

RESOLUTION NO. 25-0129

RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR CODE AMENDMENTS TO THE MANHATTAN BEACH MUNICIPAL CODE AND MANHATTAN BEACH LOCAL COASTAL PROGRAM RELATED TO THE LONG-TERM OUTDOOR DINING PROGRAM DEVELOPMENT

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

SECTION 1. Between June 2020 and February 2023, the City allowed for temporary outdoor placement of a variety of uses in response to COVID-19 protocols that restricted indoor operations. As the focus gradually shifted from a temporary program to one in a post-pandemic era, the City Council directed formation of a 15-member ad hoc task force to assist in the long-term program development process where a total of 15 meetings were conducted.

SECTION 2. On March 26, 2025, the City Council conducted a special meeting to receive its fifth status update on the long-term outdoor dining program development. At the meeting, staff was directed to initiate code amendments to the existing outdoor dining regulations with a focus on operational standards to reflect current operations as well as a number of task force recommendations (the “Project”).

SECTION 3. The City prepared an Initial Study/Negative Declaration (the “IS/ND”) in accordance with Section 15070-15075 of the California Environmental Quality Act (“CEQA”) Guidelines. The IS/ND (State Clearinghouse No. 2025081056), attached hereto as Exhibit “A” and incorporated herein by reference, evaluated the environmental impacts of the proposed code amendments. Based on the analysis, it was determined that the Project could not have a significant effect on the environment. More specifically, the Initial Study concluded that there is no substantial evidence any that significant impacts would occur to the following issue areas: Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

SECTION 4. On August 21, 2025, the City released a Notice of Intent (NOI) to Adopt a Negative Declaration pursuant to CEQA Guidelines Section 15072.

SECTION 5. On August 22, 2025, the City filed a Notice of Completion (“NOC”) with the Los Angeles County Clerk and the State Clearinghouse, indicating that an Initial

Study/Negative Declaration had been prepared, and initiating the circulation of the IS/ND for public review for a comment period that commenced on August 22, 2025 and concluded on September 22, 2025, pursuant to CEQA Guidelines Section 15073.

SECTION 6. Two public comments were received in response to the IS/ND. The City prepared written responses to both comments, which have been incorporated into the Final IS/ND.

SECTION 7. On October 8, 2025, the Planning Commission held a duly noticed public hearing to consider the Project, during which the Planning Commission received a presentation by staff and testimony from members of the public, and continued the public hearing to October 22, 2025.

SECTION 8. On October 22, 2025, the Planning Commission continued the duly noticed public hearing and considered the Project, including the IS/ND. At said hearing, the Planning Commission received a presentation by staff and testimony from members of the public. At the conclusion of said hearing, the Planning Commission adopted Resolution No. PC 25-11, recommending adoption of the Negative Declaration to the City Council.

SECTION 9. On November 18, 2025, the City Council held a duly noticed public hearing to consider the Project, including the IS/ND. At said hearing, the City Council received a presentation by staff and testimony from members of the public. The City Council also received and reviewed written testimony received by the City prior to the public hearing.

SECTION 10. The findings made in this Resolution are based upon the information and evidence set forth in the IS/ND, upon other substantial evidence that has been presented at the hearings before the City Council, and in the record of the proceedings. The documents, staff reports, technical studies, appendices, specifications, and other materials that constitute the record of proceedings on which this Resolution is based are on file for public examination during normal business hours at the Community Development Department of the City of Manhattan Beach, 1400 Highland Avenue, Manhattan Beach, CA 90266, and available on the City's website.

SECTION 11. The City Council hereby finds that agencies and interested members of the public have been afforded ample notice and opportunity to comment on the IS/ND and the Project.

SECTION 12. The City Council hereby certifies that prior to taking action, the City Council, exercising its independent judgement and analysis, reviewed and considered the IS/ND and all of the information and data in the administrative record, and all oral and written testimony presented to it during meetings and hearings. The City Council hereby finds that the IS/ND is adequate and was prepared in full compliance with CEQA, and that there is no substantial evidence that the Project will have a significant effect on the environment. No comments or any additional information submitted to the City, including but not limited to any evidence and/or legal argument presented on November 18, 2025, have produced

any substantial new information requiring recirculation or additional environmental review of the Project under CEQA.

SECTION 13. The City Council hereby adopts the Initial Study/Negative Declaration and associated findings pursuant to CEQA, as set forth herein.

SECTION 14. The City Clerk shall certify to the adoption of this Resolution.

ADOPTED on _____, 2025.

AYES:

NOES:

ABSENT:

ABSTAIN:

DAVID LESSER
Mayor

ATTEST:

LIZA TAMURA
City Clerk

APPROVED AS TO FORM:

QUINN M. BARROW
City Attorney

EXHIBIT

Exhibit A: Final Initial Study/Negative Declaration

Outdoor Dining Ordinance Amendment

Final Initial Study and Negative Declaration

Prepared for:

City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, California 90266



Prepared with assistance from:

MIG
6809 Indiana Avenue, Suite 203
Riverside, California 92506



October 2025

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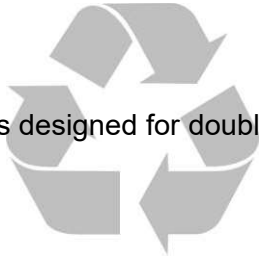


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1 Introduction

The City of Manhattan Beach (City) currently allows outdoor dining on sidewalks and private property based on existing regulations in the Manhattan Beach Municipal Code (MBMC) and Manhattan Beach Local Coastal Program (MBLCP). The City proposes amending the existing ordinances to supplement and update the regulations to reflect operational standards that have changed as a result of the City's experience with COVID-19 business relief measures, and recommendations that came out of robust community engagement efforts, including the outdoor dining task force.

The proposed outdoor dining regulations would limit sidewalk dining within the public right of way to the Downtown (CD) and North Manhattan Beach (CNE) commercial zoning districts, while private property outdoor dining will continue to be permissible Citywide with additional regulations proposed to codify provisions related to outdoor dining above the ground floor. Complimentary revisions to the City's vehicle loading provisions are also proposed.

The proposed amendments constitute a project that is subject to review under the California Environmental Quality Act (CEQA) 1970 (Public Resources Code, Section 21000 et seq.), and the State CEQA Guidelines (California Code of Regulations, Section 15000 et. seq.).

This Initial Study has been prepared to assess the short-term, long-term, and cumulative environmental impacts that could result from the adoption of the proposed project. This report sets forth the required contents of an Initial Study, in compliance with Section 15063 of the State CEQA Guidelines, which include:

- A description of the project, including the location of the project (See Section 2)
- Identification of the environmental setting (See Section 2.9)
- Identification of environmental effects by using a checklist, matrix, or other methods, provided that entries on the checklist or other form are briefly explained to indicate that there is some evidence to support the entries (See Section 4)
- Discussion of ways to mitigate significant effects identified, if any (See Section 4)
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls (See Section 4.11)
- Mitigation Measures (No mitigation measures were deemed necessary for this project)
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study (See Section 5)

1.1 – Purpose of CEQA

The primary purpose of CEQA is to inform decision-makers and the public on the potential environmental consequences of a proposed project and to prevent or minimize significant, avoidable adverse impacts to the physical environment. CEQA achieves this by requiring public agencies to conduct environmental review processes for projects, including the disclosure of potential impacts, alternatives, and mitigation measures that could help avoid or reduce significant adverse impacts identified. It also provides an opportunity to comment on the information by encouraging public participation and promoting inter-agency cooperation.

1.2 – Public Comments

Comments from all agencies and individuals are invited regarding the information contained in this Initial Study/Negative Declaration. Such comments should explain any perceived deficiencies in the assessment of impacts, identify the information that is purportedly lacking in the Initial Study or indicate where the information may be found. All written comments on the Initial Study shall be submitted to:

Jaehee Yoon, AICP, Senior Planner
City of Manhattan Beach
Community Development Department
1400 Highland Avenue, Manhattan Beach, CA 90266
Telephone: (310) 802-5513
Email: jyoon@manhattanbeach.gov

The public review period runs for 31 days starting on Friday, August 22, 2025. Comments are due to Ms. Yoon no later than 5:00 p.m. on Monday, September 22, 2025. All comments received during the public review period will be considered by the City prior to approval and adoption of the project.

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2 Project Description

2.1 – Project Title

Outdoor Dining Ordinance Amendment Project

2.2 – Lead Agency Name and Address

City of Manhattan Beach
Community Development Department
1400 Highland Avenue
Manhattan Beach, CA 90266

2.3 – Contact Person and Phone Number

Jaehee Yoon, AICP, Senior Planner
Phone: (310) 802-5513

2.4 – Project Location

Citywide. The City is located in Los Angeles County, California (See Exhibit 1, Regional Context Map). State Route 1 (SR-1) transverses (north-south) the middle portion of the City and is identified as Sepulveda Boulevard (See Exhibit 2, Local Context Map). The Coastal Zone is located in the westerly portion of the City adjacent to the Pacific Ocean.

2.5 – Project Sponsor's Name and Address

City of Manhattan Beach
Community Development Department
1400 Highland Avenue
Manhattan Beach, CA 90266
Attn: Jaehee Yoon, AICP, Senior Planner

2.6 – General Plan Land Use Designation(s)

General Commercial, Local Commercial, Manhattan Village, Mixed-Use Commercial, Downtown Commercial, and North End Commercial

2.7 – Zoning District(s)

Community Commercial (CC), General Commercial (CG), Local Commercial (CL), Planned Development (PD), Downtown Commercial (CD), and North End Commercial (CNE)

2.8 – Project Description

The City proposes text amendments to existing ordinances in the MBMC and MBLCP related to sidewalk dining in the public right of way, private property outdoor dining, and vehicle loading. The

ordinance amendments will supplement standards for outdoor dining operations and vehicle loading provisions in the following chapters or sections:

- MBMC/MBLCP Chapter 7.36 (Private Use of the Public Right of Way)
- MBMC Section 10.60.080/MBLCP Section A.60.080 (Outdoor facilities)
- MBMC Chapters 14.01 (Definitions) and 14.44 (Stopping for Loading or Unloading Only)

Sidewalk Dining in the Public Right of Way. The sidewalk dining ordinance contained in MBMC/MBLCP Chapter 7.36 (Private Use of the Public Right of Way,) will continue to allow sidewalk dining encroachment permits, but limit the activity to the Downtown (CD) and North Manhattan Beach (CNE) commercial zoning districts.

In the CD and CNE zoning districts (See Exhibit 3, CD and CNE District Map), 49 Eating and Drinking Establishments (35 in CD and 14 in CNE) were identified along major commercial corridors (i.e., Highland Avenue, Manhattan Avenue, Manhattan Beach Boulevard, Rosecrans Avenue) that may be conducive for outdoor dining. After further analysis, 13 establishments in the CD district and eight establishments in the CNE district were deemed ineligible for sidewalk dining due to physical restrictions such as excessive slopes and/or deficient sidewalk width. As a result, 22 establishments in the CD district and six establishments in the CNE district were deemed eligible for sidewalk dining encroachment permits that may accommodate an estimated total of up to 195 sidewalk dining seats (147 in CD and 48 in CNE).

Private Property Outdoor Dining. Private property outdoor dining is regulated by MBMC Section 10.60.080/MBLCP Section A.60.080 (Outdoor facilities) and will continue to be allowed Citywide where Eating and Drinking Establishments are allowed. Proposed amendments would include additional provisions that generally match those in the sidewalk dining ordinance (e.g., occupancy, alcohol service, operation hours, permit revocation, parking requirements, etc.) as well as one specific to outdoor dining above the ground floor that is being newly codified. No estimate on the number of anticipated private property outdoor dining seats has been prepared as the amount of outdoor dining area that an Eating and Drinking Establishment can accommodate is site-specific and cannot be assessed in a meaningful way until plans are reviewed. Furthermore, the proposed amendment would not expand the capacity for outdoor dining beyond what is currently available at each site and thus, do not have the potential to result in additional impacts.

Commercial Vehicle Loading. Commercial vehicle loading provisions are newly proposed in the City's Traffic Code in MBMC Title 14. The proposed amendments are intended to regulate the location and hours of commercial loading activities to address and better regulate noise and access impacts to residential uses in proximity to commercial uses.

Project Implementation. Implementation regarding the proposed text amendments is not expected to result in any significant ground disturbance, major building modifications, new hardscaping, new ornamental landscaping, or new public street lighting. In addition, no infrastructure improvements (i.e., parking lot, roadway, stormwater, domestic water, utilities, wastewater, etc.) are proposed as part of this Project.

Proposed Amendments. Tables 1, 2 and 3 below identify those portions of the MBMC and MBLCP with proposed amendments, which include both revisions to existing text and the addition of new text. Deletions are shown in ~~strikeout~~ and new text additions are shown in underline. Appendix A contains the entire MBMC and MBLCP code sections with the proposed amendments incorporated.

Table 1 - Private Use of the Public Right of Way

MBMC/MBLCP Chapter 7.36 – PRIVATE USE OF THE PUBLIC RIGHT OF WAY	
Section 7.36.160 – Sidewalk Dining Encroachment Permits Sidewalk dining <u>immediately</u> adjacent to existing restaurants may be permitted on public sidewalks within vehicular street right of ways, <u>in the CD or CNE districts</u> , with a sidewalk dining encroachment permit issued pursuant to this section. The purpose of the sidewalk dining permit program is to promote restaurant, <u>outdoor dining</u> , and pedestrian oriented activity within the City's business areas, while safeguarding public safety and minimizing impacts to nearby residential properties. Permits may be modified or revoked by the City Council if the applicant repeatedly fails to comply with any of the above requirements, or if the public's priority for use of City right of way causes the previously approved sidewalk dining use to be found to be inappropriate. <u>With a recommendation from the Parking and Public Improvements Commission, the Director of Community Development shall have the authority to condition or modify the minimum standard requirements in this section, if necessary to protect public health, safety, or welfare.</u> Each permit issued for sidewalk dining shall comply with the following minimum standards:	
Sec. 7.36.160.B	Title 24 of the California Government Code regarding persons with disabilities requirements for An unobstructed sidewalk width <u>of at least minimum forty-eight sixty</u> inches (4860") must be maintained at all times. Any vertical projections above the sidewalk area must have a minimum height clearance of eighty-four inches (84").
Sec. 7.36.160.C	Applicants and their customers may not place any objects <u>(i.e. umbrellas, heaters, planters, fencing, bussing stations, etc.)</u> in the right of way other than <u>dining</u> tables and chairs (no umbrellas, heaters, or bikes/dogs tied to parking meters, etc.) <u>without a permit. Objects within the vehicular street right of ways that cause a traffic safety issue, as determined by the City Traffic Engineer, or coastal view impairment are prohibited at any time.</u>
Sec. 7.36.160.F	Alcoholic beverages may not be served or consumed in the sidewalk dining area <u>with a Use Permit or Use Permit amendment and subject to approval by the California Department of Alcoholic Beverage Control.</u>
Sec. 7.36.160.H	Amplified music sound and live outdoor entertainment are is prohibited, <u>unless a permit is issued pursuant to Section 5.48.150 (Amplified sound permits).</u>
Sec. 7.36.160.I	Dining activities must conclude by 10:00 p.m. Tables and chairs must be removed from the sidewalk by 10:30 p.m. <u>Tables and chairs cannot be stored on the sidewalk at any time outside of the establishments' business hours.</u>
Sec. 7.36.160.K	Sidewalk dining activities must comply with all <u>City codes, including but not limited to, building, fire, Use Permit, and zoning code</u> requirements (parking, occupancy, etc.).
Sec. 7.36.160.L	<u>Sidewalk dining area occupancy shall be determined by the availability of an adequately sized trash enclosure on the premises and service levels, subject to review and approval by the Public Works Department, prior to permit issuance. Otherwise, o</u> Only existing tables used inside the restaurant may be used for sidewalk dining <u>unless additional parking and zoning approval is provided in accordance with the Municipal Code. Changes in occupancy shall not require a Use Permit or a Use Permit amendment.</u>
<u>Sec. 7.36.160.Q</u>	<u>Off-street parking requirements in Chapter 10.64 shall apply to the sidewalk dining area, unless approved prior to this provision taking effect. As an alternative, a minimum of 5 bicycle parking spaces on the premises for each vehicle parking space required may meet this requirement.</u>
<u>Sec. 7.36.160.R</u>	<u>Sidewalk dining permits authorize tables and chairs utilized for dining only. Furniture shall not be used by customers waiting to be seated for dining.</u>
<u>Sec. 7.36.160.S</u>	<u>In areas with standard-width sidewalks (9.5 feet), only two-seat tables shall be used.</u>

<u>Sec. 7.36.160.T</u>	<u>Placement and quantity of dining tables and chairs shall match the approved plan during operational hours.</u>
<u>Sec. 7.36.160.U</u>	<u>Permits shall be valid for a period of one (1) year or until March 1st, whichever occurs first.</u>
<u>Sec. 7.36.160.V</u>	<u>If a business fails to comply with the terms and conditions of an approved sidewalk dining permit, the Community Development Director shall have the authority to revoke the permit upon confirmation by the Community Development Director or their designee of a third violation within a one-year period following the first violation, pursuant to the provisions of Section 7.36.110. If revoked, the permittees shall be unable to reapply under this section for a one-year period from the date the permit is revoked.</u>
Section 7.36.170 – Long-term commercial use encroachment permits	
<u>Sec. 7.36.170.A</u>	Commercial use of the public right of way requires City Council approval. Exceptions. The Director of Community Development may approve the following: a. Sidewalk dining permits applicable to vehicular streets in conformance with Section 7.36.110 <u>160</u> of this chapter.

