

CITY OF FRESNO
DEVELOPMENT DEPARTMENT

Policies & Procedures

ENTITLEMENTS: GENERAL

ISSUE NO. 6

TITLE: PROCEDURES TO EVALUATE OUTDOOR SALES AND DISPLAY AREAS

DATE: MARCH 7, 1996

STATEMENT:

Difficulties have surfaced in classifying and evaluating outdoor sales and display areas in commercial districts. Therefore, in order to facilitate the ease of review and consistency in implementation of standards, this procedure is established by which outdoor sales and display areas are assessed.

REFERENCES:

Fresno Municipal Code;

The only reference to "Outdoor Sales and Display Areas" in the zoning ordinance, is in Subsection 12-306-N-25 which states:

All outdoor areas used for the sale or display of merchandise, other than nurseries, lumber yards, fuel yards, and uses deemed similar by the Director, shall be surfaced with asphaltic concrete or a material approved by the director and shall be properly drained.

Development Department Policy;

Because the FMC is silent in respect to classifying Outdoor Sales and Display Area as a use, the Department has set policy that Outdoor Sales and Display Areas, which are ancillary to and serve an existing permitted use, are permitted, but are subject to review and approval by the Development Department.

PROCEDURES:

Outdoor sales and displays have traditionally fallen into two groupings: 1) Those permanently integrated into the commercial use; and 2) Those associated with seasonal activities of established uses.

1. Determine into which category the proposed Outdoor Sales and/or Display Area falls.
 - A. Those types of Areas that are permanently integrated into the commercial use exhibit such qualities as follows:
 - 1) They are fully integrated with the structure supporting the commercial activity.

- 2) They are architecturally integrated into the building or center in which they occur.
- 3) They do not block planned vehicular or pedestrian paths and are architecturally screened from such areas by block walls, solid or architectural fencing, or other treatment deemed acceptable by the Department.
- 4) They do not encumber parking stalls, walkways, and entrances in any way.
- 5) Approval of this type of Outdoor Sales and Display Areas, shall be subject to the submittal and review of an amendment or revised exhibit to a previously approved site plan review or conditional use permit, depending upon the size of the area being added.

B. Those types of Areas that are proposed to be seasonal in nature, exhibit such qualities as follows:

- 1) They usually are located within an existing parking lot for ease of access for customers.
- 2) They usually do interfere with pedestrian and vehicular traffic circulation.
- 3) they are intended for temporary use; usually a seasonal activity (i.e., spring garden sale, store clearance sales, etc.). NOTE: Christmas tree lots, even though seasonal, undergo a separate review process.
- 4) Approval of this type of Outdoor Sales and Display Area, shall be subject to the submittal and review of a major revised exhibit to a previously approved site plan review or conditional use permit.

2. If the proposed Area is Type A, it will be processed as any other amendment or revised exhibit to a site plan review or conditional use permit.
3. If the proposed Area is Type B, in addition to the standard requirements for submittal, the applicant shall include an operational statement describing the time schedule for such sales an/or displays. This information will be made available to the City's Code enforcement Section for compliance and monitoring purposes.
4. Christmas Tree and Pumpkin Lots are not subject to this procedure.

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STATEMENT: History of Changes

Date of Revision	Changes To	Comment
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