



**CITY COUNCIL STUDY SESSION AGENDA  
TUESDAY AUGUST 23<sup>RD</sup>, 2016, 5:30 P. M.  
SAN DIMAS COUNCIL CHAMBER  
CONFERENCE ROOM  
245 E. BONITA AVE.**

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**CITY COUNCIL:**

Mayor Curtis W. Morris  
Mayor Pro Tem Emmett Badar  
Councilmember Denis Bertone  
Councilmember John Ebner  
Councilmember Jeff Templeman

**1. CALL TO ORDER**

**2. ORAL COMMUNICATIONS**

(For anyone wishing to address the City Council on an item on this agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda.)

a. Members of the Audience

**3. STUDY SESSION**

a. Receive recommendations from staff regarding the design of new downtown business signage; and encroachments for outdoor dining, displays, a-frame signs, and canopies. Provide direction to staff regarding these recommendations.

b. Receive a verbal update of the status of the downtown project under construction.

**4. ADJOURNMENT**

The next meeting is on Tuesday, September 13, 2016, 7:00 p.m.

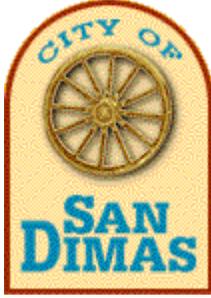
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**Notice Regarding American with Disabilities Act:** In compliance with the ADA, if you need assistance to participate in a city meeting, please contact the City Clerk's Office at (909) 394-6216. Early notification before the meeting you wish to attend will make it possible for the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Copies of documents distributed for the meeting are available in alternative formats upon request. Any writings or documents provided to the City Council regarding any item on this agenda will be made available for public inspection at the Administration Counter at City Hall and at the San Dimas Library during normal business hours. In addition most documents are posted on the City's website at [cityofsandimas.com](http://cityofsandimas.com).

**Posting Statement:** On August 19<sup>th</sup>, 2016 a true and correct copy of this agenda was posted on the bulletin board at 245 East Bonita Avenue (San Dimas City Hall), 145 North Walnut Avenue (Los Angeles County Library), 300 East Bonita Avenue (United States Post Office), Von's Shopping Center (Puente/Via Verde Avenue) and the City's website [www.cityofsandimas.com/minutes.cfm](http://www.cityofsandimas.com/minutes.cfm)



## MEMORANDUM

**DATE:** August 23, 2016

**TO:** Mayor and City Council

**FROM:** Larry Stevens, Community Development Department

**SUBJECT:** Possible Changes to Freestanding Signs Proposed for the Downtown Sidewalk Project

Staff has been reviewing the design for the replacement monument signs intended as part of the Downtown Sidewalk Project. Signs were not included in the current construction bid but \$50,000 was set aside in the project budget.

A review of the proposed designs has resulted in identifying a number of concerns that might suggest a different design approach for these signs. These concerns include:

- Maximizing the number of businesses to be identified on the signs
- Determining where to place businesses on the signs
- Management and replacement of signs over the course of time
- Maintenance of signs
- Initial cost of signs
- Height and visibility of signs (including adequate letter height)

To address these concerns Staff will be offering an alternate design approach and will present a conceptual design at the Study session. The proposed design has the following advantages:

- Easier to maintain and manage
- Same number of sign locations (five)
- Maximum flexibility to add or subtract sign panels in the future without detracting from design
- Appropriate sign and letter size for visibility
- Allows grouping of businesses by block

If the conceptual approach is appropriate it will be necessary to come back with final designs addressing such items as colors, placement priorities on signs, use of logos and related managerial policies.

Conceptual plans will be presented at the meeting.



## Agenda Item Staff Report

**Date:** August 19, 2016

**To:** Honorable Mayor and Members of City Council  
*For the Study Session of August 23, 2016*

**From:** Blaine Michaelis, City Manager

**Initiated by:** Krishna Patel, Director of Public Works 

**Subject:** CC2016-01 Bonita Avenue Streetscape Replacement and Renovation Project:  
1) Updated and/or New Outdoor Policies and Encroachment Conditions  
2) Updated Fee Structure  
3) Public Alley between 142-150 W. Bonita Avenue

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### SUMMARY

The design of CC2016-01 Bonita Avenue Streetscape Replacement and Renovation Project (Renovation Project) promotes pedestrian traffic by doubling the width of the sidewalk. At the completion of the Renovation Project, Staff anticipates an increased interest and demand for the use of the expanded sidewalk by businesses. This prompts the need to update the City's Outdoor Display, Dining, and related policies which permit encroachments on the sidewalk. Below is Staff's analysis of current permits, the existing policies and their deficiencies, new proposed conditions to address these deficiencies, including a revised fee structure. Additionally, Staff seeks Council's direction in the desired use/vision for the Public Alley between 142-150 W Bonita Ave.

### BACKGROUND

Bonita Avenue Streetscape Replacement and Renovation Project (Renovation Project), CC2016-01, was approved and awarded by the City Council to the contractor on June 14, 2016 and construction started on June 27, 2016. The Renovation Project is anticipated to be complete by Fall of 2016. The scope of the Renovation Project in downtown is along Bonita Avenue from the west side of San Dimas Avenue to the east side of Cataract Avenue. The design of the project promotes pedestrian traffic. The sidewalk is widening along Bonita Avenue from the current wooden boardwalk, that is approximately 10 feet wide, and extending from the building face to the curb, which will be over 20 feet wide. With this greater space for pedestrian travel

and gathering, Staff recommends updating the City’s Outdoor Display and Dining policies, and to develop policies for other permissible encroachments for the Downtown area.

**DISCUSSION**

Below is a discussion of: 1) the businesses in the scope of the Renovation Project that have an Outdoor Display and/or Dining permit, 2) what the current conditions and policies are, 3) a comparison with other cities, 4) proposed new conditions and policies, 5) a review of the costs and fees associated with this, 6) a review of the direction for the public alley and possible encroachments here, and lastly, 7) Staffs recommendations.

These policies support the existing Outdoor Display of Merchandise in Historic Downtown (Outdoor Display policy - 2014) and the Outdoor Dining in Commercial Zone (Outdoor Dining policy - 2014) (attachments F and G). Outdoor Display and Dining refers to displays and dining on the public sidewalk or right of way Downtown, which is along Bonita Avenue, extending from the west side of San Dimas Avenue to the east side of Cataract Avenue.

**Businesses with Current Encroachment Permits**

Seven businesses within the scope of the Renovation Project have Encroachment Permits for Outdoor Display and/or Dining. Table 1 below details these businesses. At the completion of the Renovation Project, Staff anticipates an increased interest and demand for the use of the expanded sidewalk by businesses, furthering the need to update these policies.

