



CITY OF SOUTH LYON

BUILDING DEPARTMENT

335 S. Warren

South Lyon, MI 48178

248-437-5255 Fax: 248-486-0049

TEMPORARY EVENT/OUTDOOR SEATING APPLICATION

1. Identification

Address _____

City/State/Zip _____

Phone (____) _____ Fax (____) _____

Applicant Name _____

Property Owner Name (if different from above) _____

Signature _____ Date _____

2. Permit Request

Description of Requested Use _____

(Attached Additional Sheets as Necessary)

Beginning Date _____ Ending Date _____

3. Information Required for Review. Attach a copy of liability insurance coverage and a sketch Plan showing the following:

- Property lines
- Adjacent uses and zoning district
- Existing and proposed buildings and structures
- Location of any areas for storage of items or display
- Fire hydrants
- Layout of parking
- Boundaries of proposed event
- Location and size of any proposed signs—a separate sign permit application is required for all signs
- Layout of all seating

For Building Official Use:

Permit Fee _____

Approved _____

Denied _____ Reason for Denial _____

Signature of Building Official _____ Date _____

Police Chief _____

Fire Chief _____

City Clerk _____

COPY OF APPROVED APPLICATION SHALL SERVE AS PERMIT

DIVISION 9. - B-2 CENTRAL BUSINESS DISTRICT

Sec. 102-306. - Intent.

The B-2 central business district is intended to permit those uses which provide for a variety of retail stores and related activities, and for office buildings and service establishments which occupy the prime frontages in the central business district, and which serve the consumer population beyond the corporate boundaries of the city. The district regulations are designed to promote convenient pedestrian shopping and the stability of retail development by encouraging a continuous retail frontage and by prohibiting automotive related services and nonretail uses which tend to break up such continuity.

(Ord. of 2-13-95(2), § 5.250)

Sec. 102-307. - Principal uses permitted.

In a B-2 central business district, no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this chapter.

- (1) Any generally recognized retail business which supplies commodities on the premises within a completely enclosed building, such as, but not limited to: foods, drugs, liquor, furniture, clothing, dry goods, notions or hardware.
- (2) Any personal service establishment which performs services on the premises within a completely enclosed building, such as, but not limited to: repair shops (watches, radio, television, shoe, etc.), tailor shops, beauty parlors, barber shops, interior decorators, photographers and dry cleaners.
- (3) Restaurants and taverns where the patrons are served while seated with a building occupied by such establishment and wherein said establishment does not provide as an integral part of, or accessory thereto, any service of a drive-in or drive-through.
- (4) Offices and office buildings of an executive, administrative or professional nature.
- (5) Banks, when said establishment does not provide an integral part of, or accessory thereto, any service of a drive-in or drive-through.
- (6) Public and quasi-public buildings such as, but not restricted to:
 - a. Municipal offices.
 - b. Municipal off-street parking lots.
 - c. Libraries.
 - d. Museums.
 - e. Fraternal organizations.
- (7) Commercial recreation facilities such as theaters.
- (8) Offices and showrooms of plumbers, electricians, decorator or similar trades, of which not more than 25 percent of the floor area of the building or part of the building occupied by said establishment is used for making, assembling, remodeling, repairing, altering, finishing or refinishing its products or merchandise, and provided that: the ground floor premises facing upon and visible from any abutting street shall be used only for entrances, offices or display.
- (9) Business schools or private schools operated for profit; examples include the following: dance schools, music schools, art studios and child care centers provided no outdoor activities are located on the site.
- (10) Newspaper offices and their printing facilities.
- (11) Printing shops.
- (12) Storage facilities when incident to and physically connected with any principal use permitted,

provided that such facility be within the confines of the building or part thereof occupied by said establishment.

- (13) Hotels.
- (14) Bus passenger stations.
- (15) Other uses which are similar to the above and subject to the following restrictions:
 - a. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail from premises where produced.
 - b. All business, servicing or processing, except for off-street or loading, shall be conducted within completely enclosed buildings unless otherwise provided herein.
 - c. Outdoor storage of commodities shall be expressly prohibited.
- (16) Accessory uses customarily incident to the above uses provided such uses are located on the same zoning lot as a permitted use.

(Ord. of 2-13-95(2), § 5.255; Ord. of 1-22-01(2), § 1)

Sec. 102-308. - Principal uses permitted, subject to special conditions.

The following use may be permitted upon the granting of a permit for the use by the building inspector. In conducting its review, the building inspector shall be satisfied that the conditions imposed in this section are met. Furthermore, the building inspector at his or her discretion may impose other reasonable conditions that he or she may deem necessary in order to assure that adequate protection to the proposed use, to the neighborhood near it, and to abutting properties, is provided.

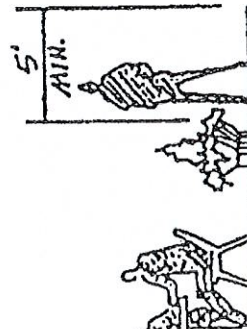
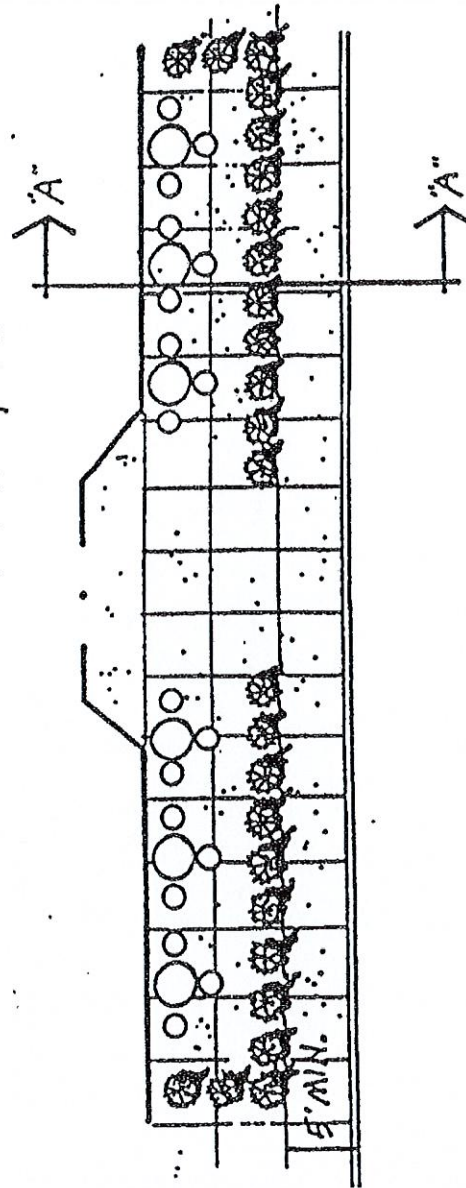
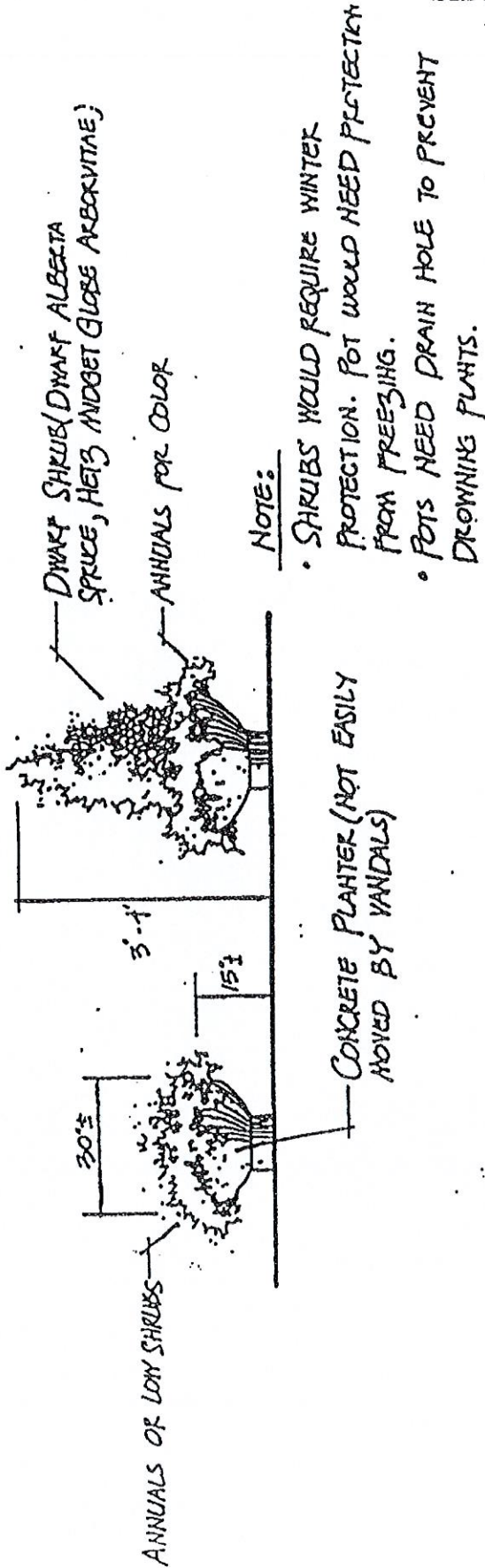
- (1) To encourage and provide for the economic vitality of the central business district, residential occupancy shall be permitted in buildings of two stories in height or greater subject to the following conditions.
 - a. In buildings used for both business and residential occupancy, no dwelling unit shall:
 - 1. Occupy any portion of the ground floor of the building at grade level.
 - 2. Occupy the same upper floor area that is occupied by any nonresidential use, unless the dwelling unit or units are completely separated from the nonresidential elements on the same floor by a separate means of access.
 - 3. Occupy any floor below a floor occupied by a nonresidential use.
 - 4. Contain more than two bedrooms.
 - 5. Have less than the floor area set forth in the schedule below:
 - 1. Efficiency dwelling unit400 sq. ft.
 - 2. One-bedroom dwelling unit500 sq. ft.
 - 3. Two-bedroom dwelling unit600 sq. ft.
 - b. Off-street parking shall be provided as required in sections 102-476 and 102-477, except in those areas of the district where contiguous off-street parking is provided.
- (2) Sidewalk or outdoor cafes. Outdoor cafes or restaurants subject to the following conditions. In the interest of promoting business by increasing activity and improving the general business climate, the city manager or his/her designee may issue revocable permits to businesses that apply for a permit to operate a sidewalk cafe or an outdoor cafe as an extension of or compatible with, the existing business on a portion of a city sidewalk adjacent to the business or on private property adjacent to the business. The permit may be issued under the following terms and conditions:
 - a. Sidewalk or outdoor cafe permits shall be issued if the city manager or his/her designee

determines the occupancy will not:

1. Interfere with the use of the street for pedestrian or vehicular travel.
 2. Unreasonably interfere with the view of, access to or use of property adjacent to said street.
 3. Reduce any sidewalk width to less than five feet.
 4. Interfere with street cleaning or snow removal activities.
 5. Cause damage to the street or to sidewalks, trees, benches, landscaping or other objects lawfully located therein.
 6. Cause a violation of any state or local laws.
 7. Be principally used for off-premises advertising.
 8. Be attached to or reduce the effectiveness of or access to any utility pole, sign or other traffic control device.
 9. Cause increased risk of theft or vandalism.
 10. Be in or adjacent to property zoned exclusively for residential purposes.
- b. All businesses selling food or beverages to be consumed in a public sidewalk area or outdoor area adjacent to the business shall enclose the area with a temporary structure approved by the building inspector. Prior to approval, written plans shall be submitted to the building inspector. All construction shall conform with existing building codes and regulations of the city and shall not be permanent. Such plans shall also include the location of adequate trash receptacles.
 - c. Prior to the issuance of a sidewalk or outdoor cafe permit the applying business must provide the city with a certificate of liability insurance in an amount to be determined solely by the city. The certificate of insurance must be in effect for at least the period of the permit to be issued. In addition, the applying business shall, by written agreement with the city, indemnify and hold harmless the city from all claims or damages incident to the establishment and operation of a sidewalk cafe.
 - d. Prior to the issuance of a permit, a fee as specified from time to time by resolution of the city council shall be paid by the requesting business for the period of the permit. The period of a sidewalk or outdoor cafe permit shall not exceed 180 days. The dates and duration shall be specified on the permit. The permit shall be subject to immediate revocation for failure to properly maintain the area being used as a sidewalk or outdoor cafe, or for any other violation of this chapter.
- (3) Accessory structures and uses customarily incident to the above uses provided such structures and uses are located on the same zoning lot as a permitted use.

(Ord. of 2-13-95(2), § 5.260; Ord. of 5-8-06(2))

SIDEWALK CAFE—EXAMPLE



SECTION A-A

Sec. 102-309. - Required conditions.

- (a) See article VII, division 2, of this chapter limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements.
- (b) Site plans as required in section 102-131 shall be submitted to the planning commission for its review and approval prior to issuance of a building permit.
- (c) See sections 102-4, 102-5, article V and article VII, divisions 1, 3 and 4, of this chapter regarding off-street parking requirements, off-street parking layout, standards, construction and maintenance, off-street loading-unloading, signs, exterior lighting, walls and frontage on a public street and site plan review.

(Ord. of 2-13-95(2), § 5.265)

Secs. 102-310—102-320. - Reserved.