



City Hall  
208 North First Avenue  
Alpena, Michigan 49707  
[www.alpena.mi.us](http://www.alpena.mi.us)

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## *Planning, Development, & Zoning*

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### City of Alpena Planning Commission

#### Special Meeting

Monday, November 27th, 2023 @ 6:00 p.m.

This meeting will be held in Council Chambers as well as virtually.

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/CityofAlpena/planning-commission>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3112](tel:+15713173112)

Access Code: 178-564-461

### AGENDA

CALL TO ORDER;

ROLL CALL;

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES – Special Meeting November 9<sup>th</sup>, 2023

Regular Meeting November 13<sup>th</sup>, 2023

PUBLIC HEARING AND COMMISSION ACTION:

**1. Case SU23-05 Special Land Use – Center of Charity Warming Shelter, 324 W Chisholm St.**

Findings of Fact – Appendix A

Center of Charity Room Layout – Appendix B

Special Land Use Standards – Appendix C

Supplemental Regulations Section 7.27 – Appendix D

BUSINESS

a) **UNFINISHED:**

b) **NEW:**

c) **COMMUNICATIONS OR REPORTS:** December meeting is cancelled.

d) **CONTINUING EDUCATION:**

PUBLIC COMMENT

MEMBER COMMENTS

ADJOURNMENT



MINUTES  
City of Alpena Planning Commission  
Joint Meeting of Alpena Area Planning Commissions (Ossineke Township Hall)  
November 9, 2023 Alpena, Michigan

CALL TO ORDER:

The Joint Alpena Area meeting of the Planning Commissions was called to order at 6:02 p.m. by Steve Gilmore, Planning Commission Vice-Chairman.

ROLL CALL: PLANNING COMMISSION

PRESENT: Peterson, Gilmore, Moses, Kostelic, Sundin, Kemp

ABSENT: Wojda, VanWagoner, Boboltz

STAFF: Rachel Smolinski (City Manager), Kathleen Sauve (Recording Secretary), Niko Tucker (NEMCOG)

Other Planning Commissions in attendance called to Order: Alpena County, Charter Township of Alpena, Green Township, Ossineke Township, Sanborn Township, and Wilson Township

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was recited.

RECREATION PLAN: Niko Tucker (NEMCOG) explained the purpose of the meeting. Each Planning Commission gave their input about what was important to them to have in the Recreation Plan. Some ideas outlined below:

- Sundin said that the parking lot at the Apex should be expanded.
- Mary Catherine Hannah (County Administrator) recommended everyone take the survey about the Apex expansion. She also explained that the goal for the meeting was to have discussion about shared visions and top goals within all the different Planning Commissions in relation to the Recreation Plan, such as trails, boardwalks, and waterfront access; what the big, shared vision is around recreation for the entire County.
- Smolinski spoke about the Lake Huron Forever pledge and preserving natural resources.
- Tucker said that the deadline for DNR grants is April 1<sup>st</sup>, so plans would need to be submitted prior to that.
- Hannah said that Sunken Lake Park got a SPARK grant to expand the trails.
- Nathan Skibbe (Township Supervisor) suggested creating a hybrid committee; Tucker suggested a Recreation Authority board.
- Smolinski said that if a Recreation Authority was formed, they could talk about ways to fund the things that affect all the different jurisdictions, such as trails; programming is also something that could be a shared goal.

- A representative from Beaver Lake Park said a good common goal would be kayaking opportunities with landing spots, and keeping the rivers opened up; it would be an easy one, making us the next Ausable north of the Ausable.
- Smolinski said that maintenance is an issue for almost every park and trail and the Michigan Asset Management Program helps plan for maintenance for years to come; that should be a good, shared goal. Moses said that maintenance was mentioned in the survey a lot for almost every facility.
- Smolinski said land acquisition is also a good goal.
- A representative from Green Township said they have interest in kayaking and trails and have partnered with the County on Manning Hill to improve the hall facilities.
- A representative from the Charter Township said that they would like to extend the City's bike paths to the North to the Rails to Trails section, to the Misery Bay Nature Preserve, and South to the 45<sup>th</sup> Parallel sign.
- Skibbe said land acquisition is important to them as well, and they have applied for rec grants already.
- Smolinski said that the pool could be a shared goal. Hannah said that connecting the Apex to trail systems surrounding it would be a good idea.
- Peterson said they need to keep the trails diverse and accessible for all.
- Skibbe verified that the Thunder Bay River Restoration is still ongoing.
- Better directional and information signage was suggested and making all the signage unilateral and linear.
- Kemp suggested a "One stop shop" website where all area events are advertised. Hannah said that the Visitor's Bureau must have information up to one year in advance for brochures and calendars; a shared website would be great but who will run it. Kemp said having a Recreational Authority would be beneficial for better planning.
- Moses asked if there was anything out there to encourage users to report maintenance issues or trail blockages. Signs at trailheads were suggested, as well as an app that a user could mark where on the trail it needs maintenance.
- A County representative asked where to find grants. Tucker said there is not a one stop shop to find them but suggested contacting Community Foundations for grants. Peterson said Grants.gov is a good website.
- Tucker summarized what seemed to be the shared goals – trails, maintenance, keeping the river open, programming such as park to park, activity to activity, promoting nature, sports, arts, archery, and so on.
- The group agreed to form a recreation committee which would be a subcommittee of the Intergovernmental Council. In order to keep the group manageable, they will name representatives from each jurisdiction. This group would remain informal for now.
- Three corrections were suggested in Chapter 3 of the Alpena Area Joint Recreation Plan (page 3-47 and 3-48) and Chapter 3 of the City of Alpena Recreation Plan (page 3-40 and 3-41) as follows:

- Aces Academy is not located at 700 Pinecrest Street anymore; it is located at 3303 South Third Avenue at the Alpena Senior High School.
- Pied Piper School is not listed with the other schools, and it is a fully functioning center-based school located at 444 Wilson Street.
- Alpena Community College is not located at 666 Johnson Street, it should read 665 Johnson Street.

PUBLIC COMMENT: None.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:18 p.m., by Gilmore, Planning Commission Vice-Chairman.

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Clayton C. VanWagoner, Secretary

MINUTES  
City of Alpena Planning Commission  
Regular Meeting (Council Chambers and Virtual)  
November 13, 2023 Alpena, Michigan

CALL TO ORDER:

The regular meeting of the Planning Commission was called to order at 6:00 p.m. by Randy Boboltz, Planning Commission Chairman.

ROLL CALL: PLANNING COMMISSION

PRESENT: Peterson, Boboltz, Gilmore, Moses, Kostelic, Sundin

ABSENT: Wojda, VanWagoner

STAFF: Montiel Birmingham (Planning, Development, and Zoning Director), Kathleen Sauve (Recording Secretary)

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Agenda was approved and amended to add to New Business the 2024 Schedule and Discussion of the addition of a Recreational Sub Committee.