Table 1.

<b>Business Name</b>	<b>Address</b>	<b>Encroachment Permit Type</b>	<b>Permit Number</b>
Old Towne Antiques	125 W Bonita Avenue	Outdoor Display	E090964
Heart of the Village Antiques	155 W Bonita Avenue	Outdoor Display	E090963
Bonita Antiques	157 W Bonita Avenue	Outdoor Display	E090960
San Dimas Ave Hardware	201 W Bonita Avenue	Outdoor Display	E090959
San Dimas Feed & Grain	138 & 142 W Bonita Avenue	Outdoor Display	E090922
Roady’s Restaurant	154 & 160 W Bonita Avenue	Outdoor Dining	Grandfathered In
Pozzetto Italian Dining	114 W Bonita Avenue	Outdoor Dining	Grandfathered In

**Current Policies**

Currently, the Outdoor Display and Dining policies outline if a business would like to have Outdoor Display and/or Dining, an Encroachment Permit must be obtained from the Department of Public Work after the Planning Department has granted approval.

The current Outdoor Display policy addresses hours of display, location, and prohibits encroachment or alteration of landscaping. The current Outdoor Dining policy addresses the frequency for cleaning the designated space. Both policies address the maintenance of pedestrian clearance, protecting line-of-site visibility, protecting access to entrances, maintenance of the display and/or dining items, limitations of signage, and requirement of a Public Works Encroachment Permit for use of the public sidewalk or right of way, for these purposes.

**Comparison with Other Cities**

Staff researched what other cities policies are regarding Outdoor Display and Dining. Table 2 and Table 3 below display these comparisons, which were presented to the City Council at Study Session on April 25, 2016.

Table 2.

<b>Display</b>				
<b>Agency</b>	<b>Fee/Rate</b>	<b>Renewal</b>	<b>Encroachment Permit Type</b>	<b>Insurance</b>
San Dimas (as of July 2016)	Initial: \$69	Never	Encroachment	General Liability (Gen.Lia.): \$1,000,000
Arcadia	Initial: \$110	Annual	Encroachment	Gen.Lia: \$1,000,000
Claremont	Initial: \$165 flat fee Renewal: \$25 flat fee	Annual	Special Outdoor Use	Gen.Lia: \$1,000,000
Covina	Initial: \$115 Renewal: \$115	Annual	Encroachment	Gen.Lia: \$2,000,000
Glendora	Initial: \$241 (Permanent) Temporary: \$86	Never	Permanent Encroachment	Gen.Lia: \$1,000,000
La Verne	Allowed W/Out Permit	N/A	N/A	N/A
Monrovia	Initial: \$226 Renewal: \$226	Annual	Outdoor Display	Gen.Lia: \$1,000,000
South Pasadena	Initial: \$75 Renewal: \$35	Annual	Signs/Goods on Sidewalk Permit	Gen.Lia: \$1,000,000

Table 3.

<b>Dining</b>					
<b>Agency</b>	<b>Fee/Rate</b>	<b>Renewal</b>	<b>Encroachment Permit Type</b>	<b>Insurance</b>	<b>Fence</b>
San Dimas (as of July 2016)	Initial: \$69	Never	Encroachment	Gen.Lia: \$1,000,000	Pending Policy
Arcadia	Initial: \$180 Renewal: \$95	Annual	Sidewalk Dining Permit	Gen.Lia: \$1,000,000	Business Owned
Claremont	Initial: \$165 flat fee Renewal: \$25 flat fee	Annual	Special Outdoor Use	Gen.Lia: \$1,000,000	Business Owned
Covina	Initial: \$115 Renewal: \$115	Annual	Encroachment	Gen.Lia: \$2,000,000	Business Owned
Glendora	Initial: \$241	Never	Permanent Encroachment	Gen.Lia: \$1,000,000	Business Owned
La Verne	Case by Case Currently 1 Business	N/A	Special Outdoor Use	N/A	Business Owned
Monrovia	Initial: \$226 Renewal: \$226	Annual	Outdoor Dining	Gen.Lia: \$1,000,000	Business Owned
South Pasadena	Initial: \$185 + \$3.60/sf/year Renewal: \$75 + \$3.60/sf/year Monthly Rent: \$.30 per sf	Annual	Sidewalk Dining Permit	Gen.Lia: \$1,000,000	City Owned

As you can see from the above surveys, there is a wide variation in initial fees and renewals, etc. Studying this information further prompted Staff to review the current policies in place for San Dimas.

**Updated and New Outdoor Policies (i.e. Conditions)**

Staff has compiled the additional Conditions set forth below to supplement our current policies which do not address these specific areas.

Outdoor Dining

Dining furnishings should be specified in terms of type and material, as well as the business owner’s liability if they leave the items out overnight. Serving alcohol in this space also needs addressing, which would be permitted with the necessary approvals. Fencing will be a requirement for all Outdoor Dining. The fence will be owned, installed, and maintained by the City, and the business will pay the upfront cost for installation and a \$500 maintenance deposit (attachment A).

A-frame Signs & Canopies/ Awnings

With the review of the policies, Staff prepared written Policies for Downtown to cover these other common encroachments (A-frame signs and Canopies/ Awnings within the public right of way). This document will serve as Conditions for all existing and future Encroachment Permits (attachment C).

Conditions for Outdoor Encroachment Permits

Overall, the Public Works Encroachment Permit details (and conditions) should be made clearer for these permissible encroachments. The updates include the timeline of the permit and its renewal, insurance requirements, issuance and inspection requirements and fees. These additional new policy updates will be attached to all Encroachment Permits. The Policy details are listed in the following (see attachments A, B, C, and D):

1. Outdoor Display – Updated Policies for Bonita Corridor,
2. Outdoor Dining – Updated Policies for Bonita Corridor,
3. A-Frame Signs in the Public Right of Way – Policies for Downtown
4. Canopies, Awnings and other Right of Way Encroachments – Policies for Downtown

**Updated Encroachment Permit Costs**

After evaluating the surrounding Cities survey for Outdoor Display and Outdoor Dining, Staff is recommending in addition to the initial fee, to affirm an annual renewal fee in the same amount. This will allow Staff to ensure permits and insurance are up to date and protect the City from liability. Additionally, an annual current minimum issuance fee should apply to allow Staff to issue, inspect the site and ensure the Conditions are being met for public safety and protection of City property. This fee is \$33.00, and the addition of this would increase the annual cost for the permits from a onetime fee of \$69 to an annual fee of \$102. As the City Comparison charts show above, these fees are relatively conservative and will enable Staff to manage this program. These fees will also cover any other related encroachments in the public right of way (A-frames, canopies, awnings, etc.)

