

RESOLUTION NO. PC 16-06

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MANHATTAN BEACH DOWNTOWN SPECIFIC PLAN AND CONFORMING AMENDMENTS TO THE MANHATTAN BEACH GENERAL PLAN, AND ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

THE MANHATTAN BEACH PLANNING COMMISSION HEREBY FINDS AND RESOLVES AS FOLLOWS:

SECTION 1. The City of Manhattan Beach (“City”) has prepared a Downtown Specific Plan to implement goals and policies for Downtown Manhattan Beach. Amendments to the Manhattan Beach General Plan would designate Downtown Manhattan Beach as the “Downtown Specific Plan Area.”

SECTION 2. The Downtown Specific Plan Area encompasses approximately 40 blocks and 51.62 acres in the central western portion of the City, adjacent to the Manhattan Beach pier. It is bounded by 15th Street to the north, Valley Drive to the east, 8th, 9th, and 10th Streets to the south, and The Strand to the west. The Land Use Policy Map, attached as **Exhibit A**, depicts the boundaries of this area. The Downtown Specific Plan would repeal and replace the Downtown Manhattan Beach Design Guidelines adopted in 1998.

SECTION 3. The Planning Commission held a public hearing on October 26, 2016, to consider its recommendation on the Downtown Specific Plan and related amendments. The public hearing was noticed in *The Beach Reporter*, a newspaper of general circulation in the City. Notices were also sent to property owners in the Downtown Specific Plan Area.

SECTION 4. The proposed Downtown Specific Plan is the result of a three-year, multi-phase process that involved comprehensive studies, planning, design, and community involvement.

SECTION 5. Government Code Section 65358 authorizes the City to amend its General Plan. Government Code Sections 654530 *et seq* authorizes the City to prepare and adopt a Specific Plan that is consistent with the General Plan.

SECTION 6. CEQA.

A. In accordance with the provisions of CEQA and the CEQA Guidelines, the City prepared an Initial Study/Mitigated Negative Declaration (“MND”) that analyzed the potential environmental impacts of the proposed Downtown Specific and amendments to the General Plan, zoning code, and Local Coastal Program (“Project”). The MND determined that the Project would have potentially significant impacts in the following impact categories and that these impacts can be reduced to a less than significant level with incorporation of mitigation measures:

Air Quality, Cultural Resources, Geology and Soils, Noise, and Transportation/Traffic. In all other impact categories, the MND determined that the Project would have no impact or a less than significant impact without mitigation.

B. On August 25, 2016, the City issued a Notice of Intent to Adopt a Mitigated Negative Declaration (“NOI”) and circulated the Draft MND for public review from August 25, 2016, to September 23, 2016. The City posted the NOI and made the Draft MND available for public review at the City’s website, City Hall, the City Police/Fire Facility, the local County of Los Angeles Public Library, the Joslyn Community Center, and Manhattan Heights. The NOI was also noticed in The Beach Reporter. The Draft MND was circulated through the Office of Planning and Research’s State Clearinghouse (SCH No. 2016081065).

C. During the public review and comment period, the City received one comment from a public agency and three comments from members of the public. The City prepared responses to each of the comments and prepared a Final MND (attached hereto as **Exhibit C**) that includes the Draft MND, comments received during the public comment period, and responses to those comments. The City also prepared a Mitigation Monitoring and Reporting Program for the Project (attached hereto as **Exhibit D**). The Planning Commission finds that the MND was completed in compliance with CEQA and the CEQA Guidelines.

D. On October 26, 2016, the Planning Commission conducted a duly noticed public hearing to consider the Final MND and the Project. The Planning Commission has considered all the evidence in the record, including the Final MND, staff reports and presentations, and all comments presented at the public hearing. The Final MND reflects the Planning Commission’s independent judgment and analysis.

E. The Planning Commission finds, in its own independent judgment after considering all relevant evidence in the record, that there is no substantial evidence supporting a fair argument that the proposed project may have a significant effect on the environment with incorporation of the mitigation measures identified in the Final MND. The Planning Commission finds that the Project will not have a significant environmental effect and recommends that the City Council adopt the Final MND and Mitigation Monitoring and Reporting Program for the Project.

SECTION 7. The Planning Commission finds, and recommends that the City Council find, that the Downtown Specific Plan attached as **Exhibit B** is consistent with the Manhattan Beach General Plan based on the following:

A. Concurrent amendments to the General Plan’s Land Use Policy Map would designate Downtown Manhattan Beach as the “Downtown Specific Plan Area.” The Downtown Specific Plan’s land use classifications and land use plan are consistent with those specified in the General Plan.

