

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS 33.507 H, PARAGRAPH 1; 33.509 G, PARAGRAPH 1; 33.510 G, PARAGRAPH 5, 33.511 G, PARAGRAPH 5; 33.901 B; 33.950 E, PARAGRAPH 2 OF THE ZONING ORDINANCE OF THE CITY OF CHULA VISTA RELATING TO OUTSIDE DISPLAYS AND SPECIAL EVENTS

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: That Sections 33.507 H, paragraph 1; 33.509 G, paragraph 1; 33.510 G, paragraph 5 and 33.511 G, paragraph 5 be, and the same are hereby amended to read as follows:

All uses shall be conducted wholly within a completely enclosed building, except for outdoor restaurants, service stations, off-street parking and loading facilities, and other open uses specified under conditional use permits as determined by the Planning Commission. Permanent and temporary outside sales and display shall be subject to the provisions of Section 33.901 B, paragraph 37.

SECTION II: That Section 33.901 B, paragraph 28 is hereby amended by revising subparagraph (f), and adding a new subparagraph (i), to be, and to read as follows:

(f) Outside sales and display shall be restricted to an area beneath a canopy except when specifically approved as part of an approved site plan. Structures used to display merchandise shall be designed to be architecturally compatible with the main building. In no case shall a display area interfere with vehicular circulation or obscure required landscaped areas. Accessory uses may also be stored outside subject to the conditions herein.

(i) All items offered for sale on the site shall be items normally incidental to service station business except accessory uses as provided herein.

SECTION III: That Section 33.901 B is hereby amended by adding thereto a new paragraph 37 and 38 to be, and to read as follows:

37. *Outside Sales and Display, Permanent and Temporary.*

(a) *Permanent.* The permanent outside sales and display of merchandise, including vending machines of all types and coin operated amusements, shall be permitted only when included as part of an approved site plan subject to the conditions herein. Service stations are subject to the provisions of Section 33.901 B, paragraph 28.

The following items shall be considered for outside display:

1. Vending machines of all types;
2. Coin operated amusements excluding games such as pinball machines;
3. Vehicles of all types including boats;

4. Magazines, newspapers and books;
5. Flowers including artificial;
6. Art displays;
7. Plants;
8. Model storage buildings, patios and additions;
9. Any other item which is determined by the Planning Commission to be of the same general character;
10. Any other item specifically approved by the Planning Commission to be displayed in an area specifically designed for said merchandise.

Conditions:

1. Vending machines and coin operated amusements shall whenever possible be within an enclosed area or structure specifically designed to accommodate said items;
2. The outside display shall not interfere with pedestrian or vehicular circulation;
3. Model storage buildings, patios and additions shall not be located in any area facing a major or collector street, or at the main entrance to the building;
4. Plants shall be the only items, in a plant nursery, visible from the street;
5. No outside display shall be of such size or quantity as to alter the architectural appearance of the building.
6. A ten foot (10') landscaped area shall be provided between vehicle display areas and the street.

Any item not located within a building or solid enclosure shall be deemed to be outside display and subject to the conditions herein.

The following merchandise shall be expressly prohibited for outside display:

1. Furniture
2. Clothing
3. Appliances
4. Play equipment
5. Dry goods
6. Soil Additives
7. Tires (excluding service station as provided herein)
8. Used goods (except as provided herein)

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(b) *Temporary*. Temporary outside sales and display of merchandise for a period of twenty-four (24) days in any calendar year, but not exceeding seven (7) consecutive days, shall be permitted upon approval of a Temporary Outside Sales Permit by the Zoning Administrator. Not more than six (6) permits a year shall be issued to any one business or shopping complex.

Upon application for a permit, the applicant shall submit two (2) site plans showing the location of the proposed outside sales area. The plan shall include sufficient information to insure that the display and sales will be conducted in a safe and proper manner and will not obstruct traffic or cause a hazardous condition based on the standards adopted by the City of Chula Vista. The permit shall designate the commencement and termination dates.

