

MACOMB TOWNSHIP

54111 Broughton Road • Macomb, MI 48042 • 586-992-0710 Ext. 2276

www.macomb-mi.gov



APPLICATION PACKET FOR

SEASONAL OUTDOOR BUSINESS SPACES

PLEASE TAKE NOTE OF THE FOLLOWING:

All applications must contain every page from this application packet, including the checklist and any unused pages. Incomplete applications will not be reviewed by the Planning Department.

Please use only the forms provided with this application.
No other forms, however similar, will be accepted.

**If you would like to meet with staff before submitting any application, we are more than happy to arrange such a meeting. In fact, we encourage it!
Please call or email us to schedule a meeting.**

SEASONAL OUTDOOR BUSINESS SPACES APPLICATION

CHECKLIST OF REQUIRED DOCUMENTS

The electronic application must be accompanied by all items listed in the checklist below. The application shall be completed and submitted with proper payment as indicated in the application in the night drop off box at the back of the building at Macomb Township Town Hall (alternatively the package may be mailed to Township Hall). The package should clearly state the project name and type of project, as well as "Planning Department" on the envelope. Please email a PDF of the completed application, a copy of the check, and all plans electronically to PlanDropbox@macomb-mi.gov. Once the package is received and we have verified confirmation of payment, the submittal will be reviewed. If additional information is required, Planning Department staff will contact you via email or phone with the request.

- A scaled layout plan of premises, including any existing outdoor areas and the proposed expansion area;
- Location of and clearances to maintain access to any fire hydrants and Fire Department connections, water valves, sanitary sewer manholes, and storm sewer manholes and catch basins;
- Dimensioned access to means of egress and barrier free entrance routes (60" minimum);
- Locations and sizes of any temporary tent or canopy (if applicable) as well as means of anchoring and certificate of flame resistance;
- Location and description of proposed structures (fence, tables, chairs, etc.) and equipment (generators, lights, etc.), complying with barrier free requirements;
- Location of any relocated barrier free parking;
- Location of any waste receptacle(s);
- Location of any temporary restroom facilities;
- Location of any lighting that requires electrical connection;
- Affidavit of Ownership**, last page of application;
- Restaurant/bar uses must comply with the requirements of the Macomb County Health Department;
- Approved Application for Limited Permanent Outdoor Service Permission Application from the Michigan Liquor Control Commission ([LCC-204a](#)) if applicable;
- Approval from any other government entity that has requirements pertaining to your business type.

SEASONAL OUTDOOR BUSINESS SPACES APPLICATION

REVIEW PROCESS

- Step 1:** Applicant submits completed application (see checklist) with all required documentation and \$1000.00 (\$500 Administrative fee and \$500 Cash Bond, this includes a \$300 Fire review fee) to the Township Planning Department. All application fees include an initial review and up to two additional review cycles.
- Step 2:** The Planning Department forwards the applications to all applicable departments for review. Written reviews must be returned within 10 business days of distribution.
- Step 3:** If denied by the review of the Township departments, the Planning Department communicates the denial to the applicant, indicating deficiencies, if any, and whether revised plans are required. Once ordinance-compliant plans are received, the plans are forwarded to the Planning Director and Township Supervisor for their approval or rejection.
- Step 4:** After approval or denial from the Planning Director and Township Supervisor, the Planning Department shall communicate the decision to the applicant.
- Step 5:** All applicable permits shall be applied for from the Building and Fire Departments.
- Step 6:** Upon approval of the final inspection by the Building and Fire Departments, the bond release process will be initiated.

SEASONAL OUTDOOR BUSINESS SPACES APPLICATION

RULES

1. The intent is to permit businesses to seasonally expand their services outside an establishment. Must be operational in conjunction with an interior business of the same function and on the same property.
2. Provisions contained herein would allow for activities to be located outside of the establishment on designated hard surface areas such as a patio or parking lot.
3. Businesses must possess a valid Certificate of Occupancy from the Building Department at the time of application.
4. Applicant must obtain written permission from the property owner.
5. Must comply with existing occupancy limitations and requirements as set forth therein. If businesses wish to expand operations that would result in surpassing occupancy limits, they must show proof of capacity of utilities such as parking and water/sewer capacities.
6. Must comply with all applicable Fire Department and Code regulations and requirements, including approval for outdoor canopies or tents, to ensure Fire Department access is not impeded.
7. Must comply with all State and County Department of Health regulations, Liquor Control Commission, and any other applicable Federal, State, County, or Local agency.
8. Must comply with the Michigan Building Code and Michigan Electrical Code.
9. Any tents or canopies must be securely anchored down and shall obtain separately the appropriate permits from the Fire and/or Building Departments.
10. Outdoor areas must not impede or otherwise impact ingress or egress to any buildings or property. Seating areas and pathways must also comply with State of Michigan Barrier-Free and Federal ADA requirements.
11. The outdoor business spaces must be separated from sidewalks, parking lots, and driveways by means of landscaping, planter boxes, and/or fences and railings unless otherwise approved by the Township. If tables are located within a parking space or area, temporary physical barrier must be placed separating the dining from the remaining parking in a manner that keeps patrons safe from traffic and that adequate parking remains for staff and patrons including required barrier free spaces. Temporary physical barriers may include, but not be limited to, wheel chocks, planter boxes, decorative fencing, platforms, etc., or a combination thereof as approved by the Building Department. Additional outdoor space cannot occupy or impact undeveloped space, existing required vegetative buffers or designated open space on a property. All seasonal outdoor business areas, including but not limited to tables, chairs, and any other surface that is used by patrons, must be maintained in a clean and orderly manner as described by all Government Agency Requirements.
12. No outdoor seating may occupy any portion of any public right-of-way and must not block any clear vision areas along drive lanes.
13. Seasonal permits will be valid from May 1st through October 31st each calendar year.

