



City of Revere
City Council

City Council Order No. 23-219

Date: November 13, 2023

Offered by Revere City Council

A ZONING ORDINANCE ESTABLISHING OUTDOOR DINING REGULATIONS FOR THE CITY OF REVERE

Be it ordained by the City of Revere, MA as follows:

Section 1. Title 17, Chapter 17.08 of the Revised Ordinances of the City of Revere is hereby amended by inserting the following new section:

17.08.654 - Restaurant.

“Restaurant” means an establishment where the primary business is the service, by a waiter or waitress, of food and beverages to be consumed exclusively at tables or a bar or counter on the premises.

Section 2. Title 17, Chapter 17.08, Section 17.08.655 of the Revised Ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

17.08.655 - Restaurant, outdoor dining.

“Restaurant, outdoor dining” means a covered or uncovered but not fully enclosed portion of a restaurant which is located in a public space that is outside of a wholly enclosed building or structure, including but not limited to a sidewalk, street, or municipal parking lot, and is used for the service and consumption of food and drinks by the patrons of the restaurant.

Section 3. Title 17, Chapter 17.16, Section 17.16.040 of the revised ordinances of the City of Revere is hereby amended by removing “sp” in the TED district following “Restaurant” and inserting in place thereof “yes” within the Table of Uses.

Section 4. Title 17, Chapter 17.16, Section 17.16.040 of the Revised Ordinances of the City of Revere is hereby amended by placing a new entry for “Restaurant, outdoor dining” in the Table of Uses, which shall be inserted directly beneath “Restaurant,” and which shall be followed by “no” in the RA, RA1, RB, RB1, RC3, and LI Districts, and “yes” in the RC2, PDD1, PDD2, GB, CB, HB, TED, and IP Districts, and “yes%” in the RC, RC1, NB, and GB1 Districts.

Section 5. Title 17, Chapter 17.16, Section 17.16.040 of the Revised Ordinances of the City of Revere is hereby amended by inserting footnote “%=See 17.16.310(B)(1) for outdoor dining in Districts where Restaurants are allowed by Special Permit” below the Table of Uses.”

Section 6. Title 17, Chapter 17.16, Section 17.16.310 of the revised ordinances of the City of

Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

17.16.310 - Restaurants (non-fast food).

- A. Restaurant (non-fast food) establishments are allowed by right in the RC2, PDD1, PDD2, GB, CB, HB, TED, and IP districts. In the RC, RC2, NB, and GB1 districts restaurants (non-fast food) may be erected, constructed, placed, altered, converted, or otherwise changed only by special permit granted by the city council in conformance with the dimensional and parking control requirements of this title, and the following minimum requirements:
1. The use in question shall be located and principally assessed from the frontage (street address) portion of the lot in question.
 2. The minimum frontage utilized by the use in question shall be at least sixty feet.
 3. Restaurant (non-fast food) establishments must utilize a space equivalent to fifty percent of the first-floor gross square footage of the building (building footprint) in which it's located.
 4. Parking requirements set forth in Section 17.28.020 pertaining to restaurants (non-fast food) i.e., one space per four seats, shall be provided on-site and in addition to any other parking spaces required for commercial or residential uses. In no instance shall any other commercial or residential parking spaces be counted or shared by the restaurant (non-fast food) establishment.
 5. The above criteria, subsections 1-3, shall pertain to restaurant (non-fast food) establishments on the first three stories of buildings in the RC1 district and shall not apply to restaurant (non-fast food) establishments above the fourth floor.
- B. Outdoor dining in the public way. Food and/or alcoholic beverages shall not be served outside of the licensed premises without written approval of the License Commission expanding the license's premises. All outdoor dining areas in the public way shall comply with all applicable state and municipal codes, and the American with Disabilities Act (ADA) requirements.
1. In the RC, RC1, NB, and GB1 districts, outdoor dining in the public way shall be an allowable use in conformance with the conditions set by the city council in the establishment's Special Permit.
 2. Site Plan Review Committee shall review applications for Outdoor dining and make recommendations for conformance prior to approval from the License Commission expanding the license's premises.
- C. Every license and permit issued shall contain a condition that the person accepting the same shall conform to the laws of the commonwealth, the provisions of this revision, and all other ordinances of the City of Revere and the specifications in the license or permit; that the license or permit may be revoked at any time by the authority issuing it unless otherwise provided by law; that the licensee will indemnify and hold harmless the city from any damages it may sustain or be required to pay by reason of performing the work licensed or permitted, or by reason of any act or neglect by the licensee or permittee, or by any of the licensee's or permittee's employees relating to

such work, or by reason of the violation of any specification contained in the license or permit; provided, that nothing contained in this section shall be construed to prevent the insertion of any other specification deemed advisable by the authority issuing the license or permit.

October 30, 2023 Ordered to a first reading.
November 13, 2023 Ordered on a second reading.
November 13, 2023 Ordered on a third and final reading.
November 13, 2023 Ordered Engrossed and Ordained on a Roll Call.

In City Council November 13, 2023. ORDERED ENGROSSED AND ORDAINED on a Roll Call: Councillors Cogliandro, Morabito, Novoselsky, Powers, Serino, Silvestri, Visconti, Zambuto, and Council President Protempore McKenna voting "YES". Councillor Rizzo was absent. Attest: Ashley E. Melnik, City Clerk

Approved by:



Acting Mayor Patrick M. Keefe

11-24-23
Date

Attest:



Ashley E. Melnik, City Clerk