



CITY OF MADISON HEIGHTS

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

TEMPORARY USE APPLICATION

The City of Madison Heights has established a procedure that allows a property owner to obtain approval for certain Temporary Uses.

WHEN IS A TEMPORARY USE PERMIT REQUIRED?

Refer to **Section 7.03(43)** of the Zoning Ordinance for project types that require the submittal and approval of a Temporary Use application. Temporary Uses requiring a Temporary Use Permit are generally categorized as follows:

- **Temporary Outdoor Displays/Sales** (e.g. promotional outdoor sales, sidewalk sales, parking lot sales); shall be accessory to an existing business on the property.
- **Seasonal Sales Lots** (e.g. Christmas trees, pumpkin sales, plant sales, fireworks sales).
- **Special Events** (e.g. auctions, craft fairs, carnivals).

TEMPORARY USE REGULATIONS

Refer to **Section 7.03(43)** for regulations pertaining to each type of temporary use. These regulations are summarized below:

Standards Applicable to all Temporary Uses:

1. No temporary use shall be established or conducted so as to cause a threat to the public health, safety, comfort, convenience, and general welfare, either on or off the premises.
2. Temporary uses shall be set back a minimum of twenty-five (25) feet from abutting residentially-zoned parcels or residential uses, with the exception of existing mixed-use buildings.
3. Temporary uses shall not obstruct required fire lanes, access to buildings or utility equipment, clear vision triangle, ADA spaces or aisles, or egress from buildings on the lot or on adjoining property.
4. Temporary uses shall provide adequate parking area and improvements adequate to accommodate anticipated vehicular traffic. Safe pedestrian accessibility shall be provided between parking areas and the temporary use, with a separation between vehicular and pedestrian traffic areas.
5. Temporary uses shall be conducted completely within the lot on which the principal use is located, unless the City authorizes the use of City-owned property or right-of-way.

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6. During the operation of the temporary use, the lot on which it is located shall be maintained in an orderly manner, shall be kept free of litter, debris, and other waste material, and all storage and display of goods shall be maintained within the designated area.
7. Signs for temporary uses shall be permitted only in accordance with Article 12, Signs.
8. Temporary uses shall comply with all requirements of the Fire Prevention Code and other applicable codes and regulations.

Temporary Outdoor Displays/Sales:

1. Only permitted in a non-residential or mixed-use zoning district, accessory to an existing business located on the same property.
2. Products displayed and sold outdoors shall relate to the on-site use and business, and all activities shall be conducted within the lot.
3. Limited to a maximum of ninety (90) total days per calendar year, which may or may not be consecutive.
4. May not occupy more than 15% of the parking area and shall not substantially alter the existing circulate

Seasonal Sales Lots

1. May be permitted in any non-residential or mixed-use zoning district, or on any public, quasi-public, or institutional site that abuts an arterial or collector road.
2. Seasonal sales applicants shall have an established physical presence in the City of Madison Heights and maintain a valid business license with the City or shall provide evidence that such seasonal sales are conducted for a charitable, religious, civic, educational, or philanthropic purpose.
3. Limited to a maximum of ninety (90) total days per calendar year, which may or may not be consecutive.
4. Sales and display areas may not occupy more than fifteen percent (15%) of a parking area and shall not substantially alter the existing circulation or fire access on site.

Special Events

1. May be permitted in any non-residential or mixed-use zoning district, or on any property approved for public, quasi-public, or institutional uses that abuts an arterial or collector road, as defined in the Madison Heights Master Plan.
2. The temporary special event is limited to a maximum of seven (7) consecutive days. A total of three (3) seven-day periods are permitted per year, separated by a stretch of fourteen (14) consecutive days.
3. Permitted hours of operation shall be limited to between 12:00 (noon) to 10:00 p.m.

UNLISTED TYPES OF TEMPORARY USES AND TEMPORARY USES EXCEEDING TIME LIMITS

Temporary uses not specifically permitted in the Zoning Ordinance (nor deemed similar by the Planning and Zoning Administrator), and temporary uses exceeding the time limits established by the Zoning Ordinance, may be considered by the Planning Commission, provided that the use complies with all other relevant development and operational standards for the use as provided in the Zoning Ordinance.

PRE-APPLICATION CONFERENCE (OPTIONAL)

At the option of the applicant, prior to the submittal of a formal Temporary Use application plan, the applicant may submit a conceptual plan to the Community & Economic Development Department to be reviewed by the Planning and Zoning Administrator. The purpose of the pre-application conference is to discuss the review procedures, design elements, and ordinance requirements. At this conference, the Planning and Zoning Administrator may provide the applicant with an advisory opinion as to whether the temporary use meets the standards of the Zoning Ordinance. The City's comments during a pre-application conference shall be advisory in nature only, and shall not constitute approval of a temporary use permit. An applicant may request that a pre-application conference take place at a meeting of the Technical Review Committee, upon payment of a fee established by City Council.

COMPLETE APPLICATION REQUIRED

The Temporary Use application will not be processed by staff until it has been verified that all required information has been provided with the application. Incomplete applications may be returned. Please carefully review the Checklist included within this application to see those items that must be included with a complete application submittal.