14. Hours of operation for outdoor areas shall be restricted to 8am to 9pm Monday through Thursday, 8am to 11pm Friday and Saturday, and 9am to 6pm on Sunday (unless otherwise approved by the Township). Operations outside of these windows may be requested on a case-by-case basis.
15. Any nuisances (including, but not limited to, noise, parking issues, etc.) that arise from Seasonal Approvals for Outdoor Business Spaces must be mitigated by the applicant and/or property owner to eliminate all negative impacts on surrounding properties. Failure to do so could result in revocation of Seasonal Approval, in which case all exterior appurtenances are required to be removed within 7 days of revocation. The onus is on the applicant to be a good neighbor.
16. Businesses currently authorized to sell or allow consumption of alcoholic beverages shall comply with all requirements of the State Liquor Control law, including administrative regulations and guidance issued by the Liquor Control Commission relating to COVID-19 licensed area expansions and shall comply with all requirements of Township Code. See link: [Michigan LCC website for streamlined outdoor licensing](#).
17. Open flames, fire features, and outdoor cooking are not allowed. Electrical lighting, portable heating units, and all other equipment must be exterior rated, served by weatherproof and GFI protected circuits, and be protected so as to prevent tripping and damage.
18. All displays, signage, chairs, tables, and other fixtures must be secured against overturning, winds, etc.

Rules subject to amendment

The Township reserves the right to amend these rules at any time as it determines them to be appropriate under the circumstances.

Revocation of permit

An approved permit may be revoked by the Township Supervisor if the applicant fails, neglects, or refuses to fully comply with any and all provisions and requirements set forth in these rules or any and all provisions, regulations, ordinances, statutes, or other law incorporated by reference.

Application for Seasonal Outdoor Business Spaces Approval

Please complete all of the information requested below. An incomplete application may delay the approval process.
Feel free to use additional sheets of paper as necessary.

Date of Application:	Proposed Start Date of Seasonal Outdoor Business Spaces:	Proposed End Date of Seasonal Outdoor Business Spaces not to exceed October 31 st :
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Seasonal Outdoor Business Spaces Contact Person

Name	
Address	
City, State & Zip Code	
Day Time Phone Number	
Email Address	
Property ID Number	08 - ___ - _____ - _____
Business or Location Name	

Description of Seasonal Outdoor Business Spaces *(Include a description of hours, all activities and any sound making devices, instruments or equipment)*

Signs: *Please list all signs, banners, flags and other attention-getting devices that will be displayed for this seasonal outdoor dining space and include their dimensions. Show locations on required plans.*

AFFIDAVIT OF OWNERSHIP

PLEASE TAKE NOTICE that an Affidavit of Ownership must be filed with all development and variance applications in Macomb Township. **Proof of ownership or interest in the property must be attached; (i.e. affidavit, deed, land contract, option agreement, lease, etc.)** This requirement must be fulfilled to promptly process your application.

(I), (We) _____, the undersigned fee title owner(s)
(name)
of property hereinafter referenced, acknowledge (my) (our) agreement to permit/allow the property described within the attached application for _____ to
(type of application to be filed)
receive consideration by Macomb Township.

(I), (We) further authorize _____, as a(n)
(name of applicant)
_____ of the property, to process an Application with the
(applicant's interest in property)
Township of Macomb on (my) (our) behalf.

Please have the owner(s) sign below:

(Owner Signature)

(Owner Signature)

(Print Name)

(Print Name)

(Owner Signature)

(Owner Signature)

(Print Name)

(Print Name)

THIS FORM RELATES TO PROPERTY WITH THE FOLLOWING PARCEL NUMBER(S):

08 - _ _ - _ _ - _ _ - _ _

STATE OF MICHIGAN

ss.

COUNTY OF MACOMB

On this _____ day of _____, 20____, before me personally appeared _____
_____ to me known to be the person(s) described in and who executed
the foregoing instrument and acknowledged that _____ executed the same as
(he, she, they)

_____ free act and deed.
(his, her, their)

Notary Public
Macomb County, Michigan
My Commission Expires: _____
Acting in Macomb County, Michigan