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Suggested by
The Boardwalk Development Association
Boardwalk Outdoor Display Guidelines
Phase 1

Architectural Guidelines
Phase 2
(At a later date)

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Introduction/Vision

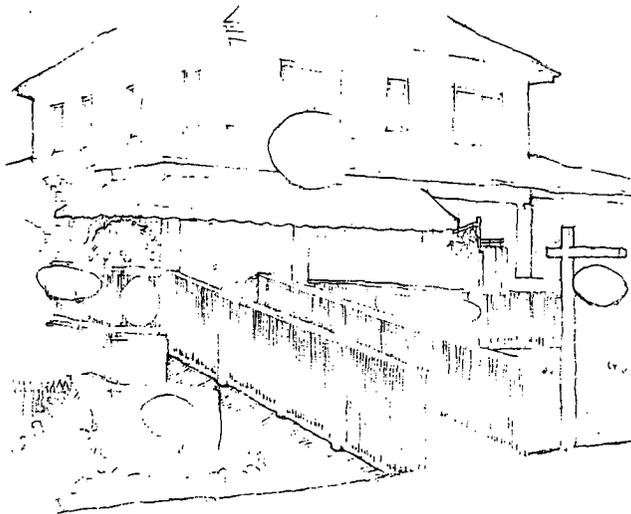
The Boardwalk Development Association (BDA) is committed to creating an attractive, vibrant, and festive atmosphere on the Boardwalk that fosters successful businesses and creates a joyful experience for visitors. A key component of this commitment is providing high-quality outdoor displays that give businesses the opportunity to show samples of their merchandise in a manner that enhances the public realm, that creates an interesting and comfortable shopping district, and that maintains, and improves, the town's sense of place and property values.

The outdoor display of merchandise is one of the best methods available for merchants to promote their businesses. All businesses are encouraged to have creative and festive outdoor displays. However, there are limitations.

Outdoor displays should be a temptation and an enticement to the visitor to come inside the store, and not a method of expanding retail space. Displays should consist of a limited number of representative items placed outside to inform and encourage visitors to explore more products within the store. It should not be outdoor merchandising. It should not be simply moving the inside of the store outdoors. The code currently states that outdoor displays are "exhibits" only.

Outdoor displays are a privilege granted by the Town, and not a right to the business. These standards are intended to foster outdoor displays that enhance the visitor experience at the Boardwalk, ultimately resulting in a more successful retail environment for all Boardwalk vendors.

This document has been prepared by the Boardwalk Development Association with specific input from Police Chief DePino, Code Administrator Blaine Smith, Fire Chief Sam Villani, Code Enforcement Officer Ray Schmidt, OCDC Executive Director Glenn Irwin and Bruce Gibbs City Maintenance Director. All the regulations in these guidelines follow the guidelines of the accepted codes approved by the police, fire department and code administration.



Use of these Guidelines

These standards are divided into two sections: General Components of Outdoor Displays, and Physical Components of Outdoor Displays. Each chapter lists the goal of the guideline, the guideline itself, prohibited items, and in some cases illustrations of desirable ways to conform with the guidelines.

Eligibility

These guidelines apply to all outdoor merchandise displays along the boardwalk in the B-1, BC-2, and R-3 zoning districts.

General Components of Outdoor Displays:

Transactions

Goal

The Boardwalk should be a festive and fun place for visitors to shop, but it should not resemble an outdoor marketplace, with money transactions occurring in public.

Standards

All sales registers and transactions should occur within the building.

Prohibited Sales registers or sales transactions outside of the building.

Hours of Use

Goals

Outdoor display is permitted during business hours to convey that the store is open for business, and to promote sales of store items.

Standards

Display racks and merchandise may remain outside of the store during business hours. A-Frame signage and all displays must be taken inside when the store is closed.

Landscaping elements and permanent furniture may remain outside on a permanent basis subject to other code provisions.

Prohibited

Any display racks or merchandise outside of the store while the store is not open.