Table 2 - Site Regulations

MBMC Chapter 10.60/MBLCP Chapter A.60 – SITE REGULATIONS	
MBMC Section 10.60.080.C/MBLCP Section A.60.080.C – Performance Standards	
Outdoor facilities are subject to the following:	
<u>MBMC Sec. 10.60.080.C.4</u> <u>MBLCP Sec. A.60.080.C.4</u>	<u>Amplified music and live outdoor entertainment are subject to Chapter 4.20 (Amusements—dances and cafe entertainment) and Chapter 5.48 (Noise regulations).</u> <u>a. Exception: Amplified music and live outdoor entertainment shall be prohibited in outdoor dining areas above the ground floor, including indoor dining areas above that are not fully enclosed on the same level.</u>
<u>MBMC Sec. 10.60.080.C.5</u> <u>MBLCP Sec. A.60.080.C.5</u>	<u>Alcoholic beverages may be served or consumed in the outdoor dining areas that are within 150 feet of a residential zone, above the ground floor, or operate beyond 10:00 p.m., if a Use Permit or Use Permit amendment is obtained and subject to approval by the California Department of Alcoholic Beverage Control.</u>
<u>MBMC Sec. 10.60.080.C.6</u> <u>MBLCP Sec. A.60.080.C.6</u>	<u>Outdoor dining area occupancy shall be determined by the availability of an adequately sized trash enclosure on the premises and service levels, subject to review and approval by the Public Works Department, prior to permit issuance. Otherwise, only existing tables used inside the restaurant may be used in the outdoor dining area. Changes in occupancy or minor expansions to the indoor dining areas above the ground floor solely to accommodate access to the outdoor dining area on the same level shall not require a Use Permit or a Use Permit amendment.</u>
<u>MBMC Sec. 10.60.080.C.7</u> <u>MBLCP Sec. A.60.080.C.7</u>	<u>Off-street parking requirements in Chapter 10.64 shall apply to the outdoor dining areas, unless approved prior to this provision taking effect. As an alternative, a minimum of 5 bicycle parking spaces on the premises for each vehicle parking space required may meet this requirement. If outdoor dining is provided on off-street parking spaces, the minimum required parking spaces and dimensions per Chapter 10.64 shall be maintained at all times. Outdoor dining shall only occur within off-street parking spaces that are not required to meet the minimum parking code requirements.</u>
<u>MBMC Sec. 10.60.080.C.8</u> <u>MBLCP Sec. A.60.080.C.8</u>	<u>Outdoor dining activities must conclude by 10:00 p.m.</u> <u>Exception: Eating and drinking establishments with outdoor dining located on the ground floor more than 150 feet away from residential uses may operate in compliance with other associated permits applicable to the business.</u>

MBMC Sec. 10.60.080.C.9 MBLCP Sec. A.60.080.C.9	<u>Outdoor dining above the ground floor shall not face or be located less than 15 feet away from residential uses. Sound attenuation guidelines, on file with the Community Development Department and updated from time to time, shall be incorporated into the outdoor dining area design. Outdoor dining balconies over the right of way are prohibited unless approved prior to this provision taking effect. Any such balconies shall not be expanded.</u>
MBMC Sec. 10.60.080.C.10 MBLCP Sec. A.60.080.C.10	<u>The business owner shall comply with all applicable federal, State, and local ordinances, codes, regulations and requirements.</u>
MBMC Sec. 10.60.080.E MBLCP Sec. A.60.080.E	The owner of a business shall submit a written request with <u>plans and an</u> application fee, for an outdoor facilities permit (which may consist of a letter) to the Community Development Director. The request shall include a full description of the display activity, including but not necessarily limited to: types of items to be displayed, location on the site, and hours during which items are to be placed outdoors. The Community Development director shall review the application for compliance with performance standards contained in this section and may impose conditions to avoid adverse impacts such as but not limited to public safety impediments, visual clutter, and disorderly displays. <u>Deviations related to outdoor dining shall require a Use Permit or a Use Permit amendment, except subsection C.4.a where no deviations are allowed.</u>
MBMC Sec. 10.60.080.F MBLCP Sec. A.60.080.F	Grounds for Denial—Revocation. If adverse impacts cannot be prevented, the Community Development Director shall deny the outdoor facilities permit application. If a business fails to comply with the terms and conditions of an approved outdoor facility permit the Community Development Director, <u>after holding a hearing in the manner as set forth in Section 10.104.030, may revoke the permit upon confirmation by the Director of Community Development or their designee of a third violation within a one-year period following the first violation. If revoked, the permittee shall be unable to reapply under this section for a one-year period from the date the permit is revoked.</u>
MBMC Sec. 10.60.080.G MBLCP Sec. A.60.080.G	Duration and Renewal. Upon approval, an outdoor facilities permit, <u>excluding outdoor dining above the ground floor</u> , shall be valid for a period of one (1) year or until March 1 st , <u>whichever occurs first</u> . Outdoor facilities permits may be renewed annually, upon finding by the Community Development Director that the business has complied with all imposed terms and conditions, and that no adverse impacts or nuisance conditions have resulted.

Table 3 - Definitions and Stopping for Loading or Unloading

MBMC Chapter 14.01 – DEFINITIONS	
<u>Sec. 14.01.035</u>	<u>Commercial loading and unloading.</u> <u>The stopping or standing of a commercial vehicle for the purpose of loading or unloading goods, wares or merchandise from or to any commercial building or structure.</u>
<u>Sec. 14.01.085</u>	<u>Large commercial vehicle.</u> <u>A commercial vehicle as defined by Section 260 of the California Vehicle Code that is 30 feet or more in length</u>
MBMC Chapter 14.44 STOPPING FOR LOADING OR UNLOADING	
<u>Sec. 14.44.035</u>	<u>Commercial Vehicle Loading and Unloading</u>
<u>Sec. 14.44.035.A</u>	<u>CD and CNE Zone: Large vehicle commercial loading and unloading activities within the CD and CNE Zones are prohibited on any streets and alleys less than 36 feet in</u>

	<u>width between 11 p.m. and 7 a.m., of the next day Sunday through Friday morning, and between 6 p.m. and 7 a.m. of the next day Friday through Sunday morning.</u> <u>Exception: Streets and alleys without residential uses on either side of the block shall be exempt from this provision.</u>
<u>Sec. 14.44.035.B</u>	<u>When the Chief of Police, as authorized under this chapter, has caused commercial loading signs to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible loading restriction in violation of any of the provisions of this section.</u>
<u>Sec. 14.44.035.C</u>	<u>The City Traffic Engineer is further authorized to establish special loading restrictions by posting appropriate signs to meet unusual needs on certain City streets or public facilities consistent with the limitations provided for in the California Vehicle Code.</u>

2.9 – Surrounding Land Uses and Environmental Setting

Manhattan Beach is adjacent to the Pacific Ocean near the southerly end of Santa Monica Bay in the South Bay region. The City is adjacent to the City of El Segundo to the north, the cities of Hawthorne and Redondo Beach to the east, the City of Hermosa Beach to the south, and the Pacific Ocean to the west. Elevations in the City range from sea level along the beach to approximately 245 feet above mean sea level near Sepulveda Boulevard in the southern portion of the City.

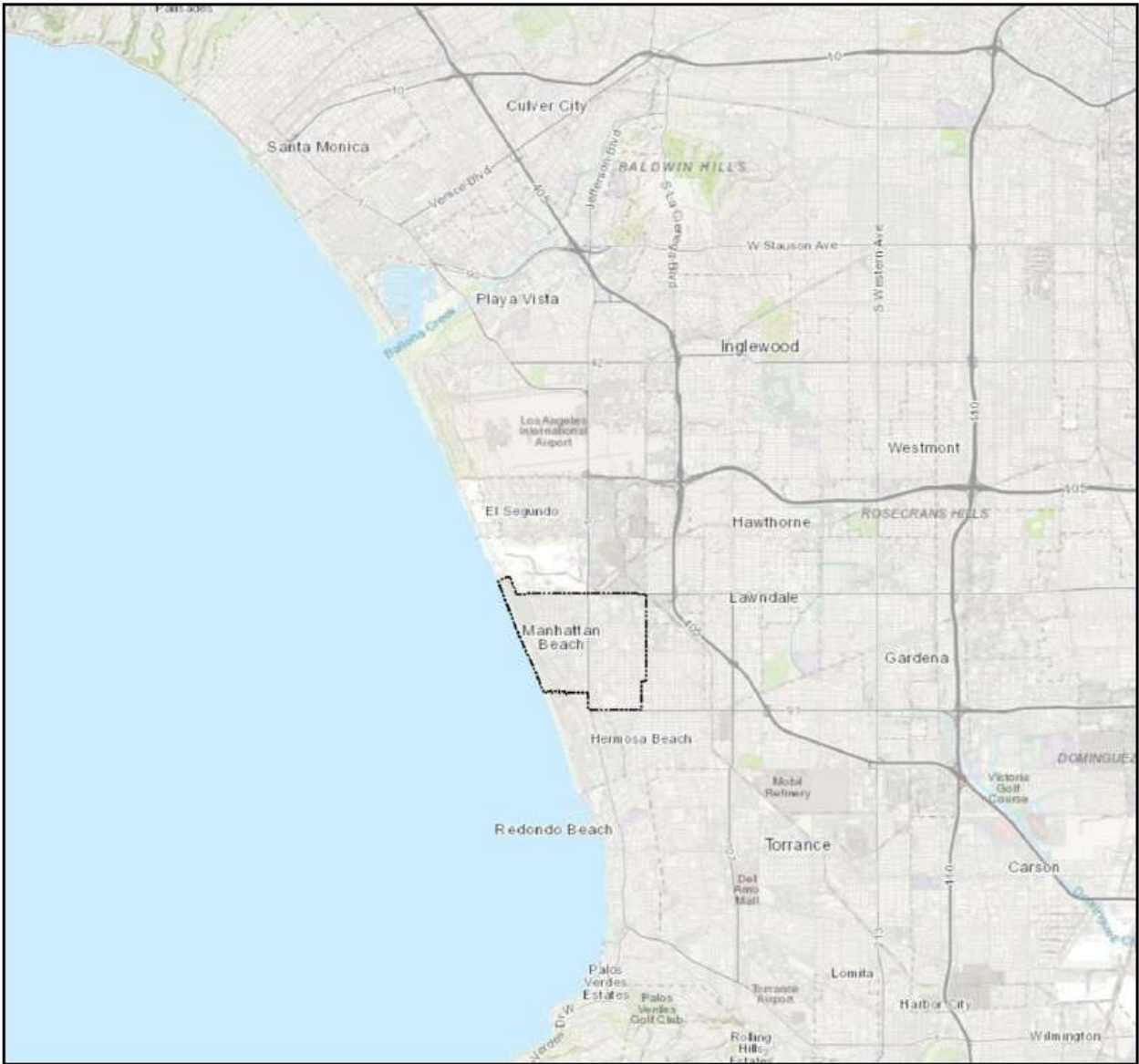
The City is fully developed with a mix of residential, commercial, mixed-use, industrial, parks and open space, and public facilities. Zoning districts potentially impacted by the Project include Community Commercial (CC), General Commercial (CG), Local Commercial (CL), Planned Development (PD), Downtown Commercial (CD), and North End Commercial (CNE). The westerly portion of the City is located within the Coastal Zone boundary, within which both the CD and CNE district are entirely located.

The CD District is located in the southwesterly portion of the City, surrounded by residential and commercial land uses. The CNE District is located in the northwesterly portion of the City and is adjacent to the City of El Segundo, including the Chevron Oil Refinery. Surrounding land uses in the CNE District are primarily residential with scattered commercial and offices. (See Exhibit 3, CD and CNE District Map)

2.10 – Other Public Agency Whose Approval is Required

- California Coastal Commission: The MBLCP amendments will be submitted to the California Coastal Commission for certification prior to becoming effective in the Coastal Zone.
- California Department of Alcoholic Beverage Control: Approval of alcohol licenses by the California Department of Alcoholic Beverage Control is required for alcoholic beverage sales and service in the expanded outdoor dining areas, if requested as part of an outdoor dining permit.

Exhibit 1 - Regional Context Map



Source: City of Manhattan Beach Interactive Mapping

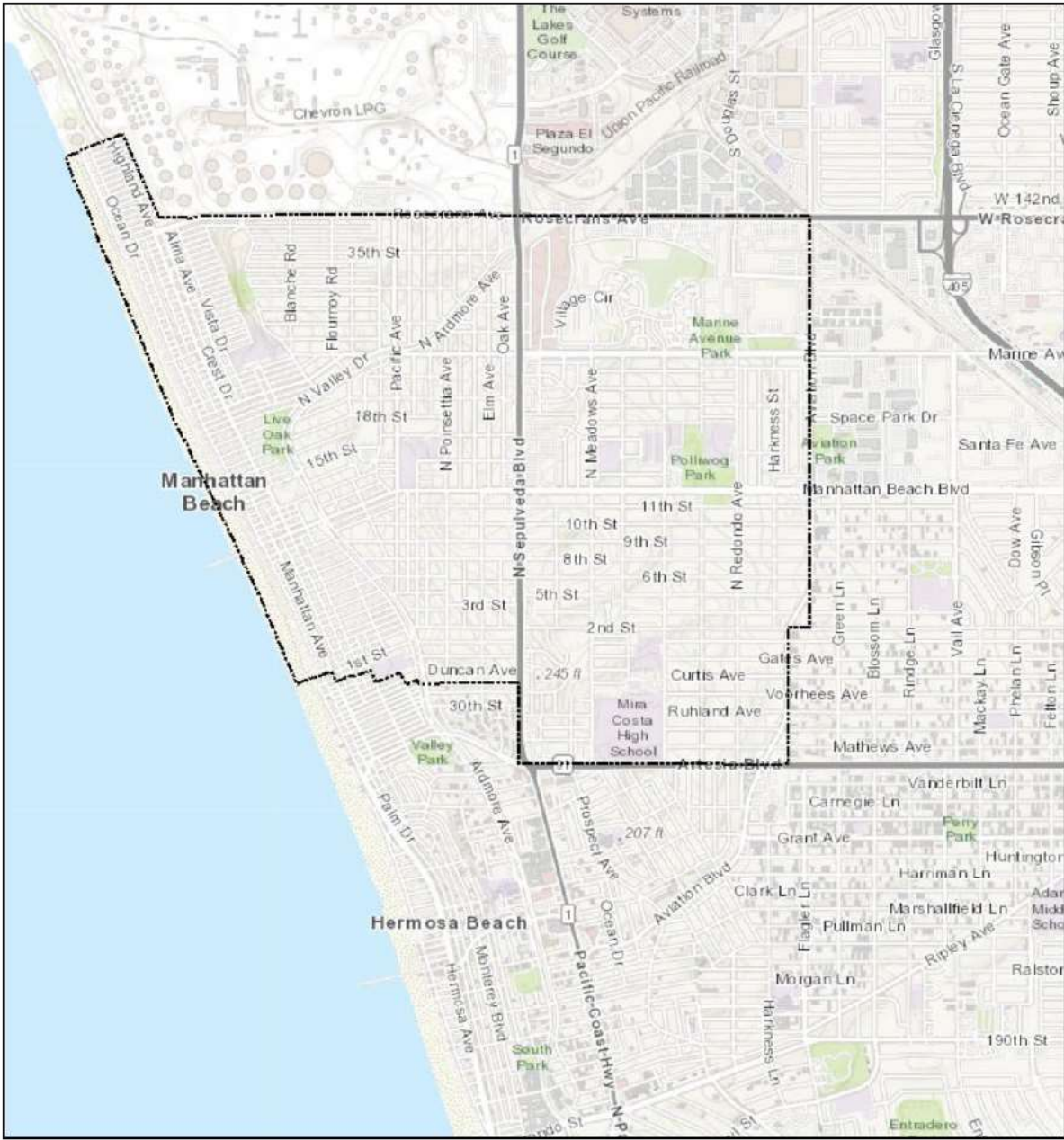
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Outdoor Dining Ordinance Amendment Project

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Exhibit 2 – Local Context Map



Source: City of Manhattan Beach Interactive Mapping

City Boundary - - - - -



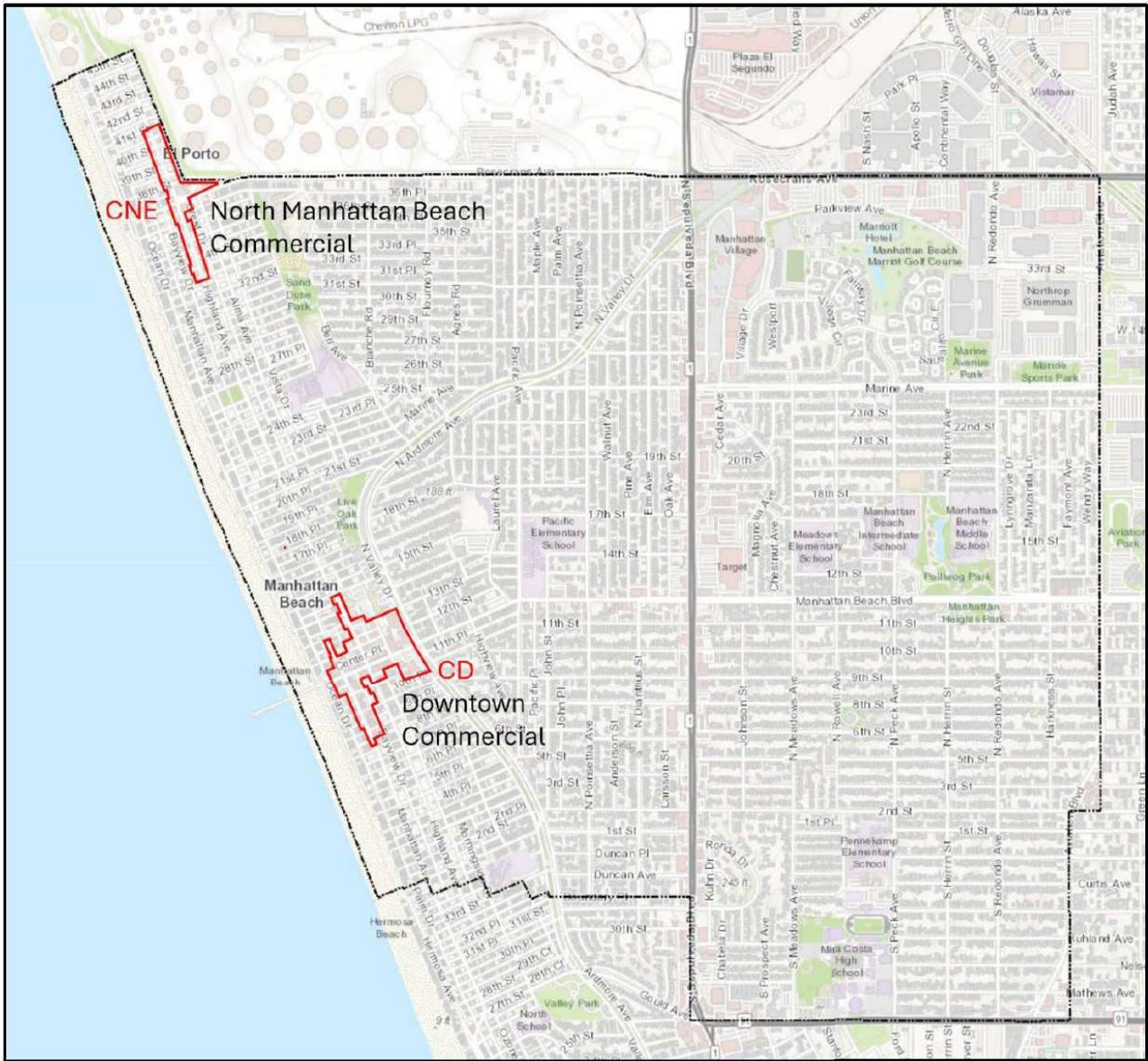
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Exhibit 3 – CD and CNE District Map



Source: City of Manhattan Beach Interactive Mapping

City Boundary - - - - -
District Boundary ————



Outdoor Dining Ordinance Amendment Project

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3 Determination

3.1 – Environmental Factors Potentially Affected

The environmental factors checked below would potentially be affected by this project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Agriculture Resources	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Energy
☐	Geology /Soils	☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials
☐	Hydrology / Water Quality	☐	Land Use / Planning	☐	Mineral Resources
☐	Noise	☐	Population/Housing	☐	Public Services
☐	Recreation	☐	Transportation	☐	Tribal Cultural Resources
☐	Utilities/Service Systems	☐	Wildfire	☐	Mandatory Findings of Significance

3.2 – Determination

☒	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.
☐	I find that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION would be prepared.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	I find that the proposed project MAY have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Name: Michael Codron, Interim Community Development Director

Date

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4 Evaluation of Environmental Impacts

4.0 Introduction

The proposed activity amending the MBMC and MBLCP is included within the definition of a project per CEQA Guidelines Section 15378(a)(1) and is deemed a discretionary project per CEQA Guidelines Section 15357. Therefore, the proposed amendments require potential environmental impacts to be evaluated prior to the City taking action.

