

4. Location and type of controller;
 5. Location and type of backflow prevention device (as per Health Code);
 6. Available water pressure and water meter outlet size; and
 7. Irrigation application schedule and flow rates.
- F. Hydroseeding. Plans indicating location and type of hydroseeding shall be submitted with development plans when such planting is to be utilized for permanent landscape treatment or for natural area restoration. Hydroseeding plans shall contain installation specifications including, but not limited, to:
1. Seed mix and application rate. A native seed mix containing a minimum of 10 percent shrub and perennial seeds shall be utilized in areas where permanent landscape restoration is required. Species selected shall include plant materials native to the area.
 2. Fertilizer, mulch materials, soil preparation and watering specifications.

A.60.080. Outdoor facilities.

The purpose of this section is to permit and regulate commercial outdoor displays of merchandise on private property and materials in order to encourage visual interest along commercial streets and support the business community while minimizing adverse aesthetic impacts to the public and nearby residential uses.

- A. What is Permitted. Outdoor facilities activities may include:
1. Outdoor display of merchandise (except bulk inventory), materials (including chairs and benches for customer waiting) and equipment including items for customer pick-up, on the site of and operated by a legally established business.
 2. Outdoor food and beverage service and outdoor dining on the site of and operated by a legally established business and accessory to an Eating and Drinking Establishment or Food and Beverage Sales business with incidental seating area, as defined in Section A.08.050. Outdoor food and beverage service and dining on public property is not regulated by this section and requires an Encroachment Permit pursuant to Chapter 7.36, Title 7 (Public Works) of the Municipal Code.
- B. Where Permitted. Outdoor facilities authorized by this section are permitted for all legally established commercial and industrial uses. Notwithstanding the aforementioned, outdoor facilities are prohibited in all residential districts.
- C. Performance Standards. Outdoor facilities are subject to the following:
1. Outdoor display of merchandise or materials shall not occupy public property, and may not occupy more than fifty percent (50%) of the total "tenant frontage" of a building as defined in Section 10.72.030/A.72.030 of the Sign Ordinance.

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2. Yards, screening, or planting areas may be required to prevent adverse impacts on surrounding properties. The height of merchandise, materials, and equipment stored or displayed shall not exceed the height of the screening fence or wall, if required.
 3. There shall be no outdoor preparation of food or beverages associated with outdoor dining where food is consumed at tables.
- D. Exceptions. Notwithstanding the provisions of subsections (A), (B), and (C) above, outdoor storage and display shall be permitted in conjunction with the following use classifications in districts where they are permitted or conditionally permitted:
1. Nurseries, provided outdoor display is limited to plants and related materials only.
 2. Vehicle/Equipment Sales and Rentals, provided outdoor display shall be limited to vehicles, boats, or equipment offered for sale or rent only.
- E. Application. The owner of a business shall submit a written request with application fee, for an outdoor facilities permit (which may consist of a letter) to the Community Development Director. The request shall include a full description of the display activity, including but not necessarily limited to: types of items to be displayed, location on the site, and hours during which items are to be placed outdoors. The Community Development director shall review the application for compliance with performance standards contained in this section and may impose conditions to avoid adverse impacts such as but not limited to public safety impediments, visual clutter, and disorderly displays.
- F. Grounds for Denial: Revocation. If adverse impacts cannot be prevented, the Community Development Director shall deny the outdoor facilities permit application. If a business fails to comply with the terms and conditions of an approved outdoor facility permit the Community Development Director may revoke the permit.
- G. Duration and Renewal. Upon approval, an outdoor facilities permit shall be valid for a period of one (1) year or until March 1st. Outdoor facilities permits may be renewed annually, upon finding by the Community Development Director that the business has complied with all imposed terms and conditions, and that no adverse impacts or nuisance conditions have resulted.
- H. Appeals. Decisions of the Community Development Director may be appealed to the Planning Commission in accordance with Chapter 10.100 MBMC.

A.60.090. Screening of mechanical equipment.

- A. General Requirement. Except as provided in subsection (B) below, all exterior mechanical equipment, except solar collectors and operating mechanical equipment in an IP District located more than 100 feet from a C, R, PS, PD, or OS district boundary, shall be screened from view on all sides. Equipment to be screened includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork, and transformers. Screening of the top of equipment may be required by the Community Development Director, if necessary to protect views from an R district.

10.60.080 Outdoor facilities.

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- A. **What is Permitted.** Outdoor facilities activities may include:
1. Outdoor display of merchandise (except bulk inventory), materials (including chairs and benches for customer waiting) and equipment including items for customer pick-up, on the site of and operated by a legally established business.
 2. Outdoor food and beverage service and outdoor dining on the site of and operated by a legally established business and accessory to an eating and drinking establishment or food and beverage sales business with incidental seating area, as defined in Section 10.08.050. Outdoor food and beverage service and dining on public property is not regulated by this section and requires an encroachment permit pursuant to Chapter 7.36 of this Code.
- B. **Where Permitted.** Outdoor facilities authorized by this section are permitted for all legally established commercial and industrial uses. Notwithstanding the aforementioned, outdoor facilities are prohibited in all residential districts.
- C. **Performance Standards.** Outdoor facilities are subject to the following:
1. Outdoor display of merchandise or materials shall not occupy public property, and may not occupy more than fifty percent (50%) of the total "tenant frontage" of a building as defined in Section 10.72.030 of this title.
 2. Yards, screening, or planting areas may be required to prevent adverse impacts on surrounding properties. The height of merchandise, materials, and equipment stored or displayed shall not exceed the height of the screening fence or wall, if required.
 3. There shall be no outdoor preparation of food or beverages associated with outdoor dining where food is consumed at tables.
- D. **Exceptions.** Notwithstanding the provisions of subsections A, B, and C of this section, outdoor storage and display shall be permitted in conjunction with the following use classifications in districts where they are permitted or conditionally permitted:
1. Nurseries, provided outdoor display is limited to plants and related materials only.
 2. Vehicle/equipment sales and rentals, provided outdoor display shall be limited to vehicles, boats, or equipment offered for sale or rent only.
- E. **Application.** The owner of a business shall submit a written request with application fee, for an outdoor facilities permit (which may consist of a letter) to the Community Development Director. The request shall include a full description of the display activity, including but not necessarily limited to: types of items to be displayed, location on the site, and hours during which items are to be placed outdoors. The Community Development director shall review the application for compliance with performance standards contained in this section and may impose conditions to avoid adverse impacts such as but not limited to public safety impediments, visual clutter, and disorderly displays.
- F. **Grounds for Denial—Revocation.** If adverse impacts cannot be prevented, the Community Development Director shall deny the outdoor facilities permit application. If a business fails to comply with the terms and conditions of an approved outdoor facility permit the Community Development Director may revoke the permit.

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- G. **Duration and Renewal.** Upon approval, an outdoor facilities permit shall be valid for a period of one (1) year or until March 1st. Outdoor facilities permits may be renewed annually, upon finding by the Community Development Director that the business has complied with all imposed terms and conditions, and that no adverse impacts or nuisance conditions have resulted.
- H. **Appeals.** Decisions of the Community Development Director may be appealed to the Planning Commission in accordance with Chapter 10.100 of this Code.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; Ord. No. 1891, Amended, 01/06/94; § 3, Ord. 2007, eff. November 18, 1999)