General Components of Outdoor Displays:

Merchandise

Goals

Displaying only a limited amount of representative, quality merchandise allows for better viewing of the display items, an uncluttered Boardwalk environment, and greater enticement for the visitor to enter the store and see the full range of merchandise available.

Standards

Items displayed should be high-quality representations of the greater range of products within the store.

Only items sold inside the store may be displayed outside the store.

All merchandise displayed outside must be able to be placed inside the store and continue to meet fire safety laws to remain open. In inclement weather, it is permissible for the merchant to choose to leave display items outside rather than displaying them inside.

Example: boogie boards

Prohibited

Merchandise which is not clearly related to the primary business conducted inside the store.

Distasteful merchandise displayed at a child's eye level.

General Components of Outdoor Displays:

Area

Goals

Small areas of outdoor display should be used to entice visitors inside without interrupting pedestrian traffic flow.

Standards

Each store may display merchandise in an area not to exceed 30% of their available outdoor space. The square footage of this space is determined by the number of linear feet of frontage of the building, multiplied by the allowable display space within the setback. The measurement for the frontage does not include lot line to lot line, only the building frontage. For example, if a store has 25 feet of frontage and is allowed 12 feet of display (due to their 32 foot setback), then the total amount of square footage is 300 sq.ft. The store is allowed to use 30 % of that space, or 90 square feet (25 ft of frontage x 12 ft distance from the building = 300 square feet x 30% = 90 sq. ft for outdoor display).

If there is a 32 foot setback or more from the western edge of the Boardwalk, the store display shall not extend more than 12 feet from the building façade toward the Boardwalk. If the setback is less than 32 feet on the Boardwalk, the display shall not extend more than 8 feet from the façade of the building. If the store has no setback from the Boardwalk, no outdoor display is allowed. If a condominium association defines a smaller area or number of permissible racks and bins for display, the condominium documents supercede these display guidelines.

Each store must provide a permanent marking of the area to be used for outdoor display (on private property only). This marking should be creative, but also safe, permanent, and appropriate for Ocean City. i.e. Footprints, colorful tape, flip flops painted, etc.

Prohibited

Displays that are outside of the approved and permitted area.

Faded or torn awnings

Exterior amplification

General Components of Outdoor Displays:

Location

Goals

To create an attractive, cohesive system of outdoor displays along the Boardwalk that appears orderly and planned, rather than haphazard.

Standards

All outdoor display items should be hung or placed on professionally made display racks, specific to the purpose, and within the marked outdoor display area.

Prohibited

Hanging of display items from overhead canopies, porches, doors, awnings or other parts of the building. Nothing may be displayed on the façade of the building beyond the doors.

Access to Store

Goals

Boardwalk stores should have attractive, easily visible entries. Outdoor displays should tempt visitors and help guide them inside.

Standards

Outdoor displays should leave a clear and visible path to the entrance of the store. By fire code, the entrance must be at least a 36" opening. If the building is rated for 50 or more people, the entrance must be 44". Entrances and exits must be clearly delineated, with no displayed items blocking the openings.

Prohibited

Outdoor display areas that interfere with pedestrian or vehicular movement, or with safe and proper ingress/egress of pedestrian traffic.

Racks/containers cannot form a wall, blocking a neighboring business.

Racks or display units that impede a visitor from moving easily from one store to the next.

No barriers may be set up between stores.

Any display piece that exceeds 5' in height is not allowed.

Retailers must provide a minimum of 24" from their closest rack to the abutting store's entrance.

Physical Components of Outdoor Displays: **Free-standing Signage**

Goals

Consistent and attractive free-standing signage will help to inform visitors and create a coherent, uncluttered image for the Boardwalk district.

Standards

All free-standing signage should be:

A-frame type

Chalkboard inserts are encouraged, especially for restaurants

Professionally constructed and lettered

42" wide by 56" high with 6" legs permitted

In good repair and well maintained

Each store or restaurant may have one free-standing sign per 25 linear feet of storefront, with a maximum number of two A-Frames.

