



PLANNING COMMISSION MEETING
Thursday, April 3, 2025 – 7:00 p.m.
City Council Chambers
23600 Liberty Street
Farmington, MI 48335

AGENDA

- 1. ROLL CALL**
- 2. APPROVAL OF REGULAR AGENDA**
- 3. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT:
Accessory Outdoor Seating, Weather Resistant Outdoor Seating
Enclosures, Seasonal Limitations on Outdoor Seating, Banquet
Facilities and Event Centers**
- 4. PUBLIC COMMENT**
- 5. PLANNING COMMISSION COMMENTS**
- 6. ADJOURNMENT**

The City will follow its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the City Clerk (248) 474-5500, ext. 2218 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Farmington Planning Commission Staff Report	Planning Commission Date: April 3, 2025	Reference Number
Submitted by: Chris Weber, Assistant City Manager		
Description Public Hearing on the Proposed Zoning Ordinance Text Amendment to Chapter 35, Article 7, Section 35-102 and 35-158.		
Motion: Move to recommend approval of (all, some, or none) of the proposed amendments to Chapter 35, Article 7, Section 35-102 and 35-158 and to forward them to City Council for their review and consideration.		
<p><u>Background</u></p> <p>Administration has reviewed several areas of Chapter 35, Article 7, Section 35-102 and and 35-158 and are recommending changes. Those changes include:</p> <p>Banquet Facilities and Event Center – currently the ordinance specifies that banquet facilities are permitted by right. Event Centers are not mentioned. Administration recommends adding Event Centers and treating them identically to Banquet Centers. It is also recommended to change Banquet Facilities (and therefore Event Centers) to a special land use, which would require Planning Commission approval.</p> <p>Outdoor Tables and Chairs for Carryout Service - currently, this item is not included in the ordinance. This would be added as permitted by right and would require site plan approval by the Planning Commission. Minimum standards are added for tables and chairs.</p> <p>Weather-resistant Enclosed Accessory Outdoor Seating Area – currently, this item is not included in the ordinance. This would be added as a special land use, subject to approval by the Planning Commission and the DDA Design Committee if located in the DDA. Design standards are added.</p> <p>Outdoor Seating Restricted by Season – currently outdoor seating is allowed April 15th - October 31st. This would be changed to allow outdoor seating to be used year-round.</p> <p>Attachments: Red-line version of Chapter 35, Article 7, Section 35-102 and Section 35-158.</p>		

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON
ORDINANCE NO. ____

AN ORDINANCE TO AMEND CHAPTER 35, ZONING, OF THE CITY OF FARMINGTON CODE OF ORDINANCES, IN ORDER TO AMEND ARTICLE 7 "CBD CENTRAL BUSINESS DISTRICT, C2 COMMUNITY COMMERCIAL DISTRICT, C3 GENERAL COMMERCIAL DISTRICT, AND RO REDEVELOPMENT OVERLAY DISTRICT," SECTION 35-102, "TABLE OF USES," TO AMEND THE REQUIREMENTS OF THE ACCESSORY OUTDOOR SEATING PROVISIONS TO REQUIRE SITE PLAN APPROVAL; TO ALLOW WEATHER-RESISTANT OUTDOOR SEATING ENCLOSURES AS A SPECIAL LAND USE; TO ELIMINATE SEASONAL LIMITATIONS ON OUTDOOR SEATING; AND, TO MAKE BANQUET FACILITIES AND EVENTS CENTERS SPECIAL LAND USES.

THE CITY OF FARMINGTON ORDAINS:

Section 1. Chapter 35, Zoning, of the Farmington City Code, Article 7, "CBD Central Business District, C2 Community Commercial District, C3 General Commercial District and RO-Redevelopment Overlay District," Section 35-102, "Table of Uses," is hereby amended as follows:

Sec. 35-102. - Table of Uses.

Sec. 35-102. Table of Uses.

Use	CBD	C2	C3
P: Use is permitted by right in district			
SLU: Special Land Use in accordance with			
Article 12, Special Land Uses			
<i>RETAIL:</i>			
General commercial/retail businesses and shopping centers 50,000 square feet of floor area or less	P	P	P
General commercial/retail business or shopping center exceeding 50,000 square feet of floor area	SLU	SLU	SLU
Drive-through accessory to a retail use, not specified elsewhere		-	SLU (c)
Drive-through accessory to a pharmacy	-	SLU	P
Commercial outdoor display, sales or storage (accessory only)	P (a)	SLU (a)	P (a)

