

LONG-TERM OUTDOOR DINING PROGRAM DEVELOPMENT STATUS UPDATE

APRIL 16, 2024



BACKGROUND

- Feb. 2024: City Council 2nd status update report
 - Community outreach efforts
 - Preferred program vision (Conceptual Plan)
 - Sidewalk widening
 - Parking reconfiguration
 - Outdoor dining and public flex space identification
 - Potential contract amendment with MIG
 - To development Preliminary Plans
- >> **Council Direction:**
- Report back with ROM estimates on implementation



ROM ESTIMATE

- Based on Conceptual Plans of 6 street segments in Downtown and North Manhattan Beach
- Assumptions:
 - Sidewalk widening will occur in front of Eating and Drinking Establishments only, as indicated on the Conceptual Plans
 - Blue sidewalk tiles will be eliminated from each block that is modified as part of the Outdoor Dining plan implementation



ROM ESTIMATE

- Potential range of total project cost:
\$7.5 - \$12.5 Million (per AACEI Guidelines)
Includes, but not limited to,
 - Removal of parking meters
 - Existing trees to be protected/re-planted
 - Additional street lighting
 - ADA-compliant pedestrian access
 - Necessary retaining walls and railing along sloped portion of Manhattan Beach Blvd.



ROM ESTIMATE

- Potential funding sources:
 - Construction:
 - Certificates of Participation (COP)
 - Grant funding opportunities
 - Cost Recovery:
 - Impose outdoor dining permit fees
 - Increase parking meter fees
 - Increase parking citation fines
 - Explore ballot measures (e.g., local sales tax measure)



MIG CONTRACT AMENDMENT

- Additional Scope: Preliminary Design

- Purpose:

- Assess feasibility of the conceptual plan and prepare for construction documentation

- >> Enables City to proceed with regulatory process of establishing an outdoor dining ordinance

- Amendment Amount

- Original PSA: \$400,000 → \$491,726.33



TASK FORCE RECOMMENDATIONS

Live Outdoor Entertainment and Amplified Music

- Allow both with permits on public and private property from 9 a.m. to 10 p.m.

However,

- Restrict live outdoor entertainment in public right-of-way to special events only w/o further encroachment
- Prohibit both activities on second floor dining areas that are not fully enclosed; no exceptions for permits
- Place speakers on private property
- Set quantitative noise level standards for enforcement



STAFF RECOMMENDATION

Noise-related Enforcement

- Based on field observation and experience, do NOT recommend quantitative noise level standards
 - Multiple external factors affect how noise levels are perceived versus how they are measured
 - Not currently equipped with necessary sound level meters and training/certified officers
- Will continue to use “reasonable person test”

Alternative recommendation: Continue to prohibit live outdoor entertainment and amplified music in public outdoor dining areas; allow exception with permit (Title 5)



TASK FORCE RECOMMENDATIONS

Enforcement of Outdoor Dining Regulations

- Revoke outdoor dining permit on 4th enforcement action for repeat violators and prohibit reapplying for one-year



1 st Violation	Notice of Violation
2 nd Violation	Administrative Citation No. 1
3 rd Violation	Administrative Citation No. 2
4 th Violation	Administrative Citation No. 3 >> Permit revoked

- Future staffing options for better enforcement after hours:
 - Consider new part-time staff for active patrol; or
 - Authorize overtime of existing staff (complaint-based)



DIRECTION ITEMS

1. Potential amendment to MIG's PSA to develop preliminary plans (Additional \$91,726.33)

2. Task force-recommendations:
 - a) live outdoor entertainment and amplified music in outdoor dining areas
 - b) code enforcement mechanism for outdoor dining permits



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