The City allowed outdoor dining in response to the COVID-19 protocols from June 2020 to February 2023, at which time the temporary outdoor dining policy was rescinded. Since then, the City has been working on establishing a long-term outdoor dining program with the City's outdoor dining task force formed in April 2023, along with various community outreach efforts. On March 26, 2025, the City Council directed staff to initiate zone text amendments to the existing outdoor dining regulations in the MBMC and MBLCP based on the cumulative efforts undertaken by the City. Per the City Council direction, the proposed amendments focus on operational standards to reflect current operations that have since changed with COVID-19, which include recommendations from the outdoor dining task force.

Because no development or physical improvements are associated with or required by the Project, other than installation of street signage to regulate commercial vehicle loading, there is no construction phase. In addition, the Project does not propose any development that would result in a traditional operational phase (i.e., on-going operations) or have subsequent phases or stages. The often seasonal, operational phase would occur as individual sidewalk dining encroachment permits, or outdoor facilities permits for private property outdoor dining are applied for and issued.

The environmental baseline for this report is the condition that existed in March 2025, when the City Council directed staff to initiate code amendments. This is consistent with CEQA Guidelines Section 15125(a), which states that the environmental setting will normally constitute the baseline existing physical conditions by which a lead agency will determine if an impact is significant. Moreover, this is the time when environmental analysis for this report commenced.

This section evaluates the potential physical impacts to the environment that would result should the City decide to approve and implement the Project. The topical environmental factors and mandatory findings of significance contained in the CEQA Guidelines are listed below. Following each topical environmental factor is the section number where the factor is evaluated.

- | | |
|--|--|
| ▪ Aesthetics (4.1) | ▪ Mineral Resources (4.12) |
| ▪ Agriculture and Forestry Resources (4.2) | ▪ Noise (4.13) |
| ▪ Air Quality (4.3) | ▪ Population and Housing (4.14) |
| ▪ Biological Resources (4.4) | ▪ Public Services (4.15) |
| ▪ Cultural Resources (4.5) | ▪ Recreation (4.16) |
| ▪ Energy (4.6) | ▪ Transportation and Traffic (4.17) |
| ▪ Geology and Soils (4.7) | ▪ Tribal Cultural Resources (4.18) |
| ▪ Greenhouse Gas Emissions (4.8) | ▪ Utilities and Service Systems (4.19) |

4 – Evaluation of Environmental Impacts

- Hazards and Hazardous Materials (4.9)
- Hydrology and Water Quality (4.10)
- Land Use and Planning (4.11)
- Wildfire (4.20)
- Mandatory Findings of Significance (4.21)

4.1 – Aesthetics

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within view from a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) Less Than Significant Impact. Scenic vistas can be impacted by development in two ways. First, a structure may be constructed that blocks the view of a vista. Second, the vista itself may be altered (i.e., development on a scenic hillside). Although the City's General Plan does not designate any scenic vistas within the City, the Land Use Element includes several goals and policies aimed at preserving ocean vistas, tree-lined streets, and well-kept neighborhoods that contribute to the scenic quality of the City.¹ In addition, with the City located along the Pacific Ocean, the coastal views afforded from various points in the City can be considered a scenic vista.

The Project includes prohibiting outdoor dining related objects that may cause coastal view impairments for sidewalk dining areas adjacent to Eating and Drinking Establishments. Outdoor dining areas on private property would occur on or in the immediate vicinity of existing structures that would not likely affect views of the Pacific Ocean. Lastly, signage to regulate commercial vehicle loading hours in the CD and CNE Districts will be negligible improvements that would not have substantial adverse effects on scenic vistas. Therefore, impacts are less than significant and do not require mitigation measures.

b) No Impact. There are no officially designated or eligible state scenic highways in the City.² Therefore, no impacts to scenic resources visible from a state scenic highway would occur.

c) Less Than Significant Impact. Physical changes related to implementation of the Project are expected to be low profile in nature, generally limited to moveable outdoor dining objects such as tables and chairs, or street signage. As the General Plan Land Use Element Goals and Policies governing scenic quality and visual character of the City will continue to apply through applicable sections of the MBMC and MBLCP, impacts would be less than significant and do not require mitigation measures.

d) Less Than Significant Impact. Excessive or intense lighting has the potential to adversely impact night-time views, and glare can be caused from unshielded or misdirected lighting sources, including reflective surfaces (i.e., polished metal). The Project does not propose any permanent lighting sources for street signage that would regulate commercial vehicle loading and any proposed lighting for outdoor dining in the future would require review by the City to ensure code compliance as well as prevention of potential spill over or trespass onto sensitive surrounding land uses. Therefore, substantial impacts from light, glare or both would be less than significant and do not require mitigation measures.

4.2 – Agriculture and Forest Resources

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	☐	☐	☐	☒
d) Result in loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

a) No Impact. The California Important Farmland Finder prepared by the California Department of Conservation does not identify the Project as being located on Prime Farmland, Unique Farmland, or farmland of Statewide Importance.³ In addition, the City does not contain any farmland nor does the General Plan designate any land for farmland or agricultural land use.⁴ Therefore, there would be no conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to a non-agricultural use as a result of this Project, and no impacts would occur.

b) No Impact. As previously mentioned, the City does not contain any farmland nor does the General Plan include any farmland or agricultural land use designations. The Project is ineligible for a Williamson Act contract, and there are no active contracts. Therefore, there would be no conflict with existing zoning for agricultural use or a Williamson Act contract, and no impacts would occur.

c) No Impact. Public Resources Code Section 12220(g) identifies forest land as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. There are no sites within the City that are currently being managed or used for forest land as identified in Public Resources Code Section 12220(g), nor are any zoned for forest land or timberland production.⁵ Therefore, no impact would occur.

d) No Impact. The City is fully developed; thus, there would be no loss of forest land or conversion of forest land to non-forest use as a result of this Project. Therefore, no impacts would occur.

e) No Impact. As previously mentioned, there are no agriculture or forest land uses in the City. Therefore, no conversion of farmland or forest land to non-agricultural or non-forest uses would occur. As such, there would be no impacts.

4.3 – Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

a) No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, approve any substantial development projects, or introduce any new land uses, and would not result in new development that would conflict with or obstruct implementation of an applicable air quality plan. Because the Project is only limited to proposed text amendments to the MBMC and MBLCP, there is no potential to conflict or obstruct an air quality plan. Therefore, no impacts would occur.

b) Less Than Significant Impact. As previously mentioned, the Project does not change zoning or General Plan designations, create any zoning entitlements, approve any substantial development projects, or introduce any new land uses that would result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment under an applicable federal or state ambient air quality standard. In addition, no development is proposed as the Project is to update the existing outdoor dining ordinances in the MBMC and MBLCP, and propose a new section in the MBMC for commercial vehicle loading provisions.

A potential increase in outdoor dining patrons would not lead to a substantial net increase in criteria pollutants resulting from an increase in Vehicle Miles Travelled (VMT). This is because outdoor dining does not necessarily represent a destination or new unique attraction, bringing patrons from outside the

City that are not already visiting the City to engage in beach-related activities. In addition, the Manhattan Beach Outdoor Dining Program Parking Analysis prepared for the City for a much greater number of potentially eligible outdoor dining opportunities determined that reductions to VMT per trips could be anticipated with various parking strategies proposed.⁶ Providing bicycle parking facilities, for example, could reduce the VMT per trip by up to 4.4 percent. In support of the Parking Analysis, Section 7.36.160.Q in Table 1 and Section 10.60.080.C.7/A.60.080.C.7 in Table 2 include a provision to allow bicycle parking as an alternative to off-street parking requirements, effectively helping reduce VMT related to outdoor dining patrons. Moreover, field observations as well as stakeholder interviews with the residential and business community have stated that there has been a trend in patrons also arriving by walking, bicycle, and rideshare.⁷ (Refer to the discussion in Section 4.17 – Transportation, Impact Question b) for more information.) Therefore, less than significant impacts would occur and no mitigation measures are required.

c) Less Than Significant Impact. The Project would not result in the exposure of sensitive receptors to substantial pollutant concentrations. The opportunity that the Project provides to eligible Eating and Drinking Establishments would be expected to result in an increase in patrons eating outdoors in the City. However, that number would be limited for sidewalk dining due to geographic and physical constraints, and private property outdoor dining has historically been less sought after with only a handful of permits issued yearly. Furthermore, outdoor dining opportunities in the City do not directly generate emissions that would have the potential to negatively affect adjacent sensitive receptors. Specifically, exposure at an outdoor dining area would be relatively brief (typically an hour or less), rarely a daily occurrence, and minor food odor emissions disperse quickly outdoors relative to indoor exposure. Additionally, the City has allowed outdoor dining opportunities on sidewalks and on private property long before COVID-19 affected the dining scene. In terms of commercial vehicle loading provisions proposed as part of the Project, the amendment would not expose sensitive receptors to substantial pollutant concentrations as the intent of the code language is to regulate the location and hours of commercial vehicle loading that already occurs in the City and would not result in an increase in VMT. Therefore, less than significant impacts would occur and no mitigation measures are required.

d) No Impact. As described above, the Project does not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, or introduce any new land uses that would have the potential to result in emissions (such as those leading to odors) adversely affecting a substantial number of people. Land uses associated with odor complaints generally include agricultural operations, wastewater treatment plants, landfills, and certain industrial operations (such as manufacturing uses that produce chemicals, paper, etc.). In addition, odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes, as well as sewage treatment facilities and landfills. While minor food odor or during the process of installing street signs to regulate commercial vehicle loading could potentially result from the Project, it would not have the potential to adversely affect a substantial number of people. Therefore, no impacts would occur.

4.4 – Biological Resources

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
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a) No Impact. Special-status wildlife species include those species listed as endangered or threatened under the Federal Endangered Species Act (FESA) or the California Endangered Species Act (CESA); candidates for listing by the U.S. Fish and Wildlife Services or California Department of Fish and Wildlife (USFWS & CDFW, respectively); species of special concern to the CDFW; and birds protected by the CDFW under California Fish and Game Code (CFG) Sections 3503 and 3513.

Activities permitted by the Project would not result in the reasonably foreseeable impacts or modifications to the habitats and species identified in question. The City is fully developed with urban land uses that are already disturbed, developed, and lack suitable habitat for special-status wildlife. Some ornamental landscaping currently exists throughout the City; however, this vegetation is not habitat for any species identified as a candidate, sensitive, or special status species. Furthermore, there is no critical habitat located in the City⁸ and the California Coastal Commission's Critical Coastal Areas Map Viewer does not identify either the CD or CNE District as being within a Critical Coastal Area or Area of Special Biological Significance.⁹ Therefore, no impacts would occur.

b) No Impact. The Project would be implemented on locations that are on fully developed land. There is no riparian habitat located on or in the vicinity of the potential sites that can accommodate outdoor dining or street signage installed to enforce commercial vehicle loading locations and hours. As such, no impacts to riparian habitat or other sensitive natural habitat would occur.

c) No Impact. According to the federal National Wetlands Inventory, the City does not contain any wetlands. While the adjacent Pacific Ocean is identified as an Estuarine and Marine Wetland habitat classified as a M2USP¹⁰, this classification does not extend inland into the City. Therefore, no impacts would occur.

d) No Impact. The City is fully developed and heavily urbanized. Although several ornamental trees and landscaping exist throughout the City, there is little potential that these features may provide habitat for any native resident, migratory fish or wildlife species. In addition, the City is not within an established migratory wildlife corridor and no trees are proposed to be modified as part of the Project. Therefore, no impacts would occur.

e) No Impact. Trees and ornamental vegetation are present in various locations throughout the City. Although the City has a tree ordinance in MBMC Section 10.52.120¹¹, it is applicable only to residential zoning districts which do not allow commercial outdoor dining uses or require street signs specific to regulating commercial vehicle loading activities. Because no existing trees would be modified and no new trees are proposed to be planted as part of this Project, no impacts would occur.

f) No Impact. There are no habitat conservation plans or a natural community conservation plan within the City.¹² Therefore, no impacts would occur.

4.5 – Cultural Resources

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

a) No Impact. The Project does not satisfy any of the criteria for a historic resource as defined in Section 15064.5 of the State CEQA Guidelines. Specifically, CEQA Guidelines state the term “historical resources” applies to resources that meet any of the following criteria for listing on the California Register of Historical Resources¹³:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage(Criterion 1).
- Is associated with the lives of persons important in our past (Criterion 2).
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values (Criterion 3).
- Has yielded, or may be likely to yield, information important in prehistory or history (Criterion 4)

The City lists two historic landmarks on residential zoning districts: 2820 Highland Avenue and 1505 Crest Drive.¹⁴ In addition, the Manhattan Beach State Pier is designated as a California State Historical Monument (No. 1018, Manhattan Beach State Pier) and listed in the California Register of Historical Resources (CRHR), along with the Scout House at 1617 N. Valley Drive. None of these properties are eligible sites that could accommodate commercial outdoor dining uses nor locations for street signage. Therefore, implementation of the proposed Project would not cause an adverse change to the significance of these historical resources and no impacts would occur.

b) No Impact. The Project would be implemented in an urbanized environment that has been previously disturbed and built over. Given that the City has been substantially disturbed by development over time, any cultural resources that may exist would likely have been previously unearthed, disturbed, or left in place. Because no ground disturbance is proposed or required, the potential to impact archaeological resources does not exist. Therefore, no impacts would occur.

c) No Impact. Ground disturbance is neither proposed nor required as part of the Project that could otherwise disturb human remains. Therefore, no impacts would occur.

4.6 – Energy

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction?	☐	☐	☐	☒
b) Conflict with or obstruct a state of local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

a) No Impact. Project implementation does not involve construction or development that would result in wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, no impacts would occur.

b) Less Than Significant Impact. While provisions related to commercial vehicle loading would have no impacts, the potential exists for additional, low-voltage decorative lighting or heaters in future outdoor dining areas. However, should these features be added, they would be required to comply with Title 24 of the California Building Code/Code of Regulations, CAL Green Code, California Green Building Standards Code, and energy standards in effect at the time of permit submittal. As the Project would not conflict with or obstruct renewable energy or energy efficiency, impacts would be less than significant.

4.7 – Geology and Soils

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

a.i) No Impact. The City is not located within a designated Alquist-Priolo Earthquake Fault Zone, indicating no known earthquake faults or any substantial evidence of a known fault within the City.¹⁵ Furthermore, the Project does not change zoning or General Plan designations, create any zoning entitlements, or introduce any new land uses that would result in a rupture of a known earthquake fault or exacerbate existing environmental conditions so as to potentially cause such rupture. Therefore, no impacts would occur.

a.ii) Less Than Significant Impact. The Project site would be subject to strong seismic ground shaking in the event of a seismic event, as would be the case for all locations within Southern California. Because any foreseeable improvements associated with outdoor dining or street signs are minor and would require compliance with existing regulations for safety purposes, there would be no substantial direct or indirect impacts. Hence, impacts would be less than significant.

a.iii) No Impact. Liquefaction is a phenomenon that occurs when soil undergoes transformation from a solid state to a liquefied condition due to the effects of increased pore-water pressure. This typically occurs where susceptible soils (particularly the medium sand to silt range) are located over a high groundwater table, in which case, affected soils will lose all strength during liquefaction and foundation failure can occur. According to the Alquist-Priolo Earthquake Fault Zoning Map and the City's General Plan, the City is not located in a liquefaction hazard zone. Therefore, no impacts would occur.

a.iv) No Impact. According to the City's Community Safety Element, the City is not located in an area with a known landslide hazard.¹⁶ Therefore, no impacts would occur.

b) No Impact. No ground disturbance is proposed nor required as part of the Project that would result in soil erosion or loss of topsoil. Therefore, no impacts would occur.

c-f) No Impact. The Project would be implemented on fully developed sites and structures, where no ground disturbance or development is proposed. Therefore, no impacts would occur.

4.8 – Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

a) Less Than Significant Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, or introduce any new land uses that would otherwise generate greenhouse gas emissions. The Project proposes only text amendments to the MBMC and MBLCP to update outdoor dining regulations on sidewalks and private property, including specific provisions for commercial vehicle loading.