All A-Frames must be taken inside at the close of business each day.

It will no longer be necessary for Boardwalk stores to obtain a sign permit for an A-Frame. When a vendor applies for an outdoor display permit, the A-frame permit will be included in the allowed outdoor display.

Prohibited

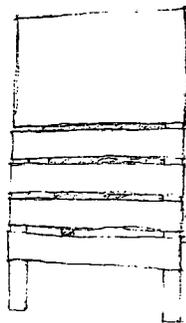
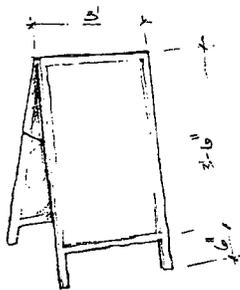
Hand-lettered signs, other than chalkboard.

Signs that block neighboring property or impose on them visually.

Signs that are displayed outside of business hours.

Nothing may extend above or be placed on the top or sides of the prescribed dimensions of the A - frame.

Examples



Physical Components of Outdoor Displays:
Display Stands: Vending Carts

Goals

Extensive use of vending carts will create an attractive, fun, and cohesive shopping district along the Boardwalk.

Standards

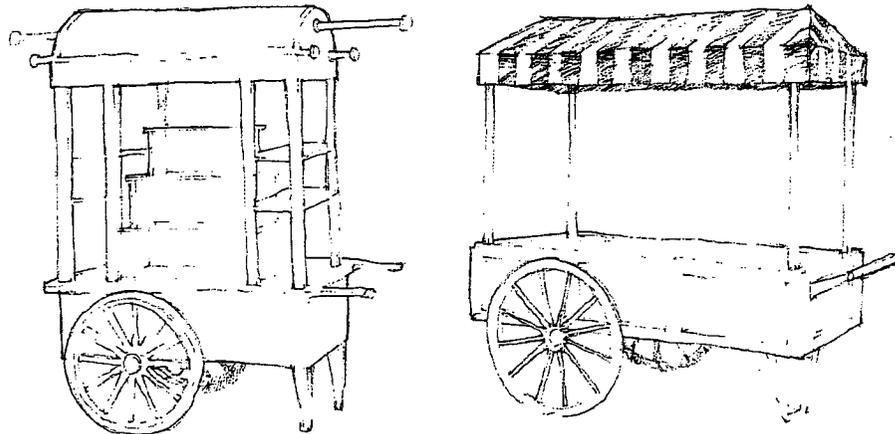
Vending carts are limited to 2 wheels and must have integral roofs or umbrellas.

All vending carts should be professionally made specifically for that purpose.

Prohibited

The use of carts may not exceed the allowable 30% of display space.

Examples



Physical Components of Outdoor Displays:

Display Stands: Clothes Poles, Toy Racks, Hermit Cages and Sunglass Racks

Goals

Display stands should be of uniform size, type, and materials to create an attractive and cohesive shopping district along the Boardwalk.

Standards

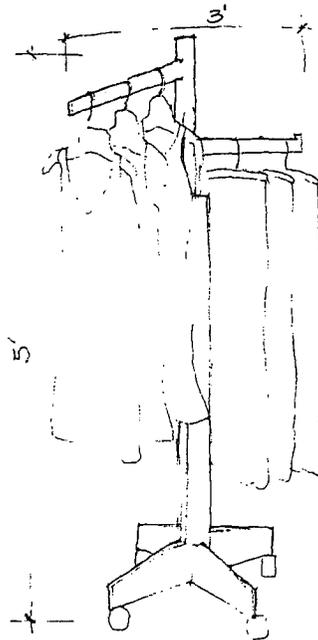
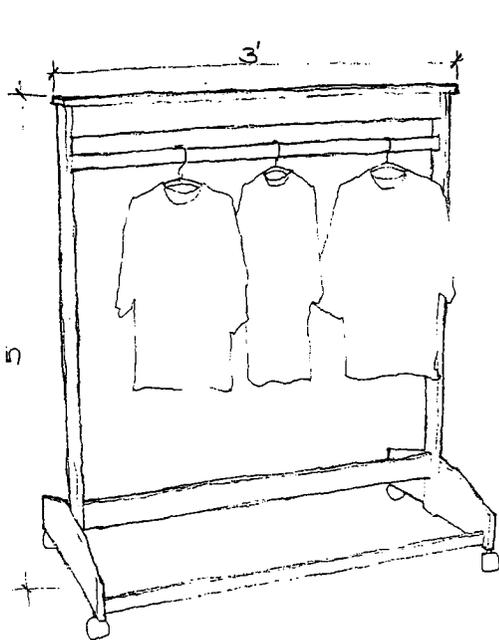
Stores may use 2 or 4 way racks that do not exceed 3' in length or width, and 5' in height.