TEMPORARY/SEASONAL BUSINESS LICENSE REQUIRED

In addition to Temporary Use approval through the Community and Economic Development Department, all temporary uses shall require a Temporary/Seasonal Business License through the City Clerks office in compliance with Chapter 7 of the Madison Heights Code of Ordinances.

TEMPORARY USE REVIEW PROCESS

REFER TO SECTION 15.08 OF THE ZONING ORDINANCE FOR FULL PROCESS, STANDARDS, AND REQUIREMENTS FOR TEMPORARY USE REVIEW

1. Applicant initiates Temporary Use review process by submitting the required documents to the Community and Economic Development Department (see below).
2. The Planning and Zoning Administrator reviews the Temporary Use application for consistency with the Zoning Ordinance. The Planning and Zoning Administrator may request revisions to the Temporary Use application prior to action, and may refer any request for a Temporary Use to the Technical Review Committee or the Planning Commission for review and approval.
3. Planning Commission Review (if needed): The Planning Commission shall review and act upon Temporary Use requests where the applicant seeks approval for a time period longer than otherwise permitted in the Zoning Ordinance or for a temporary use not specifically permitted in the Ordinance nor deemed similar by the Planning and Zoning Administrator.
4. The Planning and Zoning Administrator, Technical Review Committee, or Planning Commission shall approve, approve with conditions, deny, or postpone action on the Temporary Use application. Upon approval, the applicant shall apply for a Temporary/Seasonal Business License through the City Clerks office.

SUBMITTAL REQUIREMENTS

- a. One (1) copy of the Temporary Use Application form.
- b. A detailed description of the temporary use, including anticipated dates and hours of operation, employees, anticipated visitor numbers, etc.
- c. Letter of authorization from all property owners authorizing agent to act as applicant, where applicable.
- d. A sketch plan (to scale) illustrating, at minimum:
 - a. Property lines and adjacent roads, streets, alleys.
 - b. Adjacent uses and zoning districts.
 - c. Existing and proposed buildings and structures, landscaping, and other site improvements.
 - d. Location of the intended temporary use on the property.
 - e. Sign location(s) and size(s)
 - f. Pedestrian walkways
 - g. Parking and loading stalls with dimensions
 - h. Trash and refuse collection areas
 - i. Exterior lighting
- e. All applicable fees as established by City Council. The applicant is responsible for all review fees whether or not the temporary use is actually established.

**Submit complete application to Community and Economic Development Department:
300 W. Thirteen Mile Road, Madison Heights, MI 48071**



CITY OF MADISON HEIGHTS
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
TEMPORARY USE APPLICATION

I. APPLICANT INFORMATION

Applicant _____

Address _____

City _____ State _____ ZIP _____

Interest in Property (owner, tenant, option, etc.) _____

Contact Person _____

Telephone Number _____ Email Address _____

II. PROPERTY INFORMATION

Property Address _____

Tax ID _____ Zoning District _____

Owner Name (if different than applicant) _____

Address _____

City _____ State _____ Zip _____

Telephone Number _____ Email Address _____

III. TEMPORARY USE INFORMATION

Type of Temporary Use

<input type="checkbox"/> Temporary Outdoor Display/Sales	<input type="checkbox"/> Special Event
<input type="checkbox"/> Seasonal Sales Lot	<input type="checkbox"/> Other _____

Explanation of Proposed Temporary Use

Dates of Operation _____

Hours of Operation _____

TEMPORARY USE APPLICATION

Additional Submittal Requirements:

- ☐ A detailed description of the temporary use, including anticipated dates and hours of operation, employees, anticipated visitor numbers, etc.
- ☐ Letter of authorization from all property owners authorizing agent to act as applicant, where applicable.
- ☐ A sketch plan (to scale) containing all required information contained in Section 15.08 of Zoning Ordinance.

IV. APPLICANT CERTIFICATION

I (we) the undersigned do hereby apply to the City of Madison Heights for review and approval of the above-described Temporary Use application. Applicant(s) and the property owner(s) do hereby consent to city staff to assess the property for purposes of evaluating the site for requested action(s).

Printed Name _____ Signature _____ Date _____

V. PROPERTY OWNER CERTIFICATION

IF YOU ARE NOT THE PROPERTY OWNER, YOU MUST HAVE THE PROPERTY OWNER PROVIDE A NOTARIZED SIGNATURE, BELOW, OR PROVIDE A NOTARIZED LETTER OF AUTHORIZATION OR NOTARIZED POWER OF ATTORNEY AUTHORIZING YOU TO ACT ON THEIR BEHALF

Printed Name _____ Signature _____ Date _____

Notary for Property Owner:

Subscribed and sworn before me, this ____ day of _____, 20____.

A Notary Public in and for _____ County, Michigan.

Notary Name (Print): _____

Notary Signature: _____

My Commission Expires: _____

Notary Stamp

STAFF USE ONLY

[DO NOT ACCEPT INCOMPLETE APPLICATIONS]

FILING FEE \$_____

TEMPORARY USE PERMIT # _____

DATE APPLICATION RECEIVED: _____

RECEIVED BY: _____