Lastly, Staff is recommending a \$500 maintenance deposit for Outdoor Dining permits, specifically, as Fencing will be required for all Outdoor Dining along the Bonita Corridor. The fence will be owned, installed, and maintained by the City but paid for by the business utilizing it. The business will pay the upfront installation costs and the maintenance deposit.

**Public Alley - 142 and 150 West Bonita Avenue (adjacent to Former Walterscheid Building and Feed & Grain)**

With the Renovation Project underway, 142 and 150 W Bonita business owners expressed an interest in use of the closed alley to through traffic for following uses:

- Feed & Grain – selling, storing and displaying various goods sold in the stores including possible additions of potted trees, lawn, furniture, etc.
- Hair Salon (north half of Walterscheid) – possible addition of waiting/seating area for customers; coffee area

A detailed summary and chronology of the planning and discussion of the Public Alley is attached as attachment E. Below are some highlights of the attachment for Council's review:

Preliminary Concept Design

Initially, Council approved the Public Alley as a public open space/gathering place/overflow from events that occur on Bonita Avenue. The Alley's surface was intended to have decorative concrete finish with overhead lighting.

Issues and Concerns with Preliminary Concept Design

The Owner of Feed & Grain objected to closure of alley to through traffic as it meant a loss of business for their customers to gain access to a certified weigh scale.

Preliminary Concept Design Revised

To address the concerns of the Feed & Grain, plans were changed to allow vehicle access to weigh scale. The pavement surface was changed to conventional asphalt and lighting deleted.

Present Use of Public Right of Way by Feed & Grain

Feed & Grain is in a unique position in having three areas of the store fronting public right of way and have two areas permitted for Outdoor Display at the front and rear of business. The public alley also has an existing weigh scale.

The plans were re-designed to re-construct rear public right of way with asphalt and ADA connectivity to the municipal parking lot from Bonita Avenue or vice versa.

Next, upon commencement of the Renovation Project's construction, Feed & Grain had requested consideration to have the permitted rear right of way area's perimeter to be enclosed by a 6 foot high fence for security.

Subsequently, a month ago, Feed & Grain approached Staff and expressed an interest in being allowed to use the Public Alley space (area leading to the weigh scale) for outdoor display/storage similar to the space being used at the rear. Three weeks ago the Owner was given alley plans requesting Feed & Grain to provide a lay out plan of what the intent and/or proposed idea.

As of Monday August 15<sup>th</sup>, Feed & Grain now is requesting the following:

- Since parking issues are problematic in Downtown due to lack of other tenants and merchants' lack of cooperation related to parking by employees:
  - Consider converting the rear right of way area to parking spaces and allow the use of ½ half of public alley for a semi-permanent out door display/storage.
  - Use would cover the existing weigh scale which no longer would be operational.
  - Converting rear right of way area to parking – possibly results in additional 5 parking stalls, depending on loading area and on changes to existing parking layout/configuration.

The above request creates potential conflicts and there are design issues with converting rear area to provide ±5 additional parking spaces as it likely that additional parking spaces (as suggested) may create line of sight conflicts.

What does Council envision for future use of the Public Alley?

Staff is seeking Council's direction for the optimal desired use of the Public Alley between 142 and 150 W Bonita. Do we allow the businesses to use this alley for semi-permanent enclosure and outdoor display/storage as requested? Or, do we keep alley open and have more inviting open space for public use (as currently proposed) and in the future revisit the original design? (i.e. concrete, lighting, etc.)

**RECOMMENDATION**

Staff recommends the Council consider and approve the following:

- 1) Updated and/or New Outdoor Policies and Encroachment Conditions for Dining, Display, A-frames, and Canopies/ Awnings and Other Right of Way Encroachments
- 2) Updated fee structure, maintaining the onetime fee of \$69 to an annual fee of \$102, to cover the application, renewal, inspection, and issuance fee and a \$500 maintenance deposit for Outdoor Dining fencing
- 3) Staff seeks Council's direction in its vision for the use of the Public Alley between 142 and 150 W Bonita Ave.

Respectfully submitted,



Krishna Patel  
Director of Public Works

Attachments:

- A - Outdoor Dining – Updated Policy for Bonita Corridor (detailed)
- B - Outdoor Display – Updated Policy for Bonita Corridor (detailed)
- C - A-Frame Signs in the Public Right of Way – Policy for Bonita Corridor (detailed)
- D - Canopies, Awnings, and Other ROW Encroachments – Policies for Bonita Corridor
- E - Public Alley 142 and 150 W Bonita – detail summary and chronology
- F - Current Conditions Handout: Outdoor Display of Merchandise in Historic Downtown '14
- G - Current Conditions Handout: Outdoor Dining in Commercial Zones '14

## OUTDOOR DINING – UPDATED POLICIES FOR BONITA CORRIDOR

*[All changes to existing policies and/or standards are identified in red and italics.]*

1. Permit Requirement:
    - a. Encroachment permit required to allow use of public right of way and establish reasonable operating conditions.
    - b. All permits to be Staff approvals and must comply with all adopted standards.
    - c. *Multiple requests may be covered by a single application/application fee.*
  2. Term of Permits:
    - a. *All permits will run from January 1 to December 31 and are subject to annual renewal.*
    - b. *Applications filed after October 15 will be valid until December 31 of the following year.*
    - c. *Applications filed after January 31 for an additional encroachment where a permit already exists shall pay the initial application fee for the first year but can be merged with other encroachments for renewal purposes after the initial year.*
- [NOTE: Changing permits to run on a calendar year basis allows easier administration and tracking. Permits previously were open ended and rarely reviewed for compliance and insurance after initial approval.]**
3. Fees:
    - a. Application fee shall be \$102 (existing \$69 application fee + \$33 issuance fee). **[NOTE: Fees is based on existing fee schedule.]**
    - b. *Annual renewal fee shall be \$102.*
    - c. If a permit is transferred mid-year a fee of \$102 shall be charged to process the change in ownership.
    - d. *A minimum maintenance deposit of \$500 shall be filed with the City. City may recover its incurred maintenance costs including but not limited to painting of fencing, repair of fencing, spillage clean up or other maintenance costs against said deposit and require additional funds to maintain the minimum deposit at \$500 once such expenditures are made.*
  4. Insurance:
    - a. Business owner shall provide general liability insurance naming the City of San Dimas as “additional insured” in the amount of \$1,000,000 and Workers Compensation insurance naming City as “Certificate Holder.”
    - b. Insurance shall remain in full force and effect continuously and a permit shall be revoked upon lapsing.
  5. Perimeter fencing:
    - a. *City shall install perimeter fencing in a manner consistent with the plans prepared for the Downtown Sidewalk project. [NOTE: Pozzetto’s and Rody’s will have perimeter fencing installed by the project at City expense since they previously had approved outside dining areas. They will be subject to all the standards, including fees and maintenance deposit.]*

