



# City Council Report

**Date:** February 8, 2021  
**To:** City Council  
**Through:** Natalie Lewis, Deputy City Manager  
Scott J Butler, Deputy City Manager  
**From:** Christine Zielonka, Development Services Director  
**Subject:** Resolution Authorizing a Temporary Expansion to allow businesses to conduct existing business services and related activities in an outdoor area Due to the Covid-19 Emergency  
"Citywide"

## Purpose and Recommendation

The proposed resolution authorizes the City Manager or Designee to temporarily suspend enforcement or modification to City Code requirements to allow businesses to expand services, such as retail stores and gyms, to outdoor areas that are in close proximity to their existing location. 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 businesses to expand outdoors, with appropriate controls, will provide economic benefits to the businesses, 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 greatly reduced capacity in customer service areas, retail spaces, waiting rooms, gyms, and other areas at many businesses and organizations. This resolution allows modifications to City Codes to facilitate temporary expansions that will allow an increase in customers while complying with the emergency procedures.

This resolution is modeled after the highly successful Mesa Al Fresco program, adopted in September, which helped restaurants and bars expand their services outdoors.

## 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 modification may include the Zoning Administrator, Building Official, Fire Marshall, the City Engineer,

or other Department Directors.

City staff from numerous departments will collaborate to develop a very stream-lined process to approve expansion requests. This will be accomplished through a consolidated, very brief, no-charge application and approval review process, similar to the one used for the Al Fresco program which received extremely positive feedback. The goal is to approve requests within two-to-four days. The process will rely on business 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 businesses 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 business economic activity. This alternative is not recommended.

## **Fiscal Impact**

There is no direct fiscal impact to the City but expanded business 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, and Fire Prevention.