

RESOLUTION NO. 22-0106

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL INCREASING THE ENCROACHMENT FEE FOR LONG-TERM COMMERCIAL USE OF PUBLIC RIGHT-OF-WAY AND DECLARING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER SECTION 15061(B)(3) OF THE CEQA GUIDELINES

THE MANHATTAN BEACH CITY COUNCIL DOES HEREBY DECLARE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Manhattan Beach Municipal Code (MBMC) Chapter 7.36 authorizes the private use of the public right of way, subject to an encroachment permit. MBMC Section 7.36.170 authorizes long-term commercial use encroachment permits.

SECTION 2. MBMC Section 7.36.030 authorizes the City Council to establish encroachment fees for the private use of the public right-of-way by resolution.

SECTION 3. On March 1, 2022, the Manhattan Beach City Council requested that staff explore the current market rate fees for the long-term commercial use of the public right-of-way.

SECTION 4. The City has conducted an extensive analysis of the market rate fees for commercial use of public right-of-way and recommends the fee set forth in Attachment A.

SECTION 5. The adoption of this Resolution does not have potential for causing a significant effect on the environment, as there is no possibility that the proposed increases in an existing fee for the use of public property under very limited circumstances will have a significant impact on the environment, and is therefore exempt per CEQA Guidelines, Title 14, Section 15061(b)(3).

SECTION 6. Based upon the foregoing, the City Council hereby increases the fee for long-term commercial use of public right-of-way, and directs staff to amend Table __, affixed to the Comprehensive Fee Resolution, to reflect such fees.

SECTION 7. The fee listed on Attachment A shall take effect on September 1, 2022.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED on August 2, 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

STEVE NAPOLITANO
Mayor

ATTEST:

LIZA TAMURA
City Clerk

ATTACHMENT A

Encroachment Fee for Long-Term Commercial Use of Public Right-of-Way
(Monthly Fee is Assessed per Square Foot)

\$4.00 / Sq. Ft.