APPROVAL OF MINUTES: Meeting October 10, 2023, minutes were approved as printed. Meeting October 11, minutes were approved as amended - Page 4, paragraph 3, line 9, 10, and 11 modified with addition of italicized text 'Sundin said the other parks have always been a priority because they are ***higher profile and more visible*** within the City for tourists, but McRae is more of a neighborhood park; the community building, and concession stand need some attention.'

Boboltz did not explain the order of procedures for the public hearing as there was nobody from the public in attendance in person or online.

PUBLIC HEARING AND COMMISSION ACTION: Case # TXT23-01 Text Amendment – Tattoo and Piercing Studios to allow them by Right in the CBD, CCD, B2, B3, & I1 districts – Birmingham provided the Planning Commission with a memo in their public packets to explain the proposed text amendment (Appendix A) and the proposed revised Zoning Matrix (Appendix B). As there was no public in attendance and the Board had sufficient time to review the request prior to the public hearing, it was agreed that the public hearing could be closed at 6:07 pm for the Board to deliberate.

Sundin asked if a spacing requirement had been considered such as with the marihuana establishments. Birmingham said no it had not been considered. Peterson said she didn't think [Alpena] would grow that robustly to support a distance separation for this particular use, although she also felt they should not be clustered together but that is across the board in any industry; she did not see it as being an issue here. Sundin said that the other tattoo shop may have fallen under the service business, which was allowed in the CBD at the time, and if a case cannot be found [for a text or map change], then it did not happen.

Kostelic ***motioned*** to approve the text change amendment for tattoo and piercing studios as outlined in the packet [allow by Right in the CBD, CCD, B2, B3, & I1 districts].

Peterson ***seconded*** the motion.

Motion ***approved*** by unanimous vote.

UNFINISHED BUSINESS: None.

NEW BUSINESS: 2024 Planning Commission Schedule – After some discussion, February's date was amended from Tuesday February 13<sup>th</sup> to Monday February 12<sup>th</sup>.

Sundin ***motioned*** to approve the 2024 schedule as amended.

Moses ***seconded*** the motion to approve.

Motion ***passed*** by unanimous vote.

Recreational Sub Committee Discussion – Gilmore asked what happened to the Intergovernmental Group that the County had at one time. Birmingham said that there is an Intergovernmental Council group currently, made up of City Council and Township representatives; there used to be a Rec-type subcommittee that was dissolved after the Apex was built for reasons unknown to her. She said that she would reach out to Mary Catherine Hannah to get more details. Sundin said that a new group could be created with someone from each Planning Commission, not necessarily elected officials, using the Intergovernmental group as a vehicle for creating it. Gilmore said that it sounded like a great idea that somehow failed before.

COMMUNICATIONS OR REPORTS: None.

CONTINUING EDUCATION: Three articles from MSU Exchange were provided to read at their leisure as follows: Overlay Zoning Districts Can Be a Valuable Tool, Zoning and Police Power Ordinances are Not the Same, Understanding Nonconformity – Are You “Grandfathered” In?

PUBLIC COMMENT: None.

MEMBERS’ COMMENTS: None.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:24 p.m., by Boboltz, Planning Commission Chairman.

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Clayton C. VanWagoner, Secretary

## Planning, Development, & Zoning

### FINDINGS OF FACT SPECIAL LAND USE

**APPLICANT:** CHRISTINA KIHN ON BEHALF  
OF ALL SAINTS OF ALPENA  
**PROPOSED USE:** EMERGENCY WARMING  
SHELTER  
**DISTRICT:** CCD & OS1  
**LOCATION:** 324 W CHISHOLM ST.  
**REVIEW DATE:** 11/13/2023  
**REPORT:** SU23-05



**Summary of Request:** Applicant and Owner request to allow an emergency warming shelter within the St. Bernard's Church property's Center of Charity. Location of the shelter would be in the former school building where other community services are currently taking place, specifically St. Bernard's Catholic Church, Madonna House Ministry, Friendship Room, Baby Pantry, and Children's Closet.

### SPECIAL LAND USE APPROVAL STANDARDS: SECTION 6.12

The Planning Commission shall review and apply the following standards and factors in the consideration of any Special Land Use request.

Special Land Use permits are required for proposed activities which are essentially compatible with other uses, or activities permitted in a zoning district, but which possess characteristics or locational qualities which require individual review. The purpose of this individual review is to ensure compatibility with the character of the surrounding area, with public services and facilities, with adjacent properties, and to ensure conformance with the standards set forth in this Ordinance. Special Land Uses shall be subject to the general provisions and supplemental site development standards of this Ordinance as well as to the provisions of the zoning district where it is located. Each use shall be considered on an individual basis.

#### A. Allowed Special Land Use

1. The property subject to the application is located in a zoning district in which the proposed Special Land Use is allowed; in this instance, the zoning lot is split between CCD and OS1; supplemental regulations exist.

#### B. Compatibility with Adjacent Uses

1. Property is located at the intersections of Chisholm St/5<sup>th</sup> Avenue/Lockwood.
2. Property is already being used for homeless ministries via the Friendship Room.
3. Hours of operation:
  - a. Phase 1 (day only) – 7:30 am – 4:00 pm
  - b. Phase 2 (overnight) – 12:00 pm – 7:15 am
  - c. At -10 degrees the shelter must remain open (this includes wind chill), or the shelter may open at their discretion depending on weather conditions and volunteer staffing levels
4. Parking area currently exists with 52 spaces available for staff and volunteers – 5 volunteers expected for warming shelter, with 3 required to start the day.
5. No outdoor activity is planned. The only exterior modifications proposed at this time are exterior cameras, exterior motion-sensor lighting, and a defined and monitored smoking area in the parking lot near the 5<sup>th</sup> Avenue entrance.



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## *Planning, Development, & Zoning*

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6. Main entrance for individuals utilizing the shelter will be the entrance off of 5<sup>th</sup> Avenue; the Lockwood St. entrance will not be used for the warming shelter.
7. Residential properties face and adjoin the property along Fourth, Fifth, and Lockwood. The Center for Charity has a no loitering policy in place.

### **C. Public Services**

Essential public services (fire, police, etc.) are available. The City of Alpena Public Safety Facility is approximately 300 feet from the property. The City of Alpena Building Inspector and Community Risk Reduction Officer have been in the proposed facility to advise on layout, safety measures, and capacity.