Garden centers and nurseries	P (a)	P (a)	P (a)
Home improvement showrooms and supply stores	SLU	P	P
Smoke shop	-	-	SLU
Wholesale establishments	-	-	P
<i>RESTAURANTS: (see definitions in Article 21, Definitions)</i>			
Standard restaurant	P	P	P
Banquet facilities <u>and Event Centers</u>	<u>SLUP</u>	-	<u>SLUP</u>
Bars, taverns, lounges	P	SLU	SLU
Carry-out	P	P	P
Drive-in	-	-	SLU
Drive-through	-	SLU (c)	SLU (c)
Open front window (when principal or accessory use)	P	P	P
Outdoor seating accessory to a restaurant use	P (b)	P (b)	P (b)
<u>Outdoor Tables and Chairs for Carryout Service</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Weather-resistant enclosed accessory outdoor seating area</u>	<u>SLU</u>	<u>SLU</u>	<u>SLU</u>
<i>SERVICES/OFFICE:</i>			
Animal grooming and training establishments (without 24-hour services or boarding)	SLU	SLU	SLU
Banks, credit unions and similar financial institutions	P	P	P
Banks with drive-through facilities		SLU (c)	SLU (c)
Banking centers separate from a financial institution (including ATMs)	P	P	P
Bed and breakfasts and boarding houses	SLU	SLU	SLU
Business offices and service establishments	P	P	P
Dry cleaning establishments and laundromats	P	P	P
Drive-through accessory to a dry cleaning establishment	-	SLU (c)	P (c)
Dry cleaning plants	-	-	SLU
Funeral homes and mortuary establishments	P	P	P
Hotels and motels	P (d)	P	P
Medical and dental offices and clinics	P	P	P
Personal service establishments	P	P	P
Professional offices and service establishments	P	P	P
Repair service establishments	P	P	P
Showrooms for contractors	P	SLU	SLU
Studios for photography, dance, music, art and similar uses	P	P	P
Tattoo establishment	-	-	SLU
Tool and equipment rental	-	-	SLU
Veterinary office and clinics (not 24-hour)	P	P	P
Veterinary clinics and hospitals (24-hour)	SLU	SLU	SLU
<i>AUTOMOBILE USES:</i>			
Automobile gasoline stations	-	SLU	SLU
Automobile service/maintenance facilities	-	-	SLU
Automobile wash establishments	-	-	SLU
Automobile and vehicle dealerships, new and used	-	-	SLU

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Automobile, vehicle and truck rental and leasing establishments	-	-	SLU
<i>ENTERTAINMENT AND RECREATION:</i>			
Fitness centers and health clubs	P	P	P
Golf courses	-	-	P
Indoor entertainment and amusement establishments	P	SLU	P
Instructional entertainment uses	P (i)	P (i)	P (i)
Recreation facilities (municipal)	P	P	P
Recreation facilities (commercial)	P (e)	P (e)	P (e)
Social clubs, halls and similar uses	SLU	P	P
Theaters (indoor), cinemas and auditoriums	SLU	-	P
<i>INSTITUTIONAL:</i>			
Adult and child care facilities	In accordance with Sec. 35-25, Adult and Child Care Facilities		
Churches, temples and similar places of worship and related facilities	SLU	P	P
Municipal buildings and structures	P (f)	P (f)	P (f)
Public or private primary and secondary schools; colleges and universities; business, trade and vocational schools	SLU	SLU	SLU
Public and quasi-public institutional buildings, structures and uses	SLU	P	P
<i>RESIDENTIAL:</i>			
Single-family attached dwellings/townhouses	P	P (g)	PUD
Multiple-family dwelling units	P	P (g)	PUD
Residential dwellings in upper stories of mixed-use buildings	P	P (g)	PUD
Nursing homes and senior assisted living	P	P (g)	P
<i>OTHER:</i>			
Off-street parking as a principal use, including parking decks	P	-	-
Essential public services	P	P	P
Essential public service buildings	P	SLU	SLU
Accessory buildings, structures and uses	In accordance with Sec. 35-43, Accessory Buildings		

Special Provisions

(a) [Unchanged]

(b) Accessory outdoor seating areas may be permitted by annual license when accessory to a permitted or special land use in the district subject to the following:

1. Whether the seating area is proposed as part of a site plan application or an existing business, it shall require site plan review and approval by the planning commission in accordance with Article 13 Site Plan Review. Insurance in a form and amount deemed acceptable by the City Attorney's office shall be provided with the application. Once initial approval has been granted by the planning commission, an annual license shall be issued by the building official. The license may be renewed annually by the building official, provided that it complies with the original planning commission approval and the requirements of this section. The building official may, at any time, refer an outdoor seating permit to the planning commission for renewal if the Building Official feels additional review is necessary.

2. Outdoor seating shall be permitted ~~subject to an approved site plan between April 15th and October 31st, with all furniture and fixtures removed after October 31st.~~ All tables, chairs, railings and related fixtures shall be removed when not in use. ~~If weather permits, the Building Official may extend this time for outdoor seating on privately owned property only.~~

Placement of tables and chairs outside carryout restaurants. Tables and chairs may be placed outside the business for the comfort and convenience of customers seeking carryout service subject to approve site plan. An Applicant shall submit a plan with the number of chairs and tables and location to the City for planning commission approval. Materials and placement of tables and chairs shall meet the following minimum standards:

- i. Tables and chairs shall be made of heavyweight, durable, weather-resistant materials
- ii. Tables and chairs shall be placed outside of the traveled portion of a walkway adjacent to a building

3. Outdoor seating shall not be the primary seating of the restaurant, except for carry-out restaurants when approved by the planning commission.

