



ATTENTION MERCHANTS AND PROPERTY OWNERS

IMPORTANT INFORMATION ON STOREFRONT USES, APPEARANCES & UPKEEP

The City of Oakland maintains specific standards and requirements to ensure shopping areas and storefronts are maintained in safe, healthy, clean, blight-free manner. Each store owner and property owner has a continuing responsibility to maintain their business and sidewalk area in accordance with the City of Oakland codes.

This flyer summarizes specific items from the Oakland Municipal and Planning Codes which business and property owners in the **C-31 zoned Dimond Shopping District** are responsible for and is provided for your information.

For a complete and full reading of these regulations consult the Oakland Municipal Code (OMC) at www.oaklandnet.com. Please review these regulations in full to ensure your compliance or call 238-3911 if you have specific questions on your property/business operation.

**Thank you for helping to maintain a positive
environment for you and your neighbors to conduct
business, shop, and enjoy our streets!**

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***For infractions please take notice:** When complaints of violation are received by the City, inspections from the building enforcement section may follow. A City enforcement officer may make a determination of any violation and assess a fee, lien, administrative penalty and/or pursue civil action as appropriate (per OMC Section 1.08). The City, from time to time, also may conduct district-wide inspections to ensure our commercial areas are safe and blight free.

Specific Regulations for Commercial Storefront Properties

Sidewalk Maintenance and Cleaning

- Every property (and/or business) owner shall keep the entire width of sidewalk in front of their property free and clear of all grass, weeds, rubbish or other obstructions or materials which have accumulated on the sidewalk. (OMC Section 12.04.070). **Refuse from sidewalk shall not be swept or allowed to go into the gutter or roadway (OMC 8.38.030).**

Design Review Required (Oakland Planning Code Section 17.48.020)

- Buildings, signs, or other facilities may not be constructed, established, altered in such a manner as to affect exterior appearance unless plans for such proposal have been approved by the City's Planning Dept.

Signage (Planning Code Section 17.104)

- A storefront is allowed a maximum of 1 square foot of signage for every linear foot of street frontage (corner lots are allowed .5 sq. ft. of signage per linear foot of street frontage). Any exterior or window display signs larger than 1 sq. ft. count against the total allowable aggregate sign area for the property.
- **Any new signage (beyond just changing out letters/copy) requires design review approval and a sign permit from the Building Dept.¹** Signs placed on the outside of buildings without such permits may be deemed unlawful.
- Exterior signs shall be constructed of durable, rigid material suitable to their location and purpose (appropriate business identification banner signs may be allowed). Per design review, signs should not be plastic, internally illuminated, or cover the outside of any windows. Signs may be paced inside display windows but not cover more than 25% of such window.

Special Promotional Banners (Planning Code Section 17.104)

- Temporary signs for the purpose of grand openings can be in place for a maximum of 30 days. The installation date of the sign shall be placed on the sign to verify compliance with this regulation. A banner sign may not exceed 25 sq. ft. in size.
- Temporary signs for the purpose of special events may be placed on site a maximum of four times per calendar year and a maximum of five consecutive days per event. The size of the temporary signs may not exceed the allowed square footage for permanent signs.

Advertisements for Alcohol and Tobacco (OMC Section 14.1602)

- Advertising sign promoting the sale of specific brands/products of Alcoholic Beverages or Tobacco Products may not be placed in a publicly visible location (the only exception is for within stores legally allowed to sell such products).

Building Uses (Planning Code 17.48.070)

- **Ground floor storefront spaces are intended to serve retail uses** with the total floor area of any single establishment not exceeding 7,500 square feet. Any proposed non-retail use on the ground floor requires a conditional use permit approval from the City Planning Dept.
- All businesses are required to have a valid Oakland business license. When obtaining this license a clearance from the Zoning counter is also required. A determination of how the business activity is classified and whether it is properly located/sized will be made at this time. Any new or continuing business without such a zoning clearance may be determined to be unlawful.

¹ Design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window.

General Blight Codes Pertaining to Commercial Properties

The City's "Blight Ordinance" (Oakland Municipal Code Section 8.24.020) contains further regulations and definitions for dealing with properties/buildings which impair the health, safety, livability and economic stability of the city.

A property or building that is deemed to be maintained in a "blighted" condition is subject to punitive action by the City.

Definition of Blighted Conditions

Blight is defined as any property on which there exists any one or more of the following conditions or activities:

- **Abandoned Buildings or Structures** – including work where there is no valid and current building or demolition permit or where there has not been any substantial work on the project for six months.
- **A Building or Structure in a State of Disrepair or that has become Dilapidated or Deteriorated** – e.g. with broken or missing windows, doors, or with walls, fences, signs, retaining walls, driveways/walkways that are obsolete, broken, deteriorated, or substantially defaced such as with graffiti to the extent that the disrepair visually impacts on neighboring property or presents a risk to public safety.
- **Property Inadequately Maintained** – e.g. not kept clean and sanitary and free from all accumulations of offensive matter or odor including: overgrown, dead or decayed trees, weeds or other vegetation; rank growth; dead organic matter; rubbish; junk; garbage; animal intestinal waste and urine; and toxic or otherwise hazardous liquids, substances and materials.
- **Property which substantially detracts from the aesthetic and economic values of neighboring properties, including:**
 - ❖ Inadequate buffering of any wares, foodstuffs, garbage/receptacles or impacting business activities from publicly trafficked streets or sidewalks;
 - ❖ Building facades, windows, doorways, driveways/walkways, fences, walls, landscaped planter/areas, sidewalks, curbs, gutters, and edge of street pavement on which dirt, litter, vegetation, garbage, refuse, debris, flyers, or circulars have accumulated;
 - ❖ Building façades, public-viewed walls or window areas covered with excessive, deteriorating promotional and/or product advertisement signs;
 - ❖ Any other condition of deterioration or disrepair which substantially impacts on the aesthetic or economic value of neighboring properties.

**Thank you for your attention to this information and please pass on to
other merchants and property owners**