All clothes poles and racks should be professionally made specifically for that purpose.

Prohibited

Hanging clothes from anything other than a dedicated Clothes Pole, Clothes Rack,

Examples



Physical Components of Outdoor Displays: **Display Stands: Boxes and Bins**

Goals

Display boxes and bins should be of uniform size, type, and materials to create an attractive and cohesive shopping district along the Boardwalk.

Standards

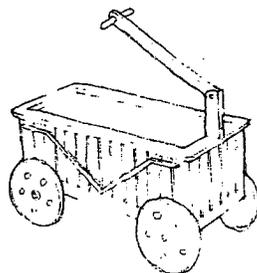
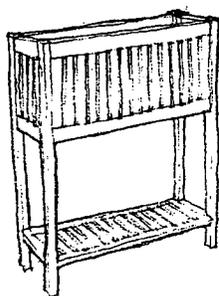
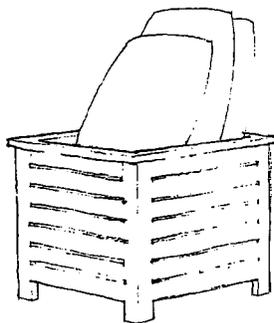
All boxes and bins should be professionally made specifically for the purpose of display.

Carts with wheels are highly encouraged as an alternative to boxes and bins.

Prohibited

Bins overflowing with unorganized merchandise.

Examples



Physical Components of Outdoor Displays:

Umbrellas

Goals

The use of Umbrellas is encouraged to create shade and an attractive, cohesive shopping district along the Boardwalk.

Standards

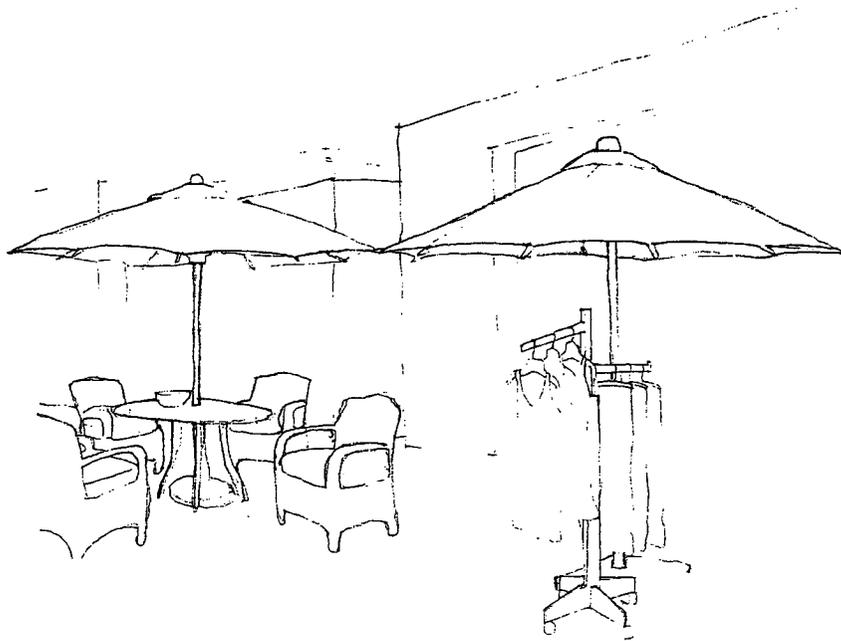
Umbrellas should be made of wood and a canvas-type fabric where possible.