B. A consistency analysis between the Downtown Specific Plan and particular General Plan policies is presented in the Land Use and Planning section of the MND, attached as **Exhibit C** and incorporated hereto by reference as if set forth in full. The Downtown Specific Plan is designed to advance and implement the General Plan’s policy vision for Downtown

Manhattan Beach by preserving Downtown’s small-town character, improving pedestrian amenities, and addressing mobility and parking needs. The Downtown Specific Plan implements and is consistent with the following General Plan policies among others.

1. Policy LU-1.1 – The Downtown Specific Plan maintains the existing 26-foot height limit for two-story commercial buildings, with an exception for the Downtown Commercial designation, Area B, to allow a 2-foot increase for elevator shafts limited in size and location.

2. Policies LU-3.2 and LU-7.2 – The Downtown Specific Plan establishes a framework, including design guidelines and development standards, to preserve the character of Downtown Manhattan Beach and improve the areas visual identity as a unique commercial destination while creating an environment conducive to high quality development.

3. Policy LU-3.6 – The Downtown Specific Plan retains existing walkstreet landscape standards, which encourage private low-height landscaping

4. Policies LU-4.1, LU-7.3, and CR-6.1 – The Downtown Specific Plan envisions future improvements to the streets, sidewalks, and open space that enhance pedestrian and bicycle access to beach areas through Downtown Manhattan Beach while minimizing residential neighborhood intrusion. It also envisions coordinated, custom streetscape furnishings, landscaping, and materials that enhance the pedestrian environment. These improvements to streets and sidewalks would enhance the area’s safe, comfortable environment for pedestrians and bicyclists. They would increase support for alternative modes of transportation.

5. Policies LU 5-7, LU 6.4 and LU 7.6 – The Downtown Specific Plan is sensitive to the needs of the residents and homeowners both within the Plan area and throughout the community, through the balance of a variety of needs and the recognition of the unique qualities of the Downtown as a mixed-use area.

6. Policy LU-6.1 – The Downtown Specific Plan supports and encourages small businesses through limits on the length of frontage along a street for commercial tenants, limits on ground floor uses to those that are pedestrian oriented, and limits on the square footage for retail uses.

7. Policy LU-7.4 – The Downtown Specific Plan encourages first-floor businesses providing attractive storefronts, an active pedestrian environment and outdoor dining spaces that enliven the area’s commercial streets, with regulations to minimize any impacts.

SECTION 8. The Planning Commission recommends that the City Council adopt the following amendments to the Land Use Element of the 2003 Manhattan Beach General Plan:

A. Replace Figure LU-3 (Land Use Policy Map) on pages LU-17 through LU-18 with the Land Use Policy Map attached as **Exhibit A**.

B. Amend and restate the fourth paragraph on page LU-9 to read as follows:

“In 1996, the City adopted the Downtown Strategic Action Plan (DSAP) to articulate a community vision for the Downtown, identify issues, and establish a framework for future decisions. As a result of this the DSAP Plan, in 1998 the City adopted the Downtown Design Guidelines were adopted as a planning tool to shape the function and appearance of Downtown. The Guidelines establish three overarching themes for Downtown:

- Preserve the small town village character of downtown Manhattan Beach
- Preserve and enhance the pedestrian orientation of downtown Manhattan Beach
- Protect and encourage streetscape amenities

In 2014 the community felt a need for further regulations to implement the community vision for Downtown and the Downtown Specific Plan was initiated. After robust public outreach and community participation, in 2016 the City adopted the Downtown Specific Plan as a planning tool to shape the function and appearance of Downtown, including new regulations and design guidelines for the area. The Downtown Specific Plan establishes the following vision for Downtown to preserve and enhance the character and ensure its future economic viability:

- Preserve and enhance the small town character
- Enhance pedestrian and bicycle access
- Improve access to parking and alternative transportation options
- Encourage, maintain and enhance economic vitality

C. Amend the section entitled “Land Use Designations” of the Land Use Plan to add new language to the end of the subsection entitled “Downtown Commercial” to read as follows:

“The entire Downtown Commercial designation is included within the Downtown Specific Plan Area as described further in this section.”

