

POLICY
RESOLUTION
2022-4

A POLICY RESOLUTION TO EXTEND THE
AUTHORIZATIONS PERMITTED IN POLICY
RESOLUTION 2021-4 UNTIL NOVEMBER 15, 2022

WHEREAS, pursuant to Sec. 50-36(k) of the East Lansing City Code, the Planning and Zoning Official may administratively approve certain modifications to previously approved site plans; and

WHEREAS, a worldwide pandemic resulted in a number of restaurant businesses within the City of East Lansing to close or partially close; and

WHEREAS, the City Council of the City of East Lansing adopted Resolution 2021-4 to allow administrative approval by the City's Planning and Zoning Administrator for temporary site plan modifications to permit the establishment or expansion of outdoor service areas under certain conditions through March 14, 2022; and

WHEREAS, the City Council of the City of East Lansing has determined that an extension of Resolution 2021-4 is necessary to support the City's effort to support local businesses during these times.

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of East Lansing interprets Sec. 50-36(k) of the East Lansing City Code to allow administrative approval by the City's Planning and Zoning Administrator for temporary site plan modifications to permit the establishment of or expansion of outdoor service areas for the 2022 outdoor seating season through November 15, 2022 under the following conditions:

1. Capacity added by the modified site plan may not exceed either a) the current capacity limits of any approved site plan or b) under any Pandemic Order or Emergency Order issued by public health officials.
2. The restaurant must seek and be granted approval of a right-of-way license to use any public or private property that is not currently on or a part of its site.
3. If the proposed expansion is in a parking area the number of required parking spaces provided on that site shall be reduced by no more than 25%.
4. If alcohol is to be served in the added service area the restaurant must be in compliance with MLCC licensing and regulations.
5. The use of outdoor heating elements must be in compliance with the Fire Code and any other applicable codes.
6. The modified site plan reverts to the current approved or modified site plan unless otherwise approved by City Council upon the expiration of Policy Resolution 2022-04.

7. The application for a modified site plan pursuant to this resolution must be in compliance with the City Code.
8. The \$250 Site Plan modification application fee shall be temporarily waived until November 15, 2022 or until such time that Council determine it is appropriate to reinstate fees for such purposes.
9. Approval of a temporary expansion of outdoor seating area may be revoked at any time for violations of City Code.

BE IT FURTHER RESOLVED, the Planning and Zoning Official may refer any application to City Council. Additionally, an applicant for a modified site plan may request approval by City Council in the event the application is not approved by the Planning and Zoning Official. The application shall be referred directly to Council rather than be sent to the Planning Commission.

YEAS: Babcock, Gregg, Watson
NAYS: Brookover
ABSTAIN:

RESOLUTION DECLARED ADOPTED.



Ron Bacon, Mayor

Dated: March 14, 2022

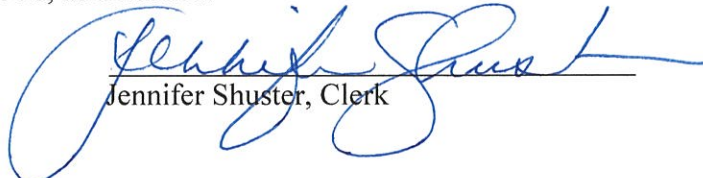


Jennifer Shuster, Clerk

CERTIFICATION

I, the undersigned duly qualified and acting Clerk of the City of East Lansing (the "City"), do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City at a regular meeting held on March 8, 2022, the original of which is on file in my office, and that public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976, as amended.

Dated: March 14, 2022



Jennifer Shuster, Clerk