### **D. Economic Well Being of the Community**

1. No direct public costs are anticipated; there is no need for street, sidewalk or water/sewer improvements.
2. Visitors to the shelter will have access to onsite case management resources, creating coordination of and access to resources for those in need. Examples: Catholic Human Services, NEMCSA, St. Vincent De Paul, DHHS, Veteran's services, etc.
3. The City of Alpena does not have an emergency warming shelter of this type; creation of a shelter will reduce the impact to other local facilities like the emergency room, library, and retail locations that are not equipped to accommodate the needs of the individuals visiting.

### **E. Compatibility with Natural Environment**

1. No changes proposed

### **F. Impact of Traffic on Street System**

1. No major impact on traffic street system other than an increase in volunteer staff; main access to parking area exists off of Chisholm St. and 5<sup>th</sup> Ave.

### **G. Non-Detrimental Standards**

1. None known

### **H. Consistency with Zoning Ordinance and Comprehensive Plan**

Housing: Goal 1 Allow suitable housing opportunities for all income levels, age groups, household types, and resident types; Objective C: Protect the neighborhood character of residential areas.

Transportation Infrastructure and Public Services: Goal 1(3) Direct future development to areas where necessary public services and utilities already exist or where expansion of services and utilities are planned.

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## **SUPPLEMENTAL REGULATIONS: SECTION 7.27**

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The Planning Commission shall review and apply the following standards and factors in the consideration of a Special Land Use for a Residential Human Care Facility.

### **Section 7.27 (Residential Human Care Facility)**

- A license is not required by the State of Michigan
- Time limit – facility shall not allow full time residency – all visitors to the shelter will take their belongings with them when the shelter closes
- Occupancy – facility shall not exceed 25 persons, excluding the supervisor(s) – applicant is seeking a variance through the Zoning Board of Appeals on November 30<sup>th</sup> to allow the City's adopted building and fire codes to determine occupancy limits.
- Spacing – facility shall not be located within 2,500 feet of the property line of a similar facility – applicant is seeking a variance through the Zoning Board of Appeals on November 30<sup>th</sup> to allow

## Planning, Development, & Zoning

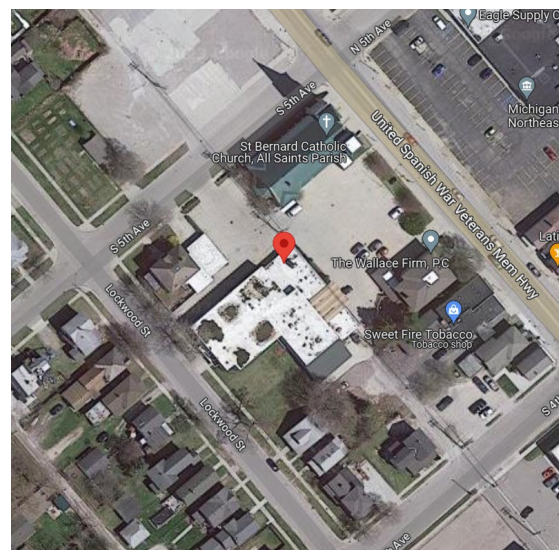
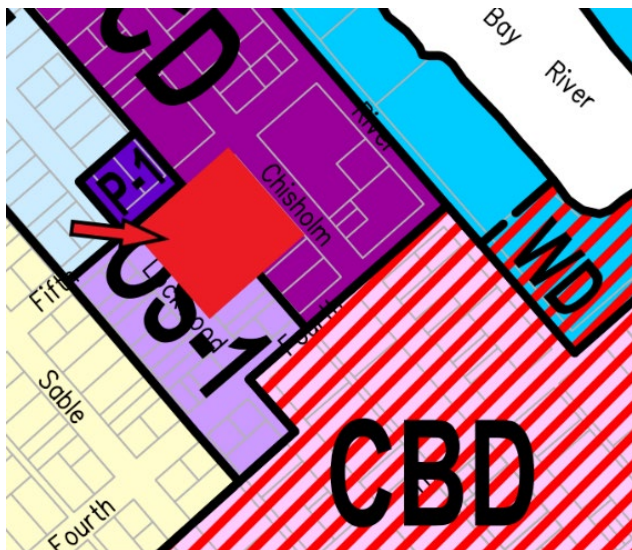
the facility to be less than 2,500 feet from another location due to the current location of Sunrise Mission and Hope Shores Alliance women's shelter.

- Parking – Parking shall be provided for staff and residents based upon a level necessary to meet the needs of the facility and agreed upon by City staff and the Planning Commission. The number of spaces required shall be included in the Special Use Permit. If, in the future, the City determines that additional parking is required, such a finding shall be provided in writing and shall be remedied by the facility within sixty (60) days or a request submitted to the Planning Commission for modification. 52 Spaces exist.
- Outdoor Play Space – childcare is not being provided
- Supervisor – a supervisor and volunteer staff will be present at all times; if staffing is not adequate, the shelter will not be able to open for the day
- Hours – see hours of operation above and Center of Charity's policy on loitering.
- Guest Register – a register of visitors will be kept as part of the check in process, however guests are not required to provide identification
- A copy of the warming shelter's guidelines and procedures was provided to staff
- The Center of Charity is working with the City's Building Inspector, Community Risk Reduction Officer, and Police Chief to ensure the facility meets all health, fire, and safety code requirements.

## ADDITIONAL NOTES

1. If approved, the Planning Commission shall make the approval contingent upon the decision of the occupancy and distance variances requested through the Zoning Board of Appeals.
2. Objections received from property owners within 300': None

Map/Photos:





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Shelter entry off of 5<sup>th</sup> Ave



Current Friendship Room to left





*Planning, Development, & Zoning*

Facing Lockwood St.



View from Lockwood facing Chisholm St





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*Planning, Development, & Zoning*

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Looking up Lockwood – Residential Neighborhood at left