- b. *No other fencing types shall be allowed and all outside dining areas shall be fenced.*
  - c. *Cost of installation shall be actual cost plus 15% for City Staff time. Costs are currently estimated at \$135/lineal foot.*
  - d. *Upon request and upon concurrence of a site layout, City shall secure an actual cost and applicant shall deposit 75% of said cost with the City prior to ordering materials. Any remaining funds are due upon completion and prior to establishing the use within the fenced area.*
  - e. *If the outside dining use is terminated, notice shall be provided to the City and the City shall remove the fencing and charge any costs from the \$500 maintenance deposit. If there are costs in excess of \$500 the City shall bill the business owner who shall be responsible for all costs of removal. Any remaining deposit after removal shall be returned to business owner.*
6. The following development and operational standards shall apply:
- a. *All outdoor dining areas shall be adjacent to the building, shall be fully enclosed by a compliant City fence and shall not extend in front of any other business or property.*
  - b. Outdoor dining areas shall be located to provide a continuous five foot ADA path of travel along the public right of way and into the business entry.
  - c. All chairs, tables and any related accoutrements shall be approved by the City and shall generally comply with the following examples: **[NOTE: The below standards have been used in practice but are being further clarified here.]**
    - i. All furniture and fixtures must be maintained in good visual appearance, without visible fading, dents, tears, rust, corrosion, or chipped or peeling paint. All furniture and fixtures must be maintained in a clean condition at all times.
    - ii. Tables and chairs may be colored or of a natural unpainted material i.e., wood, metal, etc. Tables and chairs are not permitted to be plastic.
    - iii. All furniture and fixtures must be durable and of sufficiently sturdy construction.
    - iv. All tables and chairs used within a particular establishment's outdoor seating area must match each other by being of visually similar design, construction and color.
    - v. Tables, chairs, and other furniture should complement the building in design, material and color.
    - vi. Business owner shall be responsible for maintaining all chairs, tables, fencing, paving, ground surfaces and other improvements in a safe, sound and visually attractive manner.





*vii. While furniture may be left out overnight, any business owner choosing to do so shall accept full responsibility and liability for said property.*

d. All umbrellas shall be approved by the City and shall generally comply with the following example: **[NOTE: The below standards have been used in practice but are being further clarified here.]**

- i. If umbrellas are provided they must be of a material suitable for outdoor use and shall be a canvas type material.
- ii. Plastic or plastic/vinyl fabrics or rigid materials are not allowed.
- iii. Umbrellas may not contain advertising in the form of words, logos, drawings or similar representations or characteristics.
- iv. Umbrellas shall allow a seven foot minimum clearance and shall not extend outside of the designated outside dining area.
- v. Umbrellas shall be supported in a stable manner and may not be attached to fencing.



e. All heating devices shall be approved by the City and shall generally comply with the following example: **[NOTE: The below standards have been used in practice but are being further clarified here.]**



f. All furniture other than tables, chairs, heaters, and umbrellas are prohibited. This includes but is not limited to, serving stations, bar counters, shelves, racks, sofas, televisions, and trash receptacles. **[NOTE: This clarifies existing practice.]**

- g. All lighting shall be approved by the City and shall generally comply with the following examples: **[NOTE: The below standards have been used in practice but are being further clarified here.]**
- i. No lighting shall be installed unless approved by the City.
  - ii. Any lighting shall be soft and directed.
  - iii. Any conduit or cords shall only be allowed if in full compliance with the Building and Fire Codes.
  - iv. Exposed conduit is not permitted.
- h. Business owner shall ensure the outside dining area is continuously cleaned of debris, litter, spills, stains and food scraps.
- i. If smoking is permitted it shall be subject to all applicable State and local regulations. Ash trays shall be provided if smoking is allowed.
- j. No signs, banners, balloons, lighting or other manner of attention grabbing display shall be attached to City fencing.
- k. If alcoholic beverages are served in the outdoor dining area, service shall be restricted to service only in conjunction with service of a meal. Business owner shall secure all necessary approvals from ABC and provide verification of said ABC approval to the City.
- l. No person shall establish or maintain any outdoor dining area except pursuant to a written permit approved by the Development Services Department.
- m. The hours of operation for outdoor dining areas shall be limited to the hours of operation for the associated indoor dining, unless otherwise authorized in writing by the Development Services Department.
- n. The outdoor dining activity shall not impede travel on the public walkway or create a hazard to the safety or health of passers-by.
- o. Permits and outdoor dining areas shall conform with all other applicable City and other government requirements including, without limitation, zoning and design review, except as provided herein.
- p. The outdoor dining activity shall not unduly interfere with the use of the public walkway by neighboring property owners and tenants.
- q. The outdoor dining area shall be kept in a good state of repair and maintained in a clean, safe, and sanitary condition.
- r. Any Permittee desiring to change the permitted use i.e., by increasing the size of the outdoor dining area or by changing the use or arrangement or the occupancy, shall file a new application in accordance with the Outdoor Dining Regulations.
- s. A person desiring a permit for an outdoor dining area which has been the subject, in part or whole, of a prior permit which has expired, been revoked, or terminated shall file a new application.
- t. The outdoor dining activity shall not unlawfully alter the associated indoor dining use at the subject property.

## OUTDOOR DISPLAY – UPDATED POLICIES FOR BONITA CORRIDOR

*[All changes to existing policies and/or standards are identified in red and italics. Items 1-18 represent the existing written policy.]*

Outdoor display is considered to be a privilege, not a right, of any business. All businesses which engage in outdoor display of merchandise in the Frontier Village shall comply with the following:

1. Outdoor display shall only include incidental outdoor display items, consisting of a small sample of merchandise or decorative items, placed outdoors *in areas as designated on the encroachment permit immediately* adjacent to the responsible business, which represent or complement the goods and services sold or provided by the responsible business. Vendors operating independently from indoor businesses shall not be permitted under this policy.
2. *Outdoor display area shall be limited to within a maximum of five feet in depth measured from the front building wall.* The business owner shall at all times maintain a minimum 5 foot clearance for use of the sidewalk by the general public.
3. Display items shall not extend into the safe line-of-sight distances at intersections, as determined by the City engineer.
4. ~~Display items shall not encroach into public landscape areas.~~
5. Display items shall only be located adjacent to the building of the responsible business, and shall not *extend beyond the limits of the business owner's building or property line* ~~exceed a total of 60 square feet of "floor area" per street frontage.~~
6. The display items shall not obstruct any display windows, entries, exits, permitted signs, mailboxes, utilities, public seating, or public safety measures.
7. Display items shall only be placed outdoors during the time the responsible business is open to the public and shall be removed prior to the close of business each day.
8. Display items shall not include additional signage or item[s] which constitute a sign per San Dimas Municipal Code Section 18.152.020.18.
9. Display items shall not include clothes racks, display/storage racks with multiple items, folding or portable tables, stacks of merchandise, or any neon or fluorescent materials.
10. All display items shall at all times be maintained in a safe, sound, and visually attractive condition. The business owner shall be responsible for continuously supervising the safe, sound, and visually attractive condition as well as the appropriate placement of the display items.
11. Signs, banners, outdoor dining, and outdoor events shall be subject to separate application and permit procedures.
12. If outdoor display is to be located on private property, the business owner shall obtain prior authorization from the owner/management company in addition to the guidelines herein.
13. ~~If outdoor display is to be located in the public right-of-way, the business owner shall submit an application for an encroachment permit to the Public Works Department, and provide a certificate of general liability insurance to the satisfaction of the City, naming the City as an additional insured. An encroachment permit shall be valid for one year, unless otherwise noted.~~
14. The business owner shall not trim, cut, or otherwise alter any landscaping or make any other modifications to improvements in the public right-of-way.
15. City Staff shall have authority to request that item(s) be removed from public or private property if it is felt the item(s) constitute a potentially hazardous distraction to vehicular or pedestrian traffic; constitute a potential health or safety hazard; are not consistent with the "Early California Village" theme; are not appropriately maintained or located; are excessive in size or quantity; or compromise the public peace, morals or welfare.

16. If City Staff request item(s) be removed, the business owner shall cause the item(s) to be removed immediately.
17. A business owner may file an appeal of a City Staff decision pursuant to San Dimas Municipal Code Chapter 18.212; however, during such time, the disputed nature of outdoor display shall not be reinstated until said appeal is resolved by the final decision-making body.
18. The City reserves the right to modify or rescind this interim policy for outdoor display of merchandise at any time and for any circumstances it deems appropriate.
19. *Outdoor display areas shall not be enclosed by fencing of any type.*

**[NOTE: Numbers 20, 21 & 22 below will replace # 13 above.]**

20. Permit Requirement:

- a. Encroachment permit required to allow use of public right of way and establish reasonable operating conditions.
- b. All permits to be Staff approvals and must comply with all adopted standards.
- c. *Multiple requests may be covered by a single application/application fee.*

21. Term of Permits:

- a. *All permits will run from January 1 to December 31 and are subject to annual renewal.*
- b. *Applications filed after October 15 will be valid until December 31 of the following year.*
- c. *Applications filed after January 31 for an additional encroachment where a permit already exists shall pay the initial application fee for the first year but can be merged with other encroachments for renewal purposes after the initial year.*

**[NOTE: Changing permits to run on a calendar year basis allows easier administration and tracking. Permits previously were open ended and rarely reviewed for compliance and insurance after initial approval.]**

22. Fees:

- a. Application fee shall be \$102 (existing \$69 application fee + \$33 issuance fee).
- b. *Annual renewal fee shall be \$102.*
- c. If a permit is transferred mid-year a fee of \$102 shall be charged to process the change in ownership.

23. Insurance:

- a. Business owner shall provide general liability insurance naming the City of San Dimas as "additional insured" in the amount of \$1,000,000 and Workers Compensation insurance naming City as "Certificate Holder."
- b. Insurance shall remain in full force and effect continuously and a permit shall be revoked upon lapsing.

**A-FRAME SIGNS IN THE PUBLIC RIGHT OF WAY – POLICIES FOR DOWNTOWN**

*[All changes to existing policies and/or standards are identified in red and italics.]*

In the 2012 update of the City Sign Code provisions were added City wide to allow portable or A-Frame signs subject to certain standards. These provisions also accommodated that opportunity for buildings located with zero setback as is common in the Downtown. While this opportunity has been available since the adoption of the Sign Code, no additional guidelines have been prepared previously.

\*\*\*\*\*

*Portable signs which comply with the provisions of Section 18.152.120(B)(11) for commercial buildings which have a zero setback from the public right-of-way, where the planning director approves the location of the sign and the city engineer issues an encroachment permit.*

Section 18.152.120 B) (11) provides as follows:

11. *Portable Signs. A maximum of one portable sign, as defined in Section 18.152.020, shall be permitted, subject to the following standards:*

- a. *Maximum sign area of six square feet, including any changeable copy on whiteboards or chalkboards.*
- b. *Maximum height of four feet with a maximum width of three feet.*
- c. *Shall only be allowed during hours that the business is open and shall be stored away from public view when the business is not open.*
- d. *Shall be placed within ten feet of any customer entry-door of the business advertised but may not be placed within a parking or loading space, driveway or drive aisle, landscaped planter, or public right-of-way, except as may be allowed per Section 18.152.170.*
- e. *Shall not impede pedestrian access, including ADA access, when located on a sidewalk or pedestrian access or any views or sight distance for vehicular traffic.*
- f. *Shall not include any attachments, including but not limited to, balloons, pennants, flags, banners, illumination (including flashing, blinking and rotating lights) and similar attention-getting devices.*
- g. *Shall be made of durable, weather-resistant materials, have a professional looking appearance, and be continually maintained in good condition.*
- h. *Shall have written authorization from the property owner or management company or comply with standards set forth in a master sign program.*

.....

1. Permit Requirement:

- a. Encroachment permit required to allow use of public right of way and establish reasonable operating conditions.
- b. All permits to be Staff approvals and must comply with all adopted standards.
- c. *Multiple requests may be covered by a single application/application fee.*

2. Term of Permits:

- a. *All permits will run from January 1 to December 31 and are subject to annual renewal.*
- b. *Applications filed after October 15 will be valid until December 31 of the following year.*
- c. *Applications filed after January 31 for an additional encroachment where a permit already exists shall pay the initial application fee for the first year but can be merged with other encroachments for renewal purposes after the initial year.*

**[NOTE: Changing permits to run on a calendar year basis allows easier administration and tracking. Permits previously were open ended and rarely reviewed for compliance and insurance after initial approval.]**

3. Fees:

- a. Application fee shall be \$102 (existing \$69 application fee + \$33 issuance fee).
- b. *Annual renewal fee shall be \$102.*
- c. If a permit is transferred mid-year a fee of \$102 shall be charged to process the change in ownership.
- d. *A minimum maintenance deposit of \$500 shall be filed with the City. City may defray maintenance costs including but not limited to painting of fencing, repair of fencing, spillage clean up or other maintenance costs against said deposit and request additional funds to maintain the minimum deposit at \$500 once such expenditures are made.*

4. Insurance:

- a. Business owner shall provide general liability insurance naming the City of San Dimas as “additional insured” in the amount of \$1,000,000 and Workers Compensation insurance naming City as “Certificate Holder.”
- b. Insurance shall remain in full force and effect continuously and a permit shall be revoked upon lapsing.

