



Item 15: Consider First Reading of Ordinance No. 164,  
Establishing Water Permit Requirements for Outdoor  
Restaurant Seating at Restaurants

Presented by Stephanie Locke  
February 18, 2015

# Summary

- Administrative practice has exempted outdoor dining from Water Permit requirements
- Recent revitalization efforts in the cities of Monterey and Pacific Grove have focused attention on al fresco dining
- Board discussed practice and possible changes to practice at December meeting
  - Directed staff to work with Water Demand Committee and Technical Advisory Committee to draft policy

# Summary

Water Demand Committee recommended elements in draft Ordinance No. 164 after input from hospitality/business community

- Allows up to one-half the number of interior seats (“standard exterior seat allowance”) to be used for exterior dining w/o new Water Permit requirement
- Existing and planned exterior restaurant seating (i.e., new seating approved by the Jurisdiction before August 1, 2015) will be “grandfathered” and exempted from the permit requirement
- Water Permit will be required for exterior seats in excess of the “standard exterior seat allowance” after August 1

# Permitting Existing Restaurant Seating

- District will contact and work with restaurant water account holders and property owners
- Hospitality industry, the local Chambers of Commerce, and the Jurisdictions will assist MPWMD with documentation effort
  - Email notifications
  - Business license records
  - Member contact information
- Sites that have a restaurant Water Permit on file with MPWMD will continue to be restricted to the permitted number of interior seats
- Documentation for existing exterior seating in use as of the effective date of the ordinance will be issued and at no charge

# Committee Review

- Water Demand reviewed on February 12
  - Recommend approval
- Technical Advisory Committee (TAC) reviewed on February 18
  - Recommend approval with amendment
  - Amend definition of “Restaurant” to include bar/brew pub seats

RESTAURANT – “Restaurant” shall mean premises where patrons order, sit, and eat a meal that is prepared and served and that is not a private residence. The defining characteristic of full-service Restaurants as categorized by the District as a “Group III Restaurant” is the use of china, glassware, or other reusable materials to serve the food/beverage(s). This definition of Group III Restaurant use shall also apply to bars/brew pubs, and to cafeterias and Restaurants at institutional facilities that serve on china, glassware, or other reusable materials.

# Recommendation

- Receive public comment
- Consider amendment to Restaurant definition proposed by TAC
- CEQA Initial Study to be circulated this week for 20-day comment period. Board will consider finding at 2<sup>nd</sup> reading.
- Ordinance to be considered for adoption March 16, 2015