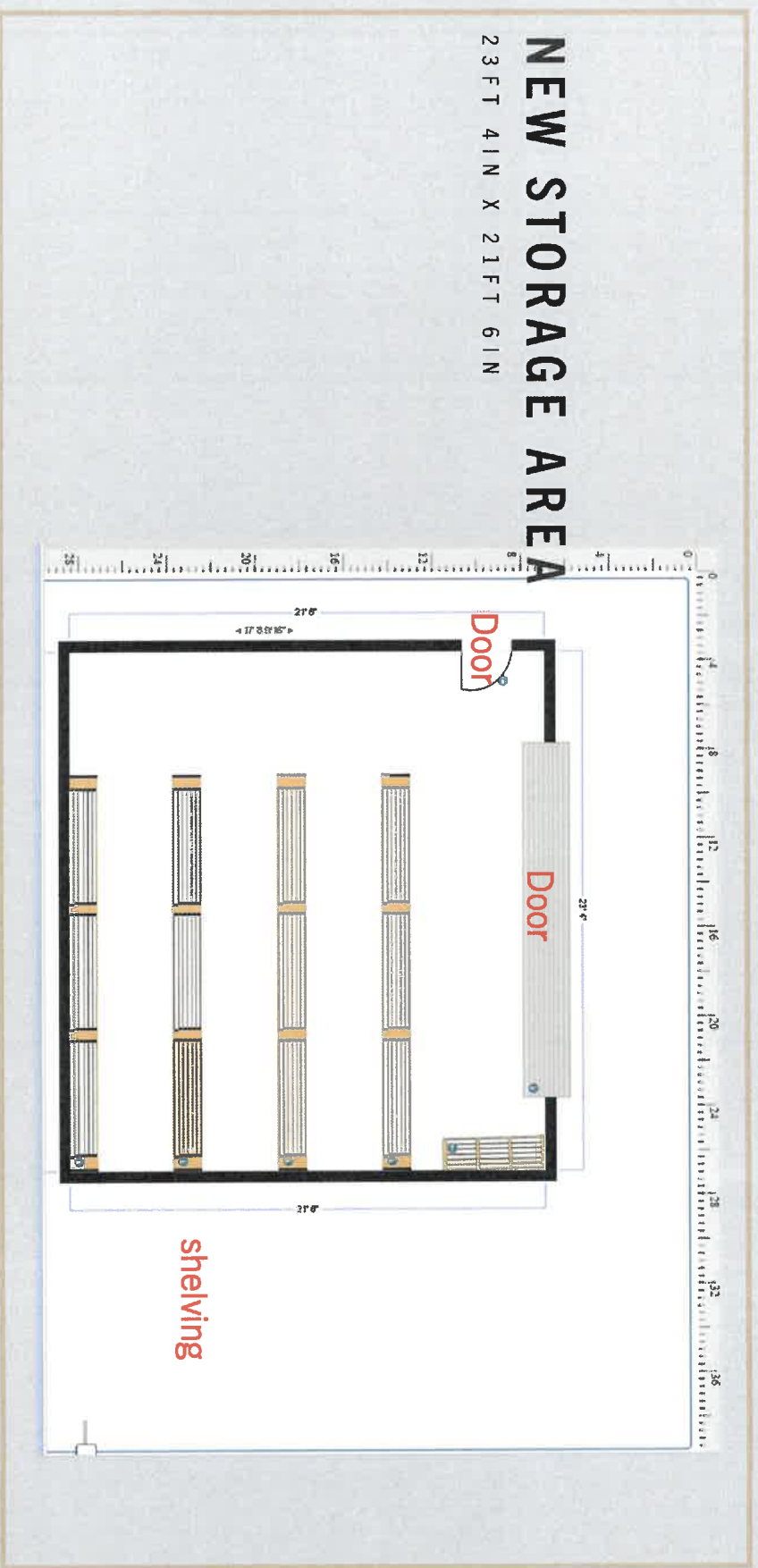


Looking up 5<sup>th</sup> Ave toward Chisholm St



# THE CENTER OF CHARITY

2023

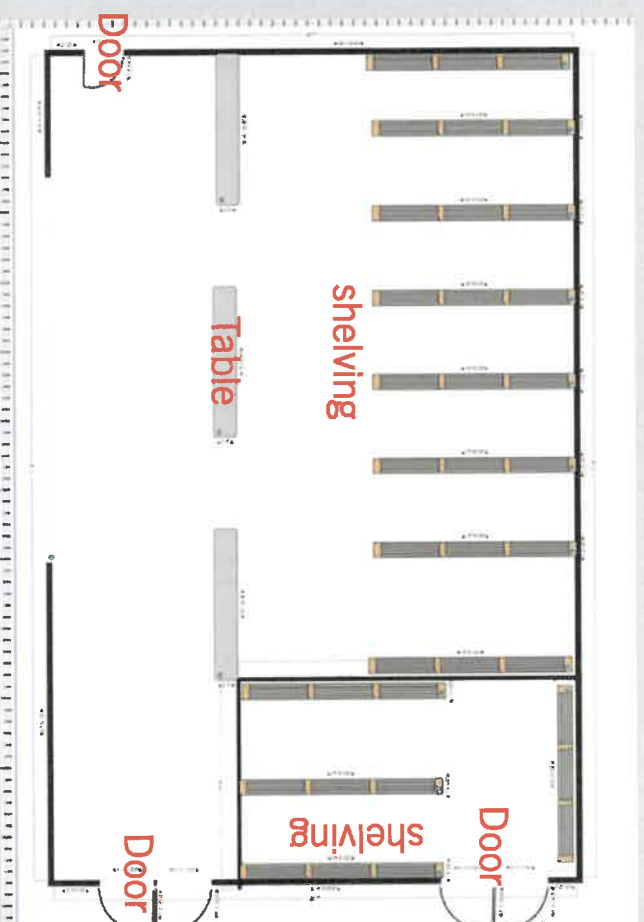




## GYM AREA

71 FT 4 IN LONG X 45 FT 7 IN WIDE

BABY PANTRY SECTION  
17 FT LONG X 25 FT WIDE



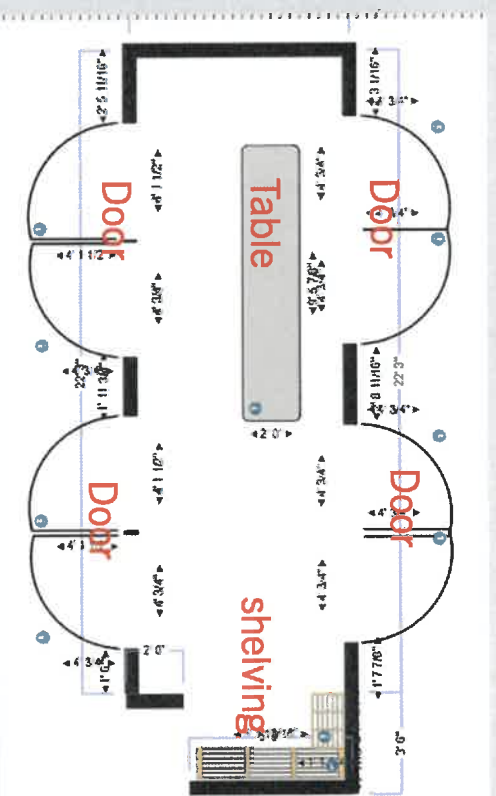


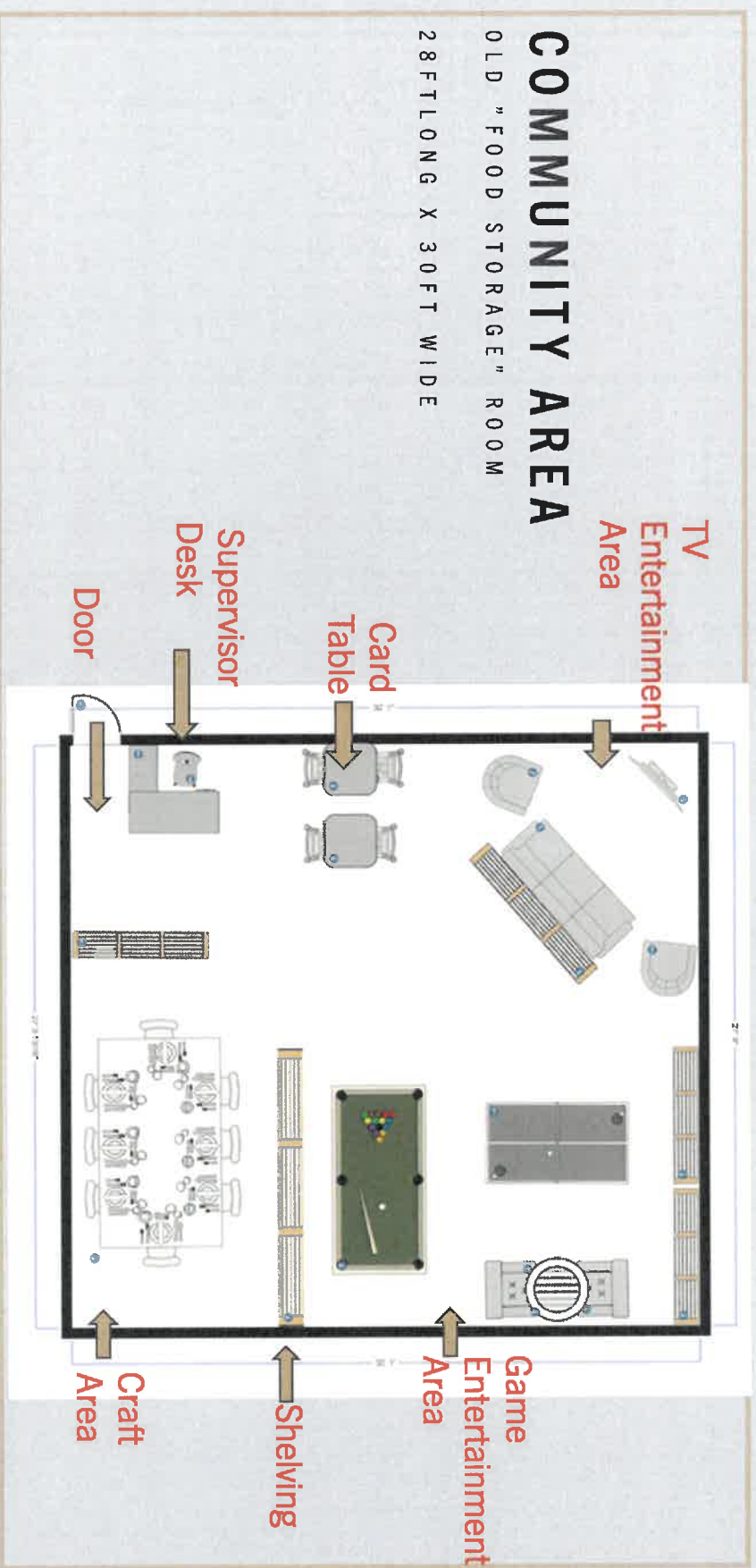