5. Any portable signs located in the public right of way shall comply with the following standards:

- a. A maximum of one portable sign will be permitted per business. For multi-tenant buildings, any business owner shall first secure permission of the property owner and/or management company. The City may determine that multiple signs are inappropriate and limit the number of signs to comply with the intent of the Sign Code and minimize sign clutter and maximize public safety.
- b. Sign shall not exceed 6 square feet in total sign area and shall not exceed 4 feet in height or 3 feet in width.
- c. Sign shall only be allowed during hours that the business is open and shall be stored away from public view when the business is not open.
- d. Sign shall be placed within ten feet of any customer entry-door of the business advertised but may not be placed within a parking or loading space, driveway or drive aisle, or landscaped planter. For the purposes of Downtown businesses this distance may be measured from the perimeter of any approved outside dining or display area as that is designated on the approved permit.
- e. Sign shall not impede pedestrian access, including ADA access, when located on a sidewalk or pedestrian access or any views or sight distance for vehicular traffic.
- f. Sign shall not include any attachments, including but not limited to, balloons, pennants, flags, banners, illumination (including flashing, blinking and rotating lights) and similar attention-getting devices.
- g. Sign shall be made of durable, weather-resistant materials, have a professional looking appearance, and be continually maintained in good condition.
- h. Sign shall only be located where shown on the site plan approved in conjunction with the encroachment permit.

## CANOPIES, AWNINGS AND OTHER RIGHT OF WAY ENCROACHMENTS – POLICIES FOR DOWNTOWN

*[All changes to existing policies and/or standards are identified in red and italics.]*

In order to facilitate good design, recognize an existing built condition or other valid reasoning, it may occasionally be appropriate to allow other types of encroachments, sometimes of a permanent nature, in the public right of way. While such encroachments should be generally limited, it is important to adequately protect the interests of the public when they are allowed. While the previous Façade project and the current Sidewalk project have undertaken the elimination of a number of encroachments, a number of others remain and can be unavoidable when private buildings are located immediately adjacent to the public right of way as is common in many older Downtowns. In the Downtown there are the primary building related encroachments that need to be addressed include awnings and canopies (on multiple properties). **[ NOTE: Other encroachments including porches (Flanders building at 233/235 West Bonita) and weigh scales adjacent to San Dimas Feed and Grain will be addressed separately.].**

### 1. Permit Requirement:

- a. Encroachment permit required to allow use of public right of way and establish reasonable operating conditions.
- b. All permits to be Staff approvals and must comply with all adopted standards.
- c. *Multiple requests may be covered by a single application/application fee.*

### 2. Term of Permits:

- a. *All permits will run from January 1 to December 31 and are subject to annual renewal.*
- b. *Applications filed after October 15 will be valid until December 31 of the following year.*
- c. *Applications filed after January 31 for an additional encroachment where a permit already exists shall pay the initial application fee for the first year but can be merged with other encroachments for renewal purposes after the initial year.*

**[NOTE: Changing permits to run on a calendar year basis allows easier administration and tracking. Permits previously were open ended and rarely reviewed for compliance and insurance after initial approval.]**

### 3. Fees:

- a. Application fee shall be \$102 (existing \$69 application fee + \$33 issuance fee).
- b. *Annual renewal fee shall be \$102.*
- c. If a permit is transferred mid-year a fee of \$102 shall be charged to process the change in ownership.

### 4. Insurance:

- a. Business owner shall provide general liability insurance naming the City of San Dimas as “additional insured” in the amount of \$1,000,000 and Workers Compensation insurance naming City as “Certificate Holder.”
  - b. Insurance shall remain in full force and effect continuously and a permit shall be revoked upon lapsing.
5. Any canopies, awnings or other building encroachments shall comply with the following standards:
- a. An awning, canopy, sign or other building attachment which extends over the public right of way shall be minimized to the extent feasible.
  - b. Any structure or building attachment shall maintain a minimum clearance of seven feet.
  - c. The canopy, awning or other building encroachment shall not impede travel on the public walkway or create a hazard to the safety or health of passers-by.
  - d. Permits shall conform with all other applicable City and other government requirements including, without limitation, zoning and design review, except as provided herein.
  - e. The encroachment shall not unduly interfere with the use of the public walkway by neighboring property owners and tenants.
  - f. The encroachment shall be kept in a good state of repair and maintained in a clean, safe, and sanitary condition.
  - g. The City may establish other conditions deemed necessary to facilitate safety and/or preservation of the public interest.
  - h. The City may revoke the permit and require the business or property owner to remove the encroachment at their expense where deemed necessary due to failure to comply with permit conditions, upon failure to adequately maintain the structure or where necessary to address safety or other public needs adversely affected by the encroachment.

## Public Alley 142 and 150 W Bonita Ave (Between Feed & Grain and former Walterscheid building)

### Summary and Chronology

With the construction underway adjacent business owners expressed an interest in use of closed alley to thru traffic for following uses:

- Feed & Grain – selling and displaying various goods sold in the stores including possible additions of potted trees, lawn, furniture, etc.
- Hair Salon (north half of Walterscheid) – possible addition of waiting/seating area for customers; coffee area

### Preliminary Concept Design

Before review of the potential uses of the Public Alley, review what was initially envisioned for this alley at the preliminary conceptual design plan stages:

1. Public open space/gathering place/overflow from events that occur on Bonita Avenue
2. Plans developed showing surface changed from existing deteriorated asphalt paving to decorative concrete similar to main sidewalk concrete on Bonita Ave
3. Overhead lighting, etc. to create an ambience for outdoor/seating/dining area
4. Public ADA pathway from Bonita to public parking on south side of alley. Due to grade difference, pathway placed on west side of alley. This allowed Walterscheid tenants to have ADA pathway to their businesses from the alleyway.
5. Public alley closed to thru traffic by extending on north side the (existing traffic calming feature) on Bonita. Thereby extending the Public Plaza area. On south side alley closed to thru traffic by placement of bollards, approximately 25' north of Feed & Grain southerly building line. Thereby allowing for two parking spaces.

With above concepts in mind, the preliminary designs were shared with both merchants adjacent to alley.

### Issues and Concerns with Preliminary Concept Design

Owner of Feed & Grain objected to closer of alley to thru traffic as it meant a loss of business for her customers to gain access to a certified weigh scale. Owner indicated that losing access to this scale would amount to a considerable income loss. .

