

# CITY OF SANTA CRUZ PRIVATE PROPERTY OUTDOOR SEATING GUIDEBOOK



[cityofsantacruz.com/privatepropertyoutdoorining](https://cityofsantacruz.com/privatepropertyoutdoorining)

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# Streamlining the Approach

Temporary permits  
have been extended  
to July 1, 2026



The Temporary Outdoor Expansion Program began as an emergency ordinance to allow businesses to quickly and easily set up operations outdoors throughout the pandemic. In the years since, al fresco dining has become an incredible success for businesses and residents to enjoy. In response to the widespread success of this program the City has developed a streamlined process for permanent approval of outdoor seating on private property.

This guidebook was developed to serve as a companion to this streamlined process. Within this new process you will be able to explore two different outdoor seating scenarios and decide which path is best for your business. These two approaches are differentiated by the scale of the outdoor seating area and the addition of certain permanent elements such as overhead structures.

Below you can explore the two approaches to permit approval - hourly review or standard building review - in addition to learning about the operating and development standards to make your space a safe and comfortable experience for your patrons.

## SUMMARY OF STREAMLINING

- No Use Permit Required
  - Outdoor Seating Allowed “By Right”
- Building Permit Required
  - Two paths for review
    - Hourly Review - moveable furnishings, no overhead structures, 300 SF or less in size
    - Standard Review - permanent furnishings, overhead structures, seating area over 300 SF
- Parking replacement not required

# Review Process Comparison

If the outdoor seating area includes any items that qualify for the Standard Review process, then the entire seating area must comply with those review requirements.

Design Elements & Review Process	Hourly Review	Standard Review
Scale	300 SF or Less	Greater than 300 SF
Overhead Structures (Shade Sails, Awnings, Patio Covers, Fixed Umbrellas)	X	Yes
Moveable Furniture (Tables, chairs, portable heaters, cafe umbrellas)	Yes	X
Moveable Heaters	Yes	X
Permanent Heaters	X	Yes
Occupancy and Fixture Count Review Required	No	Yes

# Hourly Review

Outdoor seating areas that qualify for the hourly review process are those that meet the below criteria. The Building Permit application will be reviewed through the City's Building division on an hourly basis.

Qualifying designs for hourly building permit review include:

## SCALE

The outdoor seating area shall not exceed **300 square feet** to qualify for hourly building permit review.

## MOVABLE TABLES & CHAIRS

All furniture shall be durable, well maintained, and of a high quality, suitable for outdoor use. Use materials that can withstand wind, rain, and solar exposure.

## MOVABLE UMBRELLAS & HEATERS

- Moveable umbrellas shall provide a minimum vertical clearance of seven feet.
- Moveable umbrellas include market or bistro style umbrellas that typically cover one table.
- Moveable umbrellas may also be cantilevered and attached to a weighted base that can be moved away for storage when not needed
- Portable outdoor heaters are allowed with appropriate permitting and inspection by the fire department.

## PERIMETER FENCING

- Perimeter fencing must be installed for any business serving alcohol.
- Fences may not exceed 7 feet in height to qualify for the hourly review process.



Permitting Process

# Hourly Review



## Timeline for Hourly Review:

- Application Review - estimate of 1 to 2 hours plan review.
- Comments returned to applicant and applicant resubmits revisions if needed (1-2 hour review again).
- Estimate of 1 week turnaround time

## DEVELOP YOUR DESIGN

Prepare your site plan for submittal to the Building Counter. Site plans must include:

- Accurate measurements of outdoor seating area
- Accessible seating and pathways
- All furnishings and materials to be used

## SUBMIT FOR BUILDING PLAN REVIEW

Submit the building permit application and plans for review:

- Hourly review will be conducted by Building primarily and will include Planning, Fire, Public Works, and Police if needed.
- Permit is issued after any necessary revisions are made.

## BUILD OUT PHASE

Applicant can begin build out of outdoor seating area or make any needed changes to the temporary outdoor seating area based on approved plans for permanent installation.

## BEGIN OPERATIONS!



After final inspections and sign off on the building permit you are set to begin permanent operation of the outdoor seating area.

# Standard Review

Outdoor seating areas that qualify for the standard review process are those that meet the below criteria. The Building Permit application will be reviewed through the typical building permit review process. Outdoor seating areas that include any of the following items will qualify for standard building permit review.

## SCALE

The outdoor seating area exceeds **300 square feet** and must take into account occupancy and fixture count requirements.