A potential increase in outdoor dining patrons would not lead to a net substantial increase in Greenhouse Gas (GHG) emissions resulting from an increase in Vehicle Miles Travelled (VMT). This is because outdoor dining is primarily located on infill sites that are often part of a longer trip by patrons that are not only dining but shopping or visiting the beach with multiple destinations along the way made by foot, bicycle, or local transit. In addition, the Project includes provisions in Section 7.36.160.Q in Table 1 and Section 10.60.080.C.7/A.60.080.C.7 in Table 2 that allow bicycle parking in lieu of required off-street parking spaces. This alternative would help provide more bicycle parking facilities which may reduce VMT per trips by up to 4.4 percent.¹⁷ Therefore, less than significant impacts would occur.

b) Less Than Significant Impact. In 2006, California passed the California Global Warming Solutions Act of 2006 (AB 32), which requires the California Air Resources Board to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels, representing an approximate 25 percent reduction in total emissions. Statewide strategies to reduce GHG emissions include building and construction emission requirements specified in the California Green Building Standards Code. Because the Project itself does not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHG and does not include construction, there would be no anticipated impacts. Nonetheless, compliance with Title 24 and other applicable energy regulations will be triggered for any improvements requiring permits associated with the Project to further align with the goal of reducing GHG emissions.

In April 2025, the City voluntarily adopted the Climate Action and Adaption Plan (CAAP) as a comprehensive plan to align City policies with state and regional climate goals with the objective of reducing the City's GHG emissions to meet the State's 2045 goal of carbon neutrality.¹⁸ The bicycle parking provisions as part of the Project are consistent with the Smart Mobility Measure M1 to expand infrastructure for pedestrians and bicycles; and Measure M4 to expand travel options that do not require personal vehicle ownership. Therefore, the Project is consistent with the overall intent and specific

4 – Evaluation of Environmental Impacts

measures of the CAAP and impacts related to conflicts with other applicable plans are less than significant.

4.9 – Hazards and Hazardous Materials

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

a) Less than Significant Impact. The regulatory nature of the proposed Project would not involve the transport, use, or disposal of significant amounts of hazardous materials requiring special control

measures. Items used for the routine maintenance and cleaning of outdoor dining areas, as may be permitted under the ordinances, or commercial loading areas would not expose the public and the environment with what would be considered substantially hazardous, and would typically be used in accordance with their labeling. Therefore, less than significant impacts would result.

b) Less Than Significant Impact. The proposed Project is to update the existing MBMC and MBLCP related to outdoor dining and commercial vehicle loading, which would not, in itself, result in utilizing hazardous materials nor producing hazardous wastes. Therefore, less than significant impacts would result.

c) Less Than Significant Impact. While there are school facilities within one-quarter mile from potential locations of Project implementation, the Project would not handle or process acutely hazardous materials or emit hazardous emissions. Therefore, less than significant impacts would result.

d) No Impact. The proposed Project site is not listed on the State Cortese List, a compilation of various sites throughout the state that have been compromised due to soil or groundwater contamination from past uses.¹⁹ Therefore, no impacts would occur.

e) No Impact. The City is located outside of the Los Angeles International Airport Planning Boundary/Influence Area to the north and the Hawthorne Airport located to the east. In addition, there is no private airstrip located within or adjacent to the City. Therefore, no impacts would occur.

f) No Impact. Manhattan Beach Boulevard, Highland Avenue, Rosecrans Avenue, 2nd Street, Marine Avenue, Sepulveda Boulevard, Artesia Boulevard, Aviation Boulevard, Valley Drive, and Ardmore Avenue are designated evacuation routes in the City.²⁰ Project implementation would not change existing conditions with regard to transportation routes or evacuation plans as no travel lanes would be obstructed by outdoor dining or signage for commercial vehicle loading. Specifically, as outlined in Tables 1, 2, and 3 in the Project Description, outdoor dining would not occur along the vehicular right of way, sufficient sidewalk width for pedestrians would be required at all times, and street signage are negligible improvements that have no impacts to emergency responses or evacuation plans. Therefore, no impacts would occur.

g) No Impact. The City is a fully developed urbanized area with no known wildland conditions.²¹ Therefore, no impacts would occur.

4.10 – Hydrology and Water Quality

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	☒
i) result in substantial erosion or siltation on-or off-site;	☐	☐	☐	☒
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or-offsite;	☐	☐	☐	☒
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

a) No Impact. Implementation of the Project would not produce significant environmental impacts from associated improvements for outdoor dining on sidewalks or private property, and street signage installations would not result in substantially degrading the surface or ground water quality. In addition, Eating and Drinking Establishments proposing to have outdoor dining and the City's installation of street signage in the public right of way remain subject to any existing water quality standards. Therefore, no impacts would occur.

b) No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, or introduce any new land uses that could otherwise have the potential to substantially decrease groundwater supplies or interfere with groundwater recharge. Therefore, no impacts would occur.

c) No Impact. The City is a fully developed urbanized area with no natural streams or water resource features that would be impacted by the Project. Improvements that result from the implementation of the Project would infiltrate stormwater in accordance with applicable regulations and would continue to outflow into the existing storm drain system. There would be no native soil disturbances or ground disturbing activities that would result in substantial alterations to the existing drainage patterns, increase surface runoff, or impede flood flows. Therefore, no impacts would occur.

d) Less than Significant Impact. The City is subject to potential tsunamis generated by a landslide off the Palos Verdes peninsula where beach-front structures are threatened west of Highland Avenue, assuming a worst-case scenario of a tsunami run-up of 42 feet and inland to elevation below 50 feet sea level.²² However, implementation of the Project would not be located in the potential tsunami inundation area that will be updated as part of the Tsunami Plan. Nonetheless, because locally generated tsunamis provide little time for warning, the City's General Plan includes provisions to mitigate the impacts of natural hazards, including flooding due to a tsunami through maintaining a high level of emergency response services.²³ In addition, in the event of a flood hazard, tsunami, or seiche, that results in the potential release of pollutants would continue to be subject to the same regulations and guidance in place. Therefore, impacts would be less than significant.

e) No Impact. No development is proposed as part of this Project that would otherwise potentially conflict or obstruct a water quality control plan or groundwater management plan. Therefore, no impacts would occur.

4.11 – Land Use and Planning

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

a) No Impact. The Project would not change zoning or General Plan designations, create any zoning entitlements, or introduce any new land uses or physical improvements that would physically divide an established community. Therefore, no impacts would occur.

b) Less than Significant Impact. While the Project is limited to text amendments to the existing MBMC and MBLCP, future improvements related to the Project implementation may potentially include greater flexibility than currently allowed to accommodate outdoor dining opportunities or better regulate commercial vehicle loading activities. However, the Project is intended and encouraged to be implemented in areas that are consistent with adopted land use plans, policies, and regulations, as noted in the strikethrough version of the proposed amendments in Section 2.8 – Project Description that requires compliance with all applicable federal, state, and local regulations. Therefore, impacts would be less than significant as adoption of the proposed amendments would not conflict with applicable plans, policies, or regulations.

4.12 – Mineral Resources

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a-b) No Impact. The City is located in a completely urbanized and fully-developed area. There are no known mineral resources available in the City and there are no General Plan, Municipal Code, or Local Coastal Project policies governing extraction of mineral resources.²⁴ Therefore, no impacts would occur.

4.13 – Noise

Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☐	☒
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

a) Less Than Significant Impact. Project implementation involves outdoor dining and commercial vehicle loading which have the potential to cause noise impacts near residential uses. As such, the Project includes provisions on hours of operation for outdoor dining and limitations on when and where commercial vehicle loading may occur (see Table 2 in Section 2.8 – Project Description) to address any noise impacts associated with either activity. In addition, any future operations would require adherence to the City's General Plan Noise Element, MBMC Chapter 5.48 - Noise Regulations, as well as applicable state and federal requirements to ensure that excessive noise is regulated and does not erode the quality of the City's neighborhoods.

The Project also includes codifying regulations for outdoor dining areas above the ground level on private property instead of requiring approval of a Use Permit, which is the current practice for eligible parcels in Downtown. This is because there are a variety of noise sources subject to various transmission and attenuation factors for outdoor dining areas above the ground floor that could potentially affect nearby residences with additional noise sources generated. Each potential outdoor dining area above the ground floor would have different noise generation, transmission, and attenuation characteristics that are dependent on site-specific factors that are not known at this time. Additionally, each individual dining area may or may not have cause for noise concerns. Nonetheless, potential noise impacts associated with outdoor dining areas above the ground floor would be addressed by requiring implementation and adherence to the sound attenuation guidelines (see Appendix B) in MBMC Section 10.60.080.C.9/MBLCP Section A.60.080.C.9 (see Table 2 in Section 2.8 – Project Description).

Furthermore, the proposed Project related to outdoor dining regulations would limit excessive noise by regulating amplified music, live outdoor entertainment, and distance to residential uses, to name a few. (Refer to Tables 1, 2 and 3 in the Project Description section above for more information.) With the additional provisions in the proposed amendments, which would not conflict with the City's General Plan or Noise ordinance, outdoor dining and commercial vehicle loading activities would result in less impacts compared to existing regulations. Therefore, impacts would be less than significant.

b) No Impact. Ground borne vibrations have the potential to disrupt residents and workers in the area by construction projects that are usually highest during large scale operations including, but not limited to; pile driving, rock blasting, soil compacting, jack hammering, and demolition-related activities. Because the Project does not propose or require construction activities at this scale, no impacts would occur.

c) No Impact The City is located outside of the Los Angeles International Airport noise contours to the north and the Hawthorne Airport located to the east, where any related associated noise levels are generally not considered excessive and usually do not impact daily activities in the City.²⁵ Therefore, no impacts would occur.

4.14 – Population and Housing

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) No Impact. No unplanned population growth is anticipated with the proposed Project which is limited to text amendments in the existing MBMC and MBLCP related to outdoor dining and commercial vehicle loading provisions. Therefore, no impacts would occur.

b) No Impact. The Project and its implementation would not result in removal of a substantial number of housing nor displacements. Therefore, no impacts would occur.

4.15 – Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

a) – e) No Impact. The Project does not change zoning or General Plan designations, create any zoning entitlements, or introduce any new land uses that would otherwise increase demands for various government facilities. Implementation of the Project would be located on areas that are fully developed which would not require any service area extensions. In addition, the Project would not change or impact standards, policies, programs, and regulations in place that ensure adequate provision of public services. Therefore, no impacts would occur.

4.16 – Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

a) No Impact. The Project would not result in the creation of new housing, nor would it induce significant population growth that would potentially increase the use of local and regional parks or recreational facilities. In addition, no parks or open space would be directly impacted by implementing the Project which is to regulate outdoor dining and commercial vehicle loading activities. Therefore, no impacts would occur.

b) No Impact. The Project does not include and would not result in the construction or expansion of recreational facilities as the scope is limited to regulating outdoor dining and commercial vehicle loading activities in the City. Therefore, no impacts would occur.

4.17 – Transportation and Traffic

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐		☒
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

a) No Impact. The Project does not result in improvements that would conflict with the existing Mobility Plan of the General Plan and the City's Parking Code in MBMC Chapter 10.64/MBLCP A.64. No roadway or transit system would be affected, and the proposed amendments include a new provision that allows for outdoor dining area parking requirements to be satisfied by providing bicycle parking spaces in-lieu of required off-street parking spaces. (Refer to Table 1 and 2 in the Project Description section above for more information.) With the implementation of the proposed Project amendments, no impacts would occur.

b) Less than Significant Impact. State CEQA Guidelines Section 15064.3(b) defines a criteria for analyzing transportation impacts for land use projects where 1) vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact; 2) projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact; and 3) projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

The City does not have a specific Vehicles Miles Traveled (VMT) standard. On May 15, 2018, the City adopted the Manhattan Beach Mobility Plan, an update to the Circulation, Neighborhood Traffic Intrusion, Parking, and Bicycle Networks chapters of the Infrastructure Element in the General Plan. The Mobility Plan intends to create a balanced, safe, multi-modal transportation system that meets the needs of all users, including motorists, pedestrians, bicyclists, children, seniors, people with disabilities, movers of commercial goods, and public transportation users. This plan marks a shift from an auto-centric approach to more holistic concepts like Complete Streets and Living Streets, as outlined in California's Complete Streets Act (AB 1358) and the Southern California Association of Governments

(SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The City's Mobility Plan also emphasizes reducing VMT by encouraging biking, walking, and public transit to help lower greenhouse gas emissions and promote public health.

As described above, the Project allows eligible Eating and Drinking Establishments to provide outdoor dining areas within the public right of way which may increase restaurant seating in the City. This increase could incrementally result in an increase in VMT. Based on a sidewalk dining seat calculation estimated by the City's Traffic Engineer, there could potentially be up to 147 and 48 outdoor dining seats in the CD and CNE District, respectively, for a combined total of 195 seats across approximately 2,328 square feet in sidewalk area.

The State of California, Governor's Office of Planning and Research published a Technical Advisory on Evaluating Transportation Impacts in CEQA, which is being utilized for analytical purposes in this document.²⁶ The Technical Advisory states that less than significant impacts would result from additions to structures up to 10,000 square feet. Although the Project is not a development project, the combined square footage related to potential sidewalk dining seats allowed by the Project is estimated to be 2,328 square feet or approximately 12 square feet per seat ($2,328 \div 195 = 11.9$). Also, private property outdoor dining based on outdoor dining permits issued within the last three years was approximately 140 seats. Using the same approximate 12 square feet per seat, the Project for private property outdoor dining is estimated to be 1,680 square feet ($140 \times 12 = 1,680$). The combined 2,328 square feet for outdoor sidewalk dining with the 1,680 square feet for private property outdoor dining is 4,008 square feet, which is significantly less than the 10,000 square foot threshold.

In addition, outdoor dining is not likely to substantially increase VMT because the City is a beach-oriented destination. That is, visitors to the beach often link their beach trip to restaurant dining, resulting in less overall VMT than restaurant-only trips. It is unlikely that outdoor dining would be a new attraction generating a substantial number of new trips directly related to an Eating and Drinking Establishment. Based on field observations and community outreach input received during the course of the long-term outdoor dining program development, many local Eating and Drinking Establishment patrons tended to walk, bike, or utilize rideshare, further limiting vehicle trips and VMT. Moreover, outdoor dining could be meeting an unmet need from local residents who may be driving to other places further away with outdoor dining opportunities. Lastly, the CD and CNE Districts, where outdoor dining has and is anticipated to be the most active along Manhattan Avenue and Highland Avenue, are served by High Quality Transit Corridors with the Beach Cities Transit Line 109 and the Los Angeles Department of Transportation Commuter Express Line 438.²⁷ As such, the Project scope in terms of outdoor dining regulations is consistent with the City's Mobility Element that emphasizes VMT reduction.

All in all, Project impacts would be less than significant as the Project is consistent with the City's Mobility Element; results in less than the 10,000 square foot threshold with the incremental outdoor dining seat increase; partially located along High-Quality Transit Corridors (Manhattan Avenue and Highland Avenue in the CD and CNE Districts); and the fact that the proposed commercial vehicle loading provisions would not result in any foreseeable impacts.

c) No Impact. The Project would not change zoning or General Plan designations, create any zoning entitlements, approve any development projects, introduce any new land uses, or foreseeably result in new development that would substantially increase hazards due to a geometric design feature or incompatible uses. Furthermore, the Project does not permit or propose activities that would result in changes to the public right of way as sidewalk dining is to utilize the existing layout and street signage would be placed without altering the streets. Therefore, no impacts would occur.

d) No Impact. The Project would have no impact regarding emergency access. As outlined in Table 1 of the Project Description section, sidewalk dining areas would be placed immediately adjacent to an Eating and Drinking Establishment and require sufficient clearance for pathways in the sidewalk right of way which would not obstruct any designated evacuation routes as noted in 4.9(f) – Hazards and Hazardous Materials. Moreover, outdoor dining on private property would require compliance with all applicable code and regulations pertaining to access, and the commercial vehicle loading provisions would not result in impacts to emergency access. Therefore, no impacts would occur.

4.18 – Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a Cultural Native American tribe, and that is:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☐	☐	☒
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

a) No Impact. Public Resources Code Section 21084.2 establishes that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” A project would cause a substantial adverse change in the significance of a tribal cultural resource with cultural value to a California Native American tribe if such resource is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or if such resource is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Public Resources Code 5024.1(c) states that “[a] resource may be listed as a historical resource in the California Register if it meets any of the following National Register of Historic Places criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

The City is currently developed, and no development is proposed that could otherwise affect a Tribal Cultural Resource. Therefore, no impacts would occur.

b) No Impact. The Project will not change zoning or General Plan designations, create any zoning entitlements, or introduce any new land uses or foreseeably result in substantial new development that would result in a substantial adverse change in the significance of a tribal cultural resource. Additionally, most tribal cultural resources are expected with buried resources and in land associated with tribal practices. This Project would not result in excavation of soils or ground disturbance on undisturbed land.

Assembly Bill 52 (AB 52) established a formal consultation process for California Native American Tribes to identify potential significant impacts to Tribal Cultural Resources, as defined in Public Resources Code Section 21074, as part of CEQA. As specified in AB 52, lead agencies must provide notice inviting consultation to California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed ordinance if the tribe has submitted a request in writing to be notified of proposed ordinances. The tribe must respond in writing within 30 days of receipt of the City's AB52 notice.

On May 19, 2025, notice was provided to the following tribes in accordance with AB 52:

- Cahuilla Band of Indians
- Gabrieleno Band of Mission Indians - Kizh Nation
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino/Tongva Nation
- Gabrielino-Tongva Tribe
- Santa Rosa Band of Cahuilla Indians
- Soboba Band of Luiseno Indians

On May 19, 2025, the Kizh Nation formally requested consultation. Following this request, City staff provided the Kizh Nation with additional information that no ground disturbance would occur. On May 22, 2025, the Kizh Nation provided additional correspondence stating that formal consultation would not be necessary; however, should any ground disturbance occur in the future as a result of these amendments or any related implementation, they requested that a Kizh Nation tribal monitor be present. Refer to Appendix C for correspondence from the Native American Heritage Commission and the Kizh Nation. No further communication was received by Kizh Nation or any other tribes contacted on May 19, 2025. Therefore, no impacts would occur.