Umbrellas should have a minimum of 8' headroom, and should not obscure the storefront or neighboring buildings.

Prohibited

Low umbrellas with less than 8' of clearance

Examples



Physical Components of Outdoor Displays:

Furnishings

Goals

Attractive seating and eating areas will encourage visitors to stop and rest or linger at Boardwalk stores.

Standards

Each store may have an unlimited number of furnishings for sitting or eating. Benches, tables and chairs should be stable and semi-permanent, and able to withstand the elements.

The use of unstained or unpainted pressure-treated wood is discouraged.

All furnishings should be professionally made specifically for the purpose.

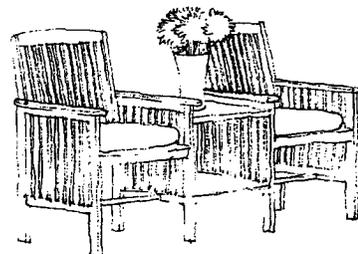
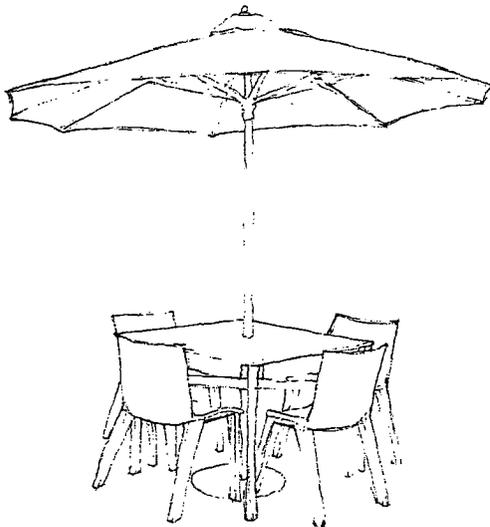
Semi-permanent furnishings do not count toward the maximum 30% allowed area for outdoor display.

Restaurant seating and tables must be clean and maintained and trash picked up throughout the day and evening.

Prohibited

Folding , lightweight chairs and tables

Examples



Physical Components of Outdoor Displays:

Landscaping

Goals

Landscaping materials should be used to create a lush, attractive, inviting atmosphere on the Boardwalk.

Standards

Each store that has an outdoor display is encouraged to include at least one landscape material consisting of a plant and container, with a minimum 10 gallon size.

Landscaping materials do not count toward the maximum allowed area for outdoor display. Each store may have an unlimited number of landscape materials in appropriate containers.

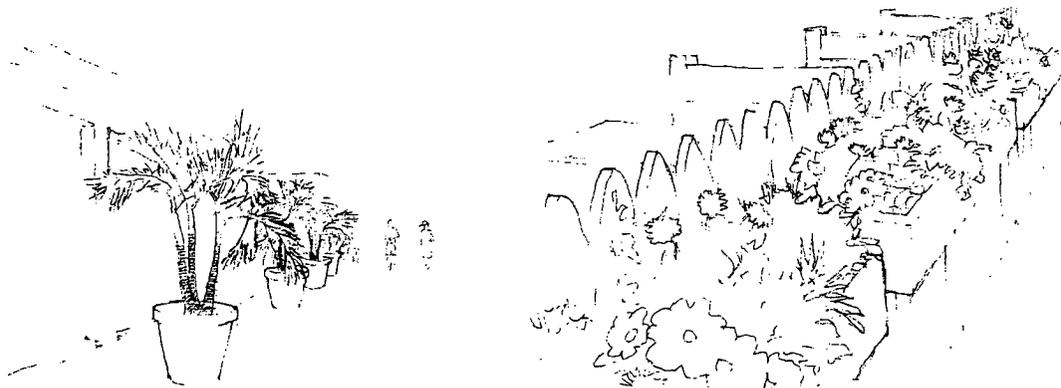
Landscape containers must be well maintained and cleaned on a daily basis. Plant material must be maintained and replaced if any material dies.

