

RESOLUTION NO. 16-0011

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL APPROVING A COASTAL DEVELOPMENT PERMIT APPROVING PERMANENT CONVERSION OF PORTIONS OF THE MANHATTAN BEACH PIER COMFORT STATION TO STORAGE OF BEACH RECREATION ITEMS, IN THE CITY OF MANHATTAN BEACH (CA 15-21)

THE MANHATTAN BEACH CITY COUNCIL HEREBY FINDS, RESOLVES AND DETERMINES AS FOLLOWS:

SECTION 1. The City of Manhattan Beach (“Applicant” or “City”) had applied for a coastal development permit (“Permit” or “CA 15-21”) to allow installation of a temporary facility for information, bike rentals, board rentals, and other beach item rentals, and permanent conversion of portions of the existing comfort station to storage of beach recreation items. The Project was revised by the City Council during its consideration on February 2, 2016, to include only the partial remodeling of the Pier Comfort Station adjacent to the North Lower Pier Parking Lot and County Bikepath. The Applicant is seeking to install and operate the storage facilities for City sponsored recreation activities, beach users, and pier/beach maintenance.

SECTION 2. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section pursuant to Sections 15301 “Minor Alterations of Existing Facilities”, 15303 “Conversion of Small Structures”, 15304(e) "Minor Alterations to Land", and 15311(c) "Accessory Structures". The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

SECTION 3. On February 2, 2016, the City Council conducted a duly noticed public hearing on the Project, at which time it received oral and written testimony.

SECTION 4. Based upon the evidence presented at the public hearing, the City Council hereby finds that the Project, as conditioned herein, is in accordance with the objectives and policies of the Manhattan Beach Coastal Program, including Policies I.A.1 – I.A.3 regarding accessways, traffic flow, parking, and pedestrian access, as follows:

- a) The proposed recreation and maintenance storage use supports beach recreation operations, uses only surplus changing room space, and complies with the applicable standards of the Manhattan Beach Coastal Program Zoning Code.
- b) The storage use and internally modified comfort station building shall not obstruct accessways within the coastal zone. Access to the Strand, bike path, pier, remaining comfort station changing room space, pier parking lots, coastline and surrounding beach area shall remain available.
- c) No displacement of coastal views will occur since no exterior changes to the existing comfort station building are included in the project.
- d) Construction and use of the storage space shall be subject to the restrictions implemented by the City.

SECTION 5. Based upon the foregoing, the City Council hereby approves the proposed Coastal Development Permit for conversion of portions of the existing comfort station to storage of beach recreation items subject to the conditions listed below. The Permit will be implemented in conformance with all provisions and policies of the Certified Manhattan Beach Local Coastal Program (LCP) and all applicable development regulations of the LCP - Implementation Program.

1. The Project shall be in substantial conformance with the plans and information submitted to, and approved by the City Council on February 2, 2016.
2. The subject Coastal Development Permit will be implemented in conformance with all provisions and policies of the Certified Manhattan Beach Local Coastal Program (LCP) and all applicable development regulations of the LCP - Implementation Program.
3. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.

SECTION 6. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

SECTION 7. . This Resolution constitutes the Coastal Development Permit for the Project and shall take effect immediately. The Project may not be implemented until all time limits for appeal to the Coastal Commission (if applicable) set forth in the Manhattan Beach Local Coastal Program - Implementation Program Section A.96.160 have expired.

SECTION 8. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and ADOPTED this 16th day of February, 2016.

Ayes:
Noes:
Absent:
Abstain:

Mark Burton, Mayor
City of Manhattan Beach, California

ATTEST:

Liza Tamura, City Clerk