

Existing Regulations for Restaurants and Second-Story Outdoor Dining October 2018

All Restaurants Require a Use Permit

Restaurants require a Use Permit, regardless of whether the restaurant is open late or whether the restaurant serves alcohol. Use Permits require noticed public hearings before the Planning Commission. The public hearing notice is published in the Beach Reporter, and all property owners within 500 feet of the subject restaurant are mailed the public hearing notice. The Planning Commission's decision is appealable to the City Council.

Alcohol Requires a Use Permit

Alcohol service in a restaurant requires a Use Permit. This includes requests for serving beer and wine as well as requests for full alcohol service with distilled spirits. The same public hearing process described above is required.

Significant Restaurant Expansion Requires a Use Permit Amendment

Any existing restaurant that wants to add second-story dining requires an amendment to the restaurant's existing Use Permit. A Use Permit amendment is required regardless of whether the second-story dining is indoor or outdoor, as it is considered an expansion of the restaurant use. The same public hearing process described above is required.

Balconies That Project Into the Public Right-of-Way Require City Council Approval

"Commercial use of the public right of way" such as restaurant balconies that project over the sidewalk require City Council approval. The commercial use of a walk street is prohibited.

Question: Why Isn't There More Second-Story Dining in Downtown Manhattan Beach?

Answer: Parking

Two-story buildings in the Downtown Commercial (CD) zone almost always require on-site parking. Restaurant uses have the highest parking demand of any use, which means that more on-site parking is required for a restaurant use than for other uses, like office. For comparison, every 50 square feet of restaurant dining area requires one on-site parking space, while every 300 square feet of an office use requires one on-site parking space. A restaurant use on the second-story would require many on-site parking spaces that would be very difficult to provide on the typical downtown lot, as most lots in the CD zone are 2,700 to 3,330 square feet in size.

Answer: Elevator

A second-story restaurant would likely be required to install an elevator if the building did not already have an elevator.