### Preliminary Concept Design Revised

To address concerns of Feed & Grain, plans changed to allow vehicle access to weigh scale.

- Out of five fixed bollard at south end of alley, two removed and added two expensive removal bollards designed to withstand impact of any runaway vehicle parked in the single loading/unloading parking stall
- Surface material changed from concrete to asphalt over aggregate base.
- All proposed lighting in the alley removed
- Project plans include construction of all the above items

### Current Use of Public Right of Way by Feed & Grain

Feed & Grain is a unique position in having three areas of the store fronting public right of way and has the following permitted uses:

1. Along Bonita – 45 x 5 wide feet for outdoor displays. Or total of 225 sqft.
2. At rear of building has a trapezoid shaped area of approximately 1,035 sqft for outdoor display – an area that has now become semi-permanent as owner has left puppies/ small dogs kenneled/enclosures over night

Project plan designed to re-construct rear public right of way with asphalt and ADA connectivity to municipal parking lot from Bonita or vice versa.

Upon commencement of Project construction owner has requested consideration to have the permitted rear right of way area's perimeter be enclosed by 6 foot high fence for security and allowing her to keep most of her outdoor display out overnight (this area has been observed to have a chain link fence panels as an enclosure/security purpose) instead of having to daily move some of the display items in and out store. The owner verbally has agreed to pay the City to have 6 foot high fence installed

#### Desired Expressed in use of Public Alley

About a month, the owner approached staff and expressed interest in being allowed to use the Public Alley space (area leading to the weigh scale) for outdoor display similar to the space being used at the rear. In addition, the plan was to have area enclosed by 4 to 6 foot high fence allowing them to possibly keep the displays out overnight. Thereby further expanding the use of Public right of way for private businesses. Owner given alley plans requesting them to lay out a plan of what was being proposed.

#### Current Desire of use of Public Alley

As of Monday August 15<sup>th</sup>, Feed & Grain now is requesting the following:

- Since parking issues are problematic in this neck down area of parking lot due to lack of other tenants and merchants' lack of cooperation.
  - Consider converting the rear right of way area to parking spaces and allow the use of ½ half of public alley for the use for a semi-permanent out door display in an enclosed area
  - Converting rear right of way area to parking – possibly results in add 5 additional parking

#### Potential issues with converting rear area to provide 5 additional parking spaces

1. Angle and shape of existing parking lot improvements creates a potential line of sight concern for vehicles backing out of loading and unloading area due to parked vehicles
2. Possible rear-end collisions and conflicts as vehicles back out of parking stalls due to irregular and angular south and north parking stalls
3. ADA pathway now moved to adjacent to building – instead of previously being behind the existing curb line and more viable for ADA connectivity to the prime parking spaces

#### What does Council envision for future use of Public Alley?

1. Do we allow business to use this alley for semi-permanent enclosure and outdoor display as requested? or do we keep alley open and have more inviting open space for public use?

Staff seeks Council direction in the use of the public alley as verbally requested by Feed & Grain.

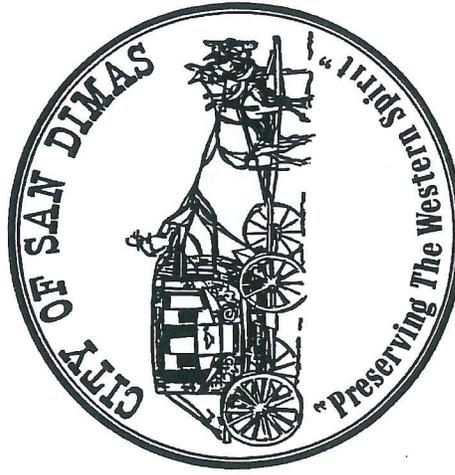
The Planning Department offers informational brochures on the following topics:

- Artificial Turf Guidelines
- Banners and Temporary Signs
- CEQA and Environmental Review Classification of Use
- Conditional Use Permits
- Development Agreements
- Development Plan Review Board Fees and Charges
- For Sale/For Lease Signs
- General Plan
- Lot Line Adjustments
- Mills Act
- Municipal Code Text Amendments
- Outdoor Dining Policy
- Outdoor Displays of Merchandise
  - Permanent Signs
  - Permit Streaming Act
  - Planning Commission
  - Portable Signs
  - Property Information
  - Public Notice Requirements
  - Residential Care Facilities
  - RV & Trailer Parking
- Signs in the Historic Downtown Area
- Site Plan Requirements
  - Specific Plans
  - Storage Structures
  - Subdivisions
- Temporary Use Permits
- Trash Enclosure Standards
- Tree Preservation
  - Variations
- Window Replacement – Town Core
  - Window Signs
  - Zone Changes
  - Zoning Descriptions

*\*These brochures are generally intended to assist in the processing of application material. They do not necessarily provide every detail regarding Municipal Code regulations.*

City of San Dimas  
Planning Division  
245 East Bonita Ave.  
San Dimas, CA. 91773

# Outdoor Displays of Merchandise in Historic Downtown



## ATTACHMENT F

Planning Department  
City Hall, 245 East Bonita Avenue  
San Dimas, California 91773  
(909) 394-6250  
Fax: (909) 394-6249

Mon-Thurs 7:30 a.m. - 5:30 p.m.  
Fridays 8:00 a.m. - 5:00 p.m.

[www.cityofсандimas.com](http://www.cityofсандimas.com)

Merchants and community members have expressed a desire to have outdoor displays of merchandise within the Historic Downtown (Creative Growth Zone, Area 2). In addition, the San Dimas General Plan encourages outdoor displays as a means to revitalize and improve the downtown as a community focus (SDGP, p. 11-44). Until such time as a municipal code text amendment may be processed to address this issue, the City has developed the following interim policy.



### CITY OF SAN DIMAS OUTDOOR DISPLAY POLICY

Outdoor display is considered to be a privilege, not a right, of any business. All businesses which engage in outdoor display of merchandise in the Historic Downtown shall comply with the following:

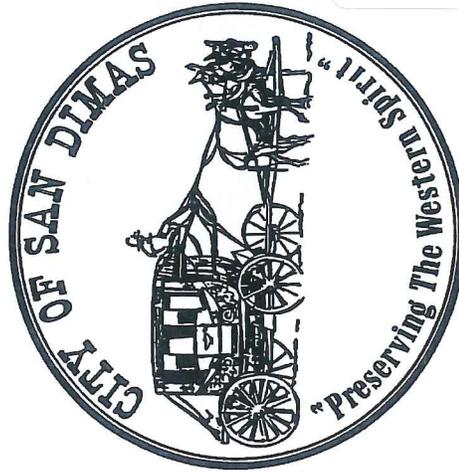
1. Outdoor display shall only include incidental outdoor display items, consisting of a small sample of merchandise or decorative items, placed outdoors adjacent to the responsible business, which represent or complement the goods and

services sold or provided by the responsible business. Vendors operating independently from indoor businesses shall not be permitted under this policy.

