



Community Development Department

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ZONING ORDINANCE 4.84: OUTDOOR RESTAURANTS

All sit-down and fast food sit-down restaurants, as defined at Section 2.2, may have outside seating and dining as an accessory use, subject to the following conditions:

1. If the seating area is proposed as part of a site plan application it shall **require site plan review**, and approval by the Planning Commission or City Council, in accordance with **Section 6.1**. If the seating area is proposed to be added for an existing business, **a plan providing sufficient information** to determine compliance with **Section 4.84** shall be **submitted for review and approval** by the Building Official. Outdoor seating areas shall also comply with all applicable building and fire codes.
2. Outdoor seating shall be permitted between **March 1st and November 30th** with all furniture and fixtures including, but not limited to, tables, chairs and waste receptacles **removed from the exterior premises after November 30th**. Outdoor seating shall not be the primary seating of the restaurant.
3. Outdoor seating areas shall be located in a manner to **maintain a minimum pathway width of six (6) feet** (clear of structures such as light poles, trees and hydrants) along the sidewalk so as not to interfere with pedestrian traffic. Chairs and tables shall be of a quality durable material such as metal or wood. Waste receptacles shall be provided in instances where wait staff does not clear all tables.
4. Outdoor seating areas shall be required to be **enclosed** in instances where there is **alcohol service**. Enclosures shall consist of metal railing, wood railing, brick walls or other suitable materials approved by the Planning Commission, City Council or administratively, as applicable, and the Building Official.
5. For outdoor seating areas located **within any public right-of-way**, approval by the corresponding jurisdiction (i.e. City of Novi, MDOT or Road Commission for Oakland County) is required. **Proof of Insurance** naming the City as an additional insured, in a form and amount deemed acceptable by the **City Attorney's** office, shall be **required**. A **license agreement** in a form deemed acceptable to the City Attorney's office shall also be required.
6. For plans showing more than twenty (20) occupants within the outdoor seating area, requirements for **off-street parking** for outdoor restaurants shall be computed according to the standards contained in **Section 5.2**, as indicated for restaurant use.
7. The **hours of operation** for the outside restaurant shall be consistent with the hours of operation of the inside restaurant.
8. If the seating area proposed contains more than twenty (20) occupants or if hardscape or landscape improvements are proposed as part of the outdoor seating area, a **site plan** prepared in accordance with **Section 6.1** shall be **submitted for administrative review** and approval by the Planning Division staff.