Other Required Conditions:

1. The application shall be submitted for approval a minimum of two (2) days prior to the requested date of commencement.
2. There shall be a minimum of thirty (30) days between the commencement dates of the permits.
3. Temporary outside sales are prohibited in the C-0, C-N and C-V zones.
4. The sales area shall maintain a twenty-five foot (25') setback from the street when within an area designated for parking.
5. The sales area may utilize a portion of required parking to a maximum of twenty percent (20%).
6. The sales area shall not interfere with the internal circulation of the site.
7. Pennants may be used only for safety and precautionary purposes.
8. The sales area shall be kept in a neat and well kept manner at all times.
9. Price signs may be used but shall not exceed 12" X 16".
10. Other signs may be allowed subject to Zoning Administrator approval. Said signs shall not exceed two (2) square feet of lineal street frontage of the sales area.
11. Promotional items allowed in conjunction with a special event such as anniversaries and grand openings, are not subject to the provisions herein except when an outside sales permit is requested.
12. Only merchandise customarily sold on the premises shall be considered for temporary outside sales and display.

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38. *Special Events.* Any business may request a permit for the use of temporary promotional signs and promotional items in conjunction with the following special events: grand openings; change of business address; change of ownership or lessee; and business anniversaries. If a business is part of a parent organization, the anniversary of the parent company may be used in lieu of the business anniversary during the calendar year.

The maximum time limit for a special event shall not exceed fourteen (14) consecutive days.

The applicant shall submit a statement stating the reason for the special event and indicating the commencement and ending date. The applicant shall also submit a site plan indicating the location and area of signs and location of promotional items.

Promotional items are subject to the following for approval:

- (a) They may not be located in the front setback.
- (b) They shall not interfere with internal circulation or eliminate required parking.
- (c) They shall not be indiscriminately placed or be of such quantity as to present a cluttered and unsightly appearance.

Pennants may only be used in conjunction with grand openings and change of ownership or lessee.

The Planning Department shall issue to the applicant, a special event permit, upon approval of the applicant's request. The reason for the special event shall be conspicuously displayed on a sign for the duration of the event.

SECTION IV: That Section 33.950 E, paragraph 2 be, and the same is hereby amended to read as follows:

2. *Temporary Promotional Signs.* Temporary promotional signs shall be permitted for any business to promote a special event. (Ref. Sec. 33.901 B, Special Events). Said signs may consist of "A" or "I" frame signs and paper, cardboard, plastic or fabric signs. The signs shall be located on premises of the business.*

No limitation shall be placed on the area of the signs except as provided herein and that the number and location of the signs shall not create a traffic hazard because of a distractive character or cumulative effect of the signs. No sign shall obscure existing signs on adjacent properties. (Maximum time limit fourteen (14) consecutive days).

*Only one (1) freestanding sign for each street frontage shall be allowed. Said sign shall not exceed eight feet (8') in height or forty (40) square feet in area.

SECTION V: This ordinance shall take effect and be in full force on the thirty-first day from and after its approval.

Presented by

Approved as to form by

Norman G. Williams
Norm Williams, Acting Director
of Planning

George D. Lindberg
George D. Lindberg, City Attorney

ADOPTED AND APPROVED by the CITY COUNCIL of the CITY OF CHULA VISTA, CALIFORNIA, this 2nd day of January, 1973, by the following vote, to-wit:

AYES: Councilmen Egdahl, Scott, Hobel, Hamilton, Hyde

NAYES: Councilmen None

ABSENT: Councilmen None

Mayor of the City of Chula Vi ta

ATTEST Jennie M. Zulaw
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, _____, City Clerk of the City of Chula Vista, California, DO HEREBY CERTIFY that the above is a full, true and correct copy of Ordinance No. _____, and that the same has not been amended or repealed. DATED _____

City Clerk

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