2. The business owner shall at all times maintain a minimum 5 foot clearance for use of the sidewalk by the general public.
3. Display items shall not extend into the safe line-of-sight distances at intersections, as determined by the City Engineer.
4. Display items shall not encroach into public landscape areas.
5. Display items shall only be located adjacent to the building of the responsible business, and shall not exceed a total of 60 square feet of "floor area" per street frontage.
6. The display items shall not obstruct any display windows, entries, exits, permitted signs, mailboxes, utilities, public seating, or public safety measures.
7. Display items shall only be placed outdoors during the time the responsible business is open to the public and shall be removed prior to the close of business each day.
8. Display items shall not include additional signage or item(s) which constitute a sign per San Dimas Municipal Code Section 18.152.020.18.
9. Display items shall not include clothes racks, display/storage racks with multiple items, folding or portable tables, stacks of merchandise, or any neon or fluorescent materials.
10. All display items shall at all times be maintained in a safe, sound, and visually attractive condition. The business owner shall be responsible for continuously supervising the safe, sound, and visually attractive condition as well as the appropriate placement of the display items.
11. Signs, banners, outdoor dining, and outdoor events shall be subject to separate application and permit procedures.

12. If outdoor display is to be located on private property, the business owner shall obtain prior authorization from the owner/management company in addition to the guidelines herein.
13. If outdoor display is to be located in the public right-of-way, the business owner shall submit an application for an encroachment permit to the Public Works Department, and provide a certificate of general liability insurance to the satisfaction of the City, naming the City as an additional insured. An encroachment permit shall be valid for one year, unless otherwise noted.
14. The business owner shall not trim, cut, or otherwise alter any landscaping or make any other modifications to improvements in the public right-of-way.
15. City Staff shall have authority to request that item(s) be removed from public or private property if it is felt the item(s) constitute a potentially hazardous distraction to vehicular or pedestrian traffic; constitute a potential health or safety hazard; are not consistent with the Town Core Design Guidelines; are not appropriately maintained or located; are excessive in size or quantity; or compromise the public peace, morals or welfare.
16. If City Staff request item(s) be removed, the business owner shall cause the item(s) to be removed immediately.
17. A business owner may file an appeal of a City Staff decision pursuant to San Dimas Municipal Code Chapter 18.212; however, during such time, the disputed nature of outdoor display shall not be reinstated until said appeal is resolved by the final decision-making body.
18. The City reserves the right to modify or rescind this interim policy for outdoor display of merchandise at any time and for any circumstances it deems appropriate.

# Outdoor Dining in Commercial Zones



City of San Dimas  
Planning Division  
245 East Bonita Ave.  
San Dimas, CA. 91773

Planning Department  
City Hall, 245 East Bonita Avenue  
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(909) 394-6250

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The Planning Department offers informational brochures on the following topics:

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*\*These brochures are generally intended to assist in the processing of application material. They do not necessarily provide every detail regarding Municipal Code regulations.*

Merchants and community members have expressed a desire to have outdoor dining in various commercial zones. In addition, the San Dimas General Plan encourages outdoor uses as a means to revitalize and improve downtown as a community focus (SDGP, p. 11-44). Until such time as a municipal code text amendment may be processed to address this issue, the City has developed the following interim policy.

### OUTDOOR DINING ALLOWED

Outdoor dining shall only be allowed as an incidental use to an established restaurant, coffee house, or other food service business.



### APPLICATION REQUIRED

Outdoor dining shall not be established on any property until an application has been reviewed and approved by the Planning Director pursuant to Chapter 18.12 of the Zoning Code. The application shall include a detailed site plan, improvement plan, permission from the property owner and/or management company, and fees in the amount of \$83. If outdoor dining is proposed in the public right-of-way or in a common area of a shopping center, adjoining business establishments will be notified of the application. Applications will be reviewed by City Staff and the Sheriff's Department.

Additional parking is not required for establishments which comply with Chapter 18.156 (Parking) and where outdoor dining allows seating for 12 or fewer persons.

### STANDARD CONDITIONS

1. The business owner shall at all times maintain a minimum 5 foot clearance for use of the sidewalk by the general public.
2. Outdoor dining shall not obstruct any entries, exits, permitted signs, mailboxes, utilities, public seating, public safety measures, or extend into the safe line-of-sight distances at intersections, as determined by the City Engineer.
3. Outdoor dining shall be separated from parking facilities by pedestrian walkways, landscaping, decorative fences, walls, or other means approved by the Development Services Department.
4. The business owner shall be responsible for maintaining all chairs, tables, fencing, paving, ground surfaces, landscape, and other improvements associated with outdoor dining in a safe, sound, and visually attractive condition.
5. The business owner shall ensure the outside dining area is continuously cleaned of any debris, litter or food scraps. If smoking is allowed, the business owner shall provide ashtrays.
6. Signs, banners, and outdoor events shall be subject to separate application and permit procedures.
7. If outdoor dining is located within the public right-of-way, the business owner shall submit an application for an encroachment permit to the Planning Department. To the greatest extent possible, landscaping in the right of way will be preserved or enhanced. The business owner shall notify the Public Works Department before any work within the public right-of-way begins. A City inspector/representative shall inspect all

irrigation, planting, ground cover, and construction. Paving, landscaping, and fencing materials and design shall be installed to the satisfaction of the Director of Development Services and the City Engineer.

8. Any approval granted pursuant to this policy may be modified or revoked at any time and for any circumstances the City deems appropriate, including failure to comply with policy guidelines herein and/or failure to comply with local, State, or Federal laws and regulations. Upon notification by the City of San Dimas, the business owner shall remove all improvements and uses and return the premises to its previous condition. Subsequent to this authorization, should permanent development standards regulating outdoor dining be adopted by the City, the business owner shall be responsible for obtaining the necessary authorizations and/or permits pursuant to those standards.
9. The decision of the Director of Community Development shall be final unless appealed within 14 days of issuance of conditions subject to the provisions of Chapter 18.212 of the San Dimas Municipal Code.

### SPECIAL CONDITIONS

- Special conditions will be determined on a case-by-case review. Samples are provided below.
10. Tables and chairs (shall/shall not) be required to be taken indoors at the close of business each day.
  11. Alcoholic beverages (may/shall not) be served in an outdoor dining area. If alcoholic beverages are allowed in an outdoor dining area, alcoholic beverages (shall/may) be restricted to service only in conjunction with service of a meal to the same patron.