



**COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

P.O. Box 1609, Mammoth Lakes, CA 93546

Phone: (760) 965-3630 Fax: (760) 934-7493

www.townofmammothlakes.ca.gov

PERMANENT OUTDOOR DISPLAY AND SALES ADMINISTRATIVE PERMIT

(Municipal Code Section 17.52.230.C)

Business Name¹

Multi-Tenant Complex Name

Business Location (Address)

Assessor Parcel Number(s)

Zoning

Applicant or Agent

Mailing Address

Email Address

Phone Number

Property Owner (if other than applicant)

Mailing Address (property owner)

Email Address (property owner)

Phone Number (property owner)

Description of permanent outdoor display or sale:

Date range of permanent outdoor display or sale (Note: *the permit shall remain valid for subsequent years unless substantial changes are made which would necessitate additional review*)

Start: _____ End: _____

- ☐ Display or sale will be up year-round (Note: *this will require additional review and may require a Use Permit or Design Review Permit*)

Hours of Operation

☐ Normal business hours Open: _____ Close: _____

- ☐ Display or sales items will remain outside overnight (Note: *this requires additional review and approval from the Community and Economic Development Director*)

Will a fence be used? (Note: *see item 7 below under Permanent Outdoor Display and Sales Standards for a list of prohibited fence materials*)

☐ Yes Proposed Material: _____ (attach a picture if available)

☐ No

Merchandise display height: _____ (Note: *display heights greater than seven feet (7') above finished grade require approval of a Use Permit*)

¹ All permanent outdoor commercial sales and displays shall be in conjunction with an **established business** as defined in Municipal Code Chapter 17.148

ALL APPLICATIONS MUST INCLUDE:

- ☐ Completed Application Form
- ☐ Signature(s) of applicant and property owner(s) where the permanent outdoor display or sale will take place
- ☐ Payment of all applicable fees (See Community & Economic Development Fee Schedule)
- ☐ Site Plan including:
 - o Property lines and adjoining street frontages
 - o Building footprint
 - o Permanent outdoor display or sale footprint and dimensions
 - o Setbacks from the property lines for the permanent outdoor display or sale area²
 - o Site circulation (vehicle and pedestrian) and driveway locations
 - o Parking areas
 - o Landscaped areas
- ☐ Elevation drawing showing height of the permanent outdoor display or sale
- ☐ If the permanent outdoor display or sale is occupying parking spaces, a **parking analysis** showing that the required parking for the business (or businesses if located in a multi-tenant complex) remains available for use

Permanent Outdoor Display and Sales Standards

Permanent outdoor displays and sales conducted in conjunction with an established business* shall be subject to the following standards:

1. An administrative permit shall be required for a permanent outdoor display or sale. (Note: *the permit shall remain valid for subsequent years unless substantial changes are made which would necessitate additional review*)
2. The outdoor display or sale shall be directly related to a business occupying a permanent structure on the subject property, and shall only display goods of the subject business.
3. An outdoor display or sale area shall occupy a fixed, specifically approved, and defined location that does not disrupt the normal function of the site or its circulation, and does not encroach upon driveways, landscaped areas, required parking spaces, or pedestrian walkways.
4. An outdoor display or sale shall not be located in a public right-of-way, shall not encroach into setbacks, and shall not obstruct intersection visibility or otherwise create a hazard for pedestrian or vehicular traffic.
5. An outdoor display or sale area shall be oriented towards pedestrians.
6. The outdoor display of merchandise shall not exceed a height of seven feet above finished grade, unless a greater height is allowed through use permit approval in compliance with Municipal Code Chapter 17.68 (Use Permits).
7. The Community and Economic Development Director may require outdoor display or sales areas to be screened from the view of adjoining public right-of-ways by decorative wall, fences, or landscaping. All fencing shall be in compliance with Municipal Code Section 17.36.040 (Fences and Walls). The following fence materials are prohibited pursuant to Municipal Code Section 17.36.040.D (Fences and Walls: Prohibited Materials): barbed wire, chain link, rope, electrified fence, glass, razor wire fence, or similar materials in conjunction with a fence or wall, or by itself.
8. Hours of operation shall be limited to business hours with all outdoor display or sales items brought indoors at the close of daily business, unless otherwise approved by the Community and Economic Development Director.
9. Additional signs, beyond those normally allowed consistent with Municipal Code Chapter 17.48 (Signs), shall not be allowed.

² Setbacks for Commercial Zones can be found in Municipal Code Section 17.24.030 (Commercial District Development Standards)

10. The property owner retains the right to control his/her property in all legal ways including changing or cancelling such outdoor display or sale. **The property owner's signature is required on this application and on the final permit.**
11. In the event that the outdoor display or sale creates an on-site traffic or pedestrian problem, the permit may be cancelled or adjusted by Town staff on demand. All outdoor display or sale areas shall be a minimum of three feet from driveways and the end of applicable parking stalls. Blocking access to a door or any pedestrian walkway (a minimum of three feet passage required for access) is not permitted.
12. In consideration of the acceptance of this Administrative Permit, signatories and applicant hereby waive, release, and discharge any and all claims for damages or death, or bodily injury, and property damage which may have, or which may hereafter accrue as a result of the said activity.

This release is intended to waive, release, and discharge in advance, the Town of Mammoth Lakes, its officers, agents, servants, volunteers and employees from liability, even though that liability may arise out of negligence or carelessness on the part of the persons or entity named above and even if such persons and entity are otherwise strictly liable.

It is understood that the activity mentioned above and on all attachments involves an element of risk associated with the activity, whether known or unknown, and whether known or unknown to the persons and entity above named.

Applicant's Signature: _____ Date: _____

Applicant's Name: _____
(Printed)

Property Owner's Signature: _____ Date: _____

Property Owner's Name: _____
(Printed)

Additional notes or comments may be submitted along with the application. Additional conditions may be added to the final permit. All conditions herein, and any other conditions and requirements added to the final Administrative Permit by the Town, shall be required permit conditions and shall be adhered to for the duration of the Permanent Outdoor Display or Sale Administrative Permit. The Town reserves the right to alter, or revoke this permit for any reason at any time.

*** Established Business Criteria:** To qualify as an "established business" for the purpose of a permanent outdoor displays or sales, the following criteria shall be met:

1. The business location shall be a standalone building or a physically separated suite within a multi-tenant building. Physically separated is defined as an enclosed area with a lockable door;
2. The business shall have a point-of-sale for retail transactions and shall conduct sales at the business location (e.g., the location cannot function as merchandise storage);
3. The business shall have its own name, provided that any business occupying the same location as a previous business, under the management and control of the same or substantially similar people as that previous business, and engaged in a substantially similar business as that previous business, shall not be considered a new business simply because of a change of name;
4. Any sales made by a business shall be made under that business's name and all price tags and receipts shall identify that name; and
5. The business shall possess a valid business tax certificate.

Businesses that do not fit the definition of "established business" are not permitted to have a permanent outdoor display or sale.