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OUTDOOR DINING

A GUIDE FOR BUSINESSES TO
SAFELY EXPAND DINING SERVICES



MAYOR MARY SHEFFIELD



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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 submitting an application on OpenGov.



3



Once approved by the Department of Public Works, begin operating within the rules of the guidelines

5



Set up!

4



Gather and/or order the furnishings needed.

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.

<https://www.michigan.gov/mdot/business/permits/right-of-way-construction>



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.

- **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.**

General Requirements

- **Facility must have a valid State of Michigan Food Service License.**
- **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.**
- **Approved permits should be visible to inspectors inside a location by the entrance.**
- **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.**

PERMANENT AND TEMPORARY SIDEWALK CAFES

Permanent sidewalk cafes are defined as installations that include elements permanently affixed to the public right-of-way, such as fencing, railings, or other features bolted into the ground. These installations require additional review, permitting, and inspection due to the permanent alteration of the right-of-way and must maintain valid permits at all times during operation.

Temporary sidewalk cafes utilize removable elements only and may not include any features affixed to the sidewalk or roadway surface. Temporary installations must be removed outside of approved operating periods and are subject to renewal requirements as outlined in this guide. Repeated or continuous use of temporary elements does not exempt an applicant from maintaining current permits. All guidance in this book that refers to temporary elements & materials only applies to temporary sidewalk cafes.



PERMANENT AND TEMPORARY SIDEWALK CAFES

Both will require consistently up to date outdoor dining permits. Permanent outdoor dining set-ups are not an option for parklets. Please find the required steps for permanent sidewalk cafes and temporary sidewalk cafes below.

Permanent Cafes

- **Apply for a right-of-way permit. This will allow you to construct (bolt into the ground) in the public ROW.**
- **Apply for an encroachment permit. This will allow you to permanently occupy space in the public ROW.**
 - **Further information on encroachment permits can be found on DPW's right-of-way webpage.**
- **Once the right-of-way permit and encroachment permit have been obtained and you're preparing to activate the space, apply for an outdoor dining permit. Stay up to date on outdoor dining permits during operation. This is best achieved by being aware of the expiration date on the permit.**



Temporary Cafes

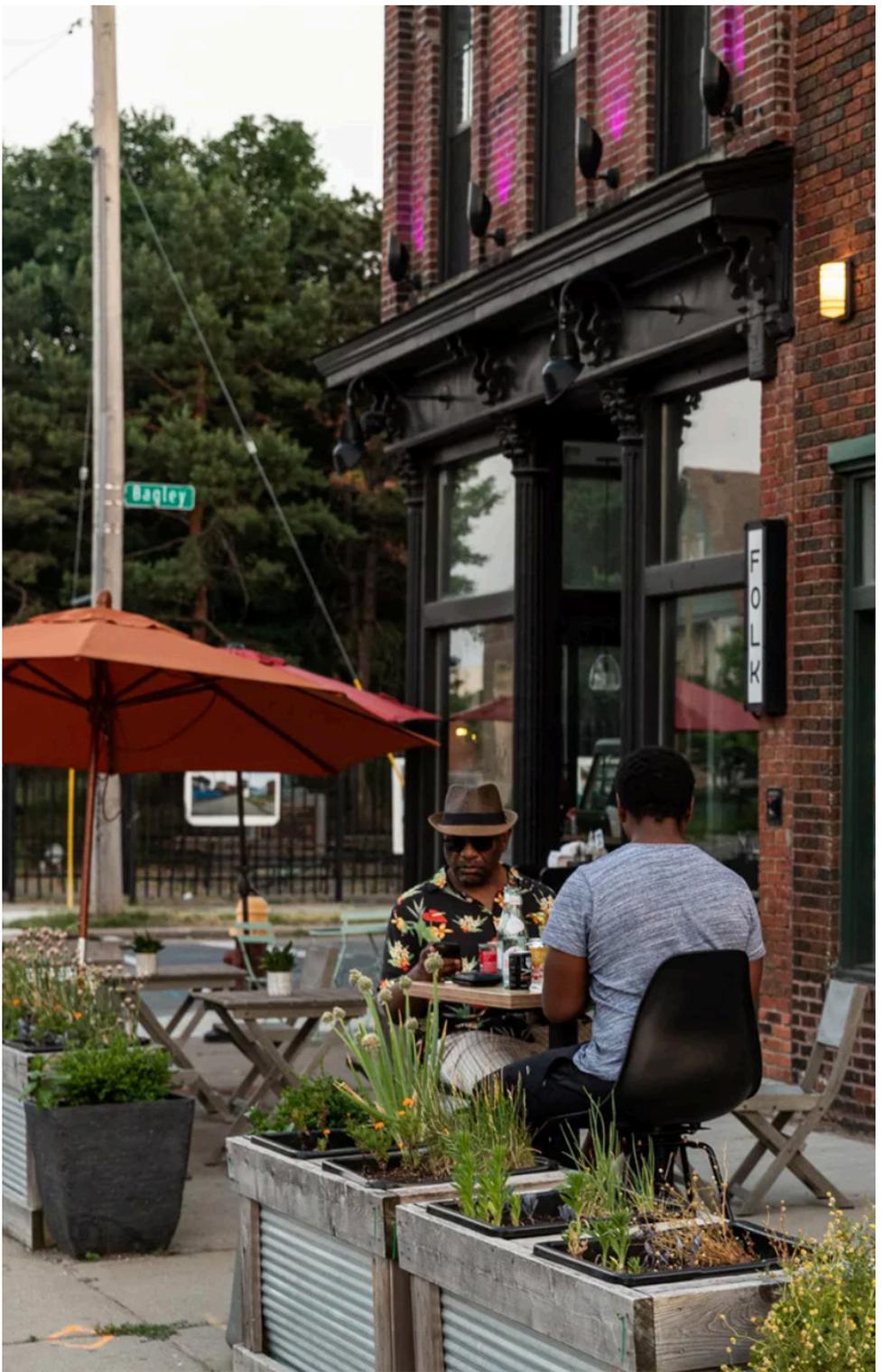
- **Apply for a Temporary Use permit if there are any structures included. These include barriers of any kind, heaters, and tents.**
- **Temporary cafes will also require an outdoor dining permit. The temporary use permit will be required to obtain the outdoor dining permit.**



