



City Council Report

Date: June 1, 2020
To: City Council
Through: Kari Kent, Assistant City Manager
Scott J. Butler, Deputy City Manager
From: Christine Zielonka, Development Services Director
Subject: Resolution Authorizing a Temporary Expansion of Restaurant Facilities Including Services, Eating, and Drinking and Modifying Signage Requirements for All Businesses Due to the Covid-19 Emergency "Citywide"

Purpose and Recommendation

The proposed resolution authorizes the City Manager or Designee to temporarily suspend enforcement or to modify City Code requirements to allow restaurants to expand their services to outdoor areas on their property. The expansion of services may include outdoor eating or drinking, as well as also suspend enforcement of temporary signage. This temporary suspension to the Codes will help mitigate the impacts of policies that have been implemented to limit the spread of Covid-19, primarily through social distancing. Allowing restaurants to expand their service areas, with appropriate controls, will provide economic benefits to both the restaurants, the Community, and the City.

Background

Conformance with guidelines from the Center for Disease Control, the Occupational Safety and Health Administration and the Arizona Department of Health Services has resulted in a greatly reduced customer service area for restaurants. Seating areas have been reduced up to 50% (in some cases higher) to accommodate social distancing requirements. The Arizona Restaurant Association proposed considering modifications to City Codes to facilitate temporary expansions that will allow an increase in customers while complying with the emergency procedures. This resolution, as proposed, also adopts a policy of suspending enforcement of temporary signage to promote individual restaurants and their services.

Discussion

This resolution provides authority to the City Manager or designee to modify certain Code requirements. Specific codes that may need to be modified, on a site-specific bases, include the Zoning Ordinance, Building and Fire Codes and possibly Engineering standards. Designated positions to administer the modifications may include the Zoning Administrator, Building Official, Fire Marshall, the City Engineer, or other Department Directors. It is not anticipated at this point that the expansion of premises proposal will require modifications to liquor license requirements.

City staff from numerous departments have been collaborating to develop a very streamlined process to approve expansion of premises requests. This will be accomplished through a consolidated, very brief, no-charge application and approval review process. The goal is to approve requests within two to four days. The process will rely on restaurant owners/operators obtaining landlord approvals to expand their facilities and to ensure compliance with life/safety requirements for public safety. The Development Services Small Business Assistant will be the central point of contact for receiving, reviewing, and documenting approval of expansion requests.

Alternatives

Benefits

Approving this resolution will help to reenergize the economic vitality of restaurants located in Mesa. The proposed approval process will allow for a quick response and approval to expansion requests.

No Action

Not approving the resolution will prevent Mesa from quickly identifying and approving safe options to improve restaurant economic activity. This alternative is not recommended.

Fiscal Impact

There is no direct fiscal impact to the City but expanded restaurant operations will enhance economic activity.

Coordinated With

This resolution and approach to temporary Code modifications has been coordinated with Government Relations, Economic Development, Development Services, Business Services, Fire Prevention and Engineering.