4.19 – Utilities and Service Systems

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

a) No Impact. The Project involves updating regulations in the existing MBMC and MBLCP related to outdoor dining and commercial vehicle loading. Implementation of the Project would not increase the demand for water, wastewater treatment, electrical power, natural gas, or telecommunications facilities which could cause significant environmental effects. Therefore, no impacts would result.

b) No Impact. The anticipated scale of the project implementation for outdoor dining on sidewalks or on private property would occur on infill sites that are already served by well-established systems and utilize existing sources at the Eating and Drinking Establishments without requiring additional sources of water. In addition, no water supply is necessary for street signage and enforcement of commercial vehicle loading provisions proposed as part of the Project. Therefore, no impacts would occur.

c) No Impact. Regional wastewater services are provided to the City and neighboring agencies by the Los Angeles County Sanitation District for treatment at the Joint Water Pollution Control Plant (JWPCP) in the City of Carson.²⁸ In 2015, JWPCP had a treatment capacity of approximately 400 million gallons per day and the total volume of wastewater collected from the City's service area was 3,340-acre feet, or approximately 2,981,759 gallons per day, which represented less than 1% (or approximately 0.75%) of the total JMPCP capacity.²⁹ Given the sufficient capacity available and how outdoor dining patrons would be limited in numbers, as estimated by the City in Section 4.17(b) – Transportation and Traffic, revisions or upgrades to the collection or conveyance system would not be necessary. Furthermore, no additional wastewater treatment capacity would be needed to regulate commercial vehicle loading activities. Therefore, no impacts would result.

d) Less Than Significant Impact. While commercial vehicle loading provisions and its implementation would have no impacts, additional solid waste could be generated with an increase in patrons due to outdoor dining opportunities that expand operations beyond the indoor footprint. As such, new provisions in Section 7.36.160.L in Table 1 and MBMC Section 10.60.080.C.6/MBLCP A.60.080.C.6 in Table 2 in the Project Description section are proposed to ensure adequate waste management is in place when the Project is implemented. Therefore, less than significant impacts would result.

e) No Impact. Implementation of the Project for outdoor dining activities would require review and approval by the City's Public Works Department that administers solid waste for compliance with federal, state, and local management regulations. (Refer to Table 1 and 2 in the Project Description section above for more information.) Commercial vehicle loading would have no impacts as solid waste also require compliance with applicable regulations as well. Therefore, no impacts would occur.

4.20 – Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

a) No Impact. According to the CALFIRE Fire Hazard Severity Zone Maps, the City is not located in a State Responsibility Area or an area classified as a Very High Fire Hazard Severity Zone.³⁰ As such, there is no risk of wildfire fire in the City and no impacts would occur.

b) No Impact. The City is a fully urbanized area with no native vegetation or critical habitat that would exacerbate wildfire risks, thereby exposing occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.³¹ Therefore, no impacts would occur.

c) No Impact. There is no risk of wildfire fire in the City as discussed above that would require installation or maintenance of associated infrastructure. Therefore, no impacts would occur.

d) No Impact. Project implementation would not generate any known risk of wildfire that would expose people or structures to significant risks as a result of runoff, post-fire instability or drainage changes. Therefore, no impacts would occur.

4.21 – Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable?	☐	☐	☒	☐
c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) Less Than Significant Impact. As discussed in this Section 4.4 – Biological Resources, the City is fully developed with an urban environment that does not support sensitive vegetation, wildlife species, or habitat. In addition, implementation of the Project does not involve any ground disturbance that would potentially impact examples of major periods in California prehistory as noted in Section 4.5 - Cultural Resources and Section 4.18 - Tribal Cultural Resources. Any improvements authorized by the Project would be an accessory to existing Eating and Drinking Establishments or the public right of way signage system.

For the reasons stated in this Initial Study, impacts associated with the Project would either result in no impacts or less than significant impacts where the Project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, impacts would be less than significant, and no mitigation is required.

b) Less Than Significant Impact. For the reasons stated in this Initial Study, the Project would not potentially result in any significant impacts and would not have the potential to contribute to cumulative impacts. Any foreseeable improvements authorized by implementing the Project would be subject to the same regulatory framework, policies, and plans described throughout this Initial Study, such as the General Plan, MBMC, and MBLCP, to avoid or minimize the environmental effects associated with

outdoor dining and commercial vehicle loading through compliance with applicable regulations. Furthermore, the Project is not anticipated to result in substantial new development and as such, will not contribute to cumulative impacts or have cumulatively considerable impacts. Therefore, cumulative impacts would be less than significant, and no mitigation is required.

c) Less Than Significant Impact. For the reasons stated in this Initial Study, the Project would not exceed any significance thresholds or result in significant impacts in the environmental categories typically associated with indirect or direct effects to human beings. As previously noted, impacts associated with the Project would either result in no impacts or less than significant impacts. In addition, the Project does not have the potential to result in limited or cumulative impacts that may affect human beings. Any improvements authorized by the Project would be accessory in nature to the main use and limited in scope. Therefore, impacts would be less than significant, and no mitigation is required.

5 Response to Comments

In accordance with the CEQA Guidelines Section 15074(b), the lead agency must consider the proposed Negative Declaration together with any comments received during the public review process, prior to approving the Project. During the 31-day public review period which began on August 22, 2025 and ended on September 22, 2025, a total of two comments were received from individuals on the Draft Initial Study and Negative Declaration.

While written responses to comments are not required, the City of Manhattan Beach, as lead agency, has prepared written responses to the comments received for consideration. The comment letters and the City's responses follow.

From: bridgette.bridgettegoodman.com
To: [Outdoor Dining: Jaehee Yoon, AICP](#)
Subject: [EXTERNAL] Outdoor Dining Task Force Concerns 8-26-25
Date: Tuesday, August 26, 2025 4:40:05 PM
Attachments: [Outdoor Dining Task Force.pdf](#)

Letter 1

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Hi Jaehee,

Regarding Section 7-36-160-C and 7-36-169-R

I have raised my concerns multiple times, yet nothing seems to change. Who will be responsible for monitoring the current outdoor dining downtown? If the city intends to proceed with the current situation, there must be clear enforcement in place. We have already spoken in detail about permits and the repercussions, but at the moment there appears to be no active monitoring. So, who will be responsible for ensuring compliance?

As we discussed before, the sidewalks downtown are narrow. Outdoor dining can work, but only if tables, chairs, and bicycles are not blocking the pedestrian right of way. On Sunday, August 23, 2025, I took photos (attached) showing these obstructions.

City Code 7-36-160-C and 7-36-160-R makes it clear that sidewalks must remain accessible, yet at present this is not being enforced. How does the City plan to monitor and ensure compliance?

Slay Fish and Steak has 2 tables against restaurant; on the opposite side they have chairs set up. 7-36-160-R

Post and Fishing with Dynamite have four top and 6 tops, not to mention the busing station. As you can see, when a four top or six top chair is pushed out and a waiter is serving the table there's absolutely zero space to get by. 7-36-160-S and 7-36-160-C

Dash Dashi have planters around poles with dead plants in them. Not only are they ugly but they are in the way of the sidewalk. 7-36-160-C / 7-36-160-R

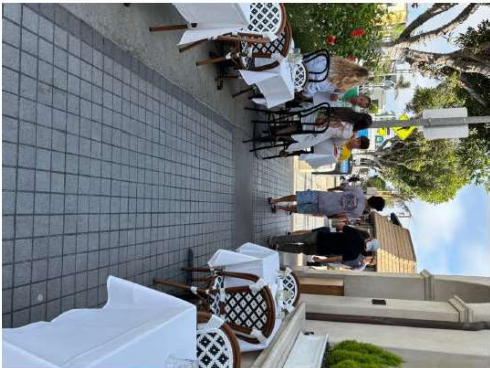
Nando Still has their bussing table and or hostess table outside and tables on both sides. 7-36-160-C

El Sombreo have extra chairs stacked outside. 7-36-160-R

Fete don't even know why they need to have tables outside when they have an outdoor indoor dining experience.

Slay Italian have so many tables you could barely get through. At this point they have another full restaurant outside. Tables are on both sides of the sidewalk, and they put a table in the Manhattan Beach shuttle bus/ commuter bus space. 7-36-160-C

Uncle Bill's is grandfathered in. However, I believe they're taking advantage of the city. They have so many chairs and umbrellas outside. The chairs and tables continue to push further down Highland Avenue. 7-36-160-C and 7-36-160-R



Slay Italian 1



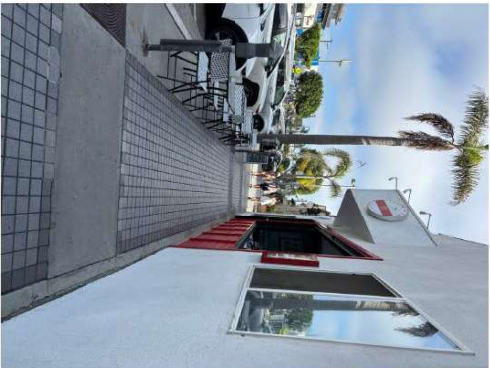
Slay Italian 2



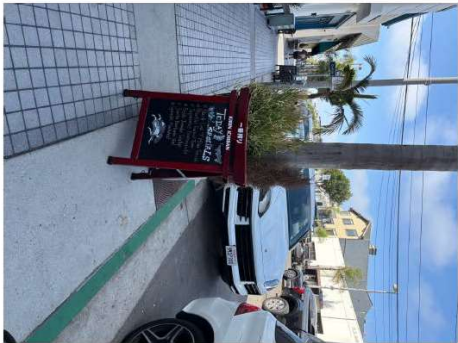
Slay Italian 3



El Sombrero



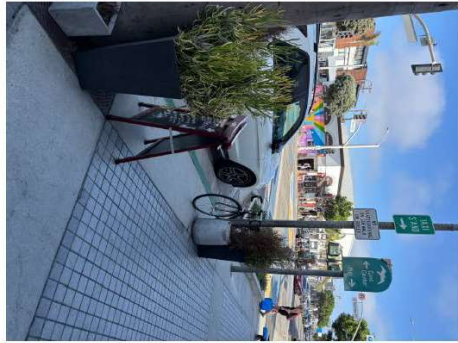
Fete



Dash Dash 1



Dash Dash 2



Dash Dash 3



Slay Steak



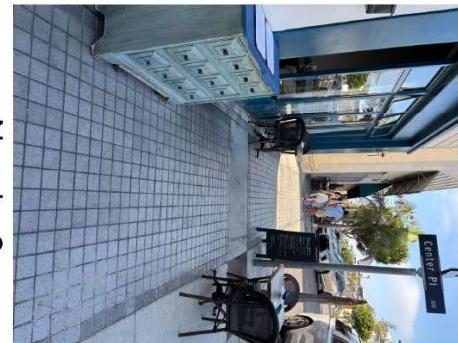
FWD 1



FWD 2



Nando 1



Nando 2

Response to Letter 1.

The code sections referenced in the comment letter are part of the sidewalk dining ordinance regarding outdoor dining objects that are allowed or prohibited. The comment raises concerns over the narrow sidewalks in Downtown with examples of how various objects placed by numerous Eating and Drinking Establishments are obstructing the sidewalk clearance, and with insufficient monitoring and enforcement. One of the goals of the overall outdoor dining regulatory program is to address the issues raised in the comment letter, and specifically, the sidewalk dining regulations and restrictions contemplated by the amendments are intended to address these issues. Further the issues raised do not show that there is any potential for a significant environmental impact as a result of the project. Finally, the comment is noted and was forwarded to the Code Enforcement Division, who provided a status update to the commenter on current enforcement activities in Downtown.

From: [George Kaufman](#)
To: [Jaehye Yoon, AICP](#)
Subject: [EXTERNAL] Objection to "Outdoor Dining Ordinance Amendment Draft Initial Study and Negative Declaration"
Date: Monday, September 22, 2025 3:15:22 PM

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Greetings,

In reviewing the "Outdoor Dining Ordinance Amendment Draft Initial Study and Negative Declaration," the proposed ordinance amendment that jumped out at us as plainly objectionable, provides as follows:

"A.60.080. Outdoor facilities.C. Performance Standards. Outdoor facilities are subject to the following: (9.) **Proposed Amendment to Outdoor dining above the ground floor shall not face or be located less than 15 feet away from residential uses.** Noise mitigation measures, on file with the Community Development Department and updated from time to time, shall be incorporated into the outdoor dining area design. Outdoor dining balconies over the right-of-way are prohibited unless previously approved prior to this provision taking effect. Any such balconies shall not be expanded." (Emphasis added).

Concerning this proposed amendment, the "Evaluation of Environmental Impacts" section provides in pertinent part as follows:

"4.13 Excerpt (pp. 41-42): **"Noise... (a) Less than Significant Impact**The Project also includes codifying regulations for outdoor dining areas above the ground level on private property instead of requiring approval of a Use Permit, which is the current practice for eligible parcels in Downtown. This is because there are a variety of noise sources subject to various transmission and attenuation factors for outdoor dining areas above the ground floor that could potentially affect nearby residences with additional noise sources generated. Each potential outdoor dining area above the ground floor would have different noise generation, transmission, and attenuation characteristics that are dependent on site-specific factors that are not known at this time. Additionally, each individual dining area may or may not have cause for noise concerns. Nonetheless, potential noise impacts associated with outdoor dining areas above the ground floor would be addressed by requiring implementation and adherence to the sound attenuation guidelines (see Appendix B) in MBMC Section 10.60.080.C.9/MBLCP Section A.60.080.C.9 (see Table 2 in Section 2.8 – Project Description). Outdoor Dining Ordinance Amendment City of Manhattan Beach 41 4 – Evaluation of Environmental Impacts Furthermore, the proposed Project related to outdoor dining regulations would limit excessive noise by regulating amplified music, live outdoor entertainment, and distance to residential uses, to name a few. (Refer to Tables 1, 2 and 3 in the Project Description section above for

more information.) ***With the additional provisions in the proposed amendments, which would not conflict with the City's General Plan or Noise ordinance, outdoor dining and commercial vehicle loading activities would result in less impacts compared to existing regulations. Therefore, impacts would be less than significant.***" (Emphasis added).

Discussion:

Common sense dictates that above ground outdoor dining 15 feet from a residence is inarguably a noise problem, and no purported sound mitigation will be able to overcome that problem. Recall for example, the lengthy proceedings concerning Shade and its Zinc lounge, which included noise issues raised by residents from the other side of Valley- Ardmore!

The argument is raised by this amendments proponents that existing regulations are less restrictive than this amendment. However, this is essentially a red herring, because to our knowledge, the issue of second floor outdoor dining in close proximity to residences has not come up previously, and as such, did not require a published regulation. Now, as a result of the pandemic, outdoor dining has become more commonplace. Thus, by the same token, regulation that might not have previously been necessary must be implemented to keep pace. It is certainly not smart regulation to allow extreme results such as second floor dining 15 feet from residential uses.

In fact, while downtown is primarily residential, there are numerous restaurant locations downtown which are not proximate to residences. There is no need to open Pandora's box to allow second floor dining ***throughout*** the downtown, and certainly not 15 feet from residences. (For example, as the Planning commission noted 10/9/24, Esperanza, which then successfully proposed second floor outdoor dining, has no residences in proximity in any direction).

The Negative Declaration's contention that the noise impacts of this amendment are "less than significant," and the amendment itself, should each be rejected.

Thank you for your attention to this matter.

George Kaufman
Kathy Smith
Downtown Residents

Response to Letter 2.

The comment raises concerns on private property outdoor dining regulations related to outdoor dining above the ground floor and its noise impact analysis in the Draft Initial Study and Negative Declaration. Specifically, the comment notes that allowing potential outdoor dining areas above the ground floor throughout Downtown with a minimum 15-foot buffer from residential uses is inadequate to address noise impacts to residents in the vicinity and, therefore, disagrees with the impact being less than significant.

In January 2019, the City Council adopted the second-floor outdoor dining guidelines for the Downtown Commercial zone where a number of parcels are allowed to do so with a Use Permit, which also requires submitting a project-specific sound attenuation plan prepared by an acoustic engineer or equally qualified professional. During the long-term outdoor dining program development, City staff was directed by the City Council to work with the outdoor dining task force to revisit the second-floor outdoor dining guidelines to codify regulations that would make it more conducive to accommodate outdoor dining on private property versus the right-of-way. The provisions contained in the draft ordinance as it pertains to outdoor dining above the ground floor are based on recommendations from the task force who discussed the topic at great length. (See outdoor dining task force meeting minutes from March 26, April 23, and May 28, 2024).

The 15 feet buffer in question was recommended after reviewing each commercial parcel in Downtown and North Manhattan Beach, two areas that were most active during the temporary outdoor dining program and anticipated to be in the future, that considered the following:

- Lot depth from the main street, which was typically a minimum of 30 feet
- Potential sliding scale buffers with a minimum setback
- Potential orientation of the outdoor dining areas
- Identification of parcels that directly or diagonally face residential zones
- Placement of barrier walls when abutting residential uses
- Precedents found in other jurisdictions (e.g., Santa Monica: 15 feet from property line abutting residential uses; Laguna Beach: 8 feet from edge of building; etc.)

The resulting proposed regulations are intended to ease requirements where possible as there are numerous physical constraints that most sites would need to address in strict compliance with ADA, building and fire code, and trash enclosure requirements to name a few. Accordingly, the provisions focused on areas that can provide some form of relief through a ministerial process and address potential noise concerns with a universal buffer from residential uses, along with prohibiting them from facing residential uses at any distance. In addition, sound attenuation guidelines, prepared by the consultant team, would be required to be incorporated into their design, which established a tiered approach with progressively stringent noise attenuation measures intended to address potential impacts associated with a proposed project in the future depending on the location and operational characteristics. Specifically, the three-tiered approach would be applied through the following priority:

1. Minimize the amount of sound that can be generated by outdoor dining activities and potentially transmitted to sensitive receptors with consideration to the design and layout, building materials, and regulations on amplified music and sound.
2. Minimize the direct transmission of sound to sensitive receptors by requiring all outdoor dining areas to have solid perimeter walls/barriers, except when existing features fully block the line of sight to adjacent sensitive receptors.
3. Minimize the potential for sound to pass over perimeter walls/barriers to reach sensitive receptors by providing overhead structures/features in noise concern areas.

