

A. General requirements. A nonconforming sign shall not be:

1. Changed to another nonconforming sign;
2. Structurally altered to extend its useful life;
3. Enlarged;
4. Re-established after a business is discontinued for 60 days or more; or
5. Re-established after damage or destruction to 50 percent or more of the value of the sign, or its components, as determined by the Building Official.

B. Maintenance and changes. Sign copy and face changes, nonstructural modifications, and nonstructural maintenance (e.g., painting, rust removal) are allowed without a sign permit up to a maximum of 25 percent of the existing total area of the sign. Face changes not including copy, any nonstructural modifications exceeding 25 percent of the existing total area of the sign, as well as any structural changes, shall comply with all applicable standards of this chapter.

4.6 Murals/Wallpapering or Covering of Buildings.

- a. Exterior building walls shall not be covered with paper, murals, or other similar material without the approval of a Temporary Use Permit (TUP).
- b. Murals shall be artistic in nature and not commercial, shall not bear phone numbers, website addresses, or other information that may constitute advertising or a commercial sign. Should a mural be deemed commercial in nature, the provisions of Chapter 4.5 (Sign Regulations) of this Old Town Code shall apply.
- c. Murals and building coverings are subject to conditions of approval to ensure that a mural or building covering is safe, structurally sound, will be maintained during the life of the artwork, and that the building will be returned to its original condition when the artwork is removed.

4.7 Outdoor Dining Guidelines

4.7.010 – Purpose

The purpose of the Outdoor Dining Guidelines is to promote safe and attractive use of the public areas in Old Town Newhall. This section assists property owners and tenants along Main Street in establishing outdoor dining areas in the public right-of-way (ROW) that will help create a dynamic and lively atmosphere of the commercial core of Old Town Newhall. To a limited extent, outdoor dining in the public right-of-way may be permitted on streets other than Main Street in the Corridor or Creative District zones, subject to the issuance of an Administrative Permit (See Section 4.7.010.Q).

A. Context: This section implements policies from the Old Town Newhall Specific Plan, effective December 2005, which encourage pedestrian oriented shops, restaurants and services located on Main Street. To promote Main Street as the recognizable focus of Old Town Newhall, portions of the public right-of-way are available for lease or license for the purposes of creating or extending outdoor dining areas. These standards apply to the design and construction of dining areas and enclosures that will extend into leased areas of the public ROW along Main Street. See Figure 1.0 for an outline of the project area.

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- B. Eligible Properties:** With the approval of the Director of Community Development, properties within the Urban Center zone may be allowed to encroach into the public right of way for outdoor dining. The Main Street Outdoor Dining Guidelines provide standards for properties with frontage on Main Street for encroachments for outdoor dining. Eligible properties are shown in Figure 1.0 for a map of eligible properties under these guidelines.
- C. Application Process:** The application process and submittal requirements to establish an outdoor dining area within the right-of-way on Main Street are outlined in the Main Street Outdoor Dining Area Application & Checklist.
- D. Other Regulations:** Business and property owners are not relieved from obtaining other required approvals, licenses, and permits for a new or expanded business from the Community Development Department, Public Works Department, Fire Department, Alcoholic Beverage Control Board (ABC), and any other appropriate authority.
- E. General Guidelines:** The City's interest in reviewing applications for outdoor dining relates to the safety and well being of the public and the promotion of the Old Town area as a vital and attractive pedestrian district. The City's goal is to maintain the highest standards of accessibility and safety while achieving an attractive and functional design. In general, allowed encroachments should compliment public use and improvements. In no case shall encroachments be permitted which serve to exclude the public from any public sidewalk or street. The City may deny any application for outdoor dining in the public right of way that it determines does not comply with these guidelines or any other standard or regulation set forth by the City.

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F. Location and Dimensions: Dining areas in the right-of-way may be allowed where it can be determined by the City that the encroachment would not result, individually or cumulatively, in a narrowing of the sidewalk such that important functional attributes of Old Town, (e.g., ability of pedestrians to stroll side-by-side and to pass comfortably for significant stretches, lingering and window shopping) are not jeopardized. The location and dimensions of any item located in a public place shall meet the minimum requirements set forth in these guidelines and any other local, state or federal law or regulation.

1. Encroachments shall conform to the following standards:

- 5' minimum width unobstructed pedestrian path of travel;
- 4' minimum setback from driveways;
- 8' minimum setback from pedestrian ramps at corners;
- 2' minimum setback from any legally required building entrance or exit;
- All dining furniture and appurtenances must be contained within the dining area;
- Above grade planters or pots used as part of the dining enclosure shall be a minimum height of 2'; and
- Pots and plant materials shall not exceed a maximum height of 4'.

