



## Legislation Text

---

**File #:** 24-0260, **Version:** 1

---

**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Talyn Mirzakhanian, Acting City Manager

**FROM:**

Ryan Heise, Acting Community Development Director

Adam Finestone AICP, Planning Manager

Jaehee Yoon AICP, Senior Planner

**SUBJECT:**

Consideration of a Pilot Project to Partially Implement the Preferred Vision of the Long-Term Outdoor Dining Program (Acting Community Development Director Heise).

**(Estimated Time: 1 Hr.)**

**DISCUSS AND PROVIDE DIRECTION**

---

**RECOMMENDATION:**

Staff recommends that the City Council consider a pilot project that will partially implement the long-term outdoor dining program's preferred vision and provide staff with direction.

**FISCAL IMPLICATIONS:**

If the City Council desires to implement the pilot project, an appropriation of \$136,605 will be required to fully fund the project. Specifically, \$88,225 from the unreserved Capital Improvement (CIP) Fund, \$42,630 from the unreserved General Fund, and \$5,750 from the unreserved Gas Tax Fund balances, respectively. Any additional or unanticipated costs would need to be funded with unreserved General Fund balance.

**BACKGROUND:**

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. On August 24, 2021, the City Council directed staff to pursue a work plan item to study a long-term program for outdoor dining and business uses as the focus gradually shifted from a temporary program to one in a post-pandemic era. On July 5, 2022, the City Council also directed staff to form a 15-member ad hoc task force to assist in the long-term program development process, in which eight task force seats that were not previously assigned were appointed by the City Council on April 4, 2023.

On September 5, 2023, the first status update report was presented before the City Council on the task force-recommended program scope, Minor Local Coastal Program amendment option, and a potential contract amendment with the City's outdoor dining consultant Moore Iacofano Goltsman,

Inc. (MIG). At the time, the City Council opposed amending the contract for a statistically accurate community survey and alternative traffic pattern analysis as it was not warranted.

On February 20, 2024, the second status update report was presented before the City Council regarding community outreach efforts conducted, conceptual plans of the preferred program vision for the long-term outdoor dining program, and potential amendments to MIG's contract to develop preliminary plans. The preferred vision for the long-term outdoor dining program stemmed from the primary goal of creating a program that can balance the provision of outdoor dining opportunities, where appropriate in the context of the City's built environment, with preserving the residents' quality of life. In establishing the preferred vision, input received from the task force, as well as that obtained through extensive community outreach efforts and inter-departmental discussions were considered. Specifically, staff sought to address concerns that were repeatedly heard from the community related to narrow sidewalks, parking shortages, traffic congestion, trash, noise, and visual impairment of on-street decks. With these concerns in mind, staff developed a well-balanced solution for providing outdoor dining for residents and visitors patronizing local restaurants.

The main components of the preferred program vision are as follows:

- Widening sidewalks along select streets to provide outdoor dining opportunities immediately adjacent to restaurants rather than across the sidewalk;
- Reconfiguring on-street parking spaces; and
- Incorporating public-serving amenities throughout Downtown and North Manhattan Beach.

The task force discussed and endorsed the preferred program vision at its December 2023 and January 2024 meetings. In addition, staff engaged with the California Coastal Commission (CCC) in early discussions to receive their input on the preferred program, which was well-received due to the several public benefits that can be derived from it. These include, but are not limited to, creating robust sidewalk dining opportunities; placing outdoor dining areas immediately adjacent to storefronts to provide pedestrians with an unobstructed path of travel (without restaurant staff crossing the sidewalk to serve patrons); avoiding adverse impacts of on-street decks (visual blight, scenic coastal view impairments, drainage, trash, vermin, long-term maintenance issues, etc.); and resulting in no net loss of on-street parking spaces.

At this time, staff is working with MIG on finalizing the preliminary plans, cost estimate, and phasing plan of the preferred program vision for the City Council's consideration in the near future.

## **DISCUSSION:**

Based on the nature and scope of the preferred program vision, it is anticipated that considerable time and resources will be needed to bring the vision to fruition. For this reason, it could be advantageous to consider a pilot project which will serve to test the concept first. As such, staff has identified a vendor that specializes in building modular systems for sidewalk extensions, parklets, and other semi-permanent right-of-way improvements. Key benefits of the modular system under consideration is that it can be customized to fit existing conditions in the field and be installed/removed at a fraction of the cost of building permanent improvements. Therefore, the modular system would allow the City to test the preferred program vision along a single street segment in a cost-effective manner. It will also provide an opportunity for the City to gauge the interest from the public and business community on the preferred vision prior to investing significant

resources.

In selecting the pilot project location, staff identified the west side of Manhattan Avenue between Center Place and Manhattan Beach Boulevard as the ideal location. This specific block was selected based on a number of factors as identified below:

1. The terrain is relatively flat;
2. There are three businesses (Dash Dashi, Tacolicious, and Nando Trattoria) that can make use of the expanded outdoor dining opportunities, thus providing greater opportunities for feedback on the concept;
3. The entire block can be widened to create an unobstructed pedestrian path of travel;
4. No net loss of parking will occur as an equal number of on-street parking spaces lost by the sidewalk widening will be gained on the opposite side of the street, which can be reconfigured from parallel to angled parking; and
5. The newly angled parking spaces will align with those fronting Manhattan Beach Post to the north which will create a consistent width along the street lane when traveling north.