TEMPORARY SURFACE MATERIALS

Temporary surface materials, such as those pictured, 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 with page 21.





APPLICATION PROCESS & FEES

Application checklist

Site plans may be digitally created or hand drawn. Sample plans have been provided on pages 13 and 14.



Site plan must include:

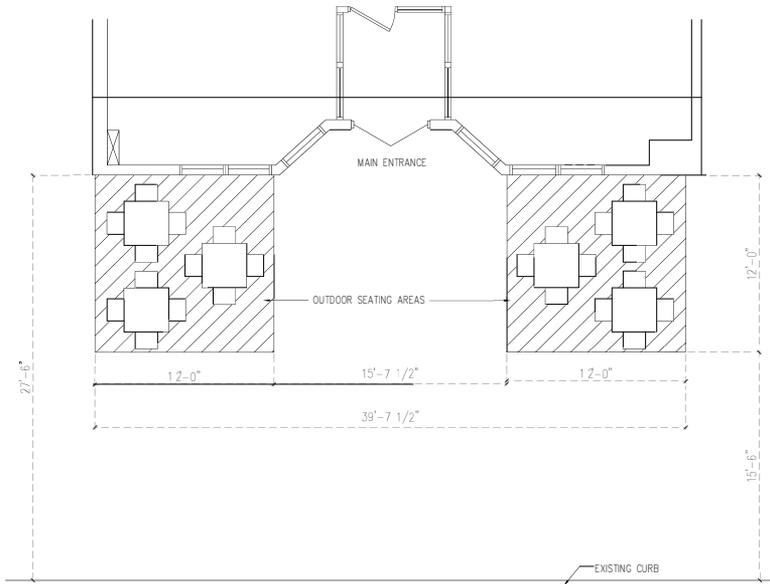
- Labeled patio dimensions
- Barriers (location and dimensions)
- Labeled entrances and exits
- Intended table locations
- Labeled 6' clear pedestrian path that will remain on the sidewalk
- Please also include any obstacles within the pedestrian right of way that will remain (this will include any pre-existing lamp posts, garbage cans, bike racks, tree grates, etc.)
- Labeled street names
 - Make sure to label where the sidewalk ends and the street begins
- Make sure to include any tents/heaters used in the site plan
- Notarized Indemnity Agreement ▶
- An up-to-date Temporary Use Permit if determined necessary
- An image of the barriers being used if applicable
- Heater specs if applicable
 - Specifications of any heating apparatus to be used must be submitted at the time of application. Number and location of units should be clear
- Tent specs if applicable



Application Timeline

An open application period for Outdoor Dining permits will begin Application Timeline - January 1 and end March 31. Applications submitted outside of the established application window may be accepted on a limited basis and are not guaranteed approval. Late submissions may experience extended processing times and are subject to staff capacity and seasonal review volumes. Applicants are encouraged to apply within the designated application period to avoid delays in permit issuance.

