

# Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Director of Planning and Community Development

Re: ACTION RE: TEMPORARY OUTDOOR PATIO PERMIT (T. Fuller)

Date: 12 March 2021

The village received several requests last year from bars and restaurants for a temporary outdoor patio area in order for the businesses to remain open and practice social distancing. In an effort to provide this same temporary reprieve in a more organized and uniform fashion, staff has put together an application process.

The application is similar to what other municipalities in Wisconsin have in place. An amendment to the premise description of the applicant's liquor license will need to be approved by the Village Board if the business plans on selling alcohol. If no alcohol is being served or the Village Board approves the amendment to the premise description, staff will review the application and approve the permit upon meeting the criteria described in the application. Staff recommends that this permit process be approved for the 2021 calendar year only.

**The Village Board is asked to review the Temporary Outdoor Patio Permit process and approve or not approve for 2021.**



Allouez Village Hall • 1900 Libal Street • Green Bay, WI 54301-2453 • (920) 448-2800 • Fax (920) 448-2850

## COVID-19 Temporary Outdoor Patio Permit

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### **Purpose**

The Village Board has authorized village staff to assist restaurant and bar businesses to obtain necessary approvals to temporarily expand their outdoor patio areas. These areas may be needed to assist businesses to practice proper social distancing requirements as the local economy attempts to safely reopen and successfully recover from the COVID-19 health emergency. This application is for temporary outdoor patio use only. If the patio area is desired for permanent or long-term use the established municipal code standards and processes will need to be applied for. Contact Kevin Wieland, Building Inspector, 920-448-2803 or [KevinW@villageofallouez.com](mailto:KevinW@villageofallouez.com) for further details and guidance on those alternatives.

### **Temporary Use Permit Review Process/Procedure**

Completed applications and submittals should be directed to Kevin Wieland, Building Inspector, 920-448-2803 or [KevinW@villageofallouez.com](mailto:KevinW@villageofallouez.com).

If all necessary information is provided at the time of application, the goal will be to process the applications in 2 to 3 business days. Multiple departments will need to review the application. Please allow village staff enough time to review the application. Applications may be denied or put on hold if all required information is not submitted in detail. Staff will inform the applicant/owner in writing of the approval, conditional approval, or denial of the permit request.

Each application will need the following to be processed and reviewed:

- 1) A Completed Application (See page 2)
- 2) A detailed site plan illustrating where the outdoor seating area will be located, number of tables, seats, etc. Additionally, it will need to demonstrate where surrounding property lines, street right-of-way, parking lot, and driveways are located (see pages 4 & 5 for guidelines and an example site plan)
- 3) Additional pictures, attachments and/or renderings that will help staff best understand the proposal in greater detail.
- 4) Acknowledgement that this is a **temporary approval** for March 15<sup>th</sup> – October 31<sup>st</sup> of the calendar year that the application is submitted.
- 5) Acknowledgement that if the temporary seating area does not comply with the required standards, the permit may be revoked.
- 6) Acknowledgement that the allowable hours of operation will be until 10:00p.m. Sunday-Saturday.
- 7) Acknowledgement that no temporary outdoor bathroom facilities such as a portable toilet will be allowed in temporary designated area.
- 8) Acknowledgment that temporary fencing material will need to be of a sturdy, rigid material and approved by the Building Inspector.
- 9) Acknowledgment that any temporary umbrellas or tents are secured properly and approved by the Building Inspector.
- 10) Acknowledgment that if you have a liquor license and plan to serve alcohol on the patio area, you will need to amend the premise description. The amended premise description will need to be approved by the Village Board.

# Village of Allouez COVID-19 Temporary Outdoor Patio Permit

## Applicant Information

Applicant (Individual, Corporation, LLC, etc.): \_\_\_\_\_

Trade Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Address of Establishment: \_\_\_\_\_

Agent or Owner of Establishment: \_\_\_\_\_

Name of Individual Holding the Liquor License (if applicable): \_\_\_\_\_

## Site/Project Description

Street Address and/or parcel number(s) of site: \_\_\_\_\_

Description of proposed patio (fencing material used, proposed location on site, number of parking stalls lost, number of added tables, number of added seats, etc.) : \_\_\_\_\_

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Existing inside capacity: \_\_\_\_\_

Number of bathroom fixtures (toilets): \_\_\_\_\_

Total Current Employees: \_\_\_\_\_

Employees Added by Expansion: \_\_\_\_\_

If you have an existing liquor license specify how you want to amend the license for the temporary outdoor seating. (Example: "Add outside seating out the back door to include 4 parking stalls and a 15'x 15' tent with only 1 entrance and exit"): \_\_\_\_\_

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By signing this application, the applicant acknowledges and agrees:

1. That all the information submitted by applicant is true and correct.
2. That if a permit is granted upon this application that such permit is temporary in nature and shall expire on October 31, 2021, unless terminated earlier upon request of the applicant or revocation by the Village of Allouez.
3. If the applicant holds a current liquor license and has included a request for a temporary addition to the premise description, that applicant agrees that the addition to the premise description shall be effective only for the period covered by this permit.
4. Applicant agrees and explicitly waives any right to hearing upon termination of the temporary use permit that the licensed area shall automatically return to the area identified and approved as part of the licenseed annual license application without further action or hearing on the matter by the Village Board or other body.

Owner:            Name: \_\_\_\_\_  
                      Email: \_\_\_\_\_  
                      Phone: \_\_\_\_\_  
                      Signature: \_\_\_\_\_



### Application Guidelines

The applicant is expected to consider the below additional criteria.

- If a permit is obtained, the Clerk's office will issue an updated liquor license which will include the updated premise description for the temporary outdoor patio expiring on October 31, 2021.
- Your site plan will need to identify boundaries the liquor license would cover.
- Signage will need to be in place indicated beer/liquor needs to be kept within assigned space.
- Cannot set up temporary bar, permit would just allow seating for patrons.
- Servers will need to monitor underage consumption.
- You will need to establish a physical boundary or barrier around the area and identify entrances.
- Proposed tents and fences will be reviewed by Building Inspector to ensure building code compliance.
- Identify who/which employees will be monitoring the outdoor and indoor areas.
- No noise amplification approved above village requirements.
- Identify if you are removing on-site parking for the seating area and if you will be providing alternative parking or shuttle service.
- Occupant load/current indoor max occupancy of the business cannot be exceeded.
- Temporary fencing cannot block a fire hydrant nor a Fire Department Connection to a building.
- Egress paths to the building and/or exit paths out of fenced area shall be defined on the site plan.
- Specific table & seating arrangement.
- Current restrooms as well as handicap accessible parking shall be maintained.
- All outstanding fire code violations shall be cleared before permit is issued.
- No smoking signage shall be posted.
- Any temporary wiring shall first be approved by the Electrical Building Inspector.
- Proposed tents and fences will be reviewed by Building Inspector to ensure building code compliance.
- Contact Brown County Health Department for requirements.
- Your site plan will need to provide setbacks from surrounding properties (5' minimum setback on all sides, unless abutting a residential district, then 25').
- Trash receptacles shall be provided, and all waste shall be appropriately collected and removed.

Example of a site plan. Does not reflect required measurements.