D. Amend the section entitled “Land Use Designations” of the Land Use Plan to add a new subsection entitled “Downtown Specific Plan Area” after the subsection entitled “Public Facilities Categories” to read as follows:

“Downtown Specific Plan Area

The Downtown Specific Plan governs the Downtown Specific Plan Area. It includes several land use designation described previously including the entire Downtown Commercial area and portions of the High Density Residential, Parks/Open Space and Public Facilities classifications. The Civic Center and County Library are located within the Plan Area. The core purpose of the Downtown Specific Plan Area is to perpetuate and enhance the Downtown’s quaint, small town character, quality of life, and economic vitality. The Downtown Specific Plan establishes guidelines, goals, and regulations for land use; architectural and urban design; circulation and parking; and infrastructure.

Any inconsistencies between the Downtown Specific Plan and General Plan provisions applicable to uses within the Downtown Specific Plan Area are to be resolved in favor of the Downtown Specific Plan.”

E. Amend and restate Land Use Element Policy LU-7.2 to read as follows:

“Policy LU-7.2: Encourage the use of the Downtown design guidelines in the Downtown Specific Plan area to improve the Downtown’s visual identification as a unique commercial area.”

F. Amend and restate the Policy Discussion under Policy LU-3.2 in the Land Use Element, Goals and Policies, Community Aesthetics on page LU-26 to read as follows:

“To ensure quality design for development in Downtown and along Sepulveda, the City has adopted design guidelines for Downtown and Sepulveda Boulevard, respectively.

A considerable part of the charm of the Downtown is the diversity of buildings and uses. New development should display uniqueness in design yet recognize the common elements that existing structures employ to create a uniform village theme for the Downtown. The Downtown design guidelines in the Downtown Specific Plan address such issues as site design, compatibility with neighboring development, architectural elements/features, pedestrian activity, landscaping, and signs. To further address aesthetic issues in the Downtown, the Downtown Specific Plan Area has a Design Overlay District.

Sepulveda Boulevard is the major commercial corridor in Manhattan Beach, with primarily regional-serving and large-scale businesses. Ensuring quality design is especially important along this corridor to avoid monotonous and overbearing buildings, safeguard pedestrian safety and access, and promote compatibility with residential neighborhoods. The Sepulveda Boulevard Design Guidelines address such issues as vehicular access, pedestrian access, sidewalk dedication, building orientation, visual aesthetics, residential nuisances, landscaping, signs, and utility undergrounding.

To address neighborhood aesthetic issues, the North End also has a Design Overlay District and Business Improvement District.”

SECTION 9. The Planning Commission recommends that the City Council adopt the Manhattan Beach Downtown Specific Plan attached to this Resolution as **Exhibit B**.

SECTION 10. The Secretary to the Planning Commission shall certify to the adoption of this Resolution.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of October 26, 2016, and that the Resolution was adopted by the following vote:

AYES:

NOES:

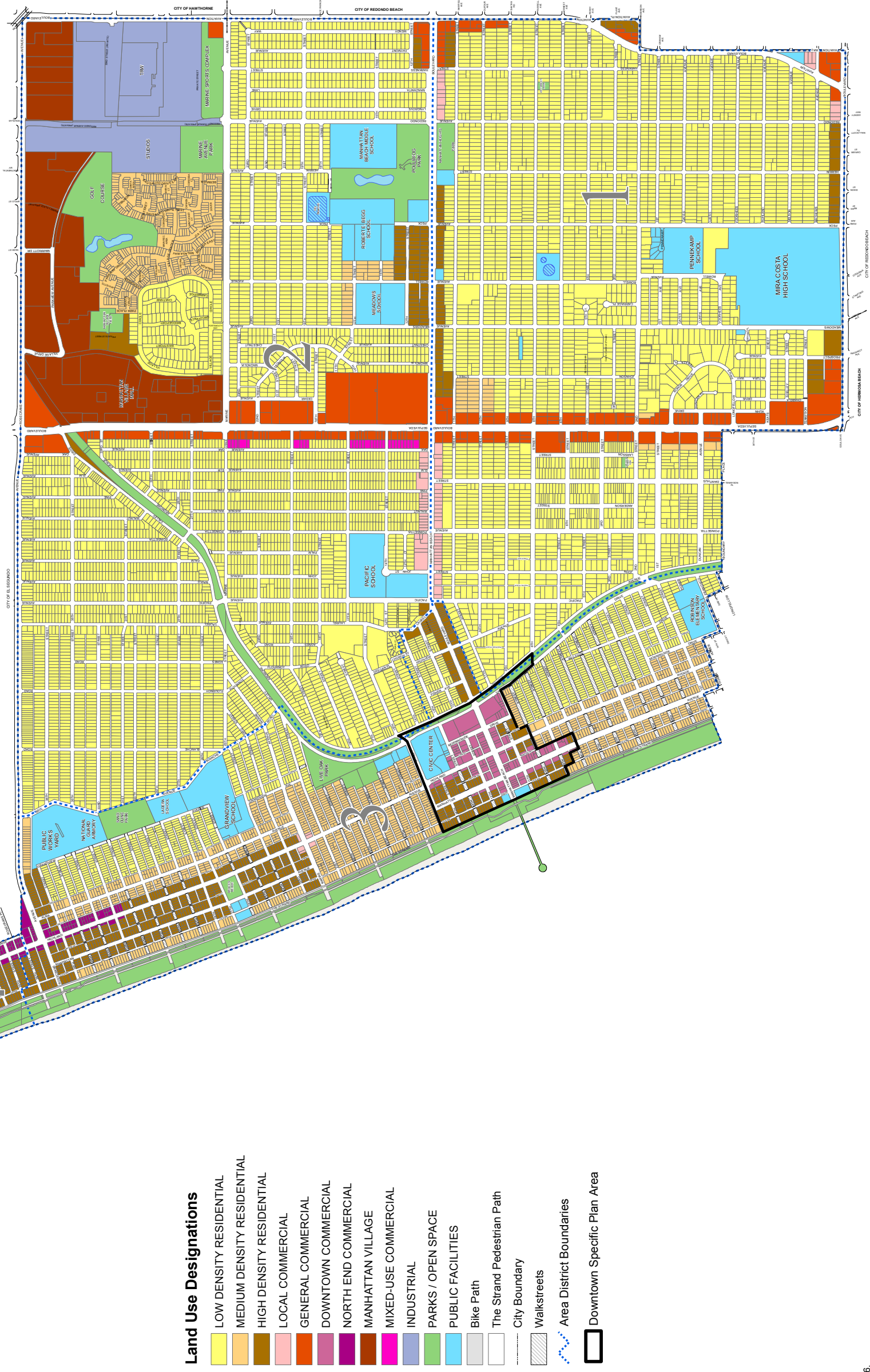
ABSENT:
ABSTAIN:

Marisa Lundstedt
Secretary to the Planning Commission
Community Development Director

Rosemary Lackow
Recording Secretary

Exhibit A General Plan Land Use Policy Map

Resolution No. PC 16-06



- Land Use Designations**
- LOW DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - HIGH DENSITY RESIDENTIAL
 - LOCAL COMMERCIAL
 - GENERAL COMMERCIAL
 - DOWNTOWN COMMERCIAL
 - NORTH END COMMERCIAL
 - MANHATTAN VILLAGE
 - MIXED-USE COMMERCIAL
 - INDUSTRIAL
 - PARKS / OPEN SPACE
 - PUBLIC FACILITIES
 - Bike Path
 - The Strand Pedestrian Path
 - City Boundary
 - Walkstreets
 - Area District Boundaries
 - Downtown Specific Plan Area

Source: City of Manhattan Beach, 2016.



Exhibit B
Downtown Specific Plan

See Staff report
Attachment 2

Exhibit C
Initial Study/Mitigated Negative Declaration

See Staff report
Attachment 11

Exhibit D

Mitigation Monitoring and Reporting Program

City of Manhattan Beach City of Manhattan Beach Downtown Specific Plan and Local Coastal Program Amendments Project Mitigation Monitoring and Reporting Program						
Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<p>Mitigation Measure AQ-1: The City shall require that projects that involve ground disturbing activities or large construction equipment that are implemented under the Specific Plan are analyzed as part of project review in accordance with SCAQMD recommended methodologies and significance thresholds. Emission reductions shall be achieved by incorporating the following which shall be included on construction plans and specifications as part of a construction management and parking plan:</p> <ul style="list-style-type: none"> ▪ Water all active construction areas at least twice daily as required. ▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard. ▪ Sweep daily, as required, all paved access roads, parking areas, and staging areas at construction sites. ▪ Sweep streets daily as required if visible soil material is carried onto adjacent public streets. ▪ Reduce unnecessary idling of truck equipment in proximity to sensitive receptors (i.e. idle time of 5 minutes or less). ▪ Use construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. ▪ Properly maintain construction equipment per manufacturer specifications. ▪ Designate a disturbance coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented. 	During construction activities	City of Manhattan Beach Building and Safety Division and Public Works Department	The Building and Safety Division and Public Works Department shall ensure that all projects under the Specific Plan that involve ground disturbing activities or large construction equipment are analyzed in accordance with SCAQMD recommendations and that appropriate mitigation measures are included on construction plans and specifications to ensure emission reductions and compliance with this measure.			
<p>Mitigation Measure CUL-1: If archaeological resources (i.e., historical, prehistoric, and isolated artifacts and features) are inadvertently discovered during construction of future improvements envisioned in the Specific Plan, work shall be halted immediately within 50 feet of the discovery, the City shall be notified, and a professional archaeologist who meets the Secretary of the Interior's Standards and Guidelines for Professional Qualifications in archaeology and/or history shall be retained to determine the significance of the discovery. Project personnel shall not collect cultural resources.</p>	During construction activities	City of Manhattan Beach Building and Safety Division and Public Works Department	Upon finding of archaeological resources, the Building and Safety Division and Public Works Department shall review the significance of the find determined by the qualified archaeologist and ensure compliance with the suggested techniques, which may include periodic site inspections.			

