

RESOLUTION NO. 15-0044

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL APPROVING A COASTAL DEVELOPMENT PERMIT APPROVING A TEMPORARY FACILITY FOR INFORMATION, BIKE RENTALS, BOARD RENTALS, AND OTHER BEACH ITEM RENTALS ON PROPERTY LOCATED AT THE SOUTH SIDE OF THE LOWER MANHATTAN BEACH PIER PARKING LOTS BETWEEN THE STRAND AND THE BEACH BIKE PATH, 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”) has 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. The Project includes removable structures located on an unused sandy area, adjacent to the South Lower Pier Parking Lot, between The Strand (walkway raised above) and the County Bikepath. The Applicant is seeking to install and operate the facility for beach and bikepath users during peak season between April and September annually.

SECTION 2. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section pursuant to Sections 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 July 21, 2015, 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 removable structures comply with the applicable standards of the Manhattan Beach Coastal Program Zoning Code.
- b) The structures shall not obstruct accessways within the coastal zone. While they will occupy some space near the beach, access to the beach, Strand, bike path, pier, and pier parking lots to the coastline and surrounding beach area shall remain available.
- c) No significant displacement of coastal views will occur since the low-profile structures will be located below Strand level, abutting existing utility structures, and a retaining wall supporting The Strand.
- d) Installation and use of the structures 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 installation of a temporary facility for information, bike rentals, board rentals, and other beach item rentals, annually between the months of April and September, 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 July 21, 2015.
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 21st day of July, 2015.

Ayes:
Noes:
Absent:
Abstain:

Mark Burton, Mayor
City of Manhattan Beach, California

ATTEST:

Liza Tamura, City Clerk