## FRONT ENTRY

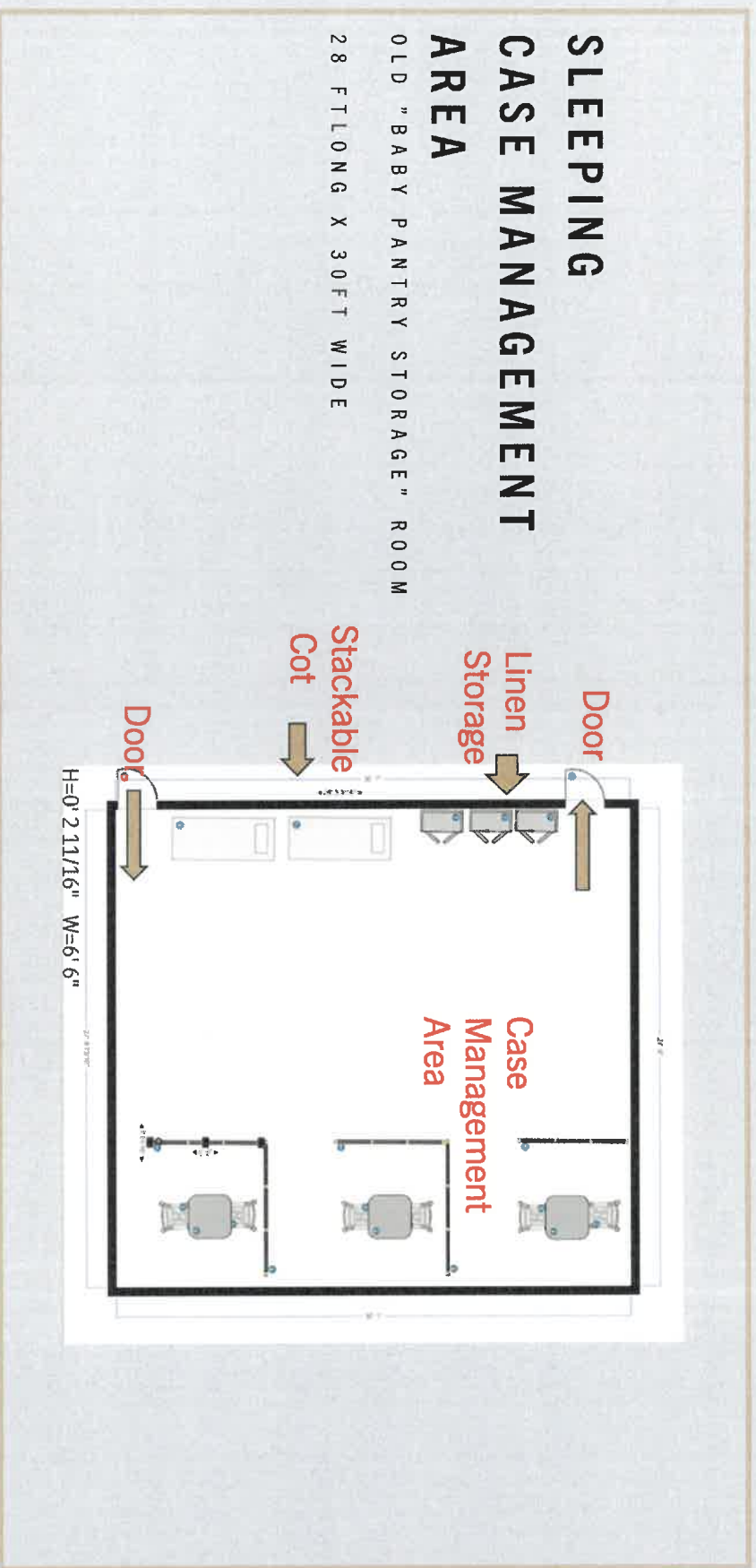
22 FT 3 IN LONG X 7 FT 8 IN WIDE

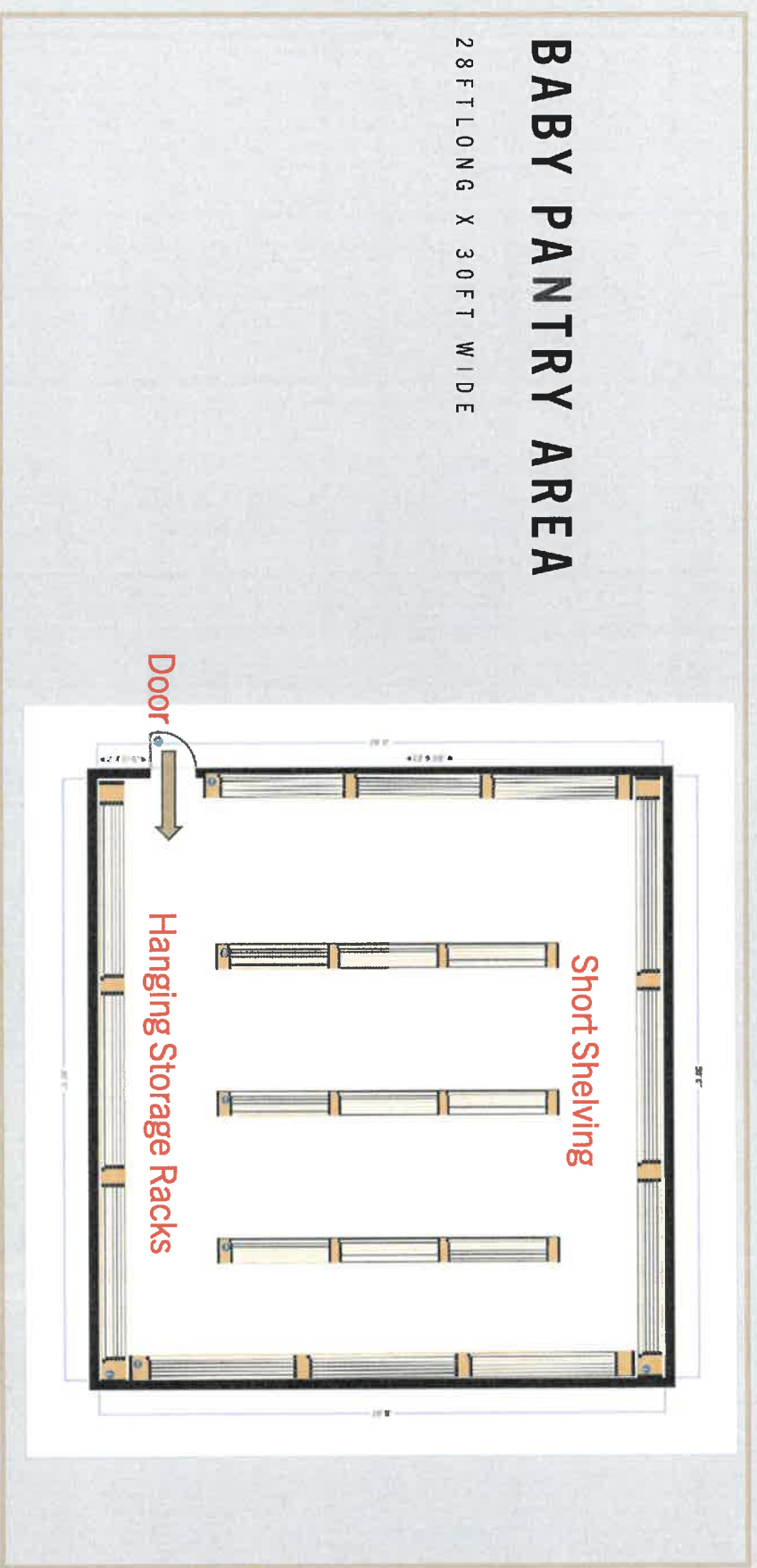
## LANDING AREA

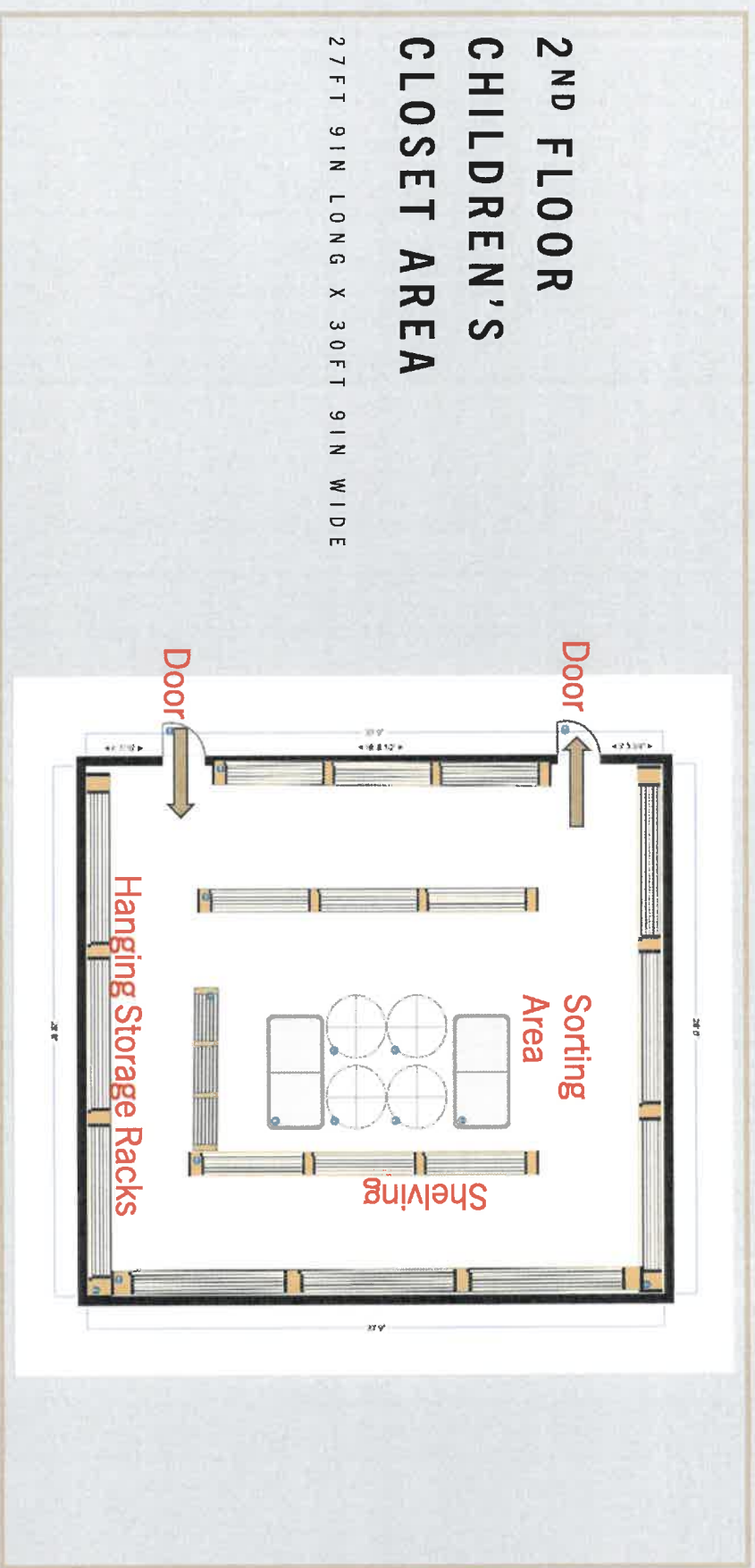
3 FT 6 IN LONG X 5 FT 8 IN WIDE









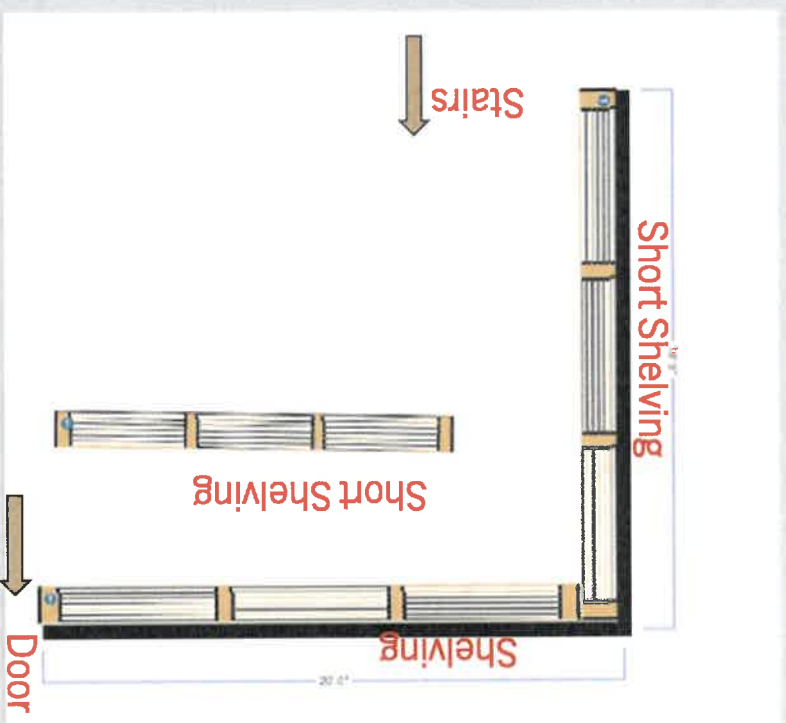




## 2<sup>ND</sup> FLOOR CHILDREN'S CLOSET LANDING AREAS

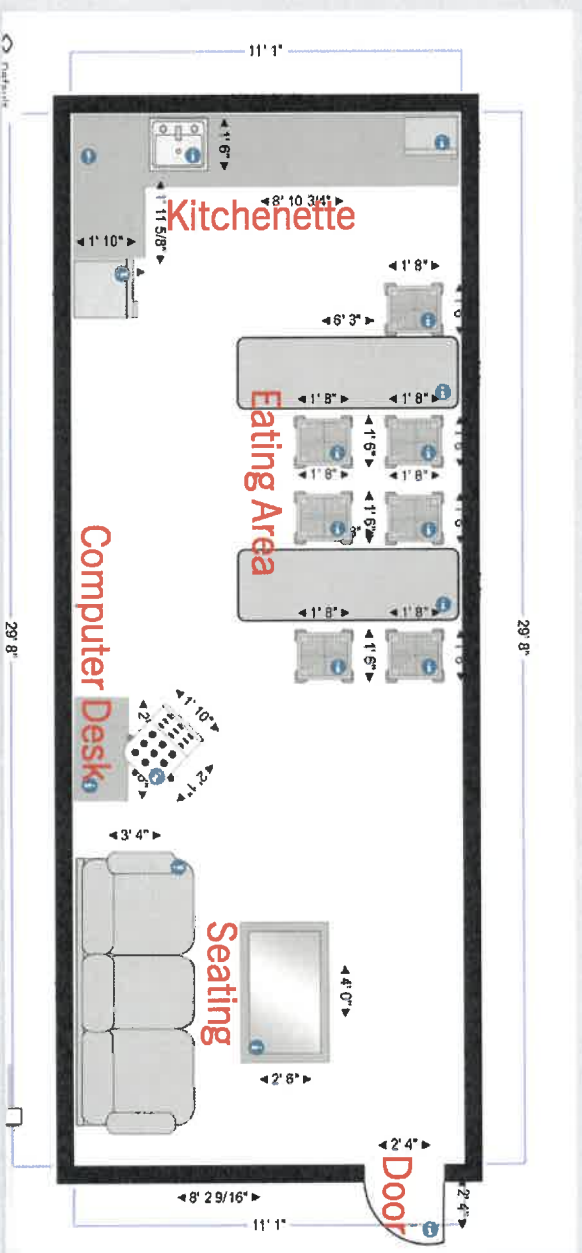
18FT 5IN LONG X 2FT 8IN HIGH  
"WINDOW WALL"

20FT 8FT HIGH "LONG HALL WALL"



# VOLUNTEER LOUNGE

28 FT 8 IN LONG  
11 FT 1 IN HIGH



**SPECIAL LAND USE APPROVAL STANDARDS****SECTION 6.12 SPECIAL LAND USE APPROVAL STANDARDS**

After the required public hearing, the Planning Commission shall approve, or approve with conditions, an application for a Special Land Use permit only upon finding that the proposed Special Land Use complies with all the following standards A - I. Uses which also require a site plan shall also adhere to the site plan requirements and approval standards in **§6.5 – §6.10**.

**A. Allowed Special Land Use:** The property subject to the application is located in a zoning district in which the proposed Special Land Use is allowed.

