



# Should a Water Permit Be Required for Outdoor Restaurant Seating?


Presented by:

Stephanie Pintar, Water Demand Manager

January 17, 2013



# Outdoor Seating

- 
- MPWMD has not enforced Water Permit requirements for outdoor seating
  - Recent technological improvements have made outdoor seating more comfortable year-round
    - Outdoor heaters
    - Heated concrete/floors/seating
    - Fire pits
    - “Shed-like” coverings and other overhead protection from the elements

# Outdoor Seating

- Years ago, outdoor seating was minimal and not very comfortable and often supported smokers who had to go outside
- Recent technological improvements (and reduced smoking) have made it more relaxing to sit outdoors year-round
  - Outdoor heaters
  - Heated concrete/floors/seating
  - Fire Pits
  - “Shed-like” coverings and other overhead protection from the elements

# Outdoor Seating

- Clearly, increasing the number of meals/customers that can be served corresponds to an increase in water use
  - Some of the use may be shifted from indoor to outdoor

# Rules Differ by Jurisdiction

- Carmel – Use Permit required. Recent outdoor seating additions have been up to 30% of the total seating capacity
- County – None reported
- Monterey – Permit only required if the seats are in the right of way. This would create a problem in that the City does not know (and the District would not know) if the seating increased. It could be required, but then it becomes an enforcement issue.
- Pacific Grove – Same as above
- Seaside – No permit process other than parking review. Would send to MPWMD as normal procedure.

# Challenges

## Challenges with Permitting Outdoor Seating

- Difficult to establish a baseline when there is no jurisdictional permitting requirement;
  - Would the Jurisdictions be willing/able to help establish baselines?
- Enforcement would be required, including time to investigate and follow up, often on weekends or after normal business hours
- Equity issue between Jurisdictions

# Recommendations

## Consider:

- Enforce Water Permit requirement for all outdoor seating in excess of 25% of the total allowed interior seating?
  - A restaurant with 100 interior seats that added 20 outdoor seats would not be required to obtain a Water Permit
  - A restaurant with 100 interior seats that added 40 outdoor seats would be required to obtain a Water Permit
    - For only the seats above the 25% threshold?
    - Or for all outdoor seats?
- Other ideas?

# Next Steps

- Water Demand Committee this afternoon



# For More Information

Staff reports, ordinances and presentation materials can be found on the District's website at:

[www.mpwmd.net](http://www.mpwmd.net)

PowerPoint presentations will be posted on the website the day after the meeting.