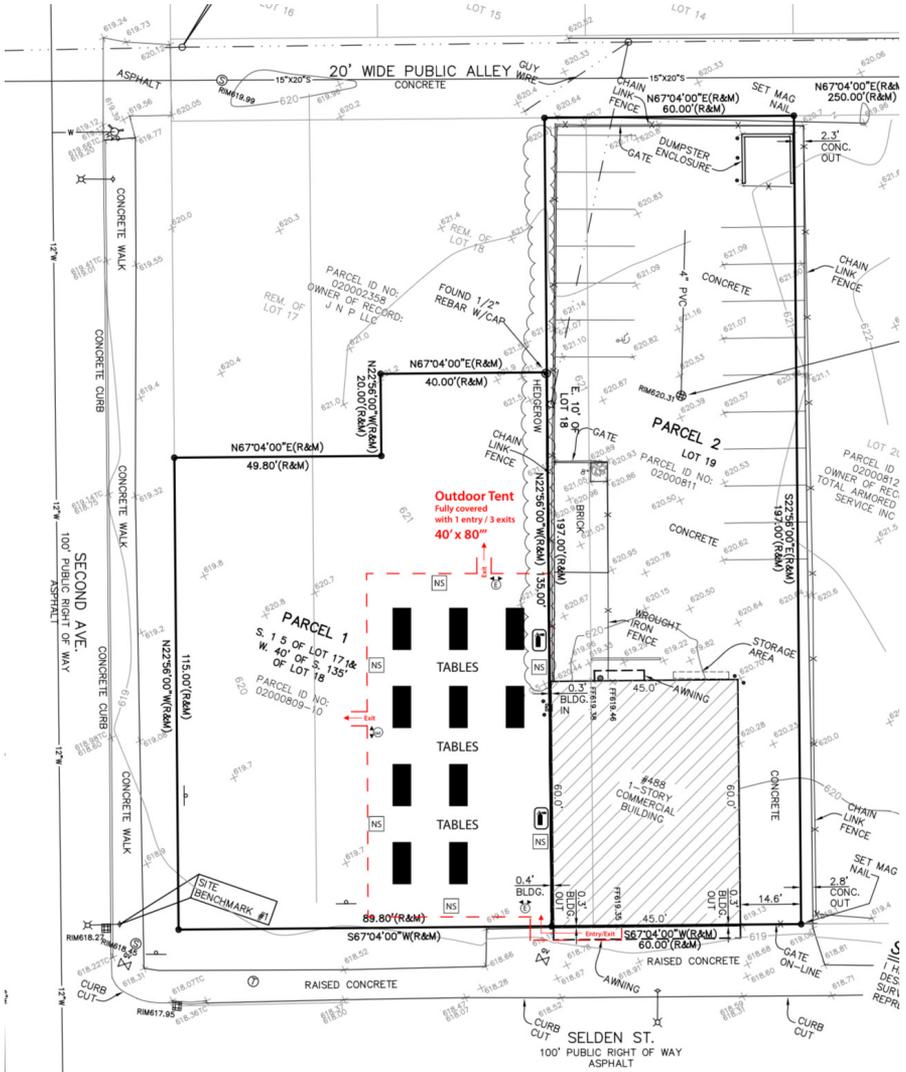
Example Site Plan



WOODWARD AVE.

GENERAL REQUIREMENTS

Example Site Plan





APPLICATION PROCESS & FEES

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

- Plan Review fee - **\$150**

MPD fees

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

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

- 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.

BUSINESS RESPONSIBILITIES FOR STREET ACTIVATIONS

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



SIDEWALK CAFÉ REQUIREMENTS

The width of the sidewalk café 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** Dining tables must be set back 2 feet from the edge of outdoor dining limit.
- 4** Chairs against the edge should have their backs to the rest of the sidewalk.

PARKLET GUIDELINES

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

Parklet requirements:

- 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.

Parklets located within the right-of-way are subject to inspection by the City of Detroit and must remain in compliance with all approved permit conditions at all times. The City reserves the right to require modification, temporary removal, or full removal of a parklet if safety concerns, accessibility issues, or traffic impacts are identified. Failure to maintain compliance may result in enforcement action or permit revocation.

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.**



