

# Consideration of Potential Refuse Ordinance Updates & LiveOak Tavern, LLC Deposit Status

June 3, 2025



\*Note: This PowerPoint presentation is intended solely as a visual aid to an oral staff presentation of an agenda report topic. In the event of any differences between the presentation and the agenda report, the information in the agenda report prevails.\*

# PURPOSE OF PRESENTATION

Receive direction on:

1. Potential updates to the refuse enclosure ordinance
2. LiveOak Tavern, LLC refuse enclosure non-compliance deposit



# BRIEF REVIEW: REFUSE ENCLOSURES

“Refuse” means: Disposable materials, both recyclable & non-recyclable



- Landfill trash
- Recycling (glass, paper, metal and select plastics)
- Organics (food, wood and soiled paper)



# BRIEF REVIEW: REFUSE ENCLOSURES



Current Ordinance – adopted in 1967

“All residential and commercial structures constructed after February 2, 1967 shall be required to provide an enclosure for the storage of trash and rubbish receptacles and containers.

All residential and commercial structures constructed prior to February 2, 1967 shall have one (1) calendar year from the date of adoption of this chapter to provide refuse container enclosures in accordance with the provisions stated herein. Where such refuse or rubbish container enclosures have been constructed, all containers shall be placed therein.”



# BRIEF REVIEW: REFUSE ENCLOSURES



## Enclosure Improvements: Manhattan Village Mall

As part of the MV Mall renovation, over 17 enclosures were brought to code

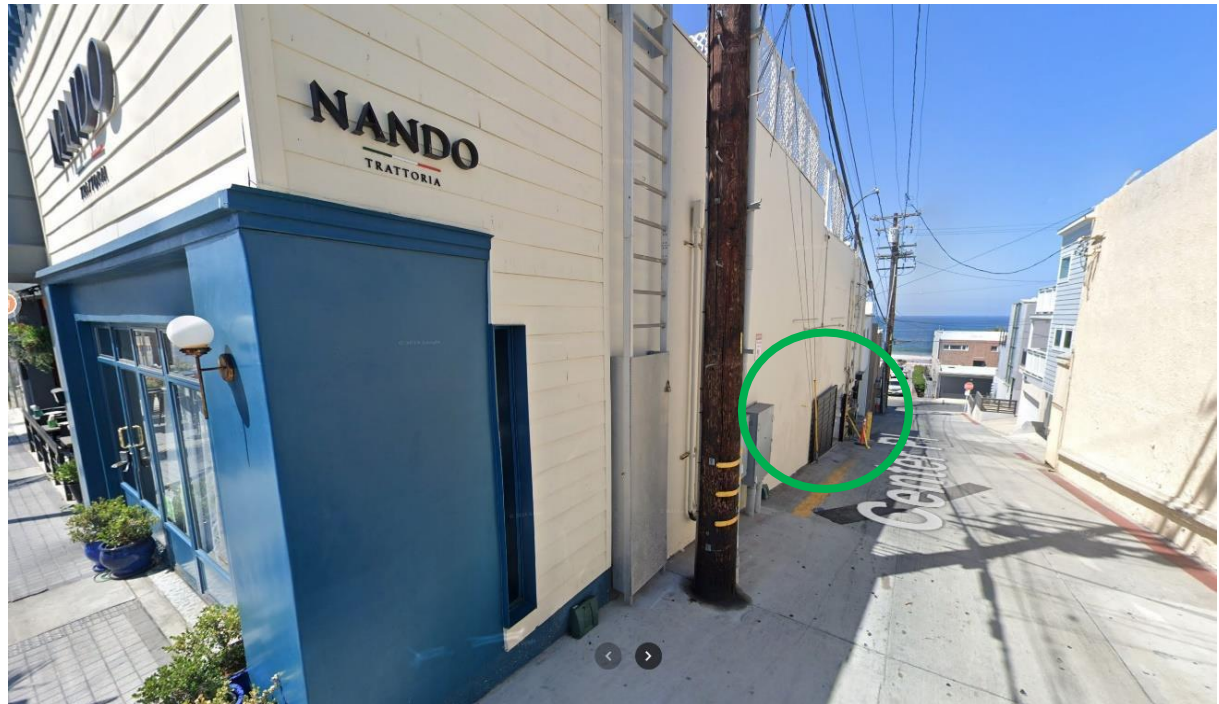
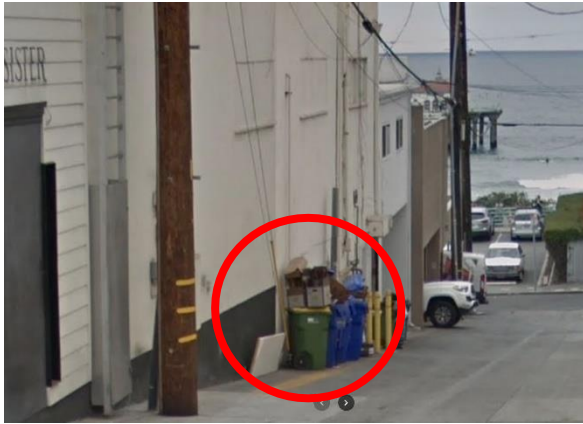