**B. Compatibility with Adjacent Uses:** The proposed Special Land Use shall be designed, constructed, operated and maintained to be harmonious, compatible and appropriate in appearance with existing or planned uses and the intended character of the area and the surrounding land, and shall not change the essential character of the area in which it is proposed to be located. The use shall not be hazardous or disturbing to existing or future nearby uses. In determining whether a Special Land Use will be compatible and not create a significant detrimental impact, as compared to the impacts of permitted uses, consideration shall be given to the degree of impact the Special Land Use may have on adjacent property, as compared with the expected value to the community. The following types of impacts shall be considered:

1. Use activities, processes, materials, equipment, or conditions of operation;
2. Vehicular circulation and parking areas;
3. Outdoor activity, storage and work areas;
4. Hours of operation;
5. Production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light;
6. The relative ease by which the impacts above will be mitigated.

**C. Public Services:**

1. The proposed Special Land Use will not place demands on fire, police, or other public resources in excess of current capacity.
2. The proposed Special Land Uses will be adequately served by essential public services and facilities or that the persons responsible for the establishment of the proposed use will provide adequately any such service or facility.

**D. Economic Well-Being of the Community:** The proposed Special Land Use shall not be detrimental to the economic well-being of the surrounding residents, businesses, landowners, and the community as a whole. The use will not create excessive additional public costs and will not be detrimental to the economic welfare of the City.

**E. Compatibility with Natural Environment:** The proposed Special Land Use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the City or the natural environment as a whole. Natural features of the landscape, including but not limited to, ponds, streams, hills, and wooded areas, shall be retained where they afford a barrier or buffer from adjoining properties. The landscape shall be preserved in its



natural state, as far as practical, by minimizing tree and soil removal, and any grade or slope changes shall be in keeping with the general appearances of the neighborhood.

- F. **Impact of Traffic on Street System:** The location and design of the proposed Special Land Use shall minimize the negative impact on the street system in consideration of items such as vehicle trip generation (i.e. volume), types of traffic, access location and design, circulation and parking design, street and bridge capacity, traffic operations at proposed access points, and traffic operations at nearby intersections and access points. The proposed Special Land Use shall not cause traffic congestion, conflict or movement in greater proportion to that normally prevailing for the use in the particular zoning district.
- G. **Non-Detrimental Standards:** The proposed Special Land Use shall not involve uses, activities, processes, materials, equipment or conditions of operation that will be hazardous or detrimental to any persons, property, or the general welfare by reason of noxious or offensive production of noise, smoke, fumes, glare, vibration, odor or traffic. The proposed Special Land Use shall comply with [§3.33 Performance Standards](#).
- H. **Consistent with Zoning Ordinance and Comprehensive Plan:** The use will be consistent with the intent and purposes of this Ordinance and meet the goals and objectives of the *City of Alpena Comprehensive Plan*.
- I. **Compliance with Supplemental Site Development Standards:** The proposed Special Land Use complies with all applicable supplemental site development standards as contained in [Article 7](#) of this Ordinance.

1 Purpose

2 Definitions

3 General  
Provisions

4 Signs

5 District  
Regulations6 Site Plan  
Review7 Supplemental  
Regulations

8 ZBA

9 Administration

10 Adoption &  
Amendments

## PARKING STRUCTURES/RESIDENTIAL HUMAN CARE

## SECTION 7.26 PARKING STRUCTURES



- A. The architecture of the parking structure shall be consistent and/or compatible with development in the surrounding neighborhood.

**CBD**

- B. In the CBD District, commercial uses must occupy a portion of the ground floor of the parking structure fronting a public street.

## SECTION 7.27 RESIDENTIAL HUMAN CARE FACILITY



The following regulations shall apply to any facility providing:

- Emergency shelter and services for battered individuals and their children in a residential structure;
  - Shelter and services for individuals receiving care, counseling, crisis support and similar activities including court-directed services.
  - Emergency shelter for individuals who are homeless.
  - Services, programs and shelter for residents who are undergoing alcohol or substance abuse rehabilitation
- A. **LICENSE:** Such facility shall have received a State of Michigan license to operate prior to seeking a Special Use Permit under this Ordinance in those instances where a license is required by the State.
- B. **TIME LIMIT:** Residency by persons shall be limited to a maximum of six (6) months in any one (1) year period. Longer periods shall be permitted if directed by the court or if necessary to satisfactorily complete prescribed rehabilitative treatments or if approved by the Planning Commission. Such facility shall not become the full time residence for any person.
- C. **OCCUPANCY:** The occupancy of such a facility shall not exceed twenty-five (25) persons, excluding the supervisor(s).
- D. **SPACING:** No such facility shall be located within two thousand five hundred feet (2500') of the property line of a similar facility.

- E. **PARKING:** Parking shall be provided for staff and residents based upon a level necessary to meet the needs of the facility and agreed upon by City staff and the Planning Commission. The number of spaces required shall be included in the Special Use Permit. If, in the future, the City determines that additional parking is required, such a finding shall be provided in writing and shall be remedied by the facility within sixty (60) days or a request submitted to the Planning Commission for modification.
- F. **OUTDOOR PLAY SPACE:** In those instances where child care is to be provided as a part of such facility, not less than one hundred fifty (150) square feet of outdoor play space shall be provided per child. Such play space shall be fenced.
- G. **SUPERVISOR:** A supervisor designated by the operating agency shall be present at all times while the facility is open for use. On-site staff shall be at a level sufficient to properly supervise residents.
- H. **HOURS:** The facility shall be open to serve persons at designated hours, as approved by the Planning Commission so as to discourage loitering outside such facility. Outside loitering shall not be permitted, and will be subject to prosecution under City Ordinance.
- I. **GUEST REGISTER:** When permitted by law, a guest register shall be kept with names of occupants and dates and times of check-in and check-out for each occupant.
- J. Specific rules and monitoring procedures for individuals entering/leaving the facility during late evening and early morning hours shall be provided to the Building Official.
- K. Any structure or part of a structure utilized as a shelter shall meet all health, fire and safety code requirements of the State and City.

## SECTION 7.28 RESTAURANTS WITH OUTDOOR DINING



Outdoor dining service operated by a restaurant or other food establishment which sells food for immediate consumption may be permitted, subject to the following conditions:

- A. Outdoor seating/dining shall be included as part of an approved site plan.
- B. An outdoor cafe shall be allowed during normal operating hours of the establishment.
- C. An outdoor cafe may not be in operation on property adjacent to a residentially zoned district between the hours of 12:00 a.m. and 7:00 a.m. (Ord. No. 94-242).
- D. The exterior of the premises shall be kept clean, orderly, and maintained. Exterior food preparation may be permitted if approved by the Health Department.
- E. Any outdoor seating located within the public right-of-way must be approved by the City Council.