As a special incentive to merchants who wish to have landscaping, The BDA and the Beautification Committee will help to sponsor appropriate landscaping.

Prohibited

Landscaping containers with dead plant materials.

Examples



Physical Components of Outdoor Displays:

Prohibited Materials

Goals

To create a safe, family-oriented experience for visitors on the Boardwalk.

Standards

Stores should avoid the display of any materials that create a public hazard or degrade the visual environment.

Prohibited

Mannequins
Debris/ Detritus
Adult materials
Alcohol
Alcohol paraphernalia
Illegal Drugs
Drug paraphrenalia
Tobacco products
Firearms
Knives
Hazardous materials
Counterfeit materials
Trash or discarded boxes and packing materials
Any other materials prohibited by code

City and BDA Review Process

An Outdoor Display permit is required from the Town of Ocean City prior to the installation of any outdoor displays.

The process for obtaining the permit is as follows:

1. The applicant obtains a permit application from the Planning and Zoning office.
2. The applicant presents the proposed design to the BDA for review and approval. Presentations must include, at a minimum, a dimensioned site plan, measurements of all display apparatus, proof that the display does not exceed 30% of the allowable space, photographs for all of the proposed display elements, the area to be used for outdoor display, and the means of marking that area. If the proposed design conforms to the guidelines, the BDA will provide the applicant with an approval letter. If the proposed design does not conform to the guidelines, the BDA will provide comments to assist the applicant in revising the design and resubmitting. Only two reviews will be conducted by the BDA for any applicant within a single year.
3. The applicant submits the application, the proposed design, and an approval letter from the BDA to the Planning and Zoning office. The Planning and Zoning office will schedule a presentation by the Applicant to the City staff. Upon approval, a permit will be issued. The \$500.00 fee is payable when the application is approved.
4. The permit is valid for a two-year period providing NO citations are issued to the business during the 12 month period following approval. If citations have been issued, the permit expires after one year and the applicant must reapply for a new one year permit.
5. If the BDA declines to provide a letter of approval to the applicant, the applicant may appeal to the Board of Zoning Appeals, Town of Ocean City:

Compliance

If an outdoor display is found to be in violation of the guidelines, one written WARNING will be issued to the applicant.

For the second offense, a fine of \$500.00 will be issued and there will be a one week suspension of outdoor display.

For a third violation, the fee shall be \$1000.00, and there will be a two week suspension of outdoor display.

Any further violation will result in the revocation of the outdoor display permit for four months. If there is a revocation of an outdoor display permit, the merchant must remove the outdoor display completely within 24 hours of receiving the revocation notice. There will be a fine of \$1000.00 per day issued if merchandise remains outside.

After the four month period, the applicant may reapply for a new 1 year permit.

Enforcement

It is recommended that the Town of Ocean City hire a full time, flex-time enforcement officer for the Boardwalk from April to November. An intern program to assist the officer is recommended.

Application for Outdoor Display Permit
3rd Street to 27th Street

Name of Store: _____

Location of Store: _____

Owner of Store: _____

Manager of Store: _____

Owner of Building: _____

Frontage (# of feet across front of store): _____

Setback: _____

Allowable distance from building: _____

Total # of sq. ft. on property: _____

30% of total allowed: _____

Number of A-Frame(s): (1 for 25'2 max) _____

Dimensions and number of all racks, bins:

___ 2 way racks, # ___ 4 way racks, # ___ bins, # ___ sunglass racks,

Dimensions of each and sq. ft. each uses:

Width of entrance(s): _____

How is the outline of space allowed delineated: _____

REQUIRED:

Floor plan of outdoor display on graph paper, to scale - 6 copies

Photographs to include - name of store, neighboring stores, landscaping, entrances, all merchandise - 6 copies

Signed owner letters (if necessary)

BDA letter of approval