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Detroit



OUTDOOR DINING

**A GUIDE FOR BUSINESSES TO
SAFELY EXPAND DINING SERVICES**





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OUTDOOR DINING APPROVAL PROCESS

Are you interested in operating an outdoor dining area?

FOLLOW THESE STEPS

1



Review the guidebook and understand the criteria and guidelines.

2



Notify the City of your intent to take advantage of outdoor dining by applying.

3



Gather and/or order the furnishings needed.

5



Begin operating within the rules of the guidelines **once approved by the Department of Public Works**

4



Set up!

6



Post your permit inside near the entrance in a visible area. If a city inspector visits and requires modifications to your setup, make the necessary changes to continue operating.

DETROIT INTRODUCTION

The City of Detroit is carrying over guidelines and allowances for Outdoor Dining setups in continued support for restaurants within the city. Open Detroit is a program available for all food businesses located along City of Detroit jurisdiction roads.

NOTE: Businesses located on State of Michigan roads can apply using the link through the MDOT right-of-way page. The link can be found on the City of Detroit's Outdoor Dining webpage at <https://detroitmi.gov/departments/departments-public-works/complete-streets/outdoor-dining>.

Those located along Wayne County roads should check with the county for the documentation needed. Using these guidelines will help achieve a safe environment for businesses interested in operating outdoor dining.

Sidewalks

Permitted sidewalk space adjacent to a business may be used for dining purposes. Adequate width (Minimum of 6 feet) of ADA compliant sidewalks shall always be available for pedestrians.

An adequate pedestrian pathway must be provided.

Parklets

Parklets are on-street parking spaces that have been temporarily converted for other uses, such as expanded outdoor dining areas.

Private Parking Lots

Up to 50% of off-site private parking spaces counted for required parking may be converted to outdoor dining or retail space, when the lot is immediately adjacent to the parent property. The converted use must be in conformance with all Detroit requirements for building accessibility.

Additionally, no parking for disabled persons may be repurposed for restaurant or retail use. The required landscape and buffer areas for the off-site private parking spaces shall not be used as an expanded converted use for restaurants or retail operations. There shall not be parking, outside seating, or retail activities in these areas.

- **Businesses must have a temporary barrier of 36" or higher delineating the dining area.**
- **The dining area must not impede the flow of traffic in the parking lot.**

APPLICATION PROCESS & FEES

The application for an Outdoor Dining setup will require the following materials:

- A **site plan** which includes table layout, dimensions, barriers (if applicable), heater locations and specifications (if applicable), tent size (if applicable), ingress and egress, and any proposed structures. See example site plans.
- **A notarized Indemnity Agreement**
- The specifications of that apparatus must be submitted at time of application If a heating apparatus is going to be used. This submittal shall also include the number of units and location of units.
- If tent usage is proposed, the manufacturer specifications, sizing and weighting must be supplied at the time of application.

Applications must be submitted through OpenGov. Instructions on how to use OpenGov can be found on the City of Detroit's Outdoor Dining webpage.

Application Timeline

An open application period for Outdoor Dining permits will begin March 3 and end March 31. Late applications will be considered.

OUTDOOR DINING SEASONS

Annual Permit

- April 1 through March 31 of each calendar year

Seasonal Permits

- **Spring/summer:** April 1 through November 15 of each calendar year
- **Fall/winter:** November 16 through March 31 of each calendar year

Fees

NOTE: Outdoor cafes that employ any structures (anything more than tables and chairs), should apply for a TMP (Temporary Use Permit) to adhere to Fire Department standards. Examples of structures include barriers of any kind, heaters, and tents.