It should be noted that the Planning Commission recommended a Use Permit or a Use Permit amendment requirement when alcohol service is proposed as part of private property outdoor dining areas that are either within 150 feet of a residential zone, above the ground floor, or operate beyond 10:00 p.m. As a discretionary review where project specific conditions can be imposed to further protect the general health, safety, and welfare of the surrounding neighborhood, this requirement would help further mitigate potential noise impacts beyond those included in the sound attenuation guidelines.

As noted in the Draft Initial Study and Negative Declaration, hours of operation, amplified sound, and live outdoor entertainment regulations will be enforced for outdoor dining areas and future operations would require compliance with the City's General Plan Noise Element, Manhattan Beach Municipal Code Chapter 5.48 (Noise Regulations), and all other applicable state and federal requirements. With additional regulations codified specific to address noise impacts through placement, orientation, and design of the outdoor dining area, the Project would have less than significant impacts on the environment.

6.1 – List of Preparers

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- Kevin Shannon, Senior Planner

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Chapter 7.36 PRIVATE USE OF THE PUBLIC RIGHT OF WAY

...

7.36.160 Sidewalk dining encroachment permits.

Sidewalk dining immediately adjacent to existing restaurants may be permitted on public sidewalks within vehicular street right of ways, in the CD or CNE districts, with a sidewalk dining encroachment permit issued pursuant to this section. The purpose of the sidewalk dining permit program is to promote restaurant, outdoor dining, and pedestrian oriented activity within the City's business areas, while safeguarding public safety and minimizing impacts to nearby residential properties. Permits may be modified or revoked by the City Council if the applicant repeatedly fails to comply with any of the above requirements, or if the public's priority for use of City right of way causes the previously approved sidewalk dining use to be found to be inappropriate. With a recommendation from the Parking and Public Improvements Commission, the Director of Community Development shall have the authority to condition or modify the minimum standard requirements in this section, if necessary to protect public health, safety, or welfare.

Each permit issued for sidewalk dining shall comply with the following minimum standards:

- A. All permits are subject to temporary modification or suspension at any time based on the public's priority for use of City right of way as determined to be appropriate by the Chief of Police or Director of Public Works.
- B. ~~Title 24 of the California Government Code regarding persons with disabilities requirements for An~~ unobstructed sidewalk width ~~of at least minimum forty-eight~~sixty inches (~~48~~60"") must be maintained at all times. Any vertical projections above the sidewalk area must have a minimum height clearance of eighty-four inches (84").
- C. Applicants and their customers may not place any objects (i.e. umbrellas, heaters, planters, fencing, bussing stations, etc.) in the right of way other than dining tables and chairs (~~no umbrellas, heaters, or bikes/dogs tied to parking meters, etc.~~) without a permit. Objects within the vehicular street right of ways that cause a traffic safety issue, as determined by the City Traffic Engineer, or coastal view impairment are prohibited at any time.
- D. Exterior lighting equipment that may present a tripping hazard is not permitted.
- E. Temporary electrical connections, such as extension cords, are not permitted.
- F. Alcoholic beverages may ~~not~~ be served or consumed in the sidewalk dining area with a Use Permit or Use Permit amendment and subject to approval by the California Department of Alcoholic Beverage Control.
- G. Dancing is prohibited.
- H. Amplified ~~music~~sound and live outdoor entertainment ~~are~~is prohibited, unless a permit is issued pursuant to Section 5.48.150 (Amplified sound permits).
- I. Dining activities must conclude by 10:00 p.m. Tables and chairs must be removed from the sidewalk by 10:30 p.m. Tables and chairs cannot be stored on the sidewalk at any time outside of the establishments' business hours.
- J. All exits and means of egress from establishments and businesses must be maintained and not obstructed in any manner.
- K. Sidewalk dining activities must comply with all City codes, including but not limited to, building, fire, Use Permit and zoning code requirements (~~parking, occupancy, etc.~~).

- L. Sidewalk dining area occupancy shall be determined by the availability of an adequately sized trash enclosure on the premises and service levels, subject to review and approval by the Public Works Department, prior to permit issuance. Otherwise, ~~only existing tables used inside the restaurant may be used for sidewalk dining unless additional parking and zoning approval is provided in accordance with the Municipal Code.~~ Changes in occupancy shall not require a Use Permit or a Use Permit amendment.
- M. The portion of sidewalks used for dining must be cleaned regularly and consistently kept free of litter by the applicant.
- N. The applicant must provide an insurance endorsement and complete a Hold Harmless agreement, to the satisfaction of the City Risk Manager.
- O. The applicant must submit an application for a permit and pay an established permit fee as set forth by resolution of the City Council.
- P. Permits are issued to business owners rather than property owners and are not considered an entitlement to the adjacent private property. New business owners must apply for a new permit.
- Q. Off-street parking requirements in Chapter 10.64 shall apply to the sidewalk dining area, unless approved prior to this provision taking effect. As an alternative, a minimum of 5 bicycle parking spaces on the premises for each vehicle parking space required may meet this requirement.
- R. Sidewalk dining permits authorize tables and chairs utilized for dining only. Furniture shall not be used by customers waiting to be seated for dining.
- S. In areas with standard-width sidewalks (9.5 feet), only two-seat tables shall be used.
- T. Placement and quantity of dining tables and chairs shall match the approved plan during operational hours.
- U. Permits shall be valid for a period of one (1) year or until March 1st, whichever occurs first.
- V. If a business fails to comply with the terms and conditions of an approved sidewalk dining permit, the Community Development Director shall have the authority to revoke the permit upon confirmation by the Community Development Director or their designee of a third violation within a one-year period following the first violation, pursuant to the provisions of Section 7.36.110. If revoked, the permittees shall be unable to reapply under this section for a one-year period from the date the permit is revoked.

(§ 1, Ord. 2039 , eff. February 18, 2003; Ord. No. 20-0010 , § 8, eff. July 21, 2020)

7.36.170 Long-term commercial use encroachment permits.

A. Commercial use of the public right-of-way requires City Council approval.

Exceptions. The Director of Community Development may approve the following:

- a. Sidewalk dining permits applicable to vehicular streets in conformance with Section 7.36.~~110-160~~ of this chapter.
- b. Building projections such as eaves, awnings, signs or elements that benefit the public and comply with applicable codes.
- c. Roof access or other elements for existing buildings that are required by applicable codes, when alternative on-site locations are not feasible.

Note: Any work performed in the public right-of-way requires a separate permit pursuant to the requirements as set forth in Chapter 7.16 of this Code.

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- | **B. Commercial use of a walk street is prohibited.** Existing long-term uses conducted on a walk street under the authority of an Encroachment Permit approved prior to January 21, 2003 may continue to operate provided the use is not expanded or intensified. Expansion of intensification includes but is not necessarily limited to: increase of floor area or expansion of hours of operation, or addition of alcohol beverage service.

| (§ 1, Ord. 2039 , eff. February 18, 2003; Ord. No. 20-0010 , § 9, eff. July 21, 2020)

DRAFT

Manhattan Beach Local Coastal Program_Implementation Plan

CHAPTER 7.36 PRIVATE USE OF THE PUBLIC RIGHT OF WAY

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7.36.160 Sidewalk Dining Encroachment Permits

Sidewalk dining immediately adjacent to existing restaurants may be permitted on public sidewalks within vehicular street right of ways, in the CD and CNE districts, with a sidewalk dining encroachment permit issued pursuant to this Section. The purpose of the sidewalk dining permit program is to promote restaurant, outdoor dining, and pedestrian oriented activity within the City's business areas, while safeguarding public safety and minimizing impacts to nearby residential properties. Permits may be modified or revoked by the City Council if the applicant repeatedly fails to comply with any of the above requirements, or if the public's priority for use of City right of way causes the previously approved sidewalk dining use to be found to be inappropriate. With a recommendation from the Parking and Public Improvements Commission, the Director of Community Development shall have the authority to condition or modify the minimum standard requirements in this section, if necessary to protect public health, safety, or welfare.

Each permit issued for sidewalk dining shall comply with the following minimum standards:

- A. All permits are subject to temporary modification or suspension at any time based on the public's priority for use of City right of way as determined to be appropriate by the Chief of Police or Director of Public Works.
- B. ~~Title 24 of the California Government Code regarding persons with disabilities requirements for~~ An unobstructed sidewalk width ~~(of at least minimum 48 60 inches (60"))~~ must be maintained at all times. Any vertical projections above the sidewalk area must have a minimum height clearance of eighty-four inches (84").
- C. Applicants and their customers may not place any objects (i.e. umbrellas, heaters, planters, fencing, bussing stations, etc.) in the right of way other than dining tables and chairs ~~(no umbrellas, heaters, or bikes/dogs tied to parking meters, etc.)~~ without a permit. Objects within the vehicular street right of ways that cause a traffic safety issue, as determined by the City Traffic Engineer, or coastal view impairment are prohibited at any time.
- D. Exterior lighting equipment that may present a tripping hazard is not permitted.
- E. Temporary electrical connections, such as extension cords, are not permitted.
- F. Alcoholic Beverages may ~~not~~ be served or consumed in the sidewalk dining area with a Use Permit or Use Permit amendment and subject to approval by the California Department of Alcoholic Beverage Control.
- G. Dancing is prohibited.

Manhattan Beach Local Coastal Program_Implementation Plan

- H. Amplified ~~music sound and live outdoor entertainment are~~ prohibited, unless a permit is issued pursuant to Chapter 5.48.150 (Amplified sound permits).
- I. Dining activities must conclude by 10:00pm. Tables and chairs must be removed from the sidewalk by 10:30pm. Tables and chairs cannot be stored on the sidewalk at any time outside of the establishments' business hours.
- J. All exits and means of egress from establishments and businesses must be maintained and not obstructed in any manner.
- K. Sidewalk dining activities must comply with all City codes, including but not limited to, building, fire, Use Permit and zoning code requirements ~~(parking, occupancy, etc.)~~.
- L. Sidewalk dining area occupancy shall be determined by the availability of an adequately sized trash enclosure on the premises and service levels, subject to review and approval by the Public Works Department, prior to permit issuance. Otherwise, Only existing tables used inside the restaurant may be used for sidewalk dining ~~unless additional parking and zoning approval is provided in accordance with the Municipal Code. Changes in occupancy shall not require a Use Permit or a Use Permit amendment.~~
- M. The portion of sidewalks used for dining must be cleaned regularly and consistently kept free of litter by the applicant.
- N. The applicant must provide an insurance endorsement and complete a Hold Harmless agreement, to the satisfaction of the City Risk Manager.
- O. The applicant must submit an application for a permit and pay an established permit fee as set forth by resolution of the City Council.
- P. Permits are issued to business owners rather than property owners and are not considered an entitlement to the adjacent private property. New business owners must apply for a new permit.
- Q. Off-street parking requirements in Chapter A.64 shall apply to the sidewalk dining area, unless approved prior to this provision taking effect. As an alternative, a minimum of 5 bicycle parking spaces on the premises for each vehicle parking space required may meet this requirement.
- R. Sidewalk dining permits authorize tables and chairs utilized for dining only. Furniture shall not be used by customers waiting to be seated for dining.
- S. In areas with standard-width sidewalks (9.5 feet), only two-seat tables shall be used.
- T. Placement and quantity of dining tables and chairs shall match the approved plan during operational hours.

U. Permits shall be valid for a period of one (1) year or until March 1st, whichever occurs first.

P-V. If a business fails to comply with the terms and conditions of an approved sidewalk dining permit, the Community Development Director shall have the authority to revoke the permit upon confirmation by the Community Development Director or their designee of a third violation within a one-year period following the first violation, pursuant to the provisions of Section 7.36.110. If revoked, the permittees shall be unable to reapply under this section for a one-year period from the date the permit is revoked.

7.36.170 Long-term Commercial Use Encroachment Permits

- A. Commercial use of the public right of way requires City Council approval. Exceptions. The Director of Community Development may approve the following:
 - a. Sidewalk dining permits applicable to vehicular streets in conformance with Section 7.36. ~~160110~~ of this chapter.
 - b. Building projections such as eaves, awnings, signs or elements that benefit the public and comply with applicable codes.
 - c. Roof access or other elements for existing buildings that are required by applicable codes, when alternative on-site locations are not feasible.
- B. Commercial use of a walk street is prohibited. Existing long-term uses conducted on a walk street under the authority of an Encroachment Permit approved prior to January 21, 2003 may continue to operate provided the use is not expanded or intensified. Expansion of intensification includes but is not necessarily limited to: increase of floor area or expansion of hours of operation, or addition of alcohol beverage service.

10.60.080 Outdoor facilities.

The purpose of this section is to permit and regulate commercial outdoor displays of merchandise on private property and materials in order to encourage visual interest along commercial streets and support the business community while minimizing adverse aesthetic impacts to the public and nearby residential uses.

A. **What is Permitted.** Outdoor facilities activities may include:

1. Outdoor display of merchandise (except bulk inventory), materials (including chairs and benches for customer waiting) and equipment including items for customer pick-up, on the site of and operated by a legally established business.
2. Outdoor food and beverage service and outdoor dining on the site of and operated by a legally established business and accessory to an eating and drinking establishment or food and beverage sales business with incidental seating area, as defined in Section 10.08.050. Outdoor food and beverage service and dining on public property is not regulated by this section and requires an encroachment permit pursuant to Chapter 7.36 of this Code.

B. **Where Permitted.** Outdoor facilities authorized by this section are permitted for all legally established commercial and industrial uses. Notwithstanding the aforementioned, outdoor facilities are prohibited in all residential districts.

C. **Performance Standards.** Outdoor facilities are subject to the following:

1. Outdoor display of merchandise or materials shall not occupy public property, and may not occupy more than fifty percent (50%) of the total "tenant frontage" of a building as defined in Section 10.72.030 of this title.
2. Yards, screening, or planting areas may be required to prevent adverse impacts on surrounding properties. The height of merchandise, materials, and equipment stored or displayed shall not exceed the height of the screening fence or wall, if required.
3. There shall be no outdoor preparation of food or beverages associated with outdoor dining where food is consumed at tables.
4. Amplified sound and live outdoor entertainment are subject to Chapter 4.20 (Amusements—dances and cafe entertainment) and Chapter 5.48 (Noise regulations).
 - a. Exception: Amplified sound and live outdoor entertainment shall be prohibited in outdoor dining areas above the ground floor, including indoor dining areas that are not fully enclosed on the same level.
5. Alcoholic beverages may be served or consumed in outdoor dining areas that are within 150 feet of a residential zone, above the ground floor, or operate beyond 10:00 p.m., only if a Use Permit or a Use Permit amendment is obtained and subject to approval by the California Department of Alcoholic Beverage Control.
6. Outdoor dining area occupancy shall be determined by the availability of an adequately sized trash enclosure on the premises and service levels, subject to review and approval by the Public Works Department, prior to permit issuance. Otherwise, only existing tables used inside the restaurant may be used in the outdoor dining area. Changes in occupancy or minor expansions to the indoor dining areas above the ground floor solely to accommodate access to the outdoor dining area on the same level shall not require a Use Permit or a Use Permit amendment.
7. Off-street parking requirements in Chapter 10.64 shall apply to the outdoor dining areas, unless approved prior to this provision taking effect. As an alternative, a minimum of 5 bicycle parking

spaces on the premises for each vehicle parking space required may meet this requirement. If outdoor dining is provided on off-street parking spaces, the minimum required parking spaces and dimensions per Chapter 10.64 shall be maintained at all times. Outdoor dining shall only occur within off-street parking spaces that are not required to meet the minimum parking code requirements.

8. Outdoor dining activities must conclude by 10:00 p.m.

Exception: Eating and drinking establishments with outdoor dining located on the ground floor more than 150 feet away from residential uses may operate in compliance with other associated permits applicable to the business.

9. Outdoor dining above the ground floor shall not face or be located less than 15 feet away from residential uses. Sound attenuation guidelines, included in the City of Manhattan Beach Outdoor Dining Guidelines, on file with the Community Development Department and updated from time to time, shall be incorporated into the outdoor dining area design. Outdoor dining balconies over the right-of-way are prohibited unless approved prior to this provision taking effect. Any such balconies shall not be expanded.

10. The business owner shall comply with all applicable federal, State, and local ordinances, codes, regulations and requirements.

D. Exceptions. Notwithstanding the provisions of subsections A, B, and C of this section, outdoor storage and display shall be permitted in conjunction with the following use classifications in districts where they are permitted or conditionally permitted:

1. Nurseries, provided outdoor display is limited to plants and related materials only.
2. Vehicle/equipment sales and rentals, provided outdoor display shall be limited to vehicles, boats, or equipment offered for sale or rent only.

E. Application. The owner of a business shall submit a written request with plans and an application fee, for an outdoor facilities permit ~~(which may consist of a letter)~~ to the Community Development Director. The request shall include a full description of the display activity, including but not necessarily limited to: types of items to be displayed, location on the site, and hours during which items are to be placed outdoors. The Community Development director shall review the application for compliance with performance standards contained in this section and may impose conditions to avoid adverse impacts such as but not limited to public safety impediments, visual clutter, and disorderly displays. Deviations related to outdoor dining shall require a Use Permit or a Use Permit amendment, except subsection C.4.a where no deviations are allowed.

F. Grounds for Denial—Revocation. If adverse impacts cannot be prevented, the Community Development Director shall deny the outdoor facilities permit application. If a business fails to comply with the terms and conditions of an approved outdoor facility permit the Community Development Director, after holding a hearing in the manner as set forth in Section 10.104.030, may revoke the permit upon confirmation by the Director of Community Development or their designee of a third violation within a one-year period following the first violation. If revoked, the permittee shall be unable to reapply under this section for a one-year period from the date the permit is revoked.

G. Duration and Renewal. Upon approval, an outdoor facilities permit, excluding outdoor dining above the ground floor, shall be valid for a period of one (1) year or until March 1st, whichever occurs first. Outdoor facilities permits may be renewed annually, upon finding by the Community Development Director that the business has complied with all imposed terms and conditions, and that no adverse impacts or nuisance conditions have resulted.

H. **Appeals.** Decisions of the Community Development Director may be appealed to the Planning Commission in accordance with Chapter 10.100 of this Code.

