and Incidental Seating Permit Application.**

An application can be obtained in the City of La Palma's Community Development Department. A completed application should contain the following.

1. Name of applicant and business
2. Business license number
3. Description of project
4. Completed outdoor area calculation diagram
5. Proof of Liability Insurance
6. Signatures

### **Step Two: Read and determine whether the proposed outdoor area complies with the following requirements and standards.**

#### Sec. 44-1139. Ancillary Outdoor Areas- General Requirements.

All proposed outdoor areas shall conform to the following general requirements:

- (1) Outdoor areas shall be located on a hard and durable surface in a location so as not to impede pedestrian or vehicular ingress/egress to the establishment, and specifically shall not be located within public rights-of-way or create unsafe conditions.

- (2) Outdoor areas shall be located at least 25 feet from any residentially used or zoned property.
- (3) Display items and furniture shall not exceed five feet in height except for accessories providing shade such as canopies and umbrellas.
- (4) Outdoor areas shall not be allowed in areas set aside, required, or designated for driving aisles, driveways, maneuvering areas, emergency access ways, off-street parking, or unloading/loading.
- (5) Outdoor areas shall be permitted only on privately owned walkways where a minimum width of five feet is maintained for pedestrian movement.
- (6) A-frame signs shall not be permitted as part of an outdoor area.
- (7) Outdoor areas shall only be accessory to businesses that conduct most activities within an enclosed building.
- (8) An outdoor area shall not extend into a frontage of a neighboring business.
- (9) Merchandise or accessories shall not be attached to wall surfaces, columns, roofs, or any other part of the building unless approved by the City.
- (10) The permit holder for the outdoor area shall be responsible for keeping the area clean of all trash and litter. Hosing or pressure washing shall not be permitted along sidewalks and walkways.
- (11) The permit holder shall not operate any bell, siren, horn, loudspeaker, flashing lights, or any similar device to attract the attention of possible customers or be a nuisance to the general public.
- (12) All sales shall take place inside of the established business.
- (13) In the event of an emergency or in a situation where necessary circumstances arise, a permit holder shall remove all articles from the sidewalk when directed to do so by any City employee, law enforcement officer, fire official, or emergency medical personnel.
- (14) Outdoor seating, display furniture, and signs shall be of high visual quality and shall enhance the aesthetic character of the surrounding commercial area.
- (15) Chairs and tables shall not be exclusively made of plastic and shall be constructed of a durable material.

- (16) Any change, alteration, or enlargement of an already permitted outdoor area shall require the permittee to submit a new application and plans to the Community Development Department.
- (17) An outdoor area shall be an incidental extension of a legally established commercial business. The approval in no way grants or permits a secondary business that is not in conjunction with the already established business at the subject location.
- (18) Accessories providing shade, such as umbrellas or canopies, shall be of durable fabric and not be composed of nylon taffeta or any other synthetic plastic material unless otherwise approved by the review authority.
- (19) Shades and umbrellas may not be promotional accessories used to advertise or market a service or product. They shall be of a single color and enhance the appearance of the area unless otherwise approved by the review authority.
- (20) The incidental outdoor dining area shall comply with the Americans with Disabilities Act (ADA) and Title 24 handicap accessibility requirements of the California Code.
- (21) The City shall reserve the right to modify or rescind the outdoor display and seating permit at any time and for any circumstances it deems appropriate.
- (22) Only display materials and signs approved on the officially submitted application shall be permitted in association with the outdoor display or seating area.
- (23) Outdoor entertainment shall not be allowed in conjunction with an outdoor area.
- (24) Coin-operated machines, drop off boxes/bins, vending machines, or any other device shall not be permitted as an outdoor display under this division.
- (25) If deemed necessary, the review authority shall have the right to require the applicant to provide stanchions which enhance the appearance of the outdoor area to delineate between the outdoor area and the walkway.
- (26) Signs may be six square feet in area or one-half in area for each linear foot of outdoor area, up to a maximum of 12 square feet of aggregate sign area.
- (27) All outdoor furniture shall be maintained in a high-quality state and remain free of cracks, chips, rips, fading, rust, and other signs of wear.

Sec. 44-140. Outdoor Display Areas; Additional Standards.