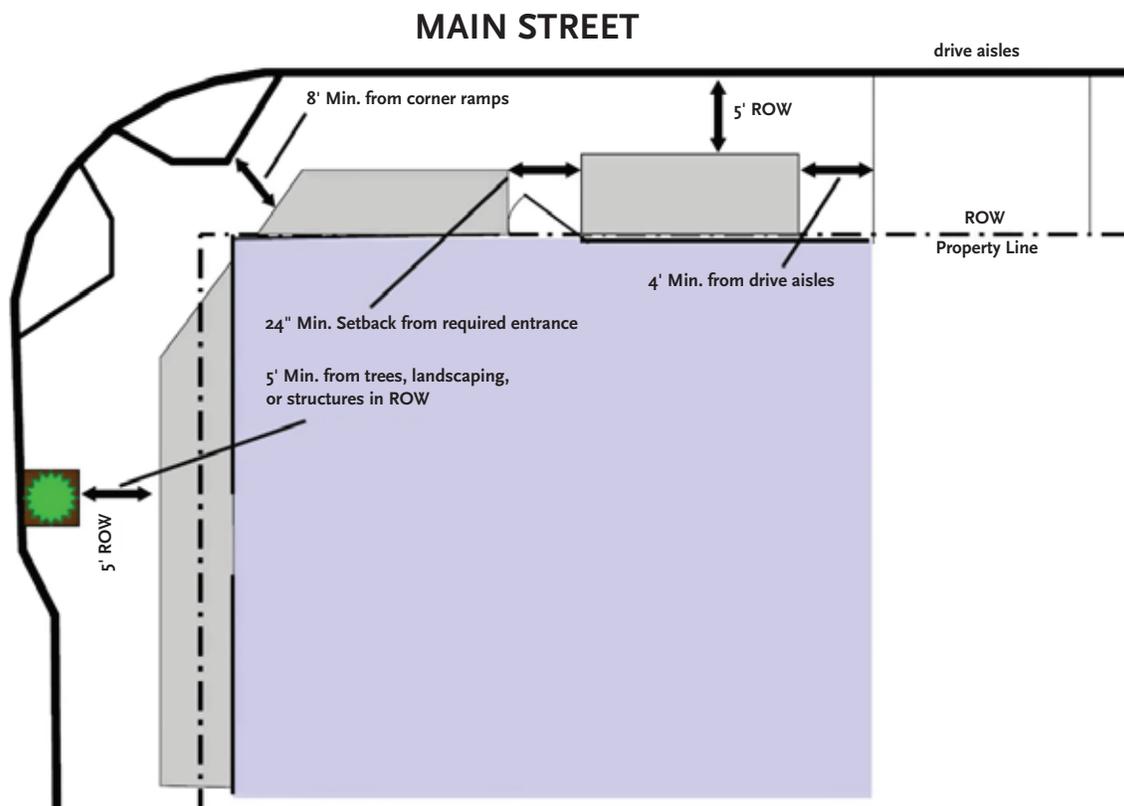


Figure 2 – Setback Exhibit

2. Encroachments shall not block safe access to businesses, parking spaces, bike stalls, or other spaces required by local, state or federal building or safety codes.
3. Chairs and tables shall not extend into the required accessible walkway at any time. Chairs must be at a scale appropriate to the size of the table or space available for seating.

4. Tables and chairs shall not be affixed to the sidewalk or any portion of the right-of-way.
5. Heating devices shall be reviewed by the City of Santa Clarita for safety and aesthetics and may require separate building permit review.
6. The Community Development Department may require an Architectural Design Review to review any items placed in the City right-of-way that are not clearly consistent with these guidelines.

G. Maintenance and Operational Standards

1. Maintenance of sidewalk encroachments shall be the sole responsibility of the permit holder.
2. Any item permitted to be placed in the City right-of-way shall be maintained in a safe manner so as not to obstruct pedestrian access to public sidewalks, access ramps or doorways. Movable items, like chairs, shall be positioned to prevent obstruction of access routes at all times. The permitted item shall be, if moved by patrons, relocated to the appropriate location at all times.
3. All materials shall be well maintained without stains, rust, tears or discoloration. Materials that show signs of significant wear/age shall be replaced.
4. Umbrellas shall be constructed of durable fade resistant materials.



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H. Colors and Materials - The types of materials placed on City sidewalks shall portray a well maintained and aesthetically appealing streetscape. The variety of uses that exist in Old Town Newhall require a cohesive guideline of allowed materials, colors and variation of items permitted in the common commercial area.

1. All items located on the public sidewalk shall be constructed of durable materials appropriate for use in the public right-of-way. Folding chairs, light weight materials, deteriorated, U.V. damaged, splintered or other similar furniture will not be approved or placed in the right-of-way. Sealed or painted metal or wood tables are recommended.
2. Permitted encroachments shall be complimentary in material, color and design to the buildings they serve and are adjacent to.
3. Tablecloths, umbrellas and similar materials used as part of an encroachment, shall be clearly described in the project application (material samples may be required). All materials shall be painted, stained, etc., in a solid color; stripes and patterns are discouraged.
4. Street furniture shall not contain signs, advertising, or logos.

