

**From:** [Sean Suder](#)  
**To:** [Antonette Fabrizi](#); [Sean Suder](#)  
**Subject:** RE: Restaurant Zoning Presentation  
**Date:** Monday, January 02, 2023 8:17:59 PM  
**Attachments:** [image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image013.png](#)  
[image00001.png](#)  
[ZoneCo\\_PowerPointPresentation - JAN Restaurant Zoning.pptx](#)

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\*\*\*\*\*Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.\*\*\*\*\*

<!--[if lte mso 15 || CheckWebRef]-->

Sean Suder has shared a OneDrive for Business file with you. To view it, click the link below.



[ZoneCo\\_PowerPointPresentation - JAN Restaurant Zoning.pptx](#)

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Antonette,

Here is the relevant section for Westport, CT:

## 5-2 Specific Terms

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Except as otherwise stated, or as the context may otherwise require, the following words, for the purpose of these regulations, shall be defined as follows:

### Food Establishment Retail:

A retail food establishment shall mean any business where food or beverages are sold to the public for either on premises or off premises consumption; except that the sale of alcoholic beverages must be for off-premises consumption. A retail food establishment may have no more than 10 indoor **patron** seats. Such establishments shall not be considered Restaurants and no additional parking will be required provided that they have indoor seating for no more than 10 **patrons** For outdoor seating – See §5-2 & §32-20 Outdoor Eating Areas.

Edgartown, MA:

10.2.A.2 - Small-scale businesses and industries in Residential Districts

<https://www.edgartown-ma.us/Home/ShowDocument?id=12660>

Newport, RI:

17.100.090. - Restaurants.

Restaurants are subject to the following conditions:

A.A victualing house license application must be received by the city council prior to consideration by the zoning board of review of any special use permit application for a restaurant.B.For standard and fast-food restaurants, the consumption of foods, frozen desserts or beverages within a motor vehicle parked upon the premises, shall be posted as being prohibited and such prohibition shall be strictly enforced by the restaurateur.C.For new construction or renovations resulting in the upgrading of service, all utilities shall be installed underground.D.No carry-out restaurant shall be permitted either by right or by special use permit in any part of the city.  
(Ord. 2000-4 (part), 2000: Ord. 65-94 (part), 1994: prior code § 1264.03.07)

I also added in James' research on Washington, D.C. Here is an explanation of the 25% rule:

<https://ggwash.org/view/1664/balancing-neighborhood-retail-part-1-the-25-rule>

Here is the revised PPT.

Thank you,  
Sean



**Sean S. Suder, Lead Principal/Founder**