DPW fees

- Seasonal permit - **\$175**
- Annual permit - **\$350**

DFD fees

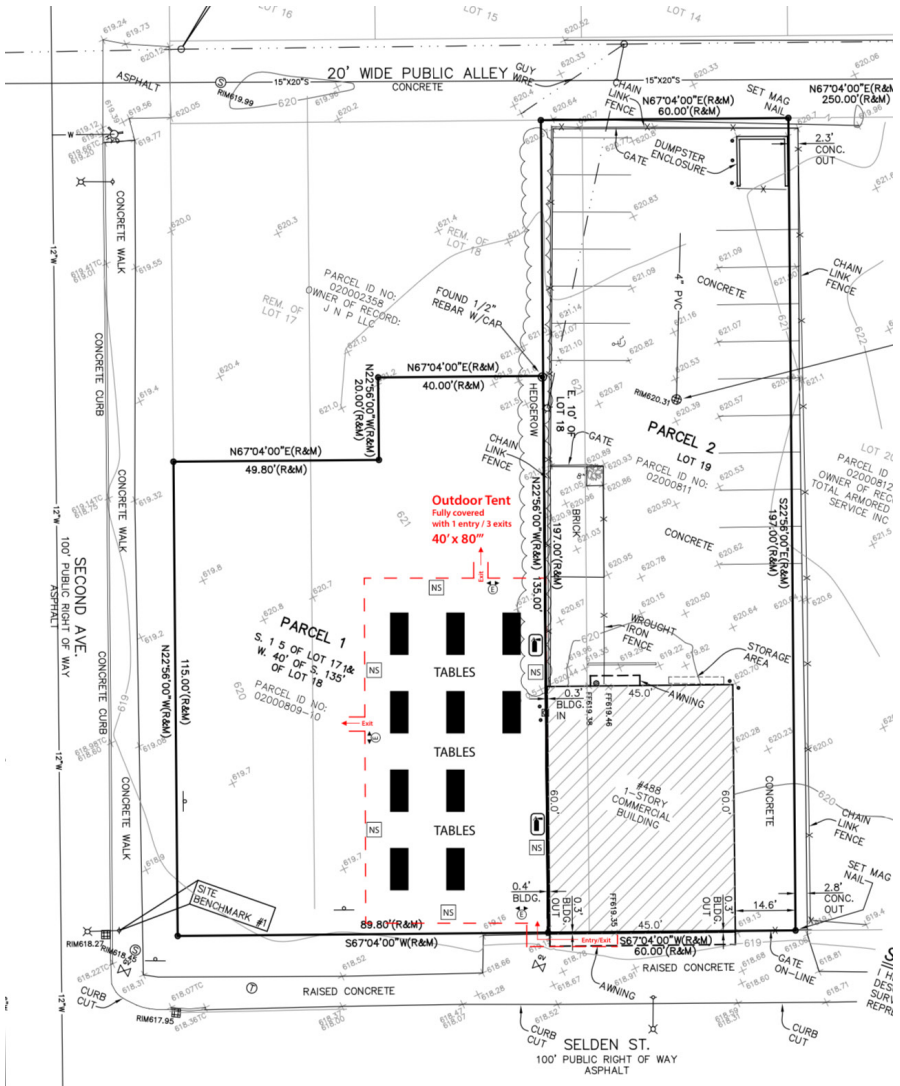
- Temporary Use permit (TMP) - **\$187**
- Plan Review fee - **\$150**
- Inspection fee - **\$128**
(if initial inspection is necessary)
- Post and Measure (Capacity Card): **\$214**
(if no capacity is provided prior to inspection)

MPD fees

\$1 per hour of operations for outdoor cafes that operate within metered parking spaces.

SAMPLE SITE PLAN

Sample Site Plan 1



BUSINESS RESPONSIBILITIES FOR STREET ACTIVATIONS

It shall be the responsibility of the business to activate the spaces described in this section with **temporary materials such as tables and chairs, umbrellas, and visual/physical barrier materials as needed per site specific conditions.**

Maintenance (daily up-keep, litter cleanup, etc.) associated with business operations shall also be the responsibility of the business.

Use of Tents on Sidewalks, On-Street Parking Spaces, or Closed Streets

- Tents require submittal of manufacturer specifications and internal floor plans
- No staking of tents is permitted in public rights-of-way.
- All tent legs must be weighted and secured by a minimum of 40lbs.
- Weights must be securely attached to canopy roof and canopy leg separately
- Ropes and straps should be high quality
- Bungee or rubber straps are prohibited
- Weights must be on the ground and not dangling
- Weights and lines must not pose a hazard and be clearly visible

- For maximum safety, tents should be secured as soon as they are put up and brought down as soon as weight is removed.

Do not leave unsecured tents at any time.

- Heaters of any kind shall not be used under tents or umbrellas.
- Smoking is prohibited under tents and shade structures.
- Tents must not have closed walls in place while open to the public, and all sides should be open for airflow.

Items that make acceptable weights:

- 55-gallon bucket full of water, sand, or concrete
- 4" PVC pipe at least 36" long filled with concrete
- Large commercially available tent weights
- Sandbags or salt bags 40lbs or heavier

Requirements for tents larger than 10-foot by 10-foot:

- They shall only be placed in private parking lots

GENERAL REQUIREMENTS

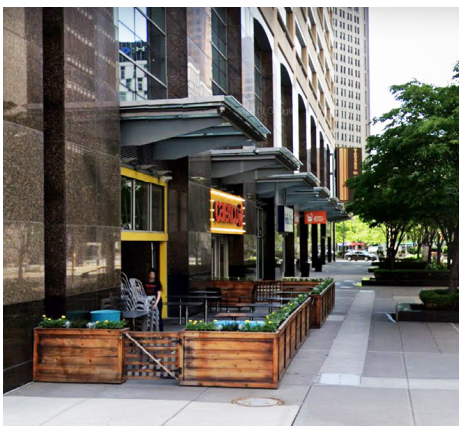
Outdoor Dining:

- Facility must have a valid State of Michigan food service License
- Food service provided at a temporary serving location does not need an additional license if it meets the requirements.
- All components used for the dining space shall be temporary. This applies to fencing, any furniture used, tents and heaters. Fencing is not to be bolted in the public right-of-way.
- No heating, cooking or open flames permitted in the outdoor dining area. Serving is only allowed in the outdoor dining area
- No pets will be allowed in the outdoor dining areas, unless the pet is a Service Animal
- A notarized indemnity agreement must be included in the application
- Approved permits should be visible to inspectors in a location by the entrance



Outdoor café seating and retail operations within sidewalks and public rights of way shall maintain:

- An unobstructed pedestrian path of at least 6 feet; A graphic depicting outdoor seating parameters is attached to this guidebook.
- Access to public utilities, building entrances, crosswalks, bus stops and transient entrances.
- Pedestrian and traffic safety; and aesthetic compatibility with the surrounding area.



SIDEWALK CAFÉ REQUIREMENTS

The width of the sidewalk café or retail space is restricted as follows:

- 1** The width shall not exceed the width of the sidewalk frontage of the subject property.
- 2** A clearly marked, unobstructed, and durable pedestrian right-of-way, also known as the “pedestrian path”, that meets the required accessibility standards, of no less than six (6) feet shall be maintained for each sidewalk café area and shall adhere to the following standards:

The minimum distance of said path shall be measured from the portion of the sidewalk café/retail space boundary which is nearest either the curb line or the nearest obstruction.

In no event may recesses in the sidewalk café/retail space boundary be used to satisfy this unobstructed width requirement
- 3** Delineation of dining space is required with use of fencing, planters, and barriers of temporary surface materials on the following pages.
- 4** Dining tables must be set back 2 feet from the edge of outdoor dining limit.
- 5** Chairs against the edge should have their backs to the rest of the sidewalk.



OUTDOOR SEATING GUIDELINES

General notes

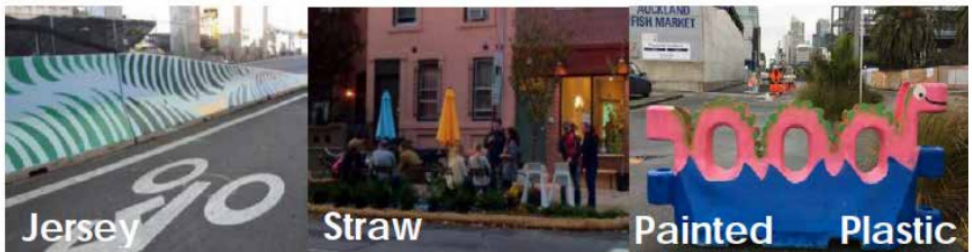
- Parklets should not be located within 15 feet of a fire hydrant, or in front of a mailbox or bike rack.
- Maintaining at least 6ft of pedestrian walkway is required at all times



TEMPORARY SURFACE MATERIALS

Temporary surface materials, such as those depicted, are permitted for application on sidewalks and parking spaces to delineate dining space.

For establishments intending to serve alcohol, physical barriers must be installed in accordance to graphic below.





PARKLET GUIDELINES

Parklets will need to follow the general guidelines outlined in this document.

Parklet requirements are as follows:

- 1** Spaces must be delineated with traffic control devices such as cones, barrels and water filled Jersey barriers as per the Michigan Manual on Uniform Traffic Control Devices Part 6 requirements.

Traffic controls should be installed and maintained by the requester for the protection of the patrons. Adequate artificial lighting and protection from weather could be considered as factors for approval.
- 2** Spaces must be set up with tables and chairs while the traffic control devices are in place.
- 3** Any equipment or furniture placed in the parking space cannot be placed closer than 2 feet from the edge of the adjacent travel lane.
- 4** All Parklets must be made ADA compliant.

SERVING ALCOHOL OUTDOORS

Outdoor Alcohol requirements:

Restaurants that are interested in serving alcohol outdoors must have a liquor license that allows for outdoor alcohol sales.

Restaurants and food establishments licensed under Michigan laws to serve alcohol outdoors, will be permitted to sell and allow on-premises consumption of alcoholic beverages within expanded dining areas on private property, on immediately adjacent sidewalks, and within parklets.

Restaurants serving alcohol outdoors must provide a physical vertical barrier as described below:

Outdoor dining cafés serving alcohol must have a barrier (fence or planter). Sidewalk cafes not serving alcohol are not required to provide physical barriers. Barriers may be placed in the approved sidewalk/ street area when the sidewalk cafe is open for business.

Barriers **may not** be anchored to the city right-of-way and should be weighted down when needed.

Generally, barriers should be **36 inches in height, and must be free-standing, stable, and removable.**

