



## *CITY OF FLAT ROCK*

### **DEPARTMENT OF BUILDING & SAFETY**

25500 Gibraltar Road, Flat Rock, MI 48134  
Telephone (734)782-0445 Fax (734)783-0304  
[www.flatrockmi.org](http://www.flatrockmi.org)

## **Temporary Approval for Outdoor Dining Spaces and Personal Service Stations**

1. The intent is to permit restaurants to temporarily expand their dining areas and to permit barbers, hair stylists, and nail technicians to provide personal services (i.e. haircuts, basic hair grooming services, manicures, pedicures, etc.) outside an establishment due to the hardships imposed by the COVID-19 pandemic. Must be operational in conjunction with an interior business of the same function and on the same property.
2. The process would supersede the typical Temporary Approval process reviewed by the Zoning Board of Appeals due to critical time constraints.
3. Provisions contained herein would allow for a 25-50% increase in table capacity (for restaurants) or chair/station capacity (for personal services) to be located outside of the establishment on designated hard surfaced or parking areas; i.e., a restaurant with 12 interior tables could request 3-6 additional tables outside.
4. Business must possess a valid Certificate of Occupancy from the Building Department at the time of application.
5. Applicant must obtain permission from property owner and must verify, in writing (as part of forthcoming checklist), the current number of tables or chairs/stations to determine number of exterior tables or chairs/stations permitted.
6. Must comply with the provisions of State of Michigan Executive Order 20-59 and all subsequent amendments, including, but not limited to, any social distancing, party size, and occupancy requirements as set forth therein.
7. Unless otherwise specified by the State of Michigan, tables/chairs (restaurants) and chairs/stations (barber/salons) must be placed so that patrons are at minimum 6' away from other patrons.
8. Must comply with all applicable Fire Department and Code regulations and requirements, including approval for outdoor tents, to ensure Fire Department access is not impeded.
9. Must comply with all State and County Department of Health regulations.
10. Must comply with the Michigan Building Code.
11. Any tents or canopies must be securely anchored down and obtain the appropriate permits from the Fire and/or Building Departments.
12. Outdoor seating must not impede or otherwise impact ingress or egress to any buildings or the property. Seating areas and pathways must also comply with State of Michigan Barrier-Free and Federal ADA requirements.
13. The outdoor dining space or personal service station must be separated from sidewalks and driveways by means of landscaping, planter boxes, and/or fences and railings. If tables or chair/stations are located within a parking space or area, a substantial, 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. Temporary physical barriers may include, but not be limited to, wheel chocks, planter boxes, decorative fencing, platforms, etc., or a combination thereof.
14. Additional outdoor dining space cannot occupy or impact undeveloped space, existing required vegetative buffers or designated open space on a property.



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15. All temporary outdoor dining areas and personal service stations must be maintained in a clean and orderly manner.
16. Tenants need to use metal trash cans with lids in tents.
17. No outdoor seating may occupy any portion of any City sidewalk or right-of-way.
18. Would be permitted April-October within a calendar year. Applicants would need to re-apply annually.
19. Hours of operation would be consistent with the current hours of operation with the existing business (unless restricted further by State Executive orders).
20. Any nuisances (including, but not limited to, noise, parking issues, etc.) that arise from Temporary Approvals for Outdoor Dining Spaces and Personal Service Stations 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 Temporary Approval, in which case all exterior appurtenances are required to be removed within 7 days of revocation.

#### **Submittal Requirements:**

1. Administrative Site Plan application signed by owner and \$280 fee to be submitted to the Planning Department (\$250 Admin review fee + \$30 application fee).
2. Temporary Outdoor Dining Spaces and Personal Service Stations Checklist to be completed and returned as part of review (draft checklist to be developed by the Planning Department)
3. Two sets of site plans or aerial photographs must be provided to-scale and show the locations of the proposed Outdoor Dining Spaces or Personal Service Stations and indicating all information cited above along with details on maintaining Barrier-Free accessibility, separation methods, table or chair layout information, etc., and as determined by the Planning Department.
4. PDF of aforementioned required site plan or aerial to be emailed to the Planning Department.
5. Tent Permit Application and fee to be submitted to the Building Department (reducing their permit fee from \$390 to \$90 + \$150 refundable bond); Certificate of Fire Retardancy will be required.
6. Expedited review will be conducted by Planning, Building, and Fire Departments (goal: 1 week).