



manhattan beach



# OUTDOOR DINING

## OUTDOOR DINING TASK FORCE MEETING

AUGUST 29, 2023



# AGENDA

- Roll Call
- Approval of Minutes
- Operations
- Public Comments
- Task Force Discussions



# CURRENT REGULATIONS

- Hours of Operation
  - Alcohol Service
- } Regulated by Use Permit\*  
Condition

\* Use Permit is required for Eating & Drinking Establishments per MBMC Section 10.16.020

- Occupancy – Primarily reviewed by Fire/Building. Sometimes specified in Use Permit



# CURRENT REGULATIONS

Code Section	Hours	Alcohol Service*	Occupancy
7.36.160: Sidewalk	Until 10pm	Prohibited	No net increase
10.60.080: Private Property**	-	-	-

\* AB61 currently allows for outdoor alcohol services until Feb. 2024

\*\* Operations are based on Use Permit conditions and building plan



# USE PERMIT

- Inter-departmental reviews

Relevant conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses imposed

- Public Hearing

Planning Commission; appealable to City Council

- Entitlement runs with the property

Subsequent eating and drinking establishment within the same footprint and operations under like conditions



# USE PERMIT

- Use Permit Amendment required if,
  - New alcohol license type. Also, requires Dept. of Alcoholic Beverage Control (ABC) approval
  - Changes to the Condition of Approval
  - Expansion/intensification of use
- Older establishments
  - Some have no Use Permits (e.g., Shellback)
  - Some do not include specific conditions



# OPERATIONS

## ○ Hours of Operation

Determined by Use Permit; however, sidewalk dining is limited to 10pm.

- Do we want to continue with 10pm?
- What about on-street dining decks or private property?
- Do we want outdoor hours to coincide with indoor hours?
- Do we want to create different hours if residential uses are nearby or alcohol is served?



# OPERATIONS

## ○ Alcohol Service

Compliance with Municipal Code (ie., Use Permit) and ABC required

- Currently alcohol service is possible due to temporary relief (ie., AB61). Otherwise, prohibited in Municipal Code. Shall we change that?





# OPERATIONS

## ○ Occupancy

- Based on temporary program, difficult to enforce
- Increase requires compliance with various codes
  - Shall we enforce no net increase in occupancy, or require Use Permit amendments? Or create a streamlined permit process?



# PUBLIC COMMENTS



# DISCUSSION

- **Hours of Operation**

- **Sidewalk Dining/On-Street Decks**

- Per existing sidewalk dining code, enforce until 10pm?
- Create a new standard?

- **Outdoor Facilities Permit (Private property)**

- Continue to match indoor operations?

- **General**

- Set different hours if the establishment is within a certain distance from residential use or if alcohol is served?



# DISCUSSION

- **Alcohol Service**

Should the code be amended to allow alcohol services in the right-of-way and private outdoor spaces, subject to review and approval by ABC?



# DISCUSSION

- **Occupancy**

Should it be limited to no net increase?

If increased,

- Require Use Permit amendments for private property?
- Create permit process for public property?



# NEXT MEETING

- Tuesday, September 26 (1-3 PM)
  - Manhattan Beach Library Meeting Room



# FUTURE NOV/DEC MEETING

- **NO** task force meeting on:
  - Tuesday, Nov. 28
  - Tuesday, Dec. 26
- Rescheduled/Consolidated to:
  - Tuesday, December 12 (1-3 PM)**
    - Police/Fire Facility Conference Room