4. Outdoor seating areas shall be located in a manner to maintain a minimum pathway width of 5 feet (clear of structures such as light poles, trees and hydrants) along the sidewalk so as not to interfere with pedestrian traffic. Outdoor seating-dining areas may be either curbside or adjacent to the building front provided that the location change allows an appropriate walking path alignment with neighboring properties as determined by the City.

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5. Chairs and tables shall be of quality durable material such as metal or wood.

6. Outdoor seating areas shall be maintained in a clean and sanitary condition. Waste receptacles shall be provided in instances where wait staff does not clear all tables.

7. ~~Outdoor seating areas~~ service areas shall be well-defined, with clearly marked access points, making it obvious to patrons whether they are within or outside of the designated dining seating area. Except in accordance with a Resolution Designating a Social District in accordance with Public Act 124 of 2020, as set forth in MCL 436.1551, as amended, ~~The~~ on-premises licensee shall not sell, or allow the consumption of, alcoholic liquor outdoors, except in the defined area. Outdoor seating areas shall be delineated by outlining the periphery in some manner as to distinguish the public walkway from seating

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dining area. This may be accomplished by the use of planters, railings, or walls reviewed and approved by the Planning Commission.

8. For outdoor seating areas located within the public-right-of-way, approval by the corresponding jurisdiction (i.e. Farmington DPW, 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.

9. If there is not adequate space to allow for outdoor seating dining on the sidewalk adjacent to the site, an elevated, ADA compliant, platform may be erected in a parking lot to create an outdoor seating dining area, but only if the City Engineer determines there is sufficient space available for this purpose given parking and traffic conditions. Specially designated parking spaces (ADA accessible, loading zones etc.) shall only be considered for use if the spaces can be temporarily replaced within a close proximity. Use of a public parking lot for such purpose shall require city council approval.

10. Additional outdoor lighting and/ or amplification is prohibited without approval of the City.

11. Applicants may be asked to demonstrate that additional parking demand can be met before approval.

12. The City retains the right to revoke outdoor seating permits if all sections of this ordinance have not been met, or if the operation of such areas is found by the City to be dangerous or otherwise detrimental to surrounding uses or pedestrian or vehicular traffic.

13. Applicants may seek a special land use approval for a weather-resistant enclosed accessory outdoor seating area in the side or rear of the building not adjacent to the public right-of-way..

i. Removable architectural elements such as awnings, canopies, marquees shall be approved by the Planning Commission with a recommendation from the DDA Design Committee.

ii. Encroachments that create usable space such as cantilevered rooms, dormers, elevated walkways, balconies, bridges and similar projections may be approved by the Planning Commission, with recommendation from the DDA Design Committee when in the CBD Central Business District, provided they comply with the design review standards set forth in Section 35-152.

Section 2. Chapter 35, Zoning, of the Farmington City Code, Article 12, "Special Land Uses," Section 35-158, "Special Land Use Specific Requirements" is hereby amended to add subsection BB as follows:

BB. Outdoor Seating. Weather-resistant and removable architectural features and/or encroachments shall be subject to the following design standards in addition to the special land use standards set forth in Section 35-152:

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- i. Building materials shall possess durability and aesthetic appeal.
- ii. The building design shall include architectural features on the building facade that provide texture, rhythm, and ornament to a wall.
- iii. Colors shall be natural and neutral colors that are harmonious with both the natural and man-made environment. Stronger colors may be used as accents to provide visual interest to the facade, and shall be consistent with and complementary to surrounding architectural design.
- iv. These architectural elements shall be arranged in a harmonious and balanced manner.
- v. All enclosures must comply with applicable Building Code requirements.

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(c) – (h) [Unchanged]

Section 32. Repealer

All ordinances or parts of ordinances in conflict herewith are repealed.

Section 3. Severability

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

Section 4. Savings

This amendatory ordinance shall not affect violations of this ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

Section 5. Effective Date

Public hearing having been held hereon pursuant to the provisions of Section 1 03 of Act 11 0 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within twenty (20) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Farmington stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00A.M. to 5:00P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

Section 6. Enactment

This Ordinance is declared to have been enacted by the City Council of the City of Farmington at a meeting called and held on the ____ day of _____, 2021 and ordered to be given publication in the manner prescribed by law.

Ayes:

Nayes:

Abstentions:

Absent:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington at a meeting held on the ____ day of _____, 2021, the original of which is on file in my office.

Mary Mullison, City Clerk
City of Farmington

Adopted:
Published:
Effective: