

# ZONING INTERPRETATION RECORD

## **Subject of Interpretation:**

Sidewalk Sales clarification related to allowed location and duration of events.

## **Zoning Ordinance Section Number:**

Section 7.922. Sidewalk sales

Sidewalk sales shall be conducted in front of or adjacent to the retail establishment, and shall be limited to two (2) events per calendar year.

## **Title of Section:**

SPECIAL EVENTS

## **Cause for Interpretation:**

This interpretation clearly defines acceptable sidewalk sale parameters and helps ensure more uniform understanding and enforcement of special event provisions related to sidewalk sales. This interpretation will provide merchants/businesses a clear understanding of what is and is not acceptable.

## **Interpretation:**

Sidewalk Sale allowed location - Sidewalk sales shall be conducted in front of or adjacent to the retail establishment. This excludes being located in the public right-of-way or in an area that is designated for landscaping/open space. Sidewalk sales are allowed in parking areas that are adjacent to the retail establishment (excluding on-street public parking and parking spaces designed for handicapped access). All proposed locations must allow for appropriate ingress and egress and must take into consideration that vehicles accessing this temporary location have adequate spacing/distance from major streets/thoroughfares, so that vehicles are not queuing into a major street. The proposed location must be in a commercial zoning district, i.e. C1, C2, C3, C4, or PNC, etc. Sidewalk sales are not permissible on property zoned SR or I-G that preclude retail sales.

Sidewalk Sale duration/frequency – Sidewalk sales are limited to two (2) events per year. The maximum duration shall be not more than five (5) days. This timeframe is consistent with Sec. 16-352 Street Sales in the City Code of Ordinances.

Sidewalk Sale proprietors – The only entity that can hold/conduct a sidewalk sale is the business owner/proprietor. Requests for sidewalk sales are only available to the already established retail business. A temporary business cannot file a request for a sidewalk sale. The request needs to be filed by the existing business owner.

Sidewalk Sale allowable signage:

For building tenants, either in conjunction with an existing use or the entire suite:

The city will issue grand opening banner permits based on the following:

- 1) The applicant must have a valid business license.
- 2) Signage size is limited to 24 square feet and one per business.
- 3) Signage must be associated with the sidewalk sale occurring outdoors and may be placed on a tent if applicable.

The following are NOT acceptable:

- 1) Sidewalk sales in vacant lots;
- 2) Sidewalk sales in areas designated as public right-of-way;
- 3) Sidewalk sales in areas designated for landscaping;
- 4) Sidewalk sales that block ingress/egress;
- 5) Sidewalk sales that block pedestrian flow/traffic;
- 6) Sidewalk sales in designated handicapped parking spaces;
- 7) Sidewalk sales that are not in conjunction with the existing business; and
- 8) Sidewalk sales located in zoning districts which preclude retail sales, i.e. SH, I-G

*Connie Padian*

Interpretation By

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5/5/08

Date

May 5,  
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Approved By

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Replaced by City Code Chapter 22