(Ord. No. 1832 , Amended, 01/17/91; Ord. No. 1838 , Renumbered, 07/05/91; Ord. No. 1891 , Amended, 01/06/94; § 3, Ord. 2007 , eff. November 18, 1999)

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Chapter A.60. Site Regulations - All Districts

A.60.080. Outdoor facilities.

The purpose of this section is to permit and regulate commercial outdoor displays of merchandise on private property and materials in order to encourage visual interest along commercial streets and support the business community while minimizing adverse aesthetic impacts to the public and nearby residential uses.

- A. What is Permitted. Outdoor facilities activities may include:
1. Outdoor display of merchandise (except bulk inventory), materials (including chairs and benches for customer waiting) and equipment including items for customer pick-up, on the site of and operated by a legally established business.
 2. Outdoor food and beverage service and outdoor dining on the site of and operated by a legally established business and accessory to an Eating and Drinking Establishment or Food and Beverage Sales business with incidental seating area, as defined in Section A.08.050. Outdoor food and beverage service and dining on public property is not regulated by this section and requires an Encroachment Permit pursuant to Chapter 7.36, Title 7 (Public Works) of the Municipal Code.
- B. Where Permitted. Outdoor facilities authorized by this section are permitted for all legally established commercial and industrial uses. Notwithstanding the aforementioned, outdoor facilities are prohibited in all residential districts.
- C. Performance Standards. Outdoor facilities are subject to the following:
1. Outdoor display of merchandise or materials shall not occupy public property, and may not occupy more than fifty percent (50%) of the total "tenant frontage" of a building as defined in Section 10.72.030/A.72.030 of the Sign Ordinance.
 2. Yards, screening, or planting areas may be required to prevent adverse impacts on surrounding properties. The height of merchandise, materials, and equipment stored or displayed shall not exceed the height of the screening fence or wall, if required.
 3. There shall be no outdoor preparation of food or beverages associated with outdoor dining where food is consumed at tables.
 4. Amplified sound and live outdoor entertainment are subject to Chapter 4.20 (Amusements—dances and cafe entertainment) and Chapter 5.48 (Noise regulations).
a.Exception: Amplified sound and live outdoor entertainment shall be prohibited in outdoor dining areas above the ground floor, including indoor dining areas that are not fully enclosed on the same level.

5. Alcoholic beverages may be served or consumed in outdoor dining areas that are within 150 feet of a residential zone, above the ground floor, or operate beyond 10:00 p.m., only if a Use Permit or a Use Permit amendment is obtained and subject to approval by the California Department of Alcoholic Beverage Control.
6. Outdoor dining area occupancy shall be determined by the availability of an adequately sized trash enclosure on the premises and service levels, subject to review and approval by the Public Works Department, prior to permit issuance. Otherwise, only existing tables used inside the restaurant may be used in the outdoor dining area. Changes in occupancy or minor expansions to the indoor dining areas above the ground floor solely to accommodate access to the outdoor dining area on the same level shall not require a Use Permit or a Use Permit amendment.
7. Off-street parking requirements in Chapter A.64 shall apply to the outdoor dining areas, unless approved prior to this provision taking effect. As an alternative, a minimum of 5 bicycle parking spaces on the premises for each vehicle parking space required may meet this requirement. If outdoor dining is provided on off-street parking spaces, the minimum required parking spaces and dimensions per Chapter A.64 shall be maintained at all times. Outdoor dining shall only occur within off-street parking spaces that are not required to meet the minimum parking code requirements.
8. Outdoor dining activities must conclude by 10:00 p.m.
Exception: Eating and drinking establishments with outdoor dining located on the ground floor more than 150 feet away from residential uses may operate in compliance with other associated permits applicable to the business.
9. Outdoor dining above the ground floor shall not face or be located less than 15 feet away from residential uses. Sound attenuation guidelines, included in the City of Manhattan Beach Outdoor Dining Guidelines, on file with the Community Development Department and updated from time to time, shall be incorporated into the outdoor dining area design. Outdoor dining balconies over the right-of-way are prohibited unless approved prior to this provision taking effect. Any such balconies shall not be expanded.
- 3-10. The business owner shall comply with all applicable federal, State, and local ordinances, codes, regulations and requirements.

D. Exceptions. Notwithstanding the provisions of subsections (A), (B), and (C) above, outdoor storage and display shall be permitted in conjunction with the following use classifications in districts where they are permitted or conditionally permitted:

1. Nurseries, provided outdoor display is limited to plants and related materials only.
2. Vehicle/Equipment Sales and Rentals, provided outdoor display shall be limited to vehicles, boats, or equipment offered for sale or rent only.

E. Application. The owner of a business shall submit a written request with plans and an application fee, for an outdoor facilities permit ~~(which may consist of a letter)~~ to the

Community Development Director. The request shall include a full description of the display activity, including but not necessarily limited to: types of items to be displayed, location on the site, and hours during which items are to be placed outdoors. The Community Development director shall review the application for compliance with performance standards contained in this section and may impose conditions to avoid adverse impacts such as but not limited to public safety impediments, visual clutter, and disorderly displays. Deviations related to outdoor dining shall require a Use Permit or a Use Permit amendment, except subsection C.4.a where no deviations are allowed.

- F. Grounds for Denial: Revocation. If adverse impacts cannot be prevented, the Community Development Director shall deny the outdoor facilities permit application. If a business fails to comply with the terms and conditions of an approved outdoor facility permit the Community Development Director, after holding a hearing in the manner as set forth in MBMC Section 10.104.030, may revoke the permit upon confirmation by the Director of Community Development or their designee of a third violation within a one-year period following the first violation. If revoked, the permittees shall be unable to reapply under this section for a one-year period from the date the permit is revoked.
- G. Duration and Renewal. Upon approval, an outdoor facilities permit, excluding outdoor dining above the ground floor, shall be valid for a period of one (1) year or until March 1st, whichever occurs first. Outdoor facilities permits may be renewed annually, upon finding by the Community Development Director that the business has complied with all imposed terms and conditions, and that no adverse impacts or nuisance conditions have resulted.
- H. Appeals. Decisions of the Community Development Director may be appealed to the Planning Commission in accordance with Chapter 10.100 MBMC.

Chapter 14.01 DEFINITIONS

Sections:

14.01.010 Definitions of words and phrases.

The following words and phrases when used in this chapter shall for the purpose of this chapter have the meanings respectively ascribed to them in this article.

14.01.020 Motor Vehicle Code definitions to be used.

Whenever any words or phrases used herein are not defined, but are defined in the Vehicle Code of the State of California and amendments thereto, such definitions shall apply.

14.01.030 Coach.

Any motor bus, coach, trackless trolley, or passenger stage used as a common carrier of passengers.

14.01.035 Commercial loading and unloading.

The stopping or standing of a commercial vehicle for the purpose of loading or unloading goods, wares or merchandise from or to any commercial building or structure.

14.01.040 Council.

The Council of the City of Manhattan Beach.

14.01.050 Curb.

The lateral boundary of the roadway whether such curb be marked by curbing construction, or not so marked; the word "curb" as herein used shall not include the line dividing the roadway of a street from parking strips in the center of a street, nor from tracks or rights of way of public utility companies.

14.01.060 Divisional island.

A raised island located in the roadway and separating opposing or conflicting streams of traffic.

14.01.070 Garages and carports.

- A. "Garage" shall mean, and be construed to mean, a public or private building constructed, intended for or actually used as a place for the housing, storing or safekeeping of a motor vehicle (as the words "motor vehicle" are defined in Section 415 of the Vehicle Code of the State).
- B. "Carport" shall mean, and be construed to mean, a cement concrete, black topped or other permanently improved space or area on public or private property (other than those actually located in public streets, alleys, drives, ways or places), which is constructed, provided or intended for, or which is actually used as, a

place upon which to place, store or park a motor vehicle (as the words "motor vehicle" are defined in Section 415 of the Vehicle Code of the State).

14.01.080 Holidays.

Within the meaning of this chapter, holidays are the first day of January, the twelfth day of February, the third Monday in February, the last Monday in May, the fourth day of July, the first Monday in September, the ninth day of September, the second Monday in October, the fourth Monday in October, the twenty-fifth day of December, and Thanksgiving Day. If the first day of January, the twelfth day of February, the fourth day of July, the ninth day of September, or the twenty-fifth day of December falls upon a Sunday, the Monday following is a holiday.

(§ 1, Ord. 1268, eff. April 6, 1972)

14.01.085 Large commercial vehicle.

A commercial vehicle as defined by Section 260 of the California Vehicle Code that is 30 feet or more in length.

14.01.090 Loading zone.

The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

14.01.100 Official time standard.

Whenever certain hours are named herein, they shall mean standard time or daylight saving time as may be in current use in this city.

14.01.110 Parkway.

That portion of a public right of way other than a roadway or sidewalk.

14.01.120 Passenger loading zone.

The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

14.01.130 Pedestrian.

Any person afoot.

14.01.140 Police officer.

Every officer of the Police Department of this City or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

14.01.150 Stop.

When required, means complete cessation of movement.

14.01.160 Vehicle Code.

The Vehicle Code of the State of California.

14.01.170 Walk street.

A dedicated public street which has been closed to vehicular traffic.

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Chapter 14.44 STOPPING FOR LOADING OR UNLOADING ONLY

Sections:

14.44.010 Authority to establish loading zones.

- A. The City Traffic Engineer is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:
 - 1. At any place in the business district.
 - 2. Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.
- B. Loading zones shall be indicated by yellow paint upon the top of all curbs within such zones.
- C. Passenger loading zones shall be indicated by white paint upon the top of all curbs in said zones.

(§ 1, Ord. 1804, eff. September 14, 1989)

14.44.020 Curb markings to indicate no stopping and parking regulations.

- A. Upon designation by the Chief of Police, the City Traffic Engineer is hereby authorized, subject to the provisions and limitations of this chapter, to place, and when required herein shall place, the following curb markings to indicate parking or standing regulations, and said curb markings shall have the meanings as herein set forth.
 - 1. Red shall mean no stopping, standing or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.
 - 2. For on-street parking facilities, yellow shall mean no stopping, standing, or parking at any time between 7:00 a.m. and 6:00 p.m. on any day for any purpose other than the loading or unloading of passengers, which shall not consume more than three (3) minutes, nor the loading or unloading of material more than twenty (20) minutes, unless otherwise posted. For off-street parking facilities, yellow shall mean no stopping, standing or parking at any time seven (7) days a week, twenty-four (24) hours a day including holidays for any purpose other than the loading or unloading of passengers, which shall not consume more than three (3) minutes, nor the loading or unloading of material more than twenty (20) minutes, unless otherwise posted. Appropriate signs shall be posted accordingly.
 - 3. White shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers, or for the purpose of depositing mail in an adjacent mailbox, which shall not exceed three (3) minutes and such restrictions shall apply between 7:00 a.m. and 6:00 p.m. on any day except as follows:
 - a. When such zone is in front of a hotel or in front of a mailbox, the restrictions shall apply at all times.
 - b. When such zone is in front of a theater, the restriction shall apply at all times except when such theater is closed.
 - c. Unless otherwise authorized and posted by the City Traffic Engineer.

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4. When the Chief of Police, as authorized under this chapter, has caused curb markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.
- B. The City Traffic Engineer is further authorized to establish special parking restrictions by posting appropriate signs to meet unusual needs on certain City streets or public facilities consistent with the limitations provided for in the California Vehicle Code.
- (§ 1, Ord. 1683, eff. July 3, 1984 and § 5, Ord. 13-0017, eff. September 20, 2013)

14.44.030 Effect of permission to load or unload.

- A. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of materials shall apply only to commercial vehicles and shall not extend beyond the time necessary therefor, and in no event for more than twenty (20) minutes.
- B. The loading or unloading of materials shall apply only to commercial deliveries, also the delivery or pick-up of express and parcel post packages and United States mail.
- C. Permission herein granted to stop or park for purposes of loading or unloading passengers shall include the loading or unloading of personal baggage but shall not extend beyond the time necessary therefor and in no event for more than three (3) minutes.
- D. Within the total time limits above specified the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

14.44.035 Commercial Vehicle Loading and Unloading.

- A. CD and CNE Zone: Large vehicle commercial loading and unloading activities within the CD and CNE Zones are prohibited on any streets and alleys less than 36 feet in width between 11 p.m. and 7 a.m., of the next day Sunday through Friday morning, and between 6 p.m. and 7 a.m. of the next day Friday through Sunday morning.
Exception: Streets and alleys without residential uses on either side of the block shall be exempt from this provision.
- B. When the Chief of Police, as authorized under this chapter, has caused commercial loading signs to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible loading restriction in violation of any of the provisions of this section.
- C. The City Traffic Engineer is further authorized to establish special loading restrictions by posting appropriate signs to meet unusual needs on certain City streets or public facilities consistent with the limitations provided for in the California Vehicle Code.

14.44.040 Standing for loading or unloading only.

No person shall stop, stand or park a vehicle in any yellow loading zone for any purpose other than loading or unloading passengers or materials for such time as is permitted in Section 14.44.030.

14.44.050 Standing in passenger loading zones.

No person shall stop, stand or park a vehicle in any passenger loading zone for any purpose other than loading or unloading of passengers for such time as is specified in Section 14.44.030.

14.44.060 Standing in any alley.

No person shall stop, stand or park a vehicle for any purpose other than loading or unloading of persons or materials in any alley.

14.44.070 Coach zones to be established.

- A. The Chief of Police is hereby authorized to establish bus zones opposite curb space for the loading and unloading of buses or common carriers of passengers and to determine the location thereof.
- B. Coach zones shall normally be established on the far side of an intersection.

14.44.080 Taxicab stands.

- A. After consulting with the City Traffic Engineer, the Chief of Police shall establish taxicab stands and determine the locations thereof.
- B. The curb surface within each taxicab stand shall be painted white and marked "Taxicab Stand" in red lettering, or shall be designated by signs of a type and size approved by the Chief of Police.
- C. No driver of a vehicle, other than a taxicab or vehicle for hire, shall stand or park such vehicle in a taxicab stand.
- D. During the time limits established pursuant to Municipal Code Section 3.24.070, no driver of a taxicab or vehicle for hire shall stand or park while awaiting employment at any place other than a taxicab stand designated by the Chief of Police, except for the active loading or unloading of passengers.
- E. No driver of a taxicab or vehicle for hire shall leave a vehicle unattended in a taxicab stand for a period of time longer than three (3) minutes.
- F. No driver of a taxicab or vehicle for hire may stop in a bus zone for purposes of loading or unloading passengers unless there is no other practicable location to safely and expediently load or unload such passengers.

(§ 1, Ord. 14-0005, eff. August 15, 2014)

City of Manhattan Beach

Outdoor Dining Policy Review: Sound Attenuation Guidelines

Recommended Planning and Sound Attenuation Design Guidelines

Outdoor dining areas above the ground floor include a variety of noise sources subject to various transmission and attenuation factors. Each potential outdoor dining area would have different noise generation, transmission, and attenuation characteristics that are dependent on site-specific factors that are not known at this time. Also, each individual dining area may or may not have cause for noise concerns. Given the lack of site-specific information available at this time, the following recommendations represent basic, preliminary sound attenuation design guidelines for Outdoor dining areas above the ground floor.¹

Planning Guidelines

Planning to limit potential noise concerns and prioritize appropriate sound attenuation design for individual outdoor dining areas:

1. Minimum setbacks or buffers could be established to increase the distance between outdoor dining areas and noise sensitive receptors.
2. Clear operating hours should be established for all outdoor dining areas.
3. Outdoor dining properties could be categorized by their potential for noise concerns (e.g., high, medium, low) based on the type of operation, proximity to sensitive receptors, and/or the dimensional value of the side(s) with an uninterrupted line of sight to a noise sensitive receptor. Properties with higher noise concerns would then be subject to more sound attenuation design measures.

Building/Dining Area Design Guidelines

In order of priority, design measures should: 1) Minimize the amount of sound that can be generated by outdoor dining activities and potentially transmitted to sensitive receptors; 2) Minimize the direct transmission of sound to sensitive receptors; 3) Minimize the potential for sound to pass over perimeter walls/barriers to reach sensitive receptors.

¹ MIG notes that the recommendations are made without consideration of cost factors, City-specific building/fire code requirements, etc. In this regard, MIG's preliminary recommendations may be further refined by the City.

Design Guideline 1: Minimize the amount of sound that can be generated by outdoor dining activities and potentially transmitted to sensitive receptors.

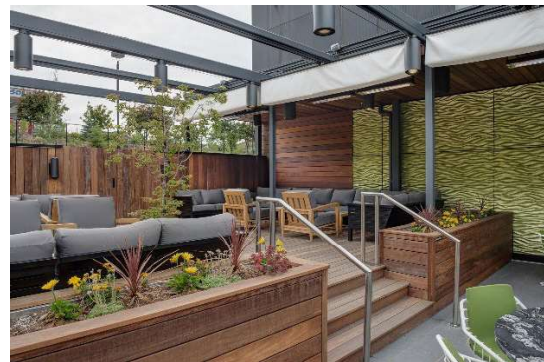
Basic Design Guidelines for Minimizing Sound Generation and Potential Transmission

1) Layout and Design:

- a) Outdoor Kitchen, Food Preparation Areas, and Bussing Stations Prohibited. Outdoor kitchen, food preparation areas, and bussing stations should be prohibited. This does not apply to bar areas/bussing stations.
- b) Bars. Bars and bar seating areas should be set back from the perimeter of the outdoor dining area.
- c) Seating. Customer seating should be oriented away from sensitive receptors directly adjacent to dining areas. Areas of dense seating should be set back from the perimeter of the dining area.
- d) Décor. Preference should be given to upholstered/cushioned or wooden seating and table materials.

- 2) Discouraged Building Materials.* Construction of expansive new walls and floors made of hard, reflective surfaces such as poured concrete, marble, brick, glazed tile, etc. should be discouraged unless such walls and floors incorporate sound attenuation measures per these guidelines.

Example photos/rendering from top to bottom: Bar set back from perimeter; seating oriented towards interior of dining area; and use of wood decking over concrete surface.



Design Guideline 1: Minimize the amount of sound that can be generated by outdoor dining activities and potentially transmitted to sensitive receptors.

3) Incorporate Sound Absorption Features.