## TABLES & CHAIRS

Furniture can either be permanently installed or moveable and shall be durable, well maintained, and of a high quality, suitable for outdoor use. Use materials that can withstand wind, rain, and solar exposure.

## OVERHEAD STRUCTURES

- Seating area may include permanent overhead structures including but not limited to:
  - Awnings - attached to the exterior of the building and extending over the outdoor seating area without support columns
  - Patio Covers - overhead structures such as a pergola that consist of rafters that are open to allow sunshine and the elements to come through
  - Fixed Umbrellas - cannot be removed due to the support post being permanently attached to the floor of the seating area
  - Shade Sails - is defined as a permanent overhead structure because the anchor points must be fixed in place
  - Roofs - overhead structures that are constructed of a solid material that does not allow sunlight or the elements to come through



- Fences over 7 feet in height require building permit review
- Overhead gas or electric heaters - shall be properly rated for outdoor use

Permitting Process

# Standard Review

## Timeline for Standard Review:

- Application Review - 15 working days
- Comments returned to applicant and applicant resubmits revisions if needed
- Estimate of 3 week turnaround time for first review

## DEVELOP YOUR DESIGN

Hire a licensed design professional to prepare your site plan for submittal to the Building Department. Site plans must include:

- Occupancy calculations
- Accessible seating and pathways
- All furnishings and materials to be used
- Plumbing fixture counts
- Engineering for overhead structures

## SUBMIT FOR BUILDING PLAN REVIEW

Your design professional submits the building permit application and plans for review

- Building permit review will be conducted by all departments including Building, Planning, Fire, Public Works, and Police
- Permit is issued after any necessary revisions are made

## BUILD OUT PHASE

Applicant can begin build out of outdoor seating area or make any needed changes to the temporary outdoor seating area based on approved plans for permanent installation.

## BEGIN OPERATIONS!

After final inspections and sign off on the building permit you are set to begin permanent operation of the outdoor seating area.



# Operating Standards Highlights



## ABC LICENSING

Alcoholic beverages shall only be consumed on alcohol licensed premises under the control of the licensee(s).



## HOURS OF OPERATION

The hours of operation shall be no earlier than 8:00 a.m. and no later than 10:00 p.m. seven days a week.



## SECURITY

Final building plans shall include exterior security cameras that provide 360-degree coverage around the perimeter of all egress and ingress into the outdoor seating area. The security camera system shall have the capability to provide the recordings to police within 24 hours and have the capacity to store video for a minimum of 30 days.



## SOUND

Amplified sound shall only be permitted outside the building when set to a low volume for ambient background music.

No “live entertainment” or “incidental live entertainment” is allowed unless expressly permitted through another process such as an entertainment permit or use permit.

Limited outdoor entertainment may be permitted for no more than three consecutive days or five days per year.



## MAINTENANCE

The outdoor seating area and all its contents shall at all times be maintained in a clean and attractive condition.



## FULL OPERATING STANDARDS

Review the full operational requirements here, variation from these standards is permissible but requires a use permit.

Find the Full Standards on our Website





# Outdoor Seating Design Standards Components

**SIZE & LOCATION**

**PERIMETER FENCING**

**DECKS & RAISED PLATFORMS**

**MATERIALS**

**OVERHEAD STRUCTURES**

**SIGNAGE**

**LIGHTING**

**LANDSCAPING**

**PARKING & DRIVEWAY STANDARDS**

# Components of an outdoor space - hourly review

Seating area is **lit**, but **not** from overhead structure

**Style and design** components of outdoor seating are consistent with the structure.

Area **does not include** an overhead structure or any permanent features.

**Movable** tables and chairs.

**Landscaping** elements throughout.



# Components of an outdoor space - standard review



Overhead structure that maintains the outdoor nature of the patio due to open sides.

Fixed gas or electric heaters, properly rated for outdoor use.

Overhead lighting

42" max height of non transparent material.

Style and design components of outdoor seating are consistent with the structure.

Landscaping elements throughout



## HOW DO I GET STARTED?

# Preliminary Review Meeting

To identify the best path for approval for your outdoor seating area, consider scheduling a preliminary review meeting with the Economic Development department's Business Services team. At this preliminary meeting, Business Services staff will review your goals and plans if available for your outdoor seating area and ask questions to gather information to present to the Building Department to get initial feedback based on the development and operating standards, free of cost.