City of Manhattan Beach City of Manhattan Beach Downtown Specific Plan and Local Coastal Program Amendments Project Mitigation Monitoring and Reporting Program						
Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure CUL-2: If human remains are discovered during project construction, all work shall be halted immediately within 50 feet of the discovery, the City shall be notified, and the County Coroner must be notified, according to California Public Resources Code Section 5097.98 and California Health Code Section 7050.5. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.	During construction activities	City of Manhattan Beach Building and Safety Division and Public Works Department	Upon finding of human remains, the Building and Safety Division and Public Works Department shall ensure the County Coroner is contacted and, if remains are deemed to be Native American, contact the NAHC and follow all necessary CEQA procedures.			
Mitigation Measure CUL-3: In accordance with AB-52, the City of Manhattan Beach will notify the Gabrieleno Band of Mission Indians- Kizh Nation, of any Downtown Specific Plan area projects that involve soil disturbances, as complete applications for such projects are received.	Implementation project application processing	City of Manhattan Beach Building and Safety Division and Public Works Department	The Community Development Department shall notify the Gabrieleno Band of Mission Indians- Kizh Nation of any received applications involving soil disturbances in the Downtown Specific Plan area.			
Mitigation Measure GEO-1: If paleontological resources are encountered during future grading or excavation activities associated with Specific Plan-related improvements, work shall avoid altering the resource and its stratigraphic context until a qualified paleontologist has evaluated, recorded, and determined appropriate treatment of the resource, in consultation with the City. Project personnel shall not collect paleontological resources. Appropriate treatment may include collecting and processing "standard" samples by a qualified paleontologist to recover microinvertebrate fossils in a museum repository for permanent curation and storage, together with an itemized inventory of the specimens.	As a condition of project approval and during construction activities	City of Manhattan Beach Building and Safety Division and Public Works Department	Upon finding of paleontological resources, the Building and Safety Division and Public Works Department shall consult with the qualified paleontologist upon determination of appropriate treatment for the resource and conduct periodic site inspections to ensure compliance with this measure.			

City of Manhattan Beach City of Manhattan Beach Downtown Specific Plan and Local Coastal Program Amendments Project Mitigation Monitoring and Reporting Program						
Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<p>Mitigation Measure NOI-1: Prior to the issuance of a use permit or building permit for any second-floor outdoor commercial restaurant dining that includes service of alcohol and hours of operation during the late night hours, an acoustical study shall be prepared to the satisfaction of the Community Development Director. The study shall quantify the anticipated noise levels generated by the use and demonstrate compliance with the "Exterior noise standards" identified in Sections 5.48.160 of the Manhattan Beach Municipal Code. Design and construction techniques may be utilized to reduce and/or shield noise sources to achieve compliance with the standard, such as sound-rated Plexiglas parapets, noise curtains, and other noise reducing materials, and/or operational conditions may be imposed to reduce any potential impacts.</p>	<p>During Use Permit or Building Permit review</p>	<p>City of Manhattan Beach Community Development Department</p>	<p>Prior to the issuance of a use permit or building permit for late night, alcohol-servicing commercial restaurants, the Community Development Director or his/her designee shall review an acoustical study to ensure compliance with the noise standards stated in the Manhattan Beach Municipal Code, and shall ensure implementation of proper design and construction techniques to reduce noise.</p>			
<p>Mitigation Measure TR-1: Public realm improvements shall be constructed in a manner in which the overall public parking supply is maintained, and no net loss in public parking occurs.</p>	<p>During plan review and plan check</p>	<p>City of Manhattan Beach Community Development Department and City of Manhattan Beach Public Works Department</p>	<p>The Community Development Department and Public Works Department shall ensure no net loss occurs in public parking due to public realm improvements.</p>			

End of Mitigation Monitoring and Reporting Program.