- a) Floors. Preference should be given to soft, flexible surfaces such as wood flooring or decking or carpeting over foam or rubber base.
- b) Walls and Overhead Structures. Walls and overhead structures, particularly in high traffic areas where voices are likely to be focused or directed in a specific direction or area, should incorporate acoustic treatments such as slat wood paneling over acoustic fabric or foam, soft foam tiles, panels, or baffles, or heavy curtains.
- c) Treatments. Acoustically absorptive treatments should be optimized for the typical human voice frequency centered on 500 hertz.

4) Amplified and Non-Amplified Music and Sound Equipment Prohibited. Amplified and non-amplified music should be prohibited, without exception. Other sound generating equipment, such as TVs and radios should also be prohibited.

Example photos from top to bottom: Wood slat wall treatment; acoustic baffles over bar area; commercially available sound absorbing panels (soft foam).



Design Guideline 2: Minimize the direct transmission of sound to adjacent sensitive receptors by requiring all outdoor dining areas to have solid perimeter walls/barriers, except where existing walls, adjacent buildings, or other solid structures fully block the line of sight to adjacent sensitive receptors.

Basic Design Guidelines for Perimeter Walls/Barriers

- 1) *Design:* Perimeter walls/barriers shall be free of openings, cracks, gaps, etc., other than weep holes.
- 2) *Sound Transmission Class Rating:* Perimeter wall/barrier assemblies, including glass, plexiglass, and other solid transparent assemblies or components, shall be designed to achieve a minimum STC rating of 35.
- 3) *Assemblies:* Wood, steel, or other framed walls/barrier assemblies should be preferred over poured concrete, concrete block, and brick assemblies unless such reflective surfaces include planters, acoustic panels, etc.
- 4) *Façades/Finishes:* Glass, plastic, wood panel or siding, vinyl or other plastic panel or siding, gypsum board, or stucco façades and finished surfaces should be preferred over poured concrete, concrete block, and brick or brick veneer assemblies.
- 5) *Finished Heights:* The finished top of the wall/barrier should be a minimum of 6 feet above the finished floor elevation when blocking noise from areas where customers will primarily be seated (dining or other) and a minimum of 8 feet above the finished floor elevation when blocking noise from areas where customers would primarily be standing (dining or other).

Example photos from top to bottom: Solid non-transparent barrier; solid transparent barrier; solid combination barrier.



Design Guideline 2: Minimize the direct transmission of sound to adjacent sensitive receptors by requiring all outdoor dining areas to have solid perimeter walls/barriers, except where existing walls, adjacent buildings, or other solid structures fully block the line of sight to adjacent sensitive receptors.

Enhanced Design Guidelines for Perimeter Walls/Barriers

- 6) Sound Transmission Class Rating: Solid, non-transparent perimeter wall/barrier assemblies, shall be designed to achieve a minimum STC rating of 40. Glass, plexiglass, and other solid transparent assemblies shall be prohibited.
- 7) Finished Heights: Where receptors are located within 100 feet of, and at a higher elevation than, the outdoor dining area, the top of wall height shall fully break the line of sight between the outdoor dining area and the sensitive receptor if practical (i.e., if additional barrier height does not require substantial structural modifications and complies with other applicable zoning and building code regulations).

Example photo: Brick wall softened with vegetative planter and adjoining wood barrier.



Design Guideline 3: Minimize the transmission of sound over perimeter walls/barriers as much as possible by providing overhead structures/features in noise concern areas, except in cases where solid roof assemblies that meet building code requirements have been constructed in such areas.

Basic Design Guidelines for Overhead Sound Attenuation Structures/Features

- 1) *Design and Assembly:* Overhead sound attenuation structures/features shall be constructed of and supported by solid materials such as wood and metal posts, beams, headers, etc. that are securely fastened or anchored to the floor assembly. Temporary or pop-up shade elements such as tents and umbrellas are not considered sound attenuation features.

Example photo: Solid metal overhead structures securely fastened/anchored to floor (note non-sound attenuating umbrellas in background).

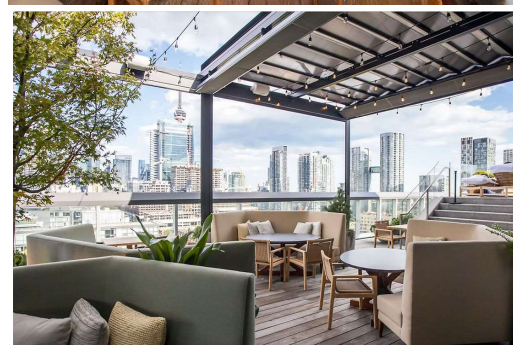


Design Guideline 3: Minimize the transmission of sound over perimeter walls/barriers as much as possible by providing overhead structures/features in noise concern areas, except in cases where solid roof assemblies that meet building code requirements have been constructed in such areas.

2) *Roof/Ceiling Materials:* The use of wood, metal, glass, plexiglass, and other solid materials is preferred in overhead sound attenuation structures/features located in high traffic areas over shuttered, retractable, louver, lattice, or cloth type structures that have openings and gaps.

- a) The use of shuttered and retractable overhead sound attenuation features could be allowed, provided the opening of such features is prohibited from 7 PM to closing and the feature is able to close free of openings or gaps.
- b) The use of lattice features should be prohibited in high traffic areas and only allowed in other areas if accompanied by the use of acoustic sails, baffles, or panels.
- c) The use of louvered features should be prohibited in high traffic areas and only allowed in other areas if the louvered feature directs sound away from all sensitive receptors and reflective surfaces.
- d) Cloth-only features, including acoustic sails, should be discouraged.

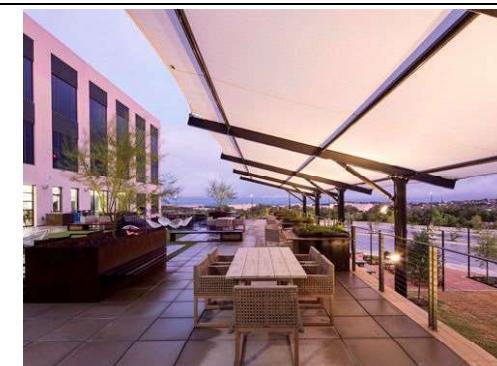
Example photos from top to bottom: Solid metal structure; solid retractable structure; cloth-only feature that should be discouraged.



Enhanced Design Guideline for Overhead Sound Attenuation Structures/Features

3) *Cantilevered Structures/Features.* The use of perimeter cantilevered overhead structures, in accordance with building code requirements, could be considered in areas of high noise concern.

Example photo: Cantilever overhead feature along building perimeter.



Sources

The following technical references are used in this document:

California Department of Transportation (Caltrans) 2013. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. Sacramento, California. September 2013.

Eplastics 2019. Plexiglass Noise Reduction Sound Barrier. Accessed May 2024. Available online at:
<<https://www.eplastics.com/blog/sound-transmission-plexiglass-sheets>>

U.S. EPA 1977. Speech Levels in Various Noise Environments. Washington, D.C. May 1977.

Viracon 2020. Acoustic Performance Data Tables. Accessed May 2024. Available online at:
<<https://www.viracon.com/wp-content/uploads/2020/09/ViraconAcousticPerfDataTables.pdf>>

The images used in this documented were obtained from the following internet sources in May 2024:

<https://www.architecturaldigest.com/gallery/best-rooftop-bars-slideshow>

<https://acousticsamerica.com/product/aanyimage-acoustic-art-panel/>

<https://acousticsamerica.com/product/acoustic-panel-48x12/>

<https://upstatebusinessjournal.com/business-news/greenville-sc-city-design-review-board-urban-panel-west-end-rooftop-bar-gets-approval/>

<https://www.plastral.com.au/product/plexiglas-soundstop-noise-barriers/>

<https://www.shadefxcanopies.com/13-commercial-rooftops-transformed-functional-spaces/>

https://willygoat.com/products/cantilever-wing-cabled-shade-structure?variant=31901665624161&utm_source=google&utm_medium=cpc&utm_campaign=Google%20Shopping&stkn=ff1d4e32b302&gad_source=1&gclid=CjwKCAjw9cCyBhBzEiwAJTUWNQFFEn23ZvPIGX3aXjbJEUNxrOCEnK76wWTUyX1Kj3IRSpCLBgb2fxoCNicQAvD_BwE

NATIVE AMERICAN HERITAGE COMMISSION

May 19, 2025

Jaehee Yoon
City of Manhattan BeachVia Email to: jyoon@manhattanbeach.gov

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Outdoor Dining Ordinance Update Project, Los Angeles County

To Whom It May Concern:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:



CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

SECRETARY
Sara Dutschke
Miwok

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Reid Milanovich
Cahuilla

COMMISSIONER
Bennae Calac
Pauma-Yuima Band of
Luiseño Indians

COMMISSIONER
Vacant

ACTING EXECUTIVE
SECRETARY
Steven Quinn

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission. The request form can be found at <http://nahc.ca.gov/wp-content/uploads/2015/08/Local-Government-Tribal-Consultation-List-Request-Form-Update.pdf>

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
Los Angeles County
5/19/2025

Tribe Name	Fed (F) Non-Fed (N)	Contact Person	Contact Address	Phone #	Fax #	Email Address	Cultural Affiliation	Counties	Last Updated
Cahuilla Band of Indians	F	BobbyRay Esparza, Cultural Director	52701 CA Highway 371 Anza, CA, 92539	(951) 763-5549		besparza@cahuilla-nsn.gov	Cahuilla	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	6/28/2023
Cahuilla Band of Indians	F	Anthony Madrigal, Tribal Historic Preservation Officer	52701 CA Highway 371 Anza, CA, 92539	(951) 763-5549		anthonymad2002@gmail.com	Cahuilla	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	6/28/2023
Cahuilla Band of Indians	F	Erica Schenk, Chairperson	52701 CA Highway 371 Anza, CA, 92539	(951) 590-0942	(951) 763-2808	chair@cahuilla-nsn.gov	Cahuilla	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	2/1/2024
Gabrieleno Band of Mission Indians - Kizh N Nation		Andrew Salas, Chairperson	P.O. Box 393 Covina, CA, 91723	(844) 390-0787		admin@gabrielenoindians.org	Gabrieleno	Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura	8/18/2023
Gabrieleno Band of Mission Indians - Kizh N Nation		Christina Swindall Martinez, Secretary	P.O. Box 393 Covina, CA, 91723	(844) 390-0787		admin@gabrielenoindians.org	Gabrieleno	Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura	8/18/2023
Gabrieleno/Tongva San Gabriel Band of Mission Indians	N	Anthony Morales, Chairperson	P.O. Box 693 San Gabriel, CA, 91778	(626) 483-3564	(626) 286-1262	GTTribalCouncil@aol.com	Gabrieleno	Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura	12/4/2023
Gabrielino Tongva Indians of California Tribal Council	N	Christina Conley, Cultural Resource Administrator	P.O. Box 941078 Simi Valley, CA, 93094	(626) 407-8761		christina.marsden@alummi.usc.edu	Gabrielino	Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura	3/16/2023
Gabrielino Tongva Indians of California Tribal Council	N	Robert Dorame, Chairperson	P.O. Box 490 Bellflower, CA, 90707	(562) 761-6417	(562) 761-6417	glongva@gmail.com	Gabrielino	Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura	3/16/2023
Gabrielino/Tongva Nation	N	Sandonne Goad, Chairperson	106 1/2 Judge John Also St., #231 Los Angeles, CA, 90012	(951) 807-0479		sgoad@gabrielino-tongva.com	Gabrielino	Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura	3/28/2023
Gabrielino-Tongva Tribe	N	Charles Alvarez, Chairperson	23454 Vanowen Street West Hills, CA, 91307	(310) 403-6048		Chavez1956metro@gmail.com	Gabrielino	Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura	5/30/2023
Gabrielino-Tongva Tribe	N	Sam Dunlap, Cultural Resource Director	P.O. Box 3919 Seal Beach, CA, 90740	(909) 262-9351		tongvatcrr@gmail.com	Gabrielino	Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura	5/30/2023
Santa Rosa Band of Cahuilla Indians	F	Vanessa Minotti, Tribal Administrator	P.O. Box 391820 Anza, CA, 92539	(951) 659-2700	(951) 659-2228	vmnotti@santarosa-nsn.gov	Cahuilla	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	4/8/2024
Santa Rosa Band of Cahuilla Indians	F	Seven Estrada, Tribal Chairman	P.O. Box 391820 Anza, CA, 92539	(951) 659-2700	(951) 659-2228	sestrada@santarosa-nsn.gov	Cahuilla	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	4/8/2024
Soboba Band of Luiseno Indians	F	Joseph Ontiveros, Tribal Historic Preservation Officer	P.O. Box 487 San Jacinto, CA, 92581	(951) 663-5279	(951) 654-4198	jontiveros@soboba-nsn.gov	Cahuilla Luiseno	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	7/14/2023
Soboba Band of Luiseno Indians	F	Jessica Valdez, Cultural Resource Specialist	P.O. Box 487 San Jacinto, CA, 92581	(951) 663-6261	(951) 654-4198	jvaldez@soboba-nsn.gov	Cahuilla Luiseno	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego	7/14/2023

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Outdoor Dining Ordinance Update Project, Los Angeles County.

Record: PROJ-2025-002718
Report Type: AB52 GIS
Counties: Los Angeles
NAHC Group: All

From: [Gabrieleno Administration](#)
To: [Jaehee Yoon, AICP](#); [Adam Finestone, AICP](#)
Cc: [Sophia Pina](#); [Andy Salas](#)
Subject: Re: [EXTERNAL] Formal Request for Gov.-to-Gov. Consultation – Outdoor Dining Ordinance Amendment Project, Manhattan Beach, Los Angeles County, CA
Date: Thursday, May 22, 2025 12:31:19 PM

Hello Jaehee Yoon,

After reviewing the scope of the proposed amendments and noting that no ground disturbance is expected, we have no objections to the current updates as presented. That said, we respectfully request that our position be formally noted: **should any ground disturbance occur in the future as a result of these amendments or any related implementation, a Kizh Nation tribal monitor must be on-site.** This measure is essential to ensure the protection of any Tribal Cultural Resources (TCR's) that may be encountered.

Additionally, we wish to clarify for the record that the Gabrieleno Band of Mission Indians – Kizh Nation is not merely traditionally affiliated with the area, but we are the *ancestral* Tribe with deep cultural and longstanding historical ties to the geographic region now known as Manhattan Beach.

We appreciate your continued collaboration and efforts to engage in meaningful government-to-government consultation. Should the City be in agreement with the statements above, including the confirmation that no ground disturbance will occur, we do not see a need to move forward with scheduling a meeting at this time.

Best regards,
Sophia Pina

Assistant | Gabrieleño Band of Mission Indians - Kizh Nation
PO Box 393
Covina, CA 91723
Office: 844-390-0787
Direct: 626- 469- 2655
website: www.gabrielenoindians.org



The region where Gabrieleño culture thrived for more than twelve thousand years encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the

labor of the Gabrieleño who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing herds of livestock. The Gabrieleño are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area. That's a contribution that Los Angeles has not recognized--the fact that in its early decades, without the Gabrieleño, the community simply would not have survived.

On Thu, May 22, 2025 at 9:23 AM Jaehee Yoon, AICP <jyoon@manhattanbeach.gov> wrote:

Good morning Sophia,

Thank you for reaching out to us to schedule a consultation on the proposed code amendments. Per your request, we are available on the following dates and timeframes for a virtual meeting:

- May 27 (Tue): 9am-noon; 3pm-4pm
- May 28 (Wed): 9am-noon
- May 29 (Thur): 10am-5pm
- June 2 (Mon): 9am-11am

As a reminder, the proposed code amendments are to update the existing outdoor dining ordinance with a focus on operational standards and will **NOT result in any ground disturbance.**

Please let me know if you have any other questions.

Thank you

MB Logo



JAEHEE YOON, AICP
SENIOR PLANNER

(310) 802-5513
jyoon@manhattanbeach.gov

The Citizen Self Service (CSS) Online Portal is available for City permit and planning applications and inspections. Most Community Development services are available online and various divisions can be reached at (310) 802-5500 or Email during normal City business hours. View the in-person Community Development services schedule. Please note that the last sign-in for morning walk-in services is at 11:15 A.M. The last sign in for all other available services is 15 minutes prior to close of business.

CITY OF MANHATTAN BEACH 1400 Highland Avenue Manhattan Beach, CA 90266

Office Hours: M-Th 8:00 AM-5:00 PM | Fridays 8:00 AM-4:00 PM | Not Applicable to Public Safety

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From: Gabrieleno Administration <admin@gabrielenoindians.org>

Sent: Monday, May 19, 2025 12:16 PM

To: Jaehee Yoon, AICP <jyoon@manhattanbeach.gov>

Cc: Sophia Pina <sophia_pina@gabrielenokizh.org>; Andy Salas
<chairman@gabrielenoindians.org>

Subject: [EXTERNAL] Formal Request for Gov.-to-Gov. Consultation – Outdoor Dining Ordinance Amendment Project, Manhattan Beach, Los Angeles County, CA

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Dear Jaehee Yoon,

Please see the attached formal letter from Chairman Andrew Salas of the Gabrieleño Band of Mission Indians – Kizh Nation, respectfully requesting government-to-government consultation regarding the, ***Outdoor Dining Ordinance Amendment Project*** in Manhattan Beach, Los Angeles County, CA.

As outlined in the letter, our Tribe has ancestral and cultural ties to this area and wishes to initiate consultation in accordance with Assembly Bill 52 (AB 52) and CEQA.

At your earliest convenience, we kindly ask that you **confirm receipt of this letter and provide availability for an initial consultation meeting**. Should you have any questions or require additional information, please don't hesitate to reach out.

Best regards,
Sophia Pina

Assistant | Gabrieleño Band of Mission Indians - Kizh Nation

PO Box 393
Covina, CA 91723

Office: 844-390-0787
Direct: 626- 469- 2655

website: www.gabrielenoindians.org

The region where Gabrieleño culture thrived for more than twelve thousand years encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the labor of the Gabrieleño who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing herds of livestock. The Gabrieleño are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area. That's a contribution that Los Angeles has not recognized--the fact that in its early decades, without the Gabrieleño, the community simply would not have survived.