Proposed outdoor merchandise displays and signs shall conform to the following standards:

- (1) Display areas shall be limited to cover no more than one-half of the total frontage of a retail business and shall not be located within three feet of a business entrance.
- (2) All display tables shall have a topper and or skirt in order to enhance the appearance of the display furniture.
- (3) The review authority shall have the right to require additional parking as provided in article III, division 4 of this chapter if necessary.
- (4) All outdoor merchandise, displays, and signs shall be moved inside the retail building at any time the business is not in operation or in the event of inclement weather.
- (5) The issuance of a permit for an outdoor display use does not grant or infer vested rights to the use of an incidental outdoor seating area by the permit holder unless explicitly approved by the review authority.
- (6) Outdoor displays shall not be used exclusively to advertise liquidation merchandise and products.

Sec. 44-1141. Outdoor Seating Areas, Additional Standards.

Incidental outdoor seating and dining areas shall conform to the following requirements:

- (1) An incidental outdoor seating area may include, but not be limited to chairs, tables, canopies, and other accessories used for outdoor seating or dining which are specifically indicated on the permit application.
- (2) Seating areas shall not be located within three feet of a business entrance.
- (3) An outdoor seating area shall be limited to:
  - a. A maximum of 20 percent of the number of indoor seats or a maximum of 20 seats, whichever is more restrictive; and
  - b. A maximum of five tables.
- (3) All outdoor seating or signs shall be moved inside a building at any time a business is not in operation unless otherwise permitted by the review authority.
- (5) The issuance of a permit for an outdoor seating use does not grant or infer vested rights to the use of an outdoor display area by the permit holder unless explicitly approved by the review authority.

- (6) No sales or consumption of alcohol shall be allowed in an incidental outdoor seating area.
- (6) No smoking shall be allowed in an incidental outdoor seating area.
- (8) Outdoor furniture shall not be mismatched or in haphazard assembly.

**Goal and Intent of Permit**

The outdoor display and incidental-seating permit regulates aesthetics and safety of incidental outdoor areas. Outdoor displays should be minor extensions of existing businesses. Outdoor displays are not intended to exclusively advertise closeout items or products. The following examples illustrate acceptable and unacceptable samples of outdoor areas.

Unacceptable Outdoor Displays



No distinction between walkway and display.



Merchandise is unorganized and scattered.

The examples above clearly illustrate many of the characteristics that lessen the overall quality of outdoor display areas. The problems illustrated in the example are the following:

1. Outdoor displays are cluttered and unorganized.
2. Display tables do not have a topper or skirt.
3. There is no delineation between the display area and the walkway.
4. The merchandise is stacked upward in an unsafe manner.
5. The displays detract from the attractiveness of the areas.

### Acceptable Outdoor Displays



Rack has wooden hangers, which enhances appearance.



Items are neatly organized on the table.

These examples show outdoor examples of high-quality outdoor displays.

1. The outdoor displays are organized in an orderly manner.
2. The display tables have skirts, which enhances the attractiveness of the area.
3. There is a clear separation between the display area and the public walkway.
4. The display does not overwhelm the storefront.

### Unacceptable Outdoor Seating



Furniture is mismatched and haphazard.



Furniture is adjacent to parking stalls.

These examples illustrate many of the elements that detract from outdoor seating areas. The problems illustrated in the example are the following:

1. There is no clear distinction between the seating area and walkway.
2. Furniture is mismatched and unorganized.
3. Folding chairs do not help to enhance the attractiveness of the seating area or the commercial storefront.
4. Umbrella is composed of cheap synthetic material.

### Acceptable Outdoor Seating



Clear distinction between furniture and walkway.



Furniture matches and enhances overall appearance.

On the other hand, these examples illustrate outdoor seating areas, which enhance the appearance of the areas.

1. Tables and chairs are made of durable construction
2. Furniture is of uniform design.
3. Tables and chairs are organized in an orderly manner
4. Umbrellas are composed of a durable material and are a single color.
5. There is a clear distinction between the pedestrian walkway and the outdoor furniture.

#### Other Unacceptable Outdoor Display



Signs block the pedestrian walkway.



A-frame signs cannot be used as displays.

Other Acceptable Outdoor Display



Outdoor sign has clearance for pedestrian mobility.



Display enhances the appearance of the storefront.

**Step Three: Submit the application**

1. Submit application along with required items to the City of La Palma Community Development Department

*Helpful Tips:*

*Make sure all proper paperwork and requirements are completed and provided.  
Make sure all required signatures are on the application.*

**Step Four: Wait for Community Development Department Review and Approval.**

The Community Development Department will review your application and additional materials and will contact you if further information is required.

For more information contact:

Douglas D. Dumhart, Community Development Director  
(714) 690-3340