# BRIEF REVIEW: REFUSE ENCLOSURES

## Enclosure Improvements: 100 block of Center Place

This resolved decades-long Code Enforcement issue and neighbor disputes in mixed-use area



# BRIEF REVIEW: REFUSE ENCLOSURES

## Enclosure Improvements: 1112 Manhattan Ave. (REAR)



Instead of expanding the original enclosure, a second enclosure was added in an alcove



# PART 1: REFUSE ENCLOSURE ORDINANCE

## REFUSE ENCLOSURE ORDINANCE UPDATES





# TIMELINE

DATE	DESCRIPTION
SEPTEMBER 3, 2024	City Council directed staff to return with a report on a possible moratorium of the refuse enclosure ordinance.
NOVEMBER 19, 2024	Staff presented to City Council re: moratorium. Council rejected moratorium; directed staff to meet with the Business Community and create options for consideration.
JANUARY 14, 2025 & JANUARY 16, 2025	Business Community Meetings #1 and #2. Staff presented the same material at both.
MARCH 6, 2025	Business Community Meeting #3. Staff used input from meetings 1 & 2 for presentation and discussion.
MAY 22, 2025 & MAY 29, 2025	Walking tours with City Councilmembers who were able to attend. Councilmember Tarnay attended on May 22 <sup>nd</sup> and Mayor Howorth and Councilmember Franklin attended May 29 <sup>th</sup> .



# FEEDBACK FROM BUSINESSES

## Staff Report Attachments:

- 1 – Staff Presentation from January 14<sup>th</sup> & 16<sup>th</sup>
- 2 – Staff Presentation from March 6<sup>th</sup>
- 3 – Summary of feedback at the meetings

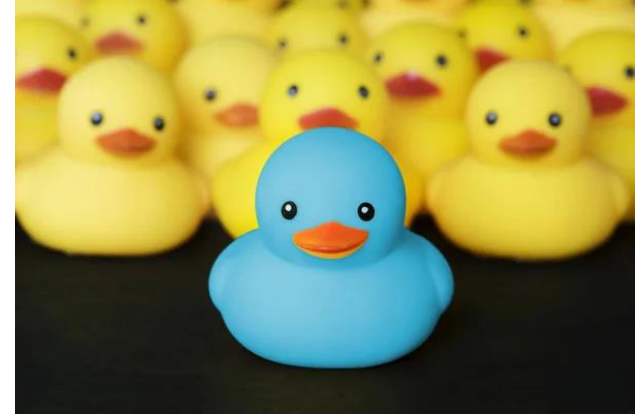
## Consistent feedback:

- Downtown and North Manhattan Beach need special considerations
- Not all Tenant Improvements should require enclosure reviews
- Businesses need a way to share enclosure space with neighbors
- More communal enclosures (i.e. Lot 3) desired



# POTENTIAL UPDATE #1

For Refuse Enclosure Ordinances...



Separate the Downtown Business Improvement District and the North Manhattan Beach Business Improvement District from the rest of the City, creating a distinct process for properties in these areas.



# POTENTIAL UPDATE #2

Revise *Which Elements* of a T.I. Require Review:

	Element of Tenant Improvement Requiring Refuse Enclosure Review
A	Change of use
B	New/modified Alcoholic Beverage Control (ABC) license type
C	Intensification or expansion of use
D	Any project with a scope of work large enough to trigger the requirement to add fire sprinklers pursuant to MBMC Section 9.01.080
<b>NOTE</b>	Applicants would also have the ability to provide an <b>Alternative Refuse Enclosure Plan</b> for the City's consideration.





# POTENTIAL UPDATE #3

## Allow Sharing of Enclosures

- Allow for parcels in close proximity to share enclosure spaces.
- Accomplished by the use of Recorded Covenant Agreements between property owners, with the City included as a party to these agreements.



# ADDITIONAL CONSIDERATION

## Communal Enclosure Research

- Priority of the business community who attended the meetings.
- Consider establishing communal enclosures in Downtown & North MB.
- They prefer them on City property and operate similarly to the enclosure at the former Lot 3 site.



## PART 2: LIVEOAK TAVERN, LLC DEPOSIT

# LIVEOAK TAVERN, LLC DEPOSIT STATUS



# LIVEOAK TAVERN, LLC DEPOSIT

- Property renovation at Brewco without permits.
- “As-is” plans submitted to City after work performed.
- Did not meet requirements related to refuse enclosure.
- Updated plans show proposed enclosure.
- \$100,000 Deposit guaranteeing MBMC compliance.
- Temporary Certificate of Occupancy issued.
- Deadline for compliance was December 31, 2024.
- Work not performed to date.
- Council previously directed staff to extend deadline.





# NEXT STEPS: COUNCIL DIRECTION

## Potential Updates to Ordinance

1. Separate Downtown and North End from Citywide
2. Revise Elements of T.I.'s Requiring Enclosure Reviews
3. Allow Sharing of Enclosures

## Requests for Communal Enclosures

---

## LiveOak Tavern, LLC Deposit