Ideally, to prepare for this meeting, please begin by taking measurements of your proposed outdoor seating area, as well as providing a floor plan of your existing space showing the dimensions of all areas of your business and noting all restroom fixtures. A rough sketch is fine for this preliminary meeting, even if you plan to pursue a design that will require architectural drawings. Just ensure the dimensions are accurate as this will help our team give you the best insights before you begin the building review process.

This preliminary meeting is an effort to reduce additional review time by flagging potential issues before a business even submits plans for review. The goal is to give you the information you need to make informed decisions about how to proceed with your project.

## WHAT'S THE NEXT STEP?

Review the Outdoor Seating  
Operating Standards.

Review the Outdoor Seating  
Development Standards.

Prepare your plans

Meet with the Business  
Services team to discuss  
yours plans & application!

[outdoordining@santacruzca.gov](mailto:outdoordining@santacruzca.gov)

Submit your  
[Building Permit application](#)

## PRIVATE PROPERTY OUTDOOR DINING GUIDEBOOK



FOR ALL PROGRAM  
INFORMATION  
VISIT OUR WEBSITE!



[cityofsantacruz.com/privatepropertyoutdoordining](http://cityofsantacruz.com/privatepropertyoutdoordining)

# Appendices

*A. How to request building plans the City has on file for your business*

*B. Examples of furnishings and overhead structures and corresponding review requirements*

*C. Accessibility Information - parking, path of travel, furniture requirements*



# Appendix A: Requesting Building Plans

- Begin by reaching out to [outdoordining@santacruzca.gov](mailto:outdoordining@santacruzca.gov) to see if the city has building plans for your business.\*\*
  - If current plans exist, these can be used to determine the site's existing occupancy count and determine if any additional plumbing fixtures and accommodation modifications will be required.
  - If up to date plans exist, these can be discussed at your Preliminary Meeting with building and can be used as a starting point in the development of you site plan.

**Any existing plans the City has on record can be sent to you  
via a public records request:**



**[Click here to complete the request form.](#)**

*\*Note: if there have been any building modifications made that did not go through building review, either by yourself or a previous operator, you may need to make addition modifications to your space to accommodate occupancy above 300 Sq. Ft of outdoor seating on private property.*

*\*\*Note: In preliminary research of existing temporary permit holders, minimal plans were available that would be useable for this purpose - but we are happy to look an let you know if there is something worth requesting.*

# Appendix A: Requesting Building Plans cont.

## Record Request Steps:

- 1 *Begin by filling out and signing the affidavit form, on the record request webpage.*
- 2 *From there, the city Planning Department will send the signed form to the property owner as well as the architect or engineer who prepared the plans to obtain authorization forms to release the plans.*
- 3 *The California Public Records Request Act allows for 10 calendar days to determine the identity of the signer, or provide a 14 day extension for further searching.*
- 4 *From here the architect/engineer has 30 days to sign off or deny the release of these plans.*
  - *If there is no response, these records will be disclosed to the requestor.*

*\*Note: if there have been any building modifications made that did not go through building review, either by yourself or a previous operator, you may need to make additional modifications to your space to accommodate occupancy above 300 Sq. Ft of outdoor seating on private property.*



# Appendix B: Permitted Furnishings & Overhead Structures

*The following examples are a broad scope of the allowable overhead structures and furnishings for outdoor seating on private property, with notes on their corresponding review requirements. All structures and furnishings will need to be reviewed by the Building Department, who will determine the level of review required for any installation.*

## Umbrellas, Awnings & Shade Sails



Movable umbrellas that cover a single table are permitted under **hourly review**.



Umbrellas that cover multiple tables or that are fixed to the ground require **standard build review**. This also applies to overhead awnings and shade sails, that are permanent installations.

# Appendix B: Permitted Furnishings & Overhead Structures cont.

## Overhead Structures



Patio covers shall preserve and maintain visibility through the patio space and allow **some passage of light from the open sky** to the patio space. All fixed overhead structures, including electric string lights, require a **standard building review**.

## Not Permitted



Tents (temporary membrane structures) of any kind are not permitted. Canopies or any overhead structure with fully enclosed sides or walls are **not permitted** in private property outdoor seating areas.

# Appendix C: Accessibility Requirements

- Open-air Dining and Curbside Pickup Disability Access  
Considerations: This tool offers disability access tips for businesses to consider when conducting operations outdoors. This tool is not intended to be all-inclusive and should be used as a starting point for businesses to refer to for general guidance.
- For further consult regarding accessibility compliance, hire a Certified Access Specialist (CASp).
- Business owners can also refer to the Americans with Disabilities Act and the California Building Code for specific technical requirements to facilitate compliance.