As proposed, the modular system would be installed at the edge of the existing sidewalk curb, with a transition ramp to connect to the system panels. The pilot project would essentially widen the existing 10-foot-wide sidewalk by an additional eight feet for a total width of 18 feet. Planters will be provided at the outer edge of the system panels for pedestrian safety purposes. While the first eight feet adjacent to the buildings would be reserved for outdoor dining, the remaining 10 feet will be used for pedestrian traffic and planters. The system panels are made of a composite material, and the transition ramp and planters will be powder coated to ensure durability in the City's coastal climate.

Staff has engaged with the three establishments along the project site and confirmed their interest in taking part in the pilot project. The establishments are aware that the use fee for sidewalk dining in the public right-of-way will be \$0.50 higher per square foot per month during the pilot program than the current charge of \$3.00. A higher use fee has been proposed because the City will be making improvements that will directly benefit the three establishments by providing larger and enhanced outdoor dining areas. It should be noted that Tacolicious and Nando Trattoria currently have active sidewalk dining permits with leasable right-of-way areas approved at 63 square feet and 25 square feet, respectively. Under the current use fee of \$3.00/square-foot/month, the City collects \$264 per month (\$189 from Tacolicious and \$75 from Nando Trattoria). By imposing a \$3.50/square foot/month fee for the pilot project, and based on the larger outdoor dining area (128 square feet for Nando, and 160 square feet each for Tacolicious and Dash Dashi), the City would collect a total of \$1,568/month (\$448 from Nando Trattoria, and \$560 each from Tacolicious and Dash Dashi).

The task force considered the pilot project at its July 9, 2024, meeting and unanimously supported the idea with input as follows:

- Allow the pilot project to remain for a full year to see how it functions during various times of the year.
- Consider a different material for the transition ramps as it may become a safety hazard during hot summer days or in rainy conditions.
- Implement outdoor dining regulations as proposed by the task force to the fullest extent possible to truly evaluate the impacts of the long-term outdoor dining program.

- Incorporate informational signage with a QR code to provide the community with background on the pilot project and an opportunity to provide feedback on their experience.

The cost estimate for the pilot project, including work to be performed by the Public Works Department to restripe the right-of-way (street lane and parking spaces) and install/relocate parking meters, is \$136,605 (\$78,450 for the modular system; and \$58,155 for Public Works Department improvements, and maintenance activities for a one-year period). The lead time for procurement of the modular system is 8 to 10 weeks, with installation and right-of-way improvements anticipated to take approximately one week. During the interim, the City will need to secure the necessary Coastal Development Permit (CDP) for the pilot project as the site is located within the appealable area of the Coastal Zone. It should be noted that the CCC has been informed of the pilot project and is supportive of the effort.

### **FUTURE STATUS REPORT(S):**

Staff is tentatively scheduled to provide a subsequent status report to the City Council at a future date. At that time, an overview of all task force recommendations to-date will be presented for the City Council's consideration, prior to drafting the outdoor dining ordinance. In addition, the preliminary plans and associated documents for the preferred program vision (cost estimate, construction phasing, fiscal impact analysis, and parking strategy analysis) will be presented. Currently, said plans and documents by the consultant team are under review by staff.

### **CONCLUSION:**

Staff acknowledges that there are a number of important projects currently underway in Downtown, the most significant being the development and implementation of temporary and long-term solutions for Parking Lot 3. Recognizing that there are competing interests for resources, staff is presenting this pilot project for the City Council to consider as an option either now or in the future. If and when the City is ready to proceed, staff will bring back a resolution requesting adoption of the CDP and appropriation of funds. As such, staff is requesting direction from the City Council regarding support for, and timing of implementation of the pilot project.

### **PUBLIC OUTREACH:**

A courtesy notice was published in The Beach Reporter on September 19, 2024, and an email was sent out to all interested parties notifying them of the scheduled discussion before the City Council. Additionally, this report will be uploaded to the City's dedicated outdoor dining webpage. As of the writing of this report, staff received no public comments.

### **ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the discussion and direction from Council is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c) (3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary. At this time, no environmental review is required for the pilot project itself. If the City Council directs staff to proceed with the pilot project, the pilot project itself would qualify for an exemption pursuant to CEQA Guidelines section 15301(c) for minor modifications to existing streets and sidewalks. Additionally, the long-term outdoor dining program as well as the associated code and policy amendments are subject to CEQA, which is included in the current contract with MIG to conduct the necessary CEQA analyses.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENTS:**

Pilot Project Plan and Cost Estimate

City Council Status Update Report No. 1 (September 5, 2023)

City Council Status Update Report No. 2 (February 20, 2024)

City Council Status Update Report No. 3 (April 16, 2024)

PowerPoint Presentation