I. Umbrellas

1. Umbrella shades shall have approved solid colors. Patterns and stripes are discouraged.

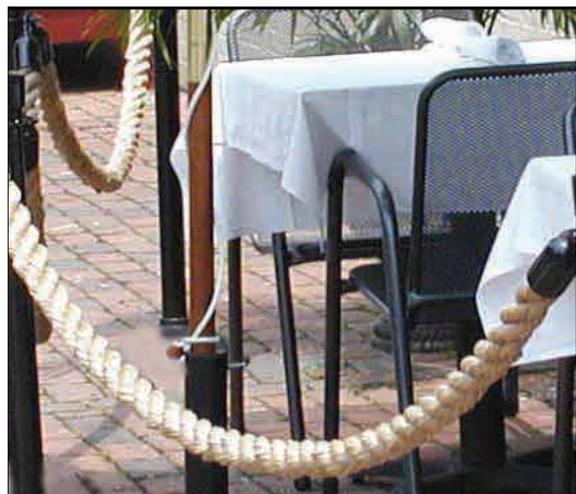


2. Umbrellas shall be installed and maintained so as to provide pedestrian clearance by maintaining seven (7) feet of clearance from the sidewalk to the lowest edge of the umbrella. Umbrellas shall not exceed a maximum height of nine (9) feet from the base to the top portion of the pole.
3. Umbrellas shall be constructed of a canvas-type material suitable for outdoor use. No plastic fabrics, plastic or vinyl-laminated fabrics, or any type of rigid materials are permitted.
4. Umbrellas shall be set back a minimum of five (5) feet from the neighboring property.



J. Barriers

1. A barrier is required for the full perimeter (with the exception of access openings) when the outdoor seating area extends more than four feet into the public ROW. Landscape planters may be used as barriers.
2. Sectional fencing must be constructed of metal (aluminum, steel, iron, or similar) or wood and must be of a dark color (either painted or stained).
3. Rope or chain barriers are permitted. The rope or chain must have a minimum diameter of one inch. Vertical support posts must be constructed of wood or metal.
4. Barriers shall not be affixed to the sidewalk or cause damage to the existing right-of-way.



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K. Planters and Landscaping

1. Planters shall contain plant materials in healthy condition. Stressed, dead, or dying landscape must be promptly replaced.
2. Planters shall have a self-contained watering reservoir system that prevents any leakage onto the sidewalk.
3. Debris or litter caused by landscape planters shall be maintained or cleaned by the responsible business or property owner. Debris, stains or litter shall be cleaned or removed by the responsible business or property owner.
4. Planters and landscaping shall be trimmed to maintain the required accessible walkway of no less than 5 feet in width.



L. Menu Boards

1. Menu boards shall be limited to one per eligible business and shall meet the setback requirements identified in Figure 2.
2. Menu boards shall be limited to a maximum size of 9 square feet and shall conform to the standards listed in ONSP Section 4.5.050.B.
3. Menu boards shall not be affixed to or cause damage to the existing sidewalk or any other portion of the right-of-way.



M. Lighting

1. Lighting shall illuminate only the dining area and shall be shielded from the public space.
2. Lighting shall be mounted so that all wiring is concealed. Rope or string lights are allowed provided they are installed to the requirements of the Building Code and manufacturer's specifications.



N. Signage

1. All signage proposed to be located upon umbrellas, barriers, or similar shall be subject to the approval of the Director of Community Development. In no circumstance shall off-site signage or corporate branding, other than that of the subject business, be permitted.

O. Other Types of Encroachments

1. Other types of encroachment, not anticipated in these guidelines may be considered and permitted by the City, but must comply with the purpose and intent of these guidelines.

P. Indemnification and Insurance

Issuance of an outdoor dining permit shall be contingent upon the applicant enacting an Outdoor Dining License Agreement with the City of Santa Clarita. The applicant shall also provide a Certificate of Liability Insurance for the duration of the outdoor dining permit and license agreement. Annual minimum coverage limits shall be established by the City at the time of application.

Q. Outdoor Dining in Other Areas

While the primary focus of outdoor/sidewalk dining is centered on Main Street, there may be other instances that occur in the Corridor or Creative District zones where similar sidewalk dining activities may be warranted. In these cases, outdoor dining in the right-of-way may be approved subject to the issuance of an Administrative Permit and provided that the proposal meets the requirements set forth in this chapter.

4.8 Findings

In order to preserve the historic and unique character of Old Town Newhall, and in an effort to encourage the creation of a vibrant arts and entertainment district, prior to the issuance/approval of certain permits listed in UDC Chapters 17.23.22 (Class I Applications—Ministerial), 17.23 (Class II Applications—Discretionary), 17.24 (Class III Applications—Discretionary), 17.25 (Class IV Applications—Discretionary), 17.26 (Class V Applications—Discretionary), 17.27 (Class VI Applications—Discretionary), and 17.28 (Class VII Applications—Legislative), the following findings shall be made in addition to the findings listed in UDC Section 17.06.130 (Findings and Decision):

ONSP-1: That the proposed use or project is consistent with the Old Town Newhall Specific Plan; and

ONSP-2: That the proposed use or project meets the development requirements for the zone within